

# The Wantage Neighbourhood Plan

## Report of Examination

**Report to Vale of White Horse District Council**

of the Independent Examiner:

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30 July 2016

<b>Contents</b>	<b>page</b>
Summary	2
1. Introduction	3
2. Neighbourhood Plan preparation and consultation	5
3. The Neighbourhood Plan in its planning and local context	7
4. Overview	9
5. Policy 1: A spatial plan for Wantage	9
6. Policy 2: Town Centre Policy Area	10
7. Policy 3: Town Centre Development	10
8. Policies 4,5,6 and 7: Employment; Design	11
9. Policy 8: Green Infrastructure Network	11
10. Policy 9: Green Infrastructure: Letcombe Brook	12
11. Policy 10: Green Infrastructure – Chain Hill SLA	12
12. Policy 11: Green Infrastructure – Local Green Spaces	12
13. Policy 12: Infrastructure Investment	13
14. Policies 13 and 14: Community Facilities and Assets	13
15. Conclusions and recommendations	14

## Summary

1. From my examination of the submitted Wantage Neighbourhood Plan and its supporting documents, including all the representations made, I have concluded that making of the plan will not meet the Basic Conditions. In summary they are that it must:
  - Be appropriate to do so, having regard to national policies and advice;
  - Contribute to the achievement of sustainable development;
  - Be in general conformity with the strategic policies of the development plan; and
  - Not breach, and be otherwise compatible with, European Union and European Convention on Human Rights obligations.
2. I have also concluded that:
  - The plan has been prepared and submitted for examination by a qualifying body - the Wantage Town Council;
  - The plan has been prepared for an area properly designated;
  - The plan does not cover more than one neighbourhood plan area;
  - The plan does not relate to “excluded development”;
  - The plan specifies the period to which it has effect – to 2031; and
  - The policies relate to the development and use of land for a designated neighbourhood area.
3. I recommend that the plan should not proceed to a Referendum. This is on the basis that I have concluded that making the plan will not meet the Basic Conditions.
4. If the plan were to go forward to Referendum, I recommend that the Referendum Area should be the same as the Neighbourhood Plan area.

## **1. Introduction**

- 1.1 I am appointed by the Vale of White Horse District Council (the District Council), with the support of the Wantage Town Council, the Qualifying Body, to undertake an independent examination of the Wantage Neighbourhood Plan (NDP), as submitted for examination.
- 1.2 I am a planning and development professional of 40 years standing and a member of NPIERS' Panel of Independent Examiners. I am independent of any local connections and have no conflicts of interests.

### **The Scope of the Examination**

- 1.3 It is the role of the Independent Examiner to consider whether making a neighbourhood plan meets the "Basic Conditions." These are that the making of the Neighbourhood Plan must:
- Be appropriate to do so, having regard to national policies and advice contained in guidance issued by the Secretary of State;
  - Contribute to the achievement of sustainable development;
  - Be in general conformity with the strategic policies of the development plan (see Development Plan, below) for the area; and
  - Not breach, and must be otherwise compatible with, European Union (EU) and European Convention on Human Rights (ECHR) obligations.
- 1.4 Regulations also require that the Neighbourhood Plan should not be likely to have a significant effect on a European Site or a European Offshore Marine Site either alone or in combination with other plans or projects.
- 1.5 In examining the Plan I am also required to establish that the Neighbourhood Plan:
- Has been prepared and submitted for examination by a qualifying body;
  - Has been prepared for an area that has been properly designated;
  - Includes development that is excluded development (it cannot);
  - Relates to more than one Neighbourhood Area; and
  - Contains only policies that relate to the development and use of land.
- 1.6 Finally, as Independent Examiner, I must make one of the following recommendations; whether:
- a) the Plan should proceed to Referendum, on the basis that it meets all legal requirements; or
  - b) the Plan, once modified to meet all relevant legal requirements, should proceed to Referendum; or
  - c) the Plan should not proceed to Referendum, on the basis that it does not meet the relevant legal requirements.

- 1.7 If recommending that the Plan should go forward to Referendum, I am also then required to consider whether or not the Referendum Area should extend beyond the Neighbourhood Area to which the Plan relates. I make my recommendation on the Referendum Area at the end of this Report.

### **The Examination process**

- 1.8 I commenced initial preparation for the examination of the plan on 26 May 2016 by reading the plan documents. The default position is that neighbourhood plan examinations are conducted by written representations. However, I considered it necessary to hold a public hearing on certain matters on which I required clarification by the parties in person or to hear oral evidence. This was on a range of topics, which I had set out in an agenda.
- 1.9 A public hearing took place on 6<sup>th</sup> July at the Beacon, a commonly used meeting place within the neighbourhood plan area. I carried out an unaccompanied site visit in advance, as well as accompanied site visits before and at the close of the hearing.
- 1.10 In the lead up to, and following, the hearing the District and Town Councils assisted me with a set of detailed maps of the proposed Local Green Spaces, the development boundary (referred to in Policy 1) and some suggested modifications to the text of some policies. I found this very helpful.

### **The Examination documents**

- 1.11 In addition to the legal and national policy framework and guidance (principally The Town and Country Planning Acts, Localism Act, Neighbourhood Plans Regulations, the National Planning Policy Framework and the Planning Policy Guidance) together with the development plan (see section 3), the relevant documents that were furnished to me, and were identified on the both Councils' websites as the neighbourhood plan and its supporting documentation for examination, were:
- Wantage Neighbourhood Plan – Submission version
  - Basic Conditions Statement; and
  - Consultation Statement.
- 1.12 I was also made aware of the evidence base for the plan on the Town Council's website.
- 1.13 In addition, I was furnished with hard copies of some evidence/background documents, including:
- Housing need summary
  - Local Character Assessment
  - Wantage Green Infrastructure and Open Space Provision: an assessment
  - Town Centre Masterplan (with commercial considerations appendix)
  - Development Plan Proposals Map; and extract for Wantage Town Centre

### **The Qualifying Body and the Designated Area**

- 1.14 Wantage Town Council is the designated qualifying body. The neighbourhood plan area extends beyond the current parish boundary, to take in Crab Hill and Stockham Park Farm, which forms part of Grove Parish but will be transferred to Wantage

under a boundary review. The Council designated the Neighbourhood Area in December 2013. There is no other neighbourhood plan for this area.

### **The Neighbourhood Plan Area**

- 1.15 The plan is focused on the town of Wantage, a medium-sized market town with a population of some 11,000, though it serves a hinterland of something closer to 30,000. The town lies immediately to the north of the North Wessex Downs AONB; the Letcombe Brook, a rare chalk stream, flows through the centre of the town. The plan area hugs the town and extends southwards into mainly open countryside beyond it.

### **Human Rights**

- 1.16 I have no reason to believe that making the plan breaches or is incompatible with the European Convention on Human Rights.

### **Plan period**

- 1.17 The neighbourhood development plan states clearly on the cover, and in section 4, that the plan covers the period to 2031, which is co-terminus with the emerging Local Plan.

### **Excluded development**

- 1.18 The plan does not contain any policies related to excluded development (essentially minerals and waste, nationally significant infrastructure projects).

## **2. Neighbourhood Plan preparation and public consultation**

- 2.1 The Neighbourhood Plan grew out of the launch and consultation events carried out in June/July 2013. This led to a series of meetings with over 40 residents attending, sharing information gaining commitment and developing theme groups. Four working groups comprised:

- Town centre business, economy and technology;
- Heritage, environment, conservation and design;
- Transport, infrastructure, education and health; and
- Youth, leisure, sport and art.

- 2.2 The steering group organized a number of events that built up an understanding of local issues and potential solutions, including a summer fair and a public exhibition. Each working group carried out SWOT and PEST analysis. The results of the questionnaires were used to construct the agenda for a workshop to which over 40 stakeholders were invited. This informed core policies which underpin the plan.

- 2.3 The working groups continued to investigate some of their topics in more detail and surveys were undertaken. These led to the production of the "First Report", which summarised the evidence base and the plan context. It also enabled the District to screen the plan for strategic environmental assessment – see 2.6 below. It was also

the first opportunity for the steering group to consult on the emerging policies together. A leaflet was distributed to every household in the OX12 postcode area – larger than the plan area – and copies of the draft plan were available on the website and from a number of sites around Wantage. Responses could be submitted by email, via forms on the website or on paper. A briefing session was organized for interested parties.

- 2.4 In the light of the responses the plan was amended. Four new policies were added, to cover employment sites, the protection of the landscape area between the cemetery and the AONB, investment in infrastructure and more about community assets and facilities. The Green Infrastructure Plans were updated. The Local Green Spaces showed the areas for protection. Changes were made to the last section on implementation.
- 2.5 A newsheet was distributed to every household in OX12, to launch formal public consultation on the pre-submission plan. Email updates were sent to all volunteers and stakeholders and briefing sessions held. Press briefings, posters, website information and an exhibition all highlighted the consultation. A further 200 comments were received. These were analysed by the steering group and the plan was updated, with individual responses sent to each person who commented. The final changes were confirmed by the Town Council.

### **Environmental Assessment and EU Directives**

- 2.6 Under Article 3(3) and 3(4) of the Strategic Environmental Assessment (SEA) Directive 2001/42/EC SEA is required of plans and programmes which “determine the use of small areas at a local level”. The District Council is the “responsible authority” and must determine whether the plan is likely to have significant environmental effects. They determined that the plan would not have such effects. Natural England made no comments on the plan.

### **European Sites and the Habitats Directive**

- 2.7 The District Council determined that the plan would not have any significant effects on a European Site and that an appropriate assessment was not required. I note Natural England made no comments.

### **Examination version – public consultation**

- 2.8 The Submission Plan was submitted to the Council on 22 December 2015. The Council subsequently published the Draft Plan, under Reg 16, with all supporting documents, for a 6-week period of public consultation, from 22 January to 4<sup>th</sup> March 2016.
- 2.9 Allowing for multiple representations from the County Council and one each from Mr & Mrs Cobham, a total of 22 parties made representations were made to the District within the consultation period. In advance of the hearing I also accepted a representation from the owners of Tom’s Field.
- 2.10 A number of the representations raised issues that I considered required clarification or oral evidence. I decided to hold a public hearing on selected topics, which formed the agenda for the session. These included the settlement boundary, the town centre and Local Green Spaces designations, the last being the most contentious.

### 3. The Neighbourhood Plan in its planning and local context

#### National policies and advice

3.1 The neighbourhood plan must have regard to national policies and advice contained in guidance issued by the Secretary of State and contribute to the achievement of sustainable development (the first two basic Conditions). Paragraph 16 of the National Planning Policy Framework (the Framework) is concerned with neighbourhood planning: “The application of the presumption [in favour of sustainable development] will have implications for how communities engage in neighbourhood planning. Critically, it will mean that neighbourhoods should:

- “develop plans that support the strategic development needs set out in Local Plans, including policies for housing and economic development; [and]
- plan positively to support local development, shaping and directing development in their area that is outside the strategic elements of the Local Plan;”

3.2 The plan must give sufficient clarity to enable a policy to do the development management job it is intended to do; or to have due regard to Guidance. For example, para 042 of the Guidance explains that:

*“A policy in a neighbourhood plan should be clear and unambiguous. It should be drafted with sufficient clarity that a decision maker can apply it consistently and with confidence when determining planning applications. It should be concise, precise and supported by appropriate evidence. It should be distinct to reflect and respond to the unique characteristics and planning context of the specific neighbourhood area for which it has been prepared.”*

3.3 Also, in relation to allocations, there has to be evidence to support the particular policy, notwithstanding it may express a strong and well-intentioned aspiration or concern of the local community; the relevant policy sections. Paragraph 040 of the Guidance includes a recent revision on housing need:

*“While there are prescribed documents that must be submitted with a neighbourhood plan or Order there is no ‘tick box’ list of evidence required for neighbourhood planning. Proportionate, robust evidence should support the choices made and the approach taken. The evidence should be drawn upon to explain succinctly the intention and rationale of the policies in the draft neighbourhood plan or the proposals in an Order.”*

*A local planning authority should share relevant evidence, including that gathered to support its own plan making, with a qualifying body .....*

*Neighbourhood plans are not obliged to contain policies addressing all types of development. However, where they do contain policies relevant to housing supply, these policies should take account of latest and up-to-date evidence of housing need.*

*In particular, where a qualifying body is attempting to identify and meet housing need, a local planning authority should share relevant evidence on housing need gathered to support its own plan-making”.*

3.4 The Town Council provided me with a statement on what they understood was the housing need; though it was not on the point. However, the District Council

confirmed at the hearing that the emerging Local Plan, which is at a very advanced stage, addressed the latest housing need position and that it had no implications for the neighbourhood plan.

- 3.5 The Basic Conditions Statement sets out how the Town Council considers that the plan meets the relevant Framework policies (and related Guidance).

### **The Development Plan - strategic policies**

- 3.6 The neighbourhood development plan (NDP) must be in general conformity with the strategic policies of the development plan for the area. The development plan for the neighbourhood plan area comprises the saved policies of the 2006-11 Local Plan. The adopted Local Plan is, however, out of date. Paragraph 3.2 of the Neighbourhood Plan explains that the following policies are considered to be strategic:

- HE1: preservation and enhancement of conservation areas;
- L2: Existing urban open space;
- L3: Green Corridor (Letcombe Brook);
- NE10: Important Open Land (land to the west of the town); and
- CF2: Community facilities.

- 3.7 The NDP has, however, been prepared with the emerging Local Plan Part 1 in mind. This plan is at an advanced stage, having already been examined, with major modifications consultation taking place between July and September with the inspector's final report expected in November 2016 and adoption expected at the beginning of 2017. This plan will provide an up-to-date housing supply and a spatial strategy to 2031.

- 3.8 The NDP sets out at para 3.4 a schedule of relevant policies. It also notes that as a large part of the plan area is within the AONB that it has had regard to the North Wessex Downs Management Plan 2014-19 (para 3.5); and the County's Local Transport Plan policy LTP4 was taken into account (para 3.6).

### **The Neighbourhood Plan vision and objectives**

- 3.9 Section 4 of the plan is devoted to setting out a detailed vision and what the characteristics would be in 2031 (para 4.1), together with a set of objectives (para 4.2) covering the following themes: A successful town centre; Green Infrastructure; Maintaining our heritage; Meeting local housing need; and Viable community assets.
- 3.10 From this fourteen policies are developed. The plan acknowledges (para 5.01) that the vision can only be delivered through the planning and development process and that the plan's policies are the means for the community to guide, influence, shape and help manage development proposals. The plan concludes with a section on Implementation and with a set of Policies Maps.

## 4. Overview

- 4.1 The plan is limited in its scope. The most significant development areas, Crab Hill and Stockham Park Farm, which are identified for strategic development in the emerging Local Plan, already have outline planning permission; the latter is already under construction. In this context the main focus of the plan is on protection of the area's principal environmental assets – a green network, Letcombe Brook, Chain Hill and a wide range of Local Green Space designations – together with community assets and employment land. At the same time, policies and proposals are put forward to improve the town centre offer.
- 4.2 The plan does not allocate any land for housing; indeed, it envisages very limited opportunities for housing. As such, coupled with its extensive protectionist policies and proposals, I have concluded that the plan fails to promote sustainable development, a Basic Condition.
- 4.3 I also found that too many of the plan's key policies and proposals – especially the Green Infrastructure Network, Local Green Spaces, Chain Hill and the town centre development site - lacked robust, proportionate, evidence to support them.
- 4.4 Consequently, I have not been able to support the plan. While some policies would benefit from greater clarity, and improved mapping would help the use of the plan, I have concluded that the making of the plan would not meet the Basic Conditions. Accordingly, I do not appraise each policy in detail but provide my appraisal and conclusions that lead me to the overall conclusion.

## 5. Policy 1: A spatial plan for Wantage

- 5.1 The policy is in three parts:
  - Containing development within a defined development boundary;
  - Resisting coalescence; and
  - Resisting development in the AONB.
- 5.2 While the plan itself does not illustrate the development boundary, it refers to the limits in the emerging Local Plan, a copy of which the Town Council provided to me. This shows an expansion of the town boundary (from the adopted Local Plan) but is not yet adopted and may change. As part of the neighbourhood plan it is not actually supported by evidence.
- 5.3 The District and County consider the policy to be unnecessary as it echoes the emerging Local Plan, which has nearly completed its examination; indeed the initial view from the Inspector is that the housing need aspect is sound. In any event, having regard to extant planning permissions, there is very little real potential for the development of land where the policy can be positively supportive. The County Council point out that the policy should be re-phrased to indicate how proposals for development outside the boundary will be considered, to ensure flexibility.
- 5.4 Overall, I concluded that the policy is not supported by proportionate, robust, evidence and does not support sustainable development. For these reasons I would therefore **recommend** that Policy 1 be deleted.

## 6. Policy 2: Town Centre Policy Area

- 6.1 The neighbourhood plan seeks to improve the vitality and viability of the town centre by extending both the Town Centre Policy Area and Primary Shopping Frontages in the adopted Local Plan (Policy CP32). In so doing it sets the context for a development aspiration (Policy 3 of the plan) and for more flexibility in the use (and re-use) of premises around the town centre. This supports the plan's vision to expand the shopping areas and pedestrianise part of Market Place.
- 6.2 The evidence for this expansion, however, is very weak. Leaving aside the need to accommodate more floorspace in a new development, which I deal with under policy 3, there is no real evidence that extending the two policy designations would lead to the improvements hoped for. From my inspections, the town centre has a challenging retail geography, has a range of vacant premises, so that it would probably benefit from greater concentration, as part of a move to improve quality and stock adaptations that meets demand, rather than expansion. The County respects the plan's aspirations to raise the environmental quality of Market Place but point out the impact on, and of, changing bus services.
- 6.3 The conclusion I have reached is that there is insufficient evidence to support this policy and so I would therefore **recommend** that Policy 2 be deleted and its mapping implications be removed from the Policies Maps.

## 7. Policy 3: Town Centre Development

- 7.1 The plan "identifies" a site to the south of Market Place, across Church Street and done to the Portway, for a new mixed use development. It would provide 2,300 sqm of commercial space (inc a 1000 sqm store), leisure uses, some 72 dwellings and a 259 space car park. The County Council regard this as an ambitious scheme and queried its deliverability. They also point out that part of the area is covenanted to education and needs the Secretary of State's consent to be disposed of.
- 7.2 At the hearing it was clarified that this proposal was an aspiration not an allocation. It comes from two main sources. The need for new floorspace is from the District-commissioned Retail and Town Centre Study (Addendum) October 2014, which assessed the requirement for a further 4,200 sqm of additional convenience and comparison goods floorspace within Wantage/Grove to 2031. The development proposal is Option 1 of the Town Centre Masterplan 2015, which is also accompanied by a Commercial Considerations appendix (essentially a viability appraisal).
- 7.3 There is no issue with the quantum of assessed need for retail floorspace, which is evidenced in a consultants' study. But the viability of the development package, even though only aspirational, is not supported by the evidence: The Commercial Considerations to the masterplan notes that the site is in multiple ownerships; that it was not suitable for comprehensive redevelopment; that it was "highly unlikely to be financially viable"; and that if one plot (fronting Church Street, which is now under construction for a care home) is sold to a third party the masterplan would be undeliverable.
- 7.4 Overall, I conclude that the policy cannot be supported by the evidence and I would **recommend** that it should be deleted.

## **8. Policies 4, 5, 6 and 7: Employment sites; Design**

- 8.1 Policy 4 seeks to protect employment sites. The rationale is that there are few employment sites in Wantage, which is dependent on opportunities outside the town. As drafted it is not consistent with the Framework's approach and would require amendment; the Town and District Councils provided me with a suggested modification which would be acceptable.
- 8.2 Policies 5 (Design – General Principles), 6 (Design – Character areas) and 7 (Design – Housing Types) are all local in nature, supported by a local Character Assessment and uncontroversial in nature. The County object to 5ii, as being unreasonable and impractical; it would require modification, as they suggest. Historic England, however, supported the identification of character areas requiring a different response in the design and density of development.

## **9. Policy 8: Green Infrastructure Network**

- 9.1 The plan proposes the “establishment” of an extensive network of green spaces around and within the town of Wantage. These comprise a range of green infrastructure assets: Letcombe Brook, proposed Local Green Spaces, informal open spaces, allotments, playing fields, landscaped noise attenuation buffers, play areas, canal corridors, footpaths bridleways and cycleways. They are mapped on Plan D, which includes potential green links, and so significantly envelope the town. This map is not adequate to support the policy – given the sheer number and the small scale of the map, all the sites need to be defined on an OS base in order to be clear as to their boundaries.
- 9.2 The policy has two aims: The third paragraph seeks to ensure that development within or adjoin these spaces “will be required to demonstrate how they enhance visual characteristics and biodiversity and to ensure... [they] ... contribute to the connectivity, maintenance and improvement of the Network”. The second paragraph concerns proposals on open land within or adjacent to the development boundary of Wantage where they will be required to meet ANGSt (Accessible Natural Greenspace Standard) standards and any local open space deficiency.
- 9.3 The plan explains that the purpose of the network is to “conserve, enhance and improve both the green character of the town and its physical links for the benefit of residents, visitors and wildlife, in ways that are affordable”. Thus, while policy is quite restrictive it does not amount to a prohibition on development. The key question is: are all the elements in the Network justified by the evidence?
- 9.4 The key evidence base is the Wantage Green Infrastructure & Open Space Provision: An Assessment of December 2015, produced at the submission stage of the plan. This is a schedule with a brief description of each element and the majority have a note of the opportunities and threats. Some sites only have a bare description – mature trees; or paddock; or small-holding etc. It is not a landscape assessment or one that explains what the special characteristics of the various sites are, or why they merit this kind of protection.
- 9.5 The assessment notes it requires further work on biodiversity and trees. The quality and consistency of the assessment, in relation to part of the Letcombe Brook corridor, was criticized at the hearing by a participant who is a respected landscape professional. I found his arguments persuasive. While generally supported by the County Council, they considered that allotments and other County owned areas such

a school playing fields should not be seen as elements which cannot change in future; allotments are not strictly “open space”.

- 9.6 I also take into account criticisms made by Gold Care Homes (re St Katherine’s Care Home) that the area included is part of a commercial enterprise that would be constrained to expand, a situation made more likely by the growth in local population. This would also impact on local employment.
- 9.7 A number of parties seem to have been unaware of the sites that were added, especially those at a late stage in the plan’s preparation.
- 9.6 I do appreciate the strong support locally for protecting such spaces; and also supported by the Environment Agency. Notwithstanding this, I have concluded that there is insufficient proportionate, robust, evidence to support the assessment’s approach and therefore the policy’s overall reliability. It is simply not robust enough. I would **recommend** that this policy is deleted.
- 9.7 A further question is the impact of this policy, given the extent of the Network proposed, on the promotion of sustainable development. My conclusion is that it is likely to impede the further development of the town to the extent that it detracts from the promotion of sustainable development.

## **10 Policy 9: Green Infrastructure – Letcombe Brook**

- 10.1 The Letcombe Brook is a rare chalk stream and important for biodiversity and supporting some priority species. Policy 9 seeks to ensure that any development proposals adjoining or within the vicinity needs to demonstrate that “they would actively enhance the Brook’s ecology, management and recreational value and not have an adverse impact ...”. The policy then sets out four criteria and also refers to more detailed Planning Guidance, set out in Appendix 1 of the plan.
- 10.2 This is a reasonable and well-evidenced policy, which is uncontroversial in nature.

## **11 Policy 10: Green Infrastructure – Chain Hill Special Landscape Area**

- 11.1 This policy “designates” land at Chain Hill as a “landscape of special character”, where proposals will need to demonstrate that they respect this character; those that don’t will be resisted. This area is land that is beyond the southern development limit of the town but not part of the adjacent AONB; effectively a gap. Historic England noted “... the importance of the area of special landscape character to sustaining the significance of the visual connection between the town and the AONB...”.
- 11.2 However, it is not clear what is meant by “designate”: it seems to be higher than the Green Network but less than AONB or Local Green Space. While the principle of protecting this area is understood there is a shortcoming in the lack of proportionate, robust, evidence for how special it is and to demonstrate why it needs to be protected by such a designation.
- 11.3 I would **recommend** the policy be deleted.

## **12 Policy 11: Green Infrastructure – Local Green Spaces**

- 12.1 This policy proposes to designate 26 areas (listed, and identified on Plan F and the Policies Maps, as a-z) as Local Green Space, citing in the supporting text (para

5.11.1) that they meet the criteria in paras 76-77 of the Framework. The Framework explains that not all green areas are suitable for such a designation and sets out four main criteria for designation, arranged under three bullets, dealing with – in summary - scale (being local in character and not extensive), proximity (in reasonably close proximity to the community they serve), is demonstrably special to that community and holds a particular local significance.

- 12.2 The mapping, at the scale in the submission draft, is not sufficient to identify each site and so I asked the Town Council to provide a set of individual maps for each site, which they did before the hearing and for my accompanied site visits; they have also been uploaded to their website. Unfortunately too few copies were available for the public, which made it hard for some to follow the discussion at the hearing.
- 12.3 This policy was the most controversial aspect of the plan, being the subject of most objections. It was the main focus of the public hearing and of my accompanied site visits. There were also concerns raised by some about the extent to which the Town Council had been in contact with landowners, as advised by Guidance. The criticism regarding consistency – see my para 9.5 - was made in the context of this policy.
- 12.4 The evidence base for the policy is Wantage Neighbourhood Plan – Open Green Spaces, June 2015. Each of the proposed designations is listed in Table 1 of the document, with a column giving reasons for protection. However, the table's reasons are no more than a summary of certain features, many of which are not related to the criteria in the Framework. There is no appropriate appraisal of each space in relation to the criteria. There are also some mapping errors in the submission version, with two private gardens were included, though these have been corrected following the site visits.
- 12.5 Overall, there is simply insufficient, proportionate, robust evidence to support the proposed designations in the plan promoted by this policy. Given this I am not in a position to determine which green spaces should be retained in the plan. I would **recommend** that the policy be deleted.

### **13 Policy 12: Infrastructure Investment**

- 13.1 The plan is concerned to ensure that the infrastructure implications of new development are taken into account. Thames Water supported it. And Network Rail consider that it is appropriate to include a policy with a specific requirement for developments to fund any qualitative improvement required in relation to existing rail facilities. Nevertheless, they note that the plan's aspirations for a station at Grove are not currently being actively promoted.
- 13.2 The policy, which reflects the emerging Local Plan, is in line with the NDP's consultations and objectives to balance growth with appropriate infrastructure. .

### **14 Policies 13 and 14: Community Facilities and Assets**

- 14.1 Policy 13 seeks to ensure that developments make a proportionate financial contribution to key local services and infrastructure improvement projects. The relevant key projects are then set out (i-vi). This prioritisation of where Community Infrastructure Levy funds should be spent is helpful.
- 14.2 Policy 14 is in two parts: the first seeks to protect designated Assets of Community Value from loss through development; the second supports improvements.

## 15 Conclusions and recommendations

- 15.1 The Framework (para 183-4) explains that neighbourhood planning gives local communities “... *direct power to develop a shared vision for their neighbourhood ... Neighbourhood planning provides a powerful set of tools for local people to ensure that they get the right types of development for their community*”. In this case the plan falls short of doing that. This is in part due to planning policies and decisions that have been made ahead of this plan; and by the limited room left to shape the plan area. Also the plan is overly focused on protection of the locality’s many features, too often without sufficiently robust evidence to do so.
- 10.3 I appreciate that the plan articulates the wishes of the local community. I also appreciate that failing the examination will be a significant disappointment to that local community. Nevertheless, I am bound to follow the legal and policy framework for examining the NDP as set and so, from my examination of the submitted Wantage Neighbourhood Plan and its supporting documents, including all the representations made, I have concluded that making of the plan cannot meet the Basic Conditions.
- 10.4 I have set out my conclusions in the Summary on page 2 of my report.
- 10.6 I recommend that the plan should not be made or proceed to a Referendum.
- 10.7 If the plan does proceed to referendum I recommend that the Referendum Area should be the same as the Neighbourhood Plan area.
- 10.8 Notwithstanding my conclusions, I congratulate the Town Council and its volunteers for all the hard work that has clearly gone into the drafting of the plan. And my thanks to both Town and District Councils for their support in making the examination so smooth.

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Independent Examiner

30 July 2016