

VALE OF WHITE HORSE DISTRICT COUNCIL

WOOTTON AND ST HELEN WITHOUT NEIGHBOURHOOD PLAN DECISION STATEMENT

Summary

- 1 Following an independent Examination, Vale of White Horse District Council's Leader of the Council confirmed on 5 September 2019 that the Wootton and St Helen Without Neighbourhood Plan should proceed to referendum.
- 2 This Decision Statement and the Examiner's Report can be viewed on the Council's website. Copies of these documents can be inspected until 24 October 2019 at the following locations:

Reception Vale of White Horse District Council 135 Eastern Avenue, Milton Park, Milton, OX14 4SB	Mon - Thurs, 8.30am - 5pm and Friday, 8.30am - 4.30pm
Main Foyer Wootton and Dry Sandford Community Centre Lamborough Hill, Wootton OX13 6DA	between 8am and 10pm Monday to Sunday
Prince of Wales Public House 60 Barrow Rd, Shippon, Abingdon OX13 6JQ	Monday, 5.30pm - 9pm Tues - Thurs, 12pm - 3pm, 5.30pm - 11pm Fri - Sat, 12pm - 12am Sunday, 12pm - 5:30pm

Background

- 3 Wootton and St Helen Without Parish Council, as the qualifying body, successfully applied for the parishes of Wootton and St Helen Without to be designated as a Neighbourhood Area on the 19 July 2017, under the Neighbourhood Planning Regulations.
- 4 Following the submission of the Wootton and St Helen Without Neighbourhood Plan Submission Version ('the Plan') to the district council, the Plan was publicised, and comments were invited from the public and stakeholders. The publicity period closed on 16 November 2018.

- 5 Vale of White Horse District Council appointed an independent examiner, Andrew Ashcroft, to review whether the plan meets the basic conditions required by legislation and should proceed to referendum.
- 6 The examiner concluded that the plan meets the basic conditions, and that subject to the modifications proposed in his report, the plan should proceed to referendum.

Decision

Having considered the examiner's recommendations and reasons for them, Vale of White Horse District Council's Leader of the Council decided on 5 September 2019:

1. to accept all modifications recommended by the Examiner;
2. to determine that the Wootton and St Helen Without Neighbourhood Development Plan, as modified, meets the basic conditions, is compatible with the Convention rights¹, complies with the definition of a neighbourhood development plan (NDP) and the provisions that can be made by a NDP; and
3. to take all appropriate actions to progress the Wootton and St Helen Without Neighbourhood Development Plan to referendum.

Reasons for decision

- 7 The council has committed to supporting neighbourhood planning in its Strategic Objective on facilitating sustainable communities, and more specifically through the commitment in the Corporate Plan 2016-2020 of 'Supporting and resourcing the development of neighbourhood plans for our towns and villages'.
- 8 The Wootton and St Helen Without Neighbourhood Development Plan (the Plan), as modified by the Examiner's recommendations, has had regard to national policies and advice contained in guidance issued by the Secretary of State. A requirement to have regard to policies and advice does not require that such policy and advice must necessarily be followed, but it is intended to have and does have a significant effect. The principal document in which national planning policy is contained is the National Planning Policy Framework (March 2012) (NPPF) and this conclusion is reached bearing

¹ *Convention rights* are defined in the Human Rights Act 1998 as (a) Articles 2 to 12 and 14 of the European Convention on Human Rights ("the Convention"), (b) Articles 1 to 3 of its First Protocol, and (c) Article 1 of its Thirteenth Protocol, as read with Articles 16 to 18 of the Convention. The Convention rights that are most likely to be relevant to town and country planning are those under the Convention's Article 6(1), 8 and 14 and under its First Protocol Article 1.

this in mind. The advice within national Planning Practice Guidance (“NPPG”) has also been borne in mind in reaching this conclusion.

- 9 Wootton and St Helen Without Parish Council submitted the Plan to VOWHDC in August 2018. The District Council appointed Mr Andrew Ashcroft as Independent Examiner to examine the Plan. The Plan has been successful at examination, with the Examiner’s report, received on 29 July 2019, concluding that subject to modifications proposed, the Wootton and St Helen Without Neighbourhood Plan should proceed to referendum.
- 10 Having considered all relevant information, including representations submitted in response to the Plan, the Examiner’s considerations and recommendations, the council’s view is that the Plan recognises and respects relevant constraints. The Plan has developed a positive suite of policies that seek to bring forward positive and sustainable development in the neighbourhood area by guiding the design of future development. There is a clear focus on safeguarding the separation between the various settlements and safeguarding the rural character of the area, protecting the Green Belt and encouraging appropriate infrastructure.
- 11 The Plan, as modified by the Examiner’s recommendations, contributes to the achievement of sustainable development as required by the basic conditions. This condition relates to the making of the plan as a whole. It does not require that each policy in it must contribute to sustainable development. Sustainable development has three principal dimensions – economic, social and environmental. In the economic dimension the Plan includes policies on the Dalton Barracks Strategic Allocation (SS5), for specialist housing needs (IN1) and for business development (IN5). In the social role, it includes policies on infrastructure (IN2 and IN6) and on transport improvements (IN4). In the environmental dimension the Plan positively seeks to protect its natural, built and historic environment. It has specific policies on the Green Belt (SS1), the separation of settlements (SS2), the designation of local green spaces (SS3), design matters (DG1 and DG3) and on the historic environment (DG2).
- 12 As a whole, the council is satisfied that the policies in the Plan pursue net gains across each of the different dimensions of sustainability in a mutually supportive way.
- 13 The Plan, as modified by the Examiner’s recommendations, is in general conformity with the strategic policies contained in the Development Plan for the area. The Plan delivers a local dimension to this strategic context and supplements the detail already included in the adopted Local Plan.
- 14 The Plan, as modified by the Examiner’s recommendations, would not breach, and be otherwise incompatible with EU obligations, including the following Directives: the Strategic Environmental Assessment Directive (2001/42/EC); the Environmental Impact Assessment Directive (2011/92/EU); the Habitats Directive (92/43/EEC); the Wild Birds Directive (2009/147/EC); the Waste Framework Directive (2008/98/EC); the Air Quality Directive (2008/50/EC); and the Water Framework Directive

(2000/60/EC). In addition, no issues arise in respect of equality under general principles of EU law or any EU equality directive. In order to comply with the basic condition on the European Union legislation the parish councils prepared a Strategic Environmental Assessment (SEA) screening statement for Wootton and St Helen Without Neighbourhood Plan in July 2018, which stated that a SEA was not required on the Plan.

- 15 The Plan, as modified by the Examiner's recommendations, would not give rise to significant environmental effects on European sites. The parish councils produced a Habitat Regulations Assessment (HRA) screening report on the impact of development proposed in the Plan on European sites which was published in July 2018. The HRA screening report concluded that the Plan would not have any likely significant effects on the integrity of European sites in the Vale of White Horse District from policies in the Neighbourhood Plan.
- 16 The Plan, as modified by the Examiner's recommendations, is in all respects fully compatible with Convention rights contained in the Human Rights Act 1988. There has been full and adequate opportunity for all interested parties to take part in the preparation of the Plan and to make their comments known.
- 17 The Plan, as modified by the Examiner's recommendations, complies with the definition of a Neighbourhood Plan and the provisions that can be made by a Neighbourhood Plan. The Plan sets out policies in relation to the development and use of land in the whole of the neighbourhood area. It specifies the period for which it is to have effect and it does not include provision about development that is 'excluded development'.
- 18 The council cannot make a decision that differs from the Examiner's recommendations about the referendum area. The Examiner notes that the neighbourhood area is entirely appropriate and no evidence has been submitted to suggest that this is not the case. Therefore, there is no reason to change the referendum area from the boundaries of the designated plan area as they are currently defined and approved by the District Council on 19 July 2017.
- 19 The individual modifications proposed by the Examiner are set out in Appendix A alongside the council's decision in response to each recommendation and the reasons for them. The Examiner's Report is available in Appendix B.
- 20 The examiner noted in his report that he has recommended a series of modifications both to policies and to the supporting text in the submitted Plan. Where consequential changes to the text are required directly as a result of his recommended modifications to the policy concerned, they are highlighted in his report. However other changes to the general text may be required elsewhere in the Plan as a result of the recommended modifications to the policies. The examiner noted that it would be appropriate for VOWHDC and the Parish Council to have the flexibility to

make any necessary consequential changes to the general text (see Appendix C).

- 21 The revised National Planning Policy Framework was published in February 2019 and sets out the government's planning policies for England and how these are expected to be applied. The policies in the previous Framework (published on 27 March 2012) will apply for the purpose of examining plans, where those plans are submitted on or before 24 January 2019. Paragraph 213 sets out that policies should not be considered out-of-date simply because they were adopted prior to the publication of the Framework. Due weight should be given to them, according to their degree of consistency with the Framework. The council is satisfied that the policies in the Wootton and St Helen Without Neighbourhood Plan are consistent with the revised National Planning Policy Framework (2019).
- 22 The council has taken account of all the representations received.
- 23 The Counting Officer is responsible for determining the date of the referendum. The Electoral Services team advise that the referendum is planned for Thursday 24 October 2019.

SEA/ HRA SCREENING

- 24 The modifications set out in Appendix A, both separately and combined, produce no likely significant environmental effects and are unlikely to have any significant effects on European Designated Sites.

Authorised by: Holly Jones
On behalf of Head of Planning

Signed: 

Date: 12 September 2019

Appendix A: Examiner's recommendations

Policy/Section	Examiner's recommendations	Council's Decision	Justification/Reason
Policy SS1 Green Belt	Replace the policy with: 'The Green Belt will continue to be protected to maintain its openness and permanence. Development proposals in the Green Belt will be determined against the principles set out in Core Policy 13: The Oxford Green Belt in the adopted Vale of White Horse Local Plan Part One. Proposals for inappropriate development will not be supported except in very special circumstances'	Agree	The council considers the modifications to be necessary to bring the policy in line with national and local policies on Green Belt. The recommended modification will also ensure that the neighbourhood plan is future-proofed in the event that Local Plan Part 2 is adopted in due course.
Supporting text for Policy SS1 Green Belt	<i>At the end of the supporting text preceding the policy add:</i> <i>'Policy SS1 provides a basis for the protection of the Green Belt during the Plan period. It does so within the context provided by the emerging Vale of White Horse Local Plan Part 2 in general, and the identification of land for strategic development at Dalton Barracks in particular. It recognises that the boundaries of Green Belts are defined in strategic documents and not in neighbourhood plans.'</i>	Agree	The council considers the modifications to be necessary as it represents a consequential change due to the above changes to policy, it also provides context for development and provides the clarity required by the NPPF.
Policy SS2 Separation of Settlements	Replace Policies SS2 and SS2.2.1-SS2.2.4² (inclusive) with: 'Development proposals in the neighbourhood area should demonstrate that the character of any	Agree	As originally written the policy had a very specific approach which included the definition of four strategic green gaps. This approach is considered contrary both to national and local

² Please note the examiner's report refers to SS2.1 – SS2.4, however he has since confirmed that this should read SS2.2.1-SS2.2.4.

Policy/ Section	Examiner's recommendations	Council's Decision	Justification/Reason
	<p>particular settlement is retained, and that a physical and visual separation is maintained between its different settlements. In particular new development should maintain the separation between following settlements within the neighbourhood area:</p> <ul style="list-style-type: none"> • between Shippon and Abingdon (insofar as this affects the neighbourhood area); • along the Wootton Road/Whitecross to the east of Dalton Barracks; • between Cothill and Dry Sandford; and • around the Whitecross crossroad. <p>Development proposals will be considered in the context of Core Policy 4 in the Local Plan 2031: Part 1, and in addition, will only be supported where:</p> <ul style="list-style-type: none"> • the physical and visual separation between two separate settlements is not unacceptably diminished; • cumulatively, with other existing or proposed development, it does not compromise the physical and visual separation between settlements, and • it does not lead to a loss of environmental or historical assets that individually or 		<p>planning policies. The approach taken in the policy with regards to development within the proposed strategic green gaps is more restrictive than that which would be applied within a Green Belt.</p> <p>The proposed strategic green gaps are significant tracts of land and are of such a scale that they would constitute a strategic approach to development in the neighbourhood area which is ultimately beyond the remit of a neighbourhood plan³.</p> <p>The council considers the modifications to be necessary to ensure that the neighbourhood plan has regard to national policy and is in general conformity with strategic policies in the development plan.</p>

³ The maps which showed the area of the proposed strategic green gaps has been removed by the examiners modifications, but the principle of separation between settlements has been retained within the revised policy

Policy/ Section	Examiner's recommendations	Council's Decision	Justification/Reason
	collectively contribute towards their local identity.'		
Supporting text for Policy SS2 Separation of Settlements (page 36)	<p><i>Replace the first paragraph of supporting text on page 36 with:</i></p> <p><i>'Policy SS2 provides local details to these important Local Plan policies. It applies their principles to the neighbourhood area in general terms and identifies four general locations where there is an ongoing need to retain the separation between the various settlements concerned.'</i></p>	Agree	The council considers the modifications to be necessary as it represents a consequential change due to the above changes to policy, it also provides context for development and provides the clarity required by the NPPF.
Policy SS3 Local Green Space	Delete LGSs C, D, H, I and L and the associated details of the LGSs concerned on pages 63 to 75.	Agree	<p>Paragraph 76 of the NPPF comments that Local Green Spaces should only be designated when a plan is being prepared or reviewed, and be capable of enduring beyond the end of the Plan period. The ability of some of the sites to endure beyond the end of the Plan period is uncertain.</p> <p>There is potential conflict between the designation of LGS C (Hawthorn Avenue), LGS D (Sycamore Close/Faringdon Road) and LGS H (Rookery Close) and the proposals for Dalton Barracks in the emerging LPP2 in general. The examiner also identified the uncertainty that might reasonably exist about the ability or otherwise of proposed LGS I (West of Starveall Farmhouse) and LGS L (Officers Mess) to endure beyond the Plan period. Furthermore, there is question</p>

Policy/Section	Examiner's recommendations	Council's Decision	Justification/Reason
			<p>regarding whether the spaces meet the criteria in the NPPF as while they are capable of being seen and appreciated by local residents, they are within the Dalton Barracks site and not directly capable of public use.</p> <p>Therefore the council considers the removal of LGS C, D, H, I and L to be necessary to meet the tests in paragraph 76 of the NPPF⁴.</p>
Policy SS3 Local Green Space	<p>Delete 'where development.... special circumstances'</p> <p>Delete 'The precise boundaries.... (pages 63-75)'</p> <p>After the list of retained LGS add as a separate section: 'Development on Local Green Spaces will only be supported in very special circumstances'</p>	Agree	Some elements of the policy would be better suited as supporting text. The council considers the modifications to be necessary so that the policy will have the clarity required by the NPPF.
Local Green Spaces information on pages 63 to 75	Delete the wording in the coloured boxes after the policy number and the description of the sites in the detailed sections relating to each retained LGS on pages 63 to 75.	Agree	The inclusion of policy headings within the section providing details about each of the proposed LGS has the potential to cause confusion. The council considers the modifications to be necessary to improve the clarity.
Supporting text for Policy SS3 Local Green Space	<p><i>At the end of the supporting text on page 36 before the policy add:</i></p> <p><i>'Policy SS3 comments that development on Local Green Spaces will only be supported in</i></p>	Agree	The council considers the modifications to be necessary as it represents a consequential change due to the above changes to policy, it

⁴ Which also removes the conflict with the emerging development plan

Policy/ Section	Examiner's recommendations	Council's Decision	Justification/Reason
(page 36)	<i>very special circumstances. Any proposed development which may come forward within the Plan period within any of the LGSs will be considered by the District Council on this basis and within the context of its impact on the function of the LGS concerned. The boundaries of each of the seven areas of Local Green Space are shown on the plans on pages [insert numbers].'</i>		also provides context for development and provides the clarity required by the NPPF.
Policy SS4 Strategic Vistas	Replace the title of the policy with 'Locally Important Vistas'	Agree	The policy as submitted referred to the identified views as strategic. The use of the word 'strategic' has particular connotations in planning policy which are inappropriate in this context. The use of locally important views will not detract from their significance within the wider policy context and will provide the clarity required in the NPPF.
Policy SS4 Strategic Vistas	Replace the policy with: 'Where development is otherwise acceptable within the neighbourhood area development proposals should take account of, and respond in a positive way to, the locally important vistas included on the maps at pages [insert numbers]. Development proposals should particularly take account of the locally important vistas in the following character areas: <ul style="list-style-type: none"> • Shippon • Cothill 	Agree	The council considers the modifications to be necessary as the focus of the submitted policy is negative in its tone, and the recommendation allows the policy to take on a more positive approach towards supporting development which does not adversely affect the identified vistas.

Policy/ Section	Examiner's recommendations	Council's Decision	Justification/Reason
	<ul style="list-style-type: none"> • The Wootton-Cumnor Road Corridor (B4017) 		
Supporting text for Policy SS4 Strategic Vistas (page 36)	<p><i>At the end of the supporting text at the bottom of page 36 add:</i></p> <p><i>'Policy SS4 identifies a series of locally important vistas within the wider context set by the TDRC Character Assessment work. The various views are shown in the detailed plans on pages [insert] of this Plan. The policy draws particular attention to the identified strategic vistas in three specific character areas. It does so as the Assessment has identified the character areas concerned as being vulnerable to the erosion of their character through change in general, and through new development in particular.'</i></p>	Agree	The council considers the modifications to be necessary as it represents a consequential change due to the above changes to policy, it also provides context for development and provides the clarity required by the NPPF.
Policy SS5 Barracks and Airfield (SS5.1)	Delete Policy SS5.1	Agree	The submitted policy restricted development at Dalton Barracks to previously developed land. The need for this approach has been overtaken by progress on the emerging LPP2 in general, and changes proposed in the main modifications to LPP2 to the allocation's spatial extent.
Policy SS5 Barracks and Airfield (SS5.2)	<p>Replace Policy SS5.2 with:</p> <p>'The development of a garden village on previously developed land at the current MOD site at Dalton Barracks and Abingdon Airfield, as identified in the Vale of White Horse Local Plan Part 2 will be supported where it applies Garden Village principles</p>	Agree	The council considers the modification to be necessary so that the policy reflects the reduced nature of the site as described in the main modifications of the emerging Local Plan (LPP2). The separation element of this part of the policy is deleted as it is already adequately

Policy/ Section	Examiner's recommendations	Council's Decision	Justification/Reason
	and conforms with the approach set out in Core Policy 8b Dalton Barracks Strategic Allocation of the Local Plan part 2.'		addressed in the third part of the submitted policy (below).
Policy SS5 Barracks and Airfield (SS5.3)	Replace Policy SS5.3 with: 'The development of a garden village will be supported where it is physically and visually separate from the surrounding settlements in the neighbourhood area. In particular the development of the garden village should deliver an appropriate green buffer between the new development and Shippon as indicated on Map [insert number]	Agree	<p>The third part of the policy addresses two matters. The first is the phasing of the strategic development based on an initial phase of development in the centre of the site. There is no evidence to support this approach and the practicality and potential impact on viability has not been assessed or tested. Therefore the council agree that this aspect of the policy be removed.</p> <p>The second matter focuses on maintaining the allocations separation from existing settlements in the neighbourhood area. This has been affected by the main modifications to LPP2 which have reduced the geographic extent of the strategic development at the Dalton Barracks site and therefore the potential conflict. The amendment replaces the policy with more general policy guidance to ensure the policy is not in conflict and deletes and replaces the current policy maps with a map showing a Garden Village Buffer⁵ which has been agreed between the District Council and Wootton and St Helen Without Parish Councils. The council considers the modification to be necessary to meet the basic conditions.</p>

⁵ Should be regarded when developing the garden village.

Policy/ Section	Examiner's recommendations	Council's Decision	Justification/Reason
Supporting text for Policy SS5 Barracks and Airfield (page 37)	<p><i>Replace the supporting text on page 37 between Policies SS4 and SS5 with:</i></p> <p><i>'A key element in the future of the neighbourhood area will be the development of part of the Dalton Barracks site. It is included as a strategic site in the emerging Local Plan Part 2. The Main Modification of that Plan (as published in February 2019) reduce the size of the site. The different components of Policy SS5 consider key principles for the development of the site and how it would retain separation from the other settlements both in the neighbourhood area and in the immediate locality'</i></p> <p><i>Replace the supporting text between Policy SS5.1 and Policy SS5.2 with:</i></p> <p><i>'Within this context the policy has a clear focus on securing high quality new development to Garden Village principles.</i></p> <p><i>In addition, the importance of ensuring the physical separation of the Garden Village from the existing communities is captured in the policy. This has been a key component of the plan-making process and is an issue that was consistently raised throughout the various phases of consultation. Map [insert number] in particular shows an area which should be safeguarded and developed as a green buffer between the new development and Shippon. It is a matter that should be considered in detail as initial proposals are prepared for the development of the garden village.</i></p>	Agree	The council considers the modifications to be necessary as it represents a consequential change due to the above changes to policy, it also provides context for development and provides the clarity required by the NPPF.

Policy/ Section	Examiner's recommendations	Council's Decision	Justification/Reason
	<p><i>Delete the Garden Village Buffer maps on pages 90 and 91.</i></p> <p><i>Insert the new map prepared by the parish councils and VWHDC after the clarification meeting (and as reproduced in Appendix 1 at the end of this report) to replace the two submitted garden Village Buffer maps.</i></p>		
Policy IN2 Timing of Infrastructure	<p>Replace 'Planning applications for development' with 'Development proposals'</p> <p>Replace 'infrastructure.... business and the environment' with: 'appropriate infrastructure based on their scale and nature based on published standards including those in the adopted Vale of White Horse Community Infrastructure Levy Charging Schedule September 2017.'</p>	Agree	<p>As submitted the policy does not have the clarity required by the NPPF. In particular it does not identify the scale or the nature of the infrastructure required. In addition, the use of the word 'alongside' suggests that there will be natural and seamless relationship between new development and the provision of infrastructure which is not always practicable. The policy also includes elements of supporting text that explain the policy rather than which are policy statements in their own right.</p> <p>The council considers the modifications to be necessary to address these matters and thus ensure that it meets the basic conditions.</p>
Supporting text for Policy IN2 Timing of Infrastructure (page 42)	<p><i>At the end of the second paragraph of supporting text on page 42 add:</i></p> <p><i>'Policy IN2 addresses this important matter. Its ambition is to ensure that new development does not have an unacceptable negative impact on local communities, business and the wider environment'</i></p>	Agree	<p>The council considers the modifications to be necessary as it represents a consequential change due to the above changes to policy, it also provides context for development and provides the clarity required by the NPPF.</p>

Policy/Section	Examiner's recommendations	Council's Decision	Justification/Reason
Policy IN3 Transport Mitigation (IN3.1-IN3.3)	<p>In Policy IN3.1 delete 'for the Strategic Development Site'</p> <p>Delete Policy IN3.2.</p> <p>In Policy IN3.3: delete 'for the Strategic Development Site' in part a)</p>	Agree	The policy approach effectively duplicates national and local policy. Furthermore, as submitted several parts of the policy make reference only to the Dalton Barracks strategic allocation. The modifications ensure that the elements of the policy which refer to the capacity of parts of the highway network do so in a general way. The council considers the modifications to be necessary so the policy is capable of being applied to other development which may come forward in the Plan period.
Policy IN3 Transport Mitigation (IN3.4)	<p>Replace Policy IN3.4 with the following: 'Development proposals which provide for the enhancement of bus services will be supported'.</p>	Agree	This section of the policy as submitted appears to suggest that, regardless of how good a new bus service might be, an application should not be supported if it fails to protect or enhance existing public transport services. The council considers the modifications to be necessary to create more generalised wording for Policy IN3.4 so that this part of the policy meets the basic conditions and has the clarity required by the NPPF.
Policy IN4 Transport Opportunities	<p>In IN4.3 delete the second sentence.</p> <p>In IN4.4 replace 'must' with 'should'.</p>	Agree	The policy includes elements of supporting text that explain the policy rather than which are policy statements in their own right. The modifications involve the removal of supporting text from the policy. The council considers the modifications to be necessary to ensure that the policy has the clarity required by the NPPF.

Policy/ Section	Examiner's recommendations	Council's Decision	Justification/Reason
Policy DG1 Design for the Area	<p>In DG1.1: Delete 'to achieve this it' Delete 'by, for example' Insert thereafter 'In particular new development will be supported where it incorporates the following features as appropriate to its scale and context'</p> <p>In DG1.2: Replace 'must' with 'should' Delete 'to achieve this it' Delete 'by, for example' Insert thereafter 'In particular new development will be supported where it incorporates the following features as appropriate to its scale and context'</p>	Agree	The council considers the modifications to be necessary as within both parts of the policy the detailed approach is set out by way of examples rather than as criteria or policy guidance and the modifications rectify this ⁶ .
Policy DG2 Heritage Assets	<p>Replace the two elements of the policy with:</p> <p>'Any development proposal that would have a direct or indirect effect on the significance of a heritage asset should demonstrate how the proposal will conserve the heritage asset in a manner appropriate to its significance and demonstrate how the development would make a positive contribution to local character and distinctiveness.</p> <p>Development proposals that better reveal the significance of heritage assets, for example, through the provision of open or</p>	Agree	The submitted policy failed to have regard to national policy on the status and the significance of the heritage assets. Historic England produced a detailed representation which proposed a revision to the policy which the examiner advised is both appropriate and would meet the basic conditions. The council considers the modifications to be necessary to address Historic England's concerns, provide the clarity required by the NPPF and allow the policy to be applied in a consistent fashion.

⁶ To improve the clarity of the policy by removing examples and replacing them with policy guidance and direction.

Policy/ Section	Examiner's recommendations	Council's Decision	Justification/Reason
	<p>public space, or by taking opportunities to improve appropriate public access, will be supported. Conversely, development proposals that crowd, overshadow, obscure or otherwise adversely affect the significance of heritage assets will not be supported.</p> <p>For the purposes of this policy the following are the currently identified non-designated heritage assets in the neighbourhood area: [include the list from Policy DG2.1]. Plans are provided on pages [insert numbers] showing the locations of these heritage assets'</p>		
Policy DG3 Design Requirements (DG3.1- DG3.6)	<p>In DG3.1 replace 'possible' with 'practicable'</p> <p>In DG3.6 replace 'are encouraged to' with 'which'</p> <p>In DG3.6 replace 'for example, in relation to' with 'will be supported. Thereafter insert 'In particular new development will be supported where it incorporates the following features as appropriate to its scale and context:</p>	Agree	The council considers the modifications to be necessary to provide the clarity required by the NPPF. The recommended modifications will also ensure that the language used in the various components of the policy are consistent one with the other
Policy DG3 Design Requirements (DG3.7 & DG3.8)	<p>Delete DG3.7 and DG3.8</p>	Agree	The council considers the modifications to be necessary as policies DG3.7 and DG3.8 include process requirements about the need for statements to accompany planning applications. In both cases they refer to all planning applications. Whilst the approach identified in the elements of the policy may be

Policy/ Section	Examiner's recommendations	Council's Decision	Justification/Reason
			appropriate for larger planning applications they would result in a disproportionate burden on the domestic and minor applications. These types of proposals will represent the bulk of planning applications in the Plan period.
Supporting text for Policy DG3 Design Requirements (page 51)	<i>At the end of the supporting text on page 51 (lower section) add: 'As appropriate to their scale and significance development proposals should be accompanied by information explaining how their design has taken account of their immediate surroundings (in terms of building heights, plot layouts and boundary treatments) and how they have been designed to incorporate wildlife and, where possible, delivered biodiversity net gains. This information could be submitted either through separate statements or within the Design and Access Statement'</i>	Agree	The council considers the modifications to be necessary as it represents a consequential change due to the above changes to policy, it also provides context for development and provides the clarity required by the NPPF.

Appendix B: Examiner's Report

Wootton and St Helen Without Neighbourhood Development Plan 2018-2031

**A report to Vale of White Horse District Council on
the Wootton and St Helen Without Neighbourhood
Development Plan**

**Andrew Ashcroft
Independent Examiner
BA (Hons) MA, DMS, MRTPI**

Director – Andrew Ashcroft Planning Limited

Executive Summary

- 1 I was appointed by Vale of White Horse District Council in December 2018 to carry out the independent examination of the Wootton and St Helen Without Neighbourhood Plan.
- 2 The examination was undertaken by written representations. I visited the neighbourhood area on 9 January 2019.
- 3 The Plan includes a range of policies and seeks to bring forward positive and sustainable development in the neighbourhood area. There is a very clear focus on safeguarding local character in general and the Green Belt in particular. It proposes the designation of a suite of local green spaces. It also includes a policy on the Dalton Barracks strategic allocation. The examination has been influenced by the largely parallel examination of the Vale of White Horse District Local Plan Part 2 and the publication of its Main Modifications.
- 4 The Plan has been significantly underpinned by community support and engagement. It is clear that all sections of the community have been actively engaged in its preparation.
- 5 Subject to a series of recommended modifications set out in this report I have concluded that the Neighbourhood Plan meets all the necessary legal requirements and should proceed to referendum.
- 6 I recommend that the referendum should be held within the neighbourhood area.

Andrew Ashcroft
Independent Examiner
29 July 2019

1 Introduction

- 1.1 This report sets out the findings of the independent examination of the Wootton and St Helen Without Neighbourhood Plan 2018-2031 (the Plan).
- 1.2 The Plan has been submitted to the Vale of White Horse District Council (VWHDC) by Wootton Parish Council and St Helen Without Parish Council in their joint capacity as the qualifying body responsible for preparing the neighbourhood plan.
- 1.3 Neighbourhood plans were introduced into the planning process by the Localism Act 2011. They aim to allow local communities to take responsibility for guiding development in their area. This approach was subsequently embedded in the National Planning Policy Framework (NPPF) in 2012, 2018 and 2019. The NPPF continues to be the principal element of national planning policy.
- 1.4 The role of an independent examiner is clearly defined in the legislation. I have been appointed to examine whether or not the submitted Plan meets the basic conditions and Convention Rights and other statutory requirements. It is not within my remit to examine or to propose an alternative plan, or a potentially more sustainable plan except where this arises as a result of my recommended modifications to ensure that the plan meets the basic conditions and the other relevant requirements.
- 1.5 A neighbourhood plan can be narrow or broad in scope. Any plan can include whatever range of policies it sees as appropriate to its designated neighbourhood area. The submitted Plan is very distinctive to the neighbourhood area. It has a clear focus on incorporating the strategic development of Dalton Barracks into the neighbourhood area in a sensitive way.
- 1.6 Within the context set out above this report assesses whether the Plan is legally compliant and meets the basic conditions that apply to neighbourhood plans. It also considers the content of the Plan and, where necessary, recommends changes to its policies and supporting text.
- 1.7 This report also provides a recommendation as to whether the Plan should proceed to referendum. If this is the case and that referendum results in a positive outcome the Plan would then be used to determine planning applications within the plan area and will sit as part of the wider development plan.

2 The Role of the Independent Examiner

- 2.1 The examiner's role is to ensure that any submitted neighbourhood plan meets the relevant legislative and procedural requirements.
- 2.2 I was appointed by VWHDC, with the consent of the parish councils, to conduct the examination of the Plan and to prepare this report. I am independent of both the VWHDC and the parish councils. I do not have any interest in any land that may be affected by the Plan.
- 2.3 I possess the appropriate qualifications and experience to undertake this role. I am a Director of Andrew Ashcroft Planning Limited. In previous roles, I have over 35 years' experience in various local authorities at either Head of Planning or Service Director level. I am a chartered town planner and have significant experience of undertaking other neighbourhood plan examinations and health

checks. I am a member of the Royal Town Planning Institute and the Neighbourhood Planning Independent Examiner Referral System.

Examination Outcomes

- 2.4 In my role as the independent examiner of the Plan I am required to recommend one of the following outcomes of the examination:
- (a) that the Plan is submitted to a referendum; or
 - (b) that the Plan should proceed to referendum as modified (based on my recommendations); or
 - (c) that the Plan does not proceed to referendum on the basis that it does not meet the necessary legal requirements.

The Basic Conditions

- 2.5 As part of this process I must consider whether the submitted Plan meets the Basic Conditions as set out in paragraph 8(2) of Schedule 4B of the Town and Country Planning Act 1990. To comply with the basic conditions, the 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; and
 - be in general conformity with the strategic policies of the development plan in the area;
 - be compatible with European Union (EU) and European Convention on Human Rights (ECHR) obligations; and
 - not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017 (7).

I have examined the submitted Plan against each of these basic conditions, and my conclusions are set out in Sections 6 and 7 of this report. I have made specific comments on the fourth and fifth bullet points above in paragraphs 2.6 to 2.10 of this report.

- 2.6 The Neighbourhood Plan General Regulations 2015 require a qualifying body either to submit an environmental report prepared in accordance with the Environmental Assessment of Plans and Programmes Regulations 2004 or a statement of reasons why an environmental report is not required.
- 2.7 In order to comply with the Regulations the parish councils produced a screening report in July 2018. It indicates that the Plan is not likely to have any likely significant effects on the environment. The report is both comprehensive and thorough. The necessary engagement with the consultation bodies was undertaken.
- 2.8 The parish councils also prepared a Habitats Regulations Assessment (HRA) screening report on the Plan. This report is also thorough, comprehensive and professionally-prepared. It concluded that the Plan was not likely to have any significant effect on a European site. In reaching this conclusion it assessed the impact of the implementation of the Plan's policies in the Cothill Fen SAC.
- 2.9 Having reviewed the information provided to me as part of the examination I am satisfied that a proportionate process has been undertaken in accordance with the various regulations. None of the statutory consultees have raised any concerns with regard to either neighbourhood plan or to European obligations.

In the absence of any evidence to the contrary, I am entirely satisfied that the submitted Plan is compatible with this aspect of European obligations.

- 2.10 In a similar fashion I am satisfied that the submitted Plan has had regard to the fundamental rights and freedoms guaranteed under the European Convention on Human Rights (ECHR) and that it complies with the Human Rights Act. There is no evidence that has been submitted to me to suggest otherwise. There has been full and adequate opportunity for all interested parties to take part in the preparation of the Plan and to make their comments known. On this basis, I conclude that the submitted Plan does not breach, nor is in any way incompatible with the ECHR.

Other examination matters

- 2.11 In examining the Plan I am also required to check whether:
- the policies relate to the development and use of land for a designated neighbourhood plan area; and
 - the Plan meets the requirements of Section 38B of the Planning and Compulsory Purchase Act 2004 (the Plan must specify the period to which it has effect, must not include provision about development that is excluded development, and must not relate to more than one neighbourhood area); and
 - the Plan has been prepared for an area that has been designated under Section 61G of the Localism Act and has been developed and submitted for examination by a qualifying body.
- 2.12 Having addressed the matters identified in paragraph 2.11 of this report I am satisfied that all of the points have been met subject to the contents of this report.

3 Procedural Matters

- 3.1 In undertaking this examination I have considered the following documents:
- the submitted Plan and its various appendices.
 - the Basic Conditions Statement.
 - the Consultation Statement.
 - the VWHDC Screening Report.
 - the representations made to the Plan.
 - the Parish Council/Parish Meeting responses to my Clarification Note.
 - the Parish Council/Parish Meeting responses after the Clarification Meeting.
 - the District Council's responses to my Clarification Note
 - the Vale of White Horse Local Plan 2011
 - the Vale of White Horse Local Plan 2031 Part 1
 - the Vale of White Horse Local Plan 2031 Part 2 (as submitted for examination).
 - the published Main Modifications to the Local Plan Part 2.
 - the comments received on the Main Modifications.

- the Planning Inspector's letter on the Local Plan Part 2 (25 June 2019)
- the National Planning Policy Framework (March 2012).
- Planning Practice Guidance (March 2014 and subsequent updates).
- relevant Ministerial Statements.

- 3.2 I carried out an unaccompanied visit to the Plan area on 9 January 2019. I looked at its overall character and appearance and at those areas affected by policies in the Plan in particular. My site inspection is covered in more detail in paragraphs 5.9 to 5.16 of this report.
- 3.3 It is a general rule that neighbourhood plan examinations should be held by written representations only. Having considered all the information before me, including the representations made to the submitted plan, I was satisfied that the Plan could be examined without the need for a public hearing.
- 3.4 Following the receipt of the parish councils' responses to the clarification note and on-going progress on the production of the Local Plan Part 2 I arranged a Clarification meeting which involved the parish councils and the District Council. It sought to understand better the relationship between the two plans which were emerging at largely the same time. Notes from that meeting are reproduced at the end of this report.
- 3.5 On 24 July 2018 a revised version of the NPPF was published. Paragraph 214 of the 2018 NPPF identifies transitional arrangement to address these circumstances. It comments that plans submitted before 24 January 2019 will be examined on the basis of the 2012 version of the NPPF. The further updates to the NPPF in 2019 did not affect these transitional arrangements. I have proceeded with the examination on this basis. All references to paragraph numbers within the NPPF in this report are to those in the 2012 version.

4 Consultation

Consultation Process

- 4.1 Policies in made neighbourhood plans become the basis for local planning and development control decisions. As such the regulations require neighbourhood plans to be supported and underpinned by public consultation.
- 4.2 In accordance with the Neighbourhood Planning (General) Regulations 2012 the parish councils have prepared a Consultation Statement. This Statement is very thorough and comprehensive. It includes a very detailed assessment of the consultation undertaken as part of the various stages of Plan production. It also provides specific details on the consultation processes that took place on the pre-submission version of the Plan (May-July 2018). It helpfully reproduces details of the various consultation and engagement events which took place during the plan-making process.

4.3 The Statement sets out details of the comprehensive range of consultation techniques that were used during the preparation of the Plan. It provides details about:

- the organisation of a Big Issues Workshop (May 2017);
- the organisation of a stall at the WADS-STOCK event (July 2017);
- the Business Workshop (November 2017);
- the presentation to the Wednesday Club (November 2017);
- the Vision and Objectives Workshop (December 2017);
- the various Pop Up events (February 2018);
- the Young Peoples events (February 2018);
- the community questionnaire (February/March 2018);
- the Questionnaire results workshop (April 2018); and
- the Additional Needs Workshop (April 2018).

4.4 The Statement also comments about how its key policies were influenced by a variety of private and public bodies.

4.5 The latter parts of the Statement set out how the submitted Plan took account of consultation feedback. They do so in a very thorough and effective way. They help to describe the evolution of the Plan.

4.6 It is clear that consultation has been an important element of the Plan's production. Advice on the neighbourhood planning process has been made available to the community in a positive and direct way by those responsible for the Plan's preparation.

4.7 From all the evidence provided to me as part of the examination, I can see that the Plan has promoted an inclusive approach to seeking the opinions of all concerned throughout the process. In proceeding with the examination VWHDC has carried out its own assessment that the consultation process has complied with the requirements of the Regulations.

Representations Received

4.8 Consultation on the submitted plan was undertaken by the District Council. It ended on 16 November 2018. Comments were received from the following organisations:

- Oxfordshire Clinical Commissioning Group
- David Churchouse
- Historic England
- Thames Water Utilities Limited
- Dr Emily Hughes
- Martin Gillett
- Secretary of State for Defence
- Highways England

- David Batt-Rawden
- VWHDC
- Pye Homes
- Catesby Estates Limited
- Vijay Srao
- Oxfordshire County Council
- National Grid
- Natural England
- Gladman Developments Limited

4.9 Where it is relevant to do so I make specific reference to the various representations later in this report where I assess the Plan against the basic conditions.

5 The Neighbourhood Area and the Development Plan Context

The Neighbourhood Area

- 5.1 The neighbourhood area consists of the parishes of Wootton and St Helen Without. Figure 1 in the Plan helpfully shows the respective position of the two parishes within the designated area. It has an irregular shape and runs generally in a north-south direction. Wootton village is approximately 3 miles to the north of Abingdon-on-Thames. The Plan indicates that its population in 2011 was 6790 persons. It was designated as a neighbourhood area on 19 July 2017.
- 5.2 With the exception of Wootton village itself the neighbourhood area is located in the Oxford Green Belt. This designation also applies to the Dalton Barracks in the southern part of the neighbourhood area to the immediate north of Shippon. The Barracks incorporate the former Abingdon airfield.
- 5.3 The remainder of the neighbourhood area reflects its agricultural background. It comprises a network of small attractive villages, including Shippon, Dry Sandford and Cothill. Whitecross is a linear hamlet on the B4017 and includes a range of land uses from residential and agricultural to retail and industry. The combination of these different land uses and their location within the Oxford Green Belt result in a neighbourhood area of great contrasts and challenges in equal measure.

Development Plan Context

- 5.4 The Vale of White Horse Local Plan (Part 1): Strategic Sites and Policies (LPP1) was adopted in December 2016. It sets out the basis for future development in the District up to 2031. All of the policies in this part of the Local Plan are strategic policies of the development plan (see paragraph 2.5 of this report). A number of policies in the Vale of White Horse Local Plan 2011 will remain as saved policies until such time as Part 2 of the Local Plan 2031 has been adopted. It is this development plan context against which I am required to examine the submitted Neighbourhood Plan. The following policies in the Local Plan 2031 Part 1 are particularly relevant to the submitted Plan:

Core Policy 3	Settlement Hierarchy
Core Policy 4	Meeting our Housing Needs
Core Policy 22	Housing Mix
Core Policy 37	Design and Local Distinctiveness
Core Policy 39	The Historic Environment
Core Policy 40	Sustainable Design and Construction
Cote Policy 44	Landscape
Core Policy 45	Green Infrastructure
Core Policy 46	Conservation and Improvement of Biodiversity

- 5.6 The emerging Local Plan 2031 Part 2 (LPP2) was submitted for its own examination on 23 February 2018. It adds to the detail already set out in the LPP1. As part of the examination process, Main Modifications (MMs) to the Plan were published for consultation on 18 February 2019. The LPP2 has a specific

focus on policies and locations for housing to meet the District's proportion of Oxford's housing needs up to 2031 which cannot be met within the City boundaries.

- 5.7 The LPP2 proposes additional housing allocations in the Abingdon and Oxford Fringe Sub area. One of the proposed sites has very specific implications for the neighbourhood area. Core Policy 8b proposes significant garden village type development on land at Dalton Barracks. The wider package proposes mixed use development including new services and facilities, education provision, opportunities for new employment and a substantial country park. As submitted LPP2 made provision for the development of up to 1200 dwellings in the Plan period with the longer-term potential for development in excess of 4000 dwellings. The proposed allocation was discussed extensively at the LPP2 examination and important changes to its development were included in the published MMs. In particular the MMs reduced the geographic extent of the strategic allocation, limited its development to 1200 dwellings and removed any direct reference to longer-term development in and around the Barracks. The publication of the MMs and the associated consultation process took place during the examination of the neighbourhood plan. The relationship between the two emerging Plans has been a key factor throughout this examination. It is reflected in the responses to the clarification note, in the organisation of a clarification meeting and in my detailed comments later in this report.
- 5.8 Whilst the timings around the processes involved in the two plans has been challenging, the submitted Plan has been prepared within its wider development plan context. In doing so it has relied on up-to-date information and research that has underpinned existing and emerging planning policy documents in the District. This is good practice and reflects key elements in Planning Practice Guidance on this matter.

Unaccompanied Visit

- 5.9 I carried out an unaccompanied visit to the Plan area on 9 January 2019. I was fortunate in selecting a dry and pleasantly warm day for the time of year.
- 5.10 I drove into the neighbourhood area from the A420 to the north. This provided a helpful introduction into the wider context of the neighbourhood area in general, and its location within the Oxford Green Belt in particular. I drove south along the B4017 towards Wootton and Abingdon-on-Thames. I saw the way in which this road was well-used by local and other traffic.
- 5.11 I looked initially at the village centre of Wootton/Dry Sandford. I saw the two groups of shops and other commercial facilities off Besselsleigh Road. I saw that the way in which they sat at the heart of the community was reinforced with the location of the Community Centre in the centre of the village. I took the opportunity to look at the three proposed local green spaces within this part of the village.
- 5.12 I then looked at the area in and around the historic part of Wootton village to the east of the B4017. I saw that its character was far more open than that of

the bulk of the modern village to the west of the B4017. I saw the Parish Church of St Peter and the CE Primary School. I spent some time looking at the recreation ground. Its range of facilities (including sports facilities, a cricket pitch, allotments and a playground) are both extensive and well-maintained. I was readily able to understand the decision of the parish councils to propose its designation as a local green space.

- 5.13 I then drove to Dalton Barracks along the B4017 and then along the Long Tow. I saw that it had a very distinctive character. I walked along Cholswell Road and saw the various commercial and community facilities that are available in this part of the neighbourhood area. In particular, I looked at the way in which the Barracks sat within its wider landscape and related to Shippon to its immediate south. Insofar as I was able to do so I looked at the various proposed local green spaces in this part of the neighbourhood area. I saw the scale and significance of the proposed local green space occupied by the Barracks Sports Field. I was also able to see the more formal green area in front of the former officers' mess.
- 5.14 I then drove into Barrow Road in Shippon. I saw an attractive range of traditional vernacular buildings and associated boundary walls and enclosures. The Old Manor was particularly distinctive and attractive. I also saw the Church of St Mary Magdalene. I took the opportunity to look at the proposed local green space to the north of Barrow Road and to the immediate south of Rookery Close. I saw the way in which it distinguished the historic part of the village from the more modern development off Elm Tree Walk and Rookery Close.
- 5.15 I then looked around the western parts of the neighbourhood area. I drove west along Barrow Road. I very quickly saw the landscape change as I experienced the former airfield to the north and open agricultural land to the south. I turned right at the T-junction and then drove to Cothill. I saw the very traditional character and the restrictions of the local highway network. I then drove along Honeybottom Lane to Whitecross. In doing so I saw the openness of the landscape to the north and to the south of Honeybottom Lane.
- 5.16 Throughout my visit I looked at the four proposed Strategic Green Gaps. I was keen to establish the way in which they related to the separation of the existing settlements in the neighbourhood area. I finished my visit by driving to Abingdon-on-Thames. This helped me to understand its relationship to the neighbourhood area and the proposed inclusion of a Strategic Green Gap between the town and Shippon within the Plan.

6 The Neighbourhood Plan as a whole

- 6.1 This section of the report deals with the submitted neighbourhood plan as a whole and the extent to which it meets the basic conditions. The submitted Basic Conditions Statement has helped considerably in the preparation of this section of the report. It is a well-presented, informative and very professional document.
- 6.2 The Plan needs to meet all the basic conditions to proceed to referendum. This section provides an overview of the extent to which the Plan meets three of the five basic conditions. Paragraphs 2.6 to 2.10 of this report have already addressed the issue of conformity with European Union legislation.

National Planning Policies and Guidance

- 6.3 The key elements of national policy relating to planning matters are set out in the National Planning Policy Framework (NPPF) issued in March 2012.
- 6.4 The NPPF sets out a range of core land-use planning principles to underpin both plan-making and decision-taking. The following are of particular relevance to the Wootton and St Helen Without Neighbourhood Plan:
- a plan led system - in this case the relationship between the neighbourhood plan and Part 1 of the Local Plan 2031 and the saved elements of the 2011 Local Plan;
 - recognising the intrinsic character and beauty of the countryside and supporting thriving local communities;
 - taking account of the different roles and characters of different areas including protecting Green Belts;
 - always seeking to secure high quality design and good standards of amenity for all future occupants of land and buildings; and
 - conserving heritage assets in a manner appropriate to their significance
- 6.5 Neighbourhood plans sit within this wider context both generally, and within the more specific presumption in favour of sustainable development, which is identified as a golden thread running through the planning system. Paragraph 16 of the NPPF indicates that neighbourhoods should both develop plans that support the strategic needs set out in local plans and plan positively to support local development that is outside the strategic elements of the development plan.
- 6.6 In addition to the NPPF I have also taken account of other elements of national planning policy including Planning Practice Guidance and the recent ministerial statements.
- 6.7 Having considered all the evidence and representations available as part of the examination I am satisfied that the submitted Plan has had regard to national planning policies and guidance in general terms. It includes a series of policies

that seek to ensure that local green spaces are safeguarded and that the separation between existing settlements is maintained. In particular it seeks to incorporate the strategic development of Dalton Barracks as proposed in LPP2 into the neighbourhood area in a sensitive way. The Basic Conditions Statement maps the policies in the Plan against the appropriate sections of the NPPF.

- 6.8 At a more practical level the NPPF indicates that plans should provide a clear framework within which decisions on planning applications can be made and that they should give a clear indication of how a decision-maker should react to a development proposal (paragraphs 17 and 154). This was reinforced with the publication of Planning Practice Guidance in March 2014. Its paragraph 41 (41-041-20140306) indicates that policies in neighbourhood plans should be drafted with sufficient clarity so that a decision-maker can apply them consistently and with confidence when determining planning applications. Policies should also be concise, precise and supported by appropriate evidence.
- 6.9 As submitted the Plan does not fully accord with this range of practical issues. The majority of my recommended modifications in Section 7 relate to matters of clarity and precision. They are designed to ensure that the Plan fully accords with national policy.
- Contributing to sustainable development*
- 6.10 There are clear overlaps between national policy and the contribution that the submitted Plan makes to achieving sustainable development. Sustainable development has three principal dimensions – economic, social and environmental. It is clear to me that the submitted Plan has set out to achieve sustainable development in the neighbourhood area. In the economic dimension the Plan includes policies on the Dalton Barracks Strategic Allocation (SS5), for specialist housing needs (IN1) and for business development (IN5). In the social role, it includes policies on infrastructure (IN2 and IN6) and on transport improvements (IN4). In the environmental dimension the Plan positively seeks to protect its natural, built and historic environment. It has specific policies on the Green Belt (SS1), the separation of settlements (SS2), the designation of local green spaces (SS3), design matters (DG1 and DG3) and on the historic environment (DG2). The qualifying body's assessment of this matter is set out in the Basic Conditions Statement.
- General conformity with the strategic policies in the development plan*
- 6.11 I have already commented in detail on the development plan context in the wider Vale of White Horse District area in paragraphs 5.4 to 5.8 of this report.
- 6.12 I consider that the submitted Plan delivers a local dimension to this strategic context and supplements the detail already included in the adopted Local Plan. It also seeks to add local value to the policies included in LPP2 and its associated package of MMs. The Basic Conditions Statement helpfully relates the Plan's policies to policies in the Local Plan 2031 Part 1. Subject to the incorporation of the package of recommended modifications included within this report I am satisfied that the submitted Plan is in general conformity with the strategic policies in the development plan.

7 The Neighbourhood Plan policies

- 7.1 This section of the report comments on the policies in the Plan. In particular, it makes a series of recommended modifications to ensure that the various policies have the necessary precision to meet the basic conditions.

- 7.2 My recommendations focus on the policies themselves given that the basic conditions relate primarily to this aspect of neighbourhood plans. In some cases, I have also recommended changes to the associated supporting text.
- 7.3 I am satisfied that the content and the form of the Plan is fit for purpose. It is distinctive and proportionate to the Plan area. The wider community and the parish councils have spent time and energy in identifying the issues and objectives that they wish to be included in their Plan. This sits at the heart of the localism agenda.
- 7.4 The Plan has been designed to reflect Planning Practice Guidance (41-004-20170728) which indicates that neighbourhood plans must address the development and use of land.
- 7.5 I have addressed the policies in the order that they appear in the submitted plan. For clarity this section of the report comments on all policies whether or not I have recommended modifications in order to ensure that the Plan meets the basic conditions.
- 7.6 Where modifications are recommended to policies they are highlighted in bold print. Any associated or free-standing changes to the text of the Plan are set out in italic print.
- The initial sections of the Plan*
- 7.7 The presentation of Plan as a whole has been prepared to a high standard. It is well-organised and includes effective maps and photographs that give real depth and purpose to the Plan. It makes an appropriate distinction between the policies and their supporting text. It also ensures that the vision and the objectives for the Plan set the scene for the various policies.
- 7.8 The initial elements of the Plan set the scene for the policies. They are proportionate to the Plan area and the subsequent policies. The Introduction is particularly effective in the way in which comments about the context to the Plan, the challenges faced along the way and the process followed. The section on the context is both thorough and effective. The various elements of the text are helpfully supported by well-chosen photographs. The challenges section is equally well developed. The process section provides a useful context for the more detailed Consultation Statement. It provides a useful summary of the consultation and engagement events that were used during the plan-making process. This part of the introduction is also helpfully supplemented with photographs that show key elements of the consultation process. The boxes of questionnaires responses in one of the photographs on page 20 demonstrate the way in which the community responded to the process.
- 7.9 The section on 'From Vision to Policies' is also well-constructed. It describes how the Vision and the Objectives of the Plan were developed. Its key strength is the way in which the resulting policies are grouped into three overall headings as follows:
- Spatial Strategy
 - Infrastructure Needs
 - Design Guide
- 7.10 Box 4 develops this approach further and identifies the various policies within its appropriate grouping. The effect is highlighted with the use of different colours for the three categories of policies. The overall effect is both attractive and clear.

- 7.11 The remainder of this section of the report addresses each policy in turn in the context set out in paragraphs 7.5 and 7.6 of this report.
Policy SS1 Green Belt
- 7.12 This policy addresses the Green Belt. It reflects the significance of the matter to local residents in general, and as expressed in the consultation exercises in particular. The policy is designed in such a fashion that it is partly a repetition of national policy and partly an explanation of the wider importance of the Green Belt. As submitted the policy has attracted representation from VWHDC and Gladman Developments.
- 7.13 I have considered carefully whether the policy meets the basic conditions and should be retained in the Plan. In general terms there is no need for a neighbourhood plan policy to repeat national or local policies. In the neighbourhood area the situation is further complicated as the strategic allocation of the Dalton Barracks site requires the removal of parcels of land from the Green Belt.
- 7.14 On balance I recommend modifications both to the policy and to the supporting text to reflect the developments which are planned in the neighbourhood area. The preservation of key elements of the Green Belt is an essential part of the wider package in both the emerging LPP2 and the submitted Plan itself. In my judgement the deletion of any reference to the Green Belt from the submitted Plan would have a detrimental effect on the integrity of its wider approach.
- 7.15 In this context I recommend that the modifications apply national and local policies to the Green Belt within the neighbourhood area. For clarity Green Belt boundaries are identified in strategic planning documents (in this case Local Plan Parts 1 and 2) and not in neighbourhood plans. The recommended modification will ensure that the neighbourhood plan is future-proofed in the event that Local Plan Part 2 is adopted in due course based on the published Main Modifications.

Replace the policy with:

‘The Green Belt will continue to be protected to maintain its openness and permanence.

Development proposals in the Green Belt will be determined against the principles set out in Core Policy 13: The Oxford Green Belt in the adopted Vale of White Horse Local Plan Part One. Proposals for inappropriate development will not be supported except in very special circumstances’

At the end of the supporting text preceding the policy add:

‘Policy SS1 provides a basis for the protection of the Green Belt during the Plan period. It does so within the context provided by the emerging Vale of White Horse Local Plan Part 2 in general, and the identification of land for strategic development at Dalton Barracks in particular. It recognises that the boundaries of Green Belts are defined in strategic documents and not in neighbourhood plans.

Policy SS2 Separation of Settlements

- 7.16 The policy seeks to safeguard the separate settlements within the neighbourhood area. In particular it proposes the designation of Strategic Green Gaps between the following settlements:
- Dalton Barracks to Whitecross and Wootton Road (SS2.2.1);
 - South of Barrow Road (SS2.2.2);
 - Cothill to Dry Sandford (SS2.2.3); and
 - Lamborough Hill to Honeybottom Lane (SS2.2.4)
- 7.17 The policy has attracted representations from VWHDC and from two developers (Pye Homes and Gladman Developments Limited). In both cases they draw my attention to Core Policy 44 Landscape in the adopted LPP1 and to Development Policy 29 Settlement Character and Gaps in the emerging LPP 2. They comment that the very specific approach in the submitted policy, including the definition of four strategic green gaps is contrary both to national and local planning policies.
- 7.18 I have considered this issue very carefully, including looking at the proposed green gaps as part of my visit to the neighbourhood plan. I can understand the approach that the parish councils have taken. It reflects the sensitivity of the local landscape and the pressures for strategic growth to meet the wider needs of the District and the unmet needs of Oxford City. The strategic green gaps have been carefully chosen in the context of the neighbourhood area in general, and the existing distribution of settlements and built development.
- 7.19 However in a broader context policy a submitted neighbourhood plan needs to meet the basic conditions. In particular, it has to have regard to national policy and be in general conformity with strategic policies in the development plan. The approach taken in the submitted policy seeks to retain the strategic significance of the physical and visual separation between settlements in the neighbourhood area. However, in doing so it has identified the four strategic green gaps set out above. Proposed Green Gaps 1 and 2 are particularly extensive in scale.
- 7.20 In general terms I am not satisfied that the specific definition of proposed Gaps meets the basic conditions. Planning Practice Guidance dealing with rural housing (50-001-20160519) comments that ‘all settlements can play a role in delivering [sustainable development in rural areas](#) – and so blanket policies restricting housing development in some settlements and preventing other settlements from expanding should be avoided unless their use can be supported by robust evidence’. In this respect the Plan does not provide evidence which would warrant such an approach. In addition, the approach taken in the policy with regards to development within the proposed strategic green gaps is more restrictive than that which would be applied within a Green Belt. This is an important consideration as the four green gaps are within the Oxford Green Belt.
- 7.21 In addition the policy provides no specific assurance that it is in general conformity with the strategic approach already taken in the adopted LPP1 in

general, and its Core Policy 44 Landscape in particular. That policy did not include strategic green gaps either in general terms, or within the neighbourhood area in particular. This matter is further reinforced as in their different ways the proposed strategic green gaps are significant tracts of land. For example, the proposed Green Gap 1 extends slightly beyond 1000 metres along its north-south axis, and approximately 400 metres from east to west along its proposed southern boundary. The proposed Green Gap 2 occupies an area approximately 200 metres in depth between Shippon and Abingdon to the south. The smallest of the proposed Gaps (to the north of Honeybottom Lane) is of a more modest scale (approximately 100 metres by 200 metres) but does not have an obvious settlement or other group of buildings along its proposed southern boundary.

- 7.22 In this context I have also concluded that the proposed strategic green gaps are of such a scale that they would constitute a strategic approach to development in the neighbourhood area which is ultimately beyond the remit of a neighbourhood plan. Such designations are a matter for a local plan approach and which were not included within the wider work undertaken on the emerging LPP 2. In any event the issue of the separation of settlements is already addressed in policies in both LPP1 and the emerging (and very advanced) LPP2.
- 7.23 In a broader sense the policy also fails to take account of national policy. The four parcels of land concerned are located within the Oxford Green Belt where restrictive policies apply. The submitted policy adds little to the Green Belt approach and has the potential to prevent development which would otherwise be acceptable in a Green Belt location. In summary I do not consider that the specific identification of Green Gaps in the neighbourhood area would meet the basic conditions. They would represent unwarranted and unnecessary planning policy restrictions affecting the parcels of land concerned.
- 7.24 I have also considered whether the generality of the policy should be retained within the Plan. On the one hand it could be argued that it is unnecessary given the local planning context to the matter. On the other hand, the parish councils have highlighted the particular sensitivities on this matter in the neighbourhood area. This is potentially compounded in the event that the development of the strategic allocation at Dalton Barracks as set out in LPP2 proceeds in the Plan period. Taking account of all relevant matters I have concluded that it would be appropriate for the Plan to include a policy on this important matter. On this basis I recommend that the objective of the policy remains but is captured in a replacement policy which does not specifically define Green Gaps.
- 7.25 I also recommend consequential and associated modifications to the supporting text

**Replace Policies SS2 and SS2.1-SS2.4 (inclusive) with:
 ‘Development proposals in the neighbourhood area should demonstrate that the character of any particular settlement is retained, and that a physical and visual separation is maintained between its different**

settlements. In particular new development should maintain the separation between following settlements within the neighbourhood area:

- between Shippon and Abingdon (insofar as this affects the neighbourhood area);
- along the Wootton Road/Whitecross to the east of Dalton Barracks;
- between Cothill and Dry Sandford; and
- around the Whitecross crossroad.

Development proposals will be considered in the context of Core Policy 4 in the Local Plan 2031: Part 1, and in addition, will only be supported where:

- the physical and visual separation between two separate settlements is not unacceptably diminished;
- cumulatively, with other existing or proposed development, it does not compromise the physical and visual separation between settlements, and
- it does not lead to a loss of environmental or historical assets that individually or collectively contribute towards their local identity.’

Replace the first paragraph of supporting text on page 36 with:

‘Policy SS2 provides local details to these important Local Plan policies. It applies their principles to the neighbourhood area in general terms and identifies four general locations where there is an ongoing need to retain the separation between the various settlements concerned.’

Policy SS3 Local Green Space

- 7.26 This policy proposes the designation of a suite of local green spaces (LGSs). The Plan makes appropriate references to the approach taken in the NPPF on this important matter. The supporting text highlights the importance of LGSs in the neighbourhood area in terms of their rural nature, their value for recreational purposes and for their contribution to settlement separation.
- 7.27 Each proposed LGS is assessed against the three criteria in the NPPF and detailed plans are provided showing the proposed boundaries of the parcels of land concerned. The proposed suite of LGSs is very distinctive to the neighbourhood area and responds directly to its characteristics – in some case the proposed LGSs are traditional recreation grounds, in other cases they are open spaces within the Dalton Barracks site. Other than the proposed LGS at Sandleigh Recreation Area (LGSg) all the proposed LGSs are within the Green Belt.
- 7.28 Following on from the clarification meeting, the parish councils prepared an assessment of the added value of designating the various parcels of land as LGS beyond the protection already offered by their location within the Green Belt itself. It is a very helpful and informative document in general terms and in the specific context of the neighbourhood area and the recent debates on the scale and nature of development that may be required to meet strategic needs.

- 7.29 Paragraph 76 of the NPPF comments that LGSs should only be designated when a plan is being prepared or reviewed, and be capable of enduring beyond the end of the Plan period. Clearly the proposed designation of the LGSs meets the first of these tests. The ability of some of the sites to meet the second test is less certain. The emergence of the LPP2 has highlighted the potential for further development of the Dalton Barracks site beyond that included in the main modifications of that Plan.
- 7.30 The Clarification Meeting explored the potential conflict between the designation of LGS C (Hawthorn Avenue), LGS D (Sycamore Close/Faringdon Road) and LGS H (Rookery Close) and the proposals for Dalton Barracks in the emerging LPP2 in general, and the published Main Modifications to that Plan in particular. Given the very advanced stage that the emerging LPP2 had reached, the scale and nature of the debate at the Local Plan examination on Dalton Barracks and the significance of the Main Modifications the meeting sought to explore the way in which the neighbourhood plan would add value to the emerging LPP2 and would be consistent with its approach towards the strategic development proposals at Dalton Barracks.
- 7.31 On this basis the Parish Councils accepted that the designation of LGS C (Hawthorn Avenue, Shippon), D (Sycamore Close and Faringdon Road, Shippon) and H (Rookery Close Shippon) would be inconsistent with the emerging LPP2. On this basis I recommend that they are deleted from the Plan.
- 7.32 I have also considered the uncertainty that might reasonably exist about the ability or otherwise of proposed LGS I (West of Starveall Farmhouse) and LGS L (Officers Mess) to endure beyond the Plan period. Both are immediately adjacent to the area identified for strategic development at the Barracks in the MMs of LPP2, and were contained within the larger site area as originally proposed in the submitted version of LPP2. The LPP2 Inspector provided a post-hearings letter in October 2018. This started a series of exchanges between the Inspector and VWHDC and which resulted in the publication of a schedule of Main Modifications. A significant part of this process refers to the Dalton Barracks site (paragraphs 8-26 of the Inspector's letter of 30 October 2018). The Inspector considered the ambitions of the submitted LPP2 for the Dalton Barracks site to accommodate 4500 dwellings in total within which 1200 dwellings would be provided within the Plan period. The Inspector commented that in order 'for the Plan's proposals to be found sound the evidence base must support an unambiguous proposal at Dalton Barracks for a new settlement of up to 4500 dwellings, albeit on the basis that only an estimated 1200 dwellings would be completed during the current plan period'.
- 7.33 The MMs have removed any direct reference to the potential for additional built development within and around Dalton Barracks in the medium or longer term. Nevertheless, on the information available to me at this stage I am required to reach a judgement on the likelihood of proposed LGSs I and L enduring beyond the end of the Plan period. The comments received on the MMs provide a useful insight into this matter. The Defence Infrastructure Organisation (DIO) supports the main modifications. However, given its views about the wider development

potential of the site it suggests that the land originally proposed in the allocation is safeguarded for future development. The DIO provides evidence about the suitability of the site for longer-term development. Dalton Barracks is described as a prime example of DIO's commitment to the management of its estate and the promotion of an asset that will enable Oxfordshire to meet future housing needs in addition to associated benefits a scheme of this scale can deliver. It is further suggested that as a minimum 'signposting' is added to how the Council will continue to view Dalton Barracks as a development opportunity, particularly given its brownfield status.

- 7.34 A similar approach is also taken by Commercial Estates Group (CEG) in its comments on the MMs. It suggests that VWHDC should not be allowed to sever the link between evidence that supports delivery of 1,200 dwellings at Dalton Barracks and the redevelopment capacity of the wider part of the site.
- 7.35 VWHDC has commented on these representations in its published summary on the comments received to the MMs. It advises that the MMs respond to the Planning Inspector's post-hearing correspondence and reflects the modifications considered necessary for the plan to be found sound. VWHDC also comments that the decision to remove reference to the longer-term development potential at Dalton Barracks does not imply that longer-term development should not be considered in the future. It concludes that evidence for the longer-term development, and any resultant change to the Green Belt Boundary, should be considered through a future Local Plan process.
- 7.36 It is clear at this stage that the potential for a larger development on the Dalton Barracks site has not been dismissed. Plainly the eventual outcome of these considerations will be a matter for VWHDC in the future and as part of the review of the Local Plan in the District. However, in these circumstances I cannot conclude that the two proposed LGSs will endure beyond the Plan period. As such I recommend that they are deleted from the Plan.
- 7.37 I have reached this decision based on the balance of the evidence. My recommended modification should not be construed to represent any view on the merits or otherwise of the development of a larger strategic site at some point in the future. In the event that a larger site is not eventually included in a review of the Plan it would be appropriate at that point for the inclusion of the two parcels of land as LGSs in any review of the neighbourhood plan to be considered and assessed. This review could also usefully make an assessment of the longer-term use and public accessibility of the Officers' Mess Green (proposed LGS L). Whilst it is capable of being seen and appreciated by local residents, it is within the Dalton Barracks site and is not directly capable of public use.
- 7.38 The policy itself follows the matter of fact approach in the NPPF. I recommend a series of technical modifications to the format of the policy so that it will have the clarity required by the NPPF. In particular I recommend that some elements of the policy become supporting text.
- 7.39 Later parts of the Plan properly provide details about each of the proposed LGS. However, in doing so they provide their own policy headings. Whilst these headings largely relate to the policy itself, they depart from it both in terms of the words used and how they attempt to describe very special circumstances which may arise and support the case for some development on the sites concerned. This has the potential to cause confusion. To remedy this matter, I recommend that the policy text at the beginning of the assessment of each of

the retained LGSs is deleted. I have also recommended that the very special circumstances issue is addressed in the supporting text associated with the main policy.

- 7.40 Some representations to the Plan have proposed additional LGSs. They have their individual merits. However as set out in paragraph 1.4 of this report my role is to examine the submitted Plan rather than an alternative version of that Plan. In any event the sites proposed as LGS have not been subject to the consultation exercise on the Plan and have not been assessed by the parish councils for the way in which they meet the criteria in the NPPF.

Delete LGSs C, D, H, I and L and the associated details of the LGSs concerned on pages 63 to 75.

Delete ‘where development.... special circumstances’

Delete ‘The precise boundaries.... (pages 63-75)’

**After the list of retained LGS add as a separate section:
‘Development on Local Green Spaces will only be supported in very special circumstances’**

Delete the wording in the coloured boxes after the policy number and the description of the sites in the detailed sections relating to each retained LGS on pages 63 to 75.

*At the end of the supporting text on page 36 before the policy add:
‘Policy SS3 comments that development on Local Green Spaces will only be supported in very special circumstances. Any proposed development which may come forward within the Plan period within any of the LGSs will be considered by the District Council on this basis and within the context of its impact on the function of the LGS concerned. The boundaries of each of the seven areas of Local Green Space are shown on the plans on pages [insert numbers].’*

Policy SS4 Strategic Vistas

- 7.41 This policy identifies a series of strategic vistas which new development should take into account. The various views are detailed in a separate section of the Plan. The policy has attracted representations from both VWHDC and Gladman Development. The former suggests a change of the title of the policy from ‘strategic’ to ‘locally important’ vistas. The latter comments that views are essentially subjective and that the potential restrictive nature of the policy should be reconsidered.
- 7.42 I looked at several of the identified vistas as part of my visit. I saw that they were essentially public vistas. I also saw that they had been carefully selected to highlight their importance within the context of the neighbourhood area, the Green Belt and where concentrations of built development sat within this open setting.

- 7.43 Within this overall supporting context I recommend a series of modifications. The first incorporates the comments of VWHDC on the status of the identified views. Whilst they may be strategic within the neighbourhood area, the use of the word 'strategic' has particular connotations in planning policy which are inappropriate in this context. The use of locally important views will not detract from their significance within the wider policy context.
- 7.44 In a broader context I recommend that the policy takes on a more positive approach towards supporting development which does not adversely affect the identified vistas. The focus of the submitted policy is negative in its tone. I also recommend consequential modifications to the supporting text and to the detailed maps in the Character Area assessment work

Replace the title of the policy with 'Locally Important Vistas'

Replace the policy with:

'Where development is otherwise acceptable within the neighbourhood area development proposals should take account of, and respond in a positive way to, the locally important vistas included on the maps at pages [insert numbers].

Development proposals should particularly take account of the locally important vistas in the following character areas:

- **Shippon**
- **Cothill**
- **The Wootton-Cumnor Road Corridor (B4017)'**

At the end of the supporting text at the bottom of page 36 add:

'Policy SS4 identifies a series of locally important vistas within the wider context set by the TDR Character Assessment work. The various views are shown in the detailed plans on pages [insert] of this Plan. The policy draws particular attention to the identified strategic vistas in three specific character areas. It does so as the Assessment has identified the character areas concerned as being vulnerable to the erosion of their character through change in general, and through new development in particular.'

Policy SS5 Barracks and Airfield

- 7.45 This policy is at the heart of the Plan. Its approach reflects the inevitable degree of uncertainty which existed over the future development of the site at the time the neighbourhood plan was being prepared. To a significant extent this matter has now been overcome with the publication of the MMs to the emerging LPP2.
- 7.46 The policy has three related parts. Each is associated with its own supporting text. In summary they are as follows:
- a restriction to development on previously developed land (SS5.1);
 - a development to Garden Village principles (SS5.2); and

- the separation of planned new development from other settlements in the neighbourhood area and phasing matters (SS5.3).

- 7.47 The development of the Dalton Barrack site was discussed at the clarification meeting and within the wider context of the publication of the MM to the emerging LPP2. The recommended modifications in this part of the report take account of that meeting and the subsequent responses from the parish councils.
- 7.48 I recommend the deletion of the first part of the policy. To a large extent the need for the approach has been overtaken by progress on the emerging LPP2 in general, and changes proposed in the MM to its spatial extent. In addition, much of the supporting text restates the parish councils' views about the subtle difference between the strategic development itself and the removal or otherwise of the site from the Green Belt. In the circumstances I recommend that this part of the policy is deleted. I also recommend a package of associated modifications to the supporting text.
- 7.49 In the response after the clarification meeting, the parish councils have suggested that this part of the policy should be reconfigured so that it only supports new development on previously-developed land throughout the neighbourhood area. However, this approach would be unnecessarily onerous and, in any event, has not been the subject of public consultation.
- 7.50 The second part of the policy seeks to ensure that the development proceeds on the basis of Garden Village principles. This matter was explored at the clarification meeting where I was advised about the way in which VWHDC had approached the Garden Communities initiative promoted by the Ministry of Housing, Communities and Local Government in August 2018. I appreciate the sensitivity of this matter to the parish councils. Nevertheless, the neighbourhood plan examination needs to take place within the context of national and local planning policies rather than the Plan's compliance with other initiatives such as the Garden Communities initiative.
- 7.51 I recommend that this part of the policy is modified so that it reflects the reduced nature of the site in the MMs of the emerging Local Plan. I also recommend the deletion of the separation element of this part of the policy. It is already adequately addressed in the third part of the submitted policy.
- 7.52 The third part of the policy addresses two matters. The first is the phasing of the strategic development based on an initial phase of development in the centre of the site. The second is on maintaining its separation from existing settlements in the neighbourhood area. In this context the Plan proposes two Garden Village Buffers (Shippon and Whitecross). There is no evidence to support the approach taken in the first matter. In any event the practicality of the approach proposed and its potential impact on viability has not been assessed or tested. The second matter has been affected by the main modifications to LPP2 which have reduced the geographic extent of the strategic development at the Dalton Barracks site. In this context I recommend modifications to the policy to take account of the discussions that took place between the parish councils and VWHDC after the clarification meeting to refine the approach to Garden Village Buffers and the Dalton Barracks allocation. It is

shown on the map at the end of this report. I am satisfied that the identification of a Garden Village Buffer meets the basic conditions. In particular the approach is different to the proposed approach towards Strategic Green Gaps in Policy SS2 which relates to the gaps between existing settlements, and to which I have recommended that the policy maps are deleted and replaced with more general policy guidance.

Delete Policy SS5.1

Replace Policy SS5.2 with:

‘The development of a garden village on previously developed land at the current MOD site at Dalton Barracks and Abingdon Airfield, as identified in the Vale of White Horse Local Plan Part 2 will be supported where it applies Garden Village principles and conforms with the approach set out in Core Policy 8b Dalton Barracks Strategic Allocation of the Local Plan part 2.’

Replace Policy SS5.3 with:

‘The development of a garden village will be supported where it is physically and visually separate from the surrounding settlements in the neighbourhood area. In particular the development of the garden village should deliver an appropriate green buffer between the new development and Shippon as indicated on Map [insert number]

Replace the supporting text on page 37 between Policies SS4 and SS5 with:

‘A key element in the future of the neighbourhood area will be the development of part of the Dalton Barracks site. It is included as a strategic site in the emerging Local Plan Part 2. The Main Modification of that Plan (as published in February 2019) reduce the size of the site. The different components of Policy SS5 consider key principles for the development of the site and how it would retain separation from the other settlements both in the neighbourhood area and in the immediate locality’

Replace the supporting text between Policy SS5.1 and Policy SS5.2 with:

‘Within this context the policy has a clear focus on securing high quality new development to Garden Village principles.

In addition, the importance of ensuring the physical separation of the Garden Village from the existing communities is captured in the policy. This has been a key component of the plan-making process and is an issue that was consistently raised throughout the various phases of consultation. Map [insert number] in particular shows an area which should be safeguarded and developed as a green buffer between the new development and Shippon. It is a matter that should be considered in detail as initial proposals are prepared for the development of the garden village.

Delete the Garden Village Buffer maps on pages 90 and 91.

Insert the new map prepared by the parish councils and VWHDC after the clarification meeting (and as reproduced in Appendix 1 at the end of this report) to replace the two submitted garden Village Buffer maps.

Policy IN1 Housing

- 7.53 This policy supports the development of two types of housing. Policy IN1.1 relates to the needs of younger people. Policy IN1.2 relates to older persons and those with additional needs.
- 7.54 The policy highlights the well-documented affordability issues relating to housing in the wider county. It operates in parallel with the more strategic issues in the first part of the Plan. The policy is well-constructed. In particular it is not prescriptive in the way in which it supports development of the nature specified. As such it meets the basic conditions.

Policy IN2 Timing of Infrastructure

- 7.55 This policy requires that major development (100 or more dwellings or commercial development in excess of 1000 square metres) should deliver timely infrastructure alongside new development. Its ambition is to ensure that development does not have a negative impact on local communities. The supporting text clarifies that infrastructure includes transport and community/recreational facilities.
- 7.56 The policy is well-intentioned. Nevertheless, as submitted it does not have the clarity required by the NPPF. In particular it does not identify the scale or the nature of the infrastructure required. In addition, the use of the word 'alongside' suggests that there will be natural and seamless relationship between new development and the provision of infrastructure. Whilst this would be ideal it is not always practicable.
- 7.57 In a broader sense the policy also includes elements of supporting text that explain the policy rather than which are policy statements in their own right.
- 7.58 I recommend modifications to the policy to address these matters and to ensure that it meets the basic conditions. They recognise that discussions will take place between the developers of the strategic allocation at Dalton Barracks and VWHDC on this important matter. Plainly those discussions will provide the context for the scale and delivery of the required infrastructure improvements. Similarly, development will be subject to the appropriate payments in accordance with the adopted VWHDC Community Infrastructure Levy Charging Schedule September 2017.

Replace 'Planning applications for development' with 'Development proposals'

Replace 'infrastructure.... business and the environment' with: 'appropriate infrastructure based on their scale and nature based on published standards including those in the adopted Vale of White Horse Community Infrastructure Levy Charging Schedule September 2017.'

*At the end of the second paragraph of supporting text on page 42 add:
'Policy IN2 addresses this important matter. Its ambition is to ensure that new development does not have an unacceptable negative impact on local communities, business and the wider environment'*

Policy IN3 Transport Mitigation

7.59 This policy relates to the importance of getting around the area. The supporting text highlights the community's concern about the capacity of the network at present and the implications of planned development coming forward in the Plan period. In summary it addresses the following matters:

- the capacity of Barrow Road (IN3.1);
- the capacity of the B4017 (IN3.2);
- the capacity of the Waterworks crossroads (IN3.3);
- bus services (IN3.4); and
- public rights of way (IN3.5).

7.60 VWHDC and the County Council both make helpful comments on the policy. The District Council considers that the policy approach effectively duplicates national and local policy. The County Council raises specific issues on the viability of local bus services and the lack of any public subsidies.

7.61 I have given careful thought to the appropriateness or otherwise of this policy in the context of the concerns raised by VWHDC. Plainly on the one hand the general issues about the relationship between the ability of the network in the area to accommodate new development is captured generally in paragraphs 29-41 of the NPPF. Nevertheless, the issues raised in the policy are very distinctive to the neighbourhood area and reflect community consultation and engagement. On balance, I have concluded that the various aspects of the policy that relate to specific elements of the network would meet the basic conditions with appropriate modifications. In particular I recommend that the elements of the policy which refer to the capacity of parts of the highway network do so in a general way. As submitted several parts of the policy make reference only to the Dalton Barracks strategic allocation. The delivery of this site is already addressed in LPP2. In any event such a specific policy approach would then not be capable of being applied to other development which may come forward in the Plan period. In this context I recommend that IN3.2 is deleted from the Plan. Its contents lack the clarity necessary to apply its intentions through the development management process. In any event the issues are already addressed in a general way in LPP2.

7.62 The County Council expresses particularly concerns about Policy IN3.4 as it appears to suggest that, regardless of how good a new bus service might be, an application should not be supported if it fails to protect or enhance existing public transport services. It also comments that in accordance with government policy and regulations, any contributions sought from development must be directly related to the development. It also advises that bus services are not subsidised by the County Council (all bus subsidies ended on 20 July 2016) and contributions are aimed at supporting services until they become commercial. It suggests a more generalised wording for Policy IN3.4. I recommend accordingly to ensure that this part of the policy meets the basic conditions.

In Policy IN3.1 delete 'for the Strategic Development Site'

Delete Policy IN3.2.

**In Policy IN3.3: delete ‘for the Strategic Development Site’ in part a)
Replace Policy IN3.4 with the following: ‘Development proposals which provide for the enhancement of bus services will be supported’.**

Policy IN4 Transport Opportunities

7.63 This policy identifies a series of transport related developments and opportunities. In summary they are as follows:

- the need for travel plans for larger developments (IN4.1);
- re-opening connections between settlements (IN4.2);
- improving the provision for sustainable transport (IN4.3); and
- securing convenient access for residents (IN4.4).

7.64 I am satisfied that in their different ways the various components of the policy meet the basic conditions in general terms. IN4.2 and IN4.3 offer support to sustainable methods of transport. IN4.1 identifies an important process requirement. IN4.4 overlaps with requirements in both the LPP2 and other neighbourhood plan policies.

7.65 I recommend detailed modifications to some of the elements of the policy to ensure that they have the clarity required by the NPPF. In some cases, this involves the removal of supporting text from the policy.

In IN4.3 delete the second sentence.

In IN4.4 replace ‘must’ with ‘should’.

Policy IN5 Business Infrastructure

7.66 This policy sets out a series of business infrastructure matters. In summary they are as follows:

- the development of new facilities within the proposed strategic development at Dalton Barracks (IN5.1);
- a series of targeted improvements (IN5.2);
- the maintenance and expansion of businesses (IN5.3);
- rural diversification (IN5.4); and
- the development of enhanced broadband (IN5.5).

7.67 The different components of the policy meet the basic conditions.

Policy IN6 Community Infrastructure

7.68 This policy offers support to a series of community infrastructure policies. In summary they relate to the Shippon Community Centre (IN6.1), medical facilities (IN6.2), general provision for young people (IN6.3) and general provision for older persons and those with additional needs (IN6.4).

- 7.69 The policy has been carefully designed. It offers support for the various facilities without directly requiring their provision either in their own right or in association with other development.
- 7.70 The potential development of a Shippon Community Centre is a particularly innovative and exciting project. It would respond directly to the emerging strategic development on the Dalton Barracks site.
- 7.71 The policy meets the basic conditions.

Policy DG1 Design for the Area

- 7.72 This policy sets the scene for the design of new development. It has two related parts. The first addresses development in its spatial context. The second relates to development within its temporal context. It is underpinned by helpful supporting text which refers to the separate settlements within the area and the way in which they 'intersperse the old with the new'. The text also refers to the ways in which local people relate to their particular communities.
- 7.73 Both parts of the policy provide helpful guidance to potential developers. They also do so in a distinctive way which reflects the scale and character of the neighbourhood area.
- 7.74 VWHDC comments that the different elements of the policy duplicate national policy. It is the case that there is a healthy overlap between the submitted policy and paragraphs 56-60 of the NPPF. However, I am satisfied that the policy adds local and distinctive value to the NPPF.
- 7.75 In both parts of the policy the detailed approach is set out by way of examples rather than as criteria or policy guidance. I recommend a modification to remedy this matter. Otherwise in their different ways the two elements of the policy capture the essential spirit and character of the neighbourhood area. They also highlight the importance of good design to its future. This reflects the approach to design in the NPPF. One of the 12 core planning principles in the NPPF (paragraph 17) is '(always seek) to secure high-quality design and a good standard of amenity for all existing and future occupants of land and buildings'. Furthermore, the approach adopted in the policy has regard to the more detailed design elements of the NPPF. In particular, it plans positively for high quality and inclusive design (paragraph 57), it has developed a robust and comprehensive policy (paragraph 58), it proposes outlines of design principles (paragraph 59) and does so in a locally distinctive yet non-prescriptive way (paragraph 60).

In DG1.1:

Delete 'to achieve this it'

Delete 'by, for example'

Insert thereafter 'In particular new development will be supported where it incorporates the following features as appropriate to its scale and context'

In DG1.2:**Replace ‘must’ with ‘should’****Delete ‘to achieve this it’****Delete ‘by, for example’****Insert thereafter ‘In particular new development will be supported where it incorporates the following features as appropriate to its scale and context’**

Policy DG2 Heritage Assets

7.76 This policy has a sharp focus on heritage assets within the neighbourhood area. It has two related parts. The first identified a series of non-designated assets and applies an approach that seeks to maintain their significance. The second seeks to apply general heritage principles both to designated and non-designated heritage assets.

7.77 The policy is well-intentioned. Nevertheless, it fails to have regard to national policy on the status and the significance of the assets concerned. This has generated a detailed representation from Historic England which proposes a revision to the policy. It would have the effect of combining the two elements and appropriately makes reference to the significance of the assets as required by paragraph 131 of the NPPF. The proposed revision is both appropriate and would meet the basic conditions. I recommend accordingly. It would provide the clarity required by the NPPF and allow VWHDC to apply the policy in a consistent fashion.

Replace the two elements of the policy with:

‘Any development proposal that would have a direct or indirect effect on the significance of a heritage asset should demonstrate how the proposal will conserve the heritage asset in a manner appropriate to its significance and demonstrate how the development would make a positive contribution to local character and distinctiveness.

Development proposals that better reveal the significance of heritage assets, for example, through the provision of open or public space, or by taking opportunities to improve appropriate public access, will be supported. Conversely, development proposals that crowd, overshadow, obscure or otherwise adversely affect the significance of heritage assets will not be supported.

For the purposes of this policy the following are the currently identified non-designated heritage assets in the neighbourhood area: [include the list from Policy DG2.1]. Plans are provided on pages [insert numbers] showing the locations of these heritage assets’

Policy DG3 Design Requirements

7.78 This policy sets out detailed design requirements throughout the neighbourhood area. The supporting text sets out the context for the Plan’s ambitions on sustainable design. Its purpose is to ensure that development enhances and preserves local distinctiveness, quality of life and a sense of place. The policy has eight components as follows:

DG3.1 Site Suitability
 DG3.2 Resource efficiency
 DG3.3 Access
 DG3.4 Security
 DG3.5 Public spaces
 DG3.6 Future proofing
 DG3.7 Design in context
 DG3.8 Design for wildlife

- 7.79 VWHDC comments that the policy largely duplicates national and local policy. It is the case that there is a healthy overlap between the submitted policy and paragraphs 56-60 of the NPPF. However, I am satisfied that the policy adds local and distinctive value to the NPPF.
- 7.80 The policy is distinctive to the neighbourhood area. It identifies a series of matters that are important to its future in a general sense, and to the development of the strategic allocation in particular. I recommend a series of modifications to some of the elements of the policy to provide the clarity required by the NPPF. The recommended modifications will also ensure that the language used in the various components of the policy are consistent one with the other. In particular the outcome will be to support development that meets the various specific areas, rather than encouraging certain types of development to take place.
- 7.81 Policies DG3.7 and DG3.8 include process requirements about the need for statements to accompany planning applications. In both cases they refer to all planning applications. Whilst the approach identified in the elements of the policy may be appropriate for larger planning applications they would result in a disproportionate burden on the domestic and minor applications. These types of proposals will represent the bulk of planning applications in the Plan period. In these circumstances I recommend that these two elements of the policy are deleted. The deletion of the two parts of the policy would not in themselves prevent VWHDC from applying the generality of their approach in the determination of appropriate planning applications and/or in requesting information as part of the associated design and access statements. In this context I recommend that this matter is captured in modifications to the supporting text.

In DG3.1 replace ‘possible’ with ‘practicable’

In DG3.6 replace ‘are encouraged to’ with ‘which’

In DG3.6 replace ‘for example, in relation to’ with ‘will be supported. Thereafter insert ‘In particular new development will be supported where it incorporates the following features as appropriate to its scale and context:

Delete DG3.7 and DG3.8

At the end of the supporting text on page 51 (lower section) add:

‘As appropriate to their scale and significance development proposals should be accompanied by information explaining how their design has taken account of their immediate surroundings (in terms of building heights, plot layouts and boundary treatments) and how they have been designed to incorporate wildlife and, where possible, delivered biodiversity net gains. This information could be submitted either through separate statements or within the Design and Access Statement’

Other Matters

- 7.82 This report has recommended a series of modifications both to the policies and to the supporting text in the submitted Plan. Where consequential changes to the text are required directly as a result of my recommended modification to the policy concerned, I have highlighted them in this report. However other changes to the general text may be required elsewhere in the Plan as a result of the recommended modifications to the policies. This will also apply to policy numbering where I have recommended the deletion or the merging of policies in the submitted Plan. It will be appropriate for VWHDC and the parish councils to have the flexibility to make any necessary consequential changes to the general text. I recommend accordingly.
- 7.83 There are several areas within the supporting text in general, and in the Foreword, the Introduction and the Spatial Strategy in general where the qualifying body expresses its views about future development in the neighbourhood area at the time that Plan was submitted for examination. Plainly this was in the context of the lack of any certainty at that time about the outcome of the LPP2 hearing sessions and in advance of the publication of the MMs to LPP2. These various comments were appropriate and relevant at that time. Some of the comments will no longer be relevant within the context of a made neighbourhood plan. In particular I recommend that the general text is modified in the following parts of the Plan so that it properly expresses the current position on the scale and extent of development in the neighbourhood area:

Foreword

Sections 1 and 2 on page 6

Introduction

Section 5: A Strategic Development Site

Spatial Strategy

Other than where I have recommended modifications to the supporting text in this report where such modifications directly arise from the recommended modifications to policies.

Modification of general text (where necessary) to achieve consistency with the modified policies.

- 7.84 The supporting text in the Plan does not have paragraph numbers. This is not a basic conditions matter. However, I suggest that consideration is given to this matter in the event that the Plan proceeds to referendum and is eventually made. It will make the Plan easier to use for all concerned.

8 Summary and Conclusions

Summary

- 8.1 The Plan sets out a range of policies to guide and direct development proposals in the period up to 2031. It is distinctive in addressing a specific set of issues that have been identified and refined by the wider community.
- 8.2 Following my independent examination of the Plan I have concluded that the Wootton and St Helen Without Neighbourhood Development Plan meets the basic conditions for the preparation of a neighbourhood plan subject to a series of recommended modifications.
- 8.3 This report has recommended a package of modifications to the policies in the Plan. They reflect the way in which the LPP2 has advanced since the neighbourhood plan was submitted. In particular the MMs to the LPP2 have provided a significant degree of clarity and updating on the proposed strategic allocation for the Dalton Barracks site.
- 8.4 Whilst the recommended modifications affect the policies in different ways, the Plan remains fundamentally unchanged in its role and purpose.

Conclusion

- 8.5 On the basis of the findings in this report I recommend to Vale of White Horse District Council that subject to the incorporation of the modifications set out in this report that the Wootton and St Helen Without Neighbourhood Plan should proceed to referendum.

Referendum Area

- 8.6 I am required to consider whether the referendum area should be extended beyond the Plan area. In my view, the neighbourhood area is entirely appropriate for this purpose and no evidence has been submitted to suggest that this is not the case. I therefore recommend that the Plan should proceed to referendum based on the neighbourhood area as approved by the District Council on 19 July 2017.

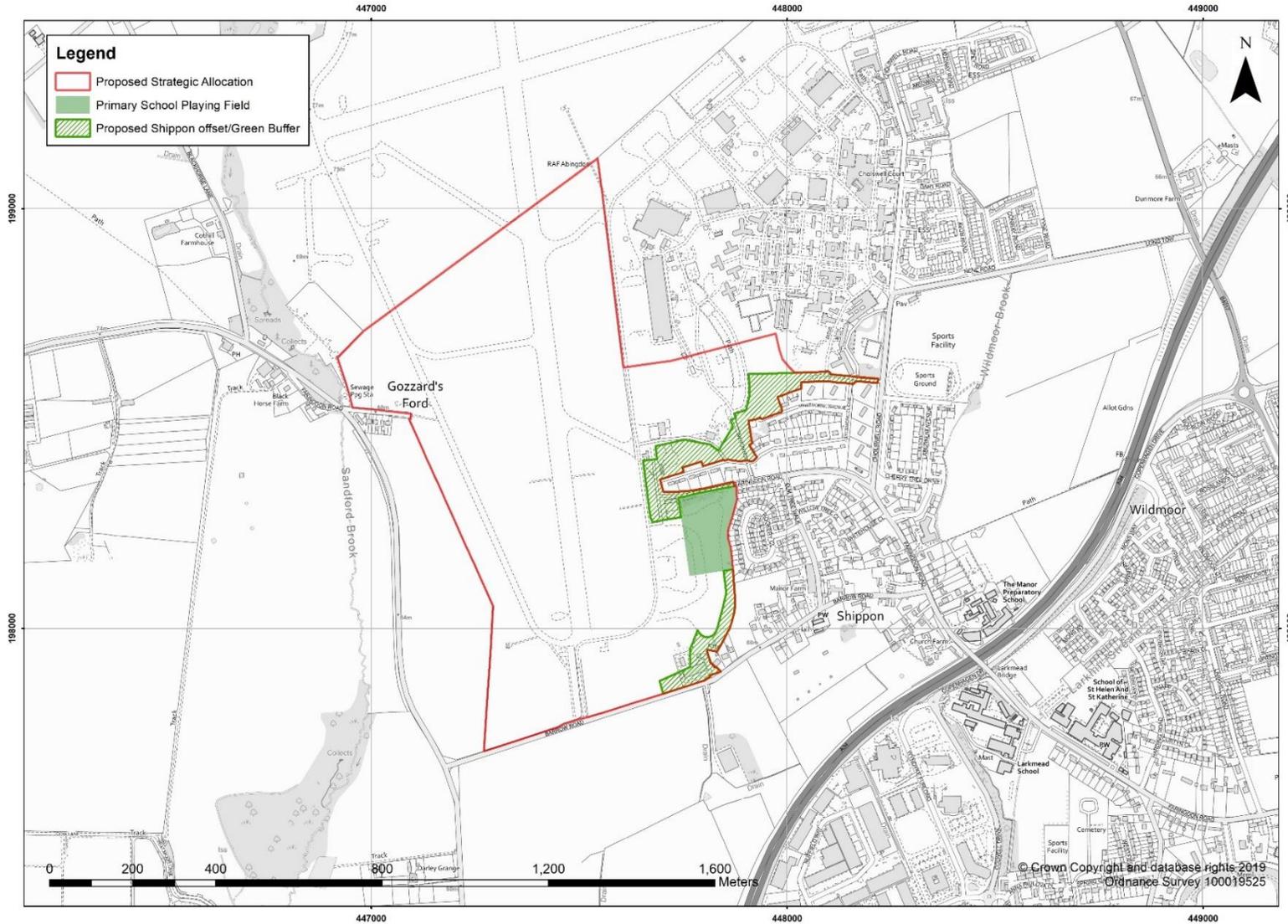
Other comments

- 8.6 The examination has raised a series of challenges for all concerned both in terms of timescales and addressing an overlapping set of issues. In this context I am grateful to VWHDC and to the parish councils for the ways in which they ensured that this examination has run in as smooth and efficient manner as possible.
- 8.7 In particular the responses to my Clarification Note were very helpful in preparing this report.

- 8.8 The Clarification Meeting was also very helpful in understanding the relationship between the emerging LPP2 and the submitted neighbourhood plan. Whilst differing views were expressed at that meeting it was conducted with a view to identifying ways in which the two plans could be complementary to each other throughout a Plan period which may bring about significant changes to the character of the neighbourhood area.

Andrew Ashcroft
Independent Examiner
29 July 2019

Appendix 1: Map prepared by the parish councils and VWHDC after the clarification meeting



Appendix C: Consequential and/or Factual Changes

Section	Agreed change	Justification/Reason
Front cover	Update date and amend timeframe to 2019: '2019 – 2031' and 'September 2019'	Factual update
Glossary (page 4)	Addition to list – TCPA Town and County Planning Association	To correct typographical error
Point 1. Green Belt (page 6)	Delete first sentence: 'The Local Plan 2031 proposes...Oxford's unmet housing need.' Delete sentences 3,4,5: (3)'While LPP2 suggests that the removal of land...(4)We consider changing the Green Belt as simply...(5)The removal of land from the Green Belt is not a strategic objective...objective on that site.' Amend final sentence to say: 'We support the strategic objective of developing the site but do not consider that deletion of land from the Green Belt is necessary.'	Updating text to reflect progress of LPP2.
Point 2. Garden Village (page 6)	Delete first sentence: 'The Local Plan 2031 proposes that this garden village will incorporate the village of Shippon.' Delete third sentence: 'The Neighbourhood Plan considers... existing settlements' Amend final sentence to say: 'We support the strategic objective of developing a garden village, but we expect garden village principles to be applied to the site.'	Consequential change to supporting text due to the amendments made by the Examiner to SS5.2.
Figure 2. (page 18)	Update diagram: Remove 'now we are here' arrow and change final date to 'Autumn 2019'	Updating figure to reflect latest stage.

<p>Introduction - Challenges. 5: A Strategic Development Site (page 18)</p>	<p>Main paragraph, column two. Amend second sentence to say: 'Consequently, although we do not support the deletion of land from the Green Belt, we do support development at the Strategic Development Site, especially if garden village principles are applied to the development and it delivers appropriate separation from Shippon.' Delete third sentence: 'this would deliver a stand-alone settlement...new community and green space amenities.'</p>	<p>Consequential change to supporting text due to the amendments made by the Examiner to SS5.2.</p>
<p>Process – Second sentence in last paragraph (page 19/ beginning of page 20)</p>	<p>Amend sentence to say: 'The plan was submitted to VWHDC. A referendum needs to be held to establish whether the community supports it.'</p>	<p>Updating document to reflect latest stage.</p>
<p>Sustainable development – bullet 3 (page 22)</p>	<p>Delete 'full' so it reads: 3. Applying Garden Village Principles to the proposed development at Dalton Barracks and Abingdon Airfield</p>	<p>Consequential change to supporting text due to the amendments made by the Examiner to SS5.2.</p>
<p>General (page 22)</p>	<p>Column 2, paragraph 1: update page number reference Column 2, paragraph 3: update page number reference</p>	<p>Consequential change due to Examiners Report</p>
<p>Objectives. 3: Garden Village Principles (page 24)</p>	<p>Delete second and third paragraph in first column: 'The Department for Communities ...an existing town or village.' (paragraph 14).' Delete second half of first paragraph in second column: 'The requirement for garden villages to be freestanding... (TCPA, 2017, 2018).' Delete 'full' so third bullet of summary reads:</p>	<p>Factual update of general text to ensure consistency with current situation and amendments made by the Examiner to SS5.2.</p>

	'3. Applying Garden Village Principles to the proposed development at Dalton Barracks and Abingdon Airfield'	
Thematic Organisation of NP Policies (page 27)	SS4.1 – Delete IN3.2 – Delete IN3.3 - Change to IN3.2 IN3.4 – Change to IN3.3 IN3.5 – Change to IN3.4 DG2.2 – Delete DG3.7 – Delete DG3.8 – Delete	Consequential change due to Examiner's Report
Schedule of Policies (page 29)	SS4.1 – Amend title from Strategic Vistas to Locally Important Vistas Amend text in summary column to read 'Protects Locally Important Vistas	Consequential change due to Examiner's Report
Schedule of Policies (page 29)	SS5.3 – Amend text to read 'Encourages development where it is physically and visually separated for the surrounding settlements (Shippon and Whitecross)'	Consequential change due to Examiner's Report

Schedule of Policies cont'd (page 30)	DG3.7 – Delete DG3.2 – Delete DG3.8 – Delete	Consequential change due to Examiners Report
Schedule of Policies cont'd (page 31)	IN3.2 – Delete IN3.3 – Amend to IN3.2 IN3.4 – Amend to IN3.3. Amend text in summary column to read ‘Supports development which provides for the enhancement of bus services will be supported’	Consequential change due to Examiners Report
Local Green Space a) Dalton Barracks Sports Field (page 63)	Amend Policy number to SS3.1	To correct typographical error
Local Green Space b) The paddock behind 58- 80 Borrow Road Shippon (page 65)	Amend Policy number to SS3.1	To correct typographical error
Local Green Space e) The playing field at Wootton and Dry Sandford Community Centre	Amend to Local Green Space c Amend Policy number to SS3.1	Consequential change due to Examiners Report To correct typographical error

(page 68)		
Local Green Space f) Wootton Village recreation ground (page 69)	Amend to Local Green Space d Amend Policy number to SS3.1	Consequential change due to Examiners Report To correct typographical error
Local Green Space g) Sandleigh Recreation Ground (page 70)	Amend to Local Green Space e Amend Policy number to SS3.1	Consequential change due to Examiners Report To correct typographical error
Local Green Space j) The Long Tow green verge with the avenue of trees (page 73)	Amend title to Local Green Space f Amend Policy number to SS3.1	Consequential change due to Examiners Report To correct typographical error
Local Green Space k) Dry Sandford Open Space (page 74)	Amend title to Local Green Space g Amend Policy number to SS3.1	Consequential change due to Examiners Report To correct typographical error
References (page 95)	Second column Placecheck (community mapping) Amend 'map= woottonsthelen' to 'woottonsthelen' Second column 3 rd reference to Town and County Planning Association - amend to Town and County Planning Association (2017)	To correct typographical errors