

## Long Wittenham NDP Review

### Independent Examiner's Update and Preliminary Findings

#### Context

This note provides a position statement on the examination.

In particular it takes account of the responses of the Parish Council and the District Council to the further clarification note. Comments were also received on the archaeological issues relating to the community hub site (Policy LW1) from Historic England

#### Findings

I have considered the various comments received on both the additional clarification note and on the additional consultation undertaken on the updated environmental statements.

On the minerals issue I am satisfied that the submitted Environmental Report is now satisfactory subject to its incorporation of changes to remedy a factual error. The County Council has highlighted that the updated Environmental Report (March 2019) identifies the incorrect mineral resource. However, it does not suggest that the assessment of likely impact upon mineral resources within the Report is flawed and has made it clear that it does not object to the submitted Plan

On the archaeological issue I am not satisfied that the Environmental Report has addressed this matter in a way that is proportionate to the potential significance of the proposed site for the community hub on this important matter. I have come to this view for the following reasons:

*The protection of whatever archaeological remains exist within the boundary of the proposed community hub*

The proposed site is being allocated without a full understand of its archaeological significance.

*The processes followed*

The Environmental Report includes commentary that there is insufficient information upon which to draw its conclusions about likely significant effects upon heritage and that further assessment is required before the site is actually allocated in the Plan. In addition, the Report is not supported by Historic England in its capacity as the government's advisory body on heritage matters.

*Development Plan clarity*

Plainly there will be judgement involved in the amount of information needed in order to provide clarity that a site allocated in an emerging development plan can proceed with confidence through the development management process. However, in this case I do not consider that Policy LW1 and its supporting information meet the basic conditions. In its current state the Plan fails to address this matter satisfactorily. It effectively defers a detailed consideration of the matter to any future planning application stage.

#### **Summary**

**In these circumstances I cannot be satisfied that the Plan meets the basic conditions. As such, on the basis of the evidence before me, I cannot recommend that it should proceed to referendum.**

## The Next Steps

Plainly the examination has been underway for some time and has addressed a series of issues in significant detail.

I acknowledge that there are different views about the engagement of statutory bodies in the plan-making process in general, and on the initial phases of the Environmental Report in particular. However, my role is to examine the Plan based on the information available to me at the time of the examination rather than to scrutinise the evolution of the Plan.

In these circumstances I suggest that there are three options for the Parish Council as follows:

### *Option 1*

My report would be finalised and sent to the District Council and the Parish Council on the basis of the Summary set out above.

### *Option 2*

The Parish Council withdraws the Plan.

### *Option 3*

The Parish Council undertakes further work on the archaeological significance of the community Hub site and produces further updates to the Environmental Report.

This option would require additional consultation on the further updates to the Environmental Report

### *Timescale*

I would be grateful if the Parish Council would advise the District Council by Monday 16 September 2019 on how it considers the examination should now proceed. This decision should be based on the three identified options (or indeed any other option which it may consider appropriate). Please let the District Council know if more time is needed.

In the event that it wishes to pursue Option 3 the Parish Council should also provide by 16 September an indicative timetable for the work to be undertaken.

Andrew Ashcroft

Independent Examiner

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2 September 2019