

Long Wittenham Neighbourhood Development Plan 2018-2033

**A report to South Oxfordshire District Council on
the Review of the Long Wittenham Neighbourhood
Development Plan**

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Executive Summary

- 1 I was appointed by South Oxfordshire District Council in November 2018 to carry out the independent examination of the review of the Long Wittenham Neighbourhood Plan.
- 2 The examination was undertaken by way of written representations. I visited the neighbourhood plan area on 22 November 2018. Given the length of the examination, I visited the neighbourhood area for a second time on 28 March 2022.
- 3 The Plan includes a variety of policies and seeks to bring forward positive and sustainable development in the neighbourhood area. There is a very clear focus on promoting ambitious proposals for a community hub in the village.
- 4 The Plan has been underpinned by community support and engagement. It is clear that all sections of the community have been engaged in its preparation.
- 5 Subject to a series of recommended modifications set out in this report, I have concluded that the Long Wittenham 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
10 May 2022

1 Introduction

- 1.1 This report sets out the findings of the independent examination of the review of the Long Wittenham Neighbourhood Development Plan Review 2018-2033 (the Plan).
- 1.2 The Plan has been submitted to South Oxfordshire District Council (SODC) by Long Wittenham Parish Council (LWPC) 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) in 2012, 2018, 2019 and 2021. 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. It can include whatever range of policies it sees as appropriate to its designated neighbourhood area. In this case, the Plan is a review of the 'made' Plan. It has been designed to be distinctive in general terms, and to be complementary to the development plan in particular. The Plan has a very clear focus on promoting ambitious proposals for a community hub in the village.
- 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 LWPC, to conduct the examination of the Plan and to prepare this report. I am independent of both the SODC and LWPC. 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 System.

Examination Outcomes

- 2.4 There are a variety of ways in which a review of a neighbourhood plan can be examined. In this case it is accepted by all concerned that the Plan needs both examination and a referendum.
- 2.5 In this context, as the independent examiner I am required to recommend one of the following outcomes of the examination:
- (a) that the Plan as submitted should proceed 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.

Other examination matters

- 2.6 In examining the Plan I am also 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 Having addressed the matters identified in paragraph 2.6 of this report, I am satisfied that all of the points have been met subject to the contents of this report.

3 Procedural Matters

3.1 In undertaking this examination I have considered the following documents:

- the submitted Plan (2018 version).
- the Basic Conditions Statement (2018 version).
- the Consultation Statement (2018 version).
- the HRA Screening report (October 2018).
- the Strategic Environmental Assessment (March 2019).
- the various Evidence Papers (2018 versions).
- the representations made to the Plan (in 2018).
- the Parish Council's responses to the first Clarification Note.
- the resubmitted Plan.
- the resubmitted Basic Conditions Statement.
- the resubmitted Consultation Statement.
- the Strategic Environmental Assessment (November 2021).
- the revised HRA screening report (January 2022).
- the various Evidence papers (2022 versions).
- the representations made to the resubmitted Plan (in 2022).
- The Parish Council's responses to the second clarification note.
- the South Oxfordshire Local Plan 2033.
- the National Planning Policy Framework (July 2021).
- Planning Practice Guidance.
- relevant Ministerial Statements.

3.2 The documents are helpfully available on the District Council's web site. Wherever possible I will simply refer to the document concerned for the purposes of keeping this report as simple as possible.

3.3 I visited the neighbourhood area on 22 November 2018. 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. Given the longevity of the examination, I took the opportunity to visit the neighbourhood area for a second time on 28 March 2022.

3.4 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 concluded that it could be examined by way of written representations.

3.5 The submitted Plan is a review of the 'made' neighbourhood plan. It takes the made Long Wittenham Neighbourhood Development Plan as its starting point, clarifies the existing policies and revises and updates the suite of policies. The new elements of the Plan relate principally to the proposed community hub (Policy LW1), safeguarding sites currently in school and village hall use for alternative uses related to the wider community hub scheme (Policy LW2). Given the difference between the made Plan

and the submitted Plan all parties are content that the examination procedure should be identical to that for new Plans.

- 3.6 The examination has been long and protracted. As initially submitted, I concluded that the Plan did not meet the basic conditions. This was summarised in the Preliminary Findings report of September 2019.
- 3.7 LWPC responded to the preliminary findings by undertaking further work on the archaeological significance of the community Hub site and producing updates to the Environmental Report.
- 3.8 The significance of this further work was heightened when the Anglo-Saxon great hall complex and Roman settlement features off Fieldside track was designated as a scheduled monument (1468510) in March 2020. The resubmitted Plan has been designed to take account of this important matter. Its potential significance had been a key component of the earlier elements of this examination (based on the details incorporated in the 2018 version of the Plan).
- 3.9 The wider refinement was brought to a head with the submission of a revised package of documents. They included a revised Plan and associated revisions to the SEA, the Basic Conditions Statement and the Consultation Statement. The updated Plan responded to the changed position with regard to heritage assets in the Parish. It also responded to changed circumstance by removing the earlier policy (Policy LW3) which had proposed the allocation of a free-standing housing site and the earlier Policy LW6 on Community Infrastructure.
- 3.10 The NPPF has been updated twice whilst the examination has been underway. The most recent version of the Basic Conditions Statement assesses the current Plan against the contents of the current version of the NPPF (July 2021).

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. This section of the report has two specific but related parts. The first addresses the Plan as initially submitted in 2018. The second addresses the consultation carried out on the updates to the Plan.

Consultation on the Plan submitted in 2018

- 4.2 In accordance with the Neighbourhood Planning (General) Regulations 2012 LWPC has prepared two Consultation Statements. The first was in October 2018. The second was in November 2021 when the Plan was updated. The Statements are proportionate to the neighbourhood area and the policies in the Plan. In their different ways they reflect the very specific circumstances that have generated the community's desire to review the existing 'made' Plan.
- 4.3 The Statements detail the various activities that were held to engage the local community during the period from January to September 2018. They also provide specific details on the consultation process that took place on the pre-submission version of the Plan (August to September 2018).
- 4.4 The Statements set out details of the community engagement that took place as the Plan was being prepared. They included:
- the reconvening of the Steering Committee in January 2018;
 - the meetings with SODC;
 - the provision of updates to LWPC meetings;
 - updates on the LWPC website and in the Parish newsletter (the Bridge);
 - the public meeting in June 2018;
 - the arrangement of an extraordinary LWPC meeting on 11 October 2018; and
 - the way in which LWPC responded to the preliminary findings (September 2019).
- 4.5 The detailed elements of the Statement set out how the submitted Plan took account of consultation feedback. Appendix A of the first Statement provides feedback on how the Plan responded to the various comments. It does so in a proportionate and effective way. It helps to describe how the Plan has progressed to its submission stage.
- 4.6 Consultation on the Plan was initially undertaken by SODC for a six-week period that ended on 13 December 2018. This exercise generated representations from the following organisations:
- Highways England
 - National Grid

- Thames Water
- South Oxfordshire District Council
- Reading University
- Oxfordshire County Council
- Historic England
- Natural England

4.7 The Plan also attracted 26 representations from local residents, most of whom expressed their support for the Plan in general, and the proposed community hub in particular.

Consultation on the updated Plan submitted in 2022

4.8 A further period of consultation was organised by SODC on the revised package of documents submitted earlier this year. It ended on 8 March 2022.

4.9 This exercise generated representations from the following organisations:

- Wittenham Against Overdevelopment
- The Coal Authority
- Sport England
- National Grid
- University of Reading
- Lagan Homes
- Oxfordshire County Council
- Historic England
- Natural England

4.10 The Plan also attracted 21 representations from local residents and Reverend Canon Wignall, expressing their support for the Plan in general, and the proposed community hub in particular.

4.11 I have taken all the comments into account in preparing this report. Where appropriate, I refer to specific representation in my commentary on the various policies in the Plan.

5 The Neighbourhood Area and the Development Plan Context

The Neighbourhood Area

- 5.1 The neighbourhood area covers most of the parish of Long Wittenham. As the Plan helpfully explains, the south-west corner of the parish will be transferred to Didcot Town Council as a result of the north-east Didcot housing development. As such, this parcel of land was excluded from the neighbourhood area. The neighbourhood area sits approximately 3 miles north of Didcot and 3.5 miles south-east of Abingdon in pleasant rolling countryside. The village is located inside a loop in the River Thames. Its population in 2011 was 875 persons living in 325 houses. It was designated as a neighbourhood area on 26 September 2014.
- 5.2 The neighbourhood area is mainly in agricultural use and sits within a rich landscape setting. Much of the neighbouring parish of Little Wittenham to the south east is within the North Wessex Downs Area of Outstanding Natural Beauty. Wittenham Clumps is a Special Area of Conservation. These important natural features have been properly assessed in the preparation of the Plan and the associated environmental assessments. The village is the principal focus of built development and sits within the middle of the neighbourhood area.
- 5.3 The village itself is linear in format. It has historically developed along High Street. It displays a wide range of building types and ages that reflect both its heritage and its agricultural background. The majority of the built-up element of the village is within the Long Wittenham Conservation Area.

Development Plan Context

- 5.4 The longevity of the examination has seen a significant shift in local planning policy. For simplicity, I assess the most recently-submitted Plan against the current development plan context. The South Oxfordshire Local Plan was adopted in December 2020. It sets out the basis for future development in South Oxfordshire up to 2033.
- 5.5 The revised Basic Conditions Statement usefully highlights the key policies in the development 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 local planning policy context.
- 5.6 Long Wittenham is identified as a Smaller Village in the adopted Local Plan (Policy H8 and Appendix 7). In this context, housing allocations are not required. Any new development is required to protect local character and distinctiveness.
- 5.7 Paragraph 4.37 of the Local Plan provides a context to Policy H8. It comments as follows:

‘Smaller Villages, as defined in the settlement hierarchy (Appendix 7), have no defined requirement to contribute towards delivering additional housing (beyond windfall and infill development) to meet the overall housing requirement of South Oxfordshire. There is a sufficient supply of housing from strategic allocations and from existing planning permissions, which means that the less sustainable settlements will not be required to offset the housing requirement. However, some parishes may still wish to proceed with preparing a Neighbourhood Development Plan for example to achieve the protection afforded by allocating housing to fund projects they want to deliver or they would like to identify a specific type of housing bespoke to their village’s needs. The Council’s strategy therefore allows them to do so, provided that the levels of growth are commensurate to the size of the village.’

Within the overall context of the adopted Local Plan, it is clear that the review of the neighbourhood plan is seeking to bring forward a specific type of housing bespoke to its needs (in this case the delivery of a community hub). This is an important consideration in general terms, and in relation to the extent to which the level of growth is commensurate with the size of the village.

- 5.8 In summary, the emerging neighbourhood plan has taken account of the adopted Local Plan both in terms of its growth and delivery agenda in general terms. The neighbourhood plan process has sought to respond the changing strategic figures which have been considered as the Local Plan was prepared and adopted. 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 existing and emerging planning policy documents in the District. This is good practice and reflects key elements in Planning Practice Guidance on this matter.

Visit to the Neighbourhood Area

- 5.9 I visited to the neighbourhood area on 22 November 2018. I drove into the Plan area from Wallingford. This gave me the opportunity to see the neighbourhood area within its wider context. I parked by the Cross at the junction of High Street and Didcot Road. Given the compact nature of the village, I was able to carry out the majority of the visit on foot.
- 5.10 I looked initially at the parcels of land within the village allocated for the community hub and the housing allocation. I saw their relationship to the rest of the village in general terms. In particular I saw how their location on the opposite side of Didcot Road from the Westfield Road/Saxon Heath housing would bring about a natural reconfiguration of the format of the village. I looked at the potential impact of the proposed new developments on the character of the lane running to the south of High Street.
- 5.11 I then walked along the northern side of High Street. I saw a further variety of historic buildings including the Plough Inn, The Village Hall, the School and the Church. I spent some time in the Church. It offered a warm haven on a cold day. I was given a guided tour by the three people who were erecting a new brass plaque. I saw the lead font and heard about the way in which it was protected in the Cromwellian period. It is heartening to think that the next generation of children in the village will have the

opportunity to be baptised in a font that has been serving its purpose for nearly 900 years.

- 5.12 I then walked down Little Wittenham Road to the Wood Centre. I looked the recently-created Community Orchard to the south of High Street. The various trees were looking very healthy. They had clearly been very-well planted and were continuing to flourish.
- 5.13 When I previously visited Long Wittenham for the examination of the made Plan I was very taken by the quality of building maintenance and the general pride that had been taken in the local village environment. Nothing had changed since that visit and there were various additional projects underway. The overwhelming sense of quietness and tranquillity in the village was as evident as it was in May 2017.
- 5.14 I then looked at the western end of the village based on the Saxons Heath/Westfield Road area. I walked into Saxons Heath from the footpath to the north to Fieldside.
- 5.15 I finished my visit by driving to the eastern part of the neighbourhood area and into Little Wittenham. I took the opportunity to walk to the top of the Wittenham Clumps. This gave me a panoramic view of the Plan area in its wider landscape setting.
- 5.16 I visited the neighbourhood area again on 28 March. I was able to see the partially-completed housing development off Fieldside and how it would relate to the proposed community hub.

6 The Neighbourhood Plan as a whole

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 most-recently 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.

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 July 2021. 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 Long Wittenham Neighbourhood Plan Review:

- 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. It sets out a positive vision for the future of the neighbourhood area in promoting a community hub and supporting residential development within the context of its definition of a Smaller Village in the settlement hierarchy. It includes a series of policies that address a range of environmental and economic matters. 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 in Planning Practice. 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 new residential development within the proposed community hub site (Policy LW1). In the social role, it includes policies on the proposed community hub (Policy LW1), and on housing mix (Policy LW3). In the environmental dimension, the Plan positively seeks to protect its natural, built and historic environment. It has specific policies on its countryside setting (Policy LW4), protected views (Policy LW5), heritage assets (Policy LW6), and an ecologically sensitive area (LW9). This assessment overlaps with the Parish Council's comments on 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 the 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.

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 satisfy the regulations LWPC commissioned a Strategic Environmental Assessment (SEA) for the Plan as initially submitted. It is a well-designed and comprehensive document. Its findings inform the wider Plan (at that time) in general terms and Policy H1 and H3 (Community Hub and Housing Allocations). This Assessment has now been overtaken by changes which have taken place to the Plan.
- 6.16 The updated Plan was also accompanied by an updated SEA. It builds on the initial SEA. It follows a similarly comprehensive and effective approach. In particular, it takes account of the current position on heritage assets now that a scheduled monument is protected. In addition, it updates the assessment of alternative sites for the enabling residential development to bring forward the community hub. The long-list of potential site options comprises the nine sites assessed within the Site Allocations Evidence Paper (2018) and two areas of land assessed as part of the South Oxfordshire Housing and Economic Land Availability Assessment (2019). Table 5.1 screens the eleven 'sites' in order to identify those sites that did need not be progressed for further detailed consideration. On this basis, the SEA assessed nine potential development sites. Further details are included in the Site Allocations Evidence Paper.
- 6.17 Based on its assessment of the potential way in which housing sites could enable the development of the community hub, the SEA sets out two alternative options as follows:

Option 1 - a new community hub and enabling housing to the south of the village, specifically at that part of Site 2 outside of the scheduled monument. Crucially, the land owner is willing to make the land available to a developer at below market rates, such that only circa 40 – 45 enabling houses are required to facilitate a community hub onsite.

Option 2 - a new community hub and enabling housing to the west of the village, likely to involve Site 4 and the additional land to the west assessed through the South Oxfordshire HELAA

- 6.18 Section 6 of the SEA assesses the two options. Section 7 then sets out LWPC's preferred option as follows:

'Option 1 is the Parish Council's preferred option, in light of the assessment, which shows this option to perform well relative to Option 2. It is recognised that there are a

range of issues and likely impacts associated with Option 1; however, there will be the potential to avoid and mitigate impacts through the development management process, guided by policy within the RLWNP. There may nonetheless be residual negative impacts, perhaps most notably in respect of the historic environment, but the Parish Council believes that these are likely to be outweighed by the community benefits that will result from delivering a new community hub, and enabling the relocation of the school and village hall away from their current locations on the High Street.'

- 6.19 Section 9 of the SEA more broadly appraises the Plan against a wide range of matters arranged around the SEA Framework Headings (as set out separately in Appendix II of the SEA). It does so to good effect. Appendix III comments in detail about the historic environment in the neighbourhood area.
- 6.20 In the round, I am satisfied that the SEA is fit for purposes and meets the basic conditions. In particular I am satisfied about the way in which the SEA has addressed its responsibilities under the European Directive 2001/42/EC (on SEA) and how it conforms with the Practical Guide to the SEA Directive (Office of the Deputy Prime Minister 2005).
- 6.21 Lagan Homes raises several criticisms of the Plan both in general terms, and in relation to certain details in the SEA. I address these matters within the parts of this report which comment on Policy LW1.

Habitat Regulations

- 6.22 SODC prepared a Habitats Regulations Assessment (HRA) of the Plan (November 2018). It concludes that the submitted Plan is unlikely to have significant effects on a European site. The report is very thorough and comprehensive. In particular it assesses the likely effects of the implementation of the policies in the Plan on the Little Wittenham SAC. It concludes that the Plan will not give rise to likely significant effects on European sites, either alone or in combination with other plans or projects, and Appropriate Assessment is not required.
- 6.23 SODC prepared an updated HRA screening report in January 2022. It is an equally thorough report. It assesses the likely effects of the implementation of the Plan on the following protected sites:
- Little Wittenham SAC - approximately 1km away
 - Cothill Fen SAC - approximately 10 km away
 - Oxford Meadows SAC - approximately 14km away
 - Hartslock Wood SAC - approximately 16km away

It concludes that the neighbourhood plan will not give rise to likely significant effects on European sites, either alone or in combination with other plans or projects, and Appropriate Assessment is not required

- 6.24 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 Long Wittenham NDP Review– Examiner's Report

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.

Human Rights

- 6.25 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

- 6.26 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 the various policies 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 LWPC have spent time and energy in identifying the issues and objectives that they wish to be included in their Plan. The community has successfully marshalled the capacity to prepare a review of its 'made' neighbourhood plan to reflect changing circumstances. This sits at the heart of the localism agenda.
- 7.4 The Plan has been designed to reflect Planning Practice Guidance (41-004-20170728) which indicates that neighbourhood plans must address the development and use of land. It includes a separate Community Objective.
- 7.5 I have addressed the policies in the order that they appear in the submitted plan.
- 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 sections of the Plan

- 7.8 The Plan as a whole is well-organised and includes effective maps and photographs that give real depth and purpose to the Plan. The various photographs are particularly effective. The Plan makes an appropriate distinction between the policies and their supporting text. Its design will ensure that it will comfortably be able to take its place as part of the development plan in the event that it is eventually 'made'. The initial elements of the Plan set the scene for the policies. They are proportionate to the Plan area and the subsequent policies. There is a very clear focus on promoting a new community hub. This focus has resulted in a short and concise Plan. This follows on from the original (made) Plan which was equally sharp and focused.
- 7.9 The opening section on neighbourhood planning comments about the wider national agenda on this aspect of the planning system and how it has been developed in Long Wittenham. It identifies both the neighbourhood area and the Plan period. The section on the history of Long Wittenham provides a useful context to the way in which the past has influenced the current position of the village and shaped its future challenges.

- 7.10 Paragraphs 35-42 provide a very helpful Village Profile. It has a healthy focus on the population and its demographic breakdown. It concludes by commenting that its range of community services are now out of date or no longer optimally located or appointed. As such, the main driver of the submitted Plan is to improve the various services to enhance the village for the local community. This is clear and obvious in the various policies.
- 7.11 Paragraphs 43-62 set out the key challenges that have been addressed by the Plan. They are the Village Hall, the pre-school, the primary school, the lack of a shop, the lack of public transport, traffic and car parking and distance to services and reliance on the use of cars.
- 7.12 Paragraph 63 sets out a comprehensive vision for the Plan. Paragraphs 66 to 72 identify how that vision would be implemented.
- 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.

General comments on policies

- 7.14 In their different ways the policies in the Plan were updated in early 2022. In some cases, LWPC has refined the policies to take account of the questions in the initial clarification note and my preliminary findings based on the Plan as initially submitted in 2018.
- 7.15 For the purposes of this report I have assessed the Plan based on its most up to date version. Any relationship with the 2018 and 2019 versions of the NPPF are no longer relevant.

Policy LW1: Community Hub

The Policy Itself

- 7.16 This policy sits at the very heart of the Plan. It seeks to deliver a key part of the Vision of the Plan to deliver ‘a new community hub...conveniently located...which will provide a modern and well-equipped Village Hall that can accommodate a range of clubs and activities, perhaps contain a shop or café, host pop-up craft and food markets, and be the stage for public life in the village’. The approach taken is precisely the type of strategic community-driven development that can be included in neighbourhood plans.
- 7.17 The outline proposal for the community hub relates to the interplay between the three following sites (as shown in Figure 6):
- Didcot Road: the main hub site for a primary school, a village hall, playing fields, car parking and approximately 40-45 houses;
 - The school site: this would be subject to a land swap as enabling development; and
 - The village hall site: this would be redeveloped as 1-2 houses by the Parish Council and the funds used towards the costs of the new village hall.

- 7.18 The project plan for this ambitious proposal is detailed in paragraph 85 of the Plan. It includes information about delivery and phasing. It largely about the commercial arrangements between the various parties. Nevertheless, the details provide assurance to the statement in paragraphs 80-84 of the Plan that agreement has been secured between the Parish Council, the County Council (OCC), Oxford Diocese, the landowner and the development partner. In particular, they comment that legal agreements have now been drawn up between the parties. The development partner has an option to purchase the land to progress the Parish Council's objectives once planning permission has been received. The agreement only allows housing development in conjunction with the hub development. If the school closes in the future there will be a covenant that prevents OCC/Oxford Diocese selling the land for housing (paragraph 81). In addition, in August 2018, the Diocese and OCC agreed to move the school to the proposed new site, pay for relevant legal fees, to furnish the new school and to release the current school land to the developer working on behalf of LWPC for housing (paragraph 82).
- 7.19 The policy has four related components as follows:
- A – the balance of uses in the main hub site;
 - B – master planning requirements;
 - C – the need for a Heritage Appraisal and Impact Assessment; and
 - D – phasing
- 7.20 Part A sets out the main components of the community hub scheme. They are as follows:
- a primary school (c. 100 pupils and on land at least 1.34 ha in line with current standards) and pre-school with outdoor space to allow for potential expansion;
 - a Village Hall with ancillary activities such as café, shop, meeting spaces, performance space, and other community based recreational activities;
 - playing fields with ancillary development and infrastructure;
 - car parking sufficient for meeting the needs of the land uses set out above;
 - cycle and footpath linkages to the surrounding adopted, permitted and proposed network, maximising the potential of Footpath 287/5 to provide links between the site and the village centre and the countryside; and
 - the delivery of 40-45 houses (including affordable houses).
- 7.21 Part B of the policy sets out the requirement for an agreed masterplan for the development of the site. It has three important matters (design, parking/circulation and sustainable drainage). Part C of the policy sets out requirements for assessment work on heritage and archaeological matters. Part D of the policy comments about the phasing of the development in general, and the timing of the delivery of the non-residential elements of the community hub in particular.

Comments received on the policy

- 7.22 The policy has attracted support from local residents.
- 7.23 The policy in the revised Plan has now secured support from OCC and from Historic England. In both cases, earlier objections from the two organisations to the 2018 version of the Plan have been resolved by the revised Plan. In its comment Historic England recognise the significant work which LWPC has undertaken. It comments that:
- 'We are satisfied that all parties have worked diligently and in a spirit of cooperation to address our concerns and that the plan is greatly strengthened as a result. Few neighbourhood plans...have been required to deal with archaeological issues of greater complexity in the past decade and the steering group are to be commended for the outcome of this process. Basing our assessment on the finalised plan and the site assessments undertaken through the Strategic Environmental Assessment I am happy to confirm that we have no outstanding objections to the neighbourhood plan or strategic environmental assessment'.*
- 7.24 The policy has generated detailed objections from Reading University and Lagan Homes. The former is promoting a housing site off West Field/Saxon Way. The latter is proposing a housing site off High Street.
- 7.25 Reading University suggests that a contingency should be included in the Plan to address the possibility of the hub proposal not proceeding on the proposed site and that alternatives should be considered at that point. Plainly, only time will tell whether or not the ambitious proposal proceeds. I am satisfied that this approach would be entirely appropriate for two principal reasons. The first is that the community hub is so fundamental to the submitted Plan that the matter could not sensibly be considered by way of an alternative site outside the plan-making process. The second is that a formal review of the Plan would allow the issue to be properly and fully considered by all concerned. I recommend that this approach is included in the section of the Plan on monitoring and review.
- 7.26 Lagan Homes comments that the approach in the Plan has been pre-ordained and has jaundiced a range of other considerations. It also makes detailed comments about paragraphs 18-32 of the Site Assessment process and the wider viability of the community hub development.
- 7.27 I have considered carefully the comments made by Lagan Homes that the ambition to develop a community hub has jaundiced the approach towards identifying the enabling housing development. On the balance of the evidence in the Plan and the Evidence Paper: Housing Allocations, I am not persuaded that the approach taken has been jaundiced. I have reached this view for the following related reasons:
- LWPC commissioned an independent organisation to undertake the SEA;
 - both the SEA and the Site Allocations Evidence Paper identified and assessed nine potential sites;

- the site assessment process was iterative through the plan preparation process. In particular the most recent version of the Plan assesses the sites considered in the South Oxfordshire SHEELA (and which were not considered in the version of the Plan submitted in 2018); and
- the various sites were assessed against best practice for the preparation of neighbourhood plans.

7.28 I have taken particular account of Lagan Homes' suggestion that the way in which LWPC considered that the development of its proposed housing development off High Street (Site 9) was unreasonable due to its inability to engage with other parcels of land in the village. That approach would have merit in usual circumstances. However, as paragraph 32 of the Site Assessment Evidence Paper comments:

'Since the overall purpose of the hub is to make the village more sustainable, so that villagers will have more convenient access to necessary services on foot or near their homes, it has always been discussed within the village that the hub and the housing would be located on the same site. This has been assumed in all public consultation since the 2010 vision and it can be considered that the principle that there is a community preference for the hub and the housing to be co-located has been established.'

Whilst this statement is rather broad, it highlights the approach which has been taken to this aspect of the Plan. That approach is inherently sustainable for two reasons. The first is that it sets out to address the limited availability of community and commercial infrastructure in the neighbourhood area. The second is that the new housing development would in itself be conveniently located adjacent to the community hub.

7.29 In this wider context I have also taken account of Lagan Homes comments about the appropriateness of paragraphs 18-33 of the Site Assessment Evidence paper. I have concluded that this element of the Evidence Paper simply reinforces the comments which I have made in relation to the suggestion that the outcome of the process has been pre-ordained. In effect, paragraphs 18-33 of the Evidence Paper describe the process which has been followed to secure the package which currently exists between the parties concerned.

7.30 I have also considered the issue of viability very carefully. National policy is clear that development plan proposals should provide a degree of certainty that the development being proposed will be viable. Plainly this is important both in its own right and to ensure that the proposals in the Plan are capable of being delivered in order to meet strategic targets and ambitions.

7.31 In addressing this matter I have drawn on the content of PPG on viability insofar as it relates both to neighbourhood plans in general, and to the specific expectations for viability work. In the circumstances of the submitted Plan, the following elements of PPG are particularly relevant:

'Neighbourhood plans may also contain policies on the contributions expected from development, but these and any other requirements placed on development should

accord with relevant strategic policies and not undermine the deliverability of the neighbourhood plan, local plan or spatial development strategy’ (ID:41-005-20190509)

‘The role for viability assessment is primarily at the plan making stage. Viability assessment should not compromise sustainable development but should be used to ensure that policies are realistic, and that the total cumulative cost of all relevant policies will not undermine deliverability of the plan. It is the responsibility of plan makers in collaboration with the local community, developers and other stakeholders, to create realistic, deliverable policies. Drafting of plan policies should be iterative and informed by engagement with developers, landowners, and infrastructure and affordable housing providers.’ (ID:10-002-20190509).

‘Plan makers should engage with landowners, developers, and infrastructure and affordable housing providers to secure evidence on costs and values to inform viability assessment at the plan making stage. It is the responsibility of site promoters to engage in plan making, take into account any costs including their own profit expectations and risks, and ensure that proposals for development are policy compliant. Policy compliant means development which fully complies with up-to-date plan policies. (ID:10-006-20190509).

- 7.32 In this broader context, I am satisfied that the broader evolution of the Plan has addressed the delivery and the viability of the proposed community hub in a careful and responsible way. In general terms, the processes followed reflect the community-driven nature of the wider package. Plainly this presents different viability issues than those which would be associated with the delivery of a strategic housing allocation, and where the criteria associated with the policy and/or any developer contributions may make development of the site concerned unviable. In particular, I am satisfied that the wider package takes account of the collaborative arrangements which are in place between LWPC, OCC, the Oxford Diocese and the landowner. In addition, the letter from Thomas Homes attached to LWPC’s response to the clarification note provides assurance that the landowner’s development partner considers that the contents and details of Policy LW1 remain appropriate and will not hinder or impede the delivery of the community hub.

Other Matters related to the policy

- 7.33 Policy H8 of the Local Plan provides a context for the future development of smaller villages should the communities concerned wish to promote new development. It comments that a 5-10% increase in the number of houses would be appropriate. In this case, the increase (assuming 45 new houses were developed on the community hub site) would be from 325 houses in 2011 to 370 (a 14% increase). If this increase is added to the recent development of land off Fieldside (36 houses) the increase becomes 25%.
- 7.34 Plainly this increase is greater than that anticipated in the Local Plan. I have considered this matter very carefully. On the balance of the evidence, I am satisfied that the

approach taken in the Plan is in general conformity with strategic policies in the development plan. I have reached this conclusion for the following reasons:

- the housing element of the community hub proposal is enabling development to allow the community to achieve its wider ambitions for community facilities;
- the collaborative approach taken between the agencies concerned and the landowner will result in the development of the minimum number of houses required to deliver the hub;
- the mathematical increase is affected by the granting of planning permission for the Fieldside site. This was achieved on appeal and before SODC had adopted the Local Plan 2035;
- the desire to secure a community hub (with the associated houses) remains after the granting of permission for the Fieldside site; and
- whilst the delivery of new homes in the village exceeds the mathematical model set out in Policy H8 of the Local Plan this situation has not been repeated elsewhere in the District. In any event the delivery of new homes in Long Wittenham is not of such a scale as to affect the overall distribution of new homes in South Oxfordshire as anticipated in Policies STRAT 1 and STRAT2 of the Local Plan.

7.35 I am also satisfied that the proposed development of the community hub would sit comfortably within the wider context of the village. It will relate well to the recent residential development off Fieldside. In addition, the development of the site will consolidate the wider form and layout of the village in general, and provide a concentration of new development to the south of High Street and to the east of Didcot Road.

Analysis of the policy against the basic conditions

7.36 It is clear that the wider Plan has been underpinned by the community's wish to secure a new community hub. This approach is acknowledged in the Plan in general terms, and as a response to the limited range of facilities in the neighbourhood area in particular. In the round, I am satisfied that this approach is entirely appropriate. It is the key way in which the Vision of the Plan will be delivered.

7.37 In addition the policy reflects the government's approach to neighbourhood planning as set out in Planning Practice Guidance (PPG). Paragraph 41-001-20190509 of PPG comments that:

'Neighbourhood planning gives communities direct power to develop a shared vision for their neighbourhood and shape the development and growth of their local area. They are able to choose where they want new homes, shops and offices to be built, have their say on what those new buildings should look like and what infrastructure should be provided, and grant planning permission for the new buildings they want to see go ahead. 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.'

In my judgement the submitted Plan responds positively and correctly to this expression of national planning policy

- 7.38 Plainly this policy is at the very heart of the Plan. It is precisely the type of scheme which a neighbourhood plan has the ability to promote. In this context it is an excellent example of a local community working with statutory bodies and landowners to meet a range of identified community and social issues. It has attracted a significant degree of support from local residents (see Section 4 of this report). As described earlier in this report detailed measures are in place to secure the delivery of the hub through collaborative working arrangements. In this context I am satisfied that part A of the policy meets the basic conditions.
- 7.39 In relation to part B of the policy I am satisfied that the development should proceed on the basis of an agreed masterplan. In the absence of such an approach the clarity of delivery would be difficult to achieve. As submitted, the policy comments that three elements should be included in the masterplan as a minimum. I recommend the deletion of the 'minimum' element of the policy. In general terms it is unnecessary. In specific terms it offers no advice on any additional matters which should also be considered.
- 7.40 Part C of the policy appropriately sets out the need for specific assessment of heritage assets (including the scheduled monument). In the circumstances in which the Plan Review has been developed this is particularly important. However there is no direct association between the initial element of the policy and the various criteria. I recommend a very specific modification to remedy this matter. I also recommend the deletion of the first and second of the criteria to take account of work which has been undertaken since the Plan was submitted in its most recent form.
- 7.41 Part D of the policy comments in detail about phasing mechanisms. This is usually a matter for detailed planning permissions and/or associated legal agreements. I sought the views of LWPC on this matter. It commented as follows:
- 'The matters in LW1D are necessary and should be delivered in planning decisions. It is for this reason that they are included in the policy rather than the text. By including the wording within the policy, there is greater certainty that these matters will be included in any relevant planning decision letter and conditions. The Parish Council would prefer that this clause is retained in the policy.'*
- 7.42 On the balance of all the available evidence, I am satisfied that this element of the policy is appropriate for the Plan. It reflects the collaborative proposal which has come forward and the need for its sensitive and timely delivery. In particular, agreements are in place between the principal parties. In addition, LWPC provide a letter from Thomas Homes in its response to the clarification note. In its capacity as the landowner's development partners Thomas Homes confirmed that the proposed development was

viable and that it was content to proceed on the basis of the details in the policy in the Plan.

- 7.43 The elements of this part of the policy are written in an inconsistent fashion. Nevertheless, given that the exact number of houses to be delivered has yet to be determined, I can understand the inability of the policy to identify the development of any specific number of houses which would trigger the transfer of the educational elements of the scheme to either the County Council or the Academy involved.
- 7.44 OCC raise a series of detailed comments about the policy in its capacity as the owner of the existing school site and in relationship to its broader role in the community hub proposal. Where it necessary to ensure that the Plan meets the basic conditions, I recommend that OCC's comments are incorporated into the policy. In its response to the clarification note LWPC indicated its agreement to this approach.

In Part A replace d with:

'An appropriate level of pick up/drop off parking should be provided so that parking pressures on nearby roads are limited whilst also ensuring that high quality walking and cycling provision (including appropriately located/designed cycle parking) is provided in order to encourage the use of active modes of travel as opposed to private car usage.'

In part B of the policy delete 'as a minimum'

In part C of the policy add the following at the end of the first sentence: 'In particular:'

Thereafter delete criteria a and b and re-letter the remaining criteria.

Replace paragraph 46 with 'The adopted South Oxfordshire Local Plan 2035 policy TRANS3: Safeguarding of Land for Strategic Transport Schemes, safeguards land including for the widening of the A4130 at Didcot, Clifton Hampden Bypass, Didcot Science Bridge and Culham River Crossing'

In paragraph 53 delete the second sentence.

Replace paragraph 82 with: 'The final piece of the jigsaw was achieved at the end of August 2018 when the Diocese and Oxfordshire County Council agreed to move the school to the proposed new site and release the current school land to the developer working on behalf of the Parish Council for housing. In addition, the County Council has agreed to cover its own fees and the Diocese have also offered to meet the cost of furnishing the new school if it became an Academy, though to date the school has not become an Academy'

Policy LW2: Safeguarded Sites

- 7.45 Within the context set out for the development of the community hub in Policy LW1 this policy safeguards the school and the village hall sites for their part in the implementation of the community hub proposal. This policy has two parts. The first identifies their wider role in the community hub proposal. The second part supports the development of the two sites for other purposes only where they no longer required for housing purposes related to the community hub scheme.
- 7.46 I have set out earlier in this report that I am satisfied that Policy LW1 meets the basic conditions. By association, this policy serves a parallel purpose and also meets the basic conditions in general terms. I recommend the deletion of supporting text from Part B of the policy which comments on the cross-subsidisation element. This matter is already adequately address in paragraph 109 of the Plan. I also correct a spelling mistake in Part C of the policy.

In Part B of the policy delete ‘it may be argued.....Under these circumstances,’

In Part C of the policy replace ‘Where is’ with ‘Where it’.

Policy LW3: Housing Mix

- 7.47 This policy seeks to ensure that any new housing proposals coming forward should meet local housing needs with an appropriate mix of housing types. It is underpinned by the relevant Evidence Paper and feedback from the 2015 survey carried out as part of the ‘made’ neighbourhood plan. It requires that proposals for more than ten dwellings deliver affordable housing to development plan standards and an appropriate mix of houses to meet the community’s needs. A preference is identified for smaller houses as either starter homes or homes for those who wish to downsize.
- 7.48 The policy has been well-considered and developed. In general terms, it meets the basic conditions. The preference identified for smaller houses (at the end of section b) is based on information from the community survey. Nevertheless, I recommend that it should appear as supporting text rather than as a policy. By definition, a preference is different from a policy. In any event the ‘appropriate mix of housing types and sizes’ included earlier in the submitted policy may indeed generate the preference for smaller houses (based on evidence rather than preference).
- 7.49 I also recommend a detailed modification to the wording in the opening part of the policy.

In the opening part of the policy replace ‘will be required to’ with ‘should’

In criterion b of the policy delete the final sentence

Reposition the deleted part of the policy to the end of paragraph 114.

Policy LW4: Countryside

- 7.50 This policy addresses two related issues. The first is development in the countryside. The second is development within a defined Green Gap area which lies to the south of the village. The policy structure seeks to reflect that the Green Gap is, by definition, within the wider countryside.
- 7.51 The approach in the policy is underpinned by the supporting text and the associated Countryside Evidence Paper. The concept of the Green Gap relates to the proximity of the neighbourhood area to Didcot to the south. In particular it takes account of the Didcot Garden Town Delivery Plan (DGTDP) (October 2017).
- 7.52 I have considered the proposed Green Gap carefully. In doing so I have taken account of the representations of both SODC (in the Plan as initially submitted) and Reading University. In particular the University draws my attention to national policy and to the adopted development plan. In particular it comments that the Didcot Garden Town Delivery Plan is not part of the development plan.
- 7.53 Having considered all the relevant information I am not satisfied that, on balance, the inclusion of a green gap concept in the neighbourhood area meets the basic conditions. On the one hand, the DGTDP is a well-constructed and compelling document and sets out broad principles for the future development of Didcot. However, on the other hand it is not as development plan document. Furthermore, the approach to a potential green gap it is not included within the adopted Local Plan. In addition, I am not satisfied that either the Evidence Paper: Countryside or the Evidence Paper: Planning Policy include information which is so compelling as to justify the designation of a Green Gap between Long Wittenham and Didcot.
- 7.54 This conclusion is also reinforced by the details of the submitted policy where its approach is identical both generally and within the proposed Green Gap. In these circumstances, I recommend the deletion of any reference to the Green Gap in the policy. I also recommend consequential modification to the supporting text.
- 7.55 The policy itself takes a traditional approach towards development in the countryside. Nevertheless, in this case it has a negative approach. In addition, the language used ('generally resisted') does not have the clarity required by the NPPF. I recommend that the policy is modified to remedy these issues. The modifications also incorporate the following elements into the policy:
- the application of national and local planning policies to development proposals in the countryside;
 - the identification of the types of developments which would be an exception to this general approach; and
 - the separation of these types of development from the criteria with which they would be expected to comply.

Replace the policy with:

‘Proposals for development outside the built-up area boundary will only be supported if they are appropriate to a countryside location and are otherwise consistent with development plan policies.’

The following types of development will be considered as exceptions to this policy approach:

- **appropriate forms of residential development in the countryside identified in national and local policy including rural exception sites, limited infill rural workers dwellings, minor extensions and conversions of existing rural buildings; and**
- **the expansion of rural businesses which avoid unnecessary intrusion into the surrounding countryside;**

As appropriate to their scale, nature and location, development proposals of this nature should comply with all the following criteria as relevant to the site concerned:

- **they would conserve or enhance the adjacent North Wessex Downs Area of Outstanding Natural Beauty;**
- **they would not create unacceptable harm to the tranquillity of the countryside;**
- **they otherwise comply with Policy LW5 of this Plan;**
- **they would be closely associated with the existing built form of the village and are well integrated within the wider landscape; and**
- **where appropriate, they limit potential urbanising influences with tree and screen planting at the edge of settlements and other major features such as transport infrastructure.’**

In paragraph 124 delete ‘and so it will.... Green Gap policy’

Delete paragraph 128.

On Figure 8 change the title to ‘Development Constraints’ and remove the Green Gap area from both the map and the key

Policy LW5: Protected Key Views

7.56 This policy seeks to safeguard and protect three protected views. They are described in paragraph 130 and are shown in Figure 9. I looked at the views as part of the visit. The view from Wittenham Clumps towards the village was particularly interesting.

7.57 I am satisfied that the policy is appropriate and underpinned by the contents of the Countryside Evidence Paper. The protection of the views is important within the setting and context of the village and the wider neighbourhood area.

- 7.58 Paragraph 131/132 of the Plan describe LWPC’s views with regard to the ‘obstruction’ of the views as described in the policy. They are helpful in a general sense in terms of providing a context for eventual development management decisions.
- 7.59 I am satisfied that in principle the policy meets the basic conditions. However, within this context I recommend the following series of recommended modifications to ensure that the policy has the clarity required by the NPPF:
- identifying the views initially in the policy;
 - refining the wording about the way in which developments should safeguard the protected key views. In particular the Plan’s use of the word ‘obstruction’ is rather dramatic and it would be unlikely that any development would be of the scale or height that would ‘obstruct’ any of the views;
 - including an additional element of the policy to identify the outcome of development proposals which do not safeguard the key views; and
 - restricting the arc of the views in Figures 8 and 9 to land within the neighbourhood area. Whilst I acknowledge that the views concerned do not naturally respect administrative areas, a neighbourhood plan cannot comment on land outside the neighbourhood area.

Replace the policy with:

A. The Plan identifies three Key Views as follows:

[List A-C at this point from the submitted Plan]

B. The design, layout and massing of new development should take account of the Key Views and safeguard their significance in the neighbourhood area.

C. Development proposals which would have an unacceptable impact on an identified Key View will not be supported.

In paragraph 130 replace ‘obstruct’ with ‘have an unacceptable impact’

Replace paragraph 131 with: ‘For the purpose of development management decisions, an unacceptable impact would arise where a view corridor was originally “wide”, showing a broad vista over the area in question and this is unacceptably reduced. This would happen where the width of the viewable corridor becomes restricted either at the edges or within the vista to the extent that the difference is perceptible and noticeable to the viewer. There will inevitably be a range of how much harm takes place regarding individual developments, and this will be a matter for individual proposals to address. Therefore, there may be some instances where the impact is imperceptible, or perceptible but acceptable, to the viewer. However, as the level of impact increases, there will be a commensurate increase in the perception of harm to the view and the viewer’s enjoyment of the landscape.’

Replace paragraph 132 with: ‘Development proposals should pay particular attention to the protected views and should seek to avoid harm wherever possible. Where it is

likely that a development will have an impact on a protected view the planning application should consider the preparation of a Landscape and Visual Assessment to determine the level of harm and the available options for mitigation.'

In Figures 8 and 9 remove any elements of the three arcs which fall outside the Parish boundary (the neighbourhood area).

At the end of paragraph 132 add:

'Policy LW5 applies to the protected views insofar as they are within the designated neighbourhood area.'

Policy LW6: Heritage and Design

- 7.60 This policy sets out the Plan's approach to important heritage and design matters. The need for the policy is fully underpinned by the character of the neighbourhood area in general, and Long Wittenham village in particular. It has four related and overlapping elements.
- 7.61 In general terms the policy meets the basic conditions. Nonetheless I recommend detailed modifications to the policy on the following areas:
- the opening part of the second element of the policy so that it is more closely related to the development management process;
 - the format and inclusivity of the second element of the policy; and
 - detailed wording changes to parts C and D of the policy.

In Part B replace 'Design Decisions' with 'Development Proposals'

In Part B insert 'and' at the end of criterion g.

In Part C replace 'historic' with 'heritage'

In Part D replace 'possible' with 'practicable'

Policy LW7: Cycle and Footpaths

- 7.62 This policy has a focus on the provision of new cycle and footpaths. Its overall ambition is to improve walking and cycling opportunities between Long Wittenham and Clifton Hampden.
- 7.63 The policy has two parts. The first suggests that where development would lead to increased demand for sustainable transport, the proposals concerned should consider how they could make a proportionate contribution to the proposals in the Evidence Paper: Cycle and Footpaths. The second offers support to four proposals for new cycle and footpaths. They are identical to those in the Evidence Paper.

- 7.64 As submitted, the first element of the policy does not have the clarity required for a development plan policy. In essence, it would allow a developer to demonstrate how they would make a proportionate contribution to the proposals in the Evidence Paper and then decline to contribute. I recommend a modification to clarify this matter for development management purposes.
- 7.65 The text in bold at the end of this part of the policy refers the reader to the excellent Evidence Paper. However, for the purposes of simplicity I recommend a modification to replace the bold text with 'Policy LW7B'. The link to the Evidence Paper would remain in paragraph 144 of the Plan. On this basis, Part B of the policy would then both offer a supporting context to the four proposals in the evidence base and provide complete clarity as on the proposals to which developer contributions would be applied.
- 7.66 I also recommend a minor wording change to Part A of the policy to provide clarity and certainty.

In Part A of the policy:

- **replace 'proposals should demonstrate...Cycle and Footpaths' with 'proposals should make a proportionate contribution to the proposals in Part B of this policy'**
- **replace 'sustainable transport' with 'transportation infrastructure'**

Policy LW8: Off-street parking

- 7.67 This policy repeats the equivalent policy in the made neighbourhood plan. It requires new development to provide off site car parking to development plan standards.
- 7.68 The policy is underpinned by the supporting text. The parish has no bus service or railway station. As such many residents are dependent on the use of private cars. A variety of factors has resulted in the need for at least two cars per household. The policy meets the basic conditions.

Policy LW9: Ecologically Sensitive Sites

- 7.69 This policy identifies an ecologically sensitive zone to the south of Fieldside. The policy then sets out requirements for development proposals both in the Wittenham Special Area of Conservation and in the ecologically sensitive zone. The policy largely mirrors that in the 'made' Plan. The policy's approach towards the ecologically sensitive zone to the south of Fieldside is underpinned by the Roman Snails Evidence paper.
- 7.70 I recommend that the policy is modified so that it takes account of the language used in the most recent version of the NPPF. In this context it is clear that the policy's approach has been appropriately underpinned by research and has regard to the contents of paragraphs 179 and 180 of the 2021 version of the NPPF. The recommended modifications do not affect the overall approach or intentions of the submitted policy

Replace the policy with:

‘Development proposals within the immediate vicinity of the Wittenham Special Area of Conservation or the south of Fieldside (shown as the ecologically sensitive zone in Figure 13) should assess the ecological and heritage impact in a way which is proportionate to the development concerned. Where appropriate, the development proposal should include mitigation measures including the creation and linking of habitats.’

Community Objective

- 7.71 The Plan includes a community objective. It is not a land use policy. Nevertheless, it has arisen as part of the wider development of the Plan. It comments that developments which give rise to the need for off-site community infrastructure should consider the requirements identified in Evidence Paper: Infrastructure Project List as a starting point when considering mitigation.
- 7.72 I am satisfied that the objective is both appropriate and is underpinned by appropriate information in the Evidence Paper.
- 7.73 I recommend that the colouring in the Community Objective box is different to that used in the policy boxes elsewhere in the Plan. This will separate the Objective from the land use policies.

Use a different colour for the Community Objective box to that used for the policies elsewhere in the Plan

Monitoring and Review

- 7.74 The plan properly comments about the way in which the Plan will be monitored. Plainly this review of the Plan has arisen as a result of the monitoring of the effectiveness of the ‘made’ Plan
- 7.75 The Plan proposes a 12-month, 5 year and an end of Plan approach to monitoring. This is best practice. I recommend that the 5-year review element takes account of the potential need for a review of the Plan in the event that the community hub has not proceeded at that point. I also recommend that this section is expanded to take account of any changes which may arise in national policy in the Plan period. This was agreed by LWPC in its response to the 2022 clarification note. The expanded section should follow the design and use of colour as included in the submitted Plan.

At the end of paragraph 161 add: ‘In particular, the Parish Council will monitor the delivery of the community hub. If delivery is unlikely to proceed the Parish Council will consider a review of the Plan to identify the extent to which an alternative site can be secured for this important scheme.’

Add an additional section as follows:

Monitoring of the Plan against national policy

163. The Parish Council will monitor the effectiveness of the Plan against national policy. It will also assess the extent to which the Plan has regard to any changes which may arise to national policy. Where necessary, it will consider the need for a full or partial review of the Plan.'

Other Matters

- 7.76 This report has recommended a series of modifications both to the policies and to the supporting 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 LWPC 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.

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 2033. It is distinctive in addressing a specific set of issues that have been identified and refined by the wider community to safeguard the character of the neighbourhood area and to improve and enhance its community facilities. In addition, the Plan has been refined whilst the examination was taking place.
- 8.2 Following the independent examination of the Plan, I have concluded that the Long Wittenham Neighbourhood Development Plan Review meets the basic conditions for the preparation of a neighbourhood plan subject to a series of recommended modifications.
- 8.3 This report has recommended a variety of modifications to the policies in the Plan. Nevertheless, the Plan remains fundamentally unchanged in its role and purpose.

Conclusion

- 8.4 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 Long Wittenham Neighbourhood Development Plan Review should proceed to referendum.
- 8.5 I am required to consider whether the referendum area should be extended beyond the neighbourhood 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 approved by the District Council on 26 September 2014.
- 8.6 I am grateful to everyone who has helped in any way to ensure that this examination has run in a smooth and efficient manner. LWPC's persistence and dedication to the Plan over an extended examination period is commendable.

Andrew Ashcroft
Independent Examiner
10 May 2022