

VALE OF WHITE HORSE DISTRICT COUNCIL

UFFINGTON AND BAULKING NEIGHBOURHOOD DEVELOPMENT PLAN: FINAL DECISION STATEMENT

DATE OF PUBLICATION – 30 SEPTEMBER 2019

1. Decision

- 1.1. Following an Independent Examination and a positive referendum result Vale of White Horse District Council decided at the Council meeting on 17 July 2019
1. To make the Uffington and Baulking Neighbourhood Development Plan so that it continues to be part of the council's development plan.
 2. To delegate to the Head of Planning, in agreement with the Qualifying Body, the correction of any spelling, grammatical, typographical or factual errors together with any improvements from a presentational perspective.

2. Background

- 2.1 The parishes of Uffington and Baulking were designated as a Neighbourhood Area on 9 March 2017.
- 2.2 Following the submission of the Uffington and Baulking Neighbourhood Plan Examination Version ('the Plan') to the Council, the plan was publicised and comments were invited from the public and stakeholders. The consultation period closed on 24 January 2019.
- 2.3 Vale of White Horse District Council appointed an independent Examiner, Andrew Ashcroft, to review whether the plan met the basic conditions required by legislation and whether the plan should proceed to referendum.
- 2.4 The Examiner's Report concluded, subject to the modifications proposed in his report, that the plan meets the Basic Conditions. The council determined on 24 April 2019 that the Plan, as modified by the Examiner's recommendations, should proceed to referendum.

- 2.5 A referendum was held on Thursday, 4 July 2019 and 87.7% of those who voted, voted in favour of the plan. The question asked was:

Do you want Vale of White Horse District Council to use the Neighbourhood Plan for Uffington and Baulking to help it decide planning applications in the neighbourhood area?

3. Reason for Decision

- 3.1 Section 38A(4)(a) of the 2004 Act requires the Council to make the neighbourhood plan if more than half of those voting in the referendum have voted in favour of the plan being used to help decide planning applications in the neighbourhood area. Section 38A (6) of the 2004 Act states that the Local Planning Authority is not subject to the duty if it considers that the making of the Plan would breach, or would otherwise be incompatible with, any EU obligation or any of the Convention rights.
- 3.2 The council determined on 24 April 2019 that the Plan, as modified by the Examiner's recommendations, meets the basic conditions set out in paragraph 8(2) of Schedule 4B of the Town and Country Planning Act 1990, is compatible with EU obligations and the Convention rights and complies with relevant provision made by or under Section 38A and B of the Planning and Compulsory Purchase Act 2004 as amended.
- 3.3 Section 5 of the Basic Conditions Statement submitted in support of the Plan outlined the Qualifying Body's considerations to the European Convention on Human Rights (ECHR) (the 'Convention'), in particular their regard to the fundamental rights and freedoms guaranteed under the ECHR and the Human Rights Act. The council is satisfied that the preparation of the Plan had regard to the fundamental rights and freedoms guaranteed under the European ECHR and that it complies with the Human Rights Act. The Council is satisfied that 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.
- 3.4 Vale of White Horse District Council produced a Strategic Environmental Assessment (SEA) and Habitats Regulations Assessment (HRA) Screening Determination on 23 January 2018, which confirmed that a SEA and a full HRA were not required for the Plan. The screening determination has been subject to consultation with the relevant statutory consultees, who confirmed the decision. The Council's Decision Statement issued on 14 May 2019 under Regulation 18(2) confirmed that the modifications accepted by the

Council, both separately and combined, produce no likely significant environmental affects and are unlikely to have any significant effects on European Designated Sites. Therefore, the Council is satisfied that the making of the Uffington and Baulking Neighbourhood Development Plan, incorporating the modifications recommended by the Examiner and accepted by the council, would not breach, or would otherwise be incompatible with, any EU obligation or any of the Convention rights.

3.5 A referendum relating to the adoption of the Uffington and Baulking Neighbourhood Development Plan was held on Thursday 4 July 2019.

3.6 The question which was asked in the Referendum was: *“Do you want Vale of White Horse District Council to use the Neighbourhood Plan for Uffington and Baulking to help it decide planning applications in the neighbourhood area?”*

3.7 The result was as follows:

Response	Votes	Per cent of total
Yes	193	87.7%
No	27	12.3%
Turnout	220	29.9%

3.8 The majority of local electors who voted, voted in favour of the plan; therefore, the Uffington and Baulking Neighbourhood Plan has become part of the council’s development plan.

3.9 As the plan was approved at the local referendum and the council is satisfied it would not breach and be otherwise incompatible with EU obligations or human rights legislation, the council is required make the Uffington and Baulking Neighbourhood Development Plan so that it continues to be part of the council’s development plan.

3.10 The Council decided at the Council meeting on 17 July 2019 to make the Uffington and Baulking Neighbourhood Plan part of the Development Plan for Vale of White Horse.

4. Other Information

4.1 In accordance with Regulations 19 and 20 of the Neighbourhood Planning (General) Regulations 2012, this Decision Statement and the made Uffington and Baulking Neighbourhood Plan can be viewed on the Council’s website: <http://www.whitehorsedc.gov.uk/services-and-advice/planning-and-building/planning-policy/neighbourhood-plans/uffington-and-baulking>

4.2 Copies of this Decision Statement and the Uffington and Baulking Neighbourhood Plan can be inspected at:

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
St Mary's Church Broad St, Uffington, Faringdon SN7 7RD	during normal opening times
St Nicholas Church Station Road, Baulking, Faringdon, SN7 7QE	during normal opening times

4.3 In accordance with Regulation 19(b) and Regulation 30 of the Neighbourhood Planning (General) Regulations 2012, a copy of this Decision Statement has been sent to:

- The qualifying bodies, namely Uffington Parish Council and Baulking Parish Meeting
- The persons who asked to be notified of the decision

5. Modification Statement

5.1 Regulation 30 of the Neighbourhood Planning (General) Regulations 2012 (as amended) ("the Regulations") allows the Council to modify a neighbourhood development plan to correct errors with the permission of the Qualifying Body.

5.2 The Council brought the Uffington and Baulking Neighbourhood Plan into legal force under Section 38A(4) of the Planning and Compulsory Purchase Act 2004 (as amended) on 17 July 2019; and Delegated to the Head of Planning, in agreement with the Qualifying Body, the correction of any spelling, grammatical, typographical or factual errors together with any improvements from a presentational perspective.

5.3 The Qualifying Body - Uffington Parish Council and Baulking Parish Meeting - asked the Council to make the following modifications:

Section	Proposed change	Reason/Justification
Front cover	Replace 'Referendum Version' with 'Made Version – July 2019'.	Factual correction
Front cover	Replace cover image with new image	Copyright obligation
Footnotes	Replace '9 May 2019' in all footnotes with 'July 2019'. Replace V40 with V41	Factual correction Configuration management
Acknowledgements Page i	Remove 'Will Amey' as not involved as expected	Factual correction
Exec Summary Page iii	Housing Needs Assessment paragraph, housing numbers corrected to match main text in Para 4.7.1. Replace '63' with '67'. Replace '44' with '48'. Replace '8' with '12'.	Factual correction
Page 5 Para 2.1	Footnote 10 URL changed to reflect changed URL of Plan onto Village Website	Technical issue due to closure of NP website
Page 18 Sect 3.5	Replace 'Policy L1 above' with 'Policy L1 below' Replace 'for example policy H3' with 'for example policy H4'	Factual correction
Section 3.6.2 Page 19	Replace 'Note: sites 2, 3 and 4 below' with 'Note: sites 2 and 3 below'	Factual correction (there is no site 4 – removed by examiner)
Page 25 Fig 13	Replace image with identical one less the 2 blue markers erroneously included from website Remove text 'marked' from Figure 13 text Copyright information included on photo	Appearance Copyright obligation
Page 30 Para 4.7.3	Replace all references to 'see 8.x' with 'see 7.x' (there is no Section 8)	Factual correction
Page 45	Replace 'Council' with 'Campaign' (CPRE)	Factual correction
Page 47 Para 6.4	Replace 'see Policy H4' with 'see Policy H2B'	Factual error. Cross reference not updated when policies renumbered during policy re-drafting

Page 54 Footnote 50	Add the words 'This information' after the dash before 'is suitable'	Factual correction (footnote misquoted from website)
Page 54 Para 7.6	Replace 'dated' with 'out of date'	Grammatical error
Page 3 Fig 2 Page 4, Fig 3 Page 26, Fig 15 Page 31, Fig 16 Page 43, Fig 20	Add copyright information onto images where appropriate.	Copyright obligation

5.4 The Council accepts the modifications proposed by Uffington Parish Council and Baulking Parish Meeting for the purposes of correcting minor spelling, grammatical and typographical errors. These modifications have been incorporated into the made version of the Uffington and Baulking Neighbourhood Development Plan.



Adrian Duffield
Head of Planning, South Oxfordshire and Vale of White Horse District Councils
Date: 30 September 2019