

Shiplake Neighbourhood Development Plan 2011-2035

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

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Executive Summary

- 1 I was appointed by South Oxfordshire District Council in December 2021 to carry out the independent examination of the Shiplake Neighbourhood Development Plan.
- 2 The examination was undertaken by written representations. I visited the neighbourhood area on 7 January 2022.
- 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 landscape character.
- 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 Shiplake 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
11 May 2022

1 Introduction

- 1.1 This report sets out the findings of the independent examination of the Shiplake Neighbourhood Development Plan 2011-2035 (the 'Plan').
- 1.2 The Plan has been submitted to South Oxfordshire District Council (SODC) by Shiplake Parish Council (SPC) 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, 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. 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.
- 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 neighbourhood 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 SPC, to conduct the examination of the Plan and to prepare this report. I am independent of both SODC and SPC. 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 as submitted proceeds 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 Character Appraisal and Design Guide;
- the Character Assessment;
- the appendices;
- the Parish Council's responses to the clarification note;
- the District Council's response to the clarification note;
- the representations made to the Plan;
- the adopted South Oxfordshire Local Plan 2035;
- the National Planning Policy Framework (July 2021);
- Planning Practice Guidance; and
- relevant Ministerial Statements.

3.2 I visited the neighbourhood area on 7 January 2022. 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 SPC 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 (February to July 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 Sections 5 and 6 of the Statement set 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;
 - the use of posters;
 - a questionnaire to all households;
 - drop-in sessions and village meetings;
 - pop up consultation sessions; and
 - detailed engagement with Shiplake School.
- 4.4 The Statement also provides details of the way in which SPC engaged with statutory bodies. It is clear that the process has been proportionate and robust. Many of the appendices either reproduce the materials used or summarise the findings of the various events and engagements. This is best practice. It also brings life, depth and interest to a statement of this nature which, by nature of its statutory role, can otherwise be rather descriptive.
- 4.5 Appendix 19 of the Statement provides specific details about 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 towards 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 7 December 2021. This exercise generated comments from the following organisations:
- South Oxfordshire District Council (Property)
 - South Oxfordshire District Council
 - Scottish and Southern Electricity Network
 - Coal Authority
 - Network Rail
 - Natural England
 - Thames Water
 - Chilterns Conservation Board
 - Historic England
 - Victoria Land
 - Oxfordshire County Council
 - Bolney Court Inc
 - Phillimore Estate
- 4.9 Comments were also received from 35 local residents. In general, they support the Plan.
- 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.

5 The Neighbourhood Area and the Development Plan Context

The Neighbourhood Area

- 5.1 The neighbourhood area consists of the parish of Shiplake. It extends from the banks of the River Thames across the A4155 up to its boundaries with Eye & Dunsden, Binfield Heath and Harpsden. It is located about two miles to the south of Henley-on-Thames. Shiplake comprises two distinct and separate ‘small villages’ - Shiplake Cross (which includes the historic village of Shiplake) and Lower Shiplake. Its population in 2011 was 1954 persons living in 679 houses. It was most-recently designated as a neighbourhood area on 3 May 2019.
- 5.2 The two principal settlement in the neighbourhood area have their own characteristics. Lower Shiplake is the larger of the two settlements and has a railway station and a range of retail, commercial and community facilities.
- 5.3 The remainder of the parish is attractive countryside. In the east it is dominated by the River Thames. In the west it is dominated by the Chilterns Area of Outstanding Natural Beauty.

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 Shiplake Plan:

Policy STRAT 1	The Overall Strategy
Policy H8	Housing in the Smaller 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 two settlements are identified as ‘smaller settlements’ in the adopted Local Plan (Appendix 7).
- 5.6 Policy H8 of the Plan addresses development in such villages. Paragraph 4.37 of that Plan comments that smaller villages ‘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'.

- 5.7 Policy ENV1 of the Plan addresses landscape and countryside matters. It offers specific commentary on the protection to be given to the Chilterns Area of Outstanding Natural Beauty, the protection to the general countryside and the role of economic growth in rural areas. This policy has helped to provide a general context to some of the specific policies in 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. 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 7 January 2022.
- 5.10 I drove into the neighbourhood area from Henley to the north. This gave me an initial impression of its setting and character in general, and the context of its wider setting. Throughout the visit I looked at the landscape character of the neighbourhood area both generally and within the context of the proposed Parish Landscape Character Areas as proposed in Policy SV9 of the Plan.
- 5.11 I looked initially at Lower Shiplake. I walked along Station Road and took in its character as described in the Character Appraisal. I walked into the village centre and then onto the railway station. I took the opportunity to walk along Bolney Road and saw that it had a very different character to that of Station Road and the built-up part of the village to the west of the railway line.
- 5.12 I then walked up Northfield Avenue and followed the footpath through the paddock areas at the northern end of the Avenue. I saw that they were separated by internal fences. I saw the new houses being built off the A4155 and to the south west of the footpath. I then drove round other parts of the village along Mill Road, New Road and Crowsley Road so that I could more fully understand its character.
- 5.13 I then drove to the Shiplake Memorial Hall in Memorial Avenue. I saw its scale and significance and the very interesting plaque of 1925 explaining the construction of the Hall. This part of the visit helped me to understand the various community facilities policies in the Plan more fully. I then took the opportunity to look at the wider landscape to the north of Memorial Avenue. I saw the significance of Shiplake Woods, the wider

setting of the Chilterns AONB to the west and its associated Open Dipslopes (as described in the Plan).

- 5.14 I then looked at the scale and the significance of the Primary School and then continued to drive along Plough Lane. I looked carefully at the proposed element of semi-enclosed dip slope to the south and west of Plough Lane leading up to Plough Farm.
- 5.15 I then spent some time in Church Lane to the south of the A4155. I saw the well-treed nature of the Lane as it leads down to St Peter and St Paul Church. I saw the scale and significance of Shiplake College in this part of the parish.
- 5.16 I finished my visit by driving to Caversham. This highlighted the wider landscape setting of the neighbourhood area within the River Thames valley and its relationship with other settlements.

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.

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 Shiplake 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 series of policies based on its landscape and environmental character. 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 is reinforced in Planning Practice Guidance 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 SV1) and for employment development (Policy SV4). In the social role, it includes policies on the Memorial Hall (Policy SV16), on community facilities (Policy SV17) and on village centre improvements (Policy SV23). In the environmental dimension, the Plan positively seeks to protect its natural, built and historic environment. It has a batch of policies on a range of matters including specific policies on settlement character (Policy SV8), on the separation of settlements (Policy SV8a) and on valued landscapes (Policy SV9). SPC 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 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 comply with this requirement, SODC undertook a screening exercise (November 2019) 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, SODC concluded that the Plan is unlikely to have any significant effects on the environment and accordingly would not require a SEA. It reaches this conclusion on the basis that the Plan's policies aim to support sustainable development that will not adversely impact on the rural nature of the villages and do not allocate any sites for housing.

Habitat Regulations

- 6.16 The 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.
- 6.17 The HRA report is both thorough and comprehensive. It takes appropriate account of the significance of the Chilterns Beechwoods and the Burnham Beeches SACs. It provides assurance to all concerned that the submitted Plan takes appropriate account of important ecological and biodiversity matters.
- 6.18 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.

Human Rights

- 6.19 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

- 6.20 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 The 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 SPC 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. The Plan includes a separate section which addresses Community Aspirations.
- 7.5 I have addressed the policies in the order that they appear in the submitted plan. Where necessary I have identified the inter-relationships between the policies. I comment on the Aspirations after the policies.
- 7.6 For clarity, this section of the report comments on all policies whether or not I have recommended modifications in order to ensure that the Plan meets the basic conditions.
- 7.7 Where modifications are recommended to policies they are highlighted in bold print. Any associated or free-standing changes to the text of the Plan are set out in italic print.

The initial section of the Plan (Sections 2-5)

- 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 and thorough fashion. It makes a very effective use of well-selected maps. A very clear distinction is made between its policies and the supporting text.
- 7.9 The Introduction (Section 2) addresses the background to the neighbourhood planning agenda. It comments about how the Plan has been prepared and how it will be used within the Plan period. It introduces the concept of the basic conditions. It comments on when the neighbourhood area was designated and includes a map of the defined area (Figure 1). It also comments about the broader development context within which the Plan was prepared and how the Plan will be monitored and reviewed in the event that it is 'made'. Whilst the Plan identifies the Plan period on the front cover, I recommend that it is included in the text for clarity.

At the end of paragraph 2.2.1 add: 'The Plan period is 2011-2035. This corresponds with that of the South Oxfordshire Local Plan'

- 7.10 Section 3 describes keys elements of the neighbourhood area. It does so in a very effective fashion. It is comprehensive in its coverage and includes information on:
- the demography of the parish
 - its landscape character; and
 - its environment and heritage.

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

- 7.11 Section 4 comments about the key issues which have been identified as the Plan has been prepared. They form the chapter headings for the resultant policies.
- 7.12 Section 5 sets out a Vision for the Plan. It also highlights the links between the Plan's objectives and its resultant policies. The table in paragraph 5.3.3 highlights both graphically and effectively the connections between the vision, the objectives and the policies.
- 7.13 The remainder of this section of the report addresses each policy in turn in the context set out in paragraphs 7.5 to 7.7 of this report.

Policy SV1 - Infill Development

- 7.14 This policy sets out a spatial strategy for the neighbourhood area. It comments that within the built-up area of the villages, infill development and redevelopment of previously developed land or buildings will be supported, subject to compliance with other applicable policies.
- 7.15 The policy seeks to bring a local interpretation of Policy H16 of the adopted South Oxfordshire Local Plan. It comments that 'within Smaller Villages and Other Villages, development should be limited to infill and the redevelopment of previously developed land or buildings. It also identifies that 'infill development is defined as the filling of a small gap in an otherwise continuous built-up frontage or on other sites within settlements where the site is closely surrounded by buildings. The scale of infill should be appropriate to its location'.
- 7.16 The submitted Plan makes reference to the built-up area of the villages. This follows on from the work undertaken in the Character Appraisal. The specific definition of the built-up area of the villages follows very clear and obvious boundaries. However, whilst it is shown indirectly on other figures in the Plan (and which themselves are reproductions of maps from the Character Appraisal), it is not directly identified in the Plan. I recommend a modification to remedy this matter by way of a specific figure in the Plan on this matter. The details are shown in Appendix A of this report. It will bring the clarity required by the NPPF. I also recommend that the supporting text is modified to make reference to the definition of the built-up areas and the relevant figure.
- 7.17 The representation from Victoria Land contends that the policy is not in general conformity with Policy H16. I have considered this matter very carefully. However, I am satisfied that the submitted policy is in general conformity with the strategic policies in

the development plan. I have reached this conclusion for three principal reasons. The first is that Victoria Land have referred only to the second part of Policy H16 of the Local Plan which largely defines infill development. It fails to take account of the first part of that policy which identifies that ‘within Smaller Villages and Other Villages, development should be limited to infill and the redevelopment of previously developed land or buildings.’ It is important that the policy is read as a whole. The second is that there has been no direct challenge to the definition of the boundaries of the built-up areas of the two villages. The third is that the policy is a positive and supporting policy – it simply comments that infill proposals will be supported within the built-up areas of the two villages. In particular it makes no comment about development elsewhere in the parish or suggests that all new development will be confined within the built-up areas (as defined).

- 7.18 Paragraph 6.2.39 of the Plan draws attention to the relationship between the policy in the submitted Plan and relevant policies in the Local Plan. However, it offers commentary beyond the scope of Policy SV1 of the submitted Plan by referring to the way in which its application would protect the local landscape and natural environment. This is the role of other policies in the submitted Plan. As such, I recommend the deletion of specific wording in paragraph 6.2.39 so that it is consistent with the remit of Policy SV1.

At the end of paragraph 6.2.36 add: ‘The built-up areas are shown on Figure [insert number]’

In paragraph 6.2.39 delete ‘protecting the local landscape and natural environment’

Insert the additional figure into the Plan (as shown in Appendix A of this report) showing the definition of the built-up areas of the two villages. Renumber the figure numbers in the overall Plan as required.

Policy SV2 – Rural Housing

- 7.19 This policy consolidates the approach taken in Policy SV1. In this case it comments that the development of additional dwellings in the open countryside will only be supported if they are necessary or suitable for a countryside location, they are consistent with the policies of this Plan and the development plan and as defined in the NPPF from time to time. In this context, I sought advice from SPC on the extent to which the policy would bring any added value beyond that already provided by national and local policies. It commented that the policy:

‘...is complementary to national and local policies because the policy directly links the landscape or rural character of the countryside or area of valued landscape, in which a parcel of land is located, to the NPPF paragraph 80 exceptions. Recognition of the quality of the landscape in the Plan area is central to the Neighbourhood Plan. Landscape policies underpin the approach to all development outside the villages in the Plan area, and therefore the policy adds a ‘locally-specific’ layer of detail that is not covered in the Local Plan or at a national policy level (see NPPF paragraph 80 and Local Plan policies H10, 16, 17, 18 and 19)’

- 7.20 On the balance of the evidence, I am satisfied that the policy has been carefully considered. Whilst it has clear overlaps with national policies (and indeed has regard to those policies) and to local policies (with which it is in general conformity) it adds a specific dimension which addresses the approach that SPC has taken in the Plan on landscape matters.
- 7.21 However the supporting text does not fully clarify this matter. This would be helpful in its own right. It would also help to ensure that the casual reader and/or potential developer would be clear about the interrelationship between the various policies. I recommend accordingly.
- 7.22 Several developers and landowners comment that this policy is either restrictive or unnecessary. I have considered this matter very carefully. On the balance of the evidence, I am satisfied that the approach taken is both appropriate and well-considered. This is particularly the case as the adopted Local Plan does not explicitly require smaller villages to contribute to the delivery of the District's overall strategic housing target. As such the policy meets the basic conditions.

At the end of 6.2.34 add: 'Policy SV2 of the Plan has a very specific development management function. At the same time, it cross-references with policies elsewhere in the Plan and refines the approach taken towards the landscape character assessment (Policy SV9) and the Shiplake villages' character appraisal and design guide (Policy SV 24).'

Policy SV3 – Conversion of buildings in the countryside

- 7.23 This policy comments that proposals for the conversion of buildings outside the built-up area of the settlements, including works necessary to facilitate the conversion, should be sympathetic to the existing form, scale and character of its location and be appropriate to its rural context. It also comments that opportunities to better reveal any historic fabric or traditional building form and layout will be supported. More generally it comments that proposals should respond to the character of both the built and natural environment.
- 7.24 The policy has been very well considered in general terms. I recommend the deletion of the final section of the policy which very generally comments that any such proposals should comply with other development plan policies and policies in the neighbourhood plan. This approach is unnecessary. In any event the majority of the submitted policy has regard to national policy and is in general conformity with the strategic policies in the development plan. As such I recommend its deletion.

Delete the final part of the policy.

Policy SV4 – Employment Development

- 7.25 This policy has a sharp focus on employment development. It comments that proposals for Class E uses will be supported where they meet a series of criteria. It also comments that proposals for the change of use of any employment facilities to non-

employment uses will be supported where the proposal complies with the employment policies of the development plan.

- 7.26 The criteria in the first part of the policy are both well-considered and distinctive to the parish. I recommend a series of detailed modifications to ensure that the policy meets the basic conditions. In particular I recommend the deletion of the reference to the former Class B1 of the now replaced Use Classes Order. Otherwise, it meets the basic conditions. It will contribute towards the delivery of the economic dimension of sustainable development.

In the initial part of the policy remove the footnote link and the footnote itself.

In the first bullet point replace ‘significantly’ with ‘unacceptably’

In the final bullet point replace ‘They’ with ‘they’

Policy SV5 – Dwelling Statement

- 7.27 This policy requires that proposals for new build residential development shall be accompanied by a ‘Dwelling Statement’ identifying how the proposed accommodation will meet the specific housing needs of the villages.
- 7.28 I sought advice from SPC on the way in which had prepared the policy. I also sought advice on the extent to which it is a land use policy or a process matter in relation to the information needed to be included in planning applications. SPC commented that:
- ‘the origin of this policy was to require a ‘statement of housing need’, indeed that was the original title of the draft policy. This issue was raised at the Regulation 14 stage and (see p.252 of the Consultation Statement) the response provided stated that the policy sought to ensure that the housing that is provided within the (neighbourhood) area meets the needs of the villages. Reference was made to the adjacent Henley & Harpsden Neighbourhood Plan policy H3 (‘made’ in 2016), which contains similar provisions’*
- 7.29 I have considered all the evidence very carefully on this matter. Whilst I can see that SPC has sought to relate this policy to its wider package of housing policies and has followed the approach in another made Plan, I am not satisfied that the approach in this case meets the basic conditions. In particular the Plan has chosen not to allocate housing sites. As such it might be reasonable to conclude that most housing proposals in the Plan period will be of a modest scale and will reflect the specific needs of the applicant or landowner. In contrast, the made Henley and Harpsden Plan actively promoted housing allocations in the Plan and the relevant policy applied only to developments of ten or more dwellings. In these circumstances I recommend that the policy is deleted

Delete the policy.

Policy SV6 – Dwelling Extension

- 7.30 This policy addresses proposals for house extensions. It comments that extensions to existing dwellings will be supported where they are designed taking into account the guidance in the Character Appraisal and Design Principles. It adds that proposals should not lead to over-development of the site.
- 7.31 The policy has been well-considered. It builds on the approach taken in the adopted Local Plan by specifically requiring development proposals to respond positively to the Character Appraisal and Design Guide. This is an excellent local response to the design agenda in Section 12 of the NPPF. I recommend modifications to the first sentence of the policy so that it sets out in a clear fashion the requirements for new development and the relationship with the excellent Character Appraisal and Design Principles.

Replace the first sentence of the policy with:

‘Proposals for extensions to existing dwellings will be supported where they respond positively to the guidance in the Character Appraisal and Design Principles.’

Policy SV7 – Replacement Dwellings

- 7.32 This policy sets out detailed guidance for replacement dwellings. In general terms the policy offers support to such proposals. It has four separate sections which identify the exceptions to this approach, the relationship of the policy to other policies in the Plan, the potential effect on neighbouring properties and detailed arrangements for the demolition of the building to be replaced.
- 7.33 SODC raise a series of issues on the policy. In general terms, it has concluded that elements of the policy are onerous and address a level of detail which is not included in either national or local planning policies. It also comments that the policy’s approach with regards to listed buildings does not have regard to national policy. SPC has responded in detail to SODC’s representation. I have taken account of all the evidence very carefully.
- 7.34 On the listed building issue, I am not satisfied that the first bullet point of the initial part of the policy meets the basic conditions. It fails to take the approach in Section 16 of the NPPF in relation to the relationship between the status of a listed building and the nature of any harm which may be caused by the development proposal concerned. The second bullet point correctly relates to national policy in its reference to heritage assets (and which include listed buildings). In these circumstances, the first bullet point is largely unnecessary. On this basis, I recommend the deletion of the first bullet point.
- 7.35 The third part of the policy seeks to safeguard the amenity of neighbouring properties and to retain the existing degree of separation between the buildings concerned. Paragraph 6.3.44 provides a distinctive and compelling explanation for the approach taken. I recommend a series of detailed modifications to this element of the policy so

that it has the clarity required by the NPPF. Nevertheless, its overall approach remains unchanged.

- 7.36 The final part of the policy comments in significant detail about the way in which the original building should be demolished (within one month) once the replacement dwelling is constructed. I have taken account of SPC's comments on this issue. Nevertheless, I am neither satisfied that the policy is needed nor that it meets the basic conditions. The timescale for the removal of an original building is one which a local planning authority (here SODC) will approach on a case-by-case basis. In any event the issue will be controlled by way of a planning condition and is not directly a policy matter. In these circumstances, I recommend that this part of the policy is deleted. Paragraph 6.3.45 describes the purposes of the fourth part of the policy. As such I recommend that it is also deleted.

Delete the first bullet point of the policy

Replace the third part of the policy with:

'Replacement dwellings should be designed and positioned to safeguard the amenities of neighbouring residential properties. In particular they should seek to maintain the previous amount of separation to either side of the new dwelling. The inclusion of additional planting between the replacement dwelling and its neighbouring properties will be particularly supported provided it does not lead to an unacceptable loss of daylight or it creates overshadowing for any of the properties concerned.'

Delete the fourth part of the policy.

Delete paragraph 6.3.45.

Policy SV8 – Settlement Character

- 7.37 This policy seeks to ensure that all new development proposals should demonstrate how they preserve or enhance the features which define the character of the parish. It comments that proposals should identify the way in which they consider the recommendations of the Landscape Character Assessment and Character Appraisal.
- 7.38 The policy has a rather general nature. I sought SPC's comments on the extent to which it was needed or could be incorporated into other policies. It commented as follows:

'The policy has been crafted to provide an over-arching requirement that all development proposals requiring planning permission / listed building consent etc. demonstrably have due regard to their local landscape and / or built form context. This is really important to the Parish Council because it seeks to ensure that the policy brings an element of local distinction to the decision-making process.'

- 7.39 On the balance of all the evidence, I am satisfied that the policy is appropriate in its current format. It reflects the wider work which SPC has carried out in relation to the landscape of the parish and the associated character assessment.
- 7.40 I recommend that the approach taken in Policy SV22 on Design and Access Statements is incorporated both into the policy and its supporting text. This will achieve two related outcomes. The first is that it will provide the necessary clarity to Policy SV8 as required by the NPPF. The second is that it will signpost developers to the importance of capturing some of the principles as set out in this policy in the associated design and access statements required as part of the associated planning application.

Replace the policy with:

‘Development proposals should demonstrate both generally, and in their Design and Access Statements in particular, how they would preserve or enhance the features which positively define the character of the Parish, and the ways in which they have addressed the relevant recommendations of the Landscape Character Assessment and Character Appraisal.’

Relocate the contents of paragraph 6.6.9 to the end of paragraph 6.4.85 and in that section replace ‘SV22’ with ‘SV8’.

Policy SV8a - Separation of Settlements

- 7.41 This policy follows on from the previous policy. In this case it comments that development proposals should respect the rural landscape setting of the neighbourhood area and preserve the distinctive separation between the settlements of Shiplake Cross and Lower Shiplake. It identifies specific types of agricultural development which would fulfil this purpose. The final section identifies the way in which other proposals should demonstrate how they would comply with the policy.
- 7.42 In general terms, I am satisfied that the policy fulfils a clear purpose. The separation of the two main settlements is an important part of the overall character and attractiveness of the local landscape. Nevertheless, in order to bring the clarity required by the NPPF, I recommend modifications to the second and third parts of the policy. In relation to the second part the modification acknowledges that not all of the development anticipated by the policy would need planning permission. It also removes from the policy its subjective element (which loosely refers to development that might benefit local communities). In relation to the third part of the policy the modification brings the clarity required by the NPPF given that the submitted policy offers no guidance on the nature of other ‘appropriate’ uses. I also recommend that the definition of any potential harm to the visual separation between the two settlements is more clearly defined. This will bring the clarity required by the NPPF.

Replace the second part of the policy with:

‘Insofar as planning permission is required, proposals for agricultural development, allotments and other open land uses that would preserve the

physical and visual separation between settlements and the retention of their individual identities will be supported.'

Replace the third part of the policy with:

'Development proposals for other land uses on the land between the two settlements should be accompanied by a landscape and visual impact assessment which demonstrates that the proposal will not unacceptably detract from the physical or visual separation of the settlements'

Policy SV9 – Valued Landscapes

- 7.43 This is an important policy in the context of the wider Plan. It reflects the landscape focus of the overall approach taken by SPC in its preparation. The policy is underpinned both by the Character Appraisal and Design Guide and by the Character Assessment. The Character Assessment is the principal study on the issue of landscape character. Kirkham Landscape Planning Limited and The Terra Firma Consultancy Limited were commissioned by SPC to undertake this task.
- 7.44 The Plan proposes a number of valued landscapes on figure 15. The Parish Landscape Character Areas (PLCA) are as follows:
- River Thames Meadows and Terraces (PLCA 1);
 - Shiplake Woods (PLCA 2);
 - Shiplake Semi-Enclosed Dipslopes (PLCA 3); and
 - Shiplake Open Dipslopes (PLCA 4).
- 7.45 The policy comments that development proposals should ensure the characteristics which define the landscapes as valuable are reflected in development proposals. It also comments that proposals for development appropriate to a countryside location will be supported where they do not adversely impact on the purpose or qualities of the valued landscapes.
- 7.46 The supporting text summarises the four proposed PLCAs as follows:

River Thames Meadows and Terraces

This area contains a number of landscape types which run alongside and are connected by the River Thames. These include flat open areas of floodplain under pasture, wooded river cliffs and terraces and the remnant parkland associated with riverside residences taking advantage of higher ground and views. The area is considered to contribute to the settlement character of Lower Shiplake and Shiplake Cross and to the separation of these settlements by making a major contribution to the riparian character of the eastern edge of the built-up area of Lower Shiplake, with its open meadows, Lash Brook, and tree enclosed railway line.

Shiplake Woods

Shiplake Woods includes Upper Hailey Wood and Lower Hailey Wood (both ancient woodland). It is located on the middle Chiltern Dipslopes within the Chilterns AONB.

The wood has an unspoilt rural landscape character and includes areas of ancient woodland. The area is considered to contribute to the settlement character of Lower Shiplake and Shiplake Cross and to the separation of these settlements through the open landscape above Shiplake Cross and Lower Shiplake, which forms the undeveloped setting for Shiplake Woods along its eastern edge. The woods are visible from the edge of Shiplake Cross (Memorial Avenue) and provide a strong visual link from this area to the Chilterns AONB.

Shiplake Semi-Enclosed Dipslopes

The area is distinguished by its role in wrapping around the two settlements and Shiplake College retaining a distinct pastoral and domestic landscape setting to these villages. The landscape strongly contrasts with the adjoining settlement-built form, even where there is very low-density development as off Mill Lane. These are also clearly separated from the built-up areas by the mature boundaries which reflect the historic pattern of tree lines in the area. They ensure that Lower Shiplake and Shiplake Cross retain their distinct settlement pattern and 360° rural setting. The fields closest to the villages retain strong connectivity, both visually and physically with their rural neighbours, whilst the openness of the pastoral fields contribute equally to the rural character as the mature tree and hedgerow boundaries

Shiplake Open Dipslopes

The area forms part of the open farmed plateau above the Thames valley river cliff and below the wooded Chilterns to the north-west. It has a strong rural character with limited views of the settlement edge of Shiplake Cross and limited views of the buildings within Lower Shiplake. There are long views to the east and south east and across the Thames River valley to the wooded Bowsey Hill; with open rural settings of the farmsteads Shiplake Farm and Haileywood Farm. This is an open landscape with strong visual and landscape links to the adjacent Chilterns AONB/ Shiplake Woods.

- 7.47 For each PLCA the Plan identifies a series of key development and visual guidance principles which are themselves drawn from the Character Assessment.
- 7.48 The policy in general, and the proposed designation of PLCAs in particular, has attracted representations from the development industry (Victoria Land, Bolney Court Inc and Phillimore Estate). In general, terms the representations comment that:
- the widespread application of PLCAs is disproportionate to the significance of the local landscape;
 - the neighbourhood area is not designated in whole or in part as a valued landscape in the South Oxfordshire Local Plan;
 - the concept of a semi-enclosed dip slope (as identified in PLCA 3) is not an unusual landscape or one worthy of identification as a valued landscape; and
 - there are some pockets of low-density housing development in certain parts of PLCA 3.

The representation from Bolney Court Inc includes a detailed critique of the Character Assessment.

- 7.49 In specific terms, the overlapping representations from Victoria Land and Phillimore Estate comments specifically about land south and west of Plough Lane in Shiplake. The representations comment that the land is bounded by built development on several sides and it is separate and distinctive from the surrounding landscape.
- 7.50 The representation from Bolney Court Inc comments specifically about the Kiln pits to immediate north of Lower Shiplake. In detail the representation contends that ‘the designation of valued landscape is neither appropriate to the PLCA 3 Landscape Character Area as a whole or to the land owned by Bolney Court Inc specifically: it neither contributes to the character and appearance of the AONB or the Thames Valley landscapes; nor has any high intrinsic landscape value. It is therefore a blunt tool’
- 7.51 I have looked at the details of this policy and its evidence base in considerable detail. In particular, I have read the Character Assessment and considered the various representations very carefully. I also spent time during the visit looking at the various landscape elements.
- 7.52 The Character Assessment gets to the heart of this important matter and is based on detailed research and evidence. As Section 2 (Objectives) comments the Assessment has been designed and prepared on the following premises:
- to identify and describe the variation in the character of the landscape across Shiplake Parish within four PLCAs which exhibit particular combinations of elements and features (characteristics) that make these landscape areas valued and distinctive. The study goes on to make land management and development recommendations for each PLCA;
 - the boundaries of these PLCAs are based, as a starting point, on the wider landscape character types identified in the South Oxfordshire Landscape Character Assessment 2017 and then on detailed desk-based and fieldwork assessment. The Study also considers the visual characteristics of the Parish; key views and vistas, landmark features, important skylines and particular sensitive visual receptors; and
 - the study takes into account the locations of ecological, heritage and recreational assets but does not include detailed studies of these topics. However historic landscape characterisation by Oxfordshire County Council has been used to further understand landscape surviving patterns derived from the historic landscape.
- 7.53 In this context, I am satisfied that the identification of valued landscapes within the submitted Plan is appropriate in principle notwithstanding that there are no equivalent designations within the parish identified in the adopted Local Plan. There is no reason why a qualifying body cannot address such matter where it produces the necessary information and evidence and where the outcome remains in general conformity with the strategic policies in the development plan.
- 7.54 I am also satisfied that the Character Assessment takes a detailed and professional approach to the matter. Section 5 of the report comments in significant detail about the identified landscape types. In addition, it takes a robust approach as identified as follows in its paragraph 2.5:

'the Study assists the Plan in its identification of valued landscapes within the Parish outside of the Chilterns AONB. The Study identifies landscape and visual features of value in each area which collectively form the physical attributes which define valued landscapes within the Neighbourhood Plan Area. The Study does not start with the premise that all landscapes are valued (as falling within NPPF para 170) but through careful examination of those features shared with the AONB or identified as worthy of conservation and enhancement in the SODC Landscape Character Assessment 2017 (in accordance with the Landscape Institute's Guidelines for Landscape and Visual Impact Assessment version 3 paras 5.26 to 5.31), identifies those areas that meet the criteria for valued landscapes.'

- 7.55 This matter is further consolidated in SPC's response to the question in the clarification note about the methodology used to prepare the Character Assessment as follows:

'The methodology is not set out as a separate stand-alone section of the document but the approach taken is clearly set out throughout the document in accordance with best practice within Natural England's 'An Approach to Landscape Character Assessment' October 2014 and in so far as it is relevant GLVIA3. Experience of many landscape character assessments shows that it is common practice to define characteristics of a local landscape character area and go onto identify valued attributes. It is then a matter of judgment whether these together define the character area as a local valued landscape as in the NDP. The approach in the NDP was to assess the sub-areas spatially in their context and with regard to the inter-relationship of landscapes; and to assess whether they had sufficient attributes of value (including the special qualities of the AONB and Thames corridor); to assess the collective effect of their valued attributes; and the extent to which they displayed valued attributes recognised in published documents. The methodology included both a top down (context and published guidance) and bottom up (detailed site assessment) approach. There was no presumption that any area would be defined as valued which only arose once the process had been completed. The valued attributes are clearly set out and summarised with the reasons for definition as valued local landscape set out under each Parish Landscape Character Area (PLCA)'

- 7.56 In summary I am satisfied that proposed PLCAs 1, 2 and 4 display the landscape and visual features of value which define valued landscapes within the neighbourhood area. These conclusions are not disputed by any of the organisations which make comments on the Plan. In their different ways PLCAs 1, 2 and 4 describe and capture key elements of the overall character and appearance of the wider parish. PCLA1 and 4 respectively address the River Thames Meadows and Terraces and the Open Dipslopes which characterise the eastern and western parts of the neighbourhood area.
- 7.57 In contrast, in my judgement the identification of PLCA 3 (Semi-Enclosed Dipslopes) as a valued landscape is less clear-cut. Paragraph 7.48 of this report has already set out the general representations on this matter. Paragraphs 7.49 and 7.50 also summarise the specific representations which relate to two parcels of land within the proposed PLCA 3. They are two of the three distinctive and separate parcels of land within proposed PLCA3 as follows:

- a parcel of land between the two villages and to the south and east of the A4155;
- the parcel of land off Plough Lane; and
- the three paddocks to the immediate north of Lower Shiplake (known as the Kilnpits).

7.58 In the broader context of the clarification note, I sought comments from SPC on the various representations. In response to the representation from Victoria Land/Phillimore SPC commented:

'This plot of pasture land is not that small and is bounded by open fields to the south and open fields and a farmstead to the west. The farmstead is a rural landmark which benefits from its open setting including this site. The settlement of Shiplake Cross lies to the north-west only. With reference to the Assessment Figure 2, it can be seen that areas of former semi-enclosed dipslope in the SODC Landscape Assessment have been altered through the loss of hedgerows, so that they are now more akin to the open fields of PLCA4. The NDP Assessment made that adjustment, which left the land at Plough Lane the sole remaining piece of semi-enclosed dipslope landscape west of Shiplake Cross. This does not devalue its worth and its rural character.'

7.59 With regard to the representation from Bolney Court Inc, SPC commented:

'With the recent permissions, Kilnpits sits next to more urbanising development to the west and abuts the village of Lower Shiplake to the south; but it retains its open rural character which is reinforced by the open landscape character of the land to the north and the wooded landscape to the east. There is a high level of intervisibility with the land to the north, not only in winter but also in summer, which reinforces the rural qualities of Shiplake and also those of the open landscape to the north. It is typical of the balance of open pasture, wooded area and tree cover of the Semi-enclosed Dipslopes which extend eastwards in PLCA3; and westwards outside of the Parish on the far side of the Thames Farm, merging with the AONB (see Assessment Figure 2). The loss of this part of the semi-enclosed dipslopes landscape to development at Thames Farm should not set a precedent for further losses in PLCA3. As part of PLCA3, Kilnpits makes a contribution to both the AONB and River Thames landscape. It is also key to a strong sense of rural transition experienced in walking from the river (along the Thames Path) along Bolney Lane up to the AONB at Woodlands Road.'

7.60 I have considered all the evidence available to me as part of the examination and taken account of my observations of the landscape characteristics in the parish. On the balance of the evidence, I have concluded that the proposed PLCA 3 does not display the quality of landscape features to warrant its identification as a valued landscape. I have reached this conclusion for three overlapping reasons.

7.61 The first is that whilst the parcels of land are pleasant and attractive areas of countryside in their own right, and are within the wider setting of the AONB, they do not display the same high quality landscape characteristics as those in the proposed PLCAs 1, 2 and 4. By definition, valued landscapes need to be sufficiently distinctive from the general countryside to warrant such designation. This approach has also been taken by planning inspectors in recent decisions in this part of the parish. In my view

this is not the case with regard to the proposed PCLA3. The character area is not untypical of many other parts of South Oxfordshire.

- 7.62 The second is that the parcel of land between the two villages proposed within PLCA 3 includes several houses to the immediate south of Lower Shiplake. Whilst they are low-density in their character and are associated with extensive trees and other greenery, they introduce a concentrated element of built environment which is not typically associated with valued landscapes.
- 7.63 The third is that the two smaller parcels of land within proposed PLCA 3 are slightly divorced from the wider landscape in which they are generally located. In the case of the three paddocks to the north of Northfield Avenue they are separated from the wider area to the north of Lower Shiplake by the tree-lined Bolney Lane. In the case of the land at Plough Lane its relationship with the wider landscape is affected by the proximity of the complex of buildings at Shiplake Farm to its west.
- 7.64 In taking this view about the two sites, I am aware that the respective representations suggested that the Plan allocates those sites for residential development. Nevertheless, my comments and conclusions relate solely to the appropriateness or otherwise of the two sites being identified as valued landscapes within the wider definition of PLCA 3 in the Plan. They should not be taken as offering any direct or indirect comments on their suitability for residential development.
- 7.65 I have also considered the appropriateness and/or feasibility of taking a different view of the three individual components which make up PLCA3 (and as addressed in paragraph 7.57 of this report. On balance, I have concluded that this would not be appropriate as each area is affected to a lesser or greater extent by the first of the three general reasons (as set out in paragraph 7.61) which have caused me to conclude that the proposed PLCA 3 does not display the quality of landscape features to warrant its identification as a valued landscape. In doing so, I acknowledge that the larger bulk of PLCA 3 as proposed in the Plan overlaps with the Plan's intention to maintain separation between the two settlements. Nevertheless, the submitted Plan includes its own policy on this matter (Policy SV8a). In addition, other policies in the development plan would contribute towards this ambition.
- 7.66 The policy has three related parts. The first identifies the valued landscapes. The second comments that development proposals should ensure the characteristics which define the landscapes as valuable are reflected in the proposals, including:
- the retention of the distinct rural character of each of the valued landscapes;
 - the role they play in providing a setting to the AONB;
 - the intrinsic character and beauty of the countryside;
 - the important contribution the landscapes make to the distinctive character; and identity of the settlements of Shiplake Cross and Lower Shiplake.
- 7.67 The third part of the policy comments that proposals for development appropriate to a countryside location will be supported where they do not adversely impact on the purpose or qualities of the valued landscapes.

- 7.68 In the context of my earlier conclusion about the appropriateness of the identification of PLCA 3 as a valued landscape I recommend its deletion from the policy. I also recommend consequential modifications to the supporting text. I am satisfied that the description of PLCA3 can remain in this part of the Plan with necessary additions to the text to identify that as a result of the work on the Character Assessment that PLCAs 1, 2 and 4 were identified as valued landscapes.
- 7.69 Otherwise the policy meets the basic conditions. It is an impressive and locally distinctive policy which captures the essence and attractiveness of the local landscape.

In the first part of the policy delete the third bullet point (Semi-Enclosed Dipslopes)

Replace paragraph 6.4.22 with: 'Following assessment, landscape character areas 1, 2 and 4 have been found to be valued landscapes as set out in the NPPF 2021 (with more details set out in the relevant section of the Landscape Character Assessment) or an Area of Outstanding Natural Beauty.'

Replace paragraph 6.4.33 with: 'It is considered to be an interesting example of where this AONB landscape type extends down into the Thames Valley and creates a pastoral, rather than wooded setting, to the river landscape.'

Policy SV10 – River-related development

- 7.70 This policy reflects the importance of the River Thames to the character of the parish. It comments that development proposals adjacent to the River Thames should protect and enhance the waterside character, heritage value and setting, and will provide physical and visual links with the surrounding areas (including views along the river).
- 7.71 The policy sets out a series of criteria with which development proposals adjacent to the River Thames should comply. The criteria are both well-considered and distinctive to the parish. I recommend that the wording of the sentence immediately preceding the criteria should be modified so that it reads as a policy approach rather than an instructional style. The recommended modification also ensures that the policy can be applied on a proportionate basis.
- 7.72 The third criterion requires that individual proposals 'carefully managing the proliferation of river-based and riverside recreation and leisure activities.' Whilst the intention of the approach is clear it implies that a developer has control over the activities of others. In any event, the wider ambitions of this criterion are already secured by the other criterion. As such, I recommend its deletion.
- 7.73 I recommend detailed modifications to fourth and the final bullet points to bring the clarity required by the NPPF.
- 7.74 The final part of the policy comments that the planning authority (SODC) will seek financial contributions from new developments through planning obligations towards improving the quality of the riverside environment including river infrastructure, open spaces, biodiversity, rights of way, and links to the riverside from the surrounding area. I have considered the representation from SODC and the response from SPC very

carefully. Whilst I acknowledge SPC's point that the policy refers to planning obligations and not the use of CIL funding, this part of the policy is effectively a process rather than a land use matter. In addition, there is no specific need for a policy to attempt to address how SODC may react to any particular application for riverside development. In any event, the absence of a policy would not prevent SODC seeking planning obligations from individual proposals. As such, I recommend the deletion of this part of the policy.

In the initial part of the policy replace 'Development proposals will promote and enhance the use of the river and the riverside by:' with: As appropriate to their scale, nature and location development proposals should promote and enhance the use of the riverside by:

Delete the third bullet point.

In the fourth bullet point delete '(wildlife corridor)'

In the final bullet point replace 'significant adverse' with 'unacceptable'

Delete the final part of the policy.

Policy SV11 – Important Views

- 7.75 This policy consolidates the approach already taken in Policy SV9. It identifies a series of important views. The policy comments that development proposals should preserve or enhance the local character of the landscape and through their design, height and massing should recognise and respond positively to the various Important Views. It also comments that development proposals which would have a significant adverse impact on an identified Important View will not be supported.
- 7.76 The views are shown in Figure 21 of the Plan. They are based on the same views shown on the various plans in the Character Appraisal (arranged on a PLCA-by-PLCA basis) and collectively in its Figure 15. Based on the evidence available and my own observations when I visited the parish, I am satisfied that the various views are both appropriate and take account of the landscape character and appearance of the parish. SODC comment that several of the views are multi-directional and capture extensive parts of the parish. In more traditional circumstances this may have been inappropriate. However, within the Open Dipslopes in particular this approach is entirely understandable and properly takes account of the character of the parish.
- 7.77 The policy itself has been carefully-designed. Its second part takes a positive and non-prescriptive approach and places an appropriate emphasis on the design, height and massing of new development proposals in preserving the character of the parish and the identified views. The third part of the policy points out the implications of development proposals which do not follow this approach. The policy meets the basic conditions.

Policy SV12 - Dark Skies and Lighting

- 7.78 This policy sets out a detailed and well-researched approach to the important matter of dark skies and lighting. It is clear that it is a key element of to the character and appearance of the parish. The first part of the policy is both lengthy, technical and is set out in a single sentence. I recommend that the policy is broken down into its individual components. This will ensure that the policy has the clarity required by the NPPF.
- 7.79 I also recommend modifications to the opening element of the second part of the policy and to one of the criteria. The former brings the clarity required by the NPPF. The latter reflects the comments made by SODC, will more clearly apply to the development management process and will relate to the modified language recommended for the opening element of this part of the policy.

Replace the first part of the policy with:

‘Development proposals should conserve and enhance relative tranquillity in relation to light pollution and dark night skies.

Development proposals should also demonstrate that they meet or exceed the Institute of Lighting Professionals guidance and other relevant standards or guidance (CIE 150:2003 Guide on the Limitation of the Effects of Obtrusive Light from Outdoor Lighting Installations), or any equivalent replacement/updated guidance for lighting within environmental zones.

Development proposals have regard to the following hierarchy: [List a-c as included in the submitted policy]’

Replace the opening element of the second part of the policy with:

‘Development proposals which include lighting should ensure that:’

In the second part of the policy replace d) with ‘building designs should avoid large areas of glazing which would result in light spillage into rural and unlit areas’

Policy SV13 – Biodiversity Net Gain

- 7.80 This proposal concentrates on biodiversity matters. It has a specific focus on biodiversity net gain. The second part of the policy sets out five specific measures against which development proposals will be assessed.
- 7.81 As SODC point out in its representation, the national agenda on biodiversity net gain has now progressed since the Plan was submitted. The Environment Bill 2019 is now the Environment Act 2021. However, the 10% net gain requirement in the Act has not yet come into force and the date at which this becomes a mandatory requirement will be set out in separate regulations along with any exceptions to the 10% requirement. In these circumstances, I recommend that the initial part of the policy is simplified given that national legislation is now partly in place to address the ambition of the policy.

Within this context, I also recommend that the policy's title refers simply to Biodiversity rather than Biodiversity Net Gain. As submitted, the policy's title largely ignores the important elements in its second part.

- 7.82 I also recommend that the opening element of the second part of the policy is recast so that it better applies to the development management process. In particular it will provide appropriate advice to developers. In addition, its wording will allow it to be applied on a proportionate basis. As submitted, it had a universal effect which would not realistically apply to minor and domestic planning applications which will continue to make up the bulk of applications received in the parish.

Replace the first sentence of the policy with: 'As appropriate to their scale, nature and location, development proposals should seek to deliver biodiversity net gain.'

Set out the remainder of the policy as a free-standing second element.

Replace the second sentence with: 'In addition, and as appropriate to their scale, nature and location, development proposals should respond positively to the following matters:'

In a replace 'Avoidance' with 'The avoidance' and replace the two uses of 'shall' with 'should'

In e replace 'shall' with 'should' and 'feasible' with 'practicable'

Change the title of the policy to 'Biodiversity and Wildlife'

Policy SV14 – Landscaping and Greening of the Environment

- 7.83 This policy takes a comprehensive approach towards defining guidelines for development which would lie within or adjacent to the Green and Blue Infrastructure Network as shown on Figure 14 (and described in the supporting text). It has three related parts. The first sets out development requirements for such proposals. The second offers support to proposals which would enhance the Infrastructure Network. The third part offers support for development proposals which would expand the Network.
- 7.84 I am satisfied that the second and third parts of the policy meet the basic conditions. I recommend modifications to the first part of the policy on two related matters. The first clarifies the expectations for new development. The second simplifies the process and makes it applicable to the determination of planning applications.

Replace the first part of the policy with:

'As appropriate to their nature and scale, development proposals on land that lies within or adjoining the Green and Blue Infrastructure Network (as defined on figure 14) should incorporate landscaping schemes, layouts, public open space provision and other amenity requirements arising from the development (such as pedestrian and cycle connections) which will maintain or enhance the

visual characteristics and biodiversity of the Network and will contribute to or where practicable improve its connectivity and maintenance.'

Policy SV15 – Preservation and Protection of Trees

- 7.85 The policy sets out a series of criteria with which proposals affecting trees should comply. They include tree surveys and appropriate replacement schedules. The policy takes a comprehensive approach to this matter
- 7.86 I recommend a series of modifications to the policy. They will ensure that the policy can be applied on a proportionate basis to the proposal concerned. I also recommend modifications to the final element of the policy to take account of the details provided by SODC on the nature of the replacement tree requirements. It acknowledges that smaller replacement trees offer the best opportunity for longevity and effective initial growth.

Replace the opening element of the policy with:

'As appropriate to their scale, nature and location development proposals should'

Replace the final component of the policy with:

'Where it is practicable to do so, infill development proposals should incorporate new trees using larger planting stock (8-10 cm) girth at 1m above ground level. The new trees should consist of a mix of broadleaf and coniferous tree species with no more than 20% of any genus and no more than 10% of a particular species on the site.'

Policy SV16 – Memorial Hall enabling development

- 7.87 This policy celebrates the importance of the Memorial Hall to the local community. It comments that proposals for development which secure the long-term future of the Memorial Hall will be supported.
- 7.88 As submitted, the policy offers no guidance about the nature of the development proposals which might be supported by the policy. In its response to the clarification note SPC commented that:

'It is not possible at this stage in the process to determine what scale, nature and location of enabling development would be lawful having regard to the CIL Regulation 122 tests. The Parish Council is not in discussion with any third parties to bring forward any such enabling development at this point in time; however, the policy has been drafted to enable future proposals to be brought forward with support in principle provided that the scale, location and nature of the development satisfies the strict criteria for enabling development, the development Plan policies and the CIL Regulation 122 tests.'

- 7.89 I have considered this policy very carefully. As submitted, it offers little parish-based details beyond those already captured in the Community Infrastructure Levy Regulations. In these circumstances, I recommend that the policy is reconfigured so

that its focus is on improvement works to the Memorial Hall itself. I also recommend that the supporting text incorporates SPC's ambitions for potential enabling development (as captured both in the submitted policy and in paragraphs 6.5.64 to 6.5.68) and makes reference to the opportunities for SPC to use the local element of any CIL receipts on improvements to the Hall.

Replace the policy with:

'Insofar as planning permission is required proposals for the improvement of the Memorial Hall will be supported'.

Replace the opening part of paragraph 6.5.66 with:

'Consequently, the policy has been developed to provide a context within which proposals can come forward for the improvement of the Hall. Funding for such improvements could be secured from a variety of sources. This may include the Parish Council's use of the local element of any monies secured through the Community Infrastructure Levy. At this stage no specific proposals are being considered. However, there is the potential that the Hall could be directly supported through 'enabling development'. Historic England defines 'enabling development' as:'

Policy SV17 – Infrastructure/Community facilities

- 7.90 The policy comments that proposals for the redevelopment of a building or land that comprises or accommodates a community facility will not be supported unless it can be shown that the facility is no longer viable, is no longer needed, or can successfully be relocated within the relevant settlement. The policy identifies the facilities to be safeguarded by the policy.
- 7.91 The policy has been well-considered. It acknowledges the importance of community facilities to the well-being of the parish. The identified community facilities have been carefully chosen.
- 7.92 The policy meets the basic conditions. It will contribute towards the delivery of the social dimension of sustainable development.

Policy SV18 – Infrastructure/Community aspirations

- 7.93 This policy comments that active support will be given to development where it secures the provision or funding of infrastructure that directly mitigates the effects of the development. A list of the priorities is set out in Section 7.1 of the Plan.
- 7.94 In its response to the clarification note SPC provided some additional commentary on the purpose behind the policy as follows:

'Policy SV18 is directly related to mitigating the impacts of development. The principle of development mitigating its own impacts is the basis for planning obligations and the Community Infrastructure Levy being secured. Many of the community's aspirations for the area (see Section 7.1) are land use planning related aspirations which may be necessary in order to mitigate the effects of future development and therefore the link

between the two is sensible and logical in the Parish Council's view. Reference could be made in the policy to all mitigation having to meet the CIL Regulation 122 tests if it would assist in adding clarity to the purpose behind the policy.'

- 7.95 In the round the policy continues the approach taken elsewhere in the Plan. In particular it provides a useful connection to the community aspirations in Section 7 of the Plan. In this context it meets the basic conditions.

Policy SV19 – New Development and Highway safety

- 7.96 This policy comments that new development should allow for sufficient off-road parking in accordance with Oxfordshire County Council standards and not adversely impact levels of safety particularly for pedestrians and cyclists.
- 7.97 The policy reflects the approach taken by both SODC and Oxfordshire County Council on these matters. I recommend detailed modifications to ensure that it has the clarity required by the NPPF.

Replace 'not adversely impact levels of safety particularly for pedestrians and cyclists' with 'not have an unacceptable impact on the safety of pedestrians and cyclists'

Policy SV20 – Rights of Way and Cycle Network

- 7.98 This policy comments about how development proposals which affect rights of way or the cycle network in the Plan area will be determined. It identifies four criteria to assist in the determination process.
- 7.99 SODC suggest a range of modifications to the policy and to which SPC responded during the examination. On the balance of the evidence, I am satisfied that the wider approach taken in the policy is appropriate and reflects the evidence base included in the Plan. The policy also acknowledges the importance of such matters in the parish. However, I recommend a series of modifications to ensure that the policy is less prescriptive. Whilst this is not intended to detract from the wider approach in the policy, it acknowledges that there may be circumstances where a wider planning judgement has to be made. In particular, some footpath diversions can be successfully incorporated into new development proposals.
- 7.100 Finally, I recommend the deletion of the fourth criterion. It is largely an expression of the status quo rather an element of the policy which provides any guidance to a potential developer. In any event, proposals for the enhancement of existing networks are addressed in Policy SV21.

Replace a with: 'Proposals which would result in the obstruction or urbanisation of a public footpath, bridleway or cycle way will not be supported.'

Replace b) with: 'Proposals which would unacceptably harm the following characteristics of existing public rights of way and the cycle network will not be supported:'

- **Safety;**
- **Directness;**
- **Access and Connections;**
- **Attractiveness; Convenience;**
- **Associated and adjacent landscape features such as trees and hedgerows.'**

In c replace 'shall' with 'should'

Delete d

Policy SV21 – Cycle Network, rights of way, footpaths and other routes

- 7.101 This policy continues the approach taken in the previous policy. It comments that proposals which enhance the network of public rights of way, cycle ways, footways and footpaths will be strongly supported provided they avoid or minimise the loss of mature trees and hedgerows and use materials that are consistent with a rural location. It also comments that proposals should seek, where possible, to create cycle paths so as to provide safe and effective routes across the parish and where possible join up with National Cycle Way.
- 7.102 In general terms the policy takes an effective approach to this matter. Nevertheless, I recommend a series of modifications to ensure that it has the clarity required by the NPPF. In the first part of the policy, I recommend the deletion of the unnecessary 'strongly'. In the second part of the policy, I recommend that 'possible' is replaced by 'practicable'.
- 7.103 I also recommend the deletion of the third part of the policy on developer contributions. It describes a process rather than a policy matter. In any event, the issue is already adequately addressed in the supporting text (paragraph 6.5.71).

In the first part of the policy delete 'strongly'

In the second part of the policy replace 'possible' with 'practicable'

Delete the third part of the policy.

Policy SV22 – Design and Access Statements

- 7.104 The policy comments that Design and Access Statements should draw upon the guidance in the Character Appraisal and Landscape Character Assessment reports that support the Neighbourhood Plan.
- 7.105 In the clarification note I sought advice from SPC on the extent to which the policy was supporting text for other policies in the Plan. SPC commented that:

'Paragraph 6.6.9 of the Plan explains the rationale for the policy and the requirements that are expected when applicants have to prepare and submit design and access statements. This builds upon the key elements in the Design Guide that is found at the end of the Shiplake Villages Character Appraisal and it reflects the objectives contained in Local Plan policy DES3. The intention of the policy is to focus developers'

minds on the locally distinctive aspects of the area's character when developing their proposals rather than simply adopting a standard approach to design that may not reflect the locality but may still be an Oxfordshire or South Oxfordshire character. This is critical because the local vernacular in South Oxfordshire differs from village to village'

- 7.106 I have considered this matter very carefully. The approach taken reflects SPC's ambition to bring forward distinctive development in the parish. It helps to consolidate the approach taken in Policies SV8 and 25. Nevertheless it describes the contents of a process (a design and access statement) rather than being a land use planning policy. In addition, I have already recommended that the approach proposed in Policy SV22 (and paragraph 6.6.9 of the Plan) is incorporated into Policy SV8 (in paragraph 7.40 of this report). As such, I recommend that the policy and the associated element of ST is deleted as a free-standing policy.

Delete the policy.

Delete paragraph 6.6.9.

Policy SV23 – Village Centre Improvements

- 7.107 This policy has a sharp focus on the two village centres. It has two related points. The first is that development proposals in the identified centres should maximise opportunities to improve parking provision, highway safety for pedestrians, cyclists and road users and to create spaces that encourage social interaction and access to local shops and public houses. The second is that proposals have regard to the guidance and Design Principles for the village centres as set out in the Character Appraisal.
- 7.108 I recommend that the first part of the policy is modified so that it clarifies the slightly loose reference to the 'appropriateness' of the development proposals concerned.

Replace the opening part of the policy with:

'As appropriate to their scale and nature, development proposals in the identified village centres should maximise opportunities to:'

Policy SV24 – Special Character Areas

- 7.109 This is an important element of the Plan. It is based on the very impressive work undertaken on the Character Appraisal and Design Guide. That work identifies twelve Character Areas. Figures 23 and 24 of the Plan show the individual character areas and special character areas identified within the Character Appraisal. The Plan comments that in the Special Character Areas landscape planting will be particularly important and will focus on the use of native species where appropriate.
- 7.110 The policy comments that development proposals within Residential Areas of Special Character will be supported where their size, scale, layout, type, siting, detailed design and appearance are compatible with the special character of that Area in terms of the features, characterises or elements which are particularly distinctive to the

neighbourhood area. The policy also includes component elements about key features/landmarks trees and hedgerows.

- 7.111 The policy is a major achievement of the Plan. The Character Appraisal is an impressive response to the national policy at paragraphs 127-129 of the NPPF 2021. The Character Appraisal and Design Guide recommendations are also at Appendix 6 to the Plan.
- 7.112 The policy is an excellent example of a very bespoke neighbourhood plan policy. It is evidence-based. It meets the basic conditions. It will contribute to the delivery of the environmental dimension of sustainable development in the Plan period.

Policy SV25 – Building Materials/Design/Density/Layout

- 7.113 This policy continues the design-led approach taken in the previous policy. In this case it comments that new development, extensions, alterations and replacement dwellings should be to a high standard of design and in keeping with the character of the area. It comments that proposals should demonstrate how they address the matter in the Shiplake Villages Character Appraisal (as summarised in Appendix 6 of the Plan).
- 7.114 The policy also identifies a series of criteria which proposals should address as appropriate to the details for the relevant area in the Character Appraisal.
- 7.115 In general terms, the policy takes an excellent approach to this matter. In particular, it will provide detailed guidance to developers as they prepare specific proposals. In this context it adds value to and complements the approach already taken in the adopted Local Plan.
- 7.116 In order to bring the clarity required by the NPPF, I recommend the following detailed modifications:
- a refinement to the wording used in the initial element of the second part of the policy;
 - the repositioning of the element of the policy about construction details to the supporting text to acknowledge that it is a process rather than a policy matter; and
 - refinements to the wording used in the third and fourth parts of the policy.
- 7.117 Otherwise, the policy meets the basic conditions. It will contribute towards the delivery of the environmental dimension of sustainable development.

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

Delete the final bullet point in the schedule in the second part of the policy

In the third part of the policy replace ‘will be expected to demonstrate compliance’ with ‘should comply’

In the fourth part of the policy replace ‘involving’ with ‘which incorporate’

At the end of paragraph 6.6.17 add: ‘New developments should minimise the impacts of the construction arrangements on the amenity of local residents by way of lorry movement, deliveries, working times, lighting, parking of contractor’s vehicles, wheel washing provision and street cleaning. In some cases, this can be achieved through the agreement of a Construction Management Plan.’

Policy SV26 – Pre-application requirements

7.118 This policy encourages the use of pre-application discussions before significant development proposals are submitted. It defines significant development proposals. It also identifies the issues which should be considered in those discussions.

7.119 Pre-application discussions are an important element of the development management process and can assist significantly in the development of high-quality applications. I sought advice from SPC on the extent to which the issue addressed was a process rather than a land use policy. In its response, SPC commented that:

‘No policy could require applicants to engage in pre-application discussions with the Parish Council and LPA, but the purpose of policy SV26 is to signpost the benefits of early engagement, and the range of issues that will need to be considered in developing significant proposals in the Plan area. The detail contained in the policy bullet points complements Local Plan policy DES1 and, together with the suite of design policies and guidance in the NP and the associated Design Guide, will help to ensure high quality development is achieved in the NP area in the future. It has the ability – together with the other NP design policies – to ensure a locally-relevant approach to development is adopted by developers which draws on national and local planning policy but which is distinctly relevant to the Shiplake Villages area.’

7.120 I have considered this issue very carefully. SPC’s ambition to achieve high-quality development is commendable and relates positively to the design agenda in Section 12 of the NPPF. Nevertheless, it is process matter rather than a land use policy. In these circumstances I recommend that the policy is deleted and that its contents are reproduced at the end of paragraph 6.6.18 of the Plan. I have also recommended other modifications elsewhere in the Plan to draw attention to the clear and obvious benefits of engaging in pre-application discussions.

Delete the policy.

Relocate the contents of the submitted policy to the end of paragraph 6.6.18 (as additional supporting text).

Community Aspirations

7.121 The Plan includes a package of Community Aspirations. They are non-land use issues which have naturally arisen during the plan-preparation stage. They are included in a separate part of the Plan (Section 7) as advised by national policy.

7.122 The various Aspirations are as follows:

- Ensure that pavements are maintained in good serviceable order and are provided to facilitate safe pedestrian access around and between the villages
- Examine the feasibility of a pedestrian crossing of the A4155 Reading Road
- Creation of a footpath / cycle way to Henley
- Improving connectivity between the villages
- Concept of a shared space in the centre of Lower Shiplake (dependent on the nature of traffic and pedestrian safety factors)
- Enhance parking facilities in the commercial centre of Lower Shiplake
- Support the schools
- Manage air quality and sustainable development more generally
- Ensure that the centre remains a vibrant and thriving destination for residents and visitors alike
- Encourage greater social interactions so far as possible by providing a vibrant and inviting centres to both Shiplake Cross and Lower Shiplake
- Reduce speed and air pollution from vehicles entering the villages, possibly by installing white gates at the entrance to Lower Shiplake
- Look at relocation of non-conforming uses
- Doctors/Surgery/Pharmacy/Dentist
- Hairdressers, Bakery, Cafe, Deli, Shops, Restaurant
- Gym and /or outdoor exercise gym area, Swimming Pool
- Youth centre/Youth club, Faith Centre
- Picnic benches
- More litter and dog waste bins

7.123 The Aspirations have been well-developed. They are distinctive to the neighbourhood area. In some cases, their delivery has the potential to complement the land use policies.

Other matters - General

7.124 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 SPC 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 – Specific

7.125 I also recommend two specific modifications which are necessary to ensure that the Plan meets the basic conditions. They are based on comments from SODC. The first relates to the Executive summary's third point. As SODC comment national and local

policies provide a clear expectation of the type of development which will and will not be supported in the countryside. There is no need for a neighbourhood plan policy to require a separate justification for the application of these policies. I recommend accordingly.

- 7.126 The second relates to the fourth objective of the Plan. As submitted, neither the Plan nor the objective provides any guidance on where non-conforming uses will be repositioned in the neighbourhood area. On this basis, I recommend that the objective takes on a more general nature and which refers to the acceptability of residential developments coming forward in the centre of Lower Shiplake.

In the Executive Summary key recommendations box replace the third bullet point with:

‘development outside the existing built area of the villages should conform with the policies in the development plan and national policy;’

In the Core Objectives replace the fourth objective with:

‘Provide a catalyst for inappropriate and non-conforming type uses (uses that impact adversely on the character and/or amenity of the centre) in the centre of Lower Shiplake to be released for residential-based development that accords with the other plan objectives (Source: Sections 4.5, 4.6)’

Other Matters – Site Specific

- 7.127 The representations from Victoria Land and also from Phillimore land propose the allocation of land at Plough Lane, Shiplake for residential purposes. Bolney Court takes a similar approach to land to the south of Bolney Road (the Kilnpits).
- 7.128 It is not within my remit to address these matters in any detail or, in this circumstance, to recommend that they are allocated for residential purposes. SPC has decided not to allocate sites for residential development in the Plan. In this context qualifying bodies have considerable flexibility in terms of what to include and what to exclude from a neighbourhood plan.
- 7.129 These representations overlap with my conclusions with regard to Policy SV9. Paragraph 7.64 of this report clarifies that my conclusions related simply to the proposed identification of an area of valued landscape which included both sites.

Other matters – Recent housing developments

- 7.130 In paragraph 3.1.9 the Plan comments about recent residential developments. Victoria Land has queried the extent to which all of the development highlighted has been within the neighbourhood area. This has generated a response from SPC and a subsequent letter from Victoria Land.
- 7.131 I have concluded this this is a relatively narrow point. SPC has decided not to propose the allocation of housing sites in the Plan. In my judgement, this approach does not conflict with the strategic policies in the development plan. Policy H8 of the Local Plan is a supporting policy which comments:

'The Council will support development within the Smaller Villages in accordance with Policy H16. Where a Parish Council wishes to prepare a Neighbourhood Development Plan and make housing allocations within it to support further growth, the Council will support this.'

7.132 Paragraph 4.37 of the Local Plan provides a wider context to this matter 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.'

7.133 Within this wider context I can see that the paragraph in the supporting text has been designed to comment about the scale of development which has taken place in recent year. However as submitted it provides no clarity about the extent to which that development has been in the neighbourhood area. I recommend that the paragraph is modified so that it provides a factual commentary on this matter.

Replace paragraph 3.1.9 with:

'There has been significant housing development over the past 50 years within and on the edge of the villages. Some of these have been in the neighbourhood area and others outside. Between 1960 and 2013, more than 170 new houses were built in the villages. Part of the Baskerville estate was developed into Badgers Walk / Brocks Way, and the horticultural fields off Northfield Avenue Manor Wood Gate and Brampton Chase. More recently, further dwellings have been permitted. The vast majority are outside but adjacent to the neighbourhood area, on the edges of the villages at sites such as Thames Farm, Mount Ida and the former Wyevale Garden Centre.'

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 the independent examination of the Plan, I have concluded that the Shiplake 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 the Shiplake 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 most recently approved by South Oxfordshire District Council on 3 May 2019.
- 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
11 May 2022

Appendix A

The built-up area of the villages

