

Crowmarsh Parish Neighbourhood Development Plan 2020-2035

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

**Andrew Ashcroft
Independent Examiner
BA (Hons) M.A. DMS M.R.T.P.I.**

Director – Andrew Ashcroft Planning Limited

Executive Summary

- 1 I was appointed by South Oxfordshire District Council in March 2021 to carry out the independent examination of the Crowmarsh Parish Neighbourhood Development Plan.
- 2 The examination was undertaken by written representations. I visited the neighbourhood area on 15 March 2021.
- 3 The Plan includes a range of policies and seeks to bring forward positive and sustainable development in the neighbourhood area. There is a very clear focus on safeguarding its local character and green spaces whilst encouraging appropriate development to come forward.
- 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 Crowmarsh Parish 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
14 June 2021

1 Introduction

- 1.1 This report sets out the findings of the independent examination of the Crowmarsh Parish Neighbourhood Development Plan 2020-2035 (the 'Plan').
- 1.2 The Plan has been submitted to South Oxfordshire District Council (SODC) by Crowmarsh Parish Council 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 maintaining the character and appearance of the neighbourhood area and safeguarding its open spaces.
- 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 the Parish Council, to conduct the examination of the Plan and to prepare this report. I am independent of both SODC and the Parish Council. 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;
- the SODC SEA/HRA screening report;
- the Strategic Environmental Assessment (January 2021);
- the Baseline Report;
- the Environment Heritage Evidence;
- the Housing Needs Assessment;
- the Landscape Survey Impact Assessment;
- the Site Assessment;
- the Asset Heritage Consulting Heritage Statement (April 2021);
- the comments of Historic England on the Heritage Statement;
- the revised policies map submitted by the Parish Council to take account of the findings of the Heritage Statement;
- the comments of HR Wallingford on the findings of the Heritage Statement;
- the Parish Council's responses to the Clarification Note;
- the representations made to the Plan;
- the adopted 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 visited the neighbourhood area on 15 March 2021. I looked at its overall character and appearance and at those areas affected by policies in the Plan in particular. My 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. 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.

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 Parish Council has prepared a Consultation Statement. The 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 (June to August 2020). It captures the key issues in a proportionate way and is then underpinned by more detailed appendices. It is a 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 publication of documents on the Parish Council website (March 2017);
 - the residents' survey (2016);
 - the organisation of two open meetings (2017 and 2018);
 - the preparation of articles for the monthly Crowmarsh News;
 - the ongoing dialogue with statutory bodies;
 - the engagement with businesses and other local organisations; and
 - the ongoing liaison with Wallingford Town Council to ensure that the Wallingford and Crowmarsh plans were consistent with each other.
- 4.4 The Statement also provides details of the way in which the Parish Council engaged with statutory bodies. It is clear that the process has been proportionate and robust.
- 4.5 Section 4 of the Statement provides specific details on the comments received during the consultation process associated with the pre-submission version of the Plan. 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 and ended on 9 March 2021. This exercise generated comments from the following organisations:
- Wallingford Town Council
 - Oxfordshire County Council
 - National Grid
 - Scottish and Southern Electricity Networks
 - Avant Homes
 - Thames Water
 - Chilterns Conservation Board
 - Historic England
 - South Oxfordshire District Council; and
 - Natural England
 - HR Wallingford
- 4.9 Comments were also received from a local councillor and three local residents.
- 4.10 I have taken account 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.
- 4.11 SODC separately sought the comments of Historic England on the Heritage Statement prepared in April 2021 to address the impact of the employment development proposed in Policy CRP3. This matter is addressed in more detail in paragraphs 7.21 to 7.28 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 Crowmarsh. Its population in 2011 was 1569 persons living in 650 houses. It was designated as a neighbourhood area on 1 June 2017. It is located between Wallingford to the west and Benson to the east. The River Thames forms its western boundary. The neighbourhood area is predominantly rural in nature and much of its area is in agricultural use. There are a series of roads which run through the middle part of the parish.
- 5.2 The principal settlement in the neighbourhood area is Crowmarsh Gifford. It is based in the centre of the neighbourhood area and at the junction of The Street and Benson Lane. It includes a large scientific campus at Howbery Park off Benson Lane which has a strong and growing reputation as a centre for innovation in water and environmental technology. It employs some 800 staff and is the home of HR Wallingford, a major base for the Environment Agency as well as other smaller, mainly scientific units. The UK Centre for Ecology & Hydrology is also based off Benson Lane
- 5.3 The other principal concentrations of built development are North Stoke and Mongewell. Both are located to the south of Crowmarsh Gifford. The former is an attractive, isolated village. The latter is largely based around a now redundant former private school. The remainder of the neighbourhood area consists of a very attractive agricultural hinterland. Its southern part lies within the Chilterns AONB. The character of the landscape in the neighbourhood area changes dramatically along both the A4074 and the B4009.

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. The following policies are particularly relevant to the Crowmarsh Parish Plan:

Policy STRAT 1	The Overall Strategy
Policy H4	Housing in the Larger Villages
Policy H16	Infill Development
Policy EMP10	Development in Rural Areas
Policy ENV1	Landscape and Countryside
Policy ENV3	Biodiversity
Policy ENV4	Watercourses
Policy ENV6	Historic Environment
Policy ENV7	Listed Buildings
Policy ENV8	Conservation Areas
Policy DES1	Delivering High Quality Development
Policy CF4	Existing Open Space, Sport and Recreation Facilities

- 5.5 The Basic Conditions Statement was produced before the recent adoption of the Local Plan. Nevertheless, it usefully assesses the key policies in what was then the emerging Local Plan (in Table C) at that time 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 local planning policy context.
- 5.6 Crowmarsh Gifford is identified as a Larger Village and North Stoke and Mongewell are identified as Other Villages in the adopted Local Plan (Appendix 7).
- 5.7 Policy H4 of the Local Plan comments about the way in which the larger villages will contribute towards the delivery of new housing in the wider District. Table 4f of the Plan relates the strategic requirement for each of the Larger Village with commitments and completions. Given the scale of commitments in the village (571 dwellings) the Local Plan does not identify an additional requirement to be delivered through the neighbourhood plan.
- 5.8 In process terms the timings involved have allowed the submitted neighbourhood plan directly to take account of this new local planning context. Indeed, the submitted neighbourhood plan has been prepared within its wider development plan context. In doing so it has relied on up-to-date information and research that has underpinned previous and existing planning policy documents in the District. This is good practice and reflects key elements in Planning Practice Guidance on this matter.

Unaccompanied Visit

- 5.9 I visited the neighbourhood area on 15 March 2021.
- 5.10 I drove into the neighbourhood area from the A4074 to the north. This gave me an initial impression of its setting and character in general, and the context of its wider setting to the south of Oxford and its proximity to Benson.
- 5.11 I drove initially to North Stoke along the B4009. Its isolated location was immediately evident. I saw the attractive groupings of buildings along The Street and Church Street. I walked through the churchyard and followed the footpath to the south. I saw the series of extended garden areas which stretched down to the River Thames to the west of the footpath. I traced my steps back to the church and saw the timber-framed entrance porch and the lychgate. I then looked at the very impressive Arts and Crafts Village Hall and walked as far as Mill House.
- 5.12 I then drove to Mongewell to the north. I saw its very different character based around its former role as a private school. I saw the range of buildings ranging from the traditional to the modern additions to the area.
- 5.13 I then drove to Crowmarsh Gifford. I parked opposite the Church and initially looked at its character, its grounds and its impressive Norman window openings. I followed the footpath to the side of the Church up to the recreation ground and nature area. I saw that it was being used extensively by young people.

- 5.14 I walked towards the River Thames bridge. In doing so I saw the cottage formerly occupied by Jethro Tull between 1700 and 1710. I then walked into the Riverside Meadows. I saw the scale and significance of the Meadows in the local landscape and the way in which the open space afforded extensive and attractive views across the River to Wallingford.
- 5.15 I walked back to the Church and then towards the junction of The Street and Benson Lane. In doing so I saw the village shop and the collection of brick and tile cottages both adjacent to the shop itself and on the opposite side of The Street. I also saw the prominent location of the Queen's Head PH at the road junction. I then walked to the north along Benson Lane. I saw the Village Hall, the former District Council offices and the new housing development to the east of the Lane. Thereafter I saw the character of the Lane alter as I approached the commercial units to the west of the Lane. I saw the UK Centre for Ecology and Hydrology and then the more modern Howbery Park buildings to the immediate north. I looked at the proposed employment site allocation in Policy CRP3.
- 5.16 I finished my visit by driving to Wallingford. This highlighted the relationship between the two communities and their wider landscape setting within the River Thames valley.

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) obligations and European Convention on Human Rights (ECHR); 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 Crowmarsh Parish Neighbourhood Plan:

- a plan led system – in this case the relationship between the neighbourhood plan and the adopted South Oxfordshire Local Plan;
- 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 subject to the recommended modifications included in this report. It sets out a positive vision for the future of the neighbourhood area within the context of its role in the settlement hierarchy. It proposes a local green space and seeks to consolidate the economic well-being of the parish. 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 infill residential development (Policy CRP1) and for new employment development at Howbery Park (Policy CRP3). In the social role, it includes policies on green spaces (Policy CRP6) and on housing mix (Policy CRP2). In the environmental dimension the Plan positively seeks to protect its natural, built and historic environment. It has specific policies on the wider environment (Policy CRP4) and on wildlife and biodiversity (Policy CRP5). The Parish Council has undertaken its own 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 modification in this report I am satisfied that the submitted Plan is in general conformity with the strategic policies in the development plan.

European Legislation and Habitat Regulations - SEA

- 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 SODC undertook a screening exercise (March 2018) on the need or otherwise for a Strategic Environmental Assessment (SEA) to be prepared for the Plan. The report is thorough and well-constructed. As a result of this process, it concluded that the Plan is likely to have any significant effects on the environment and accordingly would require a SEA. This was based on an earlier proposal for the allocation of houses in the Chilterns AONB. This proposal is not included in the submitted Plan.
- 6.16 In this context the Parish Council prepared a SEA. It is comprehensive in its approach which explains how the matter has evolved throughout the wider plan-making process. It summarises its findings as follows:

'The impact from the Objectives of the Plan against the SEA Objectives are either positive or neutral, and thus sustainable and beneficial to the residents of the Parish. The positive impacts reflect a thriving community interacting with, and respecting its environment; the Plan Objectives are entirely sustainable and there are no objectives for the Plan that have a negative impact on the environment.'

The impact of the proposed and preferred policies for the Plan mainly has a positive or neutral impact on the SEA Objectives. There are potential negative impacts from Policy CRP1 and Policy CRP3 and mitigation is proposed by suitable wording incorporated within the policies. Two alternative policies have been assessed, that of allocating additional housing land has negative impacts on landscape and traffic volumes whereas that regarding traffic is already incorporated in the proposed policies. Neither are taken forward to the Plan.

The cumulative impact of traffic is assessed. Increased vehicle journeys due to approved major housing development in and around Crowmarsh Gifford and the return of the Local Authority to its site in Benson Lane, plus the likely increased journeys to and from the employment use site at Howbery Park could amount to some 1200 single trips adding stress on the local road network'

European Legislation and Habitat Regulations - HRA

- 6.17 The 2018 screening report also included a separate Habitats Regulations Assessment (HRA) of the Plan. 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.
- 6.18 The HRA report is both thorough and comprehensive. It takes appropriate account of the significance of the Little Wittenham SAC. It provides assurance to all concerned that the submitted Plan takes appropriate account of important ecological and biodiversity matters.
- 6.19 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.

The European Convention on Human Rights

- 6.20 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

- 6.21 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 Plan area. The wider community and the Parish Council 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.
- 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.
- 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 (Sections 1-4)

- 7.8 The 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 maps. 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.
- 7.9 The Introduction addresses the background to neighbourhood planning. It comments about how the Plan has been prepared and how it will be used within the Plan period. It defines the Plan period. It includes a map of the neighbourhood area (Figure 1). It includes a vision and a series of objectives for the wider Plan.
- 7.10 Section 2 describes keys elements of the neighbourhood area. It does so in a very effective fashion. It includes a brief description of the key elements of built development and the relationship between the parish and the Chilterns AONB. It is comprehensive in its coverage and includes information on:
- geology and groundwater;
 - environmental protection and land classification; and
 - the history of the parish.

In combination the Plan's presentation of these issues has been very helpful for examination purposes.

- 7.11 Section 3 comments about the planning policy context within which the Plan has been prepared.
- 7.12 Section 4 sets out a series of community views on new development in the parish.
- 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 CRP1: Village boundaries and infill development

- 7.14 This policy effectively sets out a spatial strategy for the parish. The Plan defines village boundaries at Crowmarsh Gifford, Mongewell and North Stoke (and as shown on the Policies Map Insets A/B/C). The policy comments that proposals for infill development within the village boundaries will be supported, relative to their specific settlement hierarchy classifications and requirements, provided they accord with the design and development management policies of the development plan and other policies of the Plan and include enhancement of the significance of the setting of listed buildings in close proximity to the site. The policy also comments that proposals for development outside the boundaries will only be supported if they are appropriate to a countryside location and they are consistent with development plan policies.
- 7.15 As the supporting text comments the policy is intended to distinguish between the built-up area of each of the three settlements in the parish and their surrounding countryside and to manage development proposals. The boundaries have been drawn using traditional conventions and they follow the observed settlement edge formed by buildings and perimeter fences, which have a clear functional relationship to each village.
- 7.16 The policy takes a very effective approach to this matter. However, the second part of the policy on the enhancement of listed buildings in close proximity to a development site is overly restrictive. In particular it takes no account of any functional relationship between development proposals and adjacent listed buildings and/or the ability of a developer to undertake works to such buildings. Plainly this matter will be determined by the scale and nature of development proposals. In any event the wider matter is already addressed by national and local planning policies. On this basis I recommend the deletion of this element of the policy.
- 7.17 The Plan includes the details of the Cheshire East Council Settlement Boundary Assessment Guidance which was used to inform the policy. The Guidance is an excellent piece of work of this nature. However, it does not need to be reproduced in the Plan itself. In any event its inclusion appears out of place with a Plan produced for a parish in Oxfordshire. In these circumstances I recommend that it is deleted from the Plan and repositioned into a separate appendix.

In the second paragraph of the policy delete: 'and include enhancement of the significance of the setting of listed buildings in close proximity to the site'

At the end of paragraph 5.10 add: 'as reproduced in Appendix [insert number]'

Relocate the Cheshire East Council Settlement Boundary Assessment Guidance from the Plan itself into a separate appendix.

Policy CRP2: Housing mix and tenure

- 7.18 This policy seeks to ensure that new development proposals incorporate a housing mix and tenure which reflect local housing needs. It has two overlapping priorities – on the one hand that the housing mix takes account of the need for smaller houses and on the other hand the need for high design standards. The policy is underpinned by the work carried out on the Housing Needs Assessment.
- 7.19 The third part of the policy comments about rural exception sites and the support offered for such development in the wider development plan. Whilst this sets a wider context it is not necessary for a neighbourhood plan policy to repeat national or local planning policies. On this basis I recommend its deletion. This approach was supported by the Parish Council in its response to the clarification note.
- 7.20 Otherwise the policy takes a positive approach to this matter which meets the basic conditions.

Delete the third part of the policy

Policy CRP3: Land at Howbery Park, Benson Lane, Crowmarsh Gifford

- 7.21 This policy proposes the allocation of 0.28 ha of land at Howbery Park for commercial, business and service use (Class E). The site comprises part of the southern portion of the SHLAA/SHELAA site CRO3 identified for housing or employment use by SODC. In a broader context the Howbery Manor industrial site is an established area devoted principally to scientifically-focused employment use. It provides an important focus of specialist employment opportunities in the District with employees drawn from a large catchment area that includes Oxford, Reading and Didcot. The allocated development site lies within the heart of the commercial area and is currently grassland adjacent to a large car parking area.
- 7.22 The policy proposes a series of criteria to ensure that the development is of a high standard and which relates well to Howbery Park as a whole, and to adjacent heritage assets in particular. I recommend modifications to criteria D, E and F so that they flow from the opening element of the policy.
- 7.23 Historic England raises concerns in its representation about the way in which the policy would safeguard heritage assets in the immediate vicinity of the site. The Parish Council commissioned a Heritage Assessment to address this matter. The report (produced by Asset Heritage Consulting) is comprehensive in its approach and its detailed findings. It comments on the heritage significance of the listed buildings in the immediate locality of the proposed allocated site. Howbery Park contains four designated heritage assets - Howbery Court, Stable Lodge, Stable Cottages, and the Stable Block. They are all individually listed (Grade II) and the stable structures form a

distinct group to the north of the main house - the two separated by a short drive and avenue.

7.24 The Assessment reaches the following principal conclusions:

'Due to the limited contribution that the proposed site allocation makes to the significance of Howbery Court in its current form, its development is unlikely to have an adverse impact on the significance of that heritage asset. For instance, when looking towards Howbery Court from the south, development on the site would be visible alongside the existing Innovation Centre. If not materially taller than the Innovation Centre, such development is (assuming a high degree of design quality to be controlled through the normal planning process) unlikely to have an adverse impact on the quality of such views. Due to the limited contribution that the proposed site allocation makes to the significance of Howbery Court in its current form, its development is unlikely to have an adverse impact on the significance of that heritage asset (paragraphs 2.39/2.40).

There is, however, the potential for some impact on the modern views of the Howbery Court from Benson Lane. Here, development of the proposed site allocation would result in built form appearing to extend out into the open space in front of the eastern elevation. While it would be unlikely to block views of the building from most points, it would reduce the perception of the listed building standing in relative isolation against a backdrop of mature trees (paragraph 2.41).

While these are modern views, the quality of which has been reduced by existing buildings and intervening car parking, they do offer some limited indication of the historical parkland setting of the building and there would be the potential for development on the site allocation to result in a low degree of 'less than substantial harm' to the listed building through the effect on its setting if development extended onto the southern end of the proposed allocation area' (paragraph 2.42).

7.25 On the basis of these findings the Assessment recommends that the policy includes two additional elements to mitigate the effects of development on the site and its wider setting. The first is that 'the site allocation should be rotated eastwards, so that it follows the alignment of the existing innovation centre, rather than running south-west to north-east. The result of this, is that 'harmful' impact on the modern views of the listed building from Benson Lane would be negated, with the listed building continuing to be seen in relative isolation against a backdrop of mature trees' (its paragraph 2.44). The second is that 'there would be scope to reintroduce along the western boundary of the allocation area part of the belt of trees removed for the extension of the Reynolds Building in the 1960s. This would serve to screen development on the site, as well as part of the existing development on the southern side of the driveway, from the listed building and from views onto the listed building from the south' (its paragraphs 2.46/47).

7.26 Following its consideration of the Assessment, Historic England has advised that its earlier comments have now been satisfactorily addressed. The Parish Council has prepared a revised Policies Map to show the revised alignment of the employment allocation. In addition, the District Council sought the comments of the landowner on

the proposed changes to the alignment of the allocation. I have taken the comments made into account in preparing this report and recommending modifications to the wider policy approach. The recommended modifications include the incorporation of a revised Policies Map within the Plan.

- 7.27 I also recommend that the additional matter addressed in the Heritage Assessment are incorporated into the policy. They will ensure that it meets the basic conditions. In a broader context this approach will provide a robust basis for the development of the site whilst safeguarding the importance of heritage assets in its immediate locality.
- 7.28 The Heritage Assessment also makes comments about the potential height of buildings which would come forward on the site. This matter is already addressed in the policy (criterion E). Nevertheless, I recommend that the details included in the Heritage Assessment on this matter are incorporated into the supporting text.

After criterion B add:

‘C. Is arranged and designed so it follows the alignment of the existing Innovation Centre

D. Incorporates a belt of trees planted along the western boundary of the site’

Make consequential amendments to the lettering used in the remainder of the criterion in the policy.

In D (as submitted) replace ‘The proposed uses’ with ‘Incorporates uses which’

In E (as submitted) ‘Any buildings’ with ‘Incorporates buildings which’

In F (as submitted) ‘A transport assessment is’ with ‘Is supported by a transport assessment’

At the end of paragraph 5.25 add: ‘Criterion [insert on the basis of the revised sequence of lettering in the policy] of the policy addresses building heights. In this context development on the site should be one or two storeys in height, with the adjacent Innovation Centre providing a good guide for such heights. This approach will allow the listed Howbery Court to retain a dominant character on the site and in views from its surroundings’

Replace the Policies Map with the version produced by the Parish Council in order to respond to the recommendations of the Heritage Assessment on the alignment of the employment allocation.

Policy CRP4: Conservation of the environment

- 7.29 This policy sets out a comprehensive approach towards conserving the environment of the parish. In particular it sets out to bring distinctive local value beyond that which already exists to protect conservation areas, the River Thames corridor and The Chilterns AONB.

- 7.30 The policy successfully achieves its ambitions in general terms. However, to bring the clarity required by the NPPF I recommend detailed modifications to the wording of the first and the fourth criteria. I also recommend additional wording so that the policy can be applied in a proportionate way - in several cases development proposals will not directly impact on each of the four criteria in the policy.

After 'should' add: 'as appropriate to their scale, nature and location'

Replace A with: 'Protect and, where possible enhance, important views and visually sensitive skylines from footpaths, bridleways in the Chilterns AONB and the Ridgeway National Trail'

Replace D with: 'Conserve or enhance the local historic environment'

Policy CRP5: Protection and enhancement of ecology and biodiversity

- 7.31 This policy takes a positive approach towards ecology and biodiversity. As the Plan comments the position of the parish between the Chiltern Hills and the River Thames makes it in an ideal location to secure tangible gains for biodiversity both on specific development sites as well as through a piecemeal approach.
- 7.32 I recommend modifications to the policy to ensure that it has a closer functional relationship with relevant policies in the recently-adopted Local Plan. They will bring clarity to the development management process without detracting from the intention of the submitted policy.
- 7.33 I recommend the deletion of the second paragraph of the policy which addresses the relocation of habitats. It is partly addressed by the recommended modification to the first part of the policy and by existing national and local policies.

Replace the policy with:

'As appropriate to their scale and nature new development proposals should provide a measurable net gain for biodiversity using the most up-to-date information available.

Development proposals which result in a loss of mature trees, hedgerows or other forms of wildlife corridors will not be supported. Where the loss of a mature tree, hedgerow or other form of wildlife corridor is unavoidable, the proposals should make provision for suitable replacements where it is practicable to do so'

Policy CRP6: Green spaces

- 7.34 This policy addresses the various green spaces in the parish. It has two related parts. The first relates to a proposed local green space (LGS) at Riverside Meadows. The second relates to other green spaces (identified as Public Open Spaces).
- 7.35 I am satisfied that the approach taken is appropriate and distinctive. In their different ways the various green spaces help to define the character and the attractiveness of

the parish. For clarity in policy terms, I recommend that the policy is more clearly presented in its component parts.

- 7.36 The policy proposes the designation of Riverside Meadows as LGS. I looked at it very carefully during the visit to the neighbourhood area. On the basis of all the information available to me, including my own observations, I am satisfied that its designation complies with the three tests in paragraph 100 of the NPPF. Whilst at 7.9 hectares it is larger than most LGSs it would be impractical to define a smaller area without losing the wider effectiveness of the Riverside Meadows. In the round it is a particularly good example of an informal LGS which respects the nature and the character of its host parish.
- 7.37 In addition, I am satisfied that its proposed designation would accord with the more general elements of paragraph 99 of the NPPF. Firstly, I am satisfied that its designation is consistent with the local planning of sustainable development. It 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 it is capable of enduring beyond the end of the Plan period. Indeed, it is an established element of the local environment and has existed in its current format for many years. In addition, no evidence was brought forward during the examination that would suggest that the proposed local green spaces would not endure beyond the end of the Plan period.
- 7.38 The policy wording in relation to this part of the policy attempts to take a helpful approach towards the type of development which may be acceptable on LGSs. However, it goes well beyond the approach in the NPPF. I recommend that it is deleted accordingly. I also recommend that the supporting text is expanded to address the general issue of how planning applications would be determined.
- 7.39 The recommended modifications also take account of the recent case in the Court of Appeal on the designation of local green spaces and the policy relationship with areas designated as Green Belts (2020 EWCA Civ 1259).
- 7.40 The second part of the policy identifies three Public Open Spaces elsewhere in the parish. It introduces a policy approach which is less restrictive than that for the Riverside Meadows LGS. I looked carefully at the three spaces. I am satisfied that they are appropriate for identification as Public Open Spaces. This part of the policy meets the basic conditions.

**Within the policy introduce two subheadings (in italic text) as follows:
‘Local Green Space’ and ‘Public Open Spaces’**

Replace the second sentence of the first part of the policy with: ‘Development proposals within Riverside Meadows will only be supported in very special circumstances’

At the end of paragraph 5.37 add:

The part of the policy which relates to the Riverside Meadows LGS takes the matter-of-fact approach set out in paragraph 101 of the NPPF. In the event that development proposals come forward within the Plan period the District Council will be able to assess development proposals within the designated local green space for any very special circumstances on a case-by-case basis'

Other matters - General

- 7.41 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 the Parish Council to have the flexibility to make any necessary consequential changes to the general text. I recommend accordingly.

Modification of general text (where necessary) to achieve consistency with the modified policies.

Other matters – the adoption of the South Oxfordshire Local Plan 2035

- 7.42 The submitted Plan has consistently been prepared to ensure that it addressed the same Plan period as that for the Local Plan. As part of its adoption process the Local Plan period was revised so that it ended in 2035.
- 7.43 Some inconsistencies in the submitted Plan on this issue have been helpfully identified by SODC in its representations to the Plan. I recommend that the general references in the Plan to what was then the emerging Local Plan are modified in a factual way to reflect the adoption of the Local Plan.

Update the relevant parts of the Plan to take account of the adoption of the South Oxfordshire Local Plan 2035 and as specifically identified in the following sections of the District Council's representation to the Plan (1/5/6/10-12/14/16/17-23/29)

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 2035. 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 Crowmarsh Parish 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 Crowmarsh Parish 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 June 2017.
- 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
14 June 2021