

Wallingford Neighbourhood Development Plan 2019-2034

**A report to South Oxfordshire District Council
on the Wallingford Neighbourhood
Development Plan**

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Executive Summary

- 1 I was appointed by South Oxfordshire District Council in August 2020 to carry out the independent examination of the Wallingford Neighbourhood Development Plan.
- 2 The examination was undertaken by written representations. I visited the neighbourhood plan area on 10 September 2020.
- 3 The Plan includes a range of policies and seeks to bring forward positive and sustainable development in the neighbourhood area. In the round the Plan has successfully identified a range of issues where it can add value to the strategic context already provided by the recently-adopted Local Plan. It has a particular focus on delivering new housing and maintaining the character, identity and heritage assets of the neighbourhood area. In this context it includes a detailed and locally-distinctive design policy.
- 4 The Plan has been underpinned by community support and engagement. It is clear that all sections of the community have been actively engaged in its preparation.
- 5 Subject to a series of recommended modifications set out in this report I have concluded that the Wallingford Neighbourhood Plan meets all the necessary legal requirements and should proceed to referendum.
- 6 I recommend that the referendum should be held within the neighbourhood area.

Andrew Ashcroft
Independent Examiner
19 January 2021

1 Introduction

- 1.1 This report sets out the findings of the independent examination of the Wallingford Neighbourhood Development Plan 2019-2034 (the 'Plan').
- 1.2 The Plan has been submitted to South Oxfordshire District Council (SODC) by Wallingford Town Council (WTC) in its capacity as the qualifying body responsible for preparing the neighbourhood plan.
- 1.3 Neighbourhood plans were introduced into the planning process by the Localism Act 2011. They aim to allow local communities to take responsibility for guiding development in their area. This approach was subsequently embedded in the National Planning Policy Framework (NPPF) 2012 and its updates in 2018 and 2019. The NPPF continues to be the principal element of national planning policy.
- 1.4 The role of an independent examiner is clearly defined in the legislation. I have been appointed to examine whether or not the submitted Plan meets the basic conditions and Convention Rights and other statutory requirements. It is not within my remit to examine or to propose an alternative plan, or a potentially more sustainable plan except where this arises as a result of my recommended modifications to ensure that the plan meets the basic conditions and the other relevant requirements.
- 1.5 A neighbourhood plan can be narrow or broad in scope. Any plan can include whatever range of policies it sees as appropriate to its designated neighbourhood area. The submitted plan has been designed to be distinctive in general terms, and to be complementary to the development plan in particular. It has a clear focus on delivering new housing and maintaining the character and integrity of the neighbourhood area and ensuring good design standards.
- 1.6 Within the context set out above this report assesses whether the Plan is legally compliant and meets the basic conditions that apply to neighbourhood plans. It also considers the content of the Plan and, where necessary, recommends changes to its policies and supporting text.
- 1.7 This report also provides a recommendation as to whether the Plan should proceed to referendum. If this is the case and that referendum results in a positive outcome the Plan would then be used to determine planning applications within the Plan area and will sit as part of the wider development plan.

2 The Role of the Independent Examiner

- 2.1 The examiner's role is to ensure that any submitted neighbourhood plan meets the relevant legislative and procedural requirements.
- 2.2 I was appointed by SODC, with the consent of WTC, to conduct the examination of the Plan and to prepare this report. I am independent of both SODC and WTC. I do not have any interest in any land that may be affected by the Plan.
- 2.3 I possess the appropriate qualifications and experience to undertake this role. I am a Director of Andrew Ashcroft Planning Limited. In previous roles, I have over 35 years' experience in various local authorities at either Head of Planning or Service Director level. I am a chartered town planner and have significant experience of undertaking other neighbourhood plan examinations and health checks. I am a member of the Royal Town Planning Institute and the Neighbourhood Planning Independent Examiner Referral Service.

Examination Outcomes

- 2.4 In my role as the independent examiner of the Plan I am required to recommend one of the following outcomes of the examination:
- (a) that the Plan is submitted to a referendum; or
 - (b) that the Plan should proceed to referendum as modified (based on my recommendations); or
 - (c) that the Plan does not proceed to referendum on the basis that it does not meet the necessary legal requirements.
- 2.5 The outcome of the examination is set out in Sections 7 and 8 of this report.

Other examination matters

- 2.6 In examining the Plan I am required to check whether:
- the policies relate to the development and use of land for a designated neighbourhood plan area; and
 - the Plan meets the requirements of Section 38B of the Planning and Compulsory Purchase Act 2004 (the Plan must specify the period to which it has effect, must not include provision about development that is excluded development, and must not relate to more than one neighbourhood area); and
 - the Plan has been prepared for an area that has been designated under Section 61G of the Localism Act and has been developed and submitted for examination by a qualifying body.
- 2.7 I have addressed the matters identified in paragraph 2.6 of this report. I am satisfied that the submitted Plan complies with the three requirements.

3 Procedural Matters

- 3.1 In undertaking this examination I have considered the following documents:
- the submitted Plan;
 - the Basic Conditions Statement;
 - the Consultation Statement;
 - Appendices A-F;
 - the SEA report;
 - the SEA report (Non-technical summary);
 - the HRA Screening report;
 - the Site Assessment;
 - the Housing Needs Assessment (Chameleon Consultancy);
 - the Town Council's responses to my Clarification Note;
 - the District Council's response to my Clarification Note;
 - the representations made to the Plan;
 - the South Oxfordshire Local Plan 2035;
 - the National Planning Policy Framework (February 2019);
 - Planning Practice Guidance (March 2014 and subsequent updates); and
 - relevant Ministerial Statements.
- 3.2 I carried out an unaccompanied visit to the neighbourhood area on 10 September 2020. I looked at its overall character and appearance and at those areas affected by policies in the Plan in particular. The visit is covered in more detail in paragraphs 5.9 to 5.16 of this report.
- 3.3 It is a general rule that neighbourhood plan examinations should be held by written representations only. There were several requests that I should call a hearing as part of the examination. Having considered all the information before me, including the representations made to the submitted plan, I was satisfied that the Plan could be examined without the need for a public hearing. I advised SODC of this decision once I had received the responses to the clarification note.
- 3.4 The Plan has been examined within the context of the recently-adopted South Oxfordshire Local Plan 2035. However, it was submitted within the context of the former South Oxfordshire Core Strategy. Given the significant progress that was made on the examination of the Local Plan including the publication of main modifications I held an early clarification meeting with the Town Council and the District Council. Notes from that meeting are attached at Appendix 1 of this report.
- 3.5 At that meeting it was agreed both by the Town Council and the District Council that the examination of the neighbourhood plan should be timed to await the adoption of the South Oxfordshire Local Plan 2035. This decision has had two related consequences. The first is that the neighbourhood plan has been examined against a very-recently adopted Local Plan. The second is that the need for a review of any 'made' neighbourhood plan is more focused in scope than that which would otherwise have been the case if it had been examined against the former Core Strategy.

- 3.6 Paragraphs 7.140 to 7.142 of this report provide the flexibility for the District Council and/or the Town Council to update the factual policy context of the Plan in the event that it proceeds to referendum and is eventually 'made'.

4 Consultation

Consultation Process

- 4.1 Policies in made neighbourhood plans become the basis for local planning and development control decisions. As such the regulations require neighbourhood plans to be supported and underpinned by public consultation.
- 4.2 In accordance with the Neighbourhood Planning (General) Regulations 2012 the Town Council has prepared a Consultation Statement. This Statement sets out the mechanisms used to engage all concerned in the plan-making process. It also provides specific details about the consultation process that took place on the pre-submission version of the Plan (August to October 2019). It captures the key issues in a proportionate way and is then underpinned by more detailed appendices. It is a very good example of a Consultation Statement.
- 4.3 The Statement sets out details of the comprehensive range of consultation events that were carried out in relation to the initial stages of the Plan. They included:
- the initial consultation (March 2016);
 - the business consultation (May 2016);
 - the engagement with pupils at Fir Tree School (September 2016);
 - the engagement with Wallingford School pupils (March 2017);
 - the site assessment consultation (July/August 2017);
 - the general consultation (September/October 2018); and
 - the local business consultation (November/December 2018).
- 4.4 The Statement also provides details of the way in which WTC engaged with statutory bodies. It is clear that the process has been proportionate and robust.
- 4.5 The Statement provides specific details on the comments received as part of the consultation process on the pre-submission version of the Plan (Section 10 and appendices C and D). It identifies the principal changes that worked their way through into the submission version. This process helps to describe the evolution of the Plan.
- 4.6 It is clear that consultation has been an important element of the Plan's production. Advice on the neighbourhood planning process has been made available to the community in a positive and direct way by those responsible for the Plan's preparation.
- 4.7 From all the evidence provided to me as part of the examination, I can see that the Plan has promoted an inclusive approach to seeking the opinions of all concerned throughout the process. SODC has carried out its own assessment that the consultation process has complied with the requirements of the Regulations.

Representations Received

4.8 Consultation on the submitted plan was undertaken by SODC for an extended period that ended on 11 August 2020. It took account of the circumstances surrounding Covid:19. This exercise generated comments from a range of organisations as follows:

- Environment Agency
- South Oxfordshire District Council
- Theatres Trust
- Croudace Homes
- L&Q Estates
- Chilterns Conservation Board
- Oxfordshire County Council
- David Wilson Homes (Southern)
- Thames Water
- Historic England
- National Grid
- Natural England
- Network Rail
- St Edwards Homes Limited
- Thames Water

4.9 Four separate representations were received from local residents.

4.10 I have taken account of each of the various representations in examining the Plan. Where it is appropriate to do so I make specific reference to the individual representations in Section 7 of this report.

5 The Neighbourhood Area and the Development Plan Context

The Neighbourhood Area

- 5.1 The neighbourhood area consists of the parish of Wallingford. Its population in 2011 was 7542 persons living in 3432 houses. It was designated as a neighbourhood area on 1 May 2015.
- 5.2 Wallingford is located approximately five miles to the east of Didcot. It is strategically located to the immediate west of the River Thames. It is largely surrounded by the North Wessex Downs AONB and the Chilterns AONB to the west and to the east respectively.
- 5.3 Wallingford is a market town of considerable historic importance. The core of the town is defined by the Alfredian burh ramparts and ditches inside which much of the Anglo-Saxon grid layout remains. They are the best-preserved Saxon defences and street grid in England. The historic character of Wallingford in the Anglo-Saxon, medieval and (in some parts of the town) later has been that of a developed core with open space lying between the core and the defensive circuit. These open spaces, known as The Kinecroft and Bull Croft, are of considerable heritage significance. On the north east burh boundary are the substantial remains of the great castle dating back to the immediate aftermath of the Norman Conquest. The town has retained its character, status and function over the years. It is one of a series of market towns in the District settlement hierarchy. In this context it offers an attractive town centre for its own residents and those in its immediate hinterland. The town is naturally constrained to the east by the River Thames. It has however expanded over the years to the south and to the west. The A4130 to the west of the built-up area largely provides a bypass of the town for longer distance east-west traffic.

Development Plan Context

- 5.4 The South Oxfordshire Local Plan was adopted in December 2020. It sets out the basis for future development in the District up to 2035. Most of the policies in the Local Plan are strategic policies of the development plan (see paragraph 2.5 of this report). It is this development plan context against which I am required to examine the submitted Neighbourhood Plan. As paragraphs 3.4/3.5 have already commented SODC and WTC agreed that the examination should be timed so that the neighbourhood plan could be examined against this Local Plan rather than against the former Core Strategy which was in place at the time when the neighbourhood plan was submitted.
- 5.5 Wallingford is identified as one of the four towns in the settlement hierarchy. Policy STRAT1 comments that the roles of Wallingford, along with Thame and Henley-on-Thames will be supported by maintaining and improving the attractiveness of their town centres through a variety of measures. Policy WAL1 sets out a specific strategy for Wallingford. At its heart is an approach which supports development proposals to consolidate the economic, the social and the environmental aspects of the town's role

as an important market town. Policy H3 of the Plan sets out housing requirements for the three market towns. Wallingford is expected to deliver at least 1070 homes in the Plan period. This includes the delivery of the committed site to the west of the town.

- 5.6 The following other policies in the Local Plan are particularly relevant to the Wallingford Neighbourhood Plan:

H9	Affordable Housing
H11	Housing Mix
H16	Infill Development
H22	Loss of Existing Residential accommodation in town centres
EMP7	New employment land at Wallingford
EMP11	Tourism
EMP13	Retention of Visitor Accommodation
ENV7	Listed Buildings
ENV8	Conservation Areas
DES1	High Quality Development
TC5	Primary Shopping Areas
CF1	Safeguarding Community Facilities

- 5.7 The Basic Conditions Statement usefully highlights the key policies in both the now superseded Core Strategy and what was the emerging Local Plan and how they relate to policies in the submitted Plan. This is good practice. It provides confidence to all concerned that the submitted Plan sits within its existing and emerging local planning policy context. The integrity of the Statement has allowed me to examine the Plan against the very-recently adopted Local Plan.

- 5.8 The outcome of the wider process is that the eventual neighbourhood plan will be in general conformity with an up-to-date development plan context. This reflects best practice. It also takes account of the very significant effort which have been made both nationally and locally to secure the adoption of the South Oxfordshire Local Plan.

Unaccompanied Visit

- 5.9 I visited the neighbourhood area on 10 September 2020. The weather was warm and sunny and showed off the town at its best. I approached from the north from the Oxford Eastern Bypass and the A4074. This highlighted the relationship between the town, the Oxford Green Belt and the surrounding villages within the town's wider hinterland.

- 5.10 I spent the first part of the visit looking at various sites and locations to the west of the town off the A4130. In particular I looked at Site B where new residential development was taking place, and at Sites A, C and D (and as addressed in some of the representations made to the Plan). In this context I saw the way in which the A4130 provided an effective relief-road for the town from longer-distance east-west traffic.

- 5.11 I also looked at the industrial estates off Hithercroft Road. In doing so I saw the Wallingford Station end of the Wallingford to Cholsey heritage railway line. I saw the interesting building work which was taking place.

- 5.12 During this part of the visit I looked at the Radnor Road and the Wilding Road local green spaces. At the latter I saw the memorial plaque commemorating the supreme sacrifice and conspicuous gallantry of Flying Officer Wilding and Sergeant Andrew of 426 Squadron of the Canadian Air Force in September 1944.
- 5.13 I then spent time looking at the town centre. I saw its relationship with the River Thames and the way in which its Saxon town layout and historic street pattern had been maintained. I saw the vibrancy and attractiveness of the town centre and its variety of historic buildings. I looked at the attractive green spaces which surround the town centre. In their different ways I saw how Kinecroft, Bull Croft and Castle Gardens provided a historic context and convenient open spaces on the very edge of the town centre. In each case they were beautifully-maintained and were being enjoyed by local residents in the late afternoon sunshine.
- 5.14 I then walked to the south of the town along the Reading Road. I looked at the proposed The Paddocks local green space and Site E as allocated for housing purposes in Policy WS2 of the submitted Plan. In doing so I saw Winterbrook House, the home of Agatha Christie between 1934 and 1976. I also saw the attractive new residential development off Portcullis Drive. In looking at The Paddocks local green space I saw the hospital and the GP surgery. Together they formed a vibrant element of the community facilities in the town.
- 5.15 I returned to the town centre by way of St Leonard's Lane. In doing so I saw the Saxon St Leonard's Church and the attractive collection of buildings in the south-eastern corner of the town centre. I also saw the way in which the properties on the eastern side of St Leonard's Lane related to the River Thames. I wandered down to the River along several of the well-signed footpaths. I also saw the Cattlemarket car park.
- 5.16 I finished my visit by driving to Crowmarsh Gifford to the east. This highlighted the relationship between the two settlements. It also gave me an opportunity to see the Riverside Meadows and the range of riverside leisure and recreation activities.

6 The Neighbourhood Plan and the Basic Conditions

- 6.1 This section of the report deals with the submitted neighbourhood plan as a whole and the extent to which it meets the basic conditions. The submitted Basic Conditions Statement has helped considerably in the preparation of this section of the report. It is a well-presented and informative document. It is also proportionate to the Plan itself.
- 6.2 As part of this process I must consider whether the submitted Plan meets the Basic Conditions as set out in paragraph 8(2) of Schedule 4B of the Town and Country Planning Act 1990. To comply with the basic conditions, the Plan must:
- have regard to national policies and advice contained in guidance issued by the Secretary of State;
 - contribute to the achievement of sustainable development;
 - be in general conformity with the strategic policies of the development plan in the area;
 - be compatible with European Union (EU) and European Convention on Human Rights (ECHR) obligations; and
 - not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017 (7).
- 6.3 I assess the Plan against the basic conditions under the following headings.
- National Planning Policies and Guidance*
- 6.4 For the purposes of this examination the key elements of national policy relating to planning matters are set out in the National Planning Policy Framework (NPPF) issued in February 2019. This approach is reflected in the submitted Basic Conditions Statement.
- 6.5 The NPPF sets out a range of core land-use planning issues to underpin both plan-making and decision-taking. The following are of particular relevance to the Wallingford Neighbourhood Plan:
- a plan led system– in this case the relationship between the neighbourhood plan and the adopted South Oxfordshire Local Plan 2035;
 - delivering a sufficient supply of homes;
 - building a strong, competitive economy;
 - recognising the intrinsic character and beauty of the countryside and supporting thriving local communities;
 - taking account of the different roles and characters of different areas;
 - highlighting the importance of high-quality design and good standards of amenity for all future occupants of land and buildings; and
 - conserving heritage assets in a manner appropriate to their significance.
- 6.6 Neighbourhood plans sit within this wider context both generally, and within the more specific presumption in favour of sustainable development. Paragraph 13 of the NPPF

indicates that neighbourhoods should both develop plans that support the strategic needs set out in local plans and plan positively to support local development that is outside the strategic elements of the development plan.

- 6.7 In addition to the NPPF I have also taken account of other elements of national planning policy including Planning Practice Guidance and ministerial statements.
- 6.8 Having considered all the evidence and representations available as part of the examination I am satisfied that the submitted Plan has had regard to national planning policies and guidance in general terms. It sets out a positive vision for the future of the neighbourhood area within the context of its position in the settlement hierarchy. In particular it includes a series of policies on the scale and nature of new development. In addition, it celebrates the rich history and built heritage of the town. It proposes a series of local green spaces and policies to sustain the vitality of the town centre. The Basic Conditions Statement maps the policies in the Plan against the appropriate sections of the NPPF.
- 6.9 At a more practical level the NPPF indicates that plans should provide a clear framework within which decisions on planning applications can be made and that they should give a clear indication of how a decision-maker should react to a development proposal (paragraph 16d). This was reinforced with the publication of Planning Practice Guidance in March 2014. Paragraph ID:41-041-20140306 indicates that policies in neighbourhood plans should be drafted with sufficient clarity so that a decision-maker can apply them consistently and with confidence when determining planning applications. Policies should also be concise, precise and supported by appropriate evidence.
- 6.10 As submitted the Plan does not fully accord with this range of practical issues. The majority of my recommended modifications in Section 7 relate to matters of clarity and precision. They are designed to ensure that the Plan fully accords with national policy.

Contributing to sustainable development

- 6.11 There are clear overlaps between national policy and the contribution that the submitted Plan makes to achieving sustainable development. Sustainable development has three principal dimensions – economic, social and environmental. It is clear that the submitted Plan has set out to achieve sustainable development in the neighbourhood area. In the economic dimension the Plan includes policies for residential development (Policies WS2, WS3 and WS4), for employment activity (Policies EE1 to EE3) and for town centre activities (Policies TC1 to TC7). In the social role, it includes policies on community facilities (Policy CF1 and CF2), on local green spaces (Policy CF3), for the Riverside (Policy CF4) and for local services (Policies CF6 and CF7). In the environmental dimension the Plan positively seeks to protect its natural, built and historic environment. It has specific policies on design (Policies HD1 and HD2), on the historic environment (Policies HA1 and HA2) and on green spaces and a wider Green Network (Policies EV1 and EV2). The Town Council has undertaken its own very impressive assessment of this matter in the submitted Basic Conditions Statement.

General conformity with the strategic policies in the development plan

- 6.12 I have already commented in detail on the development plan context in South Oxfordshire in paragraphs 5.4 to 5.8 of this report.
- 6.13 I consider that the submitted Plan delivers a local dimension to this strategic context. The Basic Conditions Statement helpfully relates the Plan's policies to policies in the development plan. Subject to the recommended modifications in this report I am satisfied that the submitted Plan is in general conformity with the strategic policies in the development plan. I address housing delivery matters in paragraphs 7.19 to 7.31 of this report in the context of Policy WS2.

European Legislation and Habitat Regulations

Strategic Environmental Assessment

- 6.14 The Neighbourhood Plan General Regulations 2015 require a qualifying body either to submit an environmental report prepared in accordance with the Environmental Assessment of Plans and Programmes Regulations 2004 or a statement of reasons why an environmental report is not required.
- 6.15 In order to comply with this requirement WTC commissioned a Strategic Environmental Assessment. It was updated throughout the Plan preparation process. The most recent version included with the submitted Plan was produced in February 2020.
- 6.16 The Environmental Statement is a well-considered and detailed document. It assesses the environmental conditions in the neighbourhood area in general terms. The report appraises the policies (and reasonable alternatives) against the sustainability framework developed through the Scoping Report. It helps to gauge the extent to which the Plan contributes towards sustainable development.
- 6.16 The work on the Statement is underpinned by associated work on the selection of housing sites. A range of sites were assessed by AECOM to determine their suitability and availability, or otherwise, for allocation in the emerging Plan. Some of the sites had already been assessed by SODC through its own technical work to support the preparation of the Local Plan. In particular it assesses two alternative growth options for the delivery of new housing growth.
- 6.17 As with other elements of the submitted Plan the Environmental Statement has been overtaken by adoption of the South Oxfordshire Local Plan 2035 in December 2020. I address the implications for longer term housing delivery in Section 7 of this report.

Habitats Regulations Assessment Done

- 6.18 SODC produced a separate Habitats Regulations Assessment (HRA) of the Plan in November 2019. It concludes that the Plan is not likely to have significant environmental effects on a European nature conservation site or undermine their conservation objectives alone or in combination taking account of the precautionary principle. As such Appropriate Assessment is not required.

- 6.19 The HRA report is very thorough and comprehensive. It took appropriate account of the significance of the Chilterns Beechwood SAC, the Aston Rowant SAC, the Hartslock Wood SAC, the Little Wittenham SAC and the Cothill Fen SAC. It provides assurance to all concerned that the submitted Plan takes appropriate account of important ecological and biodiversity matters. It also overlaps with work that had been undertaken at that time on the HRA for the emerging Local Plan.
- 6.20 Having reviewed the information provided to me as part of the examination, I am satisfied that a proportionate process has been undertaken in accordance with the various regulations. In the absence of any evidence to the contrary, I am entirely satisfied that the submitted Plan is compatible with this aspect of European obligations.
- 6.21 In a similar fashion I am satisfied that the submitted Plan has had regard to the fundamental rights and freedoms guaranteed under the European Convention on Human Rights (ECHR) and that it complies with the Human Rights Act. There is no evidence that has been submitted to me to suggest otherwise. In addition, there has been full and adequate opportunity for all interested parties to take part in the preparation of the Plan and to make their comments known. On the basis of all the evidence available to me, I conclude that the submitted Plan does not breach, nor is in any way incompatible with the ECHR.

Summary

- 6.22 On the basis of my assessment of the Plan in this section of my report I am satisfied that it meets the basic conditions subject to the incorporation of the recommended modifications contained in this report.

7 The Neighbourhood Plan policies

- 7.1 This section of the report comments on the policies in the Plan. In particular, it makes a series of recommended modifications to ensure that they have the necessary precision to meet the basic conditions.
- 7.2 My recommendations focus on the policies themselves given that the basic conditions relate primarily to this aspect of neighbourhood plans. In some cases, I have also recommended changes to the associated supporting text.
- 7.3 I am satisfied that the content and the form of the Plan is fit for purpose. It is distinctive and proportionate to the neighbourhood area. The wider community and WTC have spent time and energy in identifying the issues and objectives that they wish to be included in their Plan. This sits at the heart of the localism agenda.
- 7.4 The Plan has been designed to reflect Planning Practice Guidance (Section 41-004-20190509) which indicates that neighbourhood plans must address the development and use of land. In this context it includes a series of non-land use Community Aspirations.
- 7.5 I have addressed the policies in the order that they appear in the submitted plan. Where necessary I have identified the inter-relationships between the policies. The Community Aspirations are assessed after the policies.
- 7.6 For clarity this section of the report comments on all policies whether or not I have recommended modifications in order to ensure that the Plan meets the basic conditions.
- 7.7 Where modifications are recommended to policies they are highlighted in bold print. Any associated or free-standing changes to the text of the Plan are set out in italic print.

The initial section of the Plan (Chapters 1 and 2)

- 7.8 These initial parts of the Plan set the scene for the range of policies. They do so in a proportionate way. The Plan is presented in a professional way. It makes a very effective use of well-selected photographs and maps. It is real credit to those who have written the Plan and to those who have been responsible for its design and layout. A very clear distinction is made between its policies and the supporting text. It also highlights the links between the Plan's objectives and its resultant policies. In the event that the Plan is made it will comfortably sit within the wider development plan for South Oxfordshire.
- 7.9 The Introduction (Chapter 1) addresses the background to neighbourhood planning. It comments about how the Plan has been prepared and the need for it to comply with the basic conditions. It includes an effective map of the designated neighbourhood area. Paragraph 1.3.1 identifies the Plan period.
- 7.10 The Introduction also describes the neighbourhood area in general terms. It does so in a very effective fashion. It sets out the details of the various consultation exercises that have taken place. The Plan's Journey on page 15 is both a simple and effective

way of describing the work which has been undertaken so far. This report is one of the identified final stages of that journey.

- 7.11 The initial part of Chapter 2 sets out a comprehensive vision and related objectives for the Plan. It incorporates a five-point vision underpinned by four objectives in total. In all cases they are distinctive to the neighbourhood area. It is also clear that the policies flow from the evidence base and the supporting text. This approach also highlights the very detailed and thorough way in which the Plan has been prepared. Planning Practice Guidance (41-040-20160211) comments about the evidence need to support a neighbourhood plan as follows: 'Proportionate, robust evidence should support the choices made and the approach taken. The evidence should be drawn upon to explain succinctly the intention and rationale of the policies in the draft neighbourhood plan or the proposals in an Order'. WTC has clearly risen to this challenge in a very positive fashion.
- 7.12 Section 2.2 of the Plan sets out eight key themes of the Plan. They have been promoted with community support. They usefully provide the basis for the remainder of the Plan and act as a basis for themed groups of policies.
- 7.13 The remainder of this section of the report addresses each policy in turn in the context set out in paragraphs 7.5 to 7.7 of this report.

Policy WS1: The Local Strategy for Wallingford

- 7.14 This policy sets out a broad local strategy for the town. In effect it sets the scene for the wider Plan and its policies.
- 7.15 As submitted it is not a land use policy. I sought clarity from WTC on this matter. In its response it commented that the Plan 'has developed a vision and set of objectives for the neighbourhood plan. Policy WS1 interprets these clearly and unambiguously as a local framework policy for the parish, what we expect to happen in the town, why and in general terms how this should happen. It provides more detail to support the Local Plan policies, in particular WAL1. Such a policy provides a clear overview of the principal issues in Wallingford for residents, developers and decision makers. The policy sets out in positive terms how proposals in the neighbourhood plan area should be considered. It is our view that this is important and relevant information to include in a policy in the same way that Local Plan Policy STRAT1 does in the local plan for the whole district. It will add positive strength to the neighbourhood plan in the determination of development proposals'
- 7.16 I have considered this matter carefully. With modifications to its format and structure I am satisfied that the policy can meet the basic conditions. In particular the modifications relate the policy more closely to the development management process. I also recommend detailed modifications to the wording of some of the criteria so that they relate in grammatic terms to the modified opening part of the policy.
- 7.17 With the recommended modifications the policy will respond positively to national policy in general, and to the principles in Planning Practice Guidance (PPG) in particular. The broader ambitions and strategy of the Plan add local value to the

approach taken in the adopted Plan. In this context the policy responds positively to PPG 41-001-20190509 which comments that ‘neighbourhood planning provides a powerful set of tools for local people to plan for the types of development to meet their community’s needs and where the ambition of the neighbourhood is aligned with the strategic needs and priorities of the wider local area’.

- 7.18 I also recommend that the supporting text is consolidated so that it explains the way in which other policies in the development plan will need to be applied to the determination of planning applications in the Plan period.

Replace the opening part of the policy with:

‘Development proposals should take account of the role of Wallingford as a market town in general, and its natural, heritage and environmental characteristics in particular. Development proposals will be supported where they positively address the following matters as appropriate to scale and nature’

In the final three criteria replace ‘supporting/supporting/encouraging’ with ‘support/support/encourage’

At the end of paragraph 2.4.9 add: ‘Policy WS1 has deliberately been designed to have a general effect. It should be applied together with other more specific policies either in the Local Plan or within this Plan in the determination of planning applications’

Policy WS2: The Land Allocation for Housing in Wallingford

- 7.19 This policy proposes the allocation of 26.8 hectares of land to the west of Reading Road for residential development. It is Site E as identified in the Plan. It anticipates a development of 502 homes. The policy is associated with a series of criteria to shape its development.
- 7.20 The policy approach has attracted a series of representations from the development industry. In summary they raise the following points:
- the proposed allocation already has planning permission;
 - the approach in the Plan on new housing development is overly-restrictive; and
 - the approach fails to take account of the role of Wallingford as a market town in the District’s settlement hierarchy and the outcomes of the Local Plan hearings.
- 7.21 The policy approach and the representations reflect the timing and relationship between the preparation of the emerging Local Plan and the neighbourhood plan. In essence the neighbourhood plan was prepared and submitted within the context of what was at that time the submitted Local Plan and without the benefit of the findings of the hearings and the Local Plan Main Modifications. Plainly the details of the representations were unable to take account of the adopted version of the South Oxfordshire Local Plan.

7.22 The adopted Plan includes two policies which are particularly relevant to strategic housing delivery in Wallingford. Firstly, Policy WAL1 sets out the strategy for the town. In particular it offers support for proposals which would:

- deliver homes in accordance with Policy H3 of the Local Plan;
- support measures that improve the attraction of Wallingford for visitors with emphasis on the River Thames and the towns' heritage;
- support the market place as a focal hub;
- improve accessibility, car and cycle parking, pedestrian and cycle links;
- provide new employment opportunities and improve the stock of existing employment areas;
- support schemes that enhance the town's natural and historic environment and conserve and enhance the town's heritage assets;
- address air quality issues in the town centre; and
- provide new, or enhanced community facilities that meet an identified need.

7.23 Secondly, Policy H3 sets out the wider approach towards the delivery of new housing in three market towns in the District as follows:

1. A minimum housing requirement of 3,873 homes will be collectively delivered in the towns of Henley-on-Thames, Thame and Wallingford as follows: Henley-on-Thames: at least 1,285 homes Thame: at least 1,518 homes; Wallingford; at least 1,070 homes

2. Neighbourhood Development Plans for the market towns should seek to meet demonstrable local needs, for example for specialist or affordable housing, even where this would result in housing provision in excess of the outstanding requirement shown in Table 5d.

3. Land within the allocation at West of Wallingford will be developed to deliver approximately 555 new homes. Proposals will be expected to deliver:

- Access from the western bypass, with no vehicular access provided through Queen's Avenue and the discouragement of traffic from entering the Wallingford AQMA;
- The western and southern boundaries are reinforced with significant landscape buffers, with no built development along the western boundary adjacent to the bypass;

4. If a Neighbourhood Development Plan has not adequately progressed with allocating sites* to meet these requirements within 12 months of adoption of this Local Plan, planning applications for housing in that market town will be supported provided that proposals comply with the remainder of the policies in this Development Plan.

7.24 In terms of the first component of the policy the delivery of a minimum of 1070 new dwellings in Wallingford remains unchanged from the figure included in both the submitted Local Plan and the submitted neighbourhood plan. The second component of the policy provides the flexibility for the Wallingford Neighbourhood Plan to deliver housing in excess of the minimum figure where such housing would meet demonstrable local needs.

- 7.25 For the purposes of the examination of the submitted neighbourhood plan the third and fourth components of the policy are largely satisfied. In respect of the third component the Plan is plainly now at an advanced stage and proposes the allocation of Site E for housing purposes. In respect of the fourth component development is now proceeding with the site to the west of the town (Site B). The access to the bypass (A4130) was largely constructed and was being used by construction traffic at the time of my visit.
- 7.26 In relation to the first part of the policy I sought clarification from SODC on the trajectory for the development of new homes in Wallingford (including that of Sites B and E). The information supplied demonstrates that completions and commitments in the Local Plan period (2011-2035) are projected to be 1435 homes. The neighbourhood plan period (2019-2034) will see the principal element of the overall delivery as Sites B and E are developed. Significant delivery is anticipated to take place in the period between 2022/23 to 2027/2028 with a tapering effect from 2028/29 to 2032/33. In these circumstances I am satisfied that the submitted neighbourhood plan has facilitated growth to meet and to exceed the minimum figure included for the town included in Policy H3 of the adopted Local Plan.
- 7.27 In relation to the second part of the policy I have taken account of the findings of the Housing Needs Assessment (Chameleon Consultancy) commissioned by the Town Council. Whilst it was prepared before the Local Plan was adopted it nevertheless provides a helpful and up-to-date insight into housing needs in the town. The summary of that report includes the following findings that are relevant to this strategic requirement:
- The population of Wallingford increased in the period up to 2011 at a higher rate (16%) than the district (5%) with evidence of higher migration into the NPA than levels leaving the area. However, levels are now in line with those of the district and projected to increase at a comparable growth level. Those living in the area the longest are the least likely to move, showing the sense of stability in the area. Key reasons for moving out of Wallingford are driven by personal relationships with individuals choosing to move rather than whole households. The age profile is slightly younger than the district profile, with the 30 to 44-year age group increasing significantly (72%) to 2011 reflecting the number of young families in the town.
 - There is a higher turnover of housing based on persons keen to move to the town but outgrowing their accommodation quickly. Those who have lived in Wallingford for less than five years are most likely to be living in flats and have one bedroom. This is supported by the change in style of housing with a 41% increase in flats in 2011 (from 2001). Those who have lived in Wallingford for over 6 years are most likely to live in detached homes with five or more bedrooms. There is a level of under-occupancy as 11% of one person households have 4 or more bedrooms.
 - While house prices are higher than the District and increased above District rates, this is not shown as a major influencing factor for people to leave Wallingford and most homes are owned outright or with a mortgage. However, young families find the price gap between smaller and larger homes a factor in being able to afford to move. Rental prices are considered high due to the low

supply and high demand for these homes and are significantly above district levels.

- Semi-detached homes are the main style in Wallingford (35%) and two-parent families are significantly more likely (51%) to live in this style of home. Flats are most likely to be one person households (28%) and households with one bedroom are more likely to live in flats (44%). There is some correlation between style of house and need to move as soon as possible, with detached properties least likely to be vacated soon and flats most likely. Occupants of detached and semi-detached homes are most likely to consider moving in the longer term.
- The majority (83%) of homes in Wallingford are privately owned (owned outright or with a mortgage). Couples are most likely to own outright (71%) and two parent families are most likely to have a mortgage (68%). Households most in need of a new home as soon as possible (37%) are renting from a housing association and those who need to move within the next 12 months are most likely to be renting privately (41%).
- Households that need to move soon are most likely to feel there is a lack of adequate housing to move to. These households require starter homes (for first time buyers) and Affordable Housing.
- Housing increased above the level of the district to 2011 but has fallen in line with district levels with 197 units completed since 2011, 134 of these on The Maltings development which contained a mix of 3 and 4 bed houses and 2 bed flats as well as 40 care home units for the over 55's. A further 1070 units are committed to as part of the South Oxfordshire District Council Local Plan 2034.
- Factors suggest that the mix of housing is addressed with the addition of smaller properties to allow those who wish to downsize to release larger family homes and make provision for younger families. Dwellings required should be a mixture of 1-2 bed and 3-4 bed homes for young couple/families and the elderly consisting of semi- detached and detached houses with some ground floor only accommodation. These should be privately marketed.
- A total of 398 dwellings are currently required to meet housing need. Based on minimum housing need of 36 per annum this would require a further 540 new dwellings during the plan period, a total of 938 dwellings to 2034. These dwellings would be accommodated through the 1070 units committed in the Local Plan.
- Current need shows 143 affordable houses are required, which would be achieved through the 220 current units committed to by South Oxfordshire District Council.

7.28 Within the context of these findings, I am satisfied that the proposed delivery of housing in the neighbourhood plan properly addresses local housing needs. The final two bullet points in the summary above demonstrate that the planned strategic delivery of housing in the town incorporates local housing needs.

7.29 I recommend elsewhere in this report that any 'made' neighbourhood plan is reviewed at a time to correspond with the review of the Local Plan. This will ensure that the two plans remain complementary in their approaches. It will also allow the Wallingford

evidence base to be reassessed and reviewed to take account of any potential readjustments in the overall delivery of housing in the town and any specific changes in the local housing needs (and their delivery through the allocated sites). In both cases the review process will be able to assess any effects of the current Covid:19 pandemic on housing delivery in the town.

- 7.30 I have considered carefully the representations which contend that the policy is unnecessary given that planning permission already exists for the development of the site (Site E) in outline format. On balance I am satisfied that the approach taken is appropriate and meets the basic conditions. It will provide a degree of clarity about the way in which new development will be achieved in the town. In addition, it will provide a degree of assurance in the event that any revised proposals need to be considered once a reserved matters application has been determined. In any event the matter is academic to the eventual trajectory for the delivery of new homes in the town in the Plan period and its relationship to the strategic ambitions in the Local Plan.
- 7.31 The policy itself allocates the site for residential development subject to a series of criteria. The criteria are distinctive to the site and will help to ensure the delivery of a high-quality development. I recommend modifications so that the opening part of the policy is more directly applicable to the development management process. I also recommend detailed modifications to some of the criteria so that they relate in grammatical terms to the modified opening part of the policy and, in some cases, have the clarity required by the NPPF. Where necessary I also recommend that non-policy elements in the criteria are repositioned into the supporting text.

Replace the second sentence of the opening part of the policy with: ‘Proposals for the development of the site will be supported where they comply with the following criteria:’

In criterion b replace ‘will be provided’ with ‘are provided’

In criterion c delete ‘substantial’

In criterion d replace ‘that green corridors through the development area’ with ‘green corridors are provided within the site which’

In criterion f replace ‘does not harm’ with ‘the design, layout, orientation and massing of the new homes does not create unacceptable harm’

In criterion h delete the final sentence

At the end of paragraph 2.4.23 add: ‘Criterion h of Policy WS2 addresses this matter. A maintenance plan for the affected areas should be prepared as part of the detailed development of the site. In particular it should ensure that scrub or woodland with potential to damage these remains through root action is avoided’

At the end of the first sentence of paragraph 2.4.25 add: ‘Criterion c of Policy WS2 comments about the need for landscape buffers along Bradford’s Brook and the bypass. The details of these features should be carefully assessed based on evidence

about the biodiversity characteristics of the Brook and the need to reduce the noise profile which would otherwise arise from traffic on the bypass'

Policy WS3: Housing Density

- 7.32 This policy sets out the Plan's approach to housing density. It was based on the approach in the former Core Strategy. In that context it proposes that the density of larger housing sites should be a minimum of 25 dwellings per hectare. Its approach also takes account of the heritage assets of the town. The supporting text makes a case about the extent to which the housing density requirements in the emerging Local Plan (at that time) were inappropriate to the town.
- 7.33 In many respects this debate has now been overtaken by events. Policy STRAT5 of Local Plan sets out a broad approach which:
- optimise the use of land and the potential of the site concerned;
 - ensures that density is informed by local circumstances, character and evidence;
 - sets out an expected minimum density of 45 homes per hectare in Wallingford and the other towns; and
 - indicates that the strategic developments should develop their own characters rather than being expected to follow the character of established housing areas.
- 7.34 In these circumstances I recommend that the policy is deleted. As submitted, it is not in general conformity with Policy STRAT5. Any modification that I might otherwise recommend to the policy would simply result in it replicating the contents of Policy STRAT5. Nevertheless, I recommend that the supporting text is retained with modifications so that the Plan can address this important matter and provide a direct connection to the Local Plan policy.
- 7.35 In practical terms I suggest that the matter is largely academic for three reasons. The first is that the first two parts of Policy STRAT5 provide a degree of in-built flexibility based on an assessment of any proposed site. The second is that the majority of new housing development in Wallingford will come forward on Sites B and E where the development yields are already agreed and supported. The third is that the range of other policies in the neighbourhood plan provide sufficient protection of its urban character in general, and its heritage assets in particular.

Delete the policy

Replace 2.4.26 and 2.4.27 with:

'Wallingford presents a series of challenges in terms of how best it can incorporate new development within its historic environment. In this context the Plan acknowledges that it is important to make the best and most efficient use of new urban land. This will particularly be the case with the development of the two large sites – Site B to the west and Site E to the south-west of the town. Where their densities and layout are not

already approved, they will be determined having regard to Policy STRAT5 of the Local Plan.

Smaller sites elsewhere in the town will also be affected by the principles in Policy STRAT5 of the Local Plan. In these cases, there will be a balance to be struck between achieving sustainable development and appropriate densities on the one hand with a series of other matters including the importance of achieving high quality design in general, and safeguarding heritage assets on the other hand'

Policy WS4: Development in the Built-Up Area

- 7.36 This policy has a general effect. It offers support to new development proposals within the built-up area of the town subject to a series of criteria. In general terms it is an appropriate policy which recognises that existing urban areas/market towns in the District are the focus for new development activity. This approach will contribute towards the achievement of sustainable development in the town.
- 7.37 As submitted the policy is written in a negative rather than a positive fashion. WTC acknowledged this matter in its response to the clarification note. I recommend modifications accordingly.
- 7.38 I also recommend the deletion of the final criterion of the policy given that the historic character of the town is adequately addressed elsewhere in the Plan. Finally, in the first criterion I recommend that the reference is more general rather than to specific policies in the Plan. Otherwise, the wider policy meets the basic conditions.

Replace the policy with:

'Within the built-up area of Wallingford development proposals will be supported subject to the following criteria:

(a) an existing important, recreation or educational facility or open space, or space of ecological or environmental value is not lost except than where the proposal concerned complies with other policies in this Plan;

(b) there is no unacceptable impact on the landscape setting of the town, site and its surroundings including the setting of the adjacent Chilterns AONB and the North Wessex Downs AONB; and

(c) they do not result in a poor-quality environment for those who live and work in the area in general, and through noise and disturbance in particular.'

Policy HD1: Design

- 7.39 This policy sets out the Plan's approach to design. Its ambition is to achieve high quality and sustainable design. It also seeks to ensure that development proposals have regard to the South Oxfordshire Design Guide, the submitted Character Assessment and the Conservation Area Character Appraisal.

- 7.40 It is a well-considered policy. It is underpinned by the first-class Character Assessment work. It takes a non-prescriptive approach which will allow appropriate designs to come forward as appropriate to the site concerned. It meets the basic conditions.

Policy HD2: Sustainable Design

- 7.41 This policy continues the approach in Policy HD1. In this case its focus is on sustainability and energy efficiency. In particular it sets out to ensure that sustainability in the future does not detrimentally affect the town's heritage.
- 7.42 I recommend a detailed modification to the first part of the policy so that it has the clarity required by the NPPF. Otherwise, it meets the basic conditions.

In the first part of the policy replace 'strongly encouraged' with 'particularly supported'

Policy HD3: Affordable Housing and Housing Mix

- 7.43 This policy addresses affordable housing and housing mix. It adds value to some of the earlier policies in the Plan. In addition, it provides mechanisms to implement some of the findings of the Housing Needs Assessment. The first part of the policy has general effect. The second part provides more specific policy guidance for the layout of individual sites.
- 7.44 In general terms the policy meets the basic conditions. I recommend detailed modifications to the policy so that it will have the clarity required by the NPPF. In particular the modification to the fifth criterion of the policy acknowledges that circumstances may arise which may make its approach impracticable.
- 7.45 I also recommend a modification to the supporting text so that it more fully identifies the housing needs to be addressed. It provides the definition to accompany the more generalised approach recommended for Policy HD3.1.

Replace HD3.1 with: 'A mix of housing types and sizes to meet the needs of current and future households will be supported within new developments'

Replace HD3.2d with: 'integrates affordable housing such that it is indistinguishable in appearance from the market housing on that site.'

Replace HD3.2e with: 'not isolate affordable housing, nor concentrate it in clusters of more than 15 dwellings or 10% of the development total whichever is smaller, unless it is necessary for management purposes or to address local authority/registered provider requirements'

After the first sentence in paragraph 3.5.7 add: 'The housing mix in new developments shall have regard to South Oxfordshire District Council's latest evidence of need in general, and the findings of the Chameleon Housing Needs Assessment of the town in particular'

Policy HD4: Self Build

- 7.46 This policy requires that developments of more than ten dwellings should include provision for self-build housing. It aims to consolidate the national and the local approach on this matter.
- 7.47 Both SODC and St Edward Homes Limited contend that the policy does not directly address the need for self-build in Wallingford. Policy H12 of the Local Plan sets out a general level of support for such housing. The third part of the policy comments that neighbourhood plans should consider the local need for this type of development and where appropriate identify specific sites to allocate for self-build and custom housing. In the absence of any specific information, I recommend that the policy is modified so that it becomes a local iteration of Policy H12 of the Local Plan. I also recommend consequential modifications to the supporting text.

Replace the policy with: ‘Proposals for the development of self-build housing either on infill sites or within strategic developments will be supported’

At the end of paragraph 3.5.11 add: ‘Developments which come forward as a result of this policy should also meet the requirements of the Local Plan policy’

Policy HD5: Avoidance of Light Pollution

- 7.48 This policy seeks to avoid unnecessary light pollution. Its second part seeks to ensure that lighting schemes are designed physically to reduce glare and light spill.
- 7.49 I recommend a detailed modification to the second part of the policy so that it has the clarity required by the NPPF. Otherwise, it meets the basic conditions.

In the second part of the policy replace ‘must’ with ‘should’

Policy HA1: The Historic Environment

- 7.50 This is the first of a series of policies on the historic environment. The policies are supported by comprehensive supporting text in Section 4 of the Plan. In the round the Plan takes an evidence-based and robust approach to this very important matter in the town.
- 7.51 Policy HA1 has a general effect. It includes the following components:
- a general requirement to protect the historic environment;
 - a detail set of heritage requirements; and
 - a specific requirement to take into account any impact, including cumulative impacts from other developments, on Wallingford’s nationally important Saxon and medieval layout, and to conserve or enhance the grid plan roads, lanes and burgage plots.

- 7.52 In the round I am satisfied that the policy is both appropriate and distinctive to the town. I recommend two modifications to the policy so that it has the clarity required by the NPPF. The first clarifies the initial requirement for development proposals to protect, conserve and enhance the town's historic importance. These matters are different in their form and implications. I also recommend that the first sentence relates the ambition of the policy more closely to the development management process. In addition, I recommend the deletion of part 2 c) of the policy. There is no need for bodies other than SODC to be involved in pre-application work.

In the opening part of the policy replace the first sentence with: 'As appropriate to their scale and nature development proposals should protect, conserve or enhance the town's historic environment'

Delete Policy HA1.2 (c)

Policy HA2: Effects of Development on Historic and Heritage Assets

- 7.53 This policy sets out the Plan's approach to the way in which new development should take account of heritage assets. It has two main components. The first is that proposals for new development should be sensitively designed and should not cause harm to the historic environment. The second is that proposals that have an impact on heritage assets (designated and non-designated) should respond positively to a series of criteria.
- 7.54 The policy has regard to national policy in Section 16 of the NPPF. It is a very well-constructed neighbourhood plan policy which meets the basic conditions.

Policy HA3: Views and Vistas

- 7.55 This policy requires that development proposals have appropriate regard to Wallingford's nationally-important Saxon and later layout, and conserve or enhance the planned views, key views, dynamic views and panoramic views in the Wallingford and Winterbrook Conservation Areas as included in the Wallingford Conservation Area Appraisal (April 2018).
- 7.56 In its response to the clarification note WTC advised that it has SODC's permission to reproduce the relevant information from the Conservation Area Appraisal within the neighbourhood plan. This will provide clarity to developers and decision-makers alike. I recommend modifications to this effect. They will bring the clarity required by the NPPF. The recommended modifications also revise the details of the wording applied in the policy. Otherwise, it meets the basic conditions.

In the first part of the policy replace 'will' with 'should'

In the first part of the policy replace 'on Map 12 of' with 'in'

Replace the second part of the policy with: 'Where impacts are identified on either the layout of the town or the identified views development proposals

should identify ways in which the impacts can be appropriately and sensitively mitigated’

At the end of paragraph 4.10.8 add: ‘The policy builds on the work undertaken by the District Council on the Wallingford Conservation Area Appraisal. Its Map 12 is reproduced at Appendix [insert number]’

Policy HA4: Enabling development supporting heritage at risk

7.57 This policy sets out the Plan’s approach towards securing contributions from certain developments towards the repair of Buildings at Risk. The developments which are expected to contribute to such works are:

- the development of more than 502 dwellings on Site E;
- the development of more than 555 dwellings on Site B; and
- other development of 10 or more dwellings which exceed the density requirements of Policy WS3 of the Plan.

7.58 I sought advice from WTC about the extent to which the policy approach would meet the test in the Community Infrastructure Levy (CIL) Regulations. In its response it set out a strong and passionate response. Nevertheless, there is no direct link between the three development types in the policy and the funding for the repair of Buildings at Risk. Similarly, the policy does not provide details of the overall cost of the repair of the buildings concerned or the scale of developer contributions expected. As such it neither has the clarity required by the NPPF nor does it have regard to national policy. In these circumstances I recommend the deletion of the policy and its associated supporting text.

Delete the policy

Delete paragraphs 4.10.10 to 4.10.12

Policy EV1: New Green Spaces and Green Corridors

7.59 This policy takes a positive approach towards biodiversity in the town. In particular it requires, where appropriate, that development provides new public and private amenity space and green corridors which meet a series of factors and local characteristics. It is a very detailed and researched policy which makes strategic connection to local documents and other publications (as identified in paragraph 5.3.2). The detailed criteria/local issues are very distinctive to the town.

7.60 The policy loosely comments that it will apply ‘where appropriate’. I recommend that this matter is clarified both in the policy and in the supporting text. This would acknowledge that the majority of development proposals in the Plan period will be of a minor and/or domestic nature and which will not affect the application of the policy. Similarly, it will have different implications on larger proposals based on their scale, nature and location.

- 7.61 I also recommend modifications to criterion a3. Whilst it may be desirable to achieve a net gain in biodiversity in general terms this may not always be deliverable on the development site concerned. In addition, I recommend that the reference to up-to-date evidence sources is applied in a general rather than a specific fashion
- 7.62 The policy numbering sequence in this policy is somewhat complicated. The Town Council may wish to address this matter within the wider context of the recommended modification included in paragraphs 7.140 to 7.142 of this report.

Replace the opening part of the policy with: ‘As appropriate to their scale and nature new development proposals should incorporate new public and private amenity green spaces and wildlife corridors that:’

Replace Policy EV1 a3 with ‘ensuring new development provides a measurable net gain for biodiversity using the most up-to-date information available’

At the end of paragraph 5.3.1 add: ‘Policy ENV1 is designed to be applied in a flexible way based on the scale, nature and location of the development proposal concerned. It also recognises that the ambition to achieve a net gain in biodiversity may not always be able to be achieved within the development site itself.’

Policy EV2: Protecting Existing Amenity Spaces and Wallingford’s Green Network

- 7.63 This is a policy with general effect. It comments that as and where appropriate development proposals should link to existing public and private amenity green spaces and wildlife corridors. It then sets out a series of detailed outcomes of this approach.
- 7.64 I am satisfied that the policy is appropriate and well-considered. In particular it takes account of the particular circumstances of development sites and the practicality or otherwise of making the connections anticipated in the policy. I recommend that the format of the policy is modified in a very detailed fashion so that it offers particular support for the outcomes as identified in the submitted policy. Otherwise, it meets the basic conditions.

In EV2.1 replace the second ‘to’ with ‘Proposals which deliver the following outcomes will be particularly supported:’

Policy EE1: Allocation of Employment Land at Site C

- 7.65 This policy proposes the allocation of land to the west of the Hithercroft Industrial Estate for employment uses.
- 7.66 The policy represents the local response to the second part of Policy EMP7 of the Local Plan which requires at least 3.1 hectares of employment land to be allocated in the town. I looked at the proposed site when I visited the neighbourhood area. I saw its close and functional relationship with existing employment uses in this part of the town. I am satisfied that the policy meets the basic conditions. In reaching this conclusion I have taken account of the representation from David Wilson Homes

(Southern). I have also taken account of my findings on the way in which the Plan has addressed the future delivery of housing in Policy WS2.

Policy EE2: Safeguarding Existing Employment Sites

- 7.67 This policy has two related parts. The first sets out to safeguard existing employment land at Hithercroft Industrial Estate and Ayres Yard for employment uses. The second offers support for the expansion of existing employment uses subject to a series of amenity criteria. In particular it offers support to starter and incubator units.
- 7.68 The policy provides a local iteration of Policy EMP3 of the Local Plan. That policy also sets out an approach towards retaining existing employment land. It offers the potential for mixed use development to come forward where there is no reasonable prospect of existing land or premises being used for continued employment use.
- 7.69 The policy has been overtaken by the introduction of the September 2020 version of the Use Classes Order. It introduced flexibility for a range of uses to come forward in a new Class E use class. The new use class incorporates uses previously within the A1 (retail), A2 (financial and professional services), A3 (cafés and restaurants), B1a-c (office and business uses), D1 (medical facilities) and D2 (indoor recreation) use classes. I recommend modifications to the relevant part of the policy so that it takes account of this important element of national legislation. I also recommend that the element on supporting proposals for the extension or redevelopment of existing employment uses is separated from the part of the policy that resists residential uses of employment areas.
- 7.70 I recommend detailed modifications to other elements of the policy so that they would have the clarity required by the NPPF.
- 7.71 Finally I recommend that the order of the second and the third components of the policy is reversed. This will provide a wider context to environmental criteria which would be applicable for proposals to extend existing employment premises.

Replace EE2.1 with: ‘Hithercroft Industrial Estate and Ayres Yard (as shown on the Proposals Map) are safeguarded for employment purposes (Use Classes E, B2 and B8). Within these areas proposals for change of use to residential purposes will not be supported.

Proposals for the extension or the redevelopment of existing employment land and premises at the Hithercroft Industrial Estate and Ayres Yard for employment uses within Use Classes E, B2 and B8 will be supported where they:’

In EE2.1 a replace ‘significant’ with ‘unacceptable’

Reverse the order of Policies EE2.2 and EE2.3

In EE2.3 replace ‘Where a site.... development’ with ‘Where an existing employment use is close to residential properties any extension of the premises or an employment redevelopment of the site’

In EE2.3 replace ‘significant adverse’ with ‘unacceptable’

In paragraph 6.4.4 delete the references to the former Core Strategy.

At the end of 6.4.5 add: ‘The policy takes account of the greater flexibilities provided by the September 2020 Use Classes Order in general terms, and the introduction of the new E use class (commercial, business and services)’

Policy EE3: Resist Loss of Employment Space and Uses

- 7.72 This policy applies a similar protection to that already included in specific geographic terms in Policy EE2 to other employment uses elsewhere in the town.
- 7.73 The submitted policy largely mirrors Policy EMP3 of the Local Plan. That policy was modified during the examination process of the Local Plan. I have considered the Town Council’s response to the clarification note on this matter very carefully. On the balance of the evidence, I recommend that the policy is deleted. It adds no distinctive local value to Policy EMP3 of Local Plan and it is not supported by any direct evidence that a different or a refined approach should be taken in the neighbourhood plan. Nevertheless, I recommend that the supporting text is retained with modifications so that the Plan can address this important matter and provide a direct connection to the Local Plan policy.

Delete the policy

Replace paragraphs 6.4.6 to 6.4.8 with:

‘Proposals for the change of use of employment premises to residential uses elsewhere in the town will also be assessed against the contents of Policy EMP3 of the Local Plan. Both the Local Plan and the neighbourhood plan support sustainable economic growth to help ensure that there is a balance of employment and residential land use in Wallingford. This will provide a range and variety of job opportunities in the Plan period. The approach also seeks to support existing businesses by ensuring that new uses do not lead to changes in their business operations.

This policy approach acknowledges that the District in general is an area of economic growth and the demand for premises is high. To ensure that land is not lost to other uses there is a requirement to market the premises and to provide such evidence that the use is not economically viable.

Policy EMP3 of the Local Plan provides a degree of flexibility for mixed uses developments to come forward where there is no reasonable prospect of land or premises being used for continued economic purposes’

Policy TC1: Primary Shopping Area

- 7.74 This policy relates to the primary shopping area. It has two principal parts. The first identifies the shopping area. The second seeks to retain its overall retail function. The policy takes account of the importance of the town in the local settlement hierarchy.
- 7.75 The second part of the policy sets out the basis against which proposals that would involve the loss of existing retail facilities would be considered. It includes appropriate flexibility in general terms and an acknowledgement of commercial viability issues.
- 7.76 As with Policy EE2 this policy has been overtaken by the introduction of the September 2020 version of the Use Classes Order. It introduces flexibility for a range of uses to come forward in a new Class E use class. The new use class incorporates uses previously within the A1 (retail), A2 (financial and professional services), A3 (cafés and restaurants), B1a-c (office and business uses), D1 (medical facilities) and D2 (indoor recreation) uses classes. I recommend modifications to the relevant parts of the policy so that they take account of this important element of national legislation. Whilst greater flexibility is now available for town centre related uses than those envisaged in the submitted policy, I am satisfied that it would retain a clear and distinctive role.
- 7.77 I recommend that Policy TC1.2c is recast so that it is expressed in a simpler format and which would have the clarity required by the NPPF. In recommending modifications, I have taken account of WTC's response to the clarification note.

In Policy TC1.2 replace 'retail uses' with 'Class E uses'

Replace Policy TC1.2c with: 'that there is no market interest in the premises concerned for Class E uses following one year of active and effective marketing'

Policy TC2: New Uses for Buildings in the Primary Shopping Area

- 7.78 This policy continues the approach in Policy TC1. In this case it addresses proposals for the use of the first floor of existing buildings. Its ambition is to make the most effective use of existing floorspace and to contribute to the enhanced vitality of the Primary Shopping Area. The first part of the policy comments generally about the use of upper floors. The second part aims to retain the independent use of the upper floors.
- 7.79 Both parts of the policy are appropriate to the distinctive character of the town centre. With detailed modifications they meet the basic conditions.

In TC2.1 replace 'is strongly encouraged. Employment...be supported' with 'will be supported. Employment and/or residential uses will be particularly supported'

Replace Policy TC2.2 with 'Proposals for the use of upper floors should be designed in a fashion which does not detrimentally affect the commercial use of the ground floor of the property concerned'

Policy TC3: Regal Site

- 7.80 This policy comments about the Regal site. WTC owns the site and is developing plans for its replacement. Two rounds of public consultation in 2018 and 2019 have confirmed the public expectation that the site should be retained for a broad-based community centre.
- 7.81 The policy has two related parts. The first designates it for community use. The second offers support for a specific proposal for a community hub.
- 7.82 The general approach meets the basic conditions. I recommend detailed modifications to both elements. In the second the listed examples are unnecessary. However, given the importance of the issue I recommend that most of the examples are repositioned into the supporting text.

In Policy TC3.1 delete ‘Only’

In Policy TC3.2 delete ‘for example meetings.... parking close by’

At the end of paragraph 7.8.9 add: ‘Policy TC3.2 sets out the Plan’s approach towards the delivery of a community hub on the Regal site. It is intended to include flexible accommodation, for example for meeting rooms, markets, theatre and/or sports events in a central location’

Policy TC4: Improve the Visitor Economy

- 7.83 This policy seeks to improve the town’s visitor economy. The first part has general effect. The second part relates to proposals which relate to the town’s heritage and community facilities.
- 7.84 Subject to detailed modifications to bring the clarity required by the NPPF the policy meets the basic conditions.

In Policy TC4.1 replace ‘Applications’ with ‘Proposals’

In Policy TC4.2 replace ‘but’ with ‘and’ and delete ‘(See HA1)’

Policy TC5: Public and Private Car Parks

- 7.85 This policy recognises the challenges of the availability of car parking provision in the town centre. Its approach is to resist the loss of existing public or private car parks unless alternative parking provision is provided.
- 7.86 I am satisfied that the historic context and circumstances of the town centre make such a policy approach entirely appropriate. However, I recommend a series of detailed modifications to ensure that the policy has the clarity required by the NPPF. In particular the modifications directly relate the policy to the planning process.

At the beginning of the policy replace ‘Proposals’ with ‘Development proposals’

Thereafter replace ‘be resisted’ with ‘not be supported’

Thereafter replace ‘proposal’ with ‘proposal concerned’

Insert ‘elsewhere’ between ‘lost’ and ‘within’

Policy TC6: Provision of Coach Parking

- 7.87 This policy offers support for coach parking facilities. It overlaps with the Plan’s wider ambitions to improve the tourism economy of the town. It takes appropriate regard of the need to safeguard heritage assets and the safe movement of pedestrians and cyclists
- 7.88 Paragraph 7.8.18 of the Plan envisages that the coach park would be relatively modest and could be located on the Hithercroft Industrial Estate. The policy takes a more general approach and suggests that proposals will be supported where they are within a kilometre of the town centre.
- 7.89 In general terms the policy meets the basic conditions. However, I recommend two modifications. The first is that the specific reference to a 1km threshold is removed from the policy. It is unduly restrictive and may prevent otherwise acceptable development proposals coming forward. Nevertheless, I recommend that the ambition is captured in the supporting text. The second is to clarify the nature of any harm to heritage assets and to pedestrian movements. As submitted the policy is very absolute in its language,

Delete ‘within 1km of the town centre’

Insert ‘unacceptable’ before ‘harm’

At the end of paragraph 7.8.18 add: ‘In any event it is anticipated that any coach park should be located within 1km of the town centre’

Policy TC7: Preservation of Visitor Accommodation

- 7.90 This policy seeks to safeguard the existing visitor accommodation in the town. It comments that proposals which would involve the loss of any such accommodation will only be supported where viability issues can be demonstrated or where the property has been marketed for visitor accommodation without any commercial interest.
- 7.91 I recommend three modifications to the policy. The first acknowledges that in certain circumstances planning permission may not be required for some proposals. For example, a residential property offering bed and breakfast accommodation that was ancillary to the domestic use of the premises would not need planning permission to

revert the room or rooms concerned to traditional domestic use. The second relates the policy to the wider development management process. The third recognises that any applicant would need to satisfy both of the two criteria. Otherwise, it meets the basic conditions.

At the beginning of the policy add: ‘Insofar as planning permission is required’

Thereafter replace ‘Applications’ with ‘Proposals’

Add ‘and’ after the first of the two criteria

Policy MC1: Transport Statement and Travel Plan Statement

- 7.92 This policy takes a comprehensive approach towards the need for relevant transport and traffic movement information to support development proposals. Its inclusion in the Plan reflects the issues which WTC has identified in the town centre in general, and the implications of the Air Quality Management Area in particular.
- 7.93 The fourth part of the policy helpfully identifies some of the issues which should be addressed in Travel Statements/Plans. In the round the approach taken addresses the distinctive issues experienced in the town in a very professional way. The policy meets the basic conditions.

Policy MC2: Access to Public Transport

- 7.94 This policy takes a positive approach towards access to public transport in the town. It has two related components. The first seeks to ensure that new development does not adversely affect existing access to public transport. The second seeks to ensure that new development provides the necessary public transport infrastructure and connections to existing facilities.
- 7.95 I recommend modifications to the first and third components of the policy so that they would provide a clearer relationship to the scale and nature of development proposals.
- 7.96 I recommend modifications to the second part of the policy to ensure that it is more closely related to the development management process. As submitted, it touches on operational matters.
- 7.97 The fourth part of the policy requires unspecified contributions from new development towards bus infrastructure in the town centre. I sought clarification from WTC on the extent to which such an approach would have regards to the CIL Regulations. It commented that ‘this is a locally based policy and aims to make public transport as effective and attractive as possible even for local journeys into the town centre. Since it is hoped that existing and new residents will increasingly make use of public transport it is considered that the policy meets the tests in NPPF paragraph 56 and the CIL regulations. The town centre is the bus hub so residents will either access public

transport or will change between buses in the town centre. There are no specific facilities for bus users in the market square’

- 7.98 I have considered this matter carefully. In particular I can see that the anticipated outcome would assist in delivery of sustainable transport facilities in the town. Nevertheless, its unspecified approach conflicts with the CIL Regulations. In particular it brings no clarity about the way in which it would be necessary to make the development acceptable in planning terms, directly related to the development; and fairly and reasonably related in scale and kind to the development. In these circumstances I recommend that this part of the policy is deleted. However, I recommend that the potential for such contributions is repositioned into the supporting text.

At the beginning of the first and the third parts of the policy add: ‘As appropriate to their scale, nature and location’

Replace the first sentence of the second part of the policy with: ‘New development proposals should not unacceptably detract from access to existing bus services and/or their routes’

Delete the fourth part of the policy.

In paragraph 8.3.5 replace ‘are also required’ with ‘would also be beneficial’

At the end of paragraph 8.3.6 add: ‘Larger development proposals have the potential to contribute towards the improvement of bus facilities in the town centre. This would assist in promoting sustainable transport movements and will contribute towards measures to address air quality management issues. Based on an assessment of each proposal on a case-by-case basis potential contributions to such improvements will be sought where they would be necessary to make the development acceptable in planning terms, directly related to the development; and fairly and reasonably related in scale and kind to the development’

Policy MC3: Promotion of Cycling

- 7.99 This policy sets out the Plan’s requirements for cycle parking.
- 7.100 It is a well-balanced and proportionate policy which meets the basic conditions.

Policy MC4: Safe Travel

- 7.101 This policy sets out a comprehensive approach towards safe travel. It overlaps with and complements other policies in this part of the Plan.
- 7.102 I recommend modifications to the initial part of the policy so that it will provide a clearer relationship to the scale and nature of development proposals. Otherwise, it meets the basic conditions.

Replace the opening part of the policy with: ‘As appropriate to their scale, nature and location development proposals should:’

Policy MC5: Vehicle Parking

7.103 This policy has a series of related elements as follows:

- car parking standards in general, and for residential uses in particular;
- an element on how the policy should be applied; and
- specific policy commentary on development sites in the town centre.

7.104 The element on a different set of parking standards on residential development to those otherwise applied by the County Council have attracted commentary both from Oxfordshire County Council and St Edwards Homes Limited. I have considered these comments carefully against the Plan’s view that parking continues to be a significant issue in the town. On the balance of the evidence, I am not satisfied that the Plan’s approach is underpinned with compelling evidence. In any event the responsibility of new development is to accommodate its own parking requirements rather than to resolve pre-existing issue. In these circumstances I recommend a modification to this part of the policy which takes account of the County Council’s representations.

7.105 I recommend that the second part of the policy is deleted and repositioned into the supporting text. It explains the application of the policy rather than being policy in its own right. I recommend technical modifications to the third part of the policy. Otherwise, it meets the basic conditions.

Replace MC5.1 with: ‘Development proposals should meet Oxfordshire County Council’s minimum parking standards. Where feasible and appropriate, proposals for residential development should also meet the parking provision included in paragraph 8.3.13’

Delete MC5.2

Replace MC5.3 with: ‘Within Wallingford Town Centre, as defined on the Proposals Map, parking provision as appropriate to the proposed use should take account of, and respond positively to, its historic environment. A reduced level of parking will be supported where it directly relates to the site concerned, the proposed use and to evidence of the way in which the proposed car parking provision can be satisfactorily accommodated in the local highway network’

In paragraph 8.3.13 replace the final sentence with:

‘Policy MC5 seeks to address this situation. It applies the County Council’s standards to new developments. However, where it is practicable to do so the following standards should be applied to residential developments [At this point reproduce the table from Policy MC5.1]. For developments of ten or less houses the mathematical calculation of these standards should be rounded up rather than down’

Policy MC6: Wallingford and Cholsey Railway Corridor

- 7.106 This policy reflects an exciting proposal to introduce a commuter rail service on the Wallingford to Cholsey railway line. The policy safeguards a strip of land for this approach.
- 7.107 I recommend that the first two sentences are combined so that there is a clearer distinction between what is a combination of policy and supporting text in the submitted policy. I also recommend that the final sentence of the policy is modified so that it more closely relates to the development management process. Otherwise, it meets the basic conditions.

Replace ‘development.....cycling route’ with ‘development to facilitate the provision of commuter train services from Wallingford Station, and to provide an enhanced walking and cycling route’

Replace the final sentence with: ‘Development proposals within this corridor which would preclude its use for transport and movement will not be supported’

Policy MC7: Provision of Electric Vehicle Charging Points

- 7.108 This policy addresses the provision of electric vehicle charging points. It has five related elements which refer to the different types of electric charging requirements which might apply to residential development. In each case it proposes specific standards. In general terms the policy anticipates changes in technology and the government’s wider ambitions to move away from motor vehicles powered exclusively by either petrol or diesel engines. In this context the policy is attempting to future-proof any larger developments which may come forward in the short and the medium term.
- 7.109 The NPPF takes a general approach to this matter. Its paragraph 110e comments that new developments should be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations. Plainly the policy goes into further detail. In doing so it raises two issues which pull in different directions. On the one hand the policy provides very detailed standards for the provision of such facilities. On the other hand, it is not directly supported by technical evidence in general, and relating to the neighbourhood area in particular. The issue becomes more complicated as it is likely that current technology, and demand for that technology, will change significantly in the Plan period. Charging facility points requirement are likely to be determined by updates to the Building Regulations. In these circumstances I recommend that the policy is replaced by one which has a general and supporting nature. In this context I recommend that the standards included in the policy are repositioned into the supporting text as the Town Council’s interim expectations.

Replace the policy with:

‘New residential developments should be designed to enable charging of plug-in and other ultra-low emission vehicles (including both cars and cycles) in safe, accessible and convenient locations’

At the end of 8.3.20 add:

'The Town Council wishes to ensure that the policy is sufficiently general to ensure that it is future-proofed throughout the Plan period. It anticipates changes in technology and the government's wider ambitions to move away from motor vehicles powered exclusively by either petrol or diesel engines. The wider issue is likely to be regulated by progressive changes in the Building Regulations. However, in the short term the Town Council suggests that developers should set out to comply with the following expectations:

- *new residential developments with off-street parking at home will incorporate a charge point as standard at every home;*
- *proposals for new residential developments with on-street and unallocated parking spaces should incorporate one public charge point (kerbside or lamp-posts) for every 10 car park spaces;*
- *new residential developments with communal bicycle storage will provide one EV charge point for every five bicycle spaces;*
- *proposals for new non-residential building with more than 10 car parking spaces will provide one charge point and cable routes for charge points for one in five spaces; and*
- *proposals which increase the number of charge points to at least 1 in 10 in public car parks will be supported'*

Policy CF1: Protecting Existing Facilities

7.110 This is the first of a series of community-related policies. In this case it sets out to safeguard a series of identified community facilities as listed in paragraph 9.3.6. It identifies a limited set of circumstances where proposals for the loss or change of use of any of the listed facilities would be supported.

7.111 In general terms the policy is appropriate and distinctive. In particular it takes account of the importance of the various facilities to the social well-being of the town.

7.112 I recommend two detailed modifications to the initial part of the policy so that it has the clarity required by the NPPF.

7.113 The latter elements of the policy (CF1-2/3/4) are supporting text rather than policy. On this basis I recommend that they are repositioned into the supporting text.

In Policy CF1.1 replace 'permitted' with 'supported' and 'degradation' with 'which reduce the use or the effectiveness'

Delete CF1.2/1.3/1.4

At the end of paragraph 9.3.4 add:

'Policy CF1 sets out the Plan's approach to this important matter. Applicants should provide appropriate, detailed and robust evidence to satisfy the criteria in the policy.'

Independent assessment of this evidence will be required. Planning conditions or legal obligations may be necessary to ensure that any replacement facility and appropriate provision for its ongoing maintenance is provided. Any replacement facility should normally be available before the original facility is lost. For clarity a community facility or service may be essential, either because it is one of a limited number of that nature in Wallingford or is fundamental to the quality and convenience of everyday life in the town. This includes the protection of Public Rights of Way including bridleways and by-ways. If suitable alternative provision already exists and the overall capacity of facilities in the town is adequate to meet identified needs for Wallingford and its catchment area, any facility or service will not be considered essential'

Policy CF2: Support for New Formal and Informal Sports and Community Facilities

- 7.114 This policy continues the general approach set in Policy CF1. In this case it offers support for a wider range of community facilities subject to three criteria. The second part of the policy offers particular support for the development of identified facilities on three separate sites.
- 7.115 The policy is well considered. It is underpinned by relevant supporting text. It meets the basic conditions.

Policy CF3: Local Green Spaces

- 7.116 This policy proposes the designation of three local green spaces (LGSs). In its response to the clarification note the Town Council provided detailed information (produced earlier in the Plan process) which sets out the basis which the proposed LGSs meet the criteria for such designation in the NPPF.
- 7.117 I looked at the proposed LGSs carefully when I visited the neighbourhood area. The Wilding Road and Radnor Road proposed LGSs are traditional amenity areas which contribute to the well-being and attractiveness of their respective parts of the town. The Paddocks Paying Field is slightly different given its formal recreational facilities and its proximity to medical facilities' in the town. Nevertheless, it is well within the range of green spaces which are appropriate for such designation. The additional information received from the Town Council also identifies the way in which it engaged with landowners as the Plan evolved.
- 7.118 Taking account of all the available information I am satisfied that the proposed LGSs meet the criteria in paragraph 100 of the NPPF. In particular they are in close proximity to the communities that they serve and are local in character.
- 7.119 In addition, I am satisfied that their proposed designation accords with the more general elements of paragraph 99 of the NPPF. Firstly, I am satisfied that they are consistent with the local planning of sustainable development. Their designation does not otherwise prevent sustainable development coming forward in the neighbourhood area and no such development has been promoted or suggested. Secondly, I am satisfied that the LGSs are capable of enduring beyond the end of the Plan period.

Indeed, they are established elements of the local environment and have existed in their current format for many years. In addition, no evidence was brought forward during the examination that would suggest that the LGSs would not endure beyond the end of the Plan period.

- 7.120 The policy itself identifies and designates the proposed LGSs. It then applies the restrictive policy approach as set out in the NPPF. However, it then seeks to identify the very special circumstances which may apply to warrant a departure from this restrictive approach. Whilst this approach is helpful it goes beyond the matter-of-fact approach included in the NPPF. On this basis I recommend that this aspect of the policy is replaced by more general wording. Very special circumstances can be considered by SODC on a case-by-case basis rather than through a policy approach trying to anticipate future circumstances. Nevertheless, I recommend that the deleted element of the policy is repositioned into the supporting text. I also recommend the deletion of unnecessary element of the first part of the policy (which is addressed in the second part). Otherwise, it meets the basic conditions.

In the first part of the policy delete ‘and should.... perpetuity’

Replace the second part of the policy with:

‘Proposals for development on a Local Green Space will not be supported except in very special circumstances.’

At the end of paragraph 9.3.9 add: ‘Policy CF3 applies the restrictive policy approach towards development proposals on designated local green spaces. Very special circumstances can be considered by the District Council on a case-by-case basis rather than a policy approach trying to anticipate future circumstances’

Policy CF4: Wallingford’s Riverside

- 7.121 This policy celebrates the town’s location on the River Thames. As the supporting text comments the town’s relationship with the River Thames is an important and treasured asset. The policy has four related parts as follows:

- a general approach to safeguarding the riverside;
- the Riverside Park and Pools area;
- offering support for rowing and other river-related recreational activities; and
- encouraging the flexible use of recreational and sports facilities

- 7.122 The approach in the policy is both appropriate for a neighbourhood plan and distinctive to the town. I recommend detailed modifications to the wording used in the first element of the first and second parts of the policy so that they have a direct relationship to the development management process. In both cases I also recommend a modification to define the scale of any harm. As submitted the policy is very absolute in its effect.

7.123 I recommend detailed modifications to the third part of the policy. As with the first and second parts they define the scale of any harm. As submitted the policy is very absolute in its effect.

7.124 The fourth element of the policy seeks to secure access for local residents to facilities on the river for non-local organisations. Plainly this approach would ensure the fullest use of the buildings concerned and provide a wider range of facilities to local people. Nevertheless, it is not a planning issue. As such I recommend that it is deleted from the policy. The third element of the policy already offers support to rowing and other river-related recreational activities. However, given the potential benefits to the local community I recommend that the approach in the fourth part of the policy is repositioned into the supporting text. Plainly its implementation and effectiveness will relate to the outcome of any discussions and agreements which take place between the organisations concerned.

In the first and second part of the policy replace ‘preserved’ with ‘safeguarded’

In the first part of the policy replace ‘harm’ with ‘generate unacceptable harm’

In the second part of the policy replace ‘do not harm’ with ‘do not unacceptably harm’

In the third part of the policy:

- **delete ‘Within Wallingford’**
- **delete ‘for local residents and visitors’**
- **replace ‘harm’ with ‘unacceptable harm’**

Delete the fourth part of the policy

At the end of paragraph 9.3.15 add: ‘Where development proposals are being proposed for river-based sport for non-local organisations, the Town Council would welcome the feasibility of including provision for some local use of the proposed facility being considered. There is a particular local interest in rowing and compatible informal water-sports such as canoeing and kayaking’

Policy CF5: Local Amenity Provision

7.125 This policy is aspirational in nature. It encourages developers of 50 or more houses to provide local business services and amenities. However as submitted it is not written in a policy language and simply encourages something to happen.

7.126 Nevertheless as the supporting text describes the development of such facilities will do much to promote the sustainability of new residential developments. On this basis I recommend that the policy is modified so that offers support to such development.

Replace the policy with:

‘The provision of local business premises to serve the needs of the residents of the development on new housing developments in excess of 50 houses will be supported. The provision of convenience shops and public houses will be particularly supported’

Policy CF6: Health and Wellbeing service provision

7.127 This policy addresses health and wellbeing facilities in the town. In particular it makes a connection between the continued growth in the population of the town and its availability of such facilities. The policy has three related parts as follows:

- required contributions from developers to consolidate existing facilities in the town;
- offering general support to the development of new facilities; and
- offering support to the expansion of the medical centre.

7.128 On the one hand the policy offers appropriate support to the development of general facilities and to proposals for the expansion of the medical centre in particular. On the other hand, it comments that proposals for new housing development should fund additional health and social facilities in the town. The supporting text at paragraph 9.3.20 makes associated commentary on the apportionment of CIL resources and the potential for developers to make additional contributions to such facilities beyond CIL requirements,

7.129 The policy reflects the Town Council’s concerns about local health care provision. As paragraph 9.3.20 comments it seeks to recognise that Wallingford serves as a hub for the surrounding villages and that residents have very strong concerns that the viability and level of service provision of primary health care is at risk due to the inadequate consideration of the cumulative effects on Wallingford of neighbouring developments. This was highlighted in WTC’s response to the clarification note.

7.130 I have considered this matter very carefully both in general terms and given WTC’s concerns about the issue. Taking account of all the evidence I have concluded that the elements of the policy which comment about developer contributions and CIL contributions do not meet the basic conditions for the following reasons:

- they make no reference to the scale and nature of the development concerned;
- they make no reference to the three tests in the CIL Regulations;
- they take no account of the well-established management of the CIL in the District;
- they take no account of the enhanced local CIL element in the event that the neighbourhood plan is made; and
- they take no account of the complicated funding mechanisms for the delivery of health and medical facilities.

- 7.131 In these circumstances I recommend the deletion of the relevant parts of the policy. However, given the importance of these matter to the local community I recommend that, with appropriate modifications, that they are repositioned into the Community Aspirations of the Plan. In particular the recommended Community Aspiration takes account of the greater amount of CIL money from proposals in the Town which will become available to the Town Council.
- 7.132 The more general elements of the policy meet the basic conditions.

Delete CF6.1

In CF6.2 delete ‘to at least.....Schedule’

In paragraph 9.3.19 replace ‘should not receive.... today’s residents’ with ‘should have access to appropriate health care facilities’

In paragraph 9.3.20 retain the first sentence and delete the remainder.

At the end of the modified paragraph 9.3.20 add: ‘The Community Aspirations of the Plan seek to address this important issue. The Town Council will work with relevant organisations to ensure that medical facilities in the town are closely aligned with its expanding population. Where it is appropriate to do so and represents a co-ordinated use of the local apportionment of Community Infrastructure Levy monies, the Town Council will look to provide financial assistance to wider projects which seek to meet this wider ambition’.

Insert an addition Community Aspiration in Section 10 of the Plan as follows:

‘Improved Health and wellbeing facilities

10.1.15

The Plan takes account of the increasing pressure on medical facilities in the town. The pressures reflect the growth of the town itself, and that of the villages within its hinterland. The ageing of the local population also places its own pressure on the available facilities. In this context the Town Council will work with relevant organisations to ensure that medical facilities in the town are closely aligned with its expanding population.

10.1.16

Where it is appropriate to do so and represents a co-ordinated use of the local apportionment of Community Infrastructure Levy monies, the Town Council will look to provide financial assistance to wider projects which seek to meet this wider ambition’

Policy CF7: Education Facilities

- 7.133 This policy takes a similar approach to that of the previous policy. In this case it requires that new development proposals should mitigate their impact on school provision.

7.134 In its response to the clarification note WTC acknowledged that the policy adds little to the well-established arrangements in place in the County to secure development control towards the expansion/ modification of local school provision. In any event as submitted the policy is more of a process matter rather than one which directly relates to the development management system. In these circumstances I recommend that the policy is deleted.

7.135 As with Policy CF6 I recognise the importance of the issue to the town in general, and to its social cohesion in particular. In these circumstances I recommend that the issue is captured in an additional community action.

Delete the policy

Delete the supporting text

Insert an addition Community Aspiration in Section 10 of the Plan as follows:

'Educational Facilities

10.1.17

The Plan takes account of the increasing pressure on educational facilities in the town. The pressures reflect the growth of the town itself, and that of the villages within its hinterland. In this context the Town Council will work with relevant organisations to ensure that educational facilities in the town are closely aligned with its expanding population. In particular it will work with the District Council and the County Council to ensure that the existing, well-developed arrangements for securing developer contributions towards the expansion/ modification of local school provision is continued throughout the Plan period'

Community Aspirations

7.136 The Plan addresses a series of Community Aspirations. They are non-land use issues which have naturally arisen during the preparation of the Plan. They are set out in Chapter 10. As such they are distinct from the land use policies. This accords with national advice. In several cases the Aspirations would consolidate the package of land use policies.

7.137 The Aspirations are as follows:

- Historic Built Environment and Archaeology - Review and update the Designated Buildings and Non-designated heritage assets
- Movement & Connectivity - Local Air Quality Action Plan
- Movement & Connectivity – Cycle movement and safety
- Leisure – All year-round swimming pool

7.138 Recommended modifications elsewhere in this report have proposed the inclusion of two additional Aspirations. They relate to medical facilities and to the provision of education in the town.

7.139 The recommended modification to the Plan's policies and Community Aspirations provides a refined approach towards the way in which infrastructure in the town will be assessed and delivered. This overlaps with the approach in Policy WAL1 of the Local Plan which offers support for proposals which would provide new, or enhanced community facilities that meet an identified need. This is a matter which the Town Council could usefully address in greater detail in a review of the neighbourhood plan. I comment more broadly on a potential review of the plan in paragraphs 7.143 to 7.145 of this report.

Other matters - General

7.140 This report has recommended a series of modifications both to the policies and to the text in the submitted Plan. Where consequential changes to the text are required directly as a result of my recommended modification to the policy concerned, I have highlighted them in this report. However other changes to the general text may be required elsewhere in the Plan as a result of the recommended modifications to the policies. It will be appropriate for SODC and WTC to have the flexibility to make any necessary consequential changes to the general text. I recommend accordingly.

7.141 The Plan was prepared within the context of the former Core Strategy and the emerging Local Plan. This is reflected in the general text throughout the Plan. Where I have recommended modifications on a policy-by-policy basis I have addressed the need for any associated updates to the supporting text to take account of the adoption of the Local Plan. There are however several general references to the former policy context in the earlier sections of the report. It would be appropriate for SODC and WTC to make factual corrections and/or updates to references to these matters in finalising the Plan. I recommend accordingly

7.142 I have made a specific comment in paragraph 7.62 to the complicated numbering sequence in Policy EV1. This comment applies to a lesser extent to other policies. Should the Town Council wish to simplify the internal numbering of its policies this would fall within the following recommended modification.

Modification of general text and Plan formatting (where necessary) both in general and in particular to achieve consistency with the modified policies.

Updating of the references in the Plan to the strategic policy context to reflect the recent adoption of the South Oxfordshire Local Plan.

7.143 The submitted Plan has consistently been prepared to ensure that addressed the same Plan period as that for the Local Plan. As part of the adoption process the Local Plan period was revised so that it ended in 2035. I recommend that the Plan period of the submitted Plan is modified accordingly.

Throughout the Plan replace '2034' with '2035' in any references to the Plan period.

Monitoring and Review

- 7.144 The Plan properly comments about how it will be monitored and reviewed. Chapter 11 takes account of the government's agenda that development plans are kept up-to-date. It sets out the mechanisms which will be used to monitor the Plan.
- 7.145 Paragraph 11.1.8 comments that the Plan will be reviewed once the Local Plan has been adopted. Plainly events have overtaken this intention. In this context the Plan finds itself in the fortunate place that it can be assessed against an up-to-date local plan.
- 7.146 Nevertheless the benefits of an eventual review remain clear. I recommend that paragraph 11.1.8 is replaced with an approach which ties the review of any 'made' neighbourhood plan to the future review of the Local Plan. In general terms this process would ensure that the different elements of the development plan were complementary. In particular it would allow the strategic delivery of new housing in the town to be readjusted if necessary. It would also allow an ongoing assessment of the way in which housing delivery was addressing local housing needs.

Replace paragraph 11.1.8 with: 'The Town Council will ensure that the Plan is reviewed in a parallel way with the eventual review of the recently-adopted Local Plan. In general terms this process will ensure that the different elements of the development plan continue to be complementary. In particular it would allow the strategic delivery of new housing in the town to be readjusted if necessary. It would also allow an ongoing assessment of the way in which housing delivery in the town was directly addressing local housing needs'

8 Summary and Conclusions

Summary

- 8.1 The Plan sets out a range of policies to guide and direct development proposals in the period up to 2034. It is distinctive in addressing a specific set of issues that have been identified and refined by the wider community.
- 8.2 Following my independent examination of the Plan I have concluded that the Wallingford Neighbourhood Development Plan meets the basic conditions for the preparation of a neighbourhood plan subject to a series of recommended modifications.

Conclusion

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

Referendum Area

- 8.4 I am required to consider whether the referendum area should be extended beyond the Plan area. In my view, the neighbourhood area is entirely appropriate for this purpose and no evidence has been submitted to suggest that this is not the case. I therefore recommend that the Plan should proceed to referendum based on the neighbourhood area as originally approved by South Oxfordshire District Council on 1 May 2015.
- 8.5 I am grateful to everyone who has helped in any way to ensure that this examination has run in a smooth and efficient manner.

Andrew Ashcroft
Independent Examiner
19 January 2021

Appendix 1

Notes from Clarification Meeting Wallingford Neighbourhood Development Plan (W NDP) Remote Teams Meeting 30 September 2020 10:00

Present:

Andrew Ashcroft	Independent Examiner
Wallingford Town Council (WTC)	
Cllr Lee Upcraft	Town Council – Mayor
Beryl Guiver	Steering Group
Wendy Tobitt	Steering Group
Sue Hendrie	Steering Group
Jane Randle	Steering Group

South Oxfordshire District Council (SODC)
Ricardo Rios
Robyn Tobutt

The purpose of a clarification meeting

AA explained the purpose of the meeting. In particular AA advised that it was of a procedural nature and that there would be no discussion about the merits or otherwise of the policies and the extent to which the wider submitted Plan met the basic conditions.

Initial observations

AA provided the meeting with a series of initial observations on the Plan and an update on progress of the examination as follows:

- the background reading is now completed.
- the unaccompanied visit to the town took place on 10 September 2020
- the Plan has been very well-prepared
- the Plan is underpinned by a comprehensive evidence base
- the Plan is logically structured around its strategy/vision and objectives
- the Plan's presentation and layout is first-class

The timetable for the emerging Local Plan

RT/RR provided the meeting with an update on this matter.

The consultation process on the Main Modifications has now started and will conclude on 2 November 2020. Main Modifications 21 and 25 are particularly relevant to the submitted W NDP.

SODC is working towards the adoption of the Plan in December 2020. This takes account of the ongoing central government direction in relation to the Plan.

The implications of this timetable on the WNDP examination

There was general discussion on the relationship between the local plan examination and the WNDP examination.

WTC set out its thoughts on the scale and significance of the main modifications.

RR commented about procedural matters and the importance of the WNDP acknowledging progress on the Local Plan and achieving a long shelf life

Given progress that had been made on the local plan and the assurance provided by the direction process, AA proposed that the WNDP should be examined against the adopted version of what is currently the emerging Local Plan. Given that the main modifications are now available a significant amount of work could be undertaken on the WNDP during October and November 2020.

This approach was agreed by both SODC and WTC.

The next steps in the examination

AA advised that the next step would be the preparation of the clarification note. This would identify a range of issues where further explanation or clarity was needed.

The note would also provide an opportunity for the Parish Council to comment about any of the representations made to the Plan.

AA would invite comments from both WTC and SODC on the implications of the September 2020 Use Classes Order on Policy TC1 within the clarification note.

The clarification note would also invite WTC to provide an evidence base on the way in which the proposed local green spaces in Policy CF3 meet the requirements of the NPPF (paragraphs 99 and 100)

AA would liaise with RR/RT on the appropriate time to finalise a fact check report in relation to the consideration of the comments received on the main modifications by both SODC and the Planning Inspector.

Conclusion

AA thanked participants for their role in a very productive discussion.

The meeting ended at 11:30.

Andrew Ashcroft
Independent Examiner
Wallingford NDP

30 September 2020