

SOUTH OXFORDSHIRE DISTRICT COUNCIL

EAST HAGBOURNE PARISH NEIGHBOURHOOD DEVELOPMENT PLAN: FINAL DECISION STATEMENT

DATE OF PUBLICATION – 22 December 2020

1. Decision

- 1.1. Following an Independent Examination and a positive referendum result South Oxfordshire District Council decided at the Council meeting on 11 April 2019:
1. To make the East Hagbourne Parish Neighbourhood Development Plan so that it continues to be part of the council's development plan.
 2. To delegate to the Head of Planning, in agreement with the Qualifying Body, the correction of any spelling, grammatical, typographical or factual errors together with any improvements from a presentational perspective.

2. Background

- 2.1 The parish of East Hagbourne was designated as a Neighbourhood Area on 31 March 2016
- 2.2 Following the submission of the East Hagbourne Parish Neighbourhood Plan Examination Version ('the Plan') to the Council, the plan was publicised and comments were invited from the public and stakeholders. The consultation period closed on 4 January 2019.
- 2.3 South Oxfordshire District Council appointed an independent Examiner, Andrew Ashcroft, to review whether the plan met the basic conditions required by legislation and whether the plan should proceed to referendum.
- 2.4 The Examiner's Report concluded, subject to the modifications proposed in his report, that the plan meets the Basic Conditions. The council determined

on 11 April 2019 that the Plan, as modified by the Examiner's recommendations, should proceed to referendum.

- 2.5 A referendum was held on Thursday, 14 March 2019 and 93.5% of those who voted, voted in favour of the plan. The question asked was:

Do you want South Oxfordshire District Council to use the Neighbourhood Plan for East Hagbourne to help it decide planning applications in the neighbourhood area?

3. Reason for Decision

- 3.1 Section 38A(4)(a) of the 2004 Act requires the Council to make the neighbourhood plan if more than half of those voting in the referendum have voted in favour of the plan being used to help decide planning applications in the neighbourhood area. Section 38A (6) of the 2004 Act states that the Local Planning Authority is not subject to the duty if it considers that the making of the Plan would breach, or would otherwise be incompatible with, any EU obligation or any of the Convention rights.
- 3.2 The council determined on 11 April 2019 that the Plan, as modified by the Examiner's recommendations, meets the basic conditions set out in paragraph 8(2) of Schedule 4B of the Town and Country Planning Act 1990, is compatible with EU obligations and the Convention rights and complies with relevant provision made by or under Section 38A and B of the Planning and Compulsory Purchase Act 2004 as amended.
- 3.3 Section 5 of the Basic Conditions Statement submitted in support of the Plan outlined the Qualifying Body's considerations to the European Convention on Human Rights (ECHR), in particular their regard to the fundamental rights and freedoms guaranteed under the ECHR and the Human Rights Act. The council is satisfied that the preparation of the Plan had regard to the fundamental rights and freedoms guaranteed under the European ECHR and that it complies with the Human Rights Act. The Council is satisfied that 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.
- 3.4 South Oxfordshire District Council /The Qualifying Body produced a Strategic Environmental Assessment (SEA) and Habitats Regulations Assessment (HRA) Screening Determination on 08 June 2016, which confirmed that a SEA and a full HRA were not required on the Plan. The screening determination has been subject to consultation with the relevant statutory consultees, who confirmed the decision. The Council's Decision Statement

issued on 31 January 2018 under Regulation 18(2) confirmed that the modifications accepted by the Council, both separately and combined, produce no likely significant environmental effects and are unlikely to have any significant effects on European Designated Sites. Therefore, the Council is satisfied that the making of the East Hagbourne Neighbourhood Development Plan, incorporating the modifications recommended by the Examiner and accepted by the council, would not breach, or would otherwise be incompatible with, any EU obligation or any of the Convention rights.

3.5 A referendum relating to the adoption of the East Hagbourne Neighbourhood Development Plan was held on Thursday 14 March 2019.

3.6 The question which was asked in the Referendum was: “*Do you want South Oxfordshire District Council to use the Neighbourhood Plan for East Hagbourne to help it decide planning applications in the neighbourhood area?*”

3.7 The result was as follows:

Response	Votes	Per cent of total
Yes	360	93.5%
No	25	6.5%
Turnout	385	41.3%

3.8 The majority of local electors who voted, voted in favour of the plan; therefore, the East Hagbourne Neighbourhood Plan has become part of the council’s development plan.

3.9 As the plan was approved at the local referendum and the council is satisfied it would not breach and be otherwise incompatible with EU obligations or human rights legislation, the council is required make the East Hagbourne Parish Neighbourhood Development Plan so that it continues to be part of the council’s development plan.

3.10 The Council decided at the Council meeting on 11 April 2019 to make the East Hagbourne Neighbourhood Plan part of the Development Plan for South Oxfordshire.

4. Other Information

4.1 In accordance with Regulations 19 and 20 of the Neighbourhood Planning (General) Regulations 2012, this Decision Statement and the made East Hagbourne Neighbourhood Plan can be viewed on the Council’s website:

<http://www.southoxon.gov.uk/services-and-advice/planning-and-building/planning-policy/neighbourhood-plans/east-hagbourne-neighbo>

- 4.2 If you or anyone you know need to access this information in a different format, please contact the neighbourhood planning team on 01235 422600 or email planning.policy@southoxon.gov.uk.
- 4.3 In accordance with Regulation 19(b) and Regulation 30 of the Neighbourhood Planning (General) Regulations 2012, a copy of this Decision Statement has been sent to:
- The qualifying body, namely East Hagbourne Parish Council
 - The persons who asked to be notified of the decision

5. Modifications Statement

- 5.1 Regulation 30 of the Neighbourhood Planning (General) Regulations 2012 (as amended) (“the Regulations”) allows the Council to modify a neighbourhood development plan to correct errors with the permission of the Qualifying Body.
- 5.2 The Council brought the East Hagbourne Neighbourhood Plan into legal force under Section 38A(4) of the Planning and Compulsory Purchase Act 2004 (as amended) on 11 April 2019; and Delegated to the Head of Planning, in agreement with the Qualifying Body, the correction of any spelling, grammatical, typographical or factual errors together with any improvements from a presentational perspective.
- 5.3 The Qualifying Body – East Hagbourne Parish Council - asked the Council to make the following modifications:

Section	Proposed Change (new text is shown in underline and text that has been removed is shown in strikethrough)	Reason/Justification
Front Cover	Referendum version 25 January 2019 <u>Plan Made –April 2019’</u> Footnote East Hagbourne NP Referendum Version 20190125’ <u>East Hagbourne NP Made Version 07/2020</u>	Factual correction

Whole document	Replace all references to “referendum version” with ‘Plan Made – April 2019’	Factual correction
1 – Introduction	<p>Once the plan has been made (following a successful referendum) the East Hagbourne Neighbourhood Plan will form part of South Oxfordshire District Council’s Development Plan.</p> <p><u>The Plan was submitted for referendum on 14 March 2019 and the Plan was supported by 93.5% of those voting on a 41.3% turnout. It was adopted by South Oxfordshire District Council at a full Council meeting on 11 April 2019 and has become part of South Oxfordshire District Council’s Development Plan.</u></p> <p>This report was updated following the six-week pre-submission consultation which ended on 14th April 2018 and further consultation with SODC. The submission version of the Plan was submitted to the District Council on 17th September 2018. SODC carried out a further statutory six-week consultation period in which those that live work or do business in East Hagbourne together with a list of statutory consultees had the</p>	Factual correction

	<p>opportunity to comment on the Plan, and submitted the Plan for examination.</p> <p>This document is the referendum version of the EHNP and incorporates the recommendations of the Examiner.'</p>	
<p>2.5 - Submission and Examination</p>	<p>2.5 Submission and Examination</p> <p><u>2.5 Submission, Examination and Adoption</u></p> <p>This document is the referendum version of the EHNP</p> <p><u>This document is the Made version of the EHNP</u></p> <p>The recommendations made by the examiner have been <u>were</u> considered by the District Council in consultation with East Hagbourne Parish Council and the Plan amended to incorporate the examiner's comments</p> <p>The District Council has <u>then</u> determined that the Plan should progress to a local referendum where voters in the parish of East Hagbourne will be <u>were</u> asked whether they <u>wanted South Oxfordshire District Council to use the Plan to help it determine planning applications in the area.</u> approve the Plan. If the Plan is supported by a simple majority of those voting at</p>	<p>Factual correction</p>

	<p>the referendum, the Plan will be 'made' or adopted by the district council as part of the planning policy for development in the East Hagbourne Neighbourhood Plan area. <u>The referendum took place on 14 March 2019 and the Plan was supported by 93.5% of those voting on a 41.3% turnout. It was adopted by South Oxfordshire District Council at a full Council meeting on 11 April 2019 and has become a 'made' Plan.</u> Together with the Development Plan, the Neighbourhood Plan will be used for deciding planning applications in East Hagbourne within the Plan period from when it is <u>was</u> 'made' to 2033. This Plan will apply to any and all development in the Neighbourhood Plan area.</p>	
<p>3.4 - Land for future housing-allocation</p>	<p>However, outline planning permission has now been granted (at the end of January 2018) for 74 dwellings on land adjoining Hagbourne Village Hall on Main Road and identified as Site 5 in our site assessment process <u>and the Reserved Matters is currently being considered by South Oxfordshire District Council.</u></p> <p>This Plan will implement <u>implements</u> the objectives of the Emerging Local Plan by:</p>	<p>Factual correction</p>

	<p>In addition to the scheme for up to 74 houses on land adjacent to Hagbourne Village Hall an application for 78 houses was submitted <u>and subsequently refused</u> for a site at the eastern end of the village. Together these developments would increase the number of dwellings in the village community by 30%, far exceeding the expectations of the Local Plan. Four further major unplanned applications have since been <u>were also</u> put forward or are imminent <u>and refused</u> which would total <u>have totalled</u> several hundred houses within the Parish boundary.</p> <p>In preparing this Neighbourhood Plan, however, it became clear that because of the pressure for housing development in South Oxfordshire and in view of the <u>shortfall at that time in relation to a 5 year housing land supply</u>, the needs of the community would be better served by a more proactive approach.</p>	
3.6 Our Challenges	<p>High Speed Broadband is available in the village, but is currently unable to reach the area most remote from the fibre optic box. Manor Farm Lane in particular has poor broadband speed. <u>Initiatives by residents of Manor Farm Lane, together with BT, have recently been successful in improving broadband</u></p>	Factual correction

	<p><u>speeds in that area of the village.</u></p> <p>There is an identified need for more parking in the area of the village hall and School. The approved development adjacent to Hagbourne village Hall proposes some increase in spaces in the village Car Park.</p>	
4.3.2 Design and Character	A planning refusal upheld at appeal <u>in March 2017</u> on Lower End Field referred to the undesirability of coalescence between the settlements and the vital role played by this land parcel in maintaining the separation of East Hagbourne and Didcot.	Factual correction
Lower End Field – page 25	The landscape value of the land was recognised in the recent <u>2017</u> planning appeal on the Green Gap site on Lower End Field ref (APP/Q3115/W/16/3153639) which concluded that this was valued landscape.	Factual correction
Coscote Fields – page 26	A recent <u>An appeal</u> against <u>the</u> planning refusal of <u>planning permission</u> for a site east of Park Road (APP/Q3115/W/17/3188474) <u>was dismissed in June 2018.</u>	Factual correction
The Green Corridor – page 27	It noted that the area is wildlife rich (especially Millennium Wood, Butts Piece, hedges along playing field track and Mowbray	Factual correction

	Fields) with a wide variety of bird and insect life and that Hagbourne Environment Group is involved <u>has carried out extensive work in</u> coppicing Millennium Wood and part of Butts Piece to increase species richness and provide renewable energy.	
The Green Corridor – page 30	The importance of these aspects was demonstrated at the recent 2017 planning appeal on the Green Gap site on Lower End Field ref (APP/Q3115/W/16/3153639) which concluded that this was valued landscape.	Factual correction
Page 45	<p>Fibre broadband extends to Lower Cross, with copper wires completing the connections to individual houses, so most properties have access to reasonable speed internet connections, although the area at the western end of Main Road cannot currently achieve superfast broadband speeds.</p> <p>Changed to:</p> <p>Fibre broadband extends to Lower Cross, with copper wires completing the connections to individual houses, so most properties have access to reasonable speed internet connections, although the area at the western end of Main Road cannot currently <u>has historically not been able to</u> achieve superfast broadband speeds.</p> <p><u>Initiatives by local</u></p>	Factual correction

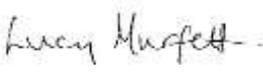
	<u>residents, in conjunction with BT, have improved this situation.</u>	
Page 58	The site has been sensitively maintained by the previous owners.	Factual correction
Page 60	NB paddock 4 or D excluded if add in will need to amend Plan and site area above.	Factual correction – the note was in the plan by mistake.
Page 69	The current 94 service provides an hourly service to Didcot, but is unlikely to survive beyond this year <u>but its future remain precarious.</u> At the time of writing we do not know what replacement service might be possible. Continuation of services will depend on outside financing and on there being sufficient passengers.	Factual correction
Page 73	Planning permission has been granted for the site adjacent to the village hall and the developer has offered that some increase in <u>an increase of 20 spaces</u> might be achieved by rearranging the available space and by making some land available from the new development.	Factual correction
Page 73	Houses at the western end of the village, however, particularly in Manor Farm Lane have <u>historically</u> experienced much lower speeds and BT had so far not been able to offer a solution. <u>The efforts of local residents, in conjunction with BT, have resulted in improvements</u>	Factual correction

	in this area. The situation at other outlying areas (Coscote, Hagbourne Mill) is being evaluated.	
Page 73	With the development of the field adjacent to Hagbourne Village Hall it is likely that these new houses will also be affected by poor speeds and this could there is an opportunity to provide an opportunity to improve the good service for the new houses and to the wider village.	Factual correction

5.4 The Council accepts the modifications proposed by East Hagbourne Parish Council for the purposes of correcting minor factual, spelling, grammatical and typographical errors. These modifications have been incorporated into the made version of the East Hagbourne Neighbourhood Development Plan.

Authorised by: **Lucy Murfett**

On behalf of Head of Planning

Signed: 

Date: 22 December 2020