

# **East Hanney Neighbourhood Development Plan 2021-2031**

**A report to Vale of White Horse District Council on  
the East Hanney Neighbourhood Development Plan**

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## **Executive Summary**

- 1 I was appointed by the Vale of White Horse District Council in July 2023 to carry out the independent examination of the East Hanney Neighbourhood Plan.
- 2 The examination was undertaken by way of written representations. I visited the neighbourhood area on 1 August 2023.
- 3 The Plan is a good example of a neighbourhood plan. It includes a variety of policies and seeks to bring forward positive and sustainable development in the neighbourhood area. There is a very clear focus on two specific matters. The first is the proposed designation of a series of Local Green Spaces. The second is the identification of proposed Gaps between East Hanney and West Hanney and Grove.
- 4 The Plan has been underpinned by community support and engagement. All sections of the community have been engaged in its preparation.
- 5 Subject to a series of recommended modifications set out in this report, I have concluded that the 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**  
**3 January 2024**

## **1 Introduction**

- 1.1 This report sets out the findings of the independent examination of the East Hanney Neighbourhood Development Plan 2021-2031 ('the Plan').
- 1.2 The Plan was submitted to Vale of White Horse District Council (VWHDC) by East Hanney Parish Council (EHPC) in its 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, 2019, 2021 and 2023. 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 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 indirectly from 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 and can include whatever range of policies it sees as appropriate to its designated neighbourhood area. The submitted Plan has been designed to be distinctive in general terms, and to be complementary to the existing development plan. It seeks to provide a context in which the neighbourhood area can maintain its character and the separation of its settlements.
- 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 neighbourhood 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 EHPC, to conduct the examination of the Plan and to prepare this report. I am independent of both VWHDC and EHPC. 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 as submitted should proceed 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.
- 2.5 The outcome of the examination is set out in Section 8 of this report.

### *Other examination matters*

- 2.6 In examining the Plan, I am 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.
- 2.7 I have addressed the matters identified in paragraph 2.6 of this report and am satisfied that they have been met.

### 3 Procedural Matters

- 3.1 In undertaking this examination I have considered the following documents:
- the submitted Plan.
  - the appendices.
  - the Basic Conditions Statement.
  - the Consultation Statement.
  - the SEA/HRA screening report (January 2023) (Appendix H)
  - the representations made to the Plan.
  - EHPC's responses to the clarification note.
  - the adopted Vale of White Horse District Local Plan Parts 1 and 2.
  - the Vale of White Horse Local Development Scheme (September 2023)
  - the National Planning Policy Framework (December 2023).
  - Planning Practice Guidance.
  - relevant Ministerial Statements.
- 3.2 I visited the neighbourhood area on 1 August 2023. I looked at its overall character and appearance and at those areas affected by policies in the Plan in particular.
- 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 concluded that the Plan could be examined by way of written representations. I was assisted in this process by the comprehensive nature of many of the representations and the professional way in which the Plan has been developed.
- 3.4 The NPPF was updated in both September and December 2023 whilst the examination was taking place. For clarity I have assessed the Plan against the December 2023 version of the NPPF for the way in which it has regard to national policy.

## 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 (as amended), EHPC prepared a Consultation Statement. It is proportionate to the neighbourhood area and its policies. It is a good example of a Statement of this type. It sets out key findings in a concise report. Sections 3 and 4 summarise very effectively the approach which EHPC took on consultation and engagement.
- 4.3 Section 6 of the Statement records the various activities that were held to engage the local community. It also provides specific details on the consultation processes that took place on the pre-submission version of the Plan (December 2021 to February 2022).
- 4.4 Section 7 provides the details of the ways in which the Plan was refined because of this process. This helps to describe the way in which the Plan evolved.
- 4.5 I am satisfied 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. 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. VWHDC has carried out its own assessment that the consultation process has complied with the requirements of the Regulations.

### *Consultation Responses*

- 4.6 Consultation on the submitted plan was undertaken by VWHDC. It ended on 7 June 2023. This exercise generated representations from the following organisations:
- Vale of White Horse District Council
  - SSE
  - The Coal Authority
  - Landan Homes
  - Natural England
  - Oxfordshire County Council
  - Historic England
  - Lagan Homes
  - Bloor Homes
  - Dijkman Planning

- 4.7 Comments were also received from parishioners.

- 4.8 I have taken account of all the representations in preparing this report. Where it is appropriate to do so, I refer to specific representations on a policy-by-policy basis.

## 5 The Neighbourhood Area and the Development Plan Context

### *The Neighbourhood Area*

- 5.1 The neighbourhood area is the parish of East Hanney. Its population in 2011 was 748 persons living in 345 households. It was designated as a neighbourhood area on 15 July 2015.
- 5.2 The parish is located approximately three miles north of Wantage, and to the immediate east of the neighbouring the village of West Hanney. East Hanney is the only substantive settlement in the parish. It has developed around Letcombe Brook and more recently alongside the A338 road which connects Wantage to the south with Oxford to the north.
- 5.3 As the Plan describes, East Hanney is a low-density village settlement situated in open countryside surrounded by agricultural land within the typical Lowland Vale landscape. The Lowland Vale landscape is distinctive and valued for its own quality. The area around East Hanney is recognised as being of environmental and visual value. There are notable views from both the south and the north, including from the ancient ridge in the south.

### *Development Plan Context*

- 5.4 The Vale of White Horse Local Plan (Part 1): Strategic Sites and Policies was adopted in December 2016. It sets out the basis for future development in the District up to 2031. All the policies in this part of the Local Plan are strategic policies of the development plan. The Vale of White Horse Local Plan (Part 2): Detailed Policies and Additional Sites was adopted in October 2019. It is this broader development plan context against which I am required to examine the submitted Neighbourhood Plan.
- 5.5 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 7	Providing Supporting Infrastructure and Services
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

In addition, the following policies in the Local Plan 2031 Part 2 are particularly relevant to the submitted Plan:

Development Policy 23	Impact of Development on Amenity
Development Policy 29	Settlement Character and Gaps
Development Policy 37	Conservation Areas



- 5.6 East Hanney is identified as a Larger Village within the Abingdon and Oxford Fringe Sub-Area in Local Plan Part 1 (Core Policy 3). Larger Villages are the third of four sets of settlements in the local hierarchy and are defined as settlements with a more limited range of employment, services, and facilities. Core Policy 3 comments that unallocated development will be limited to providing for local needs and to support employment, services and facilities within local communities.
- 5.7 The Basic Conditions Statement usefully highlights the key policies in the development plan and how they relate to policies in the submitted Plan. It provides confidence to all concerned that the submitted Plan sits within its local planning policy context. 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 planning policy documents. This is good practice and reflects key elements in Planning Practice Guidance on this matter.
- 5.8 VWHDC is working with South Oxfordshire District Council on a Joint Local Plan for the two districts. Once adopted it will replace the existing development plans. The Local Development Scheme (September 2023) anticipates that the emerging Plan will be adopted in December 2025.

*Visit to the neighbourhood area*

- 5.9 I visited the neighbourhood area on 1 August 2023. I approached it from Steventon to the east. This helped me to understand its position in the wider landscape in general and its accessibility to the strategic road network.
- 5.10 I looked initially at the proposed Local Gap between East Hanney and West Hanney. I saw its overlap with the Recreation Ground. I looked carefully at the way in which it would dovetail with the Local Gap already established in the made West Hanney Neighbourhood Plan.
- 5.11 I saw the importance of the Memorial Hall, the shop, and the Post Office to the local community.
- 5.12 I took time to look at Dandridge's Mill and its current use as apartments. The helpful plaque outside the Mill explained the way in which low carbon technologies had been used to generate power for the site, including the first domestic Archimedean Hydro Screw in the UK.
- 5.13 I took the opportunity to look at the various proposed local green spaces. I saw their different locations and sizes.
- 5.14 I then drove towards Grove along the A338. I saw the proposed Local Gap between East Hanney and Grove. I saw the significance of the railway line.

- 5.15 I left the neighbourhood area on the A338 and drove to Grove. This part of the visit helped me to understand the relationship between the two settlements.

## 6 The Neighbourhood Plan and the Basic Conditions

- 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 in the preparation of this section of the report. It is an informative and well-presented document.
- 6.2 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;
  - contribute to the achievement of sustainable development;
  - be in general conformity with the strategic policies of the development plan in the area;
  - be compatible with European Union (EU) obligations and European Convention on Human Rights (ECHR); and
  - not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017.

I assess the Plan against the basic conditions under the following headings:

### *National Planning Policies and Guidance*

- 6.3 For the purposes of this examination, the key elements of national policy relating to planning matters are set out in the National Planning Policy Framework 2023 (NPPF).
- 6.4 The NPPF sets out a range of land-use planning principles to underpin both plan-making and decision-taking. The following are particularly relevant to the East Hanney Neighbourhood Development Plan:
- a plan-led system - in this case the relationship between the neighbourhood plan and the Vale of White Horse Local Plan 2031;
  - building a strong, competitive economy;
  - 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;
  - highlighting the importance of 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. Paragraph 13 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 subject to the recommended modifications in this report. It sets out a positive vision for the future of the neighbourhood area. It includes a series of policies on development and environmental matters. It has a focus on designating local green spaces and identifying Local Gaps between the village and both West Hanney and Grove.
- 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 (paragraph 16d). This was reinforced with the publication of Planning Practice Guidance. Paragraph ID: 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. Most 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. The submitted Plan has set out to achieve sustainable development in the neighbourhood area. In the economic dimension, the Plan includes policies for infill residential development (Policy EHNP3). In the social role, it includes policies on Local Green Spaces (Policy EHNP8), on the range of house sizes in new developments (Policy EHNP11), on housing for older people (Policy EHNP12) and on community facilities (Policy EHNP13). In the environmental dimension, the Plan positively seeks to protect its natural, built, and historic environment. It has policies on character (Policy EHNP1), on dark skies (Policy EHNP15), and on flood mitigation (Policy EHNP16). This assessment overlaps with the details on this matter in the submitted 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 District 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 development plan. Subject

to the recommended modifications in this report, I am satisfied that the submitted Plan is in general conformity with the strategic policies in the development plan.

#### *Strategic Environmental Assessment*

- 6.13 The Neighbourhood Plan (General) (Amendment) 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.
- 6.14 In order to comply with this requirement, VWHDC undertook a screening exercise in January 2023 on the need or otherwise for a Strategic Environmental Assessment (SEA) to be prepared for the Plan. The report is thorough and well-constructed. It concludes that the Plan is unlikely to have a significant effect on the environment and therefore does not require a Strategic Environment Assessment.

#### *Habitats Regulations Assessment*

- 6.15 VWHDC also prepared a Habitats Regulations Assessment (HRA) of the Plan at the same time. It assesses the potential impact of the Plan's policies on the following protected sites:
- Cothill Fen SAC;
  - Hackpen Hill SAC;
  - Little Wittenham SAC;
  - Oxford Meadows SAC; and
  - River Lambourn SAC.
- 6.16 The HRA concludes that the neighbourhood plan will not give rise to likely significant effects on these protected sites, either alone or in combination with other plans or projects, and that Appropriate Assessment is not required.
- 6.17 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 regarding 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.

#### *Human Rights*

- 6.18 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.

### *Summary*

- 6.19 On the basis of my assessment of the Plan in this section of my report I am satisfied that it meets the basic conditions subject to the incorporation of the recommended modifications contained in this report.

## 7 The Neighbourhood Plan policies

- 7.1 This section of the report comments on the policies in the Plan. It makes a series of recommended modifications to ensure that the various policies have the necessary precision to meet the basic conditions.
- 7.2 The recommendations focus on the policies in the Plan 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 EHPC 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 (ID:41-004-20190509) which indicates that neighbourhood plans should address the development and use of land.
- 7.5 I have addressed the policies in the order that they appear in the submitted Plan.
- 7.6 For clarity, this section of the report comments on each of the policies in the Plan.
- 7.7 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 parts of the Plan (Sections 1 to 4)*

- 7.8 The Plan is well-organised and presented. It has been prepared with much attention to detail and local pride. It makes an appropriate distinction between the policies and their supporting text.
- 7.9 The initial elements of the Plan set the scene for the policies. They are proportionate to the neighbourhood area and the subsequent policies. The Introduction defines the Plan period.
- 7.10 Section 2 defines the neighbourhood area (in Figure 1). It also comments about the wider planning system and the way in which the Plan was prepared.
- 7.11 Section 3 provides information about the neighbourhood area. It provides interesting and comprehensive details which help to set the scene for the eventual policies. It also comments about the local planning policies which influenced the work on the Plan.
- 7.12 Section 4 sets out the vision, themes, and objectives for the Plan. It makes a strong functional relationship between the various issues and, in several cases, they set a useful context for the resulting policies. The Vision neatly summarises the approach taken as follows:

*‘Our vision is to ensure that East Hanney remains as an attractive Lowland Vale parish where any new development reflects and enhances the sense of place.*

*We want the strong sense of community to be maintained and thus expect community facilities to be improved, expanded, or provided anew to match the growing population.*

*The effects of climate change are likely to increase the probability of flooding, which is already a major concern, so our vision is for reduced risk of flooding through a variety of means including improved drainage systems.*

*Our population is predominantly in an older age range, the village also attracting families and people of all ages, so our vision is to provide housing, infrastructure and facilities that meet the needs of the wide range of ages and abilities, including those who are less able.*

*Our long history is continually being discovered as new archaeological finds are being uncovered, this includes roman coins, civil war lead shot and First World War cap badges found in 2017. Our vision is that opportunities for discovering more about our past village are encouraged and not prevented by future development.'*

- 7.13 A key element of the Plan is the way in which its policies are directly underpinned by detailed appendices. This enhances the legibility of the Plan.
- 7.14 The remainder of this section of the report addresses each policy in turn in the context set out in paragraphs 7.5 to 7.7 of this report.

#### *General Format of the Policies and the Recommended Modifications*

- 7.15 A key element of the policies is the way in which they are underpinned by the supporting text. In each case the policy is underpinned by the Issues and Needs (which explain the way in which the issue was identified during the Plan preparation process) and the Rationale (which explains the way in which the policy was developed and its relationship to the evidence base). This approach is best practice. It provides assurance to all concerned that the Plan has been properly prepared and has used appropriate evidence.
- 7.16 The recommended modifications are presented in one of two ways. The first describes the recommended modifications in relation to the submitted policy. The second recommends a replacement policy when this approach would be the easiest for VWHDC and EHPC to understand. In both cases the outcome is a modified policy which will meet the basic conditions whilst retaining the general approach of the policy concerned as included in the submitted Plan.

#### *EHNP1 Village Character, Sustainable Development and Design*

- 7.17 Section 5.1.1 of the Plan advises that East Hanney is a historic rural village and has a distinct character which gives it a sense of place. It also comments that this policy aims to encourage new developments to be designed on a basis which reflect the character of the village. The Plan comments that this approach will assist integration and enhance the sense of place.
- 7.18 The policy comments that new development should be designed to a high standard, in keeping with the character of the area, and demonstrate how regard has been given



to the East Hanney Neighbourhood Plan Local Character Assessment and Design Code.

- 7.19 In the round this is a very effective policy. The Character Assessment and Design Code is an excellent element of the Plan. In the round the policy is a first-class local response to Section 12 of the NPPF.
- 7.20 Within this overall context, I recommend the following modifications to the policy to bring the clarity required by the NPPF and to allow VWHDC to be able to apply the policy in a clear and consistent way through the development management process:
- the introduction of a proportionate element into both parts of the policy;
  - revisions to the wording used in the various criteria so that they more naturally flow from the opening elements of the policy; and
  - detailed modifications to criterion vi) of the first part of the policy to ensure consistency with the recommended modifications to Policy EHNP14 on green spaces in new development.
- 7.21 Otherwise the policy meets the basic conditions. It will contribute to the delivery of the social and the environmental dimensions of sustainable development.

**Replace the final sentence of the opening element of the first part of the policy with: ‘As appropriate to their scale, nature and location, development proposals should ensure that:’**

**Replace i) with: ‘they are complementary to their immediate surroundings; and’**

**In ii) delete ‘should demonstrate that’**

**At the end of v) add ‘(as set out in Appendix I)**

**Replace vi) with ‘they provide accessible greenspace’**

**Replace the opening element of the second part of the policy and vii) and its initial sentence with:**

**‘Development proposals which include innovative solutions and sustainability measures will be supported where their design approach is sympathetic to the character of the surrounding area. As appropriate to their scale, nature and location, development proposals should demonstrate how they:’**

EHNP2 Settlement Boundary

- 7.22 This is an important policy in the Plan. As Section 5.1.2 of the Plan comments, the policy:

*‘is intended to distinguish between the built-up area of the village and its surrounding countryside. In defining the boundary, applicants and the Local Planning Authority will have certainty when preparing and determining planning applications. This is consistent with various of the Local Plan Policies to encourage sustainable forms of development. This policy is needed to ensure that future development is within the*

*definitive built-up area as intended by DC Policy 4. The provision of a Settlement boundary through this policy ensures that there is clear definition of where development may be supported.'*

- 7.23 The Plan defines the Settlement Boundary on the Policy Map. The policy comments that development proposals within the Settlement Boundary for sustainable development will be supported provided they are in accordance with policies of the development plan. It goes on to comment that outside of the Settlement Boundary development proposals will be supported on allocated sites or where the development is appropriate for a countryside location and they are in accordance with policies of the development plan.
- 7.24 Both Landan Homes and Lagan Homes consider that the principle of a Settlement Boundary policy is restrictive. I have considered these comments carefully together with EHPC's response to the clarification note on this matter. Taking account of all the evidence available, I am satisfied that the approach taken in the policy is appropriate. Settlement boundaries are used extensively in the District and elsewhere in Oxfordshire to good effect. In addition, the proposed boundary has been carefully drawn to take account of planning permissions.
- 7.25 The focus of new development within the Settlement Boundary will have the clear advantage of ensuring its access and proximity to existing commercial and community facilities. I am satisfied that the policy meets the basic conditions. It will contribute to the delivery of each of the three dimensions of sustainable development.

#### EHNP3 Village Infill

- 7.26 Section 5.1.3 of the Plan advises that the intent of this policy is to help enable sustainable development proposals for the division of land and village infill provided that such applications are for development in keeping with the surrounding environment and character of the village.
- 7.27 The policy comments that proposals for infill development must have regard and reflect the guidance set in the East Hanney Neighbourhood Plan Design Guide and the Local Character Assessment. It also sets out a series of criteria for new development.
- 7.28 In the round the policy takes a positive approach to these matters and has regard to Section 5 of the NPPF. Within this overall context I recommend the following modifications to the policy to bring the clarity required by the NPPF and to allow VWHDC to be able to apply the policy in a clear and consistent way through the development management process:
- the removal of unnecessary supporting text from the policy;
  - detailed modifications to the wording of the criteria/principles; and
  - the incorporation of the element of the policy about heritage assets into the overall list of principles for infill development.
- 7.29 Otherwise the policy meets the basic conditions. It will contribute to the delivery of the social and the environmental dimensions of sustainable development.

Replace the policy with:

**‘Proposals for infill development should have regard to and reflect the guidance in the East Hanney Neighbourhood Plan Design Guide and the Local Character Assessment.**

**Proposals for infill development should respond positively to the following principles:**

- **the width of the development site reflects the widths of existing adjoining plots as measured along the row of dwellings and other substantial buildings;**
- **the curtilage for each dwelling is of a size and shape comparable to existing adjoining plots;**
- **the siting, scale and appearance of each dwelling is compatible with the character of existing dwellings in the vicinity of the development site and, where relevant, should preserve or enhance the character or appearance of the Conservation Area; and**
- **the development respects the setting of listed buildings and non-designated heritage assets in the immediate locality.’**

EHNP4 Coalescence

- 7.30 This is another important policy in the Plan. Section 5.1.4 of the Plan advises that the aim of this policy is to ensure that any new developments do not compromise the sense of place and retain the visual and physical separation of the village from the neighbouring villages and towns. It also comments about the importance of ensuring that East Hanney remains as a village with its own identity.
- 7.31 The policy comments that development proposals in the neighbourhood area should demonstrate that the character of any settlement is retained, and that a physical and visual separation is maintained between its different settlements. It also advises that new development should maintain the separation between East Hanney and West Hanney; and between East Hanney and Grove. The policy has been carefully defined to ensure that it applies only in the neighbourhood area.
- 7.32 The policy is supported by comprehensive supporting text which explains the specific sensitivities of the two proposed Gaps. It also comments about the designation of the western part of the Hanney Gap in the made West Hanney Neighbourhood Plan.
- 7.33 The policy has attracted representations from VWHDC and Lagan Homes. The former suggests a refinement to the wording of the policy so that it does not overlap with the wording of Development Policy 29: Settlement Character and Gaps of Local Plan 2031 Part 2. The latter comments about the potential impact of the designation of the East Hanney Gap on its aspirations for the development of land to the south of The Causeway.
- 7.34 I have considered the approach in the policy about the Gap between East Hanney and West Hanney. I am satisfied that the Gap has been defined so that it marries up with

the part of the wider Gap which lies within West Hanney parish (and in the made West Hanney Neighbourhood Plan).

- 7.35 I looked carefully at the proposed gap between East Hanney and Grove. I saw that it would serve an obvious purpose. I also saw that this Gap was a key element of the setting of East Hanney.
- 7.36 In the round I am satisfied that the policy will have a clear role and purpose and is appropriate for the neighbourhood area. Nevertheless, I recommend that its wording is modified to remove repetitive elements and to bring the clarity required by the NPPF. The recommended modification also ensures a degree of consistency with the relevant policy in the made West Hanney Plan. This is important both generally, and to ensure that VWHDC will be implementing the same policy approach in the two component parts of the Hanney Gap. Otherwise, the policy meets the basic conditions. It will contribute to the delivery of the social and the environmental dimensions of sustainable development.

**Replace the policy with:**

**‘Development proposals should maintain the separation between the following settlements within the neighbourhood area:**

- **East Hanney and West Hanney (the Hanney Gap);**
- **East Hanney and Grove (the Gap between East Hanney and Grove.**

**Development proposals within the two Gaps (as shown in Figures 10 and 11) should not, either individually or cumulatively, unacceptably detract from the character and/or the scale of the remaining gap between West Hanney and East Hanney and between East Hanney and Grove and should conserve the open and tranquil character of the landscape.’**

**EHNP5 Historic Environment**

- 7.37 Section 5.1.5 of the Plan comments about the issue and need for a policy which makes provision for and respects the history of the village, the designated and non-designated historic assets, and all matters of archaeological interest.
- 7.38 The policy comments that the parish’s designated historic heritage assets and their settings, both above and below ground including listed buildings, scheduled monuments and conservation areas will be conserved and enhanced for their historic significance and their important contribution to local distinctiveness, character, and sense of place. It also advises that proposals for development that affect non-designated historic assets will be considered taking account of the scale of any harm or loss and the significance of the heritage asset as set out in the NPPF.
- 7.39 The policy has been carefully considered and makes an appropriate distinction between designated and non-designated heritage assets. It has regard to national policy. I am satisfied that it meets the basic conditions. It will contribute to the delivery of the social and the environmental dimensions of sustainable development.

## EHNP6 Retention of trees and hedgerows

- 7.40 Section 5.2.1 of the Plan advises that the verdant landscape is an important element which helps give East Hanney its sense of place and character. The Community Survey evidences that the village values these features and has a deep desire to ensure that they are retained. The intent of this policy is to ensure that the village retains its intrinsic character by preserving its rural landscape, trees, and hedgerows both within the village and the surrounding countryside.
- 7.41 The policy comments that applications must recognise the important role provided by native trees, hedgerows, copses, and other vegetation, in contributing to and protecting landscape and historic character, biodiversity, as well as their carbon sink role. The policy also sets out detailed matters which development proposals should address.
- 7.42 In general terms, the policy takes a positive approach to this matter. I saw the importance of trees and hedges in the parish during the visit.
- 7.43 I recommend that the first part of the policy is modified so that it is more closely related to the development management process and has the clarity required by the NPPF. I also recommend that the opening element of the second part of the policy is modified so that it can be applied in a proportionate way. This acknowledges that not all development proposals will have a direct impact on trees and hedgerows.
- 7.44 I recommend a detailed modification to point ii) on Arboricultural Impact Assessments and Arboricultural Method Statements to ensure that it can be implemented through the development management process.
- 7.45 I recommend that points iii) and v) are deleted from the policy and repositioned into the supporting text. This acknowledges that they are process matters rather than land use policies.
- 7.46 Otherwise the policy meets the basic conditions. It will contribute to the delivery of the social and the environmental dimensions of sustainable development.

### **Replace the first part of the policy with:**

**‘Development proposals should recognise the important role provided by native trees, hedgerows, copses, and other vegetation in contributing to and protecting landscape and historic character, biodiversity, as well as their carbon sink role.’**

### **Replace the opening element of the second part of the policy with:**

**‘As appropriate to their scale, nature and location, development proposals should ensure that:’**

**In i) replace ‘Developments should respect’ with ‘They respect’**

**Replace ii) with: ‘They are supported by Arboricultural Impact Assessments and Arboricultural Method Statements which identify the way in which mature or otherwise important trees, groups of trees, woodland and hedgerows will be**

**retained on site. Where the loss of any such features is proposed, they should be appropriately justified in the Statement.'**

**Delete iii) and v)**

*At the end of the Rationale add:*

*'Policy EHNP6 addresses these matters. Part ii of the policy comments about the way in which development proposals should be supported by Arboricultural Impact Assessments and Arboricultural Method Statements. Within this context, those Statement should include information about the way in which the proposal concerned would mitigate loss of features by undertaking a review the following matters: [Add points a) to e) from the submitted policy.]*

*Development proposals should avoid the use of ornamental shrubs. They are not in keeping with the traditional rural landscape of the area.'*

EHNP7 Letcombe Brook

- 7.47 Section 5.2.2 of the Plan explains the context of the policy. It advises that Letcombe Brook is a rare chalk stream that runs through the centre of East Hanney and that it plays an important role in the village and has impact on villagers' lives in a great many ways. It also comments that the Brook forms a very important part of the character of the village as well as being a crucial wildlife habitat which attracts and supports a considerable diversity of flora and fauna including some rare and protected species. It enhances the richness of the village, the village setting and the environment.
- 7.48 The policy comments that proposals for development should ensure that regard is given to the highly sensitive nature of the Brook through East Hanney both ecologically and in respect of flood risk, and the need for its conservation by not allowing any new operational development within 20 metres of the Letcombe Brook. It also advises that appropriate to their nature and scale, development proposals should be at least 20 metres from the bank of the Letcombe Brook, unless exceptional circumstances can be fully demonstrated.
- 7.49 The policy also sets out a series of detailed principles for development affecting the Brook.
- 7.50 VWHDC comments about the proposed 20 metre corridor on either side of the Brook. It advises that the proposed buffer goes well above and beyond the approach taken in Policy 30: Watercourses of Local Plan Part 2. That policy comments that:
- *Plans for development adjacent to or encompassing a watercourse should include a minimum 10 m buffer zone along both sides of the watercourse to create a corridor of land and water favourable to the enhancement of biodiversity;*
  - *Proposals which involve culverting a watercourse are unlikely to be considered acceptable; and*
  - *Development which is located within 20 m of a watercourse will require a construction management plan to be agreed with the Council before*

*commencement of work to ensure that the watercourse will be satisfactorily protected from damage, disturbance, or pollution.*

- 7.51 In addition, VWHDC comments that the policy is not backed by sufficient technical evidence and that many of the requirements of the policy would not be appropriate/required for a variety of development proposals (for example, a flood risk assessment is only required for certain development proposals, as confirmed in the Validation Checklist). As such VWHDC suggests that this element is removed.
- 7.52 In its response to the clarification note, EHPC drew my attention to the information about the Brook in the Evidence Document (Appendix 1). In addition, it referenced a letter from the Letcombe Brook Project on the Letcombe Brook. EHPC also explained in detail the need for a wider buffer and drew my attention to Section 41 of the Natural Environment and Rural Communities Act (2006) in which chalk streams being identified as a priority conservation and to Environment Act 2021. Part 6 of the Act (Biodiversity Gain in Planning).
- 7.53 I have taken account of all the relevant information. On the balance of the information, I recommend that the specific reference to a 20-metre buffer is deleted from the policy. Whilst the approach has received support from a local group heavily involved in safeguarding and managing this important resource, the scale of buffer is not supported by technical evidence. In addition, VWHDC will be able to assess individual proposals on a case-by-case basis taking account of the detailed comments made by statutory bodies. I also recommend consequential modifications to some of the detailed principles in the policy and to the supporting text.
- 7.54 The recommended modification to the supporting text includes a degree of commentary about the implications of Policy 30 of Local Plan Part 2 and potential environmental benefits of providing an environmental buffer which exceeds the requirement in that Plan. Otherwise, the policy meets the basic conditions. It will contribute to the delivery of the social and the environmental dimensions of sustainable development.

**Replace the policy with:**

**‘Development proposals should respond positively to the highly sensitive nature of the Letcombe Brook, taking account of its ecologic and flood risk significance.**

**As appropriate to their scale and nature, development proposals in the vicinity of the Brook should: [list the criteria in the submitted Plan with the following modifications]:**

**Replace vii) with: where appropriate create new habitat features such as ponds, and scrapes and include long-term landscape and ecological management plans**

**Delete viii)’**

*Replace the final paragraph of the Issues and need section with: ‘Local Plan Part 2 Policy 30 has a requirement for a minimum of a 10m buffer with an associated*

*requirement for development proposals located within 20 metres of a watercourse to provide a construction management plan. Policy EHNP7 seeks to build on that approach and provide further information on requirements for developments which may affect the integrity of the Brook. Where appropriate, development proposals should consider the potential environmental benefits of providing an environmental buffer which exceeds the requirement in Policy 30 of Local Plan Part 2. Such matters can be explored and pursued with both the Parish Council and the District Council as part of pre-application discussions.'*

*Delete the final three paragraphs of the Rationale.*

*Delete the sixth bullet point under 'Policy Context' on page 53 of the Plan.*

#### EHNP8 Local Green Spaces

- 7.55 The policy proposes the designation of eight Local Green Spaces (LGS). They are shown on Figure 15 of the Plan. Their proposed designation is underpinned by the LGS Study (Appendix D). It assesses each space against the guidance on this matter in the NPPF (now paragraph 105).
- 7.56 I looked at the proposed LGSs carefully during the visit.
- 7.57 EHPC advised on the size of several of the proposed LGSs in its response to the clarification note. I make my own assessments of the proposed LGSs in the next sections of this report. I make specific comments on the three LGS which have attracted representation from the owners of the land concerned.

#### *Proposed LGSs C/D/E/G/H*

- 7.58 On the basis of all the information available to me, including my own observations, I am satisfied that these proposed LGSs comfortably comply with the three tests in the NPPF. In several cases they are precisely the type of green space which the authors of the NPPF would have had in mind in preparing national policy. Kingsleas (LGSG) is the obvious example.
- 7.59 In addition, I am satisfied that their proposed designation would accord with the more general elements of paragraph 105 of the NPPF. Firstly, I am satisfied that the designations are consistent with the local planning of sustainable development. They do not otherwise prevent sustainable development coming forward in the neighbourhood area and no such development has been promoted or suggested. Secondly, I am satisfied that the LGSs are capable of enduring beyond the end of the Plan period. They are an established element of the local environment and have existed in their current format for many years. In addition, no evidence was brought forward during the examination that would suggest that the proposed LGSs would not endure beyond the end of the Plan period.
- 7.60 The map showing the proposed LGSs is of a scale which does not identify their boundaries. This will hinder the efficient operation of the development management process. I recommend that this matter is remedied by the production of plans at a more detailed scale within the overall context of those shown in Appendix D.



*LGS A: The Ancient Orchard*

- 7.61 Appendix D advises that this proposed LGS is one of the last remaining orchards in East Hanney. It also comments that the area provides a natural and green amenity to the village and refuge for wildlife, from which the village and community benefits. I looked at the proposed LGS during the visit. I saw that it is adjacent to the Letcombe Brook. It had an overgrown appearance at that time.
- 7.62 Its proposed designation has received a detailed objection from an agent acting for the owner. It offers detailed comment on the extent to which the site is demonstrably special to the local community and hold a particular local significance. It suggests that the proposed LGS does not score highly on its historical significance, its beauty, its recreational value, and its richness in wildlife terms.
- 7.63 I have considered all the evidence very carefully. I am satisfied that the proposed LGS is in close proximity to the community which it serves. It is located on the southern edge of the village. I am also satisfied that at 2.12 ha it is local in character and not an extensive tract of land.
- 7.64 I can understand the reasoning behind EHPC's proposed designation of the LGS. It is an interesting undeveloped parcel of land adjacent to the Brook and the Mill. Nevertheless, I am not satisfied that it is demonstrably special to the local community nor holds a particular local significance. The land is overgrown does not have any recreational value. Its historic significance does not outweigh these matters. Whilst it is adjacent to the Brook, this important element of the natural environment of the village is already protected by Policy 30 of the LPP2 (and by Policy EHNP7 of this Plan if it is made).
- 7.65 As such I recommend that the proposed LGS is deleted from the Plan.

*LGS B: Letcombe Brook Green Corridor*

- 7.66 This proposed LGS is a collection of smaller parcels of land to the east of the Brook. Appendix D comments as follows:
- 'This Local Green Space is a block of land which forms and provides a green and natural space reflective of the rural and historic nature of the village. It gives the village a rural and tranquil feel, forming an open area of natural green environment within the core of the village, linked by footpaths to the established village. Villagers use the footpaths across this area as an alternative route to Main Street, to and from the sports fields, School, and shop to areas of housing. It is a tranquil and more environmentally beneficial route through the village than Main Street. The path has various accesses off it, for example down to Snuggs Lane. The area comprises of six packets of land, which together form this central green core. Ideally these should be viewed as a whole and are therefore designated under this plan as Local Green Space.'*
- 7.67 Its proposed designation has received a detailed objection from Landan Homes. It offers detailed comment on the extent to which the site is demonstrably special to the local community and hold a particular local significance. It suggests that the proposed

LGS does not score well on its historical significance, its beauty, its recreational value, and its richness in wildlife terms.

- 7.68 I have considered all the evidence very carefully. I am satisfied that the proposed LGS is in close proximity to the village due to its location the heart of the village. I am also satisfied that at 4.55 ha it is local in character and not an extensive tract of land.
- 7.69 I can understand the reasoning behind EHPC's proposed designation of the LGS. It is an interesting undeveloped parcel of land adjacent to the Brook. I walked through the site along the footpath which leads from the western end of Snuggs Lane. Nevertheless, I am not satisfied that it is demonstrably special to the local community nor holds a particular local significance. Whilst the proposed LGS is an attractive and natural parcel of land there is no detailed evidence that it contains a richness of wildlife beyond that which would naturally be found in other parcels of undeveloped land. In addition, whilst the proposed LGS is adjacent to the Brook, this important element of the natural environment of the village is already protected by Policy 30 of the LPP2 (and by Policy EHNP7 of this Plan if it is made).
- 7.70 As such I recommend that the proposed LGS is deleted from the Plan.

*LGS F: Green Corridor to the south-east of the village*

- 7.71 Appendix D advises that this proposed LGS is a green area providing a rural background and green village edge seen on approach to East Hanney from the south and on passing through from the north, and therefore also has importance to the setting of the village. It also comments that a small and established woodland area is sited alongside the public footpaths.
- 7.72 Its proposed designation has received a detailed objection from Bloor Homes. It comments as follows:

*'The only publicly accessible part of Site F is public right of way 198/15/20. To the north of this right of way is an extensive area of woodland. To the east of Site F is an existing scrap yard, followed by mature hedgerows. Mature hedgerows and trees also line the eastern side of the A338. As such, extensive views of the wider context from Site F are limited. Whilst it is accepted that boundary trees and hedgerows add to the green setting/create a green buffer to the village, this is not an uncommon characteristic to East Hanney or any other settlement in the Vale of White Horse or across the country. Therefore, this is not a demonstrably special' characteristic, which holds local significance.'*

- 7.73 I have considered the proposed designation very carefully. I am satisfied that the proposed LGS is in close proximity to the village. It is located on the western edge of the village. Whilst it is somewhat separated from the bulk of the village by the A338, this criterion is based on proximity rather and the convenience of the access. I am also satisfied that at 3.19 ha it is local in character and not an extensive tract of land.
- 7.74 The proposed LGS is an undeveloped parcel of land adjacent to the A338. It enjoys some trees close to the road and provides a degree of public access. Nevertheless, I am not satisfied that it is demonstrably special to the local community nor holds a

particular local significance. The land is typical of other land on the edge of the village or indeed other villages with a close interface with their surrounding countryside. Whilst the site includes a well-used footpath, this issue is not sufficiently important in its own right to justify the designation of the site as a LGS. In any event public footpaths are safeguarded by other legislation.

- 7.75 As such I recommend that the proposed LGS is deleted from the Plan.
- 7.76 In reaching conclusions on these three proposed LGSs I have relied on the criteria in paragraphs 105 and 106 of the NPPF for LGS designation in my role of examining the submitted Plan. No conclusions about the development potential (or otherwise) of the sites concerned should be drawn from these judgements by EHPC, VWHDC or by the landowners concerned.

*The policy itself*

- 7.77 The policy itself takes the matter-of-fact approach as set out in paragraph 107 of the NPPF. As such I am satisfied that it meets the basic conditions.

**Delete LGSs A, B and F and amend the lettering accordingly**

*Amend the title on page 5 of Appendix D to 'Assessed Local Green Spaces' and amend any wording as appropriate that mentions 'designation', 'designate' or 'designated' in relation to any of the individual sites; instead refer to these as 'assessed' sites.*

*Modify the paragraph in the supporting text which lists the LGS accordingly and amend the supporting text on page 56 to indicate that the Plan includes five LGSs.*

*Replace the final paragraph of the Rationale with: 'The proposed Local Green Spaces form a natural green heart to the village, and provide a green corridor linked by footways and water course, providing a core of tranquillity, and environmental sanctuary, for both wildlife and residents alike. In addition, the historic contribution of the greenspaces to the village character are of fundamental importance, including to the setting of the Conservation Area.'*

*Replace Figure 15 with maps of the retained LGSs at the same scale as those included in Appendix D.*

*On pages 60-61 of the Plan delete the paragraphs relating to proposed LGSB and LGSF.*

**EHNP9 Nature Recovery and Biodiversity**

- 7.78 Section 5.2.4 of the Plan advises that the purpose of this planning policy is twofold. The first is to recognise the importance of and need to protect and enhance local biodiversity, including the blue and green infrastructure network of the village. The second is to recognise, support and enhance the Nature Recovery Network across the parish.
- 7.79 The policy comments that the Network comprises of the Letcombe Brook green corridor, the watercourses in the north of the Parish, the area associated with the route

of the old Wilts and Berks Canal along the eastern boundary, woodland, trees, hedgerows, and other land of biodiversity value. It also comments that opportunities to connect this network to areas of biodiversity value in adjacent parishes will be supported.

- 7.80 The final part of the policy sets out a series of detailed requirements.
- 7.81 In the round the policy takes a positive approach to these matters and has regard to Section 15 of the NPPF. Within this overall context I recommend the following modifications to the policy to bring the clarity required by the NPPF and to allow VWHDC to be able to apply the policy in a clear and consistent way through the development management process:
- ensuring that the wording of the second part of the policy has a clear and functional relationship with the planning process; and
  - applying the detailed matters in the third part of the policy in a proportionate way.
- 7.82 Otherwise the policy meets the basic conditions. It will contribute to the delivery of the social and the environmental dimensions of sustainable development.

**In the second part of the policy replace ‘Opportunities to connect this network to areas of biodiversity value in adjacent parishes will be supported’ with ‘Wherever practicable, development proposals should be designed to connect to this network.’**

**In the third part of the policy replace ‘This policy will require:’ with ‘As appropriate to their scale, nature and location, development proposals should respond positively to the following matters:’**

#### EHNP10 Housing Density

- 7.83 Section 5.3.1 of the Plan identifies that the key issue addressed in the policy is that Local Plan Part 1 Core Policy 23 relating to housing density provides for new developments at a minimum housing density of 30 dwellings per hectare. It advises that the Local Plan policy primarily addresses urban developments in towns or much larger villages and that the specific local circumstance of East Hanney is that of a historical village in a rural setting and green environment. Consequently, the housing density in East Hanney is considerably lower than that proposed by the District Council policy. EHPC therefore concludes that there is need within the submitted Plan for a policy which addresses the issue and provides for development in the village which fits with the setting, needs and circumstance of East Hanney.
- 7.84 The policy comments that the density of any new development should be in keeping and in accordance with the character of the local surrounding area. It also comments that new development must respect the rural nature of the parish and be designed to give an impression of spaciousness with uniform houses and plots being avoided.
- 7.85 The policy also comments about the density of development proposed at the edge of the village.

- 7.86 Bloor Homes and VWHDC have made detailed comments on this policy. Bloor Homes suggests that the policy is deleted due to its conflict with Core Policy 23 of LPP1.
- 7.87 I have considered the issues very carefully. The policy seeks to address two potentially conflicting issues. The first is the requirement for a minimum density of 30 homes per hectare in the Local Plan. The second is the rural nature of East Hanney and its sensitive position within the open countryside. In the round I am satisfied that EHPC has presented a compelling case to ensure that the densities of new housing in the parish are distinctive to their surroundings and the overall character of the area. Nevertheless, I recommend modifications which acknowledge this tension and remedy the inconsistencies which appear in the policy on this matter. In doing so the recommended modifications will bring the clarity required by the NPPF and allow the policy to be applied in a clear way through the development process. In summary, the recommended modifications:
- combine and simplify the first two parts of the policy;
  - simplify the confusing format of the third part of the policy (on the density of new housing proposals on the edge of the village); and
  - reposition the third part of the policy into the supporting text.
- 7.88 Otherwise the policy meets the basic conditions. It will contribute to the delivery of the social and the environmental dimensions of sustainable development.

**Replace the policy with:**

**‘The density of residential developments should be in keeping with the character of the local surrounding area and respect the rural nature of the parish.**

**The elements of development proposals which are located at an edge of village location should be at a lower density than the density of the overall site and provide a sensitive transition between the village and the surrounding countryside.’**

*Replace the four paragraphs of supporting text (on page 70) starting with ‘This effectively.....A policy.....It must be recognised.... It is much better’ with:*

*‘The Neighbourhood Plan supports the approach taken in Appendix I of the Local Plan. Developments should include as a minimum 15% public open space plus an area for play and allotments where applicable. Nevertheless, where practicable, 25% of the development site should be made available for public open space where development is proposed on the edge of the village.*

*Policy EHNP10 seeks to refine the approach taken in Core Policy 23 of the Local Plan to meet local circumstances. It has been developed in the context of two related factors. The first is East Hanney’s identification as a larger village in the Local Plan. The second is its sensitive location in the countryside and the potential implications of a mechanistic application of a minimum density policy. It also acknowledges that good design can do much to mitigate the impact of new developments and that Policy EHNP11 provides the context for the delivery of smaller homes in the village.*

*The combination of Core Policy 23 and Policy EHNP10 in East Hanney will provide a tailored policy approach which gives guidance in East Hanney and helps ensure that development will be balanced, reasonable and in context with the immediately surrounding area. In addition, the application of the Neighbourhood Plan Design Guide will encourage good use of space and help new developments to meet with the character requirements of the village.'*

#### EHNP11 Housing Mix

- 7.89 Section 5.3.2 of the Plan identifies that the issue in the parish on housing mix is that developers are not building to meet local needs. It advises that there is currently no specific policy for the provision of housing to meet the needs of the community of East Hanney or which sets out to ensure that the specific needs of the local community are provided for within new developments.
- 7.90 The policy comments that proposals of ten or more dwellings should deliver 35% affordable housing provision with an appropriate mix of housing types and sizes, having regard to the prevailing local community requirements when meeting the district wide need. It also advises it considers the requirements for affordable housing set out in the development plan, and that at least 25% of all affordable housing units delivered should be First Homes. It indicates that the affordable house tenure mix should reflect this approach.
- 7.91 The policy also advises that housing types which meet the needs of the neighbourhood area are encouraged and should reflect the prevailing local community requirements including for bungalows.
- 7.92 On the one hand, the policy has set out to address the issues which EHPC has identified. On the other hand, it includes a series of matters which are not necessarily land use matters or which cannot be delivered effectively through the development management process. To remedy these matters and to bring the clarity required by the NPPF I recommend the following package of modifications:
- the revision of the first and third parts of the policy to acknowledge the role which the parish will play in meeting the wider housing needs of the District;
  - the removal of the unnecessary supporting text from the policy;
  - the deletion of the fourth part of the policy and its relocation to the supporting text. This acknowledges that the allocation of affordable housing is a matter for VWHDC using its powers under the Housing Acts rather than a land use matter; and
  - the deletion of the fifth part of the policy and its relocation to the supporting text. It acknowledges that pre-application discussions are a process matter rather than a land use issue.
- 7.93 Otherwise the policy meets the basic conditions. It will contribute to the delivery of the social and the environmental dimensions of sustainable development.

**Replace the first part of the policy with: ‘Proposals of ten or more dwellings should deliver 35% affordable housing provision with an appropriate mix of housing types and sizes in order to meet the district wide need.’**

**Replace the third part of the policy with: ‘Proposals should deliver housing types which meet the needs of the District and should reflect the prevailing needs of the neighbourhood area.’**

**Delete iv) and v)**

*At the end of the Policy context add:*

*‘Policy EHNP11 addresses these important matters. 20% of all new affordable housing will, on first letting only, be subject to eligible households with strong local connection to the parish (as set out in the Vale of the White Horse Housing Allocations Policy). The requirement is for those who have a strong local connection and whose needs are not met by the open market to be the first to be offered the affordable housing tenure or shared ownership of the home in accordance with the prevailing national or district policies. Pre-application discussions with the Parish Council are strongly encouraged.’*

**EHNP12 Housing for an Ageing Population**

- 7.94 Section 5.3.3 of the Plan advises that this policy aims to ensure that new housing developments will include a provision for housing that will specifically serve the needs of the elderly within the village. It comments that the Community Survey and 2011 Census evidence that there is a proportionally high level of elderly people in the village compared to the national average, a consequence of this is that there is a need for Housing for the elderly. It advises that this matter was also previously identified in the last East Hanney Housing needs survey and it is the only area of housing need required by the community.
- 7.95 The policy comments that development which provides a material portion of suitable accommodation for the elderly population and opportunities for downsizing will be supported, provided that the proposal complies with other policies. It also advises that developments will be encouraged that provide at least 15% of market housing that is suitable for an aging population and that these developments should have features that take into account the likely needs of ageing residents such as being on a single level and provision to an accessible garden area.
- 7.96 VWHDC make specific comments on the policy. I have taken account of those comments and EHPC’s response to the question in the clarification note. I have also considered the rather aspirational nature of the second part of the policy.
- 7.97 I recommend that the policy is recast so that it sets out a positive context within which developers can respond to the issues facing the ageing nature of the population in the parish. Otherwise, the policy meets the basic conditions. It will contribute to the delivery of the social and the environmental dimensions of sustainable development.

**Replace the policy with:**

**‘Development proposals which provide suitable accommodation for the elderly population and opportunities for downsizing will be supported where they otherwise comply with development plan policies. Such developments should have features that address the likely needs of ageing residents such as being on a single level and the provision of an accessible garden area.’**

EHNP13 Community Facilities and Infrastructure

- 7.98 Section 5.4.1 of the Plan advises that the intent of this policy is to help ensure that new development makes appropriate contributions to the improvements or enhancement of community infrastructure in East Hanney to help meet the needs of new and existing residents.
- 7.99 The policy has three related elements. The first comments that new development must be served and supported by appropriate onsite and off-site infrastructure and services. It also advises that development proposals should have regard to the Community Infrastructure Report (Appendix B) and deliver improvements to existing community facilities and services necessary to address impacts arising from the increased usage by the residents of the new development.
- 7.100 The second comments that the provision of public open space and/or infrastructure facilities are encouraged and should be provided together with a maintenance or management programme as appropriate through section 106 or equivalent agreements to help ensure long term use for the community, and preservation as a Community Infrastructure Asset. The third comments that any development proposals that result in the loss of Open Space will need to demonstrate that the proposal would either provide a community benefit or that alternative provision of equal or better value will be provided within the immediate vicinity to ensure that the residents local to the proposed area do not lose amenity.
- 7.101 On the one hand, the policy has set out to address the issues which EHPC has identified. On the other hand, it includes a series of matters which are not necessarily land use matters or which cannot be delivered effectively through the development management process. To remedy these matters and to bring the clarity required by the NPPF I recommend the following package of modifications:
- the incorporation of a proportionate element into the first part of the policy;
  - the deletion of the maintenance arrangements from the second part of the policy and their relocation into the supporting text; and
  - the removal of the unnecessary supporting text from the third part of the policy.
- 7.102 Otherwise the policy meets the basic conditions. It will contribute to the delivery of the social and the environmental dimensions of sustainable development.

**Replace the policy with:**

**‘As appropriate to their scale, nature and location, development proposals should be served and supported by appropriate onsite and off-site infrastructure**



**and services. Development proposals should have regard to the Community Infrastructure Report (Appendix B) and deliver improvements to existing community facilities and services necessary to address impacts arising from the increased usage by the residents of the new development.**

**The provision of Public Open Space and/or infrastructure facilities will be supported.**

**Development proposals that result in the loss of Open Space should demonstrate that they would either provide a community benefit or that alternative provision of equal or better value will be provided within the immediate vicinity.'**

*At the end of the Rationale add: 'Policy EHNP 13 addresses these matters. The second part of the policy comments about the delivery of open spaces. Wherever it is practicable to do so such spaces should be delivered with a maintenance or management programme as through section 106 or equivalent agreements to help ensure long term use for the community, and preservation as a Community Infrastructure Asset. Discussions about proposed facilities with the Parish Council at an early stage are actively encouraged.'*

#### EHNP14 Green Infrastructure and Spaces for Play

- 7.103 Section 5.4.2 of the Plan advises that there is a need for additional accessible Public Open Spaces for Play. It comments that as evidenced within the Community Infrastructure report, the village has only had one area for sport and play, that area being the sports field located by the war memorial hall.
- 7.104 The policy comments that major residential development will be required to provide or contribute towards new open space in line with the District Council's Development Management Policies. These open spaces should be accessible and/or useable for play, leisure, or recreation. Such areas should not include/comprise of areas of shrub, water courses, or attenuation ponds, or walkways, where such features would unacceptably affect the access or use of the site. Developers are encouraged to consider the cumulative needs of the community in which the development is located within their proposals for the provision of public open space and play equipment.
- 7.105 In the round the policy takes a positive approach to these matters and has regard to Section 8 of the NPPF. Within this overall context I recommend the following modifications to the policy to bring the clarity required by the NPPF and to allow VWHDC to be able to apply the policy in a clear and consistent way through the development management process:
- ensuring that the wording of the policy has a clear and functional relationship with the development management process; and
  - repositioning the third part of the policy (on the maintenance and management of open spaces) into the supporting text. This acknowledges that the matter is a process issue rather than a land use planning matter.

- 7.106 Otherwise the policy meets the basic conditions. It will contribute to the delivery of the social and the environmental dimensions of sustainable development.

**Replace the policy with:**

**‘New major residential development should provide or contribute towards new open space in line with the District Council’s Development Management Policies. Open spaces should be accessible and/or useable for play, leisure, or recreation and should not include/comprise of areas of shrub, water courses, or attenuation ponds, or walkways, where such features would unacceptably affect the access or use of the site.**

**Development proposals should consider the cumulative needs of the community in terms of the provision of public open space and play equipment.’**

*At the end of the Rationale add:*

*‘Provision for the future long-term maintenance and management of the open space and facilities should be agreed as part of the planning application. Development proposals which include provision for the Public open space provided to be made available to the Parish Council to own and manage in perpetuity, supported by an endowment covering long term maintenance and management of stewardship, are encouraged, and will be supported.’*

**EHNP15 Dark skies and Light Pollution**

- 7.107 Section 5.4.3 of the Plan advises that the issue is that applications for new developments are frequently submitted with street lighting, despite East Hanney being a dark sky village with a rural surround. The Plan comments that this arises as developers seem to typically be taking a standardised urban approach and are not alive to the fact that the village is recognised as being of a dark sky nature.
- 7.108 The policy comments that development proposals that conserve and enhance relative tranquillity, in relation to light pollution and dark night skies, and comply with other relevant policies will be permitted, provided it can be demonstrated that they meet or exceed the Institute of Lighting Professionals guidance and other relevant standards or guidance (CIE 150 1003 Guide on the Limitation of the Effects of Obtrusive Light from Outdoor Lighting Installations, or any equivalent replacement/updated guidance) for lighting within environmental zones. The final part of the policy includes detailed criteria for lighting proposals.
- 7.109 In the round the policy takes a positive approach to these matters and has regard to Section 8 of the NPPF. Within this overall context I recommend the following modifications to the policy to bring the clarity required by the NPPF and to allow VWHDC to be able to apply the policy in a clear and consistent way through the development management process:
- ensuring that the wording of the policy has a clear and functional relationship with the development management process; and

- the deletion of the lighting hierarchy included in the first part of the policy. Its principles are already included in other elements of the policy.

7.110 Otherwise the policy meets the basic conditions. It will contribute to the delivery of the social and the environmental dimensions of sustainable development.

**Replace the policy with:**

**‘Development proposals that conserve and enhance relative tranquillity, in relation to light pollution and dark night skies, and comply with other relevant policies will be supported, where it can be demonstrated that they meet or exceed the Institute of Lighting Professionals guidance and other relevant standards or guidance (CIE 150 1003 Guide on the Limitation of the Effects of Obtrusive Light from Outdoor Lighting Installations, or any equivalent replacement/updated guidance) for lighting within environmental zones.**

**Development proposals should ensure that: [Insert criteria from Section 2 a) to d) from the submitted policy].**

**In b) replace ‘such development’ with ‘the development concerned’**

EHNP16 Flood Mitigation in New Housing Schemes and Climate Change

- 7.111 Section 5.4.4 of the Plan advises that this policy is provided to achieve greater resilience against climate change as flooding is a significant issue across East Hanney, with a large portion of the land being categorised as Flood Zone 2 or 3.
- 7.112 The policy comments that applications need to demonstrate that they do not increase the risk of flooding from increased surface water run off within Flood Zones 2 and 3 and must take account of the predicted impact of climate change during the lifetime of the development, including the impact on the existing settlement, and impact on the village drainage and watercourse network. It also advises that fully developed drainage solutions should form part of the development proposals at an early stage. Finally, it comments that other flood mitigation measures to be used should include use of integrated drainage control systems within developments, and the provision of water storage/retention features such as balancing ponds.
- 7.113 In the round the policy takes a positive approach to these matters and has regard to Section 14 of the NPPF. Within this overall context I recommend the following modifications to the policy to bring the clarity required by the NPPF and to allow VWHDC to be able to apply the policy in a clear and consistent way through the development management process:
- ensuring that the wording of the policy has a clear and functional relationship with the development management process;
  - to introduce a degree of proportionality into the policy. This acknowledges that most minor and domestic proposals will not affect drainage and flooding matters;

- the refinement of the extent to which the policy will impact on flood plains (based on the comments from VWHDC and as agreed by EHPC in its response to the clarification note).

7.114 Otherwise the policy meets the basic conditions. It will contribute to the delivery of the social and the environmental dimensions of sustainable development.

**Replace the policy with:**

**‘As appropriate to their scale, nature and location, development proposals should demonstrate that they do not increase the risk of flooding from increased surface water run off within all flood zones. In addition, they should take account of the predicted impact of climate change during the lifetime of the development, including the impact on the existing settlement, and impact on the village drainage and watercourse network. Fully developed drainage solutions should form part of the development proposals.**

**Other flood mitigation measures should include the use of integrated drainage control systems within developments, and the provision of water storage/retention features such as balancing ponds.**

**The creation of balancing ponds and provision of water features designed to contribute positively to biodiversity and complement the green village environment will be supported.’**

EHNP17 Sustainable Development and Environmental impact

7.115 Section 5.4.5 of the Plan advises that this policy seeks to address issues relating to noise and associated vibration arising from development and development-related environmental matters, such as biodiversity considerations. It also comments that the matter of air quality is an issue in certain parts of the village where there is exposure to high levels of traffic. It is a wide-ranging policy.

7.116 VWHDC comments that the policy has considerable overlaps with Policies 25 and 26 of Local Plan Part 2. EHPC acknowledges the issue in its response to the clarification note. Taking account of all the information, I recommend that the policy is reconfigured so that it addresses the specific parish issues which are not addressed in the policies in Local Plan Part 2. In this context the policies will operate in a complementary way. I recommend consequential modifications to the supporting text. Otherwise, the policy meets the basic conditions. It will contribute to the delivery of the social and the environmental dimensions of sustainable development.

**Replace the policy with:**

**‘All major developments should be designed in a way which will ensure their permeability and enable active travel, cycling and walking through the settlement and provide communal visitor bicycle parking provision to allow for a bicycle per home.**

Wherever practicable, development proposals for four or more new homes should incorporate biodiversity enhancements, including:

- the provision of swift bricks into the design and build of homes;
- the provision of routes for wildlife pathways through developments by way of preservation and introduction of hedge rows and verges as wildlife corridors;
- the provision of bird boxes and owl boxes, together with insect hotel style features within the landscape plans; and
- the use of insect/bee attracting grasses and vegetation at selected points throughout development proposals including in the public open space.’

*On page 97 of the Plan delete the paragraph beginning with ‘This policy...’*

*In the final paragraph on page 97 of the Plan delete the sentence beginning with ‘Accordingly, as there is...’*

*On page 98 of the Plan delete the paragraphs beginning with ‘This policy seeks...’ and ‘An example...’*

#### Monitoring and Review

- 7.117 Section 6 of the Plan addresses the monitoring and review process in a positive way. This is best practice.
- 7.118 Section 5 of this report and the Basic Conditions Statement have commented about the relationship between the submitted Plan and the emerging Joint Local Plan for the District and South Oxfordshire District. The current Local Development Scheme anticipates the adoption of that Plan in December 2025. Given the importance of the adoption of the emerging plan on the planning policy context in the neighbourhood area, I recommend that paragraph 6.2 of the Plan is expanded so that it provides guidance to residents and the development industry alike about the way in which the Plan will respond to the adoption of that Plan.
- 7.119 The recommended wording has been designed to recognise that where there is a conflict between different elements of the development plan, the conflict must be resolved in favour of the policy which is contained in the last document to become part of the development plan. Plainly a review of a made Plan will have the ability to keep its contents up-to-date and to be aligned to the wider development plan throughout the Plan period.

*At the end of the Five-Year Review section in paragraph 6.2 add:*

*‘The eventual adoption of the Joint Local Plan (currently anticipated to be December 2025) could bring forward important changes to local planning policy. In this context the Parish Council will assess the need or otherwise for a full or partial review of the neighbourhood plan within six months of the adoption of that Plan.’*

#### Other Matters - General

- 7.120 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. Similarly, changes may be necessary to paragraph numbers in the Plan or to accommodate other administrative matters. It will be appropriate for VWHDC and EHPC to have the flexibility to make any necessary consequential changes to the general text. I recommend accordingly.

*Modification of general text and the Design Code and Guide (where necessary) to achieve consistency with the modified policies and to accommodate any administrative and technical changes.*

#### Other Matters – Specific

- 7.121 VWHDC has made a series of helpful comments on the Plan. I have included them in the recommended modifications on a policy-by-policy basis where they are required to ensure that the Plan meets the basic conditions.
- 7.122 I also recommend a general modification to the text of the Plan based on VWHDC's comments insofar as they are necessary to ensure that the Plan meets the basic conditions. It will bring the Plan up-to-date and acknowledge that VWHDC and South Oxfordshire District Council adopted a Joint Design Guide in 2022.

*Modify references to the 'Vale of White Horse Design Guide' to the 'Joint Design Guide (2022)'*

## 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 to safeguard the character and setting of the neighbourhood area and its heritage assets.
- 8.2 Following the independent examination of the Plan, I have concluded that the East Hanney Neighbourhood Development Plan meets the basic conditions for the preparation of a neighbourhood plan subject to a series of recommended modifications.

### *Conclusion*

- 8.3 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, the East Hanney Neighbourhood Development Plan should proceed to referendum.

### *Other Matters*

- 8.4 I am required to consider whether the referendum area should be extended beyond the neighbourhood 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 15 July 2015.
- 8.5 I am grateful to everyone who has helped in any way to ensure that this examination has run in a smooth manner. The responses to the clarification note were detailed and informative.

**Andrew Ashcroft**  
**Independent Examiner**  
**3 January 2024**