

Record of individual Cabinet member decision

Local Government Act 2000 and the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012

Decision made by	Councillor Catherine Webber
Key decision?	No
Date of decision (same as date form signed)	06.02.2020
Name and job title of officer requesting the decision	Deborah Bryson Senior Planning Policy Officer (Neighbourhood)
Officer contact details	Tel: 07717 271942 Email: deborah.bryson@southandvale.gov.uk
Decision	<ol style="list-style-type: none"> 1. to accept all modifications recommended by the Examiner; 2. to determine that the Shrivenham Neighbourhood Development Plan, as modified, meets the basic conditions, is compatible with the Convention rights, complies with the definition of a neighbourhood development plan (NDP) and the provisions that can be made by a NDP; and 3. to take all appropriate actions to progress the Shrivenham Neighbourhood Development Plan to referendum.
Reasons for decision	<ol style="list-style-type: none"> 1 The council has committed to supporting neighbourhood planning in its Strategic Objective on facilitating sustainable communities, and more specifically through the commitment in the Corporate Plan 2016-2020 of 'Supporting and resourcing the development of neighbourhood plans for our towns and villages'. 2 The Shrivenham Neighbourhood Development Plan (the Plan), as modified by the Examiner's recommendations, has had regard to national policies and advice contained in guidance issued by the Secretary of State. A requirement to have regard to policies and advice does not require that such policy and advice must necessarily be followed, but it is intended to have and does have a significant effect. The principal document in which national planning policy is contained is the National Planning Policy Framework (February 2019) (NPPF) and this conclusion is reached bearing this in mind. The advice within national

	<p>Planning Practice Guidance (“NPPG”) has also been borne in mind in reaching this conclusion.</p> <p>3 Shrivenham Parish Council submitted the Plan to VOWHDC in 12 July 2019. The District Council appointed Mr Andrew Ashcroft as Independent Examiner to examine the Plan. The Plan has been successful at examination, with the Examiner’s report, received on 6 January 2020, concluding that subject to modifications proposed, the Shrivenham Neighbourhood Plan should proceed to referendum.</p> <p>4 Having considered all relevant information, including representations submitted in response to the Plan, the Examiner’s considerations and recommendations, the council’s view is that the Plan recognises and respects relevant constraints. The Plan sets out a positive vision for the future of the neighbourhood area. In particular it includes a series of policies on the scale and nature of new development whilst proposing local green spaces.</p> <p>5 The Plan, as modified by the Examiner’s recommendations, contributes to the achievement of sustainable development as required by the basic conditions. This condition relates to the making of the plan as a whole. It does not require that each policy in it must contribute to sustainable development. Sustainable development has three principal dimensions – economic, social and environmental. It is clear that the submitted Plan has set out to achieve sustainable development in the neighbourhood area. In the economic dimension the Plan includes policies for both housing and small-scale employment development (Policies H1-5 and EE1-2 respectively). In the social role, it includes policies on community facilities (CSH1/2) and on local green spaces (Policy LC5). In the environmental dimension the Plan positively seeks to protect its natural, built and historic environment. It has specific policies on design (Policies D1/D2), on conservation areas and heritage assets (Policy HE1), on trees/hedgerows (Policy He3) and biodiversity (Policy HE4).</p> <p>6 As a whole, the council is satisfied that the policies in the Plan pursue net gains across each of the different dimensions of sustainability in a mutually supportive way.</p> <p>7 The Plan, as modified by the Examiner’s recommendations, is in general conformity with the strategic policies contained in the Development Plan for the area. The Plan delivers a local dimension to this</p>
--	---

	<p>strategic context and supplements the detail already included in the adopted Local Plan.</p> <p>8 The Plan, as modified by the Examiner's recommendations, would not breach, and be otherwise incompatible with EU obligations, including the following Directives: the Strategic Environmental Assessment Directive (2001/42/EC); the Environmental Impact Assessment Directive (2011/92/EU); the Habitats Directive (92/43/EEC); the Wild Birds Directive (2009/147/EC); the Waste Framework Directive (2008/98/EC); the Air Quality Directive (2008/50/EC); and the Water Framework Directive (2000/60/EC). In addition, no issues arise in respect of equality under general principles of EU law or any EU equality directive. In order to comply with the basic condition on the European Union legislation the Vale of White Horse District Council prepared a Strategic Environmental Assessment (SEA) screening statement for Shrivenham Neighbourhood Plan in 19 July 2019, which stated that a SEA was not required on the Plan.</p> <p>9 The Plan, as modified by the Examiner's recommendations, would not give rise to significant environmental effects on European sites. The Vale of White Horse District Council produced a Habitat Regulations Assessment (HRA) screening report on the impact of development proposed in the Plan on European sites which was published in 19 July 2019. The HRA screening report concluded that the Plan would not have any likely significant effects on the integrity of European sites in the Vale of White Horse District from policies in the Neighbourhood Plan.</p> <p>10 The Plan, as modified by the Examiner's recommendations, is in all respects fully compatible with Convention rights contained in the Human Rights Act 1988. There has been full and adequate opportunity for all interested parties to take part in the preparation of the Plan and to make their comments known.</p> <p>11 The Plan, as modified by the Examiner's recommendations, complies with the definition of a Neighbourhood Plan and the provisions that can be made by a Neighbourhood Plan. The Plan sets out policies in relation to the development and use of land in the whole of the neighbourhood area. It specifies the period for which it is to have effect and it does not include provision about development that is 'excluded development'.</p> <p>12 The council is satisfied that it is not necessary to extend the referendum area beyond the boundaries of the</p>
--	---

	<p>designated plan area as they are currently defined and approved by the District Council on 13 November 2015.</p> <p>13 The individual modifications proposed by the Examiner are set out in Appendix A alongside the council's decision in response to each recommendation and the reasons for them. The Examiner's Report is available in Appendix B.</p> <p>14 The examiner noted in his report that he has recommended a series of modifications both to policies and to the supporting text in the submitted Plan. Where consequential changes to the text are required directly as a result of his recommended modifications to the policy concerned, they are highlighted in his report. However other changes to the general text may be required elsewhere in the Plan as a result of the recommended modifications to the policies. The examiner noted that it would be appropriate for VOWHDC and the Parish Council to have the flexibility to make any necessary consequential changes to the general text (see Appendix C).</p> <p>15 The revised National Planning Policy Framework was published in February 2019 and sets out the government's planning policies for England and how these are expected to be applied. The council is satisfied that the policies in the Shrivenham Neighbourhood Plan are consistent with the revised National Planning Policy Framework (2019).</p> <p>16 The council has taken account of all the representations received.</p> <p>17 The Counting Officer is responsible for determining the date of the referendum. The Electoral Services team advise that the referendum is planned for Thursday 26 March 2020.</p>
Alternative options rejected	<p>Make a decision that differs from the Examiner's recommendation If the council deviates from the Examiner's recommendations, the council is required to:</p> <ol style="list-style-type: none"> 1. notify all those identified on the consultation statement of the parish council and invite representations, during a period of six weeks, 2. refer the issue to a further independent examination if appropriate. <p>Refuse the Plan The council can decide that it is not satisfied with the plan proposal with respect to meeting basic conditions,</p>

	<p>compatibility with Convention rights, definition and provisions of the NDP even if modified. Without robust grounds, which are not considered to be present in this case, refusing to take the Plan to a referendum could leave the Council vulnerable to a legal challenge.</p> <p><u>Reason for rejecting alternative options:</u> These options were rejected because the district council is minded to agree with all of the Examiner's modifications and his conclusion that the Plan, as modified, meets the basic conditions and relevant legal requirements.</p>
Legal implications	The process undertaken and proposed accords with planning legislation.
Financial implications	The Government makes funding available to local authorities to help them meet the cost of their responsibilities around neighbourhood planning. A total of £20,000 can be claimed for each neighbourhood planning area. The council becomes eligible to apply to receive this single payment once a date is set for the referendum, after a successful examination. The Government grant funds the process of progressing neighbourhood plans through the formal stages, including the referendum. Any costs incurred in the formal stages in excess of £20,000 is borne by the council. Staffing costs associated with supporting community groups and progressing neighbourhood plans through the formal stages are funded by the council.
Other implications	There are no other implications.
Background papers considered	<ol style="list-style-type: none"> 1. Shrivenham Neighbourhood Plan and supporting documents. 2. National Planning Policy Framework (2019) 3. National Planning Practice Guidance (July 2014 and subsequent updates). 4. Vale of White Horse District Council Local Plan 2031 Part 1 5. Vale of White Horse District Council Local Plan 2031 Part 2 6. Vale of White Horse District Council SEA/HRA Screening Statement. 7. Representations submitted in response to the Shrivenham Neighbourhood Plan 8. Relevant Ministerial Statements.
Declarations/conflict of interest? Declaration of other councillor/officer consulted by the Cabinet member?	

List consultees		Name	Outcome	Date
	Ward councillors			
	Legal	Ian Price	No comment	17.01.2020
	Finance			
	Human resources		No comment	17.01.2020
	Sustainability			
	Diversity and equality			
	Communications	Communications	No comment	17.01.2020
	Senior Management Team	Both deputy chiefs	No comment	30.01.2020
Confidential decision? If so, under which exempt cate or ?	No			
Call-in waived by Scrutiny Committee chairman?	N/A			
Has this been discussed by Cabinet members?	No			
Cabinet portfolio holder's signature To confirm the decision as set out in this notice.	<div>Signature <u>C.M. Webber</u></div> <div>Date <u>6/02/2020</u></div>			

ONCE SIGNED, THIS FORM MUST BE HANDED TO DEMOCRATIC SERVICES IMMEDIATELY.

For Democratic Services office use only		
Form received	Date:	Time:
Date published to all councillors	Date:	
Call-in deadline	Date:	Time:

Appendix A: Examiner's recommendations

Policy/ Section	Examiner's recommendations	Council's Decision	Justification/Reason
Policy DS1 Settlement Gap	<p>Replace the policy with:</p> <p>‘The neighbourhood plan identifies a settlement gap between Shrivenham and Watchfield village as shown on Figure 4.1.</p> <p>Development proposals within the identified settlement gap will be supported where they would preserve the visual and physical separation between the two settlements and would not unacceptably affect the setting and the identity of Shrivenham.</p> <p>Development proposals which either individually or cumulatively would have an unacceptable impact on the role, function and appearance of the identified settlement gap will not be supported’</p>	Agree	<p>The council considers the modification to be necessary to explicitly define the settlement gap between Watchfield and Shrivenham, recognise that certain development can take place within the gap which would not impact on its wider ambitions and will more generally ensure that the policy has the clarity required by the NPPF.</p> <p>The modification also removes the settlement gaps between Shrivenham and Bourton and Shrivenham and Longcot. The council considers that there is no detailed evidence to support the designation of a settlement gap between the settlements. In particular they are physically separate, and planning application activity does not suggest that the area cannot otherwise be controlled by more general countryside policies. Furthermore the scale and extent of the proposed settlement gap between Shrivenham and Longcot is both extensive in its own right and disproportionate to the distance between the two settlements.</p>
Supporting text to Policy DS1 Settlement Gap (paragraphs 4.2.3 and 4.2.4.)	<p><i>In Figure 4.1 delete the proposed Shrivenham – Bourton and the Shrivenham – Longcot settlements gaps</i></p> <p><i>Delete paragraphs 4.2.3 and 4.2.4. Replace them with the following:</i></p> <p><i>‘The proposed settlement gap is located to the immediate north and east of the strategic allocation in Shrivenham in LPP1. It primarily consists of the Shrivenham Golf Club. The physical gap between the expanded northern edge of Shrivenham and the</i></p>	Agree	<p>The council considers the modifications to be necessary as it represents a consequential change due to the above changes to policy, it also provides context for development and provides the clarity required by the NPPF.</p>

Policy/ Section	Examiner's recommendations	Council's Decision	Justification/Reason
	<i>southern edge of Watchfield is now of the order of 400 metres. It is a sensitive area in the context of the size and respective locations of the two settlements. The policy seeks to identify the type of development which would be acceptable in the designated settlement gap. It recognises that certain development can take place within the gap which would not impact on its wider ambitions. This will particularly be relevant for the ongoing operation of the Golf Club and any need for ancillary buildings in the Plan period'.</i>		
Policy H1 General requirements for development	In the opening part of the policy replace "Developments" with 'As appropriate to their scale, nature and location development proposals'	Agree	The council considers the modification to be necessary to ensure that the policy both has the clarity required by the NPPF and meets the basic conditions. The policy will apply more significantly to any large development proposals and should take account of the different scale and nature of development proposals.
Policy H1 General requirements for development Criteria 2 and 3	Replace 2 with: 'have regard to the findings of the Landscape Character Assessment insofar as they are directly relevant to the proposal concerned' Replace 3 with 'have regard to the findings of the Village Character Assessment insofar as they are directly relevant to the proposal concerned'	Agree	The two Assessments are primarily evidence-base documents rather than policy documents and therefore it is more appropriate that the policy has a regard to the assessments. Furthermore, the council considers the modification to delete any reference to any subsequent updates of the Assessments to be necessary as there is no guarantee that such work will be undertaken in the Plan period and current planning policy cannot apply to future documents and untested evidence.
Policy H1 General requirements for development Criterion 5	In criterion 5 replace 'detrimental' with 'unacceptable'	Agree	The council considers the modification to be necessary to define the significance and the acceptability or otherwise of development proposals on identified views.

Policy/ Section	Examiner's recommendations	Council's Decision	Justification/Reason
Policy H1 General requirements for development Criterion 7	Delete criterion 7.	Agree	Whilst the NPPF requires planning policies to make effective use of land and accommodate objectively-assessed needs in a way that makes as much use as possible of previously developed or brownfield land, this should not preclude a sustainable development proposal coming forward on a greenfield site. The NPPF goes on to state that substantial weight should be given to the value of using suitable brownfield land within settlements but does not state this should be instead of the use of greenfield.
Policy H1 General requirements for development Criterion 8	In criterion 8 replace 'are without detriment to' with 'do not have an unacceptable impact on'	Agree	The council considers the modification to be necessary to define the significance and the acceptability or otherwise of development proposals on identified views.
Policy H1 General requirements for development	<i>Delete paragraph 4.2.7</i>	Agree	The council considers the modifications to be necessary as it represents a consequential change due to the above changes to policy, it also provides context for development and provides the clarity required by the NPPF.
Policy H2 Housing Mix	In the first sentence replace 'shall demonstrate that they' with 'should' Replace the second sentence with: 'Developments which would provide housing suitable for the elderly and/or affordable starter homes will be particularly supported' Delete the remainder of the policy.	Agree	The council considers the modification to be necessary to ensure that it has the clarity required by the NPPF and does not duplicate Core Policy 26 of LPP1.
Policy H3 Sites within the built- up area	In the first part of the policy delete 'close important gaps'. At its end add 'New development should respond positively to the relevant sections of the	Agree	This approach is appropriate other than for 'important gaps' which are not defined. The council considers the modification to be necessary to

Policy/ Section	Examiner's recommendations	Council's Decision	Justification/Reason
	Vale of White Horse District Council Design Guide'		ensure the policy has the clarity required by the NPPF.
Policy H3 Sites within the built-up area	Delete the second part of the policy.	Agree	The second part of the policy refers to the VWHDC Design Guide. Whilst this is appropriate in general terms, the council considers the modification to be necessary for clarity. Reference to the Design Guide would be better suited repositioned into the supporting text with a more general reference to the Design Guide incorporated into the policy.
Policy H3 Sites within the built-up area <i>paragraph 4.2.11</i>	<i>At the beginning pf paragraph 4.2.11 add: 'Policy H3 provides a context for new development in the built-up part of the village. It overlaps with the District Council's Design Guide. [Insert at this point the deleted part of the policy]. [Retain at this point the submitted paragraph]'</i>	Agree	The council considers the modifications to be necessary as it represents a consequential change due to the above changes to policy, it also provides context for development and provides the clarity required by the NPPF.
Policy H4 Preferential access to housing	Delete the policy <i>Delete the supporting text. Reposition both the policy and the supporting text as an additional Community Aspiration.</i>	Agree	The council considers the modifications to be necessary as whilst the provision of affordable housing is a land use matter its allocation is not a land use matter. Furthermore VWHDC already has a published allocations policy.
Policy H5 Housing for elderly and younger residents	Replace the policy with: 'Proposed developments which would deliver homes specifically for elderly residents or starter homes suitable for first-time buyers will be supported where they are in conformity with other development plan policies'	Agree	The council considers the modifications to be necessary so that it takes on a format which is appropriate for a development plan policy.
Policy D1 Design	Replace the two separate policy headings with 'Policy D1 Design'	Agree	The council considers the modification of combining the two sub-policies into a single policy to be necessary to bring clarity and simplicity to the policy.
Policy D1 Design	Replace iv. with 'development at the edge of the village responds positively to its wider landscape setting'	Agree	The fourth criterion on the landscape character of the neighbourhood area as submitted is largely

Policy/ Section	Examiner's recommendations	Council's Decision	Justification/Reason
			supporting text rather than policy. The council considers the modifications to be necessary to bring the clarity required by the NPPF.
Policy D1 Design	<p>Reverse the order of criteria v. and vi</p> <p>Replace submitted criterion v. with 'proposals which demonstrate innovative architectural or sustainable designs will be supported where they respect or enhance the built environment in which they are proposed'</p> <p>Replace submitted criterion vi. with: 'new buildings should be 2 storeys high and with a pitched roof unless local circumstances and detailed design combine to provide a high-quality outcome'</p>	Agree	The council considers the modifications to be necessary to bring the clarity required by the NPPF. The effect of a reconfiguration of the fifth and sixth criteria would be to support development which takes account of the principal architectural features in the village whilst supporting innovative designs in appropriate circumstances.
Policy D1 Design	In the second part of the policy replace 'must' with 'should' in both the first and second sentences.	Agree	The council considers the modifications to be necessary so that the wording takes on a format which is appropriate for a development plan policy.
Policy D1 Design paragraph 4.3.3	<p><i>At the end of paragraph 4.3.3 add:</i></p> <p><i>'Policy D1 seeks to capture these matters in a policy context. It has two parts. The first relates to the design of new buildings. The second relates to more general matters of design, and which may have an impact on building extensions and landscaping associated will all forms of development.'</i></p>	Agree	The council considers the modifications to be necessary as it represents a consequential change due to the above changes to policy, it also provides context for development and provides the clarity required by the NPPF.
Policy D2 Style of new buildings in the High Street	Insert 'including alterations and extensions' after 'buildings'	Agree	most development in the High Street was likely to be extensions and alterations of existing buildings rather than the development of new buildings and the Parish Council commented in their response to the clarification note that the policy should apply to extensions and alterations to buildings in the High

Policy/ Section	Examiner's recommendations	Council's Decision	Justification/Reason
			Street and not just to new buildings. The council considers the modifications to be necessary to bring the clarity required for a development plan policy.
Policy D2 Style of new buildings in the High Street paragraph 4.3.4	<i>At the end of paragraph 4.3.4 add: 'The High Street is at the heart of the designated Shrivenham Conservation Area. In this context Policy HE1 of this Plan will apply both to extensions and alterations of existing buildings in addition to the development of new buildings. This acknowledges that High Street is an integral part of the designated conservation area'</i>	Agree	The council considers the modifications to be necessary so the supporting text draws attention to the location of High Street in the Shrivenham Conservation Area. It represents a consequential change due to the above changes to policy and it also provides context for development and provides the clarity required by the NPPF.
Policy D3 Provision of support for electric vehicles	Replace the policy with: 'Development proposals should be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.'	Agree	The council considers the modifications to be necessary to reflect the approach in national policy. The policy has regard to paragraph 110 of the NPPF. However, there is not evidence about the practicability of implementing its extensive range of expectations on the viability of this approach.
Policy D3 Provision of support for electric vehicles paragraph 4.3.7	<i>At the end of paragraph 4.3.7 add: 'Policy D3 seeks to give a local dimension to national policy on this important matter. Subject to the practicability on a site-by-site basis development proposals should consider the provision of safe and secure facilities for the storage of charging cables and the provision to bill users'.</i>	Agree	The council considers the modifications to be necessary as it represents a consequential change due to the above changes to policy, it also provides context for development and provides the clarity required by the NPPF. Furthermore VWHDC will be able to apply the policy on a pragmatic basis taking site-by-site considerations into account
Policy D4 Provision of fibre to premises	In the first sentence replace 'and/or' with 'and'	Agree	The council considers the modifications to be necessary to ensure that it has the format and clarity which is appropriate for a development plan policy.
Policy P1 Parking	Replace the title of Policy P1a with 'Car Parking and Layout' In the submitted Policy P1a insert at the beginning 'Development proposals should incorporate car	Agree	The council considers the modifications to be necessary so that it makes direct reference to car parking to development plan/County Council standards.

Policy/ Section	Examiner's recommendations	Council's Decision	Justification/Reason
	parking within the site to standards provided by Oxfordshire County Council'		
Policy P1 Parking	Delete Policy P1b	Agree	The council considers the modifications to be necessary as the submitted approach is not supported either by VWHDC or by the County Council (in its capacity as the highways authority). Furthermore the policy approach is underpinned by community feedback during the plan-making process (paragraphs 4.4.1 and 4.4.4) rather than any technical information on the matter or the harm caused to highway safety.
Policy P1 Parking	<i>Delete Table 8</i> <i>Delete paragraphs 4.4.3 and 4.4.7</i> <i>At the end of paragraph 4.4.5 add 'It is on this basis that Policy P1 comments that appropriate parking should be provided by new developments which are appropriate and well-designed for those sites'</i>	Agree	The council considers the modifications to be necessary as it represents a consequential change due to the above changes to policy, it also provides context for development and provides the clarity required by the NPPF.
Policy P2 Village Centre parking	At the beginning of Policy P2a add 'Insofar as planning permission is required' and then replace 'opportunities' with 'proposals'	Agree	The council considers the modifications to be necessary to reflect that not all such proposals will need planning permission in general, and where they are within the highway in particular.
Policy EE1 Economic and Employment Sites	Replace the separate policy headings with 'Policy EE1 Business and employment opportunities'	Agree	The council considers the modifications to be necessary to bring clarity and simplicity to the policy.
Policy EE1 Economic and Employment Sites	In part a of the submitted policy replace 'are to be expanded' with 'would be extended and/or adapted to changing business circumstances'	Agree	The council considers the modifications to be necessary so that the purpose and intent of part a is clear.
Policy EE1 Economic and	At the beginning of part b of the submitted policy add: 'Insofar as planning permission is required'	Agree	The council considers the modifications to be necessary so that the purpose and intent of part b is clear. In particular the modification to the second

Policy/ Section	Examiner's recommendations	Council's Decision	Justification/Reason
Employment Sites	<p>In part b of the submitted policy replace:</p> <ul style="list-style-type: none"> • 'permitted' with 'supported' • 'detriment' with 'unacceptable harm'. • 'encouraged' with 'supported' (second sentence) 		part of the policy acknowledges that not all of the anticipated changes of use would need planning permission.
Policy EE1 Economic and Employment Sites	Delete part c of the submitted policy	Agree	As submitted the policy would impose onerous restrictions on the layout and design of any new residences and many such proposals would benefit from permitted development rights therefore the council considers the modifications to be necessary.
Policy EE2 Diversity of Businesses and Services	<p>Replace the policy with:</p> <p>'Proposals for the development of new business in the village centre for uses in Classes A and B1 of the Use Classes Order or for the extension and/or diversification of existing businesses will be supported.</p> <p>Proposals which would introduce a retail or commercial use into the village where that facility is not currently available will be particularly supported'</p>	Agree	<p>The council considers the modifications to be necessary as the policy is less than specific on the range of facilities that would be supported. Equally, as submitted, the policy seeks to diversify services without acknowledging that uses of commercial premises can change in several cases without the need for planning permission and that the level of services and competition between such services (such as the four hairdressing establishments referenced in paragraph 4.5.6) is not a planning matter.</p> <p>Furthermore the policy should be modified so that it supports the extension and/or diversification of existing businesses. As submitted the policy refers only to new businesses.</p>
Policy LC1 Protecting the setting of the AONB	In the opening part of the policy replace 'the North Wessex AONB Management Plan' (and the associated link) with 'Policy CP44 of the Vale of White Horse Local Plan Part 1'	Agree	The council considers the modifications to be necessary so that the policy refers directly to Policy CP44 of the LPP1 and modifies the way in which development proposals should take account the North Wessex Management Plan as it is not a development plan document.

Policy/ Section	Examiner's recommendations	Council's Decision	Justification/Reason
	In the second part of the policy add 'and the North Wessex AONB Management Plan' after '(Appendix 4)'		
Policy LC1 Protecting the setting of the AONB <i>paragraph 4.6.2</i>	<i>At the end of paragraph 4.6.2 add: 'The North Wessex Downs AONB Management Plan also provides detailed guidance on the nature of the AONB and how development can best respond to its character. [At this point include the link included in the submitted policy]'</i>	Agree	The council considers the modifications to be necessary as it represents a consequential change due to the above changes to policy, it also provides context for development and provides the clarity required by the NPPF.
Policy LC2 Landscape Setting	In the first part of the policy insert the following after village '(landscape areas LCA3/4/5/8/9 in the Landscape and Character Assessment 2018)'	Agree	The council considers the modifications to be necessary to provide clarity on the parts of the neighbourhood area that are affected by the policy.
Policy LC2 Landscape Setting	Delete the final sentence of the policy (relating to LCA7)	Agree	As paragraph 4.6.5 of the Plan acknowledges planning permission already exists for development on this site. The council considers the modifications to be necessary to reflect the progress that has been made on the development of the site.
Policy LC2 Landscape Setting <i>paragraph 4.6.5</i>	<i>In paragraph 4.6.5 delete the second sentence (relating to LCA7)</i>	Agree	The council considers the modifications to be necessary as it represents a consequential change due to the above changes to policy, it also provides context for development and provides the clarity required by the NPPF.
Policy LC3 Remote and tranquil settings	Replace Policy LC3a with: 'The rural character, setting and the tranquil and secluded settings of LCA1, LCA2, LCA3, LCA5 and LCA13 shall be safeguarded and enhanced wherever practicable. Development proposals which fail to safeguard the characteristics of these parts of the neighbourhood area will not be supported.' Replace Policy LC3b with:	Agree	The council considers the modifications to be necessary as the policies as submitted fall short of the clarity required for incorporation in a development plan.

Policy/ Section	Examiner's recommendations	Council's Decision	Justification/Reason
	'Proposals for new development should safeguard or where practicable enhance the rural setting of listed buildings outside the built area of the village. This will include the views across the landscape to them, both from the village and from the wider area.'		
Policy LC4 Views	Replace Policies LC4a/b/c with: Policy LC4 Valuable Views and Vista 'Development proposals should demonstrate how they would safeguard and where practicable enhance the valuable and panoramic views identified in both the Village Character Assessment and the Landscape Character Assessment. Development proposals which would result in an unacceptable impact on the identified views will not be supported'	Agree	<p>The council considers the modifications to be necessary so that the policy takes a positive approach towards accommodating new development which would respect the identified views within the neighbourhood area. New development can often be located in areas without eroding the views considered to be important to the local community and can be appropriately designed to take into consideration the wider landscape features of the surrounding area to provide new views and vistas</p> <p>The relationship between the evidence and the policy is not always clear and to simplify the policy the modifications restrict the views to those identified in either the VCA or the LCA which originate from studies undertaken to industry standards. The work on village views as described in paragraph 4.6.8 of the Plan is a commendable local initiative. Nevertheless, there is no tangible evidence about the status, extent or relationship of such views to planning policies.</p>
Policy LC4 Views	<p><i>Delete paragraphs 4.6.7, 4.6.8, 4.6.9 and 4.6.10. Delete Figures 4.2 to 4.21 (inclusive). Replace the deleted paragraphs with:</i></p> <p><i>'Policy LC4 builds further on the work undertaken in the Landscape Character Assessment and in the Village Character Assessment. They are:</i></p>	Agree	The council considers the modifications to be necessary as it represents a consequential change due to the above changes to policy, it also provides context for development and provides the clarity required by the NPPF.

Policy/ Section	Examiner's recommendations	Council's Decision	Justification/Reason
	<i>[at this point list the identified views in the two assessments with a direct reference to the Assessment concerned and the relevant page number]</i> <i>The policy refers only to views within the designated neighbourhood area'</i>		
Policy LC5 Local Green Spaces	Replace the final part of the policy with: 'Proposals for development within designated Local Green Spaces will only be supported in very special circumstances'	Agree	The council considers the modifications to be necessary as the wording as submitted does not have the necessary clarity for a development plan policy. In particular it fails to identify the types of development which would conflict with the purpose of such designation
Policy LC6 Creation of new Green Spaces	Replace the policy with: 'Proposals for the development of new allotment gardens will be supported' Replace the policy title with: 'Allotment Gardens'	Agree	The council considers the modifications to be necessary so that the title of the policy is modified so it reflects its specific ambition. Furthermore the broader commentary about the health and well-being benefits of such uses is better suited to supporting text.
Policy HE1 Conservation and Enhancement of Heritage features	Replace the two separate policy headings with 'Policy HE1 Heritage Assets' In the second part of the policy replace 'NPPF 2018' with 'NPPF 2019'	Agree	The council considers the modifications to be necessary to bring clarity and simplicity to the policy.
Policy HE2 Green Environment	Delete the third part of the policy <i>Reposition the third part of the policy into the Community Actions</i>	Agree	The council considers the modifications to be necessary as the third part of the policy on maintenance arrangements is a process rather than a policy matter.
Policy HE3 Trees and Woodland	Replace the two separate policy headings with 'Policy HE3 Hedgerows, trees and ancient woodland'	Agree	The council considers the modifications to be necessary to bring clarity and simplicity to the policy.

Policy/ Section	Examiner's recommendations	Council's Decision	Justification/Reason
Policy HE3 Trees and Woodland	Replace the first submitted part of the policy with: ‘Development proposals should maintain and where practicable enhance hedgerows and trees identified in the landscape Character Assessment. Any required additional planting and landscaping should incorporate local native species.’	Agree	The council considers the modifications to be necessary to ensure that the language used has the clarity required by the NPPF. They also remove elements of supporting text from both components of the policy.
Policy HE3 Trees and Woodland	Replace the first sentence of the second part of the policy with: ‘Development proposals within or which border Landscape Character Areas LCA1, LCA5 and LCA10 should maintain and where practicable enhance the ancient woodland areas within the relevant character areas.’ In the second sentence of the second part of the policy insert ‘unacceptable’ before ‘adverse’ and replace ‘be resisted’ with ‘not be supported’	Agree	The council considers the modifications to be necessary to ensure that the language used has the clarity required by the NPPF. They also remove elements of supporting text from both components of the policy.
Policy HE4 Biodiversity	Replace the three separate policy headings with ‘Policy HE4 Biodiversity’	Agree	The council considers the modifications to be necessary to bring clarity and simplicity to the policy.
Policy HE4 Biodiversity	In the first part of the policy replace ‘Wherever possible’ with ‘Wherever practicable’ and ‘All applications’ with ‘As appropriate to their scale, nature and location, development proposals’	Agree	As submitted the policy takes a very general approach in its reference to ‘all’ applications. The council considers the modifications to be necessary so that the policy can be applied in a way which takes account of the scale, nature and the location of the proposal concerned.
Policy HE4 Biodiversity	Delete the second part of the policy <i>At the beginning of paragraph 4.7.7 add:</i> <i>‘Policy HE4 comments about a range of issues in relation to biodiversity in the neighbourhood area. It has a clear focus on delivering Objective SHE4 of</i>	Agree	The council considers the modifications to be necessary as the second part of the policy is a process requirement rather than a policy and would be better captured in the supporting text.

Policy/ Section	Examiner's recommendations	Council's Decision	Justification/Reason
	<i>the Plan. Subject to the requirements of the policy appropriate development proposals should be accompanied by details of how the development would protect existing wildlife and habitats during the construction process' [Retain the submitted paragraph to continue after the recommended additional text].</i>		
Policy PROW1 Rights of Way	In the first part of the policy delete 'In accordance with.... [to the end of the web link]'	Agree	The council considers the modifications to delete the references and the link to the County Council Rights of Way Management Plan to be necessary as it is not directly part of the development plan. Furthermore the management plan is already included and acknowledged in the supporting text.
Policy PROW1 Rights of Way	Delete the second part of the policy (on zebra crossings, the Circular Walk and LCA7). <i>Reposition the second part of the policy into the schedule of Community aspirations</i>	Agree	The council considers the modification to delete the second part of the policy to be necessary as in most cases pedestrian crossings will be accommodated within the highway and will therefore not need planning permission.
Policy CSH1 Community Facilities	In the first part of the policy replace 'and' with 'or'	Agree	The council considers the modifications to be necessary clarifying the purpose of the policy and widening its remit.
Policy CSH1 Community Facilities	Delete the second part of the policy	Agree	The provision of infrastructure will either be delivered through planning obligations or by service providers through the delivery of their statutory powers. Therefore the council considers the modifications to be necessary as the submitted policy would be impracticable to implement and monitor.
Policy CSH2 Memorial Hall	Delete 'as long as.....Development Plan'	Agree	The final parts of the policy relating to other policies in the neighbourhood plan are unnecessary as the development plan is

Policy/ Section	Examiner's recommendations	Council's Decision	Justification/Reason
			considered as a whole, therefore the council considers they should be deleted.
Policy CSH3 Requirement for a CEMP	Delete the policy <i>Reposition it as an additional Community Action</i> <i>At the end of paragraph 4.9.4 add: 'Community Action [insert number] addresses this matter.'</i>	Agree	The council considers the modifications to be necessary as CEMPs are largely process-related rather than policy documents. Its incorporation in the Plan as a community aspiration will provide enhanced opportunities for the VWHDC to negotiate such arrangements where they are appropriate to the development concerned.
Policy CSH4 Waste Hierarchy	Delete the policy <i>Delete paragraphs 4.10.1 to 4.10.4</i>	Agree	The council considers the modifications to be necessary as submitted the policy is not a policy and it has no direct effect on individual planning applications or relevance to the neighbourhood plan.
Policy DP1 Delivery and Pre-Application engagement	Delete the policy <i>Delete paragraph 4.11.1</i> <i>Replace the approach as an additional Community Action. In doing so insert a full stop after 'encouraged'. Replace the remainder (of the submitted policy) with:</i> <i>'Development proposals which arise from the outcomes of such engagement and which are in accordance with the wider development plan will be supported accordingly'</i>	Agree	The council considers the modifications to be necessary as submitted the policy is not a policy. In addition, it offers support to proposals which arise as a result of that pre-application engagement because of that engagement rather than the merits of the eventual proposal.
General	<i>In paragraph 1.2.2.4 replace the first sentence with: 'The Vale of White Horse Local Plan Part 2 was adopted in October 2019'</i>	Agree	Since the neighbourhood plan was submitted the LPP2 has been adopted. The council considers the modifications to be necessary to incorporate factual updates to Section One of the Plan.
General	<i>Revise any references to the 'NPPF 2018' to 'NPPF 2019'</i>	Agree	The council considers the modifications to be necessary as the NPPF has been further updated since 2018 and the references within the Plan should be updated accordingly.

Policy/ Section	Examiner's recommendations	Council's Decision	Justification/Reason
Other matters	<i>Modification of general text (where necessary) to achieve consistency with the modified policies.</i>	Agree	The council considers the modifications to be necessary as it represents a consequential change due to the above changes to policy, it also provides context for development and provides the clarity required by the NPPF.

Shrivenham Neighbourhood Development Plan 2018-2031

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

**Andrew Ashcroft
Independent Examiner
BA (Hons) M.A. DMS M.R.T.P.I.**

Director – Andrew Ashcroft Planning Limited

Executive Summary

- 1 I was appointed by the Vale of White Horse District Council in September 2019 to carry out the independent examination of the Shrivenham Neighbourhood Development Plan.
- 2 The examination was undertaken by written representations. I visited the neighbourhood area on 10 October 2019.
- 3 The Plan includes a range of policies and seeks to bring forward positive and sustainable development in the neighbourhood area. There is a very clear focus on safeguarding local character and providing a context within which new dwellings can be accommodated within the wider landscape setting of the village. It proposes a series of local green spaces. In the round the Plan has successfully identified a range of issues where it can add value to the strategic context already provided by the adopted Local Plan (Parts 1 and 2). It has a particular focus on maintaining the landscape character and identity of the neighbourhood area.
- 4 The Plan has been underpinned by community support and engagement. It is clear that all sections of the community have been actively engaged in its preparation.
- 5 Subject to a series of recommended modifications set out in this report I have concluded that the Shrivenham Neighbourhood Plan meets all the necessary legal requirements and should proceed to referendum.
- 6 I recommend that the referendum should be held within the neighbourhood area.

Andrew Ashcroft
Independent Examiner
6 January 2020

1 Introduction

- 1.1 This report sets out the findings of the independent examination of the Shrivenham Neighbourhood Development Plan 2018-2031 (the ‘Plan’).
- 1.2 The Plan has been submitted to the Vale of White Horse District Council (VWHDC) by Shrivenham Parish Council 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) 2012 and its updates in 2018 and 2019. The NPPF continues to be the principal element of national planning policy.
- 1.4 The role of an independent examiner is clearly defined in the legislation. I have been appointed to examine whether or not the submitted Plan meets the basic conditions and Convention Rights and other statutory requirements. It is not within my remit to examine or to propose an alternative plan, or a potentially more sustainable plan except where this arises as a result of my recommended modifications to ensure that the plan meets the basic conditions and the other relevant requirements.
- 1.5 A neighbourhood plan can be narrow or broad in scope. Any plan can include whatever range of policies it sees as appropriate to its designated neighbourhood area. The submitted plan has been designed to be distinctive in general terms, and to be complementary to the development plan in particular. It has a clear focus on maintaining the integrity of the village and ensuring that new development reflects the landscape character of the wider neighbourhood area.
- 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 modifications to its policies and supporting text.
- 1.7 This report also provides a recommendation as to whether the Plan should proceed to referendum. If this is the case and that referendum results in a positive outcome the Plan would then be used to determine planning applications within the Plan area and will sit as part of the wider development plan.

2 The Role of the Independent Examiner

- 2.1 The examiner’s role is to ensure that any submitted neighbourhood plan meets the relevant legislative and procedural requirements.
- 2.2 I was appointed by VWHDC, with the consent of the Parish Council, to conduct the examination of the Plan and to prepare this report. I am independent of both VWHDC and the Parish Council. 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 Service.

Examination Outcomes

- 2.4 In my role as the independent examiner of the Plan I am required to recommend one of the following outcomes of the examination:
- (a) that the Plan is submitted to a referendum; or
 - (b) that the Plan should proceed to referendum as modified (based on my recommendations); or
 - (c) that the Plan does not proceed to referendum on the basis that it does not meet the necessary legal requirements.
- 2.5 The outcome of the examination is set out in Sections 7 and 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. I am satisfied that the submitted Plan complies with the three requirements.

3 Procedural Matters

- 3.1 In undertaking this examination I have considered the following documents:
- the submitted Plan;
 - the Basic Conditions Statement;
 - the Consultation Statement;
 - Appendices 1-24 and 28;
 - the VWHDC SEA screening report;
 - the VWHDC HRA screening report;
 - the Parish Council's responses to my Clarification Note;

- the District Council's responses to my Clarification Note;
- the representations made to the Plan;
- the Vale of White Horse Local Plan (Part 1): Strategic Sites and Policies;
- the Vale of White Horse Local Plan (Part 2): Detailed Policies and Additional Sites;
- the National Planning Policy Framework (February 2019);
- Planning Practice Guidance (March 2014 and subsequent updates); and
- relevant Ministerial Statements.

- 3.2 I carried out an unaccompanied visit to the neighbourhood area on 10 October 2019. I looked at its overall character and appearance and at those areas affected by policies in the Plan in particular. My visit is covered in more detail in paragraphs 5.9 to 5.16 of this report.
- 3.3 It is a general rule that neighbourhood plan examinations should be held by written representations only. Having considered all the information before me, including the representations made to the submitted plan, I was satisfied that the Plan could be examined without the need for a public hearing. I advised VWHDC of this decision after I had received the responses to the clarification note.

4 Consultation

Consultation Process

- 4.1 Policies in made neighbourhood plans become the basis for local planning and development control decisions. As such the regulations require neighbourhood plans to be supported and underpinned by public consultation.
- 4.2 In accordance with the Neighbourhood Planning (General) Regulations 2012 the Parish Council has prepared a Consultation Statement. This Statement sets out the mechanisms used to engage all concerned in the plan-making process. It also provides specific details about the consultation process that took place on the pre-submission version of the Plan (October to November 2018). Its key feature is the way in which it captures the key issues in a proportionate way and is then underpinned by more detailed appendices.
- 4.3 The Statement sets out details of the comprehensive range of consultation events that were carried out in relation to the initial stages of the Plan. They included:
- the presentation at the Parish Assembly (May 2015);
 - the engagement at the Village Fete (August 2015);
 - the refinement of the neighbourhood area (September to November 2015);
 - the engagement at the Village Fete (August 2016);
 - the public engagement Design Day (March 2017);
 - the Housing Needs Survey (January to April 2017); and

- other engagement activities with individual groups and organisations.

- 4.4 Section 4 of the Statement also provides details of the way in which the Parish Council engaged with statutory bodies. It is clear that the process has been proportionate and robust.
- 4.5 Appendix 1 of the Statement provides specific details on the comments received as part of the consultation process on the pre-submission version of the Plan. It identifies the principal changes that worked their way through into the submission version. They help to describe the way in which the plan has been refined in response to this important part of the plan-making process.
- 4.6 It is clear that consultation has been an important element of the Plan's production. Advice on the neighbourhood planning process has been made available to the community in a positive and direct way by those responsible for the Plan's preparation.
- 4.7 From all the evidence provided to me as part of the examination, I can see that the Plan has promoted an inclusive approach to seeking the opinions of all concerned throughout the process. VWHDC has carried out its own assessment that the consultation process has complied with the requirements of the Regulations.

Representations Received

- 4.8 Consultation on the submitted plan was undertaken by VWHDC for a six-week period that ended on 1 October 2019. This exercise generated comments from a range of organisations as follows:
- Oxfordshire Clinical Commissioning Group
 - National Grid
 - Wilts and Berkshire Canal Trust
 - VWHDC
 - Shrivenham Golf Course
 - Gladman Developments Ltd
 - Thames Water Utilities
 - Oxfordshire County Council
 - Historic England
 - Home Farm Partnership
 - Oxfordshire County Council (Property and Facilities)
 - Environment Agency
 - Guys and St Thomas Charity
- 4.9 Four representations were also received from local residents. I have taken all the representations into account in examining the Plan. Where it is appropriate to do so I make specific reference to certain representations on a policy-by-policy basis.

5 The Neighbourhood Area and the Development Plan Context

The Neighbourhood Area

- 5.1 The neighbourhood area consists of the parish of Shrivenham. Its population in 2011 was 2347 persons living in 982 houses. It was designated as a neighbourhood area on 13 November 2015. It is an irregular area located between Faringdon to the east and Swindon to the west. The neighbourhood area is predominantly a rural parish and much of its area is in agricultural use. The A420 Oxford to Swindon road runs through the middle part of the neighbourhood area in a north-east to south-west direction. The Great Western railway runs through the southern tip of the neighbourhood area.
- 5.2 The principal settlement in the neighbourhood area is Shrivenham. Faringdon Road, High Street and Townsend Road provide the principal road network into and out of the village. The historic significance of the village is reflected in various statutory designations. The majority of the village core is a Conservation Area and the wider neighbourhood area has 42 listed buildings. More modern development has taken place to the north and to the south of the village.
- 5.3 The remainder of the neighbourhood area consists of a very attractive agricultural hinterland. The southern part of the neighbourhood area is particularly open and attractive in its character. It provides a context to the Wessex Downs AONB which is located to the south of the neighbourhood area.

Development Plan Context

- 5.4 The Vale of White Horse Local Plan (Part 1): Strategic Sites and Policies (LPP1) was adopted in December 2016. It sets out the basis for future development in the District up to 2031. All of the policies in this part of the Local Plan are strategic policies of the development plan (see paragraph 2.5 of this report). The following policies in the LPP1 are particularly relevant to the submitted Plan:

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

Core Policy 4 identifies a series of strategic residential allocations throughout the District. One of these is land to the north of Shrivenham (for 500 homes). This is also reflected in Core Policy 20 which addresses a series of issues within the Western Vale Sub-Area (within which the neighbourhood area is located). Appendix A of LPP1 provides more details about the proposed strategic development.

- 5.5 The Vale of White Horse Local Plan (Part 2): Detailed Policies and Additional Sites (LPP2) was adopted in October 2019 whilst the neighbourhood plan examination was taking place. Core Policy 20a updates the housing requirement for the identified

Western Vale Sub Area identified in the LPP1. The Western Vale Sub-Area is predominantly rural in character and contains the historic market town of Faringdon and a number of attractive rural villages. Core Policy 20a comments that this requirement has been met although it acknowledges that additional development may still be allocated in neighbourhood plans, or come forward through planning applications where it is in accordance with the wider development plan.

- 5.6 Chapter 3 of LPP2 includes a series of detailed development policies. They are not strategic policies of the development plan for the purposes of my assessment of the submitted Plan against the basic conditions. Nevertheless they have appropriately been taken into account in developing the approach and the policies in the submitted Plan.
- 5.7 The submitted Plan has been prepared within its wider adopted development plan context. In doing so it has relied on up-to-date information and research that has underpinned existing planning policy documents in the District. This reflects key elements in Planning Practice Guidance on this matter.
- 5.8 It is also clear that the submitted Plan seeks to add value to the different components of the development plan and to give a local dimension to the delivery of its policies. This is captured in the Basic Conditions Statement. That Statement has been overtaken by events to some extent as the LPP2 has been adopted. The reference to saved policies in the 2011 Local Plan are no longer relevant and anticipated policies in what was then the emerging LPP2 has now been adopted. However, these updates do not detract from the overall effectiveness and integrity of that Statement.

Unaccompanied Visit

- 5.9 I carried out an unaccompanied visit to the neighbourhood area on 10 October 2019. I drove into the neighbourhood area from Oxford along the A420. This gave me an initial impression of its setting and the character. It also highlighted its connection to the strategic road system and to the various settlements along this important part of the highway network in general, and to Faringdon (to the east) and Swindon (to the west) in particular.
- 5.11 I parked by the allotments in Colton Road. Given the compact nature of the village, I was able to carry out the majority of the visit on foot. I looked initially at the Bowls Club, the Recreation Ground and the Memorial Hall. I saw the range of play equipment and the extensive use of the recreation ground. I also saw that the Memorial Hall was an important social and community facility within the wider village.
- 5.12 Thereafter I looked at the Church and the way in which it related to the High Street to its south. I continued into Claypits Lane and then into the part of Faringdon Road closest to the village centre. I then took the opportunity to look at the range of businesses in the village centre in general, and in High Street in particular. I saw the vibrant selection of retail and commercial facilities and their use by local residents. I also saw the close and intimate relationship between the High Street and the residential parts of the village to its immediate north and south

- 5.13 I walked to the south of the village along Stainswick Lane. I saw the various proposed local green spaces in this part of the village including the Pocket Park and the Wiltshire and Berkshire Canal. The character of this part of the village was more relaxed and open than that of the village centre. It was also popular with runners and dog walkers.
- 5.14 I then took time to look at the proposed settlement gaps. I walked along Faringdon Road to Watchfield. I saw the Golf Club, the Defence Academy of the UK, Bower Brook and the extensive grass verges on either side of the road. On the way back into Shrivenham I walked along Pennyhooks Lane to the Golf Club. I saw the emerging development of the strategic housing allocation in Shrivenham to the south of that lane.
- 5.15 Thereafter I drove both to Bourton and to Longcot so that I could understand the reasoning behind the proposed identification of settlement gaps in those parts of the neighbourhood area leading to these other neighbouring settlements.
- 5.16 I finished my visit by driving to the south of the neighbourhood area so that I could understand its relationship in functional and visual terms with the North Wessex AONB. I also drove to Swindon to the west. This helped me to understand some of the broader issues included in Section 1 of the Plan.

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 considerably in the preparation of this section of the report. It is a well-presented and informative document. It is also proportionate to the Plan itself.
- 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) and European Convention on Human Rights (ECHR) obligations; and
 - not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017 (7).
- 6.3 I assess the Plan against the basic conditions under the following headings.
National Planning Policies and Guidance
- 6.4 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 (NPPF) issued in February 2019. This approach is reflected in the submitted Basic Conditions Statement.

- 6.5 The NPPF sets out a range of core land-use planning issues to underpin both plan-making and decision-taking. The following are of particular relevance to the Shrivenham Neighbourhood Plan:
- a plan led system– in this case the relationship between the neighbourhood plan and Parts 1 and 2 of the Vale of White Horse Local Plan;
 - delivering a sufficient supply of homes;
 - 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.
- 6.6 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.
- 6.7 In addition to the NPPF I have also taken account of other elements of national planning policy including Planning Practice Guidance and ministerial statements.
- 6.8 Having considered all the evidence and representations available as part of the examination I am satisfied that the submitted Plan has had regard to national planning policies and guidance in general terms. It sets out a positive vision for the future of the neighbourhood area. In particular it includes a series of policies on the scale and nature of new development. It identifies three settlement gaps and proposes local green spaces. The Basic Conditions Statement maps the policies in the Plan against the appropriate sections of the NPPF.
- 6.9 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 in March 2014. 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.
- 6.10 As submitted the Plan does not fully accord with this range of practical issues. The majority of my recommended modifications in Section 7 relate to matters of clarity and precision. They are designed to ensure that the Plan fully accords with national policy.

Contributing to sustainable development

- 6.11 There are clear overlaps between national policy and the contribution that the submitted Plan makes to achieving sustainable development. Sustainable development has three principal dimensions – economic, social and environmental. It is clear that the submitted Plan has set out to achieve sustainable development in the neighbourhood area. In the economic dimension the Plan includes policies for both housing and small-scale employment development (Policies H1-5 and EE1-2 respectively). In the social role, it includes policies on community facilities (CSH1/2) and on local green spaces (Policy LC5). In the environmental dimension the Plan positively seeks to protect its natural, built and historic environment. It has specific policies on design (Policies D1/D2), on conservation areas and heritage assets (Policy HE1), on trees/hedgerows (Policy HE3) and biodiversity (Policy HE4). The Parish Council has undertaken its own assessment of this matter in the submitted Basic Conditions Statement.

General conformity with the strategic policies in the development plan

- 6.12 I have already commented in detail on the development plan context in the Vale of White Horse District in paragraphs 5.4 to 5.8 of this report. I am satisfied that subject to the incorporation of the modifications recommended in this report that the submitted Plan is in general conformity with the strategic policies in the development plan.
- 6.13 I also consider that the submitted Plan delivers a local dimension to this strategic context. The Basic Conditions Statement helpfully relates the Plan's policies to policies in the development plan.

European Legislation and Habitat Regulations

- 6.14 The Neighbourhood Plan General Regulations 2015 require a qualifying body either to submit an environmental report prepared in accordance with the Environmental Assessment of Plans and Programmes Regulations 2004 or a statement of reasons why an environmental report is not required.
- 6.15 In order to comply with this requirement VWHDC undertook a screening exercise on the need or otherwise for a Strategic Environmental Assessment (SEA) to be prepared for the Plan. The report is thorough and well-constructed. As a result of this process it concluded that the Plan is not likely to have any significant effects on the environment and accordingly would not require SEA.
- 6.16 VWHDC has produced a separate Habitats Regulations Assessment (HRA) of the Plan. It concludes that the Plan is not considered to have the potential to cause a likely significant adverse effect on a European protected site.
- 6.17 The screening reports include the responses received as part of the required consultation. In doing so they provide assurance to all concerned that the submitted Plan takes appropriate account of important ecological and biodiversity matters.
- 6.18 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. 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.

- 6.19 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. In addition, 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 the basis of all the evidence available to me, I conclude that the submitted Plan does not breach, nor is in any way incompatible with the ECHR.

Summary

- 6.20 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. In particular, it makes a series of recommended modifications to ensure that they have the necessary precision to meet the basic conditions.
- 7.2 My recommendations focus on the policies themselves given that the basic conditions relate primarily to this aspect of neighbourhood plans. In some cases, I have also recommended changes to the associated supporting text.
- 7.3 I am satisfied that the content and the form of the Plan is fit for purpose. It is distinctive and proportionate to the neighbourhood area. The wider community and the Parish Council have spent time and energy in identifying the issues and objectives that they wish to be included in their Plan. This sits at the heart of the localism agenda.
- 7.4 The Plan has been designed to reflect Planning Practice Guidance (41-004-20170728) which indicates that neighbourhood plans must address the development and use of land. The Plan includes a series of Community Aspirations. They are properly distinguished from the principal land use policies.
- 7.5 I have addressed the policies in the order that they appear in the submitted Plan. Where necessary I have identified the inter-relationships between the policies. The Community Aspirations are addressed after the policies.
- 7.6 For clarity this section of the report comments on all policies whether or not I have recommended modifications in order to ensure that the Plan meets the basic conditions.
- 7.7 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 section of the Plan (Sections 1-3)

- 7.8 These initial parts of the Plan set the scene for the range of policies. They do so in a proportionate way. The Plan is presented in a very professional way. It makes a very effective use of well-selected photographs. A very clear distinction is made between its

policies and the supporting text. It also highlights the links between the Plan's objectives and its resultant policies. The Plan includes a comprehensive evidence base in the form of appendices. Appendix 3 Village Character Assessment (VCA) and 4 Landscape Character Assessment (LCA) are particularly impressive documents. They help in a very significant way to describe the background to the neighbourhood area

- 7.9 The Introduction comments generally about the neighbourhood area and how it lends itself to the development of a neighbourhood plan. It does so to good effect. It identifies the Plan period.
- 7.10 Section 1 comments about the development of the Plan. It also provides background information about the wider planning policy context within which it has been prepared. It helpfully comments about the distinction between its policies and the Parish Projects. It includes a map of the designated neighbourhood area.
- 7.11 Section 2 comments about the neighbourhood area and a range of matters which have influenced the preparation of the Plan. It has a particular focus on its history, the village amenities, the character of the village and its demography. It includes a very effective assessment of key political, environmental, socio-economic and technical issues. This results in a PEST analysis in Table 1. It is a very helpful context to the neighbourhood area.
- 7.12 Section 3 comments about how the Plan was prepared. It is particularly comprehensive in its coverage and detail. It also usefully overlaps with the submitted Consultation Statement. It incorporates the Vision Statement and the resulting Strategic Objectives. These matters conveniently flow into the proposed planning policies.
- 7.13 Sections 4 and 5 detail the resulting planning policies and Community Actions respectively.
- 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.

Policy DS1 Settlement Gap

- 7.15 This is an important policy of the wider Plan. Its importance is reinforced by its position at the beginning of the list of policies. It requires that development proposals respect the identity of Shrivenham village and the following open gaps between it and three neighbouring settlements as follows:
 - between Shrivenham and Watchfield;
 - between Shrivenham and Bourton; and
 - between Shrivenham and Longcot.
- 7.16 The policy also comments that development will only be permitted if it preserves the visual and physical separation of Shrivenham from the other identified settlements and does not harm their setting and identity.

- 7.17 Development Policy 29 of LPP2 provides a context for the approach in the submitted Plan. It comments that development proposals will need to demonstrate that the settlement's character is retained, and physical and visual separation is maintained between settlements. That policy also identifies three criteria to be considered as follows:
- the physical and visual separation between two separate settlements is not unacceptably diminished,
 - cumulatively, with other existing or proposed development, it does not compromise the physical and visual separation between settlements, or
 - it does not lead to a loss of environmental or historical assets that individually or collectively contribute towards their local identity.
- 7.18 In principle I am satisfied that a neighbourhood plan policy which identifies specific settlement gaps would have the ability to meet the basic conditions. In this context it will be important that settlement gaps are supported by detailed and robust evidence, and represent circumstances there would be a very real risk of the ambitions of Policy 29 of LPP2 would be undermined.
- 7.19 I sought advice from the Parish Council on its intentions for the policy. On the one hand its title and approach suggest that it is a separation of settlements policy. On the other hand, the supporting text relies heavily on the LCA. The Parish Council advised that it 'is intended to be a Spatial Policy. One of the key requirements for development within the plan area is that growth conserves and enhances the setting of the rural setting of the village both physically and visually'. I will examine the policy on this basis. Other policies elsewhere in the Plan are more focused directly on its landscape characteristics.
- 7.20 I looked at the proposed settlement gaps carefully when I visited the neighbourhood area. They are very different in both their locations and their proposed scale. I comment on them in turn below. In doing so I have taken into account the information supplied by VWHDC in its response to the clarification note.

Shrivenham – Watchfield

- 7.21 Watchfield is a village of an equivalent size to Shrivenham to its immediate north and east. The two villages are separated by the Shrivenham Golf Club, the Defence Academy of the UK and Bower Brook.
- 7.22 The expansion of Shrivenham to the north in recent years as the strategic allocation in LPP1 has been built out has put increasing pressure on the gap between the two settlements. The limited gap between the two settlements is particularly evident along the Farindgon Road. In this context I am satisfied that there is a clear and positive basis on which to identify and designate a settlement gap in this part of the neighbourhood area.

Shrivenham – Bourton

- 7.23 Bourton is a small hamlet approximately a kilometre to the south of Shrivenham. It is located to the immediate south of the GWR railway line.

- 7.24 No detailed evidence is included in the Plan to support the designation of a settlement gap between the two settlements. In particular they are physically separate, and planning application activity does not suggest that the area cannot otherwise be controlled by more general countryside policies. As such I recommend that this proposed settlement gap is deleted from the Plan.

Shrivenham – Longcot

- 7.25 Longcot is a hamlet approximately three kilometres to the east of Shrivenham. It has a concentrated built form based around St Mary's Church.
- 7.26 No detailed evidence is included in the Plan to support the designation of a settlement gap between the two settlements. In particular they are physically separate, and planning application activity does not suggest that the area cannot otherwise be controlled by more general countryside policies. In addition, the scale and extent of the proposed settlement gap is both extensive in its own right and disproportionate to the distance between the two settlements. As such I recommend that this proposed settlement gap is deleted from the Plan.
- 7.27 I also recommend modifications to the policy itself. They explicitly define the settlement gap, recognise that certain development can take place within the gap which would not impact on its wider ambitions and will more generally ensure that it has the clarity required by the NPPF. I also recommend consequential modifications to the supporting text and to Figure 4.1 which shows the proposed settlement gaps.

Replace the policy with:

'The neighbourhood plan identifies a settlement gap between Shrivenham and Watchfield village as shown on Figure 4.1.

Development proposals within the identified settlement gap will be supported where they would preserve the visual and physical separation between the two settlements and would not unacceptably affect the setting and the identity of Shrivenham.

Development proposals which either individually or cumulatively would have an unacceptable impact on the role, function and appearance of the identified settlement gap will not be supported'

In Figure 4.1 delete the proposed Shrivenham – Bourton and the Shrivenham – Longcot settlements gaps

Delete paragraphs 4.2.3 and 4.2.4. Replace them with the following:

'The proposed settlement gap is located to the immediate north and east of the strategic allocation in Shrivenham in LPP1. It primarily consists of the Shrivenham Golf Club. The physical gap between the expanded northern edge of Shrivenham and the southern edge of Watchfield is now of the order of 400 metres. It is a sensitive area in the context of the size and respective locations of the two settlements.

The policy seeks to identify the type of development which would be acceptable in the designated settlement gap. It recognises that certain development can take place within the gap which would not impact on its wider ambitions. This will particularly be

relevant for the ongoing operation of the Golf Club and any need for ancillary buildings in the Plan period’.

Policy H1 General requirements for development

7.28 This policy sets out a general set of principles for new development. It is important in its own right. In addition, it provides a context for the wider Plan. The supporting text at paragraphs 4.2.5 to 4.2.9 provides the justification for the policy’s approach. In summary its overall ambition is to concentrate new development in and around the village, to safeguard important landscapes and to ensure that appropriate measures are put in place for water and waste water.

7.29 The development requirements address:

- the spatial approach in LPP1;
- the relationship of development proposals to the LCA;
- the relationship of development proposals to the VCA;
- heritage assets;
- the relationship of development proposals to identified views;
- the relationship of development proposals to local distinctiveness;
- greenfield and brownfield sites; and
- residential amenity issues.

7.30 In general terms I am satisfied that the policy reflects the nature of the neighbourhood area. Nevertheless, I recommend a series of modifications so that the policy both has the clarity required by the NPPF and meets the basic conditions. In particular, I recommend that the policy takes account of the different scale and nature of development proposals. Plainly the policy will apply more significantly to any large development proposals.

7.31 The first requirement largely repeats the spatial guidance in the LPP1. However, in the context of the wider policy I am satisfied that it should remain with the other component parts.

7.32 The recommended modifications address the following criteria:

Criteria 2 and 3 - The two Assessments are primarily evidence-base documents rather than policy documents. As such I recommend that the criteria require that development proposals have regard to the assessments. This will allow VWHDC to come to a balanced judgement on the merits or otherwise of development proposals on a case by case basis.

Criteria 2 and 3 - I also recommend the deletion of any reference to any subsequent updates of the Assessments. There is no guarantee that such work will be undertaken in the Plan period. In any event, a current planning policy cannot apply to future documents and untested evidence.

Criterion 5 - I recommend that this criterion attempts to define the significance and the acceptability or otherwise of development proposals on identified views.

Criterion 7 - I recommend that this criterion is deleted. Whilst the NPPF requires planning policies to make effective use of land and accommodate objectively-assessed needs in a way that makes as much use as possible of previously developed or brownfield land, this should not preclude a sustainable development proposal coming forward on a greenfield site. The NPPF goes on to state that substantial weight should be given to the value of using suitable brownfield land within settlements but does not state this should be instead of the use of greenfield. I also recommend consequential modifications to the supporting text.

Criterion 8 - I recommend a similar modification to that recommended for criterion 5.

In the opening part of the policy replace “Developments” with ‘As appropriate to their scale, nature and location development proposals’

Replace 2 with: ‘have regard to the findings of the Landscape Character Assessment insofar as they are directly relevant to the proposal concerned’

Replace 3 with ‘have regard to the findings of the Village Character Assessment insofar as they are directly relevant to the proposal concerned’

In criterion 5 replace ‘detrimental’ with ‘unacceptable’

Delete criterion 7.

In criterion 8 replace ‘are without detriment to’ with ‘do not have an unacceptable impact on’

Delete paragraph 4.2.7

Policy H2 Housing Mix

7.33 This policy seeks to ensure that new housing development takes account of local housing needs. Those needs have been assessed in housing needs surveys undertaken in 2011 and 2017.

7.34 In general terms I am satisfied that the policy takes a non-prescriptive approach towards how this matter is achieved. Nevertheless, I recommend modifications to its detailed wording so that it has the clarity required by the NPPF. I also recommend that the second part of the policy is deleted as it largely repeats Core Policy 26 of LPP1.

In the first sentence replace ‘shall demonstrate that they’ with ‘should’

Replace the second sentence with: ‘Developments which would provide housing suitable for the elderly and/or affordable starter homes will be particularly supported’

Delete the remainder of the policy.

Policy H3 Sites within the built-up area

- 7.35 This policy offers general support to development within the built-up area. In doing so it reinforces the importance of promoting development in sustainable locations.
- 7.36 The policy seeks to ensure that such development does not detrimentally affect important features of the local environment including the amenity of other buildings, local views, heritage assets and important gaps. This approach is appropriate other than for 'important gaps' which are not defined. I recommend the deletion of this element of the policy. The Parish Council agreed to this course of action in its response to the clarification note.
- 7.37 The second part of the policy refers to the VWHDC Design Guide. Whilst this is appropriate in general terms, I recommend that this element of the policy is repositioned into the supporting text. I also recommend that a more general reference to the Design Guide is incorporated into the policy.

In the first part of the policy delete 'close important gaps'. At its end add 'New development should respond positively to the relevant sections of the Vale of White Horse District Council Design Guide'

Delete the second part of the policy.

At the beginning of paragraph 4.2.11 add:

'Policy H3 provides a context for new development in the built-up part of the village. It overlaps with the District Council's Design Guide. [Insert at this point the deleted part of the policy]. [Retain at this point the submitted paragraph]'

Policy H4 Preferential access to housing

- 7.38 This policy seeks to ensure that all new social and affordable housing should initially be offered to people with a strong connection with the parish. I have sympathy with this approach. Whilst the provision of affordable housing is a land use matter its allocation is not a land use matter. In any event VWHDC already has a published allocations policy.
- 7.39 In all the circumstances I recommend the deletion of the policy. However, to recognise its importance to the local community I recommend that it is repositioned into the Community Aspirations.

Delete the policy.

Delete the supporting text.

Reposition both the policy and the supporting text as an additional Community Aspiration.

Policy H5 Housing for elderly and younger residents

- 7.40 This policy offers support to developments which would provide houses specifically for elderly residents and for first-time buyers. Whilst there is a degree of overlap with Policy H2 I am satisfied that the approach taken in this policy meets the basic conditions subject to detailed modifications to its wording so that it takes on a format which is appropriate for a development plan policy.

Replace the policy with: ‘Proposed developments which would deliver homes specifically for elderly residents or starter homes suitable for first-time buyers will be supported where they are in conformity with other development plan policies’

Policy D1 Design

- 7.41 This policy sets out a comprehensive approach to design. In doing so it responds positively to the national agenda to improve the design of the built environment. The policy has two parts. The first relates to the design of new buildings. The second relates to more general matters of design, and which would impact on extensions of building and landscaping associated with all forms of development. I recommend a modification to the supporting text so that this issue is clearer for eventual users of the Plan.
- 7.42 The first policy identifies a series of design principles for new development. They are distinctive to the neighbourhood area. I recommend two modifications to bring the clarity required by the NPPF. The first is in relation to the fourth criterion on the landscape character of the neighbourhood area. As submitted, it is largely supporting text rather than policy. I recommend a modification to remedy this matter. The second is a reconfiguration of the fifth and sixth criteria. This approach reflects the Parish Council’s response to the clarification note. Its effect would be to support development which takes account of the principal architectural features in the village whilst supporting innovative designs in appropriate circumstances.
- 7.43 I am satisfied that the policy adds local distinctiveness to national and local policies. In general terms it meets the basic conditions. However, to bring clarity and simplicity to the policy I recommend that the two sub-policies are combined into a single policy. This approach does not affect the integrity of the approach taken or the usefulness of the modified policy. I also recommend detailed modifications to elements of its wording so that it takes on a format which is appropriate for a development plan policy.

Replace the two separate policy headings with ‘Policy D1 Design’

Replace iv. with ‘development at the edge of the village responds positively to its wider landscape setting’

Reverse the order of criteria v. and vi.

Replace submitted criterion v. with: ‘proposals which demonstrate innovative architectural or sustainable designs will be supported where they respect or enhance the built environment in which they are proposed’

Replace submitted criterion vi. with: ‘new buildings should be 2 storeys high and with a pitched roof unless local circumstances and detailed design combine to provide a high-quality outcome’

In the second part of the policy replace ‘must’ with ‘should’ in both the first and second sentences.

At the end of paragraph 4.3.3 add:

‘Policy D1 seeks to capture these matters in a policy context. It has two parts. The first relates to the design of new buildings. The second relates to more general matters of design, and which may have an impact on building extensions and landscaping associated with all forms of development.’

Policy D2 Style of new buildings in the High Street

- 7.44 This policy seeks to add to the general approach in Policy D1. In this case its focus is on the High Street. It is within the designated conservation area.
- 7.45 In the clarification note I sought advice from the Parish Council on the approach of the policy given that most development in the High Street was likely to be extensions and alterations of existing buildings rather than the development of new buildings. In its response the Parish Council commented that the policy should apply to extensions and alterations to buildings in the High Street and not just to new buildings. I recommend a modification accordingly. It will bring the clarity required for a development plan policy. I also recommend that the supporting text draws attention to the location of High Street in the Shrivenham Conservation Area.

Insert ‘including alterations and extensions’ after ‘buildings’

At the end of paragraph 4.3.4 add: ‘The High Street is at the heart of the designated Shrivenham Conservation Area. In this context Policy HE1 of this Plan will apply both to extensions and alterations of existing buildings in addition to the development of new buildings. This acknowledges that High Street is an integral part of the designated conservation area’

Policy D3 Provision of support for electric vehicles

- 7.46 This policy takes an ambitious approach towards the relationship between new development and facilities that would support the use of electric cars. It requires that new development should provide facilities for charging electric vehicles. It provides specific guidance on the facilities required.
- 7.47 The policy is well-intentioned. It has regard to paragraph 110 of the NPPF. However, without evidence about the practicability of implementing its extensive range of expectations on the viability of this approach I recommend that the policy reflects the approach in national policy. I also recommend that the detailed components of the

policy are repositioned into the supporting text. On this basis VWHDC will be able to apply the policy on a pragmatic basis taking site-by-site considerations into account.

Replace the policy with:

‘Development proposals should be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.’

At the end of paragraph 4.3.7 add: ‘Policy D3 seeks to give a local dimension to national policy on this important matter. Subject to the practicability on a site-by-site basis development proposals should consider the provision of safe and secure facilities for the storage of charging cables and the provision for billing users.’

Policy D4 Provision of fibre to premises

- 7.48 This is another ambitious policy in the Plan. In this case it requires that new residential and employment development should provide fibre to the premises to facilitate high speed internet connection.
- 7.49 I recommend that the ‘and/or’ reference between residential and employment development categories is replaced simply with ‘and’. This will ensure that it has the format and clarity which is appropriate for a development plan policy. Otherwise the policy meets the basic conditions

In the first sentence replace ‘and/or’ with ‘and’

Policy P1 Parking

- 7.50 This policy addresses general car parking issues within the village. It has two parts. The first requires that development should provide sufficient parking spaces so that its parking requirements are retained within the application site. The second requires car parking to standards which are greater than those currently required by the County Council both across the County in general and within the neighbourhood area in particular.
- 7.51 I can understand the approach taken by the Plan. I saw some elements of on-street parking when I visited the neighbourhood area and I saw the demands on the village centre in particular. I sought advice from the Parish Council on the extent to which the imposition of higher car parking standards would directly solve the issues which the Plan raises. In its response the Parish Council commented that ‘the intention of the Policy P1b is to ensure that new developments provide adequate parking spaces for the modern family, and to cater for their visitors’. In addition it considers that ‘(the) higher standards would prevent the issues being currently experienced in the speculative developments, for example the Roman Way and West End Road areas, where visitors are forced to park on pavements in order to avoid blocking the roads’ The Parish Council accepted that the higher standards proposed for parking spaces will not prevent issues in the older parts of the village, but considered that they will prevent the issues from worsening.

- 7.52 I have considered these issues very carefully. However, on balance I recommend that the approach towards higher standards is deleted. It is not supported either by VWHDC or by the County Council (in its capacity as the highways authority). In addition, the policy approach is underpinned by community feedback during the plan-making process (paragraphs 4.4.1 and 4.4.4) rather than any technical information on the matter or the harm caused to highway safety. In addition, I recommend that Policy P1a is modified so that it makes direct reference to car parking to development plan/County Council standards
- 7.53 I also recommend consequential deletions and modifications of the supporting text.

Replace the title of Policy P1a with ‘Car Parking and Layout’

In the submitted Policy P1a insert at the beginning ‘Development proposals should incorporate car parking within the site to standards provided by Oxfordshire County Council’

Delete Policy P1b

Delete Table 8

Delete paragraphs 4.4.3 and 4.4.7

At the end of paragraph 4.4.5 add ‘It is on this basis that Policy P1 comments that appropriate parking should be provided by new developments which are appropriate and well-designed for those sites’

Policy P2 Village Centre parking

- 7.54 This policy builds on from Policy P1. It makes specific comments on parking in the village centre. It has two related parts. The first offers support to proposals which would improve disabled access and make a more efficient use of parking spaces. The second offers similar support for a park and ride facility near the Swindon to Oxford bus service route. Both of the policy approaches are appropriate and distinctive to the neighbourhood area. They are supported by the County Council.
- 7.55 I recommend a modification to the first part of the policy to reflect that not all such proposals will need planning permission in general, and where they are within the highway in particular. Otherwise they both meet the basic conditions

At the beginning of Policy P2a add ‘Insofar as planning permission is required’ and then replace ‘opportunities’ with ‘proposals’

Policy EE1 Economic and Employment Sites

- 7.56 This policy looks to promote local opportunities for work and employment. It has three related parts as follows:
- offering support for proposals which generate or retain jobs;
 - offering support for the change of use of residential properties to business uses; and
 - supporting proposals for the change of use of commercial premises to residential uses.

- 7.57 In general terms the approach taken in the policy is both appropriate and distinctive to the neighbourhood area. Its implementation will consolidate and expand economic diversity. I recommend detailed modifications to the first two parts of the policy so that their purpose and intent are clear. In particular the modification to the second part of the policy acknowledges that not all of the anticipated changes of use would need planning permission.
- 7.58 I recommend the deletion of the third part of the policy. As the submitted version comments many such proposals would benefit from permitted development rights. In any event as worded the policy would impose onerous restrictions on the layout and design of any new residences.
- 7.59 To bring clarity and simplicity to the policy I recommend that the two sub policies are combined into a single policy. This approach does not affect the integrity of the approach taken or the usefulness of the modified policy.

Replace the separate policy headings with ‘Policy EE1 Business and employment opportunities’

In part a of the submitted policy replace ‘are to be expanded’ with ‘would be extended and/or adapted to changing business circumstances’

At the beginning of part b of the submitted policy add: ‘Insofar as planning permission is required’

In part b of the submitted policy replace:

- ‘permitted’ with ‘supported’
- ‘detriment’ with ‘unacceptable harm’.
- ‘encouraged’ with ‘supported’ (second sentence)

Delete part c of the submitted policy.

Policy EE2 Diversity of Businesses and Services

- 7.60 This policy offers support to business activity which would enhance the diversity of the village centre. The Parish Council confirmed in its response to the clarification note that it had no specific business uses in mind. The supporting text comments about the existing range of business uses in the village centre, the ability of its services to cope with the strategic growth of the village and the local wish to see a broadening of the uses in the village together with an increased choice of such amenities.
- 7.61 In general terms I am satisfied that a policy seeking to extend the diversity of business uses and services in the village centre is an appropriate response to local circumstances. I saw from my visit that it had a good, healthy range of services which were being used and appreciated by local residents. However as submitted the policy is less than specific on the range of facilities that would be supported. Equally, it seeks

to diversify services without acknowledging that uses of commercial premises can change in several cases without the need for planning permission and that the level of services and competition between such services (such as the four hairdressing establishments referenced in paragraph 4.5.6) is not a planning matter. I recommend modifications to address these matters.

- 7.62 I also recommend that the policy supports the extension and/or diversification of existing businesses. As submitted the policy refers only to new businesses.

Replace the policy with:

‘Proposals for the development of new business in the village centre for uses in Classes A and B1 of the Use Classes Order or for the extension and/or diversification of existing businesses will be supported.

Proposals which would introduce a retail or commercial use into the village where that facility is not currently available will be particularly supported’

Policy LC1 Protecting the setting of the AONB

- 7.63 This policy seeks to protect the setting of the North Wessex AONB. It does so by way of reference both to the North Wessex AONB Management Plan and to the submitted Landscape Character Assessment.
- 7.64 I am satisfied that the policy takes an appropriate approach to this matter. The AONB is a prominent component of the wider landscape to the south of the neighbourhood area. However, the North Wessex Management Plan is not a development plan document. As such I recommend modifications to the way in which development proposals should take account of its contents. For completeness I also recommend that the policy should refer directly to Policy CP44 of the LPP1. As submitted the reference is in the supporting text.

In the opening part of the policy replace ‘the North Wessex AONB Management Plan’ (and the associated link) with ‘Policy CP44 of the Vale of White Horse Local Plan Part 1’

In the second part of the policy add ‘and the North Wessex AONB Management Plan’ after ‘(Appendix 4)’

At the end of paragraph 4.6.2 add: ‘The North Wessex Downs AONB Management Plan also provides detailed guidance on the nature of the AONB and how development can best respond to its character. [At this point include the link included in the submitted policy]’

Policy LC2 Landscape Setting

- 7.65 This policy consolidates the approach taken in Policy LC1. In this case it provides specific advice on proposals which might affect the wider landscape setting of the village. It has two parts. The first comments generally on such development proposals and their need for landscape buffering. The second part of the policy has a more specific focus on the boundaries proposed for new developments. It makes specific

comments about the layout of Character Area LCA7 (Land to the immediate north of the village).

- 7.66 The policy is underpinned by the submitted LCA. It is an excellent document which has assessed the various elements of the neighbourhood area in a comprehensive and professional fashion.
- 7.67 The policy takes on an appropriate approach to this important matter in general terms. However, I recommend two modifications. The first provides clarity on the parts of the neighbourhood area that are affected by the policy. The second deletes the final part of the policy which refers to the strategic housing allocation in the LPP1. As paragraph 4.6.5 of the Plan acknowledges planning permission already exists for the development. This modification reflects the progress that has been made on the development of the site.

In the first part of the policy insert the following after village ‘(landscape areas LCA3/4/5/8/9 in the Landscape and Character Assessment 2018)’

Delete the final sentence of the policy (relating to LCA7).

In paragraph 4.6.5 delete the second sentence (relating to LCA7)

Policy LC3 Remote and tranquil settings

- 7.68 This policy builds further on the work undertaken in the LCA. It has two parts. The first seeks to respect remote and tranquil settings identified in the document. The second comments about the landscape setting of listed buildings outside the built-up part of the village.
- 7.69 In both cases the policies fall short of the clarity required for incorporation in a development plan. I recommend modifications to remedy this situation. In both cases they are variations of the responses included in the Parish Council’s response to the clarification note.

Replace Policy LC3a with:

‘The rural character, setting and the tranquil and secluded settings of LCA1, LCA2, LCA3, LCA5 and LCA13 shall be safeguarded and enhanced wherever practicable. Development proposals which fail to safeguard the characteristics of these parts of the neighbourhood area will not be supported.’

Replace Policy LC3b with:

‘Proposals for new development should safeguard or where practicable enhance the rural setting of listed buildings outside the built area of the village. This will include the views across the landscape to them, both from the village and from the wider area.’

Policy LC4 Views

- 7.70 This policy builds further on the work undertaken in the LCA. It has three parts. The first identifies a series of historic views (as derived from the VCA). The second identifies a series of other valued views within the village. They have been identified by local residents. The third seeks to safeguard a series of panoramic views in the wider landscape (as derived from the LCA).
- 7.71 As submitted the policy is commendably comprehensive. Key elements of the policy are underpinned by research undertaken as part of the plan making process and/or other submitted documents. However, the relationship between the evidence and the policy is not always clear. As VWHDC comments ‘the policy lists over 30 views. It is not clear how all the views have been identified and refined. Although the landscape character assessment identifies views in general terms, it does not necessarily specify that they are valuable. Furthermore, some views (specifically 18 and 22) have been identified under LC4c as not being suitable for tall structures, whereas the landscape character assessment does not highlight that these areas would be affected by tall structures. In addition, view 24 is located outside of the designated area’.
- 7.72 Gladman Developments also contends that new development can often be located in areas without eroding the views considered to be important to the local community and can be appropriately designed to take into consideration the wider landscape features of the surrounding area to provide new views and vistas.
- 7.73 Taking account of all the evidence available to me, I recommend that the policy is simplified. I also recommend that it takes a positive approach towards accommodating new development which would respect the identified views within the neighbourhood area. In this context I recommend that the views are restricted to those identified in either the VCA or the LCA. In both cases they originate from studies undertaken to industry standards. The work on village views as described in paragraph 4.6.8 of the Plan is a commendable local initiative. Nevertheless, there is no tangible evidence about the status, extent or relationship of such views to planning policies.
- 7.74 I also recommend consequential modifications to the supporting text and a new title for the replacement policy.

Replace Policies LC4a/b/c with:

Policy LC4 Valuable Views and Vista

‘Development proposals should demonstrate how they would safeguard and where practicable enhance the valuable and panoramic views identified in both the Village Character Assessment and the Landscape Character Assessment. Development proposals which would result in an unacceptable impact on the identified views will not be supported’

Delete paragraphs 4.6.7, 4.6.8, 4.6.9 and 4.6.10.

Delete Figures 4.2 to 4.21 (inclusive).

Replace the deleted paragraphs with: ‘Policy LC4 builds further on the work undertaken in the Landscape Character Assessment and in the Village Character Assessment. They are:

[at this point list the identified views in the two assessments with a direct reference to the Assessment concerned and the relevant page number]

The policy refers only to views within the designated neighbourhood area’

Policy LC5 Local Green Spaces

- 7.75 This policy is another important component of the Plan. In this case it proposes the designation of a series of local green spaces (LGSs).
- 7.76 The proposed LGSs are comprehensively assessed against the three criteria in paragraph 99 of the NPPF in Appendix 24. I looked at the various LGSs as part of my visit to the neighbourhood area. They are very different in terms of their sizes and their broader relationship to the village. In particular they range from traditional recreation areas (for example the main recreation ground) to very specific areas of open space (for example the canal pathway) to incidental areas or open spaces in prominent locations within the village (for example the Pump Island).
- 7.77 I am satisfied that the proposed LGSs satisfy the criteria in paragraph 99 of the NPPF. No evidence has been suggested that this is not the case. In addition, they reflect and celebrate the nature and the character of the neighbourhood area.
- 7.78 I sought advice from the Parish Council on the extent to which their designation would relate to the more general elements of paragraph 99 of the NPPGF. The first of these elements is the way in which they are consistent with the local planning of sustainable development. The second is the extent to which they are capable of enduring beyond the end of the Plan period. The Parish Council advised that the local green spaces would be consistent with local planning of sustainable development in accordance with NPPF paragraphs 96,97,99,100 and 101, and the VWHDC Local Plan part 1 policies CP45 and CP46. In particular it reinforced that each space is special to the community for the reasons given in the Green Spaces Assessment (Appendix 24).
- 7.79 On the issue of their ability to endure beyond the Plan period I was advised that all of the LGSs have been in place for a significant length of time – the most recent for at least 40 years and the most long-standing being almost 100 years old. The Parish Council also advised about the public and charitable basis of the ownership and management of the various proposed LGSs.
- 7.80 Having considered all the information available as part of the examination I am satisfied that their designation accords with the more general elements of paragraph 99 of the NPPF. Firstly, the package of sites is consistent with the local planning of sustainable development. In this context the up-to-date development plan includes a strategic housing site in the neighbourhood area and where development is taking place. Other policies in the submitted Plan support more local residential and commercial development. Secondly, I am satisfied that the LGSs are capable of enduring beyond the end of the Plan period. Indeed, in many cases they are established elements of the local environment and are sensitively managed as green spaces in ways appropriate to their particular uses.
- 7.81 The policy itself lists the various LGSs and then sets out a policy approach which would resist development which would conflict with the purpose of the LGS designation. Whilst this part of the policy largely follows the approach in national policy (NPPF paragraph 101), it does not have the necessary clarity for a development plan policy. In

particular it fails to identify the types of development which would conflict with the purpose of such designation. I recommend that the policy is modified so that it takes on the matter of fact approach set out in the NPPF. It will be a matter for the VWHDC's judgement to determine whether any proposals which may come forward within the designated LGSs would conflict with the policy approach.

Replace the final part of the policy with: 'Proposals for development within designated Local Green Spaces will only be supported in very special circumstances'

Policy LC6 Creation of new Green Spaces

- 7.82 This policy offers support to the development of new allotment gardens.
- 7.83 It reflects community feedback as captured in paragraph 4.6.14. It also takes account of the health and well-being benefits of allotments.
- 7.84 I recommend modifications to the policy which delete the broader commentary about the health and well-being benefits of such uses. I also recommend that the title of the policy is modified so that it reflects its specific ambition.

Replace the policy with:

'Proposals for the development of new allotment gardens will be supported'

Replace the policy title with:

'Allotment Gardens'

Policy HE1 Conservation and Enhancement of Heritage features

- 7.85 This policy addresses different aspects of the built heritage of the neighbourhood area. It has two parts. The first comments generally about heritage features. The second comments specifically about archaeological features.
- 7.86 The policy takes account of the listed buildings in the neighbourhood area (as detailed in paragraph 4.7.1 and more particularly in the VCA) and the Shrivenham Conservation Area (as described in paragraph 4.7.2).
- 7.87 I am satisfied that the policy adds local distinctiveness to national and local policies. In general terms it meets the basic conditions. However, to bring clarity and simplicity to the policy I recommend that the two sub policies are combined into a single policy.

Replace the two separate policy headings with 'Policy HE1 Heritage Assets'
In the second part of the policy replace 'NPPF 2018' with 'NPPF 2019'

Policy HE2 Green Environment

- 7.88 This policy comments about the green environment of the neighbourhood area. Its ambition is to conserve and enhance the rural character of the village.

- 7.89 I am satisfied that the first two parts of the policy meet the basic conditions. The third part on maintenance arrangements is a process rather than a policy matter. Through its response to the clarification note the Parish Council agreed with my proposition that it should become a further community action. I recommend accordingly.

Delete the third part of the policy

Reposition the third part of the policy into the Community Actions

Policy HE3 Trees and Woodland

- 7.90 This policy seeks to safeguard important hedgerows and trees in general terms, and ancient woodlands in certain landscape character areas in particular.
- 7.91 The approach taken in the policy is both appropriate and well-researched. I recommend modifications which ensure that the language used has the clarity required by the NPPF. They also remove elements of supporting text from both components of the policy.
- 7.92 I am satisfied that the policy adds local distinctiveness to national and local policies. In general terms it meets the basic conditions. However, to bring clarity and simplicity to the policy I recommend that the two sub policies are combined into a single policy.

Replace the two separate policy headings with ‘Policy HE3 Hedgerows, trees and ancient woodland’

Replace the first submitted part of the policy with:

‘Development proposals should maintain and where practicable enhance hedgerows and trees identified in the landscape Character Assessment. Any required additional planting and landscaping should incorporate local native species.’

Replace the first sentence of the second part of the policy with:

‘Development proposals within or which border Landscape Character Areas LCA1, LCA5 and LCA10 should maintain and where practicable enhance the ancient woodland areas within the relevant character areas.’

In the second sentence of the second part of the policy insert ‘unacceptable’ before ‘adverse’ and replace ‘be resisted’ with ‘not be supported’

Policy HE4 Biodiversity

- 7.93 This policy addresses biodiversity issues. In general terms I am satisfied that the policy addresses issues which are important to the neighbourhood area. I recommend that the first part of the policy is modified so that it can be applied in a way which takes account of the scale, nature and the location of the proposal concerned. As submitted the policy takes a very general approach in its reference to ‘all’ applications.

- 7.94 I also recommend that the second part of the policy is deleted. It is a process requirement rather than a policy. However, I recommend that the matter is captured in the supporting text.
- 7.95 I am satisfied that the policy adds local distinctiveness to national and local policies. In general terms it meets the basic conditions. However, to bring clarity and simplicity to the policy I recommend that the two sub policies are combined into a single policy.

Replace the three separate policy headings with ‘Policy HE4 Biodiversity’

In the first part of the policy replace ‘Wherever possible’ with ‘Wherever practicable’ and ‘All applications’ with ‘As appropriate to their scale, nature and location, development proposals’

Delete the second part of the policy

At the beginning of paragraph 4.7.7 add:

‘Policy HE4 comments about a range of issues in relation to biodiversity in the neighbourhood area. It has a clear focus on delivering Objective SHE4 of the Plan. Subject to the requirements of the policy appropriate development proposals should be accompanied by details of how the development would protect existing wildlife and habitats during the construction process’ [Retain the submitted paragraph to continue after the recommended additional text].

Policy PROW1 Rights of Way

- 7.96 This policy comments about public rights of way. It has two parts. The first comments that development proposals should safeguard the character and setting of such rights of ways. The second part supports proposals to install additional controlled and zebra crossings across the larger village roads.
- 7.97 I am satisfied that the first part of the policy has the ability to meet the basic conditions. I recommend that the references and the link to the County Council Rights of Way Management Plan is deleted as it is not directly part of the development plan. In any event it is already included and acknowledged in the supporting text. I also recommend that the second part of the policy is deleted. In most cases pedestrian crossings will be accommodated within the highway and will therefore not need planning permission. Nevertheless, to reflect the importance of this matter to the local community I recommend that it is incorporated into the schedule of Community Aspirations

In the first part of the policy delete ‘In accordance with.... [to the end of the web link]’

Delete the second part of the policy (on zebra crossings, the Circular Walk and LCA7).

Reposition the second part of the policy into the schedule of Community aspirations

Policy PROW2 Improving access

- 7.98 This policy supports proposals that would increase accessibility for wheel chair and mobility impaired users to facilities in the High Street.
- 7.99 The policy recognises the importance of the village centre in general terms, and the High Street in particular. It meets the basic conditions.

Policy CSH1 Community Facilities

- 7.100 This policy comments about community facilities and the provision of infrastructure in association with new development.
- 7.101 The part of the policy on community facilities offers support to proposals which would maintain and enhance such facilities. The approach is appropriate. I saw the importance of such facilities when I visited the neighbourhood area. I recommend a modification which will have the effect of clarifying its purpose and widening its remit. Otherwise it meets the basic conditions.
- 7.102 The second part of the policy comments that no development should be occupied until sufficient support infrastructure has been provided and is complete and operation. Whilst I can understand the approach taken it would be impracticable to implement and monitor. In any event the provision of infrastructure will either be delivered through planning obligations or by service providers through the delivery of their statutory powers.
- 7.103 In addition the wording in the policy is open to interpretation. In particular the use of 'sufficient support infrastructure' is unclear and is not defined in the Plan. On this basis I recommend that this part of the policy is deleted.

In the first part of the policy replace 'and' with 'or'

Delete the second part of the policy.

Policy CSH2 Memorial Hall

- 7.104 This policy offers support for proposals which would enhance and improve facilities at the Memorial Hall.
- 7.105 Paragraphs 4.9.2 and 4.9.3 provide a context to the Memorial Hall. I saw its importance and use to the local community as part of my visit. It is an interesting Cotswold Arts and Crafts building built between 1921 to 1925.
- 7.106 I recommend that the final parts of the policy relating to other policies in the neighbourhood plan are deleted. They are unnecessary as the development plan is considered as a whole.

Delete ‘as long as.....Development Plan’

Policy CSH3 Requirement for a CEMP

- 7.107 This policy sets out specific requirements for the preparation of a Construction Environment Management Plan (CEMP) to accompany appropriate planning applications. The list of matters expected to be included in a CEMP are extensive (including working hours, delivery arrangements and parking of site operation vehicles)
- 7.108 Paragraph 4.9.4 comments about the origin of the proposed policy. It is clear that local residents have been frustrated by the inconvenience which can sometimes arise from new development.
- 7.109 CEMPs are largely process-related rather than policy documents. As such I sought the views of the Parish Council on the extent to which the policy should become a Community Aspiration. The Parish Council took a different view and contended that it could see no reason why it cannot operate effectively to ensure that sustainable development (i.e. meeting the social, environmental and economic needs of the community) at the time and in the place required. It also considered that the policy is capable of being delivered using planning conditions.
- 7.110 Having considered this matter carefully I recommend that the policy becomes a community aspiration. Its incorporation in the Plan on this basis will provide enhanced opportunities for the VWHDC to negotiate such arrangements where they are appropriate to the development concerned.

Delete the policy

Reposition it as an additional Community Action

At the end of paragraph 4.9.4 add: ‘Community Action [insert number] addresses this matter.

Policy CSH4 Waste Hierarchy

- 7.111 This policy comments about the waste hierarchy. It does so to good effect in general terms. Nevertheless, as submitted the policy is not a policy and it has no direct effect on individual planning applications.
- 7.112 I recommend that the policy and the associated supporting text are removed from the Plan. As presented the wider package reads simply as a comprehensive and well-balanced assessment and commentary on national and EU waste hierarchies. In any event it has no clear direct relevance to the neighbourhood plan.

Delete the policy

Delete paragraphs 4.10.1 to 4.10.4

Policy DP1 Delivery and Pre-Application engagement

- 7.113 This policy strongly encourages pre-application engagement by developers. It makes reference to national policy.
- 7.114 Plainly engagement of this type in the neighbourhood area will be both helpful in general, and appreciated by the community in particular. However as submitted the policy is not a policy. In addition, it offers support to proposals which arise as a result of that pre-application engagement because of that engagement rather than the merits of the eventual proposal.
- 7.115 In all the circumstances I recommend that the policy is deleted. However, given the importance of the approach in the NPPF I recommend that a modified version of the policy is repositioned as a Community Aspiration.

Delete the policy

Delete paragraph 4.11.1

Replace the approach as an additional Community Action. In doing so insert a full stop after 'encouraged'. Replace the remainder (of the submitted policy) with: 'Development proposals which arise from the outcomes of such engagement and which are in accordance with the wider development plan will be supported accordingly'

Community Aspirations

- 7.116 The Plan includes a series of Community Aspirations. They are non-land use matters which have naturally arisen during the preparation of the Plan. Their inclusion reflects the advice in Planning Practice Guidance.
- 7.117 National policy advice is that non-land use matters should be captured in a separate part of the Plan. This has been achieved successfully in the submitted Plan. They are also shown in a different colour (light blue) from the land use policies (green) in the main part of the Plan.
- 7.118 The Aspirations are concentrated around the principal themes of the Plan. They are as follows:
- CA 1: Public Transport to schools
 - CA 2: S6 bus
 - CA 3: Business co-operation
 - CA 4: Community Youth Facilities
 - CA 5: Countryside walks and rights of way
 - CA 6: Sheltered housing
 - CA 7: Traffic Calming
 - CA 8: Parking
 - CA 9: Application of CIL funds

- 7.119 I am satisfied that the various Aspirations are both relevant and appropriate to the neighbourhood area. They are distinctive to its environment, opportunities and challenges.

Other matters

- 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. It will be appropriate for VWHDC and the Parish Council to have the flexibility to make any necessary consequential changes to the general text. I recommend accordingly.

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

Factual Updates

- 7.121 Since the Plan was submitted the LPP2 has been adopted. On this basis I recommend factual updates to Section One of the Plan

In paragraph 1.2.2.4 replace the first sentence with: 'The Vale of White Horse Local Plan Part 2 was adopted in October 2019'

- 7.122 The Plan includes several references to the NPPF. They refer to the NPPF 2018. The NPPF has been further updated. I recommend accordingly.
Revise any references to the 'NPPF 2018' to 'NPPF 2019'

8 Summary and Conclusions

Summary

- 8.1 The Plan sets out a range of policies to guide and direct development proposals in the period up to 2031. It is distinctive in addressing a specific set of issues that have been identified and refined by the wider community.
- 8.2 Following my independent examination of the Plan I have concluded that the Shrivenham 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 the Vale of White Horse District Council that subject to the incorporation of the modifications set out in this report that the Shrivenham Neighbourhood Development Plan should proceed to referendum.

Referendum Area

- 8.4 I am required to consider whether the referendum area should be extended beyond the Plan area. In my view, the neighbourhood area is entirely appropriate for this purpose and no evidence has been submitted to suggest that this is not the case. I therefore

recommend that the Plan should proceed to referendum based on the neighbourhood area as originally approved by Vale of White Horse District Council on 13 November 2015.

- 8.5 I am grateful to everyone who has helped in any way to ensure that this examination has run in a smooth and efficient manner.

Andrew Ashcroft
Independent Examiner
6 January 2020

Appendix C: Consequential and/or Factual Changes

[illegible]

Guidance notes

1. This form must be completed by the lead officer who becomes the contact officer. The lead officer is responsible for ensuring that the necessary internal consultees have signed it off, including the chief executive. The lead officer must then seek the Cabinet portfolio holder's agreement and signature.
2. Once satisfied with the decision, the Cabinet portfolio holder must hand-sign and date the form and return it to the lead officer who should send it to Democratic Services immediately to allow the call-in period to commence.
Tel. 01235 422520 or extension 2520.
Email: democratic.services@southandvale.gov.uk
3. Democratic Services will then publish the decision to the website (unless it is confidential) and send it to all councillors to commence the call-in period (five clear working days) if it is a 'key' decision (see the definition of a 'key' decision below). A key decision cannot be implemented until the call-in period expires. The call-in procedure can be found in the council's constitution, part 4, under the Scrutiny Committee procedure rules.
4. Before implementing a key decision, the lead officer is responsible for checking with Democratic Services that the decision has not been called in.
5. If a key decision has been called in, Democratic Services will notify the lead officer and decision-maker. This call-in puts the decision on hold.
6. Democratic Services will liaise with the Scrutiny Committee chairman over the date of the call-in debate. The Cabinet portfolio holder will be requested to attend the Scrutiny Committee meeting to answer the committee's questions.
7. The Scrutiny Committee may:
 - refer the decision back to the Cabinet portfolio holder for reconsideration or
 - refer the matter to Council with an alternative set of proposals (where the final decision rests with full Council) or
 - accept the Cabinet portfolio holder's decision, in which case it can be implemented immediately.

Key decisions: assessing whether a decision should be classified as 'key'

The South Oxfordshire and Vale of White Horse District Councils' Constitutions now have the same definition of a key decision:

A key decision is a decision of the Cabinet, an individual Cabinet member, or an officer acting under delegated powers, which is likely:

- (a) to incur expenditure, make savings or to receive income of more than £75,000;**
- (b) to award a revenue or capital grant of over £25,000; or**
- (c) to agree an action that, in the view of the chief executive or relevant head of service, would be significant in terms of its effects on communities living or working in an area comprising more than one ward in the area of the council.**

Key decisions are subject to the scrutiny call-in procedure; non-key decisions are not and can be implemented immediately.

In assessing whether a decision should be classified as 'key', you should consider:

- (a) Will the expenditure, savings or income total more than £75,000 across all financial years?
- (b) Will the grant award to one person or organisation be more than £25,000 across all financial years?
- (c) Does the decision impact on more than one district council ward? And if so, is the impact significant? If residents or property affected by the decision is in one ward but is close to the border of an adjacent ward, it may have a significant impact on that second ward, e.g. through additional traffic, noise, light pollution, odour. Examples of significant impacts on two or more wards are:
 - Decisions to spend Didcot Garden Town funds (significant impact on more than one ward)
 - Changes to the household waste collection policy (affects all households in the district)
 - Reviewing a housing strategy (could have a significant impact on residents in many wards)
 - Adopting a supplementary planning document for a redevelopment site (could significantly affect more than one ward) or a new design guide (affects all wards)
 - Decisions to build new or improve existing leisure facilities (used by residents of more than one ward)

The overriding principle is that before 'key' decisions are made, they must be published in the Cabinet Work Programme for 28 calendar days. Classifying a decision as non-key when it should be a key decision could expose the decision to challenge and delay its implementation.