

## **Reviewed Long Wittenham Neighbourhood Development Plan**

### **Independent Examiner's Comments on SEA/Scoping**

#### ***Context***

This note presents my conclusions from the Parish Council's response to my note of 14 January 2019.

#### ***Findings***

I am grateful for the thoroughness of the Parish Council's response. I have considered the matter carefully. In doing so I have reached a different conclusion than that of the Parish Council. In my view the minerals safeguarding issue should have been scoped in the SEA work. I have come to this conclusion for the following reasons:

*Facilitating the sustainable use of materials is a key element of national policy.*

Paragraph 142 of the NPPF (2012) comments that minerals are essential to support economic growth and our quality of life. It also comments that minerals are a finite natural resource and can only be worked where they are found.

*Minerals safeguarding is an important component of the wider development plan.*

In addition to its role and status in national policy minerals safeguarding is an important component of the wider development plan. The Oxfordshire Minerals Local Plan Part 1 was adopted in September 2017. It is both up-to-date and includes policies which might reasonably have been expected to be addressed in the scoping/wider SEA process.

*A lack of an iterative process*

In its response the Parish Council has commented on the probable outcome of the SEA/site selection process if the minerals safeguarding issue had been scoped and then worked through the resulting SEA process. It presents a strong case based on the evidence. Nevertheless, by definition it has been applied retrospectively to the process.

*A lack of consultation on the specific issue*

The same principles apply on public engagement as to the iterative process. In this case there has been no direct opportunity at submission stage for public commentary on the minerals safeguarding issue as it was not included within the submitted SEA.

#### **Conclusion**

For these reasons I cannot be satisfied that the Plan as submitted meets the basic condition on compliance with European Union legislation.

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Independent Examiner - Long Wittenham Neighbourhood Development Plan

26 February 2019