

# **Long Wittenham Neighbourhood Plan 2017-2033**

**A report to South Oxfordshire District Council on  
the Long Wittenham Neighbourhood Plan**

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## **Executive Summary**

- 1 I was appointed by South Oxfordshire District Council in April 2017 to carry out the independent examination of the Long Wittenham Neighbourhood Plan.
- 2 The examination was undertaken by written representations. I visited the neighbourhood plan area on 11 May 2017.
- 3 The Plan has six 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 promoting a new community hub. This focus has resulted in a short and concise Plan.
- 4 The Plan has been significantly underpinned by community support and engagement. It is clear that all sections of the community have been actively engaged in its preparation.
- 5 Subject to a series of recommended modifications set out in this report I have concluded that the Long Wittenham 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 plan area.

**Andrew Ashcroft**  
**Independent Examiner**  
**8 June 2017**

## **1 Introduction**

- 1.1 This report sets out the findings of the independent examination of the Long Wittenham Neighbourhood Plan 2017-2033 (the Plan).
- 1.2 The Plan has been submitted to South Oxfordshire District Council (SODC) by Long Wittenham 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 in 2012 and which continues to be the principal element of national planning policy.
- 1.4 This report assesses whether the Plan is legally compliant and meets the Basic Conditions that apply to neighbourhood plans. It also considers the content of the Plan and, where necessary, recommends changes to its policies and supporting text.
- 1.5 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 SODC, with the consent of the Parish Council, to conduct the examination of the Plan and to prepare this report. I am independent of both the SODC 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 30 years' experience in various local authorities at either Head of Planning or Service Director level. I am a chartered town planner and have significant experience of undertaking other neighbourhood plan examinations and health checks. I am a member of the Royal Town Planning Institute and the Neighbourhood Planning Independent Examiner Referral System.

### *Examination Outcomes*

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

### *The Basic Conditions*

- 2.5 As part of this process I must consider whether the submitted Plan meets the Basic Conditions as set out in paragraph 8(2) of Schedule 4B of the Town and Country Planning Act 1990. To comply with the basic conditions, the Plan must:
- have regard to national policies and advice contained in guidance issued by the Secretary of State; and
  - contribute to the achievement of sustainable development; and
  - be in general conformity with the strategic policies of the development plan in the area; and
  - be compatible with European Union (EU) and European Convention on Human Rights (ECHR) obligations.

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

- 2.6 In order to comply with the Basic Condition relating to European obligations the District Council carried out a screening assessment. The conclusion of the screening report was that there were no likely significant environmental effects as a result of the

production and implementation of the Plan. The letter confirming this outcome is usefully included as part of the submission documents.

- 2.7 The required consultation was carried out with the three prescribed bodies and their responses are included within the screening report. This is best practice.
- 2.8 SODC has also undertaken a Habitats Regulations Assessment (HRA) screening report on the Plan. This report concluded that the Plan was not likely to have any significant effect on a European site. Natural England agreed with the outcome of the screening opinion in general, and that there are no likely significant effects on the Little Wittenham SAC in particular.
- 2.9 Having reviewed the information provided to me as part of the examination I am satisfied that a proportionate process has been undertaken in accordance with the various regulations. None of the statutory consultees have raised any concerns with regard to either neighbourhood plan or to European obligations. In the absence of any evidence to the contrary, I am entirely satisfied that the submitted Plan is compatible with this aspect of European obligations.
- 2.10 In a similar fashion I am satisfied that the submitted Plan has had regard to the fundamental rights and freedoms guaranteed under the European Convention on Human Rights (ECHR) and that it complies with the Human Rights Act. There is no evidence that has been submitted to me to suggest otherwise. There has been full and adequate opportunity for all interested parties to take part in the preparation of the Plan and to make their comments known. On this basis, I conclude that the submitted Plan does not breach, nor is in any way incompatible with the ECHR.

#### *Other examination matters*

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

### 3 Procedural Matters

3.1 In undertaking this examination I have considered the following documents:

- the submitted Plan.
- the Basic Conditions Statement.
- the Consultation Statement.
- the SODC Screening report.
- the Character Assessment Report
- the representations made to the Plan.
- the South Oxfordshire Core Strategy 2012
- the saved policies from the South Oxfordshire Local Plan 2011
- the emerging Local Plan 2033: Second Preferred options
- the National Planning Policy Framework (March 2012).
- Planning Practice Guidance (March 2014 and subsequent updates).
- relevant Ministerial Statements.

3.2 I carried out an unaccompanied visit to the Plan area on 11 May 2017. I looked at its overall character and appearance and at those areas affected by policies in the Plan in particular. My site inspection is covered in more detail in paragraphs 5.9 to 5.16 of this report.

3.3 It is a general rule that neighbourhood plan examinations should be held by written representations only. Having considered all the information before me, including the representations made to the submitted plan, I was satisfied that the Plan could be examined without the need for a public hearing. I advised SODC of this decision early in the examination process.

## 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 is proportionate to the Plan area and its policies. It also provides specific details on the consultation processes that took place on the two pre-submission versions of the Plan (July to August 2016 and January to February 2017).
- 4.3 The Statement sets out details of the consultation events that were carried out in relation to the initial stages of the Plan. Appendix B provides details about:
- the public meeting to launch the Plan process
  - the articles in Bridge (the Parish magazine)
  - the use of a village questionnaire
  - the various open meetings
  - the meeting with the Headteacher and the Primary School
- 4.4 The Statement also reproduces the various letters and leaflets that were used throughout the consultation process. This provides a real sense of interest to the Statement. This interest is reinforced by the effective use of photographs of the various community events. They demonstrate the importance of the Village Hall to the community.
- 4.5 Appendix G sets out how the submitted Plan took account of consultation feedback. It does so in a proportionate and effective way. It helps to describe the evolution of the Plan.
- 4.6 It is clear that consultation has been an important element of the Plan's production. Advice on the neighbourhood planning process has been made available to the community in a positive and direct way by those responsible for the Plan's preparation.
- 4.7 From all the evidence provided to me as part of the examination, I can see that the Plan has promoted an inclusive approach to seeking the opinions of all concerned throughout the process. SODC has carried out its own assessment that the consultation process has complied with the requirements of the Regulations.

### *Representations Received*

4.8 Consultation on the submitted plan was undertaken by the District Council for a six-week period that ended on 28 April 2017. This exercise generated comments from the following organisations:

- Historic England
- Health and Safety Executive
- Sport England
- Oxfordshire Clinical Commissioning Group
- The Kler Group
- Thames Water
- Network Rail
- National Grid
- Natural England
- Gladman Developments
- Environment Agency
- Oxfordshire County Council
- University of Reading
- Berkshire, Buckinghamshire and Oxfordshire Wildlife Trust
- South Oxfordshire District Council



## 5 The Plan Area and the Development Plan Context

### *The Plan Area*

- 5.1 The Plan area covers most of the parish of Long Wittenham. As the Plan helpfully explains the south-west corner of the parish will be transferred to Didcot Town Council as a result of the north-east Didcot housing development. As such this parcel of land was excluded from the neighbourhood area. In locational terms the neighbourhood area sits approximately 3 miles north of Didcot and 3.5 miles south-east of Abingdon in pleasant rolling countryside. The village is located inside a loop in the River Thames. Its population in 2011 was 875 persons living in 325 houses. It was designated as a neighbourhood area on 26 September 2014.
- 5.2 The Plan area is mainly in agricultural use and sits within a rich landscape setting. Much of the neighbouring parish of Little Wittenham to the south east is within the North Wessex Downs AONB. Wittenham Clumps is a Special Area of Conservation. These important natural features have been properly assessed in plan making and the associated environmental assessments. The village is the principal focus of built development and sits within the middle of the Plan area.
- 5.3 The village itself is linear in format. It has historically developed along High Street. It displays a wide range of building types and ages that reflect both its heritage and its agricultural background. The majority of the built-up element of the village is within the Long Wittenham Conservation Area. The submitted Character Assessment helpfully describes twelve specific character areas within the village.

### *Development Plan Context*

- 5.4 The South Oxfordshire Core Strategy was adopted in December 2012. It sets out the basis for future development in the District up to 2027. Most of the policies in the Core Strategy are strategic policies of the development plan (see paragraph 2.5 of this report). The adoption of the Core Strategy partially replaced a number of policies in the South Oxfordshire Local Plan 2011. It is this development plan context against which I am required to examine the submitted Neighbourhood Plan. Within this context, the following policies are particularly relevant to the Long Wittenham neighbourhood plan:

CS1	Presumption in favour of sustainable development
CS S1	The Overall Strategy
CS EM1	Supporting a successful economy
CS H3	Affordable Housing
CS H4	Meeting Housing Needs
CS R1	Housing in Villages
CS R2	Community facilities and rural transport
CS EN1	Landscape
CS EN3	Historic Environment
CS Q3	Design

- 5.5 Section 4 of the Basic Conditions Statement usefully highlights the key policies in the development plan and how they relate to policies in the submitted Plan. This is good practice. It provides confidence to all concerned that the submitted Plan sits within its local policy context.
- 5.6 Long Wittenham is identified as a smaller village in the adopted Core Strategy (policy CSR1 and Appendix 4). In this context housing allocations are not required. Any new development is required to protect local character and distinctiveness.
- 5.7 The emerging Local Plan was the subject of its own consultation process at the time that this examination was taking place. It incorporates a review of the adopted Core Strategy. Plainly the timings involved have not permitted the submitted neighbourhood plan directly to take account of this emerging local planning context. Nevertheless, its fundamental approach continues to focus new development in Science Vale for major development at Chalgrove and Berinsfield, and at market towns and larger villages commensurate with their size and capacity. The submitted neighbourhood plan anticipates a need for monitoring and review. The adoption of the emerging Local Plan 2033 will be a key milestone in this review process.
- 5.8 The submitted Plan has been prepared within its wider development plan context. In doing so it has relied on up-to-date information and research that has underpinned existing and emerging planning policy documents in the District. This is good practice and reflects key elements in Planning Practice Guidance on this matter.

#### *Site Visit*

- 5.9 I carried out an unaccompanied visit to the Plan area on 11 May 2017. I was fortunate in selecting a very pleasant day.
- 5.10 I drove into the Plan area from Didcot. This gave me the opportunity to see the Plan area within its wider context. I parked by the Cross at the junction of High Street and Didcot Road. Given the compact nature of the village I was able to carry out the majority of the visit on foot.
- 5.11 I looked initially at the western end of the village based on the Saxons Heath/Westfield Road area. I walked to the end of Saxons Heath and then followed the footpath to the north to Fieldside. In doing so I saw the site detailed in the representation submitted by the University of Reading.
- 5.12 I then walked along the western part of High Street. I saw the Pendon Museum and the Three Poplars Park. As I walked back towards the junction of High Street and Didcot Road I saw the very interesting cluster of vernacular buildings including the 'Swiss Cottages' and Elm Close House.
- 5.13 I then walked along the northern side of High Street. I saw a further variety of historic buildings including the Plough Inn, The Village Hall, the School and the Church. The rather splendid map on the front wall of the village hall was tremendously helpful for

an independent examiner. I was also able to understand more about the history of the village when I found the display boards in the garden by Church Cottage and Farm Cottage that had been dedicated to the memory of a long-standing parish councillor Reginald (Curly) Didcock.

- 5.14 I then walked down Little Wittenham Road to the Wood Centre. I then found the recently-created Community Orchard to the south of High Street. The various trees were looking very healthy. They had clearly been very-well planted. I saw the vistas to the south to Wittenham Clumps as described in the Character Assessment.
- 5.15 Throughout my visit I was very taken by the quality of building maintenance and the general pride that had been taken in the local village environment. There was an overwhelming sense of quietness and tranquillity in the village.
- 5.16 I finished my visit by driving to the eastern part of the Plan area and into Little Wittenham. I took the opportunity to walk to the top of the Wittenham Clumps. This gave me a panoramic view of the Plan area in its wider landscape setting.

## 6 The Neighbourhood Plan as a whole

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

### *National Planning Policies and Guidance*

- 6.3 The key elements of national policy relating to planning matters are set out in the National Planning Policy Framework (NPPF) issued in March 2012.
- 6.4 The NPPF sets out a range of core land-use planning principles to underpin both plan-making and decision-taking. The following are of particular relevance to the Long Wittenham Neighbourhood Plan:
- a plan led system– in this case the relationship between the neighbourhood plan and the adopted Core Strategy/saved Local Plan.
  - recognising the intrinsic character and beauty of the countryside and supporting thriving local communities.
  - Always seeking to secure high quality design and good standards of amenity for all future occupants of land and buildings.
- 6.5 Neighbourhood plans sit within this wider context both generally, and within the more specific presumption in favour of sustainable development, which is identified as a golden thread running through the planning system. Paragraph 16 of the NPPF indicates that neighbourhoods should both develop plans that support the strategic needs set out in local plans and plan positively to support local development that is outside the strategic elements of the development plan.
- 6.6 In addition to the NPPF I have also taken account of other elements of national planning policy including Planning Practice Guidance and the recent ministerial statements.
- 6.7 Having considered all the evidence and representations available as part of the examination I am satisfied that the submitted Plan has had regard to national planning policies and guidance in general terms. It sets out a positive vision for the future of the plan area within the context of its historic character. At its heart are a series of policies that seek to promote a new community hub, to safeguard its character, and to ensure that any new housing responds to the needs of the community. Section 2 of the Basic Conditions Statement maps the policies in the Plan against the appropriate sections of the NPPF.

- 6.8 At a more practical level the NPPF indicates that plans should provide a clear framework within which decisions on planning applications can be made and that they should give a clear indication of how a decision-maker should react to a development proposal (paragraphs 17 and 154). This was reinforced with the publication of Planning Practice Guidance in March 2014. Its paragraph 41 (41-041-20140306) indicates that policies in neighbourhood plans should be drafted with sufficient clarity so that a decision-maker can apply them consistently and with confidence when determining planning applications. Policies should also be concise, precise and supported by appropriate evidence.
- 6.9 As submitted the Plan does not fully accord with this range of practical issues. The majority of my recommended modifications in Section 7 relate to matters of clarity and precision. They are designed to ensure that the Plan fully accords with national policy.

*Contributing to sustainable development*

- 6.10 There are clear overlaps between national policy and the contribution that the submitted Plan makes to achieving sustainable development. Sustainable development has three principal dimensions – economic, social and environmental. It is clear to me that the submitted Plan has set out to achieve sustainable development in the Plan area. In the economic dimension the Plan includes a policy for the development of a community hub. In doing so it recognises the potential need for some associated residential development. In the social role, it includes a policy on housing mix in addition to the key policy on a community hub. In the environmental dimension the Plan positively seeks to protect the natural, built and historic environment. It has a specific policy on design (LW4) and a policy on ecologically sensitive areas (LW6).

*General conformity with the strategic policies in the development plan*

- 6.11 I have already commented in detail on the development plan context in the wider South Oxfordshire District area in paragraphs 5.4 to 5.8 of this report.
- 6.12 I consider that the submitted Plan delivers a local dimension to this strategic context and supplements the detail already included in the adopted Local Plan. Section 4 of the Basic Conditions Statement helpfully relates the Plan's policies to policies in the Core Strategy/saved Local Plan. I am satisfied that the submitted Plan is in general conformity with the strategic policies in the development plan.

## 7 The Neighbourhood Plan policies

- 7.1 This section of the report comments on the policies in the Plan. In particular, it makes a series of recommended modifications to ensure that the various policies have the necessary precision to meet the basic conditions.
- 7.2 My recommendations focus on the policies themselves given that the basic conditions relate primarily to this aspect of neighbourhood plans. In some cases, I have also recommended changes to the associated supporting text.
- 7.3 I am satisfied that the content and the form of the Plan is fit for purpose. It is distinctive and proportionate to the Plan area. The wider community and the Parish 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 (41-004-20140306) which indicates that neighbourhood plans must address the development and use of land.
- 7.5 I have addressed the policies in the order that they appear in the submitted plan.
- 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 sections of the Plan (Sections 1-3)*

- 7.8 These initial elements of the Plan set the scene for the policies. They are commendable to the extent that they are proportionate to the Plan area and the subsequent policies.
- 7.9 Section 1 (Introduction) provides very clear context to the neighbourhood planning process. It also provides a useful connection to national policy, the adopted Core Strategy/Local Plan and to the emerging Local Plan.
- 7.10 Section 1.4 helpfully sets out the challenges addressed in the Plan. In summary they are community facilities, the lack of a shop, the lack of public transport and traffic and parking. It is encouraging that the Plan then seeks to address these issues directly as part of the plan-making process.
- 7.11 Section 2 sets out the Community Vision for the Plan area. It is clear, concise and proportionate. Its overall aim is underpinned by four objectives. These objectives very clearly cascade into the various policies.
- 7.12 Section 3 sets out key facts about the production of the Plan. It provides a context to the associated Consultation Statement.

7.13 The Plan as a whole is well-presented. It distinguishes the policies from their explanatory texts to good effect. It also makes excellent use of several colourful and informative photographs.

7.14 The policies are then set out in section 4. 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 LW1 Community Hub

7.15 This policy sits at the heart of the Plan. It sets out support for the development of a community hub subject to a series of criteria. Section 4.2 of the Plan identifies the vision for a community hub. The hub is intended to incorporate a new school, a pre-school, a village hall, community and sporting facilities and car parking. The proposal to develop a community hub reflects the ageing nature of the existing community and educational facilities in the village.

7.16 The debate about the policy in the Plan is focused on the delivery mechanism for the project rather than the concept itself. This is reflected in the composition of some of the criteria within the policy itself. The community's preference is for the hub to be brought forward as a Community Right to Build Order (CRtBO). Land owners and potential developers have made comments that the proposal could also be delivered as a community benefit associated with residential proposals within the village.

7.17 The route by which permission is eventually achieved for such a proposal is more of a process rather than a substantive issue. The ultimate choice will be one that is worked out during the Plan period. It is probable that it will be determined by the funding decisions that are made to deliver the project. In terms of this examination my remit is simply to ensure that the policy meets the basic conditions and provides a supporting context within which this exciting project can proceed.

7.18 The representations have also raised the extent to which the Plan should pro-actively identify residential allocations in the Plan either in general terms or in particular to support and underpin the delivery of a community hub. Nevertheless, I am satisfied that the approach adopted in the submitted Plan meets the basic conditions. There is no need for neighbourhood plans to allocate land for residential purposes. In any event, Long Wittenham is identified as a small village in the adopted development plan and is not specifically required to identify site allocations.

7.19 The details of the policy and its supporting text are also addressed in the representations. The District Council (in its capacity as the local planning authority) has particular concerns about elements of the supporting text.

7.20 As submitted the criteria in the policy fall into two distinct groups. The first group sets out specific criteria that would affect the choice of the site and its layout and design/configuration (C.1/3/5). The second group sets out criteria in relation to any required supporting housing development (C.2/4). On the one hand this approach is comprehensive. On the other hand, it does not have the clarity required by the NPPF.



In essence, it merges two separate issues within the same part of the policy. I recommend a modification to the policy to address this matter. In doing so criteria 1/3/5 are applied to the supporting nature of the policy. Criteria 2 and 4 are then applied as a separate test in the event that supporting residential development is required to deliver the community hub project. This will separate the two issues and bring the clarity required by the NPPF.

- 7.21 Both Natural England and Historic England have made detailed representations on the policy. Whilst the organisations support the principle of a community hub both request that additional criteria are included with the policy to influence the site selection and design process. Natural England suggest that the policy should make reference to the need for any proposal to take account of the North Wessex Downs AONB. Historic England suggest that the policy should take account of the very high potential for archaeological remains of regional and potentially national significance. I am satisfied that both matters raised are necessary to ensure that the policy meets the basic conditions. Both are important components of national policy to which the Plan should have regard. I recommend accordingly.
- 7.22 The policy itself is neutral on the delivery mechanism for the community hub. The supporting text is however heavily focused towards its delivery through a CRtBO. This approach has also attracted representations. I recommend a series of modifications both to tie the supporting text to the modified policy and to provide a more balanced reflection of the processes involved. This will properly reflect national policy and the application of technical processes. In doing so it will also provide the maximum flexibility for innovative proposals to come forward to deliver the hub proposal. In addition, it will properly address the importance of viability in national policy.

**In the submitted policy delete criteria 2 and 4 and renumber the three remaining criteria.**

**Insert the following two new criteria into the policy:**

- 4. The community hub and any associated enabling development should be located and designed to avoid any significant landscape impacts on the North Wessex Downs AONB; and**
- 5. The community hub and any associated enabling development should demonstrate that they can be satisfactorily accommodated within the context of the archaeological significance of the site selected.**

**Insert the following new paragraph at the end of the modified policy:**

**In circumstances where residential development is included as part of a community hub proposal, the wider package should be accompanied with a viability assessment that addresses the relationship between the different uses and, where necessary, provides a justification for the scale of residential development proposed. Any residential development should meet the development plan need for affordable housing and deliver a mix of housing types and sizes to meet the community's needs.**



Delete the third and fourth paragraphs of supporting text and replace them with the following:

*'The policy has been prepared to set the scene for the development of this exciting community project. It sets out a series of criteria with which emerging proposals will be expected to comply. The first three criteria identify that the community hub will be expected to sit comfortably within the village and should do so in a way that enhances its character. The fourth criterion highlights the importance of ensuring that any new development takes account of the wider landscape context provided by the North Wessex Downs AONB. Depending on the scale and location of any proposal that may come forward a Landscape and Visual Impact Assessment may be required. The fifth criterion requires that any development takes account of the need to assess the impact of proposed development on the rich archaeological heritage of the Plan area. Historic England has advised that the village is a particular focus of designated heritage assets and has a very high potential for archaeological remains of regional and potentially national significance.*

*The proposals addressed in this policy could be delivered either through a traditional planning application or through a Community Right to Build Order. The Parish Council's preference is for the second option. Irrespective of the eventual choice of delivery option selected development proposals will be expected to demonstrate how they comply with the criteria in the policy. Where development proposals for a community hub are accompanied with residential development the viability assessment required by the second part of the policy should explain the functional relationship between the different components of the scheme. Where appropriate the assessment should also explain how the mix and type of residential properties has been chosen to bring forward an overall scheme that is both deliverable and viable'.*

#### Policy LW2 Community Infrastructure Levy

- 7.23 This policy is commendably simple in its approach. It sets out a clear schedule of infrastructure projects in an appendix to the Plan to which CIL funding will be applied. The projects are clearly of an infrastructure nature and are appropriate to the Plan area.
- 7.24 I recommend that the references in the policy and the supporting text consistently refer to Appendix 3.

#### **Replace Appendix 4 with Appendix 3**

*In the supporting text replace Appendix 4 and Appendix 2 with Appendix 3*

#### Policy LW3 Dwelling Mix

- 7.25 This policy sets out to ensure that proposals for more than ten dwellings deliver both affordable housing and an appropriate mix of housing types and sizes. The supporting text helpfully identifies that whilst schemes of this nature are not anticipated the policy will apply in the event that they do come forward. I recommend a modification to bring

clarity on the size of schemes that would be affected by this policy. Whilst the policy is clear on this point the explanatory text introduces a degree of ambiguity.

- 7.26 The third criterion of the policy requires the submission of a Long Wittenham Specific Affordable Housing and Dwellings Mix Strategy with any application for residential development of this size. This criterion has generated a representation from SODC. It argues that the matter is satisfactorily addressed in the second criterion and is otherwise an administrative requirement.
- 7.27 I agree with the District Council's approach. The third criterion is effectively a process requirement rather than a policy requirement. In any event the criterion only requires that a Strategy is submitted with the application. It makes no reference to either its contents or to its ability to address identified local housing needs. To this extent, it fails to meet the basic conditions as it does not have the clarity required by the NPPF. I recommend that the criterion (and the associated references in the supporting text) is deleted.
- 7.28 Nevertheless I recognise that there will be a need for planning applications of this type to demonstrate that they have complied with the second criterion in the policy. On this basis, I recommend modifications to the supporting text to address this matter. The revised text sets out a mechanism by which applicants can do so. This will provide a degree of supporting clarity to the retained parts of the policy.

#### **Delete the third criterion of the policy**

*Replace the first sentence of the explanatory text with:*

*'Affordable housing is required to be delivered on developments that yield 11 or more houses'.*

*Delete final two sentences of second paragraph of explanatory text and replace with the following:*

*Policy LW3 recognises that there is an identified need for smaller dwellings in both the District Council's Strategic Housing Market Assessment and the housing survey carried out as part of the preparation of this Plan. Applicants will be expected to demonstrate how their proposals take account of the local community's housing needs as part of the planning application process.*

#### **Policy LW4 Design**

- 7.29 This policy sets out a series of design principles with which proposals for new development will be expected to comply. These principles include the character of the immediate area, historic and natural assets, the sense of place and preserving views to and from the AONB, and protecting the linear form of the village. The policy is underpinned by the Character Assessment of the village. The Assessment is a hugely impressive and compelling document.
- 7.30 The policy has attracted a mixed response from landowners and developers. One representation supports the policy. Others object to its details and consider that it is

either over-restrictive or that its focus on maintaining the linear form of the village will limit the opportunities for new residential development in the Plan area.

- 7.31 Having reviewed all the submission documents and the representations received I am satisfied that the policy approach meets the basic conditions. One of the 12 core planning principles in the NPPF (paragraph 17) is '(always seek) to secure high-quality design and a good standard of amenity for all existing and future occupants of land and buildings'. Furthermore, the approach adopted in the policy has regard to the more detailed design elements of the NPPF. In particular, it plans positively for high quality and inclusive design (paragraph 57), it has developed a robust and comprehensive policy (paragraph 58), it proposes outlines of design principles (paragraph 59) and does so in a locally distinctive yet non-prescriptive way (paragraph 60).
- 7.32 Furthermore I am satisfied that the policy's reference to protecting and enhancing the linear form of the village is entirely appropriate to the circumstances found in the Plan area. The Character Assessment properly describes this aspect of the village. I saw its very distinctive format when I visited the Plan area. In any event the criterion in the policy on its linear format does not prevent new development coming forward. Its challenge to new development is that it should protect and enhance this format.
- 7.33 I recommend three modifications to the policy so that it has the clarity required by the NPPF. The first is to ensure that the policy refers to other development plan policies. Whilst there is an expectation that development plan policies are read as a whole the structure of this particular policy would suggest that proposals for any type of development would be supported where the six criteria were met. The second is the replacement of 'will be granted' with 'will be supported' in the initial part of the policy and a reorganisation of its structure. As submitted the policy is very prescriptive and will deny SODC the ability to address all material planning considerations that impact on any particular planning application. The third is a technical matter to ensure that all the six criteria need to be met in order to achieve support.

**Replace the initial part of the policy to read:**

**Subject to other development plan policies proposals for new development will be supported subject to the following criteria:**

**At the start of each of the criteria insert 'They'**

**At the end of criterion 5 add 'character'**

**Include a semi-colon at the end of each criterion**

**Include 'and' at the end of the modified criterion 5**

Policy LW5 Car Parking

- 7.34 This policy requires proposals for new residential development to demonstrate that off-street parking provision is adequate to meet likely future needs.
- 7.35 I sought clarification from the Parish Council on the form and content of the policy. As submitted it does not specify particular standards and requires an assessment of the

ability of any proposal to meet likely future needs. I was advised about the evolution of the policy and how it has sought to address the specific issues as currently experienced in the Plan area. These are described in the explanatory text. The representation from the University of Reading addresses what it sees as inconsistencies between the policy and the supporting text.

- 7.36 At the heart of the matter is the relationship between new development in the Plan area, proposed parking provision and the availability of off-road parking generally within the village. I saw on my visit the number of parked cars on High Street and their interplay with the traffic calming measures. The supporting text provides commentary on the community survey, and on the lack of public transport facilities in the village.
- 7.37 The explanatory text properly makes reference to paragraph 39 of the NPPF. This comments that parking standards should take account of a range of factors including the proposed developments, local car ownership levels and the availability of and opportunities for public transport. The supporting text comments that the dependency on the private car within the Plan area has caused the community to design a nuanced policy that seeks to address the overlapping issues of high car ownership levels, existing congestion and a lack of public transport.
- 7.38 On balance I can see that the approach adopted is a sensitive and appropriate response to the circumstances in the Plan area. Whilst the policy does not have the traditional clarity required by the NPPF it directly addresses a series of issues set out in the NPPF. Within this context however I recommend a series of modifications to the policy and to the supporting text so that they bring a basic level of clarity to the developer and to the local planning authority alike. In the absence of any policy on car parking in the submitted plan the default position would be that all proposals would need to comply with development plan standards in place at that time. I recommend that the supporting text makes reference to an effective fall-back position. Within this context, it would then be for the developer to explain the extent to which the application of development plan minimum standards would meet the future parking needs of that development within the Plan period. In circumstances where this would not be the case an assessment could then be made of the additional requirements as part of the determination of the planning application concerned.
- 7.39 I also recommend other changes to the policy to ensure that it meets the basic conditions. I recommend that 'permitted' is replaced by 'supported' for the same reasons as set out policy LW4. I also recommend that 'likely' is replaced with 'assessed'. This reflects the need for any additional car parking requirements to be underpinned with robust evidence. I also recommend the deletion of the final sentence of the final paragraph of supporting text to this policy. I can understand its inclusion given the thrust of the policy. Nevertheless, it is not land use in nature and does not have the clarity required by the NPPF.

**Replace 'will only be permitted' with 'will be supported' and replace 'likely' with 'assessed'.**

*In the second paragraph of supporting text delete all text after ‘... best to overcome this problem’ and replace with:*

*The fall-back position will be the application of development plan standards in place at the time of the determination of any particular planning application. Within this context, it would then be for the developer to explain the extent to which the application of development plan minimum standards would meet the future parking needs of that development within the Plan period. In circumstances where this would not be the case an assessment could then be made of the additional requirements as part of the determination of the planning application concerned. Where a development proposal recognises and assesses the local circumstances and proposes a higher standard this will be supported insofar as it is consistent with good layout and design.*

*Delete the final sentence of the final paragraph of supporting text.*

#### Policy LW6 Ecologically sensitive areas

- 7.40 This policy sets out a series of guidelines for proposals which may have an impact either on the Little Wittenham Special Area of Conservation or on land to the south of Fieldside. It requires an assessment of potential impacts and any necessary mitigation.
- 7.41 I am satisfied that the policy meets the basic conditions. The Berkshire, Buckinghamshire and Oxfordshire Wildlife Trust comment that the policy would be improved if it was expanded to address habitat issues more widely. I agree with its comments. Nevertheless, it is not within my remit to improve the Plan.

#### Other matters

- 7.42 The initial and final sections of the Plan include a selection of general commentary on the production of the Plan, its future process stages and its relationship to the wider local planning context. I set out below a series of recommended modifications in addition to those that stem directly from the recommended modifications to the various policies. They either recommend more technically correct language or they bring clarity to the wider intentions of the Plan. They are required to ensure that the Plan has regard to national policy by having the clarity required by the NPPF.

#### Section 1.4

##### Final paragraph

*Replace ‘the village does not.... current form’ with ‘in its current form, the village provides a less sustainable basis for future growth’.*

#### Section 3.6

##### Second paragraph

*Replace ‘and decide.... parish referendum’ with ‘and recommend whether it should go forward to a referendum. The District Council will consider each of the examiner’s recommendations and how to respond to them. The Plan may be amended to incorporate the examiner’s recommendations before being put forward to a referendum.’*

Section 3.6

Third paragraph

*Replace 'If the examiner allows.... where' with 'In the event that the Plan proceeds to referendum.'*

Section 5.2

Twelve-month review

*Replace references to 'review' with 'assessment'*

Section 5.2

Five Year Review

As drafted the second paragraph is incorrect. The process for making a replacement plan is the same process for making the initial plan.

*Delete the second paragraph*

## 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 2033. 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 Long Wittenham Neighbourhood Development Plan meets the basic conditions for the preparation of a neighbourhood plan subject to a series of recommended modifications.
- 8.3 This report has recommended some technical modifications to the policies in the Plan. Nevertheless, it remains fundamentally unchanged in its role and purpose.

### *Conclusion*

- 8.4 On the basis of the findings in this report I recommend to South Oxfordshire District Council that subject to the incorporation of the modifications set out in this report that the Long Wittenham Neighbourhood Plan should proceed to referendum.

### *Referendum Area*

- 8.5 I am required to consider whether the referendum area should be extended beyond the Plan area. In my view, the neighbourhood area is entirely appropriate for this purpose and no evidence has been submitted to suggest that this is not the case. I therefore recommend that the Plan should proceed to referendum based on the neighbourhood area as approved by the District Council on 26 September 2014.
- 8.6 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**  
**8 June 2017**

