

## **Wheatley Neighbourhood Plan: Public Consultation Document - January 2021**



Listening Learning Leading

### **Purpose:**

This document provides relevant background and sets out South Oxfordshire District Council's proposed decision and reasons to deviate from the examiner's recommendations to delete Section 10, which includes policy GBBA1, as well as the following elements of section 11; policies SPES1, SPES3, and SPES4 and paragraphs 11.1 – 11.7, paragraphs 11.12 – 11.13, paragraphs 11.14 – 11.15, paragraphs 11.17 – 11.19 of supporting text.

### **Background:**

In September 2019, Wheatley Parish Council submitted its draft neighbourhood plan to South Oxfordshire District Council. We then carried out the statutory 'Regulation 16' consultation in September 2019. All comments received to this consultation were submitted to an independent examiner, who subsequently examined the plan and published a report including a number of recommendations. The examiner's report can be viewed [here](#).

The council considered each of the recommendations made by the examiner and decided to progress the plan to referendum. This decision was made on 2 April 2020 (the Decision Statement can be viewed [here](#)).

Since making this decision, the South Oxfordshire Local Plan 2035 has been adopted and supersedes our Core Strategy 2012. The adopted South Oxfordshire Local Plan 2035 establishes the need for detailed amendments to the Green Belt to be made by the Wheatley Neighbourhood Plan.

The council is required to formally consult on any proposal to deviate from the Examiner recommendations. Therefore, the purpose of this consultation is to invite comments on the council's intention to retain supporting text and policies in Sections 10 and 11, as proposed to be modified by the council, which the examiner recommended should be deleted. The council is also inviting comments on the reasons for proposing to make this decision.

The council's proposed decision and reasons are set out in Table 1 below:

## Proposed Council’s decision and reason

The table below sets out the council’s proposed decision and reasoning for deviating from the examiner’s recommendations. It also contains amended policy and supporting text wording where this is considered necessary.

Examiners Recommendation	Council’s proposed Decision and Reasoning	Proposed Modification
<p><b>Policy GBBA1: Green Belt Boundary</b></p> <p>Delete the policy</p> <p>Delete Section 10 of the Plan (including Figure 10.3)</p>	<p>The council proposes to retain Section 10 as amended.</p> <p>The Wheatley Neighbourhood Plan was examined between October 2019 and February 2020. In October 2019 the Secretary of State for Housing Communities and Local Government issued a temporary Direction on the Council in relation to its intention to withdraw the then emerging Local Plan from the examination process. The temporary Direction was made under the provisions of Section 21A of the Planning and Compulsory Purchase Act 2004 (as amended). This meant that the emerging plan had no effect whilst the direction was in force.</p> <p>In process terms, the timings involved and the unusual circumstances experienced did not permit the submitted neighbourhood plan directly to take account of the emerging local planning context during its examination. Nevertheless, the neighbourhood was prepared within its wider development plan context. In doing</p>	<p>Retain submitted policy GBBA1 as modified:</p> <p><b>Policy GBBA1: Green Belt Boundary Amendments</b></p> <p>Detailed amendments to the Green Belt boundary are made to accommodate allocations at WHE15, WHE16 and WHE17. The boundary of the amended Green Belt is identified on Figure 10.3.</p> <p><del>This policy only comes into effect once the need for changes to Green Belt boundaries in Wheatley has been established through strategic planning policies. This is expected to be achieved through the adoption of the emerging South Oxfordshire Local Plan 2011 – 2034 Final Publication 2<sup>nd</sup> [10] or any subsequent updates.</del></p> <p>Retain section 10 of the plan (including Figure 10.3) as modified:</p> <p><b>10 Wheatley Village Enhancement</b></p> <p><b>Village needs and the opportunities for enhancement</b></p> <p>10.1 The emerging South Oxfordshire Local Plan 2011-2035<del>4</del> Final Publication 2<sup>nd</sup> [10] discusses in detail the</p>

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	<p>so it relied on up-to-date information and research that 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.</p> <p>On 3 March 2020 the Secretary of State issued South Oxfordshire District Council with a Direction under Section 27 of the Planning and Compulsory Purchase Act 2004. This directed the Council to progress the plan through examination to be adopted by December 2020, and for senior council officers to report monthly to MHCLG officials on progress of the plan.</p> <p>The South Oxfordshire Local Plan 2035, progressed under a Direction from the Secretary of State, was adopted at a meeting of Full Council on 10 December 2020. It now forms part of the development plan for the district and replaces the South Oxfordshire Local Plan 2011 and Core Strategy 2012.</p> <p>The council took a proactive and positive approach, working collaboratively with Wheatley Parish Council to ensure the draft neighbourhood plan had the greatest</p>	<p>growth expected in the larger villages across SODC. Figure 10.1 summarises some of the key considerations relevant to Wheatley.</p> <div data-bbox="1173 411 1984 928" style="border: 1px solid black; padding: 10px;"> <ul style="list-style-type: none"> <li>a. Provision of 15% growth in the larger villages</li> <li>b. Development should be proportional, appropriate and dependent on existing infrastructure</li> <li>c. Wheatley is restricted by the Green Belt</li> <li>d. 15% growth in Wheatley corresponds to 305 dwellings</li> <li>e. There have been <del>1384</del> completions and commitments (completions as of <del>March 31 2019</del> and commitments as of 1 April 2019<del>20</del>) in Wheatley (see Table 5.1 in Appendix 5)</li> <li>f. In view of the strategic allocation at OBU there is no outstanding requirement for the WNP</li> </ul> </div> <p style="text-align: center;">Figure 10.1 Key Planning Considerations for Wheatley as a larger village</p> <p>10.2 However, the conclusion that there is no outstanding requirement for Wheatley has to be qualified. When it is eventually sold, the OBU campus in Holton parish may afford an opportunity for a housing development. This will depend on the intentions of the purchaser and obviously on any forthcoming successful planning application. What is certain however is that the results of the Community survey [7] identified a current need for affordable housing and also discussions with senior staff at Wheatley Park Academy</p>

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	<p>chance of success at independent examination.</p> <p>In line with paragraph 136 of the NPPF, Section 10 of the Wheatley Neighbourhood Plan relied on strategic policies establishing the need for any changes to Green Belt boundaries in the area. Policy STRAT 6 of the emerging South Oxfordshire Local Plan set out to provide the necessary strategic framework for the proposals in Section 10. Policy GBBA1 contained a trigger ensuring detailed amendments to the Green Belt proposed in the neighbourhood plan would not come into effect until the emerging Local Plan was adopted.</p> <p>The temporary Direction on the emerging Local Plan, in place during the examination of the neighbourhood plan meant that the emerging plan had no effect whilst the direction was in force. Within this context, the examiner found that the intentions of the neighbourhood plan were overtaken by events and as such the proposals to make detailed amendments to the Green Belt boundary did not meet the basic conditions.</p> <p>The examiner's report, for reasons that were proper at the time, recommended the deletion of Section 10 in its entirety</p>	<p>have advised that the biggest barrier, "right now", to teacher recruitment is the lack of affordable housing in the area [48].</p> <p>10.3 The 15% growth target is calculated on an average basis for the whole of SODC. The WNP Committee commissioned a Housing Needs Assessment (HNA) [Appendix 3] with the brief to examine the housing needs specific to the Neighbourhood Plan Designated Area. The questions to be addressed are shown in Figure 10.2.</p> <div data-bbox="1173 632 1998 874" style="border: 1px solid black; padding: 5px;"> <ol style="list-style-type: none"> <li>1. What quantity of housing is appropriate over the Period of the Plan</li> <li>2. What quantum of Affordable Housing is needed over the Plan Period and what tenure of dwellings (both affordable and market) should be included in the housing mix.</li> </ol> </div> <p style="text-align: center;">Figure 10.2 Questions for Housing Needs Assessment [Appendix 3]</p> <p>10.4 The conclusion of the HNA is that there is a need for 120 affordable homes during the Plan Period (see Table 5.3 in Appendix 3) which, based on the 40% requirement for affordable homes in the emerging South Oxfordshire Local Plan 2011 – 2034<del>5</del> <u>Final Publication 2nd (2019)</u> [10], means that a total of 520 homes would have to be built to deliver this affordable target. So, although the strategic allocation (STRAT14) at OBU certainly goes some way to meeting the housing needs there would still be an unmet local need.</p>

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	<p>However, the recently adopted South Oxfordshire Local Plan 2035 establishes the need for detailed amendments to the Green Belt to be made by the Wheatley Neighbourhood Plan.</p> <p>Part 3 of Policy STRAT6: Green Belt in the adopted South Oxfordshire Local Plan 2035 sets out:</p> <p>‘Detailed amendments to the Green Belt made by the Wheatley Neighbourhood Development Plan must be in compliance with the requirements of the NPPF and the need identified within the Local Plan.’</p> <p>In light of the adoption of the of the South Oxfordshire Local Plan 2035 and in particular the provisions of Part 3 of Policy STRAT6, the council consider it has good and substantial reason to revisit this issue.</p> <p>The council proposes to retain Section 10 as amended. Amendments to supporting text and policy GBBA1 are necessary to accurately reflect the adoption of the South Oxfordshire Local Plan. Replacement text is shown in bold underline and text that has been removed is shown in strikethrough.</p>	<p>10.5 In addressing this issue there are two important policy statements made in the South Oxfordshire Local Plan 2011 – 2034<del>5 Final Publication 2nd [10]</del> viz :</p> <p>“<del>4.119</del><b>3.118</b>: Wheatley is the only Larger Village which is inset from the Greet Belt where a Neighbourhood Development Plan is being prepared. According to current national planning guidance, <del>the a</del> NDP can make detailed amendments to the Green Belt boundary where the Local Planning Authority sets the need.</p> <p><del>4.120</del><b>3.119</b>: The inset boundary at Wheatley is drawn tightly around the built edge of development. There are limited opportunities to redevelop existing land within the inset boundary and the removal of Green Belt would enable new development to take place at this village. The Green Belt Study found that the land immediately adjacent to the eastern built up edge of Wheatley has few essential characteristics of the Green Belt.”</p> <p>10.6 As Wheatley is highly constrained by the Green Belt with almost all of the in-fill sites occupied already the only opportunities to provide housing to help meet bespoke local needs will be afforded by “change of use” of brownfield sites. From the Site Selection Process (see Appendix 2) the WHE22 site at Littleworth emerged as a good candidate site. The advantages of redeveloping this site are discussed in</p>

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		<p>more detail in 11.1 and 11.2 below not only in respect of providing much needed housing but also in terms of rationalising and improving the whole neighbourhood at the centre of Littleworth. Change of use on this site however would mean closure of some small businesses and associated loss of employment (approximately 30 jobs). Such a consequence would be harmful and make Wheatley less sustainable but, working collaboratively with the district council, we have devised an enhancement plan that provides the housing to meet bespoke local needs, preserves employment and improves the overall layout of Wheatley. In preparing this enhancement plan the WNP Committee has been mindful of:-</p> <p>a. The findings in the Housing Needs Survey [7, figures 21 and 22] and therefore the WNP has aimed to achieve a balance between resisting pressure on greenfield sites yet still providing appropriate development.</p> <p>b. The comments contained in the OCC response [49] on the Pre-Submission Local Plan in February 2019 indicated that a total level of development corresponding to 500 houses would lead to capacity concerns regarding Primary School Education since expansion of the Primary School is not considered viable.</p> <p>c. A total development of 500 houses would have a significant impact on the provision of local health care and associated infrastructure. It would not be sufficient to justify a</p>

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		<p>new health centre (or its equivalent) so again a balance has to be achieved between providing appropriate development and the constraints of health care provision.</p> <p><b>Amending the Green Belt Boundary</b></p> <p>10.7 Neighbourhood plans are now able to make detailed amendments to the Green Belt boundaries where a need for changes has been established through strategic policies the NPPF [33] states that:-</p> <p style="padding-left: 40px;">“Once established, Green Belt boundaries should only be altered where exceptional circumstances are fully evidenced and justified, through the preparation or updating of plans. Strategic policies should establish the need for any changes to Green Belt boundaries, having regard to their intended permanence in the long term, so they can endure beyond the plan period. Where a need for changes to Green Belt boundaries has been established through strategic policies, detailed amendments to those boundaries may be made through non-strategic policies, including neighbourhood plans”.</p> <p>10.8 South Oxfordshire District Council <del>is in the process of updating the</del> <b>has adopted the</b> Local Plan <b>2035</b> and as a result have recently reviewed the Green Belt boundaries. The inset boundary at Wheatley is drawn tight around the built edge of development, and as such there are limited opportunities to redevelop existing land within the inset</p>

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		<p>boundary. The removal of land from the Green Belt would enable new development to take place in Wheatley.</p> <p>10.9 The Green Belt Study, which forms part of the evidence base for the <del>emerging</del> Local Plan <b>2035</b>, found that the land immediately adjacent to the eastern built up edge of Wheatley has few essential characteristics of the Green Belt.</p> <p>10.10 The mechanism to allow Wheatley Neighbourhood Plan to make detailed amendments to the Green Belt is provided in Policy STRAT6: Green Belt in the emerging Local Plan, which identifies that:-</p> <p style="padding-left: 40px;">“4.3. Detailed amendments to the Green Belt made by the Wheatley Neighbourhood Development Plan must be in compliance with the requirements of the NPPF and the need identified within the Local Plan.”</p> <p>10.11 Through working with the Local Planning Authority, the Wheatley Neighbourhood Plan Group have established that exceptional circumstances exist that permit the release of land from the Green Belt in Wheatley.</p> <p>10.12 The exceptional circumstances for the release of land from the Green Belt at Wheatley <b><u>identified in the South Oxfordshire Local Plan 2035 are:-</u></b></p> <ul style="list-style-type: none"> <li>• <b><u>to support the Neighbourhood Development Plan and to ensure that future allocations can be made through the NDP;</u></b></li> </ul>

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		<p><b><u>• Wheatley is a Larger Village and benefits from a number of services and facilities and represents an appropriate location for accommodating additional development; and</u></b></p> <p><b><u>• the location of this land is recognised to be positioned between existing residential development to the west and industrial buildings to the east and has limited essential characteristics of the Green Belt.</u></b></p> <p>a. <del>Wheatley is a Larger Village, which is an appropriate location for accommodating additional development</del></p> <p>b. <del>There are limited alternatives for accommodating additional development at Wheatley other than through Green Belt release</del></p> <p>c. <del>To meet bespoke housing needs of Wheatley</del></p> <p>d. <del>To contribute towards offsetting the loss of employment at the OBU site</del></p> <p>e. <del>To enable the relocation of existing employment uses to more suitable locations in Wheatley, thus creating better facilities and improving the interaction between different land uses. This will also enable vacated employment sites to be developed for housing.</del></p> <p>f. <del>To enable development to take place to provide for a mix of uses to the benefit of existing and future residents</del></p>

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		g. <del>To make efficient use of land that has few essential characteristics of the Green Belt</del>
<p><b>Policy SPES1</b></p> <p>Delete the policy</p> <p>Delete Paragraphs 11.1-11.7 (including Figures 11.1 and 11.3)</p>	<p>The council proposes to retain Policy SPES1 and paragraphs 11.1-11.7 (including Figures 11.1 and 11.3) as amended.</p> <p>When Policy SPES1 was examined it was contingent on the application of Policy GBBA1 with Section 10 of the Plan, which was deleted for the reasons set out above. Therefore, it was appropriate to recommend deleting Policy SPES1 at the time. The same reasons applied to the supporting text in paragraphs 11.1 – 11.7.</p> <p>The examiner's report, for reasons that were proper at the time, recommended the deletion of Policy SPES1 in its entirety. However, the recently adopted South Oxfordshire Local Plan 2035 establishes the need for detailed amendments to the Green Belt to be made by the Wheatley Neighbourhood Plan.</p> <p>Part 3 of Policy STRAT6: Green Belt in the adopted South Oxfordshire Local Plan 2035 sets out:</p>	<p>Retain submitted SPES1 policy as modified:</p> <p><b>POLICY SPES1: WHE16</b></p> <p>Subject to the provisions outlined in policy GBBA1, a development proposal for up to 10 dwellings, occupying approximately 0.28HA, <b><u>and public parking, occupying approximately 0.07HA, should</u></b> <del>would</del> be supported provided:-</p> <p>a. Housing would be delivered in accordance with Policy H3-;</p> <p>b. <del>Enhancement of t</del><b><u>is enhanced</u></b> <del>The public realm within the site</del> through design and landscape measures, public open space and/or financial contributions, subject to viability-;</p> <p>c. <del>Ensures that t</del><b><u>is enhanced</u></b> <del>The development has no adverse impact on the surrounding environment and where possible enhances the landscape and scenic beauty-;</del></p> <p>d. Incorporates appropriate access from the London Road to ensure that the development is serviced adequately-;</p>

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	<p>'Detailed amendments to the Green Belt made by the Wheatley Neighbourhood Development Plan must be in compliance with the requirements of the NPPF and the need identified within the Local Plan.'</p> <p>In light of the adoption of the of the South Oxfordshire Local Plan 2035 and in particular the provisions of Part 3 of Policy STRAT6, the council consider it has good and substantial reason to revisit this issue.</p> <p>The council proposes to retain Policy SPES1 and paragraphs 11.1 – 11.7 as amended. Amendments to supporting text and policy SPES1 are necessary to accurately reflect the adoption of the South Oxfordshire Local Plan 2035.</p> <p>Further modifications, in line with the council's representations during the Regulation 16 consultation, are also considered necessary. These are (replacement text is shown in bold underline and text that has been removed is shown in strikethrough):</p> <p>This policy should be presented in a format that requires all the criteria to be considered. This can be done by</p>	<p>e. <del>Ensures that</del> The development does not have adverse impacts on the amenities of neighbouring properties through loss of privacy, daylight or sunlight;</p> <p>f. <del>Incorporates</del> <b>S</b>ufficient parking for the development <b>is provided with regard to</b> <del>in accordance with the adopted standards;</del> <b>and</b></p> <p>g. <del>Delivery of</del> <b>Land is safeguarded for</b> public parking for <b>approximately 30 cars</b>, adjacent <del>businesses that currently use the site for ad hoc parking (30+ cars) occupying approximately 0.07HA.</del></p> <p>Retain paragraphs 11.1 – 11.7 (including Figures 11.1 and 11.3) as modified:</p> <p><b>11. Wheatley Neighbourhood Plan: Policy for Village Enhancement Sites</b></p> <p>11.1 The Local Plan 2011 – 2034<del>5 Final Publication 2nd [10]</del> establishes the need for the release of Green Belt land in Wheatley and <del>on its adoption will allow</del> <b>s</b> the WNP to support the coordinated development of WHE15, WHE16, WHE17 and WHE22 subject to the provisions set out in policy GBBA1. Such a Village Enhancement Plan will provide</p>

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	<p>introducing semi-colons and 'and' on the penultimate criterion.</p> <p>Replace 'would' with '<i>should</i>'.</p> <p>b. For clarity this criterion is reworded as follows: <i>'The public realm within the site is enhanced through design and landscape measures, public open space and/or financial contributions, subject to viability;'</i></p> <p>c. For clarity 'Ensures that' is deleted and 'greater' is replaced with '<i>adverse</i>'.</p> <p>e. For clarity 'Ensures that' is deleted.</p> <p>f. For clarity this criterion is reworded as follows: <i>'Sufficient parking for the development is provided with regard to the adopted standards; and'</i></p> <p>g.</p>	<p>housing to meet bespoke local needs and at the same time improve connectivity through the village, rationalise light industry and provide opportunities for employment at the expense of only a small loss of Green Belt.</p> <p>11.2 In considering potential land use in Wheatley and Holton the initial selection process was based on suitability, availability and achievability for development followed by a more rigorous process based on key strategy issues. The site selection process is described in detail in Appendix 2 and summarised in the spreadsheets contained therein. WHE15, WHE16, WHE17 and WHE22 emerged as the clear preferred candidates to provide the housing, employment and improved connectivity throughout the village.</p> <p>11.3 Each of the four preferred candidate sites was given a development appraisal to establish the viability of developing these sites as proposed. The appraisal is described in Appendix 4. The findings from the appraisals indicated that the four sites were viable.</p> <p>11.4 Each of these sites is identified in Figures 11.1 and 11.2 showing their locations with respect to each other and the green route. They will now be described further together with a specific site policy. The number of houses that would eventually be built on the sites has been shaped by a housing needs assessment (see Appendix 3).</p> <p><b>WHE16, The Bungalows' Site</b></p>

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	<p>We understand it the Parish Council's wish to formalise the existing parking situation on this site. We support the aspirations of the Parish Council however as submitted the policy lacks clarity. The first part of the policy is amended to make it clear the site is allocated for housing and parking, to read:</p> <p>'Subject to the provisions outlined in policy GBBA1, a development proposal for up to 10 dwellings, occupying approximately 0.28HA, and public parking, occupying approximately 0.07HA, should be supported provided'</p> <p>To ensure the policy has the clarity required by the NPPF part g is amended to read:</p> <p>'g. Land is safeguarded for public parking for approximately 30 cars, occupying approximately 0.07HA.'</p>	<p>11.5 Wheatley has experienced substantial expansion since the early 1960's which has resulted in the creation of a site for light industry towards the eastern parish boundary. The idea for this site was to accommodate the relocation of badly sited industry in other parts of the village. Development of this light industrial area has had benefits in terms of employment and also in providing a location for the village sewage works. Planning however has not been well coordinated to the extent that a small development of 6 bungalows (#'s 148 – 158 London Road (even numbers)) has become isolated, not only within this area but also disconnected from the main settlement, serviced only by an unadopted road and located next to the sewage works. The bungalows lie within WHE16 (Figure 11.3), a parcel of land that is 0.88HA and located almost completely within the light industrial area. At the front and rear of the bungalows lie two portions of land within the Green Belt (in total 0.35HA) but which would be suitable for release from the Green Belt thereby permitting a small development. The land to the rear of the bungalows is used daily for ad hoc parking for 30+ cars by the local businesses and any change of use for this land would have to make provision for this car parking. All the car parking spaces on the access road to the industrial estate are used regularly and this road and connecting roads cannot accommodate any more parking. It would be desirable to reconcile the effects of historical planning decisions that would now appear to be inappropriate and</p>

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		<p>improve the character of WHE16 together with providing connectivity to the rest of the village.</p> <p>11.6 The portion of land lying at the front of the bungalows comprises an unadopted access road in poor condition, unmaintained scrubland and a drainage ditch. As such it would prove ideal to develop for improved access to the existing site with suitable visibility splays to the London Road, accommodate a bus stop lying to the east of the site and an improved green space in front of the bungalows.</p> <p>11.7 The land lying to the rear of the bungalows can provide two types of land use residential and car parking. Access to the land lying adjacent to the rear of the bungalows can be provided via the space between two of the existing bungalows (#s150 and 152) thereby permitting development, to the south, for up to 10 two-storey dwellings (corresponding to approximately 45 houses/HA). The whole Bungalows' site is tightly constrained on three sides light industry and employment activities. The development would need careful design and planning to include appropriate separation from the bungalows together with green space and tree planting. The land that lies further south and adjacent to the industrial estate access road can be used to provide a two-storey car parking facility to satisfy the local need.</p>

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<p><b>Policy SPES3</b></p> <p>Delete the policy</p> <p>Delete Paragraphs 11.12 – 11.3 (including Figure 11.5)</p>	<p>The council proposes to retain Policy SPES3 and paragraphs 11.12-11.13 (including Figures 11.5) as amended.</p> <p>When Policy SPES3 was examined it was contingent on the application of Policy GBBA1 with Section 10 of the Plan, which was deleted for the reasons set out above. Therefore, it was appropriate to recommend deleting Policy SPES3 at the time. The same reasons applied to the supporting text in paragraphs 11.12 – 11.13.</p> <p>The examiner's report, for reasons that were proper at the time, recommended the deletion of Policy SPES3 in its entirety. However, the recently adopted South Oxfordshire Local Plan 2035 establishes the need for detailed amendments to the Green Belt to be made by the Wheatley Neighbourhood Plan.</p> <p>Part 3 of Policy STRAT6: Green Belt in the adopted South Oxfordshire Local Plan 2035 sets out:</p> <p>'Detailed amendments to the Green Belt made by the Wheatley Neighbourhood Development Plan must be in compliance</p>	<p>Retain Policy SPES3 as modified:</p> <p><b>POLICY SPES3: WHE15</b></p> <p>Subject to the provisions outlined in policy GBBA1, a mixed development proposal <del>would</del> <b>should</b> be supported provided:-</p> <p>a. An area of approximately 1.7HA <b>is</b> available for appropriate commercial buildings to accommodate the businesses relocated from Littleworth Industrial Estate and for any other businesses or new ventures-;</p> <p>b. An area of approximately 1.7HA available for appropriate residential accommodation for 55 houses. <b>The M</b>maximum height of the dwellings <b>should</b> <del>to</del> be two storey - in keeping with style of the adjacent dwellings (eg in The Avenue)-;</p> <p>c. <b>The h</b>Housing development <b>should have regard</b> <del>to conform to</del> <b>appropriate guidance relating to</b> <del>standards for locations close to pylons/power cables-;</del></p> <p>d. Wildlife corridor (<b>approximately</b> at least 20m wide <b>if appropriate</b>) with winding path and planting to eastern and western boundaries of the housing</p>

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	<p>with the requirements of the NPPF and the need identified within the Local Plan.'</p> <p>In light of the adoption of the of the South Oxfordshire Local Plan 2035 and in particular the provisions of Part 3 of Policy STRAT6, the council consider it has good and substantial reason to revisit this issue.</p> <p>The council proposes to retain Policy SPES3 and paragraphs 11.12 – 11.13 as amended. Amendments to supporting text and policy SPES3 are necessary to accurately reflect the adoption of the South Oxfordshire Local Plan 2035.</p> <p>Further modifications, in line with the council's representations during the Regulation 16 consultation, are also considered necessary. These are (replacement text is shown in bold underline and text that has been removed is shown in strikethrough):</p> <p>This policy should be presented in a format that requires all the criteria to be considered. This can be done by introducing semi-colons and 'and' on the penultimate criterion.</p>	<p>development to ensure gap between the rear gardens of The Avenue, proposed new housing and commercial development.;</p> <p>e. <del>With</del> <b><u>There is good</u></b> Good Green Route access to the primary school.;</p> <p>f. Recreational space of approximately 1.7HA is <del>allocated</del> <b><u>provided</u></b> to merge with the adjacent Green Belt together with a games area adjacent to Elton Crescent.;</p> <p>g. <del>Enhancement of</del> <b><u>The public realm within the site is enhanced</u></b> through design and landscape measures, public open space and/or financial contributions, subject to viability.;</p> <p>h. <del>Incorporates</del> <b><u>There is</u></b> appropriate access <del>only</del> from London Road to ensure that the site is serviced adequately. <b><u>and</u></b></p> <p>i. The Green Route <del>should be</del> <b><u>is</u></b> surfaced appropriately for use by pedestrians and cyclists in all weathers. <b><u>It should</u></b> be designed to <b><u>accommodate</u></b> <del>a suitable path width for both</del> <b><u>pedestrians and cyclists</u></b> <del>user groups and</del> incorporate appropriate lighting.</p>

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	<p>Replace 'would' with 'should'.</p> <p>a. For clarity insert 'is' between '1.7HA' and 'available'.</p> <p>b. For clarity the criterion is reworded as follows:  <i>'An area of approximately 1.7HA is available for appropriate residential accommodation for 55 homes. The maximum height of the dwellings should be two storey – in keeping with the style of the adjacent dwellings (e.g. in The Avenue).'</i></p> <p>c. It is not clear what standards are being referred to in this criterion. Development cannot be expected to conform to standards if they do not exist. To address this the criterion is reworded as follows:  <i>'The housing development should have regard to appropriate guidance relating to pylons/power cables.'</i></p> <p>d. No justification is given for the need to have</p>	<p>Retain paragraphs 11.11 – 11.2 (including Figure 11.5) as modified:</p> <p>11.12 This site (Figure 11.5) lies in the Green Belt at the eastern end of the village between the settlement boundary and the large-scale industrial buildings. It consists of a single agricultural field of irregular shape and is crossed by two power lines. The land is visually important, particularly when approaching the village from the east and is a desirable and much needed, albeit informal, green space within the parish boundary. As part of Parcel 09 in the South Oxfordshire Green Belt Study [51] it was considered for boundary changes. Care would have to be taken that any development did not have an adverse impact either on the houses at the settlement boundary or on the adjacent Green Belt.</p> <p>11.13 In view of the presence of the power lines and proximity to the Green Belt the site lends itself to mixed development viz:- commercial, residential, and recreational. The indicative layout shown in Figure 11.5 is solely for illustrative purposes and not intended to prejudice any future planning applications.</p> <p>a. Adjacent to the power lines a commercial space can be created <b>potentially creating an opportunity</b> to accommodate all the businesses that would need to be <u>relocated</u> from the Littleworth Industrial Estate</p>

Examiners Recommendation	Council's proposed Decision and Reasoning	Proposed Modification
	<p>a wildlife corridor at least 20m wide. Given the lack of evidence the wording is amended as follows to provide appropriate flexibility:</p> <p><i>'(approximately 20m wide if appropriate)'.</i></p> <p>e. For clarity replace <i>'with'</i> with <i>'There is'</i>.</p> <p>f. For clarity replace <i>'allocated'</i> with <i>'provided'</i>.</p> <p>g. For clarity this criterion is reworded as follows: <i>'The public realm within the site is enhanced through design and landscape measures, public open space and/or financial contributions, subject to viability;'</i>.</p> <p>h. For clarity replace <i>'Incorporates'</i> with <i>'There is'</i>. Limiting access only from London Road could adversely impact the permeability of the site and there is no evidence to support this limitation. For this reason <i>'only'</i> is deleted from the policy wording.</p>	<p>(WHE22). In addition, this space could accommodate other local businesses (e.g. Cornfield Bakery, Wheatley Tyres) or new ventures. Road access to this part of the site would be through the feeder road that already services the existing industrial area.</p> <p>b. An appropriate residential development can be accommodated between the settlement boundary and the newly created commercial space. Vehicular access would be from the London Road to the north with no through vehicular access to Roman Road in the south. The development would be contoured to provide a "soft transition" from the urban development to the recreational space and Green Belt to the south.</p> <p>c. A formal recreational space can be provided in the southern portion of this site, between the development and the Green Belt. Figure 4.15 already shows the lack of recreational space within the settlement. This recreational space would also form part of a Green Route for cyclists and pedestrians through the village.</p>

Examiners Recommendation	Council's proposed Decision and Reasoning	Proposed Modification
	<p>i. For clarity this criterion is reworded as follows:</p> <p><i>'The Green Route is surfaced appropriately for use by pedestrians and cyclists in all weather. It should be designed to accommodate both pedestrians and cyclists and incorporate appropriate lighting.'</i></p> <p>Paragraph 11.13: Consequential amendments are needed to respond the recommendations made by the examiner in relation to the Littleworth site. The first sentence of paragraph 11.13 is amended as follows:</p> <p><i>'Adjacent to the power lines a commercial space can be created potentially creating an opportunity to accommodate businesses relocating from the Littleworth Industrial Estate (WHE22).'</i></p>	

<p><b>Policy SPES4</b></p> <p>Delete Paragraphs 11.14 – 11.5</p>	<p>The council proposes to retain Policy SPES4 and paragraphs 11.14-11.15 as amended.</p> <p>When Policy SPES4 was examined it was contingent on the application of Policy GBBA1 with Section 10 of the Plan, which was deleted for the reasons set out above. Therefore, it was appropriate to recommend deleting Policy SPES4 at the time. The same reasons applied to the supporting text in paragraphs 11.14 – 11.15.</p> <p>The examiner’s report, for reasons that were proper at the time, recommended the deletion of Policy SPES4 in its entirety. However, the recently adopted South Oxfordshire Local Plan 2035 establishes the need for detailed amendments to the Green Belt to be made by the Wheatley Neighbourhood Plan.</p> <p>Part 3 of Policy STRAT6: Green Belt in the adopted South Oxfordshire Local Plan 2035 sets out:</p> <p>‘Detailed amendments to the Green Belt made by the Wheatley Neighbourhood Development Plan must be in compliance with the requirements of the NPPF and the need identified within the Local Plan.’</p>	<p>Retain Policy SPES4 as modified:</p> <p><b>POLICY SPES4: WHE17</b></p> <p>Subject to the provisions outlined in policy GBBA1A development proposal for commercial use <del>will</del> <b>should</b> be supported provided that:-</p> <ul style="list-style-type: none"> <li>a. It supports the <del>delivery</del> <b>objectives</b> of the village enhancement plan <b>by delivering</b> <del>by enabling the relocation of businesses moving from the Littleworth site;</del></li> <li>b. <del>A</del> <b>a</b> appropriate commercial buildings <del>can be available for any other businesses;</del> subject to site constraints.;</li> <li>c. <del>Ensures that t</del>The development has no impact on the surrounding environment and, where appropriate, enhances the landscape and scenic beauty.;</li> <li>d. <del>Incorporates</del> <b>There is</b> appropriate access from <b>the</b> adjacent commercial site to ensure that the development is serviced adequately and well-integrated.;</li> <b>and</b> <li>e. <del>Development p</del> <b>P</b>roposals should <del>be located in sustainable locations and should be designed to ensure that they will not result in significant adverse impacts on human health, the natural environment</del></li> </ul>
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	<p>In light of the adoption of the of the South Oxfordshire Local Plan 2035 and in particular the provisions of Part 3 of Policy STRAT6, the council consider it has good and substantial reason to revisit this issue.</p> <p>The council proposes to retain Policy SPES4 and paragraphs 11.14 – 11.15 as amended. Amendments to supporting text and policy SPES3 are necessary to accurately reflect the adoption of the South Oxfordshire Local Plan 2035.</p> <p>Further modifications, in line with the council’s representations during the Regulation 16 consultation, are also considered necessary. These are (replacement text is shown in bold underline and text that has been removed is shown in strikethrough):</p> <p>This policy should be presented in a format that requires all the criteria to be considered. This can be done by introducing semi-colons and ‘and’ on the penultimate criterion.</p> <p>Replace ‘will’ with ‘<i>should</i>’.</p> <p>a.</p>	<p>and/or the amenity of the <b><u>occupiers of neighbouring properties</u></b> uses.</p> <p>Retain paragraphs 11.14 – 11.15 as submitted:</p> <p>WHE17, Mobbs’ Land  11.14 This site (Figure 11.5) lies in the Green Belt at the eastern end of the village between the boundary of WHE15 and the large-scale industrial buildings. It consists of a single agricultural field of irregular shape and is crossed by two power lines. The land is owned by A.W. Mobbs (Building Supplies) whose buildings share common boundary with WHE17. The site is land locked but access can be achieved via the eastern boundary shared with A.W. Mobbs. The owner of the land has made it clear that it will only be made available for commercial development. As part of Parcel 09 in the South Oxfordshire Green Belt Study [50] it was considered for boundary changes. Care would have to be taken that any development did not have an adverse impact on the Green Belt south of WHE17 and on the adjacent sewage works.</p> <p>WHE15/16/17, Boundary Issues  11.15 As can be seen on Figure 11.5, WHE15 and WHE17 each consist of a single agricultural field of irregular shape and crossed by two power lines. In order to facilitate appropriate development the land owners may wish to negotiate a rearrangement of the boundaries to achieve regularly shaped plots that are more easily</p>
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	<p>For clarify criterions a and b have been merged and reworded as follows:</p> <p><i>'It supports the objectives of the village enhancement plan by delivering appropriate commercial buildings, subject to site constraints;</i></p> <p>c. For clarity 'Ensures that' is deleted.</p> <p>d. For clarity this criterion is reworded as follows:</p> <p><i>'There is appropriate access from the adjacent commercial site to ensure that the development is serviced adequately and well-integrated;'</i></p> <p>e. For clarity this criterion is reworded as follows:</p> <p><i>'Proposals should be designed to ensure that they will not result in significant adverse impacts on human health, the natural environment and the amenity of the occupiers of neighbouring properties.'</i></p>	<p>developed. WHE15/16/17 are located near to a sewage works so care must be taken to liaise with Thames Water to consider whether an odour assessment is required.</p>
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<p>Delete Paragraphs 11.17 – 11.19 (including Figure 11.6)</p>	<p>The council proposes to retain paragraphs 11.17 – 11.19 (including Figure 11.6).</p> <p>The council agreed that the deletion of this supporting text was appropriate when the plan was examined. With the deletion of GBBA1, SPES1, SPES3, and SPES4, this text had no context at the time.</p> <p>The examiner’s report, for reasons that were proper at the time, recommended the deletion of the policies referred to above in their entirety. However, the recently adopted South Oxfordshire Local Plan 2035 establishes the need for detailed amendments to the Green Belt to be made by the Wheatley Neighbourhood Plan.</p> <p>Part 3 of Policy STRAT6: Green Belt in the adopted South Oxfordshire Local Plan 2035 sets out:</p> <p>‘Detailed amendments to the Green Belt made by the Wheatley Neighbourhood Development Plan must be in compliance with the requirements of the NPPF and the need identified within the Local Plan.’</p> <p>In light of the adoption of the of the South Oxfordshire Local Plan 2035 and in particular the provisions of Part 3 of Policy STRAT6, the council consider it has good</p>	<p>Retain supporting paragraphs 11.7 – 11.19 (including Figure 11.6) as modified:</p> <p><b>Realisation</b></p> <p>11.17 The Village Enhancement Plan has been developed by engagement with the community, businesses and SODC. Developing a Neighbourhood Plan has afforded the opportunity to rectify some of the consequences of planning decisions that historically were not as well formulated or regulated as those of today. The opportunity to rationalise the layout of industry in the village and also revitalise the Littleworth (WHE22) and the Bungalows’(WHE15) sites is one that should not be missed. Release of WHE15 and WHE17 from the Green Belt has not to be considered as a stand-alone project but one that only can be undertaken in conjunction with redevelopment of the Littleworth (WHE22) site.</p> <p>11.18 Fulfilment of the Village Enhancement Plan is dependent on a number of factors. The adoption of the policies relating to Wheatley and Holton in the emerging South Oxfordshire Local Plan 2011 – 2034<sup>5</sup> Final Publication 2nd [10] is <b>are</b> crucial as is <b>to</b> ensuring that subsequent overall development in Wheatley and Holton does not prejudice the ability to deliver Primary School Education. It is essential that the Village Enhancement Plan is seen as a mutually cooperative development between all of the selected sites complementing the nature and scope of the development proposed in policy STRAT14 of the emerging</p>
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	<p>and substantial reason to revisit this issue.</p> <p>The council proposes to retain paragraphs 11.17 – 11.19 as amended. Amendments to supporting text and figure 11.6 are necessary to accurately reflect the adoption of the South Oxfordshire Local Plan 2035.</p> <p>Further modifications are also considered necessary (replacement text is shown in bold underline and text that has been removed is shown in strikethrough)</p>	<p>South Oxfordshire Local Plan 2011 – 2034<del>5</del>. <u>Final Publication 2nd [10]</u></p> <p>11.19 The benefit of the WNP including the Village Enhancement Plan is summarised in Figure 11.6 which shows the estimate of the number of homes that could be built in Wheatley and Holton as a result of the <del>adoption of the emerging</del> South Oxfordshire Local Plan 2011 – 2034<del>5</del> <u>Final Publication 2nd [10]</u> and the WNP. The actual number of homes that can be built will be limited by the capacity of Primary School Education available in Wheatley and Holton.</p> <table border="1" data-bbox="1153 635 2011 1166"> <thead> <tr> <th>Site</th> <th>Type of Development</th> <th>Homes</th> </tr> </thead> <tbody> <tr> <td>Completions (<del>31 March, 2019</del>) and Commitments (1 April <del>2019</del><u>20</u>)</td> <td>Housing</td> <td>134<del>8</del></td> </tr> <tr> <td>SODC LP STRAT14</td> <td>Housing</td> <td><u>3500</u></td> </tr> <tr> <td>The Railway (WHE18a)</td> <td>Housing (50+)</td> <td>16</td> </tr> <tr> <td>The Bungalows (HE16)</td> <td>Housing</td> <td>10*</td> </tr> <tr> <td>Littleworth (WHE22)</td> <td>Housing</td> <td>25*</td> </tr> <tr> <td>Miss Tomb's Field (WHE15)</td> <td>Housing and employment</td> <td>55*</td> </tr> <tr> <td>Mobbs' Lane (WHE17)</td> <td>Employment</td> <td>0</td> </tr> <tr> <td>Total Homes</td> <td></td> <td>537 <u>744</u></td> </tr> </tbody> </table>	Site	Type of Development	Homes	Completions ( <del>31 March, 2019</del> ) and Commitments (1 April <del>2019</del> <u>20</u> )	Housing	134 <del>8</del>	SODC LP STRAT14	Housing	<u>3500</u>	The Railway (WHE18a)	Housing (50+)	16	The Bungalows (HE16)	Housing	10*	Littleworth (WHE22)	Housing	25*	Miss Tomb's Field (WHE15)	Housing and employment	55*	Mobbs' Lane (WHE17)	Employment	0	Total Homes		537 <u>744</u>
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<p>Modification of the general text (where necessary) to achieve consistency with modified policies.</p>	<p>The Council accepts that modifications to the general text are required. However, the Council consider it necessary to make further consequential modifications beyond those recommended by the independent examiner, to reflect the current</p>	<p>Consequential amendments to be made to other parts of the plan to update references to the adopted development plan; removing references to the Core Strategy 2012, Local Plan 2011 and incorporating references to the Local Plan.</p>																											

	<p>circumstances. The further consequential modifications include factual updates and corrections to ensure clarity and consistency, where these do not change the meaning of the policy.</p> <p>Whilst the Council is not required to consult on factual updates, we have included this information for completeness.</p>	
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## Further Background – For information only

### Submitted Section 10 (including GBBA1)

Section 10 as originally submitted to the council, including GBBA1, reads as follows:

#### *10 Wheatley Village Enhancement*

##### *Village needs and the opportunities for enhancement*

*10.1 The emerging South Oxfordshire Local Plan 2011 – 2034 Final Publication 2nd [10] discusses in detail the growth expected in the larger villages across SODC. Figure 10.1 summarises some of the key considerations relevant to Wheatley.*

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|---|
| <ul style="list-style-type: none"><li><i>g. Provision of 15% growth in the larger villages</i></li><li><i>h. Development should be proportional, appropriate and dependent on existing infrastructure</i></li><li><i>i. Wheatley is restricted by the Green Belt</i></li><li><i>j. 15% growth in Wheatley corresponds to 305 dwellings</i></li><li><i>k. There have been 131 completions and commitments (completions as of March 31 2019, and commitments as of 1 April 2019) in Wheatley (see Table 5.1 in Appendix 5)</i></li><li><i>l. In view of the strategic allocation at OBU there is no outstanding requirement for the WNP</i></li></ul> |
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*Figure 10.1 Key Planning Considerations for Wheatley as a larger village*

*10.2 However, the conclusion that there is no outstanding requirement for Wheatley has to be qualified. When it is eventually sold, the OBU campus in Holton parish may afford an opportunity for a housing development. This will depend on the intentions of the purchaser and obviously on any forthcoming successful planning application. What is certain however is that the results of the Community survey [7] identified a current need for affordable housing and also discussions with senior staff at Wheatley Park Academy have advised that the biggest barrier, “right now”, to teacher recruitment is the lack of affordable housing in the area [48].*

*10.3 The 15% growth target is calculated on an average basis for the whole of SODC. The WNP Committee commissioned a Housing Needs Assessment (HNA) [Appendix 3] with the brief to examine the housing needs specific to the Neighbourhood Plan Designated Area. The questions to be addressed are shown in Figure 10.2.*

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| <ol style="list-style-type: none"><li><i>1. What quantity of housing is appropriate over the Period of the Plan</i></li><li><i>2. What quantum of Affordable Housing is needed over the Plan Period and what tenure of dwellings (both affordable and market) should be included in the housing mix.</i></li></ol> |
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*Figure 10.2 Questions for Housing Needs Assessment [Appendix 3]*

*10.4 The conclusion of the HNA is that there is a need for 120 affordable homes during the Plan Period (see Table 5.3 in Appendix 3) which, based on the 40% requirement for affordable homes in the emerging South Oxfordshire*

*Local Plan 2011 – 2034 Final Publication 2nd (2019) [10], means that a total of 520 homes would have to be built to deliver this affordable target. So, although the strategic allocation (STRAT14) at OBU certainly goes some way to meeting the housing needs there would still be an unmet need.*

*10.5 In addressing this issue there are two important policy statements made in the emerging South Oxfordshire Local Plan 2011 – 2034 Final Publication 2nd [10] viz :*

*“4.119: Wheatley is the only Larger Village which is inset from the Greet Belt where a Neighbourhood Development Plan is being prepared. According to current national planning guidance, the NDP can make detailed amendments to the Green Belt boundary where the Local Planning Authority sets the need.*

*4.120: The inset boundary at Wheatley is drawn tightly around the built edge of development. There are limited opportunities to redevelop existing land within the inset boundary and the removal of Green Belt would enable new development to take place at this village. The Green Belt Study found that the land immediately adjacent to the eastern built up edge of Wheatley has few essential characteristics of the Green Belt.”*

*10.6 As Wheatley is highly constrained by the Green Belt with almost all of the in-fill sites occupied already the only opportunities to provide housing to help meet bespoke local needs will be afforded by “change of use” of brownfield sites. From the Site Selection Process (see Appendix 2) the WHE22 site at Littleworth emerged as a good candidate site. The advantages of redeveloping this site are discussed in more detail in 11.1 and 11.2 below not only in respect of providing much needed housing but also in terms of rationalising and improving the whole neighbourhood at the centre of Littleworth. Change of use on this site however would mean closure of some small businesses and associated loss of employment (approximately 30 jobs). Such a consequence would be harmful and make Wheatley less sustainable but, working collaboratively with the district council, we have devised an enhancement plan that provides the housing to meet bespoke local needs, preserves employment and improves the overall layout of Wheatley. In preparing this enhancement plan the WNP Committee has been mindful of:-*

*a. The findings in the Housing Needs Survey [7, figures 21 and 22] and therefore the WNP has aimed to achieve a balance between resisting pressure on greenfield sites yet still providing appropriate development.*

*b. The comments contained in the OCC response [49] on the Pre-Submission Local Plan in February 2019 indicated that a total level of development corresponding to 500 houses would lead to capacity concerns regarding Primary School Education since expansion of the Primary School is not considered viable.*

*c. A total development of 500 houses would have a significant impact on the provision of local health care and associated infrastructure. It would*

*not be sufficient to justify a new health centre (or its equivalent) so again a balance has to be achieved between providing appropriate development and the constraints of health care provision.*

### **Amending the Green Belt Boundary**

*10.7 Neighbourhood plans are now able to make detailed amendments to the Green Belt boundaries where a need for changes has been established through strategic policies the NPPF [33] states that:-*

*“Once established, Green Belt boundaries should only be altered where exceptional circumstances are fully evidenced and justified, through the preparation or updating of plans. Strategic policies should establish the need for any changes to Green Belt boundaries, having regard to their intended permanence in the long term, so they can endure beyond the plan period. Where a need for changes to Green Belt boundaries has been established through strategic policies, detailed amendments to those boundaries may be made through non-strategic policies, including neighbourhood plans”.*

*10.8 South Oxfordshire District Council is in the process of updating the Local Plan, and as a result have recently reviewed the Green Belt boundaries. The inset boundary at Wheatley is drawn tight around the built edge of development, and as such there are limited opportunities to redevelop existing land within the inset boundary. The removal of land from the Green Belt would enable new development to take place in Wheatley.*

*10.9 The Green Belt Study, which forms part of the evidence base for the emerging Local Plan, found that the land immediately adjacent to the eastern built up edge of Wheatley has few essential characteristics of the Green Belt.*

*10.10 The mechanism to allow Wheatley Neighbourhood Plan to make detailed*

*amendments to the Green Belt is provided in Policy STRAT6: Green Belt in the emerging Local Plan, which identifies that:-*

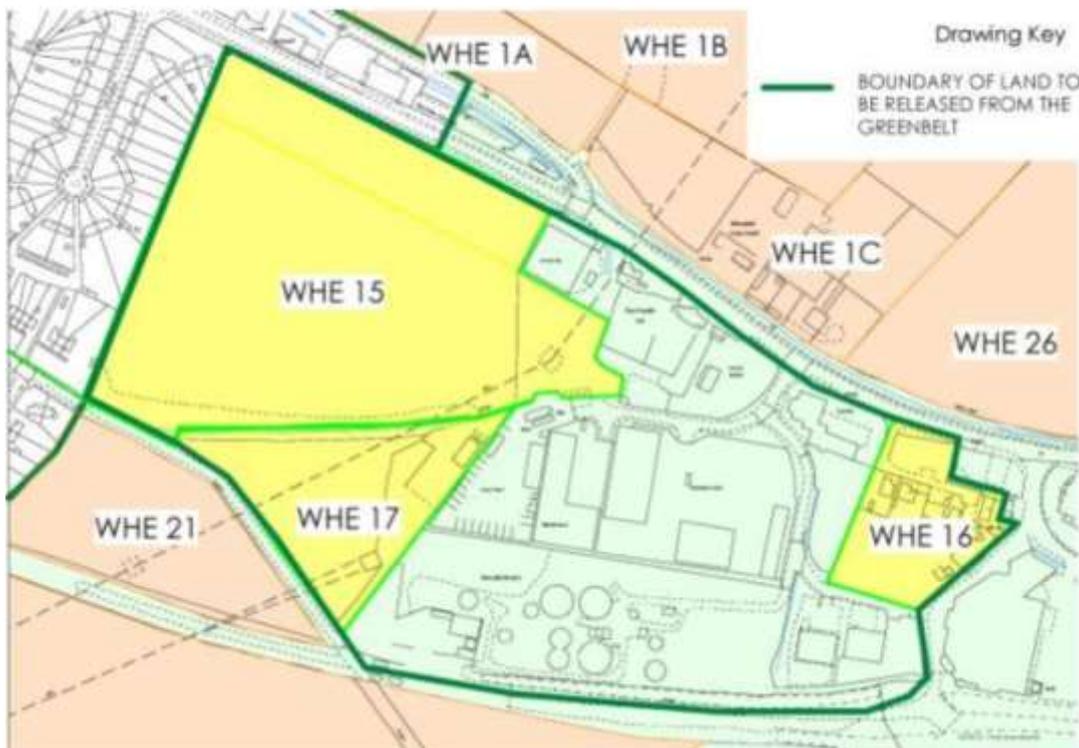
*“4. Detailed amendments to the Green Belt made by the Wheatley Neighbourhood Development Plan must be in compliance with requirements of the NPPF and the need identified within the Local Plan.”*

*10.11 Through working with the Local Planning Authority, the Wheatley Neighbourhood Plan Group have established that exceptional circumstances exist that permit the release of land from the Green Belt in Wheatley.*

*10.12 The exceptional circumstances for the release of land from the Green Belt at Wheatley are:-*

*a. Wheatley is a Larger Village, which is an appropriate location for accommodating additional development*

- b. There are limited alternatives for accommodating additional development at Wheatley other than through Green Belt release*
- c. To meet bespoke housing needs of Wheatley*
- d. To contribute towards offsetting the loss of employment at the OBU site*
- e. To enable the relocation of existing employment uses to more suitable locations in Wheatley, thus creating better facilities and improving the interaction between different land uses. This will also enable vacated employment sites to be developed for housing.*
- f. To enable development to take place to provide for a mix of uses to the benefit of existing and future residents*
- g. To make efficient use of land that has few essential characteristics of the Green Belt*



### **POLICY GBBA1: Green Belt Boundary Amendments**

*Detailed amendments to the Green Belt boundary are made to accommodate allocations at WHE15, WHE16 and WHE17. The boundary of the amended Green Belt is identified on Figure 10.3.*

*This policy only comes into effect once the need for changes to Green Belt boundaries in Wheatley has been established through strategic planning policies. This is expected to be achieved through the adoption of the emerging South Oxfordshire Local Plan 2011 – 2034 Final Publication 2nd [10] or any subsequent updates.*

### **Examiner's Recommendations**

The independent examiner recommended that section 10 and policy GBBA1 be deleted for the following reasons:

*7.75 This policy sits at the heart of the Plan. It has two related parts. The first proposes detailed amendments to the boundary of the Green Belt to accommodate three site allocations (Policies SPES1/S3/S4). The second comments that the policy only comes into effect once strategic planning policies have altered the Green Belt boundary through the adoption of the emerging Local plan.*

*7.76 In this wider context the Plan has pursued an ambitious agenda. The policy's approach acknowledges national policy. Paragraph 135 of the NPPF comments that:*

*'Once established, Green Belt boundaries should only be altered where exceptional circumstances are fully evidenced and justified, through the preparation or updating of plans. Strategic policies should establish the need for any changes to Green Belt boundaries, having regard to their intended permanence in the long term, so they can endure beyond the plan period. Where a need for changes to Green Belt boundaries has been established through strategic policies, detailed amendments to those boundaries may be made through non-strategic policies, including neighbourhood plans'*

*7.77 In this context establishing the need for the release of three sites from the Green Belt is a strategic matter rather than 'detailed amendments.*

*7.78 The submitted Plan has sought to align itself in both timing and context to the approach taken to the release of land from the Green Belt in the emerging Local Plan. This relates both to the principles set out in Planning Practice Guidance where a neighbourhood plan and a local plan are emerging at the same time and to a common sense approach that would avoid the emerging neighbourhood plan either to be delayed or to be reviewed/updated after the eventual adoption of the emerging Local Plan.*

7.79 Nevertheless the delay in the production of the South Oxfordshire Local Plan (and as detailed in paragraph 5.6 of this report) has had a very significant effect on the approach taken in the Plan. Two fundamental issues arise. The first is that there is no certainty of the eventual outcome of that Plan. The neighbourhood plan may seek to allocate sites which are not eventually released from the Green Belt. The second is that there is no clarity on the timetable for the adoption of the emerging Local Plan. In the event that the sites proposed to be allocated for development in the neighbourhood plan are eventually released from the Green Belt there would be an unhealthy stand off period before the second part of the neighbourhood plan policy took effect. This would not provide the clarity required by the NPPF. Equally it would provide no certainty for landowners and potential developers.

7.80 The wider approach to Green Belt releases and the allocation of housing sites has attracted objections from CPRE and OBU. In their different way they reinforce the position in the NPPF about the definition of Green Belt boundaries is a strategic matter. The changing circumstances in relation to progress on the emerging Local Plan is acknowledged by the Parish Council in its response to the clarification note

7.81 In all the circumstances I recommend that the policy is deleted. In effect the ambitious intentions of the neighbourhood plan have been overtaken by events. As such given the current context proposals to make detailed amendments to the Green Belt boundary in Wheatley do not meet the basic conditions. I acknowledge that this outcome will be a disappointment for the Parish Council. Nevertheless, some or all of the work undertaken on the proposed allocations could be consolidated and updated within a review of any made NP once the emerging Local Plan has been adopted. This approach would also assist in the delivery of the broader Village Enhancement Plan. Plainly this will be a matter for a separate examination at that time.

7.82 This conclusion has consequential effects on Policy SPES1, Policy SPES3 and Policy SPES4. I recommend that they are also deleted. In this context I do not comment on the policies in any detail later in this report.

## **Submitted section 11 (including SPES1, SPES3, and SPES4)**

Section 11 as originally submitted to the council reads as follows:

11.1 The Local Plan 2011 – 2034 Final Publication 2nd [10] establishes the need for the release of Green Belt land in Wheatley and on its adoption will allow the WNP to support the coordinated development of WHE15, WHE16, WHE17 and WHE22 subject to the provisions set out in policy GBBA1. Such a Village Enhancement Plan will provide housing to meet bespoke local needs and at the same time improve connectivity through the village, rationalise light industry and provide opportunities for employment at the expense of only a small loss of Green Belt.

11.2 In considering potential land use in Wheatley and Holton the initial selection process was based on suitability, availability and achievability for development followed by a more rigorous process based on key strategy

issues. The site selection process is described in detail in Appendix 2 and summarised in the spreadsheets contained therein. WHE15, WHE16, WHE17 and WHE22 emerged as the clear preferred candidates to provide the housing, employment and improved connectivity throughout the village.

11.3 Each of the four preferred candidate sites was given a development appraisal to establish the viability of developing these sites as proposed. The appraisal is described in Appendix 4. The findings from the appraisals indicated that the four sites were viable.

11.4 Each of these sites is identified in Figures 11.1 and 11.2 showing their locations with respect to each other and the green route. They will now be described further together with a specific site policy. The number of houses that would eventually be built on the sites has been shaped by a housing needs assessment (see Appendix 3).

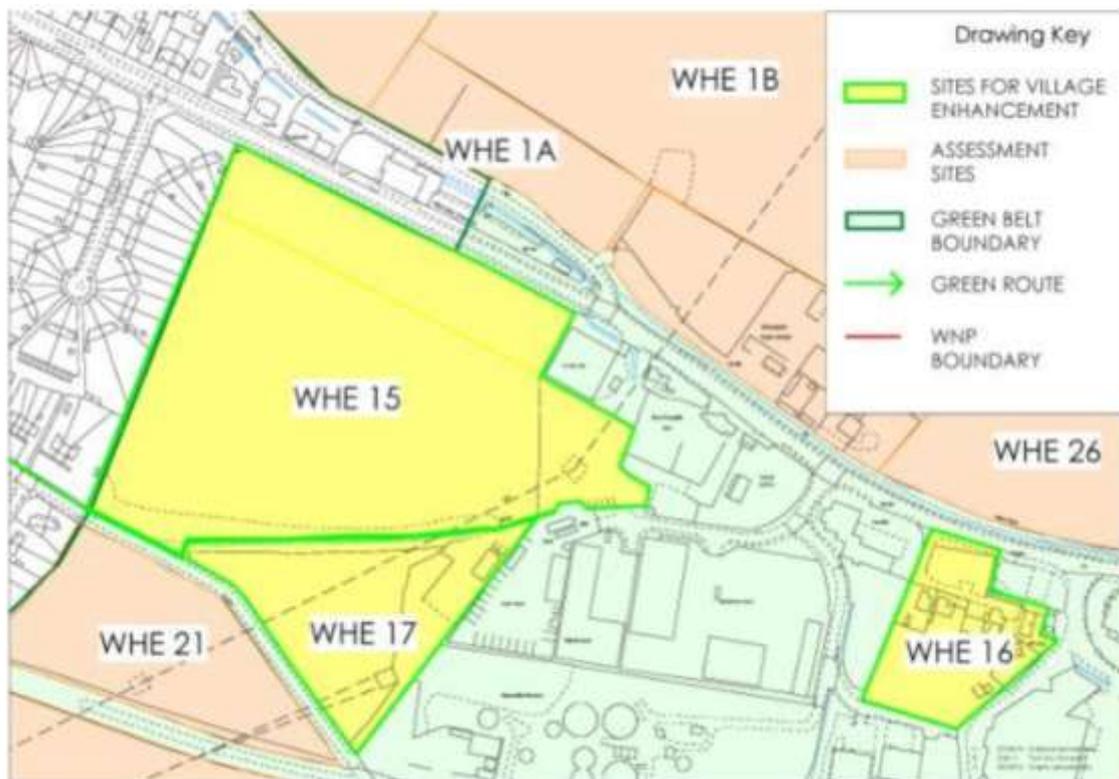


Figure 11.1 Location of WHE15, 16 and 17 and eastern part of the green route [25]



Figure 11.2 Location of WHE22 and western part of green route [25]

### **WHE16, The Bungalows' Site**

11.5 Wheatley has experienced substantial expansion since the early 1960's which has resulted in the creation of a site for light industry towards the eastern parish boundary. The idea for this site was to accommodate the relocation of badly sited industry in other parts of the village. Development of this light industrial area has had benefits in terms of employment and also in providing a location for the village sewage works. Planning however has not been well coordinated to the extent that a small development of 6 bungalows (#'s 148 – 158 London Road (even numbers)) has become isolated, not only within this area but also disconnected from the main settlement, serviced only by an unadopted road and located next to the sewage works. The bungalows lie within WHE16 (Figure 11.3), a parcel of land that is 0.88HA and located almost completely within the light industrial area. At the front and rear of the bungalows lie two portions of land within the Green Belt (in total 0.35HA) but which would be suitable for release from the Green Belt thereby permitting a small development. The land to the rear of the bungalows is used daily for ad hoc parking for 30+ cars by the local businesses and any change of use for this land would have to make provision for this car parking. All the car parking spaces on the access road to the industrial estate are used regularly and this road and connecting roads cannot accommodate any more parking. It would be desirable to reconcile the effects of

historical planning decisions that would now appear to be inappropriate and improve the character of WHE16 together with providing connectivity to the rest of the village.



Figure 11.3 WHE16 [25]

11.6 The portion of land lying at the front of the bungalows comprises an unadopted access road in poor condition, unmaintained scrubland and a drainage ditch. As such it would prove ideal to develop for improved access to the existing site with suitable visibility splays to the London Road, accommodate a bus stop lying to the east of the site and an improved green space in front of the bungalows.

11.7 The land lying to the rear of the bungalows can provide two types of land use residential and car parking. Access to the land lying adjacent to the rear of the bungalows can be provided via the space between two of the existing bungalows (#s150 and 152) thereby permitting development, to the south, for up to 10 two-storey dwellings (corresponding to approximately 45 houses/HA). The whole Bungalows' site is tightly constrained on three sides light industry and employment activities. The development would need careful design and planning to include appropriate separation from the bungalows together with green space and tree planting. The land that lies further south and adjacent to the industrial estate access road can be used to provide a two-storey car parking facility to satisfy the local need.

**POLICY SPES1: WHE16**

*Subject to the provisions outlined in policy GBBA1, a development proposal for up to 10 dwellings, occupying approximately 0.28HA, would be supported provided:-*

- a. Housing would be delivered in accordance with Policy H3*
- b. Enhancement of the public realm within the site through design and landscape measures, public open space and/or financial contributions, subject to viability.*
- c. Ensures that the development has no greater impact on the surrounding environment and where possible enhances the landscape and scenic beauty.*
- d. Incorporates appropriate access from the London Road to ensure that the development is serviced adequately*
- e. Ensures that the development does not have adverse impacts on the amenities of neighbouring properties through loss of privacy, daylight or sunlight*
- f. Incorporates sufficient parking for the development in accordance with the adopted standards*
- g. Delivery of public parking for adjacent businesses that currently use the site for ad hoc parking (30+ cars) occupying approximately 0.07HA.*

**WHE22, The Littleworth Industrial Area**

*11.8 The Littleworth Industrial Area is a brownfield site (Figure 11.4) located in the village of Littleworth which lies to the west of Wheatley linked by a narrow band of housing along the Littleworth Road. The road itself is winding and has a sharp bend on a bridge across the disused railway line prior to entering the village from Wheatley. The road continues through the village and is awkward with tight bends. Wheatley Primary School is located along the road between Wheatley and Littleworth. The site comprises a small industrial/commercial area based on several buildings standing on plots with multiple ownerships. Many of the buildings are over 50 years old and are in need of major refurbishment and regeneration. The front of the site is used for parking, in a rather uncontrolled manner, by the business employees and also by the neighbouring residents most of whom have no access to a garage or alternative off-street parking. The rear of the site rises fairly steeply through well vegetated land up to a Site of Special Scientific Interest (SSSI). The location and condition of this brownfield site make it ideal for redevelopment for housing but not however at the expense of the loss of employment that such redevelopment would entail. The businesses are willing to relocate within Wheatley, subject to satisfactory commercial terms, thereby maintaining jobs and even offering the scope of growth and expansion on a more suitable location.*

*11.9 In any redevelopment of this site the proposal must comply with both the existing and emerging Local Plans which have policies that protect existing employment land, Policy E6 in the Local Plan 2011 [50], and Policy EMP6: Retention of Employment Land in the emerging South Oxfordshire Local Plan 2011 – 2034 2nd [10]. Accordingly the WNP has been developed such that:-*

- a. The redevelopment of the site will be supported provided that suitable provision for the relocation of the businesses on site is made available in Wheatley; or
- b. The redevelopment of the site is supported provided the existing use is no longer economically viable, it is evidenced that there is no market interest in the site following a year of active and efficient marketing, and the change of use from employment use will not lower the employment capacity within the South Oxfordshire District.



Figure 11.4 Development of WHE22 restricted to be respect Green Belt and SSSI [25]

11.10 A change of land use from industrial to residential would end the need for many commercial vehicles to negotiate the narrow roads in Littleworth although more residents' cars would have to be accommodated. With good access to the Primary School, smaller, low cost dwellings appear appropriate, some of which could be terraced to reflect those on the adjoining main road and also target first time buyers particularly those with young families.

11.11 As part of a change of land use there would have to be recognition that at present the frontage of the site is regularly used, on an ad hoc basis, by residents of the adjacent terraced houses for parking. The constrained nature of the roads in Littleworth makes it imperative that provision is made to regularise and accommodate this need for parking to avoid on-street parking. The indicative layout shown in Figure 11.4 is solely for illustrative purposes and not intended to prejudice any future planning applications.

**POLICY SPES2: WHE22**

*The redevelopment of the site will be supported provided that:*

- 1. Suitable provision for the relocation of the businesses on site is made available in Wheatley; or*
- 2. It is agreed by the Council that the existing businesses on site are no longer viable, it is evidenced that there is no market interest in the site following one year of active and efficient marketing, and the change of use will not lower the employment capacity of the District.*

*Subject to satisfying either of the above, a development proposal for approximately 25 dwellings, occupying approximately 0.075HA, would be supported provided:-*

- a. Enhancement of the public realm within the site through design and landscape measures, public open space and/or financial contributions, subject to viability.*
- b. Ensures that the development has no greater impact on the surrounding environment than the existing built form, and that the development conserves and enhances the landscape and scenic beauty.*
- c. Maximum height of the dwellings to be 2 storeys (terraced with possibility of rooms in the roof) in keeping with the surrounding developments (e.g. in Cooper's Close). The development should follow the natural contours of the site with feeder roads to each group of dwellings as progress is made into the site.*
- d. Existing access retained and used as the main feeder road to the proposed dwellings.*
- e. Incorporates appropriate access from Littleworth Roads to ensure that the development is serviced adequately.*
- f. Retain an area adjoining the road as an open green space/village green and provide a footpath that links with the main footpath to Coopers Close.*
- g. Retain an area of approximately 0.05HA adjoining the road as provision for resident parking for use by designated terrace houses and flats neighbouring the development on north side of Littleworth Road.*
- h. There will be no adverse effects on the neighbouring SSSI.*
- i. Any development in the eastern part of the site within the Green Belt must comply with national and local Green Belt policy'.*

**WHE15 Miss Tomb's Field**

*11.12 This site (Figure 11.5) lies in the Green Belt at the eastern end of the village between the settlement boundary and the large-scale industrial buildings. It consists of a single agricultural field of irregular shape and is crossed by two power lines. The land is visually important, particularly when approaching the village from the east and is a desirable and much needed, albeit informal, green space within the parish boundary. As part of Parcel 09 in the South Oxfordshire Green Belt Study [51] it was considered for boundary changes. Care would have to be taken that any development did not have an adverse impact either on the houses at the settlement boundary or on the adjacent Green Belt.*

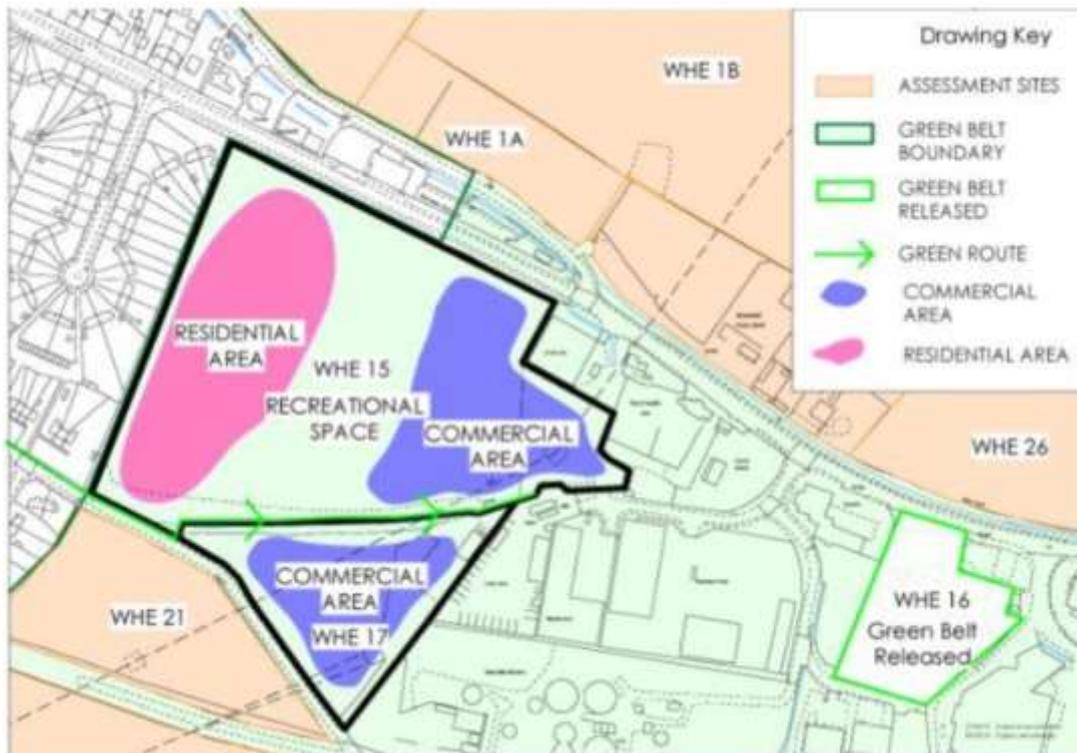


Figure 11.5 WHE15 and WHE17 are shown within the black boundary [25]

11.13 In view of the presence of the power lines and proximity to the Green Belt the site lends itself to mixed development viz:- commercial, residential, and recreational. The indicative layout shown in Figure 11.5 is solely for illustrative purposes and not intended to prejudice any future planning applications.

a. Adjacent to the power lines a commercial space can be created to accommodate all the businesses that would need to be relocated from the Littleworth Industrial Estate (WHE22). In addition, this space could accommodate other local businesses (e.g. Cornfield Bakery, Wheatley Tyres) or new ventures. Road access to this part of the site would be through the feeder road that already services the existing industrial area.

b. An appropriate residential development can be accommodated between the settlement boundary and the newly created commercial space. Vehicular access would be from the London Road to the north with no through vehicular access to Roman Road in the south. The development would be contoured to provide a “soft transition” from the urban development to the recreational space and Green Belt to the south.

c. A formal recreational space can be provided in the southern portion of this site, between the development and the Green Belt. Figure 4.15 already shows the lack of recreational space within the settlement. This recreational space would also form part of a Green Route for cyclists and pedestrians through the village.

**POLICY SPES3: WHE15**

*Subject to the provisions outlined in policy GBBA1, a mixed development proposal would be supported provided:-*

- a. An area of approximately 1.7HA available for appropriate commercial buildings to accommodate the businesses relocated from Littleworth Industrial Estate and for any other businesses or new ventures*
- b. An area of approximately 1.7HA available for appropriate residential accommodation for 55 houses. Maximum height of the dwellings to be two-storey in keeping with style of the adjacent dwellings (eg in The Avenue).*
- c. Housing development to conform to standards for locations close to pylons/power cables.*
- d. Wildlife corridor (at least 20m wide) with winding path and planting to eastern and western boundaries of the housing development to ensure gap between the rear gardens of The Avenue, proposed new housing and commercial development*
- e. With good Green Route access to the primary school*
- f. Recreational space of approximately 1.7HA is allocated to merge with the adjacent Green Belt together with a games area adjacent to Elton Crescent*
- g. Enhancement of the public realm within the site through design and landscape measures, public open space and/or financial contributions, subject to viability.*
- h. Incorporates appropriate access only from London Road to ensure that the site is serviced adequately*
- i. The Green Route should be surfaced appropriately for use by pedestrians and cyclists in all weathers, be designed to a suitable path width for both user groups and incorporate appropriate lighting*

**WHE17, Mobbs' Land**

*11.14 This site (Figure 11.5) lies in the Green Belt at the eastern end of the village between the boundary of WHE15 and the large-scale industrial buildings. It consists of a single agricultural field of irregular shape and is crossed by two power lines. The land is owned by A.W. Mobbs (Building Supplies) whose buildings share a common boundary with WHE17. The site is land locked but access can be achieved via the eastern boundary shared with A.W. Mobbs. The owner of the land has made it clear that it will only be made available for commercial development. As part of Parcel 09 in the South Oxfordshire Green Belt Study [50] it was considered for boundary changes. Care would have to be taken that any development did not have an adverse impact on the Green Belt south of WHE17 and on the adjacent sewage works.*

**POLICY SPES4: WHE17**

*Subject to the provisions outlined in policy GBBA1A development proposal for commercial use will be supported provided that:-*

- a. It supports the delivery of the village enhancement plan by enabling the relocation of businesses moving from the Littleworth site.*
- b. Appropriate commercial buildings can be available for any other businesses, subject to site constraints .*
- c. Ensures that the development has no impact on the surrounding environment and, where appropriate, enhances the landscape and scenic beauty.*
- d. Incorporates appropriate access from adjacent commercial site to ensure that the development is serviced adequately and well-integrated.*
- e. Development proposals should be located in sustainable locations and should be designed to ensure that they will not result in significant adverse impacts on human health, the natural environment and/or the amenity of the neighbouring uses.*

**WHE15/16/17, Boundary Issues**

11.15 As can be seen on Figure 11.5, WHE15 and WHE17 each consist of a single agricultural field of irregular shape and crossed by two power lines. In order to facilitate appropriate development the land owners may wish to negotiate a rearrangement of the boundaries to achieve regularly shaped plots that are more easily developed. WHE15/16/17 are located near to a sewage works so care must be taken to liaise with Thames Water to consider whether an odour assessment is required.

**Realisation**

11.17 The Village Enhancement Plan has been developed by engagement with the community, businesses and SODC. Developing a Neighbourhood Plan has afforded the opportunity to rectify some of the consequences of planning decisions that historically were not as well formulated or regulated as those of today. The opportunity to rationalise the layout of industry in the village and also revitalise the Littleworth (WHE22) and the Bungalows'(WHE15) sites is one that should not be missed. Release of WHE15 and WHE17 from the Green Belt has not to be considered as a stand-alone project but one that only can be undertaken in conjunction with redevelopment of the Littleworth (WHE22) site.

11.18 Fulfilment of the Village Enhancement Plan is dependent on a number of factors. The adoption of the policies relating to Wheatley and Holton in the emerging South Oxfordshire Local Plan 2011 – 2034 Final Publication 2nd [10] is crucial as is ensuring that subsequent overall development in Wheatley and Holton does not prejudice the ability to deliver Primary School Education. It is essential that the Village Enhancement Plan is seen as a mutually cooperative development between all of the selected sites complementing the nature and scope of the development proposed in policy STRAT14 of the emerging South Oxfordshire Local Plan 2011 – 2034 Final Publication 2nd [10]

11.19 The benefit of the WNP including the Village Enhancement Plan is summarised in Figure 11.6 which shows the estimate of the number of homes that could be built in Wheatley and Holton as a result of the adoption of the emerging South Oxfordshire Local Plan 2011 – 2034 Final Publication 2nd [10] and the WNP. The actual number of homes that can be built will be limited by the capacity of Primary School Education available in Wheatley and Holton.

Site	Type of Development	Homes
Completions (31 March, 2019) and Commitments (1 April 2019)	Housing	131
SODC LP STRAT14	Housing	300 <sup>§</sup>
The Railway (WHE18a)	Housing (50+)	16
The Bungalows (WHE16)	Housing	10*
Littleworth (WHE22)	Housing	25*
Miss Tomb's Field (WHE15)	Housing and employment	55*
Mobbs' Land (WHE17)	Employment	0
<b>Total Homes</b>		<b>537</b>

\*These are estimates, final numbers can only be established following planning application

§ Subject to planning permission

Figure 11.6 Estimate of increase in numbers of homes

## Examiner's Recommendations

The independent examiner recommended a series of modification to section 11 for the following reasons:

### Policy SPES1

7.83 This policy proposes the development of land for up to 10 dwellings on the 'Bungalows Site' off London Road

7.84 The release of this site is contingent on the application of Policy GBBA1. I have recommended the deletion of that policy in paragraph 7.82 of this report. As such I also recommend the deletion of this site-specific policy.

Delete the policy

Delete Paragraphs 11.1-11.7 (including Figures 11.1 and 11.3)

### Policy SPES2

7.85 This policy is unaffected by the Green Belt issue. It refers to the Littleworth Business Centre. It is occupied by a series of small car sales and repair outlets and other related commercial uses. It offers a degree of support to the redevelopment of the site for residential purposes where suitable provision is made for the relocation of the business in Wheatley and where it can be demonstrated that the existing businesses on the site are no longer viable.

7.86 The policy has been designed to be complementary to the approach taken in other allocated sites – both SPES3 and SPES4 comment about the provision of employment land on their respective sites to accommodate businesses relocated from the Littleworth Industrial Estate.

7.87 Plainly the effectiveness or otherwise of this policy has the ability to be affected significantly by my recommended modifications to delete these two related policies. I have considered this matter very carefully. On balance I am satisfied that, with modifications, the policy has the ability to meet the basic conditions.

7.88 In recommending a modified policy I have taken account of the following matters The strategic policy context

Policy E6 of the saved Local Plan 2011 provides an opportunity for redundant land and buildings formerly in commercial use to be used for residential purposes where the uses are no longer viable and where the sites concerned have been marketed for a specific period of time.

The ability or otherwise of the existing businesses to relocate within the neighbourhood area – This part of the policy presents a series of challenges. As submitted, it requires suitable relocation sites to be made available. In most cases this will be beyond the ability of the current site owner/tenants to do so. In addition, the recommended modifications to other policies have deleted potential relocation sites. In any event businesses will come to their own views on their business relocation requirements based on cost/location and viability issues.

The condition of the site – It is generally acknowledged that the industrial estate has a traditional, working character. It also has a detrimental impact on the appearance of the surrounding residential properties.

The number of businesses operating on the site – The potential redevelopment of the site is complicated given the range of business units. This will be compounded by the various lease arrangements relating to existing premises. In addition, the traditional working environment offered by the site may be assisting the ongoing viability of the businesses concerned through the associated rental structures.

7.89 In these circumstances I recommend that the policy is modified so that it provides a more general context for the redevelopment of the site for residential purposes. In doing so I recommend the deletion of any reference to the need for the relocation of existing businesses within Wheatley. It is both unnecessary and overly restrictive. I also recommend the deletion of the reference to any redevelopment ‘not lowering the employment capacity of the District’. This may naturally be the case if the businesses concerned can demonstrate an overall lack of viability. In any event this approach goes beyond that included in the saved Local Plan. I also recommend a modified context to the policy in the Plan. As submitted this policy sits within the package of proposals in Sections 10 and 11. My recommended modifications elsewhere to this wider package have effectively removed this broader context.

7.90 Given the complicated layout of the site and the number of business units I recommend that any redevelopment proposal is comprehensive in its nature. Any

*partial redevelopment for residential purposes would be likely to generate unacceptable amenity and access arrangements for the occupiers of the new dwellings on the site.*

*7.91 In the round I am satisfied that the various criteria associated with the site are both appropriate and distinctive. Nevertheless, I recommend detailed modifications to criteria a. and b. (to define the type of development which would be acceptable) and to other criteria to bring the necessary clarity. Criterion c. on building heights is very prescriptive and I recommend a degree of flexibility where such an approach would assist in the delivery of a high-quality development. The comment about feeder roads is more of a phasing and detailed site construction matter rather than a policy. I also recommend modifications to h. and i. so that the effects of the proposed development on both the SSSI and the Green Belt are more explicit.*

*Replace the opening element of the policy with:*

*‘The comprehensive redevelopment of the Littleworth Road Industrial Estate for residential purposes will be supported where it can be demonstrated that the site is no longer economically viable and has been marketed at a reasonable price for that or any other suitable employment or service trade uses’*

*Replace the initial element of the second part of the policy with:*

*‘Within this context development proposals should respond positively to the following design criteria:’*

*Replace a. and b. with: ‘The delivery of approximately 25 homes in an attractive and imaginative way which complements the public realm of the surrounding residential areas;’*

*Replace c. with: The height of the dwellings should reflect the contours of the site and the design and height of the residential properties in the surrounding area. The development should be designed to reflect the natural contours of the site’*

*Replace e. with ‘The layout of the site includes appropriate and safe access from Littleworth Road for motor vehicles, cyclists and pedestrians’*

*Replace h. with ‘The development of the site should be arranged so that there is no adverse effect on the integrity of the Littleworth Brick Pit SSSI’*

*Before the policy and paragraph 11.8 (as numbered in the submitted Plan) add:*

*10 Littleworth Business Centre Site Allocation [Insert new paragraph and number accordingly] to read: ‘This section of the report provides a policy context for the potential redevelopment of the Littleworth Industrial Estate. It reflects the condition of the site and its range of car repair and related uses. It has been designed to bring forward a local interpretation of Policy E6 of the saved Local Plan 2011. That policy provides an opportunity for redundant land and buildings formerly in commercial use to be used for residential purposes where the uses are no longer viable and where the sites concerned have been marketed for a specific period of time’*

*In 11.9 remove the references to the emerging Local Plan. Thereafter replace the final sentence with: 'On this basis Policy SPES2 has been designed so that any redevelopment can only proceed in the event that the site is no longer economically viable'*

*At the end of paragraph 11.11 add: 'Policy SPES2 sets out a policy arrangement for the potential redevelopment of the site. As indicated on figure 11.4 the eastern part of the site is within the Green Belt. As such it should not be incorporated into the wider redevelopment proposals. The policy requires a comprehensive redevelopment of the site. Any partial redevelopment for residential purposes would be likely to generate unacceptable amenity and access arrangements for the occupiers of new dwellings on the site. Criterion c. of the policy comments about the height of the new houses. In general terms they should be two storeys in height to respect the height of the other houses in the immediate locality. Nevertheless, a degree of flexibility may be appropriate where such an approach would assist in the delivery of a high-quality development. This could include two storey houses with accommodation in the roof space or three storey houses.'*

*Renumber paragraphs 11.8 to 11.11 to take account of recommended modifications to the other policies/supporting text in this part of the Plan.*

#### *Policy SPES3*

*7.92 This policy proposes the development of land for up to 55 dwellings and 1.7 hectares of employment land on 'Miss Tombs Field' off London Road*

*7.93 The release of this site is contingent on the application of Policy GBBA1. I have recommended the deletion of that policy in paragraph 7.82 of this report. As such I also recommend the deletion of this site-specific policy*

*Delete the policy*

*Delete Paragraphs 11.12-11.13 (including Figure 11.5)*

#### *Policy SPES4*

*7.94 This policy proposes the development of land for commercial use on the 'Mobbs Land' off London Road*

*7.95 The release of this site is contingent on the application of Policy GBBA1. I have recommended the deletion of that policy in paragraph 7.82 of this report. As such I also recommend the deletion of this site-specific policy. I also recommend the deletion of paragraphs 11.17 to 11.19 of the Plan which refer in general terms to the Village Enhancement Plan. Whilst that Plan has the ability to be delivered in some of its component areas these paragraphs are so closely related to the package in the Plan associated with the SPES policies that it would not be practical to leave them in the Plan given the proposed deletion of three of these four policies.*

*Delete the policy*

*Delete Paragraphs 11.14-11.15*

*Delete Paragraphs 11.17-11.19 (including Figure 11.6)*

## **The adoption of the South Oxfordshire Local Plan 2035**

Of specific relevance to the deviation proposals is part 3 in Policy STRAT6 in the South Oxfordshire Local Plan. In October 2019 the Council was issued with a temporary Direction from the Secretary of State for Housing Communities and Local Government, under section 21A of the Planning and Compulsory Purchase Act 2004 (“the 2004 Act”), to direct South Oxfordshire District Council not to take any steps in connection with the adoption of the Plan. This meant that the emerging plan had ‘no effect’ whilst the direction was in force. This Direction was in force for the duration of the Wheatley Neighbourhood Plan examination.

The examiner identified two fundamental issues at the time; firstly, that there was no certainty of the eventual outcome of the Plan and secondly, that there is no clarity of the timetable for the adoption of the emerging Local Plan. These considerations meant that Policy GBBA1 would not provide the clarity required by the NPPF. Therefore, it was appropriate for the Council to agree with the examiner’s recommendations when the decision was originally made in April 2020. However, we now have certainty of the outcome of the Local Plan and Policy STRAT6 has now been examined and forms part of the statutory development plan.

### Policy STRAT6: Green Belt

*3. Detailed amendments to the Green Belt made by the Wheatley Neighbourhood Development Plan must be in compliance with the requirements of the NPPF and the need identified within the Local Plan.*

Due to the covid pandemic, the Wheatley Neighbourhood Plan Referendum has been delayed, so the final stages of the neighbourhood plan process will be undertaken with an updated development plan in place leading to the above identified conflict. As the Local Plan 2035 now forms part of the development plan, it is appropriate to consider the significant change in circumstances which has occurred and explore whether some of the proposals previously recommended to be deleted should now be revisited.

In addition, a number of consequential changes will be needed to the supporting text to refer to the adopted South Oxfordshire Local Plan 2035 which now forms part of the development plan for the district.

**Appendix A: Examiner’s recommendations and the council’s proposed decision and reasons on all other matters – for information only**

Policy/ Section	Examiner’s recommendations	Council’s Decision	Justification/Reason
Page 31 – Policy H1: Design and Character Principles	<p>Replace ‘conservation areas and their settings’ with ‘conservation area and its setting’.</p> <p>In the second paragraph of the policy replace:</p> <ul style="list-style-type: none"> <li>• ‘The proposals’ with ‘Development proposals’</li> <li>• ‘appropriately address... principles’ with ‘respond positively to the following principles as appropriate to their scale, nature and location with the neighbourhood area’</li> </ul> <p>Delete principle j.</p> <p>Add semi colons after each principle and after the penultimate principle include ‘; and’.</p>	Agree	The council consider the proposed modifications to the policy to be necessary to ensure that the policy is correct in factual terms and has the clarity that is required by national policy and guidance.
Page 32 – Policy H2: Landscape Character	<p>Replace the policy with:</p> <p>‘As appropriate to their scale, nature and location development proposals should take account of their relationship with the intrinsic character and beauty of the countryside. In addition, development proposals should protect and enhance valued landscapes sites of biodiversity or geological value and soils subject to their compliance with other development plan policies proposals which would make a positive contribution to the character and appearance of the</p>	Agree	The council consider the proposed modification to the policy by the examiner to be necessary to ensure that the policy has the clarity that is required by national policy and guidance.

Policy/ Section	Examiner's recommendations	Council's Decision	Justification/Reason
	neighbourhood area and its landscape context will be supported'.		
Page 32 – Para 8.7	In paragraph 8.7 retain the final sentence and delete the two preceding sentences.	Agree	The council consider the proposed modifications to the supporting text to be necessary to ensure there is the clarity that is required by national policy and guidance, in particular to ensure that the supporting text does not refer to buildings/views outside of the neighbourhood area.
Page 34 – Policy H3: Mix and Size of New Housing	<p>Replace the policy with:</p> <p>'Development proposals for more than ten homes should deliver affordable housing requirements as included in the most up-to-date and relevant part of the development plan.</p> <p>Within this context development proposals that meet identified housing needs either in the wider District or within the neighbourhood area in particular will be supported. Proposals which would deliver housing specifically designed for young people, local works, small families, the elderly and people with disabilities will be particularly supported'</p>	Agree	The council consider the proposed modifications to the policy to be necessary to ensure that the policy has the clarity that is required by national policy and guidance and is in general conformity with the development plan.
Page 33 – Para 8.8	At the end of paragraph 8.8 add: 'Policy H3 sets out a context within which these matters can be addressed in the development management system.	Agree	The council consider the proposed modifications to the supporting text to be necessary to ensure that there is the clarity

Policy/ Section	Examiner's recommendations	Council's Decision	Justification/Reason
	Where necessary the potential impact of the delivery of affordable housing on development viability will be taken into account. Any such impact will need to be assessed against independent and robust evidence. Plainly this will vary on a site by site basis and will be addressed on a case by case basis in either pre-application discussion or the determination of planning applications'		that is required by national policy and guidance, with particular reference to the modifications made to H3.
Page 34 – Policy H4: In-fill and Self-Build Dwellings	<p>In the first sentence of the policy replace 'Development Plan for the district' with 'wider development plan'</p> <p>In the second sentence of the policy delete 'or outside... provisions of policy GBBA1'</p> <p>In the second sentence replace 'countryside location... development plan policies' with 'appropriate for their location in the countryside in general or the Green Belt in particular or are otherwise allocated for development in the neighbourhood plan itself, or other development plan policies'</p>	Agree	The council consider the proposed modifications to the policy to be necessary to ensure that there is clarity that is required by national policy and guidance and that the policy becomes more general.
Page 35 – Policy P1: Parking Provision	<p>Replace the policy with:</p> <p>'New development proposals should provide off road parking to meet the County Council's car parking standards.</p>	Agree	The council consider the proposed modifications to the policy to be necessary to ensure there is clarity that is required by national policy and guidance.

Policy/ Section	Examiner's recommendations	Council's Decision	Justification/Reason
	<p>The detailed configuration of car parking provision should deliver innovative and attractive arrangements which complement the character of the neighbourhood area. Parking arrangements which avoid the following matters will be particularly supported:</p> <p>[Insert at this point 1/2/3 from the submitted policy]</p>		The council consider the deletion of the fourth matter of the policy necessary, as by definition such arrangements would not meet the County Council's standards for off road parking.
Page 35 – Policy T1: Impact of Development on the Road Network	Delete the first three sentences of the policy.	Agree	The council consider the proposed modifications to the policy to be necessary to ensure the policy is not duplicating national policy and to ensure there is clarity that is required by national policy and guidance.
Page 37 – Policy SCI1: Community Assets	<p>Replace 'permitted' with 'supported'.</p> <p>Delete the final sentence.</p> <p>Replace the title with 'Safeguarding Community Facilities'</p>		The council consider the proposed modifications to the policy wording to be necessary to ensure there is clarity that is required by national policy and guidance.
Page 36/37 Para 8.15	<p>In paragraph 8.15 delete 'i. Recreation Land and j. Sports Fields'</p> <p>After the (modified) list of facilities in paragraph 8.15 add: 'Policy SC11 provides a context within which the Plan seeks to safeguard these important community facilities. It includes three circumstances</p>	Agree	The council consider the proposed modifications to the supporting text necessary to ensure the approach in the submitted plan has regard to the approach in the NPPF (paragraph 97) in relation to recreational and sporting fields.

Policy/Section	Examiner's recommendations	Council's Decision	Justification/Reason
	where the loss of a community facility might be supported. [At this point include the deleted element of the policy with SODC written in full]		
Page 37 – Policy SCI2: Improvement to Community Assets	<p>In the second sentence replace 'permitted' with 'supported'.</p> <p>Thereafter replace the remainder of the sentence with: 'where such proposals are in accordance with other development plan policies and do not generate any unacceptable amenity, environmental or traffic impacts'.</p> <p>In the policy title replace 'Assets' with 'Facilities'</p>	Agree	The council consider the proposed modifications to the policy wording to be necessary to ensure there is clarity in the way in which amenity issues would be addressed in the circumstances of proposed new or extended facilities of this nature, as required by national policy and guidance. The council agrees with the modification to the title of the policy as it more accurately reflects its purpose.
Page 38 – Policy B1: Burial Provision	Replace 'suit' with 'respect'	Agree	The council consider the proposed modification by the examiner to the policy wording to be necessary to ensure there is clarity that is required by national policy and guidance.
Page 38 – Policy VCE1: Wheatley Village Centre	Replace the policy with: 'Proposals for new housing, retail, leisure and office developments in or adjacent to the village centre and which would maintain and where practicable improve its overall vitality and viability will be supported'	Agree	The council consider the proposed modification by the examiner to the policy wording to be necessary to ensure there is clarity and that the policy is not restating local and national planning policies.

Policy/ Section	Examiner's recommendations	Council's Decision	Justification/Reason
Page 38 – Para 8.18	At the end of paragraph 8.18 add: 'Policy VCE1 sets the context for new development to achieve this important objective. It has been designed to reflect the importance of a dynamic and multi-use village centre. Proposals for non-retail uses should demonstrate how they would not detract from the overall retail attractiveness of the village centre'	Agree	The council consider the proposed modifications to the supporting text to be necessary to ensure there is clarity that is required by national policy and guidance and ensure that the supporting text is consistent with Policy VCE1.
Page 38 – Policy E1: Supporting Wheatley's Economy	Replace the policy with: 'The development of new and businesses and the expansion and/or reconfiguration of existing businesses within the built-up area of Wheatley will be supported where they do not generate any unacceptable amenity, environmental or traffic impacts'	Agree	The council consider the proposed modification to the policy wording necessary as the specific elements of the policy lacked the clarity for development management purposes. The council agrees that the policy should be modified to focus on the more general elements of business growth and diversification and that the section about the relocation of existing businesses within the village is removed.
Page 41 – Policy EN1: Biodiversity	In the initial sentence replace 'The protection... of' with 'Proposals that would protect or enhance'.  At the beginning of the second sentence add: 'Proposals which would result in'  At the end of the second sentence delete 'together with... Designated Area (see Figure 8.6)'	Agree	The council consider the proposed modification to the policy necessary so that it more closely relates to the development management process and to ensure that there is the clarity that is required by national policy and guidance.  The council consider the proposed modification to remove the reference to the Shotover Target Conservation Area necessary as significant parts of the Area

Policy/ Section	Examiner's recommendations	Council's Decision	Justification/Reason
			are located beyond the neighbourhood area and that detailed management plans are already in place.
Page 41 – Policy HE1: Historic Environment	In the first part of the policy insert 'as listed in Appendix 1 of the Plan' between 'conservation area' and 'will be'.	Agree	The council consider the proposed modification necessary to ensure that the policy is locally distinctive and there is clarity as required by national policy and guidance.
Page 42 – Policy DQS1: Individual and Community Energy Projects	Delete 'Any'  Replace 'conform' with 'have regard'	Agree	The council consider the proposed modification the policy by the examiner to be necessary to ensure that the policy has the clarity that is required by national policy and guidance.
Page 46 – Policy SPOBU – WHE25	Replace the policy with:  'Proposals for the comprehensive redevelopment for residential purposes of the Wheatley Campus site as shown on Fig 9.1 will be supported where they conform with the following development principles: <ul style="list-style-type: none"> <li>the development of the site is underpinned by a masterplan addressing infrastructure, access, landscaping, and recreation/open space issues;</li> <li>the layout, design and height of the new buildings take account of the openness of the Oxford Green Belt and as identified generally in national planning policy (NPPF 145g);</li> </ul>	Agree	The council consider the proposed modifications the policy by the examiner to be necessary to ensure that the policy has the clarity that is required by national policy and guidance.  The policy has been modified so that it is both simplified and has general effect, with the ability to be applied to any future applications which may arise. This approach has regard to Planning Practice Guidance (41-004-20190509) on the matter of an emerging neighbourhood plan policy supporting the delivery of strategic policies in a local plan. This approach also provides a

Policy/ Section	Examiner's recommendations	Council's Decision	Justification/Reason
	<ul style="list-style-type: none"> <li>• the development of the site should incorporate the provision of affordable housing to the most up-to-date standards of South Oxfordshire District Council;</li> <li>• the development of the site should incorporate high quality public realm and open space; and</li> <li>• the development of the site should address opportunities to incorporate safe, convenient and attractive pedestrian and cycling access to and from Wheatley'</li> </ul>		more detailed policy context than the approach more broadly included in national planning policy (NPPF 145g) on the redevelopment of brownfield sites within the Green Belt.
Page 44 – Figure 9.1	In Figure 9.1 remove the three assessment sites (WHE2/3/4) and the key on this matter and the listed buildings and ancient monument outside the neighbourhood area.	Agree	The council consider the proposed modifications to Figure 9.1 necessary to ensure there is clarity that is required by national policy and guidance and to ensure that areas/features outside of the designated neighbourhood area are not referred to.
Page 43/44 – Supporting text	<p>In paragraph 9.2 replace the second sentence with: 'This Plan and the resulting policy addresses only that part of the wider Campus site within the designated neighbourhood area'</p> <p>In paragraph 9.3 retain the first sentence. Replace the remainder of the paragraph with: 'The site is physically separated from the retail, community and educational facilities in Wheatley by the A40. In this context the redevelopment of the site should address on-site and off-site opportunities to provide</p>	Agree	The council consider the proposed modifications the supporting text necessary to ensure there is clarity that is required by national policy and guidance and to ensure that the supporting text is consistent with the modifications made to Policy SPOBU.

Policy/ Section	Examiner's recommendations	Council's Decision	Justification/Reason
	<p>safe, convenient and attractive access for pedestrian access to Wheatley'</p> <p>Replace paragraph 9.4 with:</p> <p>'The campus includes sports and recreational facilities. Some of these facilities are outside the neighbourhood area (to the west of the built development on the site). Whilst they are primarily for university use, they have represented valuable amenities for local residents. The future of these facilities should be addressed in the masterplan for the redevelopment of the site'.</p> <p>Delete paragraph 9.6</p>		
Pages 47-50 – Section 10 & Policy GBBA1: Green Belt Boundary	<p>Delete the policy</p> <p>Delete Section 10 of the Plan (including Figure 10.3)</p>	<b>Please see Table 1</b>	Reasons set out in Table 1.
Pages 50-53 – Policy SPES1	<p>Delete the policy</p> <p>Delete paragraph 11.1-11.7 (including Figures 11.1 and 11.3)</p>	<b>Please see Table 1</b>	Reasons set out in Table 1.
Page 55 – Policy SPES2	Replace the opening element of the policy with:	Agree	The council consider the proposed modifications to the policy necessary to provide a more general context for

Policy/ Section	Examiner's recommendations	Council's Decision	Justification/Reason
	<p>'The comprehensive redevelopment of the Littleworth Road Industrial Estate for residential purposes will be supported where it can be demonstrated that the site is no longer economically viable and has been marketed at a reasonable price for that or any other suitable employment or service trade uses'</p> <p>Replace the initial element of the second part of the policy with:</p> <p>'Within this context development proposals should respond positively to the following design criteria:'</p> <p>Replace a. and b. with: 'The delivery of approximately 25 homes in an attractive and imaginative way which complements the public realm of the surrounding residential areas;'</p> <p>Replace c. with: 'The height of the dwellings should reflect the contours of the site and the design and height of the residential properties in the surrounding area. The development should be designed to reflect the natural contours of the site'</p> <p>Replace e. with 'The layout of the site includes appropriate and safe access from Littleworth Road for motor vehicles, cyclists and pedestrians'</p>		<p>redevelopment of the site for residential purposes and make it less restrictive, in accordance with national policy and guidance.</p> <p>The deletion of any reference to the need for the relocation of the existing businesses within Wheatley is necessary as it is both unnecessary and overly restrictive.</p> <p>The council agrees that the deletion of the reference to any redevelopment 'not lowering the employment capacity of the District', is necessary as this goes beyond the approach included in the saved Local Plan.</p> <p>The council consider the proposed modifications to the criteria necessary to ensure the policy provides the clarity required by national policy and guidance.</p>

Policy/ Section	Examiner's recommendations	Council's Decision	Justification/Reason
	Replace h. with 'The development of the site should be arranged so that there is no adverse effect on the integrity of the Littleworth Brick Pit SSSI'		
Pages 53-55 – Supporting text	<p>Before the policy and paragraph 11.8 (as numbered in the submitted Plan) add:</p> <p>10 Littleworth Business Centre Site Allocation</p> <p>[Insert new paragraph and number accordingly] to read: 'This section of the report provides a policy context for the potential redevelopment of the Littleworth Industrial Estate. It reflects the condition of the site and its range of car repair and related uses. It has been designed to bring forward a local interpretation of Policy E6 of the saved Local Plan 2011. That policy provides an opportunity for redundant land and buildings formerly in commercial use to be used for residential purposes where the uses are no longer viable and where the sites concerned have been marketed for a specific period of time'</p> <p>In 11.9 remove the references to the emerging Local Plan. Thereafter replace the final sentence with: 'On this basis Policy SPES2 has been designed so that any redevelopment can only proceed in the event that the site is no longer economically viable'</p>	Agree	The council consider the proposed modifications to the supporting text necessary to provide factual accuracy and clarity as required by national policy and guidance, due to the consequential changes made to Policy SPES2.

Policy/ Section	Examiner's recommendations	Council's Decision	Justification/Reason
	<p>At the end of paragraph 11.11 add: 'Policy SPES2 sets out a policy arrangement for the potential redevelopment of the site. As indicated on figure 11.4 the eastern part of the site is within the Green belt. As such it should not be incorporated into the wider redevelopment proposals. The policy requires a comprehensive redevelopment of the site. Any partial redevelopment for residential purposes would be likely to generate unacceptable amenity and access arrangements for the occupiers of new dwellings on the site. Criterion c. of the policy comments about the height of the new houses. In general terms they should be two storey in height to respect the height of the other houses in the immediate locality. Nevertheless, a degree of flexibility may be appropriate where such an approach would assist in the delivery of a high-quality development. This could include two storey houses with accommodation in the roof space or three storey houses.'</p> <p>Renumber paragraphs 11.8 to 11.11 to take account of recommended modifications to the other policies/supporting text in this part of the Plan.</p>		
Pages 56-57 – Policy SPES3	<p>Delete the policy</p> <p>Delete paragraphs 11.12-11.13 (including Figure 11.5)</p>	<b>Please see Table 1</b>	Reasons set out in Table 1.

Policy/Section	Examiner's recommendations	Council's Decision	Justification/Reason
Page 58 – Policy SPES4	Delete the policy Delete paragraphs 11.14-11.15	<b>Please see Table 1</b>	Reasons set out in Table 1.
Page 59 – Para 11.17-11.19	Delete paragraphs 11.17 – 11.19 (including Figure 11.6)	<b>Please see Table 1</b>	Reasons set out in Table 1.
Page 59 – Policy SPGR: Green Route	Replace the policy with: 'Proposals for the creation of a Green Route stretching from Littleworth in the west to the Asda supermarket in the east will be supported.  Where they are otherwise in accordance with the policies in the development plan in general and the policies in this Plan in particular development proposals which would deliver elements of a wider Green Route will be supported'	Agree	The council consider the proposed modification to the policy necessary to ensure this policy is not undermined by the other modifications made to other policies in the Plan, it offers general support for the creation of a Green Route.
Page 58/59 – Para 11.16	In the final part of the paragraph 11.16 delete '(see Figure 11.1 and 11.2)'  At the end of the paragraph add: 'Policy SPGR provides effect to this ambition. Its second part recognises that some development proposals offer the potential to deliver elements of a wider Green Route. Such proposals would be supported and the Parish Council will seek to engage with potential developers on a case by case basis. The application of this part of the policy will need to take account of	Agree	The council consider the proposed modification to the supporting text necessary to ensure it is consistent with the modifications proposed to SPGR.

Policy/ Section	Examiner's recommendations	Council's Decision	Justification/Reason
	the practicability of such an approach on particular site and any effects on the overall viability of the substantive development proposed'		
Page 61 – Figure 12.1	In Figure 12.1 add a new row after the twelve-month review to read:  'Left Column – Review following the adoption of the emerging South Oxfordshire Local Plan 2034'  'Right Column – 'The eventual adoption of a new Local Plan for the District would represent an initial opportunity to assess whether any elements of a made neighbourhood plan need to be reviewed at that time'.	Agree	The council agrees with the examiner that the circumstances with the emerging South Oxfordshire Local Plan 2034 and the dated nature of the existing Core Strategy mean that figure 12.1 should recognise that the eventual adoption of a new Local Plan for the District would represent an initial opportunity to assess whether any elements of a made neighbourhood plan need to be reviewed.
Other matters	Modification of the general text (where necessary) to achieve consistency with modified policies	Agree	The council agrees with the examiner that it may be necessary to amend the plan where consequential changes to the text are required directly as a result of the examiners recommended modifications.
Front Cover	Include the Plan period	Agree	The council consider the proposed modifications to the front cover to include the plan period to be necessary to ensure there is clarity that is required by national policy and guidance.
Page 8 – Para 4.1	Replace the fourth, fifth and sixth sentences with:	Agree	The council consider the proposed modifications to the supporting text to be

Policy/ Section	Examiner's recommendations	Council's Decision	Justification/Reason
	'It is identified as a larger village in the development plan, serving surrounding villages in retail, light industry, education, Post Office services and medical practice. With the village of Holton, which is outside the neighbourhood plan area, both of these villages host a complete school system for children aged 5 to 18 years, including secondary and special education schools serving Oxford City and the surrounding villages'		necessary to ensure it accurately reflects the position of Wheatley in the settlement hierarchy and clarifies that the village of Holton is not within the neighbourhood plan area. This amendment ensures there is clarity that is required by national policy and guidance.
Page 9 – Para 4.3	Replace the second sentence with:  'This is in part due to Green Belt constraints on housing development, although there have been some infill sites (notably the former railway land).	Agree	The council consider the proposed modification to supporting text to be necessary to ensure there is clarity that is required by national policy and guidance.
Page 20 – Figure 4.15	Include a key for the areas shown in colour	Agree	The council consider the proposed introduction of a key to be necessary to ensure there is clarity that is required by national policy and guidance.

