

Policy and Programmes

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Joint Henley and Harpsden Neighbourhood Development Plan Review – Modification Statement

Under Regulation 17(e)(ii) of the Neighbourhood Planning (General) Regulations 2012 (as amended), the local authority must submit to the examiner a statement setting out whether or not the authority consider that the modifications contained in the modification proposal are so significant or substantial as to change the nature of the neighbourhood development plan which the modification proposal would modify, giving reasons for why the authority is of this opinion.

The Joint Henley and Harpsden Neighbourhood Development Plan (NDP) was made as part of the district council's development plan on 14 April 2016. Since the adoption of the Joint Henley and Harpsden NDP, the South Oxfordshire Local Plan 2035 was adopted in December 2020. Since the NDP was made the National Planning Policy Framework (NPPF) has also been updated, with the latest revision dated 20 July 2021.

The South Oxfordshire Local Plan 2035, in policy H3 set out a housing requirement for the Town of Henley-on-Thames. Policy H3 has been reproduced below for clarity.

Policy H3, South Oxfordshire Local Plan 2035

Policy H3: Housing in the Towns of Henley-on-Thames, Thame and Wallingford

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:**
 - i) **Henley-on-Thames: at least 1,285 homes**
 - ii) **Thame: at least 1,518 homes**
 - iii) **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 4d.**
3. **Land within the allocation at West of Wallingford will be developed to deliver approximately 555 new homes. Proposals will be expected to deliver:**
 - i) **Access from the western bypass, with no vehicular access provided through Queen's Avenue and the discouragement of traffic from entering the Wallingford AQMA;**
 - ii) **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.**

* the Plan has reached submission stage and has allocated sufficient housing sites.

The Joint Henley and Harpsden NDP Review is seeking to respond to these local and national planning policy changes. The following policy changes have been made:

- Policy ENV1: Air Quality- Proposed new policy
- Policy ENV2 (Formerly EN1): Biodiversity Material Modification- Policy updated to recognise importance of biodiversity to reflect the new Local Plan, including requirements in policy HEN1 to enhance the town's environment and changes to national planning policy.
- Policy ENV3: Trees- Proposed new policy
- Policy ENV4: Local Green Spaces- Proposed new policy
- Policy ENV5: Watercourses- Proposed new policy
- Policy SD1: Minimising Carbon Emissions- Proposed new policy
- Policy SD1a: Fabric First Approach- Proposed new policy
- Policy SD2 (Formerly DQS2): Community Energy Projects- No changes
- Policy SD3 (Formerly DQS1): Local Character- Proposed modification to policy to reflect updated evidence including Conservation Area Appraisal Management Plan.
- Policy H1 (Formerly H2): Design Brief- No changes
- Policy H2: Affordable Housing- Proposed new policy

- Policy H3: Housing type and mix (Formerly type and size of new housing)- Proposed modification to reflect latest housing evidence.
- Policy H4: Infill and self-build dwellings- No changes
- Policy E1: Supporting Henley's Economy- No changes
- Previously Policy E2: Former Wyevale Garden Centre (SITE P)- Proposed modification to remove policy as the site is subject to planning permission (P18/S0951/O)
- Policy E2 (Formerly TCE1): Henley town centre- No changes
- Policy E3 (Formerly TCE2): Market Place Hub- No changes
- Policy TCE3: Hotel and Bed Space-Proposed modification to remove policy, reflecting updated evidence demonstrating that hotel and visitor bed space need has been met for the town.
- Policy E4 (Formerly TCE4): Employment and Residential above shops- No changes
- Policy T1: Impact of development on the transport network- Proposed modification to policy to recognise importance of air quality and improving health outcomes as well as to reflect updated policy in the new Local Plan and national planning policy. This includes the requirements set out in policy HEN1 to address air quality issues.
- Policy T2: Active Travel (Formerly CYCLING ROUTES)- Proposed modification to incorporate into a wider Active Travel Policy.
- Policy T3: Easing Congestion- No changes.
- Policy T4: EV Charging Points- New policy.
- Policy T5: Public Transport- New policy.
- Policy T6: Parking and Standards- New policy.
- Policy SC11: Comprehensive Renewal of Gillotts School- No changes.
- Policy SC12: Renewal and Enhancement of Community Facilities- No changes.
- Policy SC13: Community Right to Build- No changes.
- Policy SC14: Henley College- No changes.
- Policy TCE5: 16-18 Hart Street (Former Latino's Night Club) (SITE AE)- Proposed modification to remove policy as deliverability of the site is not known.
- Policy SP1: Highlands Farm (SITE M)- Proposed modification to remove policy as site has planning permission (P16/S0077/O) and is currently being built out.
- Policy SP2: Mill Lane Former Jet Garage (SITE H)- Proposed modification to remove policy as the site has been developed.
- Policy DS1 (Formerly H1): Allocate land for 500 new homes- Proposed modification to create new policy DS1: Proposed Allocations which sets out the residential site allocations made by the plan.
- Policy DS4 (Formerly SP3): Empstead Works/ Stuart Turner (SITE E)- Proposed modification to require at least 1,500sqm for a single format food store as required through the Local Plan policy TC4.
- Policy DS5 (Formerly SP4): Chilterns End (SITE F)- No changes.
- Policy DS6 (Formerly SP5): 357 Reading Road (SITE J)- Proposed modification to increase allocation from 30 dwellings to 50 dwellings and to require 200sqm of retail/commercial (changing from solely retail).
- Policy SP6: Wilkins (SITE U)- Proposed modification to remove policy as site has been developed.
- Policy SP7: TA Centre (SITE V)- Proposed modification to remove policy as site is not considered to be deliverable.

- Policy DS2 (Formerly SP8): Land West of Fair Mile (SITE A)- Proposed modification to site area and increased allocation from 60 dwellings to 72 dwellings.
- Policy DS8 (Formerly SP9): Henley Youth Club (SITE X)- No changes.
- Policy SP10: 118 Greys Road (SITE Z)- Proposed modification to remove policy as site has been developed.
- Policy DS3 (Formerly SP11): Gillotts School Field (SITE C)- No changes.
- Policy DS7: Northern Field at Highlands Farm (Site M1)- New policy.
- Policy DS9: Chiltern Centre (Site Y)- New policy.
- Policy DS10 (Formerly E3): Land at Newtown Road (SITE AD)- No changes.

The most significant modifications relate to new proposed site allocations, amendment of existing site allocations to deliver additional housing, the expansion of policies covering biodiversity and climate change.

The Planning Practice Guidance sets out the types of modifications which can be made to the neighbourhood plan. These are:

- *Minor (non-material) modifications to a neighbourhood plan or order are those which would not materially affect the policies in the plan or permission granted by the order. These may include correcting errors, such as a reference to a supporting document, and would not require examination or a referendum.*
- *Material modifications which do not change the nature of the plan or order would require examination but not a referendum. This might, for example, entail the addition of a design code that builds on a pre-existing design policy, or the addition of a site or sites which, subject to the decision of the independent examiner, are not so significant or substantial as to change the nature of the plan.*
- *Material modifications which do change the nature of the plan or order would require examination and a referendum. This might, for example, involve allocating significant new sites for development.*

The council consider the proposed modifications materially affect the policies in the plan. The vision of the plan has been updated with greater significance placed upon the environment and sustainability and new policies were introduced to address these themes. The submitted review of the Plan is responding to the South Oxfordshire Local Plan 2035, whereas the 'made' Plan responds to the South Oxfordshire Core Strategy. As highlighted earlier, the review plan proposes to increase the housing proposed through new site allocations, and amendments to existing allocations, which combined deliver an additional 145 dwellings. The council considers that in the context of Henley and Harpsden these amount to allocating significant new sites for development.

Therefore, we consider that the significance or substance of the modifications proposed is such that it changes the nature of the plan and requires both an examination and a referendum.