

GORING NEIGHBOURHOOD PLAN – 2018-2033

(Submission Version)

**Report of the Examination into the**  
**Goring Neighbourhood Plan**

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To South Oxfordshire District Council  
And to Goring-on-Thames Parish Council

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# **Report of the Examination into the Goring Neighbourhood Plan**

## **1. Introduction**

### *Neighbourhood planning*

1. The Localism Act 2011 Part 6 Chapter 3 introduced neighbourhood planning, including provision for neighbourhood development plans. A neighbourhood development plan should reflect the needs and priorities of the community concerned and should set out a positive vision for the future, setting planning policies to determine decisions on planning applications. If approved by a referendum and made by the local planning authority, such plans form part of the Development Plan for the neighbourhood concerned. Applications for planning permission should be determined in accordance with the Development Plan, unless material considerations indicate otherwise.

*Neighbourhood planning gives communities direct power to develop a shared vision for their neighbourhood and deliver the sustainable development they need. Parishes... can use neighbourhood planning to: set planning policies through neighbourhood plans to determine decisions on planning applications...<sup>1</sup>*

2. This report concerns the Submission Version of the Goring Neighbourhood Development Plan 2018-2033 (“the Draft NDP”).

### *Appointment and role*

3. South Oxfordshire District Council (“SODC”), with the agreement of Goring-on-Thames Parish Council (“GPC”), has appointed me to examine the Draft NDP. I am a member of the planning bar and am independent of SODC, GPC, and of those who have made representations in respect of the Draft NDP. I have been trained and approved by the Neighbourhood Planning Independent Examiner Referral Service. I do not have an interest in any land that may be affected by it.

4. My examination has involved a hearing on Wednesday 11<sup>th</sup> July 2018 at Goring Village Hall, High Street, Goring-on-Thames, Oxfordshire, RG8 9AG, considering written submissions and accompanied site visit on 11<sup>th</sup> July 2018 and unaccompanied site visits on 10<sup>th</sup> and 11<sup>th</sup> July 2018. The extensive site visits included views of all sites mentioned in this report and enabled me to gain a sufficient impression of the nature of the parish for the purpose of my role. I have considered all the documents with which I have been provided and also the judgments in *R. (Goring-on-Thames PC) v South Oxfordshire DC*.<sup>2</sup> Unfortunately

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<sup>1</sup> NPPF paragraph 183.

<sup>2</sup> [2016] EWHC 2898 (Admin), Cranston J, [2018] EWCA Civ 860.

matters have been considerably delayed by differences following a Freedom of Information request.

5. My role may be summarised briefly as to consider whether certain statutory requirements have been met, to consider whether the Draft NDP meets the basic conditions, to consider human rights issues, to recommend which of the three options specified in paragraph 12 below applies and, if appropriate, to consider the referendum area. I must act proportionately, recognising that Parliament has intended the neighbourhood plan process to be relatively inexpensive.

## **2. Preliminary Matters**

### *Public consultation*

6. I am satisfied that GPC took public consultation seriously and that sufficient consultation resulted. I bear in mind that parish councillors are democratically accountable, subject to a code of conduct and likely to be in close contact with the community they represent. I do not consider there has been any failure in consultation, let alone one that would have caused substantial prejudice. The consultation met the requirements of the Neighbourhood Planning (General) Regulations 2012 (“the General Regulations”).

### *Other statutory requirements*

7. I am also satisfied of the following matters:

- (1) The Draft NDP area is the parish of Goring. GPC is authorised to act in respect of this area (Town and Country Planning Act 1990 (“TCPA”) s61F (1) as read with the Planning and Compulsory Purchase Act 2004 (“PCPA”) s38C (2)(a));
- (2) The Draft NDP does not include provision about development that is excluded development (as defined in TCPA s61K), and does not relate to more than one neighbourhood area (PCPA s38B (1));
- (3) No other neighbourhood development plan has been made for the neighbourhood area (PCPA s38B (2));
- (4) There is no conflict with PCPA s38A and s38B (TCPA Sch 4B para 8(1)(b) and PCPA s38C (5)(b)); and
- (5) The draft NDP specifies the period for which it is to have effect, namely 2018-2033, as required by PCPA s38B(1)(a).

## **3. The Extent and Limits of an Examiner’s Role**

8. I am required to consider whether the Draft NDP meets the basic conditions specified in TCPA Sch 4B para 8(2) as varied for neighbourhood development plans, namely:

- (a) Having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the Plan;

- (d)<sup>3</sup> The making of the Plan contributes to the achievement of sustainable development;
- (e) The making of the Plan is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area);
- (f) The making of the Plan does not breach, and is otherwise compatible with, EU obligations; and
- (g) Prescribed conditions are met in relation to the Plan and prescribed matters have been complied with in connection with the proposal for the Plan.

9. There is one prescribed basic condition:<sup>4</sup> *“The making of the neighbourhood development plan is not likely to have a significant effect on a European site (as defined in the Conservation of Habitats and Species Regulations 2010) or a European offshore marine site (as defined in the Offshore Marine Conservation (Natural Habitats, &c.) Regulations 2007 (either alone or in combination with other plans or projects)”*.

10. The combined effect of TCPA Sch 4B para 8(6) and para 10(3)(b) and of the Human Rights Act 1998 means that I must consider whether the Draft NDP is compatible with Convention rights. ‘*Convention rights*’ are defined in the Human Rights Act 1998 as (a) Articles 2 to 12 and 14 of the European Convention on Human Rights (“the Convention”), (b) Articles 1 to 3 of its First Protocol, and (c) Article 1 of its Thirteenth Protocol, as read with Articles 16 to 18 of the Convention. The Convention rights that are most likely to be relevant to town and country planning are those under the Convention’s Article 6(1), 8 and 14 and under its First Protocol Article 1.

11. In my examination of the substantial merits of the Draft NDP, I may not consider matters other than those specified in the last three paragraphs. In particular I may not consider whether any other test, such as the soundness test provided for in respect of examinations under PCPA s20, is met. Rather, it is clear that Parliament has decided not to use the soundness test, but to use the, to some extent, less demanding tests in the basic conditions. It is not my role to rewrite a neighbourhood development plan to create the plan that I would have written for Goring-on-Thames.

12. Having considered the basic conditions and human rights, I have three options, which I must exercise in the light of my findings. These are: (1) that the Draft NDP proceeds to a referendum as submitted; (2) that the Draft NDP is modified to meet basic conditions and then the modified version proceeds to a referendum; or (3) that the Draft NDP does not proceed to referendum. If I determine that either of the first two options is appropriate, I must

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<sup>3</sup> The omission of (b) and (c) results from these clauses of paragraph 8(2) not applying to neighbourhood development plans (PCPA s38C (5)(d)).

<sup>4</sup> Sch 2 of the General Regulations prescribes this.

also consider whether the referendum area should be extended. My power to recommend modifications is limited by statute in the following terms:

*The only modifications that may be recommended are—*

*(a) modifications that the examiner considers need to be made to secure that the draft [NDP] meets the basic conditions mentioned in paragraph 8(2),*

*(b) modifications that the examiner considers need to be made to secure that the draft [NDP] is compatible with the Convention rights,*

*(c) modifications that the examiner considers need to be made to secure that the draft [NDP] complies with the provision made by or under sections 61E(2), 61J and 61L,*

*(d) modifications specifying a period under section 61L(2)(b) or (5), and*

*(e) modifications for the purpose of correcting errors.<sup>5</sup>*

13. The word “only” prevents me recommending any other modifications. The fact that a modification seems desirable is not a sufficient ground to recommend it. So, for example, a proposed modification which gives additional information cannot be justified simply because some would find that information helpful. It is not within my powers to recommend avoidance of repetition or other matters that some may consider unnecessary, unless it happens to come with one of the categories specified in the preceding paragraph. Lindblom LJ explained the extent of the power to make modification in his judgment in Kebbell Developments Ltd v. Leeds City Council.<sup>6</sup>

#### **4 Consideration of Representations**

14. I have given all representations careful consideration, but have not felt it necessary to comment on most of them. Rather in accordance with the statutory requirement and bearing in mind the judgment of Lang J in R (Bewley Homes Plc) v. Waverley Borough Council,<sup>7</sup> I have mainly concentrated on giving reasons for my recommendations.<sup>8</sup> Where I am required to consider the effect of the whole Draft NDP, I have, of course, borne it all in mind.

#### **5. Public Hearing**

15. The general rule is that the examination of the issues by the examiner is to take the form of the consideration of the written representations. However an examiner must cause a hearing to be held for the purpose of receiving oral representations about a particular issue in any case where the examiner considers that the consideration of oral representations is necessary to ensure (1) adequate examination of the issue or (2) a person has a fair chance to

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<sup>5</sup> TCPA Sch 4B, para 10(3).

<sup>6</sup> [2018] EWCA Civ 450, 14<sup>th</sup> March 2018, paragraphs 34 and 35.

<sup>7</sup> [2017] EWHC 1776 (Admin), Lang J, 18<sup>th</sup> July 2017.

<sup>8</sup> TCPA Sch 4B, para 10(6).

put a case. Having considered the written material, I concluded that (1) applied in respect of certain matters (*viz.* (1) whether the number of dwellings in policy 01 is appropriate ; (2) whether the allocation of the sites specified in policy 01 is appropriate; (3) how many dwellings are likely to be delivered on the sites specified in policy 01 on or before 31st March 2033; and (4) whether any other site considered in the NDP process should be allocated for housing); and on 27<sup>th</sup> June 2018 I issued guidance and directions in respect of this. The public hearing took place on one day in Goring. I am grateful to all those who helped me by taking part in this hearing. Their contributions were helpful and no discourtesy is intended by my not repeating them.

## **6. Basic conditions and human rights**

### *Regard to national policies and advice*

16. The first basic condition requires that I consider whether it is appropriate that the plan should be made “*having 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.

17. The principal document in which national planning policy is contained is the National Planning Policy Framework (March 2012) (“the NPPF”) and I have borne that in mind. Other policy and advice that I have borne in mind includes national Planning Practice Guidance (“PPG”). A revised version of the NPPF (“the Revised NPPF”) was issued in July 2018 after the hearing and further revised in February 2019. Its paragraph 214 provides: “*The policies in the previous Framework will apply for the purpose of examining plans, where those plans are submitted on or before 24 January 2019. Where such plans are withdrawn or otherwise do not proceed to become part of the development plan, the policies contained in this Framework will apply to any subsequent plan produced for the area concerned.*” Its footnote 69 explains “*For neighbourhood plans, ‘submission’ in this context means where a qualifying body submits a plan proposal to the local planning authority in accordance with regulation 15 of the Neighbourhood Planning (General) Regulations 2012.*” That has occurred in this case. I have therefore considered the policies in the original NPPF.

### *Contributing to the achievement of sustainable development*

18. The second basic condition means that I must consider whether the making of the Plan contributes to the achievement of sustainable development. Unless the Draft NDP, or the Draft NDP as modified, contributes to sustainable development, it cannot proceed to a referendum. 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. It does require me to consider whether constraints might prevent sustainable development and, if they might,

whether the evidence justifies them. That involves consideration of site-specific constraints, both existing such as the Chilterns Area of Outstanding Beauty (“AONB”) and flood zones 2 and 3 and those proposed in the draft NDP. The total effect of the constraints introduced by the draft NDP when read with existing constraints should not prevent the achievement of sustainable development.

19. The bulk of the NPPF constitutes guidance on sustainable development. Its paragraph 6 says, “*The policies in paragraphs 18 to 219, taken as a whole, constitute the Government’s view of what sustainable development... means in practice for the planning system.*”

20. I welcome the draft NDP’s recognition of the needs of the elderly, disabled people and the young.<sup>9</sup> This contributes to the social element of sustainable development, as well as showing recognition of duties under the Equality Act 2010, the principle of equality inherent in EU law and the human rights of disadvantaged people.

21. I welcome the draft NDP’s support for walking, cycling and the use of public transport.<sup>10</sup> This contributes to the environmental element of sustainable development.

22. I welcome the draft NDP’s emphasis on design which reflects the strong emphasis on this in the NPPF.<sup>11</sup>

23. The draft NDP’s support for heritage assets is consistent with the duties imposed by the Planning (Listed Buildings and Conservation Areas) Act 1990 and contributes to the environmental element of sustainable development.<sup>12</sup>

#### *General conformity with the development plan’s strategic policies*

24. The third basic condition means that I must consider whether the Draft NDP is in general conformity with the strategic policies contained in the development plan for the area of the authority.

25. The adjective ‘*general*’ allows a degree of (but by no means unlimited) flexibility and requires the exercise of planning judgement. This condition only applies to strategic policies - there is no conformity requirement in respect of non-strategic policies in the development plan or in respect of other local authority documents that do not form part of the development plan. In assessing whether a policy is strategic, I have borne in mind PPG advice on this. I

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<sup>9</sup> Policies 03, 04, 08 and 19, objective 14, issue 6, paragraphs 1.6, 5.2.2, 5.2.6, 5.3, 11.4.1, 11.7.1 and 13.3, page 8 2<sup>nd</sup> paragraph, page 33 final paragraph, page 91 3<sup>rd</sup> complete paragraph and actions 06 and 07.

<sup>10</sup> Policy 06, 07, 08, 09 and 19, objectives 11 and 14, paragraphs 8.1.1, 8.1.2, 11.5, 11.7.1 and 14.2 objective 13, page 8 6<sup>th</sup> indent, actions 06, 07 and 09 and pages 101 and 102.

<sup>11</sup> Pages 5, 6, 8, 35, 46, 50, 53, 54, 59, 64, 77, 78, 81 and 82.

<sup>12</sup> Policies 09, 15 and 16, paragraph 10.2, actions 01 and 02.



have also born in mind the relevant part of the judgment in R (Swan Quay LLP) v Swale Borough Council.<sup>13</sup>

26. The most relevant parts of the development plan are SODC's Core Strategy 2012 and the saved policies of South Oxfordshire Local Plan 2011. There is an emerging Local Plan 2011-2034. This is not the development plan for the purpose of the third basic condition, but its reasoning and evidence may be relevant.

#### *EU obligations*

27. The fourth basic condition requires me to consider whether the Draft NDP breaches or is otherwise incompatible with, EU obligations. I have in particular considered the following: 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); the Water Framework Directive (2000/60/EC); and the General Data Protection Regulation.

28. I am satisfied that no issue arises in respect of equality under general principles of EU law or any EU equality directive. I am satisfied that the making of the NDP would not breach, and be otherwise incompatible with, EU obligations and that it is not necessary to consider the matter further in this report.

#### *European sites and European offshore marine sites*

29. The draft NDP is unlikely to give rise to significant environmental effects on these sites. I am satisfied that the making of the NDP would not breach, and be otherwise incompatible with the prescribed basic condition and that it is not necessary to consider the matter further in this report.

#### *Human Rights*

30. English planning law in general complies with the Convention. This matter can also be dealt with briefly in advance of detailed consideration of the contents of the Draft NDP. I have considered whether anything in the Draft NDP would cause a breach of any Convention right. In particular I have considered the Convention's Articles 6(1), 8 and 14 and its First Protocol Article 1. Nothing in my examination of the Draft NDP indicates any breach of a Convention right, so that no modifications need to be made to secure that the draft NDP is compatible with the Convention rights. It is therefore not necessary to consider human rights in the parts of this report that deal with specific parts of the Draft NDP.

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<sup>13</sup> [2017] EWHC 420 (Admin), para 29, Dove J, 27<sup>th</sup> January 2017.

## **7. The contents of the Draft NDP**

### **General Comments**

31. It will be apparent from the above that, having been satisfied in respect of basic conditions (f) and (g) and human rights, I have needed to concentrate on basic conditions (a), (d) and (e). My recommended modifications are those that I consider need to be made to secure that the Draft NDP meets these basic conditions and to correct errors.

32. I must bear in mind the nature of the parish of Goring-on-Thames, including the facts that the whole parish is in the Chilterns AONB, and parts of it are in the setting of the North Wessex Downs AONB, the extent of the flood zones 2 and 3, the heritage assets and their settings and the relative sustainability of the village.

### **Housing**

33. The main issue is the tension between contributing to the need for housing and the constraints that arise from the village being in the Chilterns AONB and surrounded by it and the River Thames. On the one hand growth is clearly envisaged in Goring-on-Thames. For example policy CSS1 of the Core Strategy states among other things that proposals for development in South Oxfordshire should be consistent with the overall strategy of supporting and enhancing the 12 larger villages (which include Goring) as local service centres. With its good public transport and retail provision, Goring is relatively sustainable and clearly suited to such a policy. On the other hand I do not consider that a settlement that is surrounded by AONB countryside (and indeed swept over by the AONB) must be treated in the same way as one that is not. Rather it is contrary to the national importance of AONB to say that a settlement entirely within an AONB that contains x% of a district's population must provide x% of the new housing. This is recognised in paragraph 5.30 of the emerging Local Plan. I do however recognise that the Chilterns AONB occupies a large area (833 square kilometres) and some new housing on greenfield sites within it is inevitable.

34. In the Revised NPPF there is clear guidance that strategic policy-making authorities should set out a housing requirement for designated neighbourhood areas which reflects the overall strategy for the pattern and scale of development and any relevant allocations and that, where this is not possible, the LPA should provide an indicative figure, if requested to do so by the neighbourhood planning body.<sup>14</sup> As explained in paragraph 17 above, the Revised NPPF does apply to this examination and I therefore do not treat this as applicable policy. Nonetheless the broad approach of the LPA setting numbers is good planning. It can bear in mind the ability of other parts of its area to take an increased proportion of the need if

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<sup>14</sup> Revised NPPF, paragraphs 65 and 66 and PPG Reference ID: 41-097-20180913 .

AONB or other constraints make it appropriate to reduce the number for particular settlements and it will have the obligation to find the additional provision elsewhere. In this case SODC stated that the number in the draft NDP, namely approximately 94 new dwellings in the plan period was appropriate, but that provision should not be reduced below this. That has some similarity to the approach that will apply in future and reflects the comment in the draft NDP,<sup>15</sup> with which I agree, that the draft NDP should “*take a balanced view*”. Further no other satisfactory approach has been advanced that would both reflect the need of Goring to make some contribution to housing need and its particular circumstances of being highly constrained by the AONB designation. I have no reason to doubt the judgment of SODC in this matter and it would not be the role of an NDP examiner to examine a whole district. I therefore propose to follow it. This means that more land for housing will have to be found elsewhere in the district, but that will be a matter for SODC. It does however also mean that I must be satisfied that the allocations made in the draft NDP are sufficient to meet the number it specifies and that, if I am not, it must be modified to achieve this.

35. In addition to the figure of 94, it is important to note the estimated need of affordable housing over the plan period based on the Housing Needs Survey is at between 30 and 40.<sup>16</sup> This can be compared with the SODC policy that requires 40% of new housing to be affordable, which produces a figure of 37.6. The expensive price of houses in Goring<sup>17</sup> means that providing affordable homes to buy (whether wholly or through shared ownership) is particularly difficult.

*Where should that need for new housing be met*

36. The following statements appears on page 30 of the draft NDP:

*“... large-scale development would have a major adverse impact on both the landscape and visual amenity in the areas immediately around the site and on long distance views.”*  
*“The Plan has concluded that the most reasonable spatial option is for small to medium sites, either brownfield or on the periphery and contiguous with the edge of the village, which can be mitigated to provide a gradual and pleasing transition to the open countryside. This highlights the balance that needs to be achieved between making ever more efficient use of land to meet housing need whilst protecting Goring’s special landscape.”*

37. The draft NDP envisages that the sites selected would provide from 14 to 46 homes. Having spent more time than usual on my site visits, I have no hesitation in agreeing with these statements. A significantly larger site would have an unacceptable impact of the

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<sup>15</sup> Page 22, 1<sup>st</sup> column; page 33, column 2.

<sup>16</sup> Draft NDP, page 41, column 2.

<sup>17</sup> Draft NDP, page, paragraph 5.2.2.

AONB. Smaller sites below the threshold for affordable housing would have the significant disadvantage of not contributing to needed affordable housing.

38. I am satisfied that the selection of the four sites was appropriate and was carried out in a way that avoided inappropriate influence. I comment on each of these four sites below. I am satisfied that they should remain in the plan. I have also to be satisfied that they will deliver 94 new dwellings in the plan period and, if not, how the under-provision should be met.

*Allocated Site GNP2*

39. I am satisfied that site GNP2 is appropriate and that it can deliver approximately 14 new homes including affordable housing.

*Allocated Site GNP 3*

40. Part of this low-lying site east of Manor Road is within flood zone 2 and 2018 draft flood predictions indicate that part may lie within flood zone 3 with some of the land allocated for housing in the Submission Draft in this zone. This is a matter on which I give substantial weight to the view of the Environment Agency. However its letter of 24<sup>th</sup> July 2017 predates the 2018 draft flood predictions. Re-contouring may assist; but the site is downstream of existing homes, so it would be especially important to ensure that re-contouring does not hold water back. It will be able to provide some housing in Flood Zone 1 and may still be able to deliver 20 new dwellings; but the matter is uncertain and on the evidence before me I have been unable to conclude with confidence either that it is likely to provide 20 dwellings or that it is unlikely to do so. It follows that the NDP should make provision for it not being able to do so.

*Allocated Site GNP 6*

41. This site lies immediately to the north of the village of Goring and to the east of Wallingford Road, to which it would have access. It has an area of 3.75 hectares and is proposed for almost half of the total housing provision. I visited it on the accompanied site visit and spent some time considering the representations and other documentation in respect of it. I am satisfied that it would not cause sufficient harm to the AONB to prevent its allocation for 46 new homes and that would include affordable housing. There is no better unallocated alternative to it and the housing (including affordable housing) that it would provide is needed. This is however a site where inappropriate design could be particularly harmful. In the circumstances the carefully framed terms of the policy are important.

*Allocated Site GNP10*

42. I have no hesitation in agreeing with the draft NDP that this site in its present state is “a poor ‘fit’ with the Conservation Area. I had initial concerns about allocating a site in

current employment use and about it not being available for development until 2023, but after posing questions on the matter at the hearing I was satisfied that it could be available for redevelopment fairly soon. The tenant Peruvian Connection has now vacated the site and terminated the lease removing any doubt about the matter. It can provide 14 dwellings in the near future. Comments that it will retain an employment use in the medium term are no longer appropriate.

#### *Other sites*

43. In the light of my concerns about allocated site GNP3 I have considered alternative sites. The approach that I consider appropriate is to identify a reserve site that should not be developed initially, but should be available if, after five years, it is likely the four sites will not provide approximately 94 dwellings.<sup>18</sup> Five years is appropriate both as a reasonable period in itself to clarify the situation and given the expectation that *“that the majority of [the approximately 94 dwellings] will be built in the first 4-6 years of the Plan’s life”*.<sup>19</sup> In doing so, I have found the Site Selection and Ranking table helpful in showing GPC’s approach, but I am not bound by it, not least because I must consider new evidence in respect of flood risk. The same applies to the SSMG Assessment Matrix for all 14 sites in the Sustainability Appraisal Publication Version. All the sites are greenfield and within the rural part of the AONB. While I have found the Site Selection and Ranking table and the SSMG Assessment Matrix helpful, I give more weight to flood risk and likelihood of providing affordable housing and less weight to a limited narrowing of the gap between Goring village and Gatehampton than the ranking does.

44. Some of the possible sites lie within the gap between the village of Goring and Gatehampton. Maintaining the separate identity of these is important, but I do not agree with the Landscape-Capacity Study’s approach of treating the whole of the gap as particularly important. It could be reduced a little and leave the two communities wholly distinct. This should not be treated as a reason to narrow the gap further.

45. Site GNP13, a low-lying site to the west of Manor Road is particularly vulnerable to flooding both under the original zoning and under the 2018 draft flood predictions. That is undesirable in itself and also undesirable downstream of the village where raising contours could impact on existing homes. It has recently been subject to an unsuccessful planning appeal. The proposal put forward on behalf of its owner of 4-6 dwellings on it would be unlikely to provide needed affordable housing, although I recognise that it could accommodate more dwellings. It would not provide a satisfactory reserve site.

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<sup>18</sup> See PPG Reference ID: 41-009-20160211.

<sup>19</sup> Draft NDP, p12, col 1. s

46. Site GNP 7 is a 0.3 ha site west of Gatehampton Road is proposed for 4 dwellings which would not ensure the important matter of the provision of affordable housing and would be unlikely to meet under-provision from the four allocated sites. It might provide a few more dwellings, but that has not been put forward by the owner or considered in the examination process and so is unsure. It would not provide a satisfactory reserve site.

47. Site GNP8 is a modest site on Gatehampton Road is within reasonable walking distance of the station and of the large recreation ground a little to the northeast of Gatehampton Road. Its screening could be improved substantially by appropriate planting, so that, in particular, views of it from the Chiltern Way would be limited. Even with screening, there would be sufficient visual impact on the AONB, including the Chiltern Way, not to recommend its addition as a site on which new housing should definitely be built. It is in flood zone 1. There is no reason why it should not provide an appropriate proportion of affordable housing. In particular the proposers demonstrated clear title to the entire site and it is available for development.<sup>20</sup> I do not share the view that this site at the Goring end of the gap between Goring and Gatehampton is an important part of the setting of the Gatehampton Conservation Area. Despite some problems, it is the most appropriate site to be held in reserve for both general and affordable housing in case the four selected sites do not result in the needed level of provision.

48. The remaining sites on the site selection and ranking list are not reasonable for the reasons given by GPC. Nothing in my comments on site GNP8 should be treated as supporting site GNP1, development of which would have a seriously harmful impact on the AONB; and nothing in my comments on site GNP6 should be taken as supporting the less sustainably located site GNP5.

### **Specific Comments**

*Page 5, column 1*

49. This needs updating.

#### Recommended modification 1

*Page 5, column 1, 3<sup>rd</sup> paragraph, 1<sup>st</sup> sentence*

Delete “*In mid-2018*”.

*Page 6, column 1, 1<sup>st</sup> complete paragraph*

50. This contains an error that needs correcting.

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<sup>20</sup> Sustainability Appraisal p68.

Recommended modification 2

*Page 6, column 1, 1<sup>st</sup> complete paragraph*

Replace the first complete sentence with: *“The Plan must comply with international and national law and take account of national and local planning policy. It is required to place great emphasis on the long-term sustainability of the village.”*

*Page 7, column 2*

51. This requires modification to reflect the uncertainty about the capacity of the four sites.

Recommended modification 3

*Page 7 column 2*

Replace “19 policies” with “20 policies”

Show GNP8 on Figure 4

Replace *“Approximately 94 new dwellings to be built on these sites”* with *“It is hoped that approximately 94 new dwellings will be built on these sites; but should this not be possible site GNP8 will be held in reserve to achieve this provision.”*

*Page 8, column 1*

52. At the hearing it became apparent that site GNP10 could be available much more quickly than had been anticipated and it has since been vacated. The first paragraph therefore requires modification.

Recommended modification 4

*Page 8, column 1, first paragraph*

Replace this with *“Site GNP10 is a vacant commercial property, warehouse and associated car park. The previous tenant has now terminated its lease and vacated the site. The site also provides some parking spaces for nearby businesses. It is available for housing development.”*

*Page 9 column 2*

53. This will require updating to reflect that the examination stage has passed and the date of the referendum.

Recommended modification 5

*Page 9 column 2, paragraphs numbered 2 and 3*

Replace paragraph 2 with “**Independent Examiner** – the Plan and all evidence has been considered by an independent examiner appointed by SODC in consultation with the Parish Council. The examiner has reported to the District Council recommending that, subject to modification, the Plan can proceed to referendum. The residents of the parish will be asked to vote to accept or reject the final Plan. The referendum is expected to be in 2019. It is determined on the basis of a simple yes/no vote. If the Plan is accepted by a majority of one or more, it will become part of local planning policy and will have full weight. If the community rejects the Plan, it will have no planning significance and will offer no protection to Goring.”

In paragraph 3, replace “the summer of 2018” with “2019”.

Page 12, column 1

54. The statement at the end of the second complete paragraph is too strong on the evidence.

Recommended modification 6

Page 12, column 1, 2<sup>nd</sup> complete paragraph, final sentence

Replace this with “It is expected that the majority of these will be built in the first 4-6 years of the Plan’s life.”

Page 13

55. This requires updating in two respects.

Recommended modification 7

Page 13, column 1, 1<sup>st</sup> complete paragraph

Replace this “This document is the referendum version of the Plan”.

Page 13, column 2, final paragraph

Modify this so that it begins, “All the sites offered for development, the four preferred sites to be allocated for new housing and the reserve site are introduced in Chapter 6. Here you can find out how the sites were assessed, how they were selected ...”.

Page 15, column 2

56. This will require updating to reflect that the examination stage has passed and the date of the referendum.



Recommended modification 8

*Page 15 column 2, paragraph 1.7, sub-paragraphs numbered 2 and 3*

Delete all text from “There are three further steps” to the end of the page and replace with

“The Plan and all evidence have been considered by an independent examiner appointed by SODC in consultation with GPC. The examiner has reported to the District Council recommending that, subject to modification, the Plan can proceed to referendum.

The residents of the parish of Goring-on-Thames will be asked to vote to accept or reject the final Plan. The referendum is expected to be in 2019. It is determined on the basis of a simple yes/no vote. If the Plan is accepted by a majority of one or more, it will become part of local planning policy and will have full weight. If the community rejects the Plan, it will have no planning significance and will offer no protection to Goring.”

*Page 21, column 1*

57. The final sentence of the first paragraph is inaccurate, mixing law with policy. It should be replaced.

Recommended modification 9

*Page 21, column 1, first paragraph, final sentence*

Replace this with “*Their legal framework is provided by statute, the Countryside and Rights of Way Act 2000, which places a duty on relevant authorities to “have regard to the purpose of conserving and enhancing the natural beauty of the area of outstanding natural beauty” “in exercising or performing any functions in relation to, or so as to affect, land in an” AONB.*

*Page 25*

58. In the light of uncertainty as to whether the four preferred sites can in fact meet the specified need and with the evidence about site GNP10 given at the hearing, the final sentence on this page needs modification.

Recommended modification 10

*Page 25, column 2, final sentence*

Replace this with “*The most appropriate option is for four allocated development sites to be used for new homes with additional land held in reserve if these cannot provide approximately 94 new dwellings*”.

Page 35

59. Given the uncertainty as to whether the four preferred sites can in fact meet the specified need the first sentence on this page and the first sentence of policy 0.1 needs modification.

Recommended modification 11

*Page 35, column 1, first sentence*

Replace this with “*It is hoped that planned growth will be achieved by the allocation of four sites for development.*”

*Policy 01*

Replace the first paragraph with: “*New residential development in Goring will be focused on the four proposed housing allocations (GNP2, GNP3, GNP6 and GNP10), which, it is hoped, will deliver approximately 94 dwellings. Land will be held in reserve in accordance with policy.10 to provide for this need if these sites cannot deliver it.*”

Add at the end of the policy “*or if policy.10 applies*”.

*Page 36, policy.02*

60. There is only one built-up are in Goring properly described, but the reference to built-up areas might be used as an argument that a small group of buildings, for example at Gatehampton was covered by this policy, which I am confident was not the intention. The error should be corrected. As SODC point out the limitation to “*an area of up to 0.2 ha*” is contrary to the Core Strategy’s policy CSR1 (as well as to emerging policy). It could also impede the provision of affordable housing and make use of the reserve site more likely. It should be removed.

Recommended modification 12

*Page 36, policy.02*

Replace “*built-up areas*” with “*built-up area*”.

Replace the final indent with: “*the scale of development is appropriate to the neighbouring Area and does not have an adverse impact on its character.*”

*Page 43, policy 05*

61. I am satisfied for the reasons given in the draft NDP and because it corresponds with a strategic development plan policy that policy 05 is needed and amply justified.

*Page 47*

62. For the reasons already given, the final sentence requires modification.

Recommended modification 13

*Page 47, final sentence*

Replace this with “*It is hoped that these four allocated sites will result in approximately 94 new dwellings in Goring.*”

*Page 48*

63. This page requires modification for the reasons given above.

Recommended modification 14

*Page 48, column 1*

Add at the end of this “*a fifth site is to be held in reserve in case the sites do not produce approximately 94 new dwellings.*”

5. *GNP 8 – Gatehampton Road.*”

*Page 48, column 2*

Show site GNP8 on Figure 26.

*Page 62, column 1*

64. This requires updating to reflect what was said at the hearing and the subsequent vacation of the site.

Recommended modification 15

*Page 62, column 1, 2<sup>nd</sup> paragraph*

Replace this with: “*The site was as a commercial property, warehouse and associated car park. The previous tenant has now terminated its lease and vacated the site. . The site also provides some parking spaces for nearby businesses.*”

*Page 63 and 64*

65. A substantial amount of supporting text on these two pages relates to a non-strategic development policy, SODC Local Plan 2011 saved policy E6 and emerging policy, emerging Local Plan 2034 policy EMP3. The 3<sup>rd</sup> paragraph on this page conflicts with the wording of Policy.09. This policy does not follow the approach of its supporting text, making no reference to employment use or to marketing for such use. Either the supporting text or the policy must therefore be modified. I have concluded that the policy should remain for the following reasons.

(1) the basic conditions do not specify non-strategic or emerging policy;

(2) using the site to contribute to the approximately 94 new dwellings is a major point in the draft NDP;

(3) strong national policy favours more housing;

(4) my view that the statement in the first complete paragraph on page 64 is more likely than not to be correct.

66. As a matter of law allocating the site for housing in the NDP will take priority over Local Plan 2011 saved policy E6.<sup>21</sup> What the emerging Local Plan 2034 contains will be a matter for others and I recognise that they might take a different view to me. Once adopted that Plan will have priority. The possibility that it will include its emerging policy EMP3 (or something similar) reinforces the need for a reserve site.

#### Recommended modification 16

*Pages 63 and 64*

Delete all text (but not figure 44 and its description) from “NPPF paragraph 37” on page 63 to “*should apply:*”

*After page 64*

67. For the reasons given above, I consider that land must be reserved to ensure that the approximately 94 dwellings is reached and that it should be site GNP 8.

#### Recommended modification 17

Insert the following supporting text:

*“GNP8 is a greenfield site of approximately 0.6Ha, adjacent and contiguous with the existing development on the eastern side of Gatehampton Road.*

*It has the disadvantage of being visible from significant parts of the rural AONB and is inadequately screened at present. It would also reduce the gap between Goring village and Gatehampton. It is not as good a site for development as the four allocated sites. It has the advantages of being capable of substantially improved screening, of being within easy walking distance of the station and a recreation ground, of being in flood zone 1 and of being likely to provide needed affordable housing. Of the sites that have not been allocated, it is the most appropriate site to be held in reserve in case the four allocated sites cannot meet the need for new dwellings.”*

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<sup>21</sup> PCPA s38(5) states “If to any extent a policy contained in a development plan for an area conflicts with another policy in the development plan the conflict must be resolved in favour of the policy which is contained in the last document to become part of the development plan.”

An aerial view similar to those on pages 49, 51, 56 and 62, and a snapshot of Ordnance Survey map similar to those on pages 50, 53, 58 and 63, should be inserted.

Insert the following new policy.

***“Policy.10: Reserve Site GNP8***

*The site next to Gatehampton Road of approximately 0.6 ha is reserved for 10 to 16 new dwellings, should the allocated sites not provide approximately 94 new dwellings. This is not to be developed for housing, or for any development that would make future housing development less likely, unless on or after 31<sup>st</sup> March 2024 it becomes apparent that the four development sites identified in the Plan are unlikely to produce approximately 94 new dwellings in the Plan period. If that under-provision occurs this site should be treated in the same way as the allocated sites subject to the following site-specific requirements*

*In those circumstances a Masterplan (as part of the planning application) will be supported provided the proposed development complies with the following:*

- 1. All new dwellings must have no more than 3 bedrooms.*
- 2. 40 per cent of new housing on the site must be affordable, unless this is not an exact number, in which case in addition to providing affordable housing on the site an appropriate financial contribution in respect of the fraction remaining should be made to affordable housing elsewhere in the parish.*
- 3. Road access must be onto Gatehampton Road with the entrance designed to reflect its rural character.*
- 4. The design of new buildings should conform to the provisions of SODC's Design Guide and also the Chilterns Buildings Design Guide to ensure that dwellings will be sympathetically designed and fit in with the local area. Buildings should be no higher than 2 storeys, with rooms in the roof if appropriate.*
- 5. The visual impact of the development should be mitigated by substantial buffer planting with appropriate native species. There must be a suitable proposal to ensure that all existing vegetation on the periphery of the site (other than any that must be removed to provide a suitable access) will be protected, including provision for the ongoing maintenance for which a management strategy must be provided. This area should be the subject of a legal agreement to ensure that residents of neighbouring properties are not able to remove, reduce or materially modify the screening.*
- 6. There will be a net gain in biodiversity on the site by enhancing screening with new trees and hedges on the north-eastern and south-eastern perimeters to protect views from public rights of way.*

*7. The Oxfordshire Historic Environmental records should be reviewed for any records of archaeological remains.*

Renumber subsequent policies and pages.<sup>22</sup>

Make consequential alterations to list of plan policies on page 3.

*Page 72*

68. It is important that the NDP does not contain policies that prevent the achievement of the approximately 94 new dwellings for which it provides. As it stands policy.10 might do that. I therefore recommend a modification to ensure that it does not prevent sustainable development.

Recommended modification 18

*Page 72, Policy.10*

Insert at the end of the policy: *“This policy does not prevent the granting of planning permission for new housing on the four allocated sites and, if necessary, on the reserved site, but should be borne in mind in the details of those sites.”*

*Page 114*

69. For the reasons given above the evidence given at the hearing and subsequent events render much of this page out of date.

Recommended modification 19

*Page 114, column 1*

Delete the first, second and third grammatical paragraphs and replace with:

*“This site is currently a vacant commercial property, warehouse and associated car park. The previous tenant has vacated the site and relocated to Didcot. The site also provides some parking spaces for nearby businesses.*

*This site is known as GNP10 and is allocated by Policy.09 of this Plan for residential use.”*

*Page 117*

70. This needs to be updated to reflect the additional policy.

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<sup>22</sup> In the rest of this report, I continue to use existing page and policy numbering. Renumbering will be required in the Referendum version.

Recommended modification 20

*Page 117, paragraph 14.3,*

Replace “19 policies” with “20 policies”.

*Page 119*

71. The Policy/Action column requires modification to provide for the recommended modification to policy 01.<sup>23</sup>

Recommended modification 21

*Page 119, Policy/Action column*

Alter policy.01 so that it is the same as policy.01 as modified by recommended modification 11 above.

*Page 122*

72. This needs to be updated to reflect the additional policy.

Recommended modification 22

*Page 122, 1<sup>st</sup> complete row*

Replace “and Policy.09” with “, Policy.09 and Policy.10”.

*Page 124*

73. The new policy.10 will need to be dealt with in Appendix 1. The existing policy.10 should be reworded to reflect the change of wording recommended in paragraph 67 above.

Recommended modification 23

*Page 124, new row*

Insert a new row after the row dealing with Policy.09 to deal with the new policy 10 and renumber subsequent policies appropriately.

*Page 124, Policy/Action column 22*

Alter policy.10 so that it is the same as policy.10 as modified by recommended modification 17 above.

*Page 130*

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<sup>23</sup> Paragraph 59 of this report.

74. New policy.10 should be mentioned.

Recommended modification 24

*Page 130*

Replace in the first row “and Policy.09” with “, Policy.09 and Policy.10”.

Insert a new row after the row dealing with Policy.09 to deal with the new policy.10 and renumber subsequent policies appropriately.

*Page 136*

75. The Town and Country Planning (Development Management Procedure) (England) Order 2010 has been replaced by the Town and Country Planning (Development Management Procedure) (England) Order 2015.

Recommended modification 25

*Page 136, 4th row*

Replace “2010” with “2015”.

*After page 142*

75. Appendix 3 should also cover the reserve site.

Recommended modification 26

*After page 142*

Insert a figure showing the boundary of site GNP8.

*Page 145*

76. The Plan does not give the source of Part M4, which could lead to confusion. Footnote 20 relates to the first mention of Part M4 and I recommend modifying this to increase clarity. There is no need to modify the subsequent mention of M4.

Recommended modification 27

Replace footnote 20 with “*Building Regulations 2010 Schedule 1 Part M4 (access to and use of dwellings), Category 2/ Lifetime Homes Standards.*”

*Page 146*

77. An error in footnote 34 requires correction.



Recommended modification 28

*Page 146, footnote 34*

Replace “*para 87*” with “*para 97*”.

**8. Updating**

78. It may be that certain passages need updating. Nothing in this report should deter appropriate updating prior to the referendum in respect of incontrovertible issues of primary fact.

**9. The Referendum Area**

79. I have considered whether the referendum area should be extended beyond the designated plan area, namely the parish of Goring-on-Thames, and see no reason to recommend doing so. I therefore recommend that the referendum area be limited to the parish.

**10. Summary of Main Findings**

80. I commend the Draft NDP for being well written, logical, clear, appropriately concise and intelligible to a reasonably intelligent lay reader with no expertise in town and country planning.

81. I recommend that the draft NDP be modified in the terms specified in Appendix A to this report in order to meet basic conditions and to correct errors. I am satisfied with all parts of the draft NDP to which I am not recommending modifications.

82. With those modifications the draft NDP will meet all the basic conditions and human rights obligations. Specifically

- Having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the NDP;
- The making of the NDP contributes to the achievement of sustainable development;
- The making of the NDP is in general conformity with the strategic policies contained in the development plan for the area of Goring (or any part of that area);
- The making of the NDP does not breach, and is not otherwise incompatible with, EU obligations;
- The making of the NDP is not likely to have a significant effect on a European site or a European offshore marine site (either alone or in combination with other plans or projects); and

- The modified draft NDP is in all respects fully compatible with Convention rights contained in the Human Rights Act 1998.

83. I recommend that the modified NDP proceed to a referendum, the referendum area being the parish of Goring-on-Thames.

Timothy Jones, Barrister, FCI Arb,

Independent Examiner,

No 5 Chambers

29<sup>th</sup> March 2019.

## Appendix A: Recommended Modifications

### Recommended modification 1

Page 5, column 1, 3rd paragraph, 1st sentence

Delete “In mid-2018”.

### Recommended modification 2

Page 6, column 1, 1st complete paragraph

Replace the first complete sentence with: “The Plan must comply with international and national law and take account of national and local planning policy. It is required to place great emphasis on the long-term sustainability of the village.”

### Recommended modification 3

Page 7 column 2

Replace “19 policies” with “20 policies”

Show GNP8 on Figure 4

Replace “Approximately 94 new dwellings to be built on these sites” with “It is hoped that approximately 94 new dwellings will be built on these sites; but should this not be possible land will be held in reserve to achieve this provision.”

### Recommended modification 4

Page 8, column 1, first paragraph

Replace this with “Site GNP10 is a vacant commercial property, warehouse and associated car park. The previous tenant has now terminated its lease and vacated the site. The site also provides some parking spaces for nearby businesses. It is available for housing development.”

### Recommended modification 5

Page 9 column 2, paragraphs numbered 2 and 3

Replace paragraph 2 with “**Independent Examiner** – the Plan and all evidence has been considered by an independent examiner appointed by SODC in consultation with the Parish Council. The examiner has reported to the District Council recommending that, subject to modification, the Plan can proceed to referendum. The residents of the parish will be asked to vote to accept or reject the final Plan. The referendum is expected to be in 2019. It is

determined on the basis of a simple yes/no vote. If the Plan is accepted by a majority of one or more, it will become part of local planning policy and will have full weight. If the community rejects the Plan, it will have no planning significance and will offer no protection to Goring.”

In paragraph 3, replace “the summer of 2018” with “2019”.

#### Recommended modification 6

Page 12, column 1, 2nd complete paragraph, final sentence

Replace this with “It is expected that the majority of these will be built in the first 4-6 years of the Plan’s life.”

#### Recommended modification 7

Page 13, column 1, 1st complete paragraph

Replace this “This document is the referendum version of the Plan”.

Page 13, column 2, final paragraph

Modify this so that it begins, “All the sites offered for development, the four preferred sites to be allocated for new housing and the reserve site are introduced in Chapter 6. Here you can find out how the sites were assessed, how they were selected ...”

#### Recommended modification 8

Page 15 column 2, paragraph 1.7, sub-paragraphs numbered 2 and 3

Delete all text from “There are three further steps” to the end of the page and replace with “  
“The Plan and all evidence have been considered by an independent examiner appointed by SODC in consultation with GPC. The examiner has reported to the District Council recommending that, subject to modification, the Plan can proceed to referendum.

The residents of the parish of Goring-on-Thames will be asked to vote to accept or reject the final Plan. The referendum is expected to be in 2019. It is determined on the basis of a simple yes/no vote. If the Plan is accepted by a majority of one or more, it will become part of local planning policy and will have full weight. If the community rejects the Plan, it will have no planning significance and will offer no protection to Goring.”

#### Recommended modification 9

Page 21, column 1, first paragraph, final sentence

Replace this with “Their legal framework is provided by statute, the Countryside and Rights of Way Act 2000, which places a duty on relevant authorities to “have regard to the purpose of conserving and enhancing the natural beauty of the area of outstanding natural beauty” “in exercising or performing any functions in relation to, or so as to affect, land in an” AONB.

#### Recommended modification 10

Page 25, column 2, final sentence

Replace this with “The most appropriate option is for four allocated development sites to be used for new homes with additional land held in reserve if these cannot provide approximately 94 new dwellings”.

#### Recommended modification 11

Page 35, column 1, first sentence

Replace this with “It is hoped that planned growth will be achieved by the allocation of four sites for development.”

Policy 01

Replace the first paragraph with: “New residential development in Goring will be focused on the four proposed housing allocations (GNP2, GNP3, GNP6 and GNP10), which, it is hoped, will deliver approximately 94 dwellings. Land will be held in reserve in accordance with policy.10 to provide for this need if these sites cannot deliver it.”

Add at the end of the policy “or if policy.10 applies”.

#### Recommended modification 12

Page 36, policy.02

Replace “built-up areas” with “built-up area”.

Replace the final indent with: “the scale of development is appropriate to the neighbouring Area and does not have an adverse impact on its character.”

#### Recommended modification 13

Page 47, final sentence

Replace this with “It is hoped that these four allocated sites will result in approximately 94 new dwellings in Goring.”

#### Recommended modification 14

Page 48, column 1

Add at the end of this “a fifth site is to be held in reserve in case the sites do not produce approximately 94 new dwellings.

5. GNP 8 – Gatehampton Road.”

Page 48, column 2

Show site GNP8 on Figure 26.

#### Recommended modification 15

Page 62, column 1, 2nd paragraph

Replace this with: “The site was used as a commercial property, warehouse and associated car park. The previous tenant has now terminated its lease and vacated the site. The site also provides some parking spaces for nearby businesses.”

#### Recommended modification 16

Pages 63 and 64

Delete all text (but not figure 44 and its description) from “NPPF paragraph 37” on page 63 to “should apply:”

#### Recommended modification 17

Insert the following supporting text:

“GNP8 is a greenfield site of approximately 0.6Ha, adjacent and contiguous with the existing development on the eastern side of Gatehampton Road.

It has the disadvantage of being visible from significant parts of the rural AONB and is inadequately screened at present. It would also reduce the gap between Goring village and Gatehampton. It is not as a good a site for development as the four allocated sites. It has the advantages of being capable of substantially improved screening, of being within easy walking distance of the station and a recreation ground, of being in flood zone 1 and of being likely to provide needed affordable housing. Of the sites that have not been allocated, it is the most appropriate site to be held in reserve in case the four allocated sites cannot meet the need for new dwellings.”

An aerial view similar to those on pages 49, 51, 56 and 62, and a snapshot of Ordnance Survey map similar to those on pages 50, 53, 58 and 63, should be inserted.

Insert the following new policy.

**“Policy.10: Reserve Site GNP8**

The site next to Gatehampton Road of approximately 0.6 ha is reserved for 10 to 16 new dwellings, should the allocated sites not provide approximately 94 new dwellings. This is not to be developed for housing, or for any development that would make future housing development less likely, unless on or after 31st March 2024 it becomes apparent that the four development sites identified in the Plan are unlikely to produce approximately 94 new dwellings in the Plan period. If that under-provision occurs this site should be treated in the same way as the allocated sites subject to the following site-specific requirements.

In those circumstances a Masterplan (as part of the planning application) will be supported provided the proposed development complies with the following:

1. All new dwellings must have no more than 3 bedrooms.
2. 40 per cent of new housing on the site must be affordable, unless this is not an exact number, in which case in addition to providing affordable housing on the site an appropriate financial contribution in respect of the fraction remaining should be made to affordable housing elsewhere in the parish.
3. Road access must be onto Gatehampton Road with the entrance designed to reflect its rural character.
4. The design of new buildings should conform to the provisions of SODC's Design Guide and also the Chilterns Buildings Design Guide to ensure that dwellings will be sympathetically designed and fit in with the local area. Buildings should be no higher than 2 storeys, with rooms in the roof if appropriate.
5. The visual impact of the development should be mitigated by substantial buffer planting with appropriate native species. There must be a suitable proposal to ensure that all existing vegetation on the periphery of the site (other than any that must be removed to provide a suitable access) will be protected, including provision for the ongoing maintenance for which a management strategy must be provided. This area should be the subject of a legal agreement to ensure that residents of neighbouring properties are not able to remove, reduce or materially modify the screening.
6. There will be a net gain in biodiversity on the site by enhancing screening with new trees and hedges on the north-eastern and south-eastern perimeters to protect views from public rights of way.
7. The Oxfordshire Historic Environmental records should be reviewed for any records of archaeological remains.

Renumber subsequent policies and pages.

Make consequential alterations to list of plan policies on page 3.

### Recommended modification 18

Page 72, Policy.10

Insert at the end of the policy: “This policy does not prevent the granting of planning permission for new housing on the four allocated sites and, if necessary, on the reserved site, but should be borne in mind in the details of those sites.”

### Recommended modification 19

Page 114, column 1

Delete the first, second and third grammatical paragraphs and replace with

“This site is currently a vacant commercial property, warehouse and associated car park. The previous tenant has vacated the site and relocated to Didcot. The site also provides some parking spaces for nearby businesses.

This site is known as GNP10 and is allocated by Policy.09 of this Plan for residential use. ”

### Recommended modification 20

Page 117, paragraph 14.3,

Replace “19 policies” with “20 policies”.

### Recommended modification 21

Page 119, Policy/Action column

Alter policy.10 so that it is the same as policy.10 as modified by recommended modification 11 above.

### Recommended modification 22

Page 122, 1st complete row

Replace “and Policy.09” with “, Policy.09 and Policy.10”.

### Recommended modification 23

Page 124, new row

Insert a new row after the row dealing with Policy.09 to deal with the new policy 10 and renumber subsequent policies appropriately.

Page 124, Policy/Action column 22



Alter policy.10 so that it is the same as policy.10 as modified by recommended modification 17 above.

Recommended modification 24

Page 130, new row

Insert a new row after the row dealing with Policy.09 to deal with the new policy.10 and renumber subsequent policies appropriately.

Recommended modification 25

Page 136, 4th row

Replace “2010” with “2015”.

Recommended modification 26

After page 142

Insert a figure showing the boundary of site GNP8.

Recommended modification 27

Replace footnote 20 with “Building Regulations 2010 Schedule 1 Part M4 (access to and use of dwellings), Category 2/ Lifetime Homes Standards.”

Recommended modification 25

Page 146, footnote 34

Replace “para 87” with “para 97”.

## **Appendix B: Abbreviations**

The following abbreviations are used in this report:

|                     |  |
|---------------------|--|
| AONB                | Area of Outstanding Beauty   |
| AsONB               | Areas of Outstanding Beauty  |
| Convention          | European Convention on Human Rights                                      |
| GPC                 | Goring-on-Thames Parish Council  |
| Draft NDP           | The Submission version of the Goring Neighbourhood Plan 2018-2033        |
| EU                  | European Union   |
| General Regulations | Neighbourhood Planning (General) Regulations 2012 (as amended)           |
| LPA                 | Local Planning Authority   |
| NDP                 | Neighbourhood Development Plan   |
| NPPF                | National Planning Policy Framework (March 2012)                          |
| p                   | page   |
| para                | paragraph  |
| PPG                 | national Planning Practice Guidance                                      |
| PCPA                | Planning and Compulsory Purchase Act 2004 (as amended)                   |
| Revised NPPF        | Revised National Planning Policy Framework (July 2018 and February 2019) |
| s                   | section  |
| Sch                 | Schedule   |
| SODC                | South Oxfordshire District Council                                       |
| SODCCS              | South Oxfordshire District Council Core Strategy 2012                    |
| TCPA                | Town and Country Planning Act 1990 (as amended)                          |

Where I use the verb ‘include’, I am not using it to mean ‘comprise’. The words that follow are not necessarily exclusive.