

Delegated authority officer decision notice

Decision made by	Harry Barrington-Mountford Head of Policy & Programmes
Lead officer contact details	Cheryl Soppet Planning Policy Officer (Neighbourhood) cheryl.soppet@southandvale.gov.uk 07917088314
Decision (Keep this succinct)	<ol style="list-style-type: none"> 1. To accept all modifications recommended by the Examiner; 2. To determine that the Shiplake Neighbourhood Development Plan, as modified, meets the basic conditions, is compatible with the Convention rights, complies with the definition of a neighbourhood development plan (NDP) and the provisions that can be made by a NDP; and 3. Take all appropriate actions to progress the Shiplake Neighbourhood Development Plan to referendum.
Key decision? (see notes below)	No
If key decision, has call-in been waived by the Scrutiny Committee chair(s)?	n/a
Confidential decision, and if so under which exempt category?	No
Delegated authority reference from the constitution	Delegation to Head of Policy & Programmes; reference 3.3. (Page 178)
Risks	<p>The local community will have the opportunity to vote on the neighbourhood plan at referendum; there is a risk that the local community will vote against the plan. This risk is low given the level of support shown for the plan and detailed in the consultation statement.</p> <p>The legislation makes provision for the council's decision at this stage to be challenged via a judicial review. The process undertaken and proposed accords with planning legislation</p>
Reasons for decision	<ol style="list-style-type: none"> 1. The Shiplake Neighbourhood Development Plan (the plan) as modified by the Examiner's recommendations, has had regard to national policies and advice contained in guidance issued by the Secretary of State. A requirement to have regard to policies and advice does not require that such policy and advice must necessarily be followed, but it is intended to have and does have to a significant effect. A neighbourhood plan must not constrain the delivery of important national policy objectives. The principal document in which national planning policy is contained is the National Planning Policy

Framework (NPPF) and this conclusion is reached bearing this in mind. It should be noted that the NPPF was revised on 20 July 2021. The revised NPPF replaces the previous NPPF published in March 2012, revised in July 2018 and updated in February 2019. The advice within National Planning Practice Guidance (“NPPG”) has also been borne in mind in reaching this conclusion.

2. Paragraph 13 of the NPPF is clear that neighbourhood plans should support the delivery of strategic policies contained in local plans and spatial development strategies. Qualifying bodies should plan positively to support local development, shaping and directing development in their area that is outside these strategic policies. More specifically paragraph 29 of the NPPF states that neighbourhood plans should not promote less development than set out in the strategic policies for the area, or undermine those strategic policies.
3. Beyond this, the content of a draft neighbourhood plan will determine which other aspects of national policy are or are not a relevant consideration to take into account. The basic condition allows qualifying bodies, the independent examiner and local planning authority to reach a view in those cases where different parts of national policy need to be balanced.
4. Having considered all relevant information, including representations submitted in response to the Plan, the Examiner’s considerations and recommendations, the council has come to the view that the Plan recognises and respects relevant constraints. The Plan has developed a positive suite of policies that seek to bring forward positive and sustainable development in the neighbourhood area. There is a clear focus on safeguarding its local character, valued landscape and green spaces whilst encouraging appropriate development to come forward.
5. The Plan, as modified by the Examiner’s recommendations, contributes to the achievement of sustainable development. This condition relates to the making of the plan as a whole. It does not require that each policy in it must contribute to 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 a policy on Memorial Hall enabling development (Policy SV16) and Infrastructure/Community (Policy SV17). In the environmental dimension the Plan positively seeks to protect its natural, built and historic environment. It has specific policies on the Settlement Character (Policy SV8), Separation


of Settlements (Policy SV8a), Valued Landscapes (Policy SV9) and Important Views (Policy SV11).

6. As a whole, the council is satisfied that the policies in the Plan pursue net gain across each of the different dimensions of sustainability in a mutually supportive way.
7. The Plan, as modified by the Examiner's recommendations, is in general conformity with the strategic policies contained in the current Development Plan for the area. The Plan delivers a local dimension to the strategic context and supplements the detail already included in the adopted Local Plan.
8. Both Shiplake Cross and Lower Shiplake are classified as 'smaller villages' in the adopted Local Plan (Appendix 7). 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. Policy H8 (Housing in the Smaller Villages) of the South Oxfordshire Local Plan 2035 sets out that the Council will support development within the Smaller Villages in accordance with Policy H16.
9. Policy H16 (Backland and Infill Development and Redevelopment) sets the context for development within Smaller and Other Villages. It states that development should be limited to infill and the redevelopment of previously developed land or buildings. It provides a definition for infill development, as well as specific criteria-based guidance for the consideration of backland development. Consistently with Policy H16, Policy SV1 of the neighbourhood plan supports infill and redevelopment of land or buildings within the built up area of the villages. Outside of the built up area of the villages the Plan contains a suite of policies that protect important features and support development that are necessary or suitable for countryside location.
10. The Plan, as modified by the Examiner's recommendation, would not breach, and be otherwise incompatible with EU obligations, retained in UK law, including the following Directives: the strategic Environmental Assessment (2001/42/EC); the Environmental Impact Assessment Directive (2011/92/EU); the Habitats Directive (92/43/EEC); the Wild Birds Directive (2009/147/EC); the Waste Framework Directive (2008/98/EC); the Air Quality Directive (2008/50/EC); and the Water Framework Directive (2000/60/EC). In addition, no issue arises in respect of equality under general principles of EU law or any EU equality directive.

11. In order to comply with the basic condition on European Union legislation, retained in UK law, the Council has prepared a Strategic Environmental Assessment (SEA) Screening Opinion which concluded that the Plan is unlikely to have significant environmental effects.
12. The Plan, as modified by the Examiner's recommendations, would not give rise to significant environmental effects on European sites. The Council screened the Plan potential impact on EU Special Areas of Conservation (SACs) and this was completed in November 2019. The HRA screening report concluded that the Plan would not have any likely significant effects on the integrity of European sites in or around South Oxfordshire, either alone or in combination with other plans or programmes.
13. The Plan, as modified by the Examiner's recommendations, is in all respects fully compatible with Convention rights contained in the Human Rights Act 1988. 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.
14. The Plan, as modified by the Examiner's recommendations, complies with the definition of an NDP and the provisions that can be made by a NDP. The Plan sets out policies in relation to the development and use of land in the whole of the neighbourhood area; it specifies the period for which it is to have effect and it does not include provision about development that is 'excluded development'.
15. The council is satisfied that it is not necessary to extend the referendum area beyond the boundaries of the designated plan area as they are currently defined.
16. The individual modifications proposed by the Examiner are set out in Appendix 1 alongside the council's decision in response to each recommendation and the reason for them. The Examiner's Report is available in Appendix 2.
17. The Examiner noted in his report, paragraph 7.124, that it will be appropriate for SODC and the Parish Council to have the flexibility to make any necessary consequential changes to the general text. To ensure that the plan reads as a coherent document the qualifying body and the council have agreed factual and consequential updates. These are set out in Appendix 3.
18. The council has taken account of all of the representations received.

	<p>19. The Counting Officer is responsible for determining the date of the referendum. The Electoral Service team advise that the referendum is planned for Thursday 28th July 2022.</p>
<p>Alternative options rejected</p>	<p>Make a decision that differs from the Examiner's recommendation</p> <p>If the council deviates from Examiner's recommendations, the council is required to:</p> <ol style="list-style-type: none"> 1. Notify all those identified on the consultation statement of the parish council and invite representations, during a period of six weeks, 2. Refer the issue to a further independent examination if appropriate. <p>Refusing to progress the Plan</p> <p>The council can decide that it is not satisfied with the plan proposal with respect to meeting basic conditions, compatibility with Convention rights, definition and provisions of the NDP even if modified. Without robust grounds, which are not considered to be present in this case, refusing to take the Plan to a referendum could leave the Council vulnerable to a legal challenge</p> <p><u>Reason for rejecting alternative options</u></p> <p>These options were rejected because the district council is minded to agree with all of the Examiner's modifications and his conclusion that the Plan, as modified, meets the basic conditions and relevant legal requirements</p>
<p>Climate and ecological implications</p>	<p>The Plan contributes to the achievement of sustainable development as set out in paragraphs 5 and 6. Sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs.</p> <p>In terms of the ecological implications the Plan contains Policy SV8 (Settlement Character) Policy SV8a (Separation of Settlements), Policy SV9 (Valued Landscapes), Policy SV10 Riverside Related Development) Policy SV13 (Biodiversity Net Gain), Policy SV14 (Landscaping and Greening of the Environment) Policy SV15 (Preservation of Replacement Trees). These policies seek to preserve the rural character of the parish, pursue net gain for biodiversity, and identify important open and valued landscapes.</p>
<p>Legal implications</p>	<p>The process undertaken and proposed accords with planning legislation</p>
<p>Financial implications</p>	<p>The Government makes funding available to local authorities to help them meet the cost of their responsibilities around neighbourhood planning. A total of £20,000 can be claimed for each neighbourhood planning area. In the case of neighbourhood plan reviews, a local planning authority may make only one claim for substantive</p>

	<p>modifications to a specific neighbourhood plan in their area within each 5-year window from the date that plan was first made. The council becomes eligible to apply for this additional grant once the council issue a decision statement detailing the intention to send the plan to referendum.</p> <p>The Government grant funds the process of progressing neighbourhood plans through the formal stages, including the referendum. Any costs incurred in the formal stages in excess of Government grants is borne by the council. Staffing costs associated with supporting community groups and progressing neighbourhood plans through the formal stages are funded by the council. It is expected that costs associated with progressing this neighbourhood plan can be met from with existing neighbourhood planning budget.</p>			
Other implications	There are no other implications.			
Background papers considered	<ol style="list-style-type: none"> 1. Shiplake Neighbourhood Plan and supporting documents 2. National Planning Policy Framework (2021) 3. National Planning Policy Guidance (July 2014 and subsequent updates) 4. South Oxfordshire Local Plan 2035 5. South Oxfordshire District Council SEA/HRA Screening Statement 6. Representations submitted in response to the Shiplake Neighbourhood Plan 7. Relevant Ministerial Statements 			
Declarations/ conflict of interest?	None			
Consultees		Name	Outcome	Date
	Legal legal@southandvale.gov.uk		No comment	26.05.22
	Finance Finance@southandvale.gov.uk	Emma Creed	Amendment to financial implications	27.05.22
	HR hadminandpayroll@southandvale.gov.uk		No comment	26.05.22
	Climate and biodiversity climateaction@southandvale.gov.uk	Heather Saunders	No comment	25.05.22
	Equality and diversity equalities@southandvale.gov.uk	Lynne Mitchell	No comment	25.05.22
	Risk and insurance risk@southandvale.gov.uk		No comment	26.05.22

	Communications communications@southandvale.gov.uk		No comment	26.05.22
	Senior Management Team ExecutiveSupportSAV@southandvale.gov.uk	SMT	No comment	26.05.22
	Cabinet member	Cllr Simpson	No comment	20.05.22
	Ward councillors	Cllr Rawlins	No comment	23.05.22
		Cllr Bartholomew	No comment	26.05.22
Decision maker's signature To confirm the decision as set out in this notice.	Signature:  Date: 07.06.2022			

Appendix 1: Examiner's recommendations

Policy/Section	Examiner's recommendations	Council's Decision	Justification/Reason
Page 9	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."	Agree	The council consider the proposed modifications to the supporting text to be necessary to ensure that there is the clarity that is required by national policy and guidance.
Page 31	At the end of paragraph 6.2.36 add: 'The built-up areas are shown on Figure [insert number]	Agree	The council consider the proposed modifications to the supporting text to be necessary to ensure that there is the clarity that is required by national policy and guidance.
Page 31	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.	Agree	The council consider the proposed modifications to the supporting text to be necessary to ensure that there is the clarity that is required by national policy and guidance.
Page 31	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'	Agree	The council consider the proposed modifications to the supporting text to be necessary to ensure that there is the clarity that is required by national policy and guidance.

	character appraisal and design guide (Policy SV 24)'		
Page 32 Policy SV3- Conversion of buildings in the countryside	Delete the final part of the policy.	Agree	The council consider the proposed modifications to policy wording to be necessary as policies should be concise and to avoid unnecessary duplication.
Page 32 Policy SV4 – Employment 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’	Agree	The council consider the proposed modifications to the policy to be necessary to ensure that it refers to the correct updated Use Class Orders and guidelines and to ensure the policy is precise, concise and achieves the clarity required by national policy and guidance.
Page 40 Policy SV5- Dwelling Statement	Delete the policy.	Agree	The council consider the deletion of the policy to be necessary to ensure that the basic conditions are met. In particular the Plan has chosen not to allocate housing sites. As such the Council concludes 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 and therefore to require a dwelling statement is inappropriate or this type and scale of developments.

<p>Page 40</p> <p>Policy SV6 – Dwelling Extension</p>	<p>Replace the first sentence of the policy with:</p> <p>‘Proposals for extensions to existing dwellings will be supported where they respond positively to the guidance in the Character Appraisal and Design Principles.’</p>	<p>Agree</p>	<p>The council consider the proposed modification to the policy to be necessary to ensure that there is the clarity that is required by national policy and guidance.</p>
<p>Page 40</p> <p>Policy SV7- Replacement Dwellings</p>	<p>Delete the first bullet point of the policy</p> <p>Replace the third part of the policy with:</p> <p>‘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.’</p> <p>Delete the fourth part of the policy.</p>	<p>Agree</p>	<p>The council consider deletion of the first bullet point to be necessary to ensure that the policy is not overly onerous and has regard to 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.</p> <p>The council consider the modifications to the third part of the policy to be necessary to achieve the clarity required by national policy and guidance.</p> <p>The council considers the deletion of the fourth part of the policy necessary. It imposes an arbitrary requirement that the existing dwelling must be removed within 1 month of occupation of the new dwelling. It adds an additional policy requirement that does not exist in national or local policy. Such matters where appropriate are better addressed through the development management process and planning conditions.</p>

Page 39 Paragraph 6.3.45	Delete paragraph 6.3.45.	Agree	The council consider the deletion of the supporting text to be necessary as consequential change from the modifications of the policy.
Page 55 Policy SV8 – Settlement Character	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.’	Agree	The council consider the proposed modification to be necessary to ensure the policy has the clarity that is required by national policy and guidance.
Page 79	Relocate the contents of paragraph 6.6.9 to the end of paragraph 6.4.85 and in that section replace ‘SV22’ with ‘SV8’.	Agree	We consider such changes necessary to ensure the supporting text reflected changes to the policy.
Page 55 Policy SV8a- Separation of Settlements	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	Agree	The council consider the proposed modification to the policy to be necessary to ensure to ensure that there is the clarity that is required by national policy and guidance.

	the proposal will not unacceptably detract from the physical or visual separation of the settlements'		
Page 55 Policy SV9- Valued Landscapes	In the first part of the policy delete the third bullet point (Semi-Enclosed Dipslopes)	Agree	<p>The Council consider the proposed modification to the policy to be necessary. Advice in the Landscape Institute draft advice note, TGN 02/21, with respect to coming to a judgement of landscape value, includes (3.4.1.1) <i>'The identification of landscape value needs to be applied proportionately ensuring that identification of valued landscape is not overused.'</i></p> <p>Having considered the relevant information, on the balance of evidence, the council agrees that PLCA 3 does not display the quality of landscape features to warrant its identification as a valued landscape. PLCA3 does not display the same high quality landscape characteristics displayed in PLCAs 1, 2 and 4. Furthermore, PLCA3 introduces a concentrated element of built environment which is not typically associated with valued landscapes.</p>
Page 44 Paragraph 6.4.22	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.'	Agree	We consider such changes necessary to ensure the supporting text reflected changes to the policy.

	<p>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.'</p>		
<p>Page 56 Policy SV10 – River-related development</p>	<p>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:</p> <p>Delete the third bullet point.</p> <p>In the fourth bullet point delete '(wildlife corridor)'</p> <p>In the final bullet point replace 'significant adverse' with 'unacceptable'</p> <p>Delete the final part of the policy.</p>	<p>Agree</p>	<p>The council consider the proposed the proposed replacement wording to be necessary so that it reads as a policy approach rather than an instructional style and to ensure the criteria can be applied on a proportionate basis.</p> <p>The deletion of the third bullet point is considered necessary as it seeks to control matters outside of the scope of a neighbourhood plan.</p> <p>The modifications to the fourth and final bullet point are necessary to ensure the policy achieves the clarity required by national policy and guidance.</p> <p>The deletion of the final part of the policy is considered to be necessary as it currently addressees a process rather than a land use matter. The last paragraph also suggested that the local authority would seek financial contributions and listed some types of infrastructure projects CIL funds could be spent on. Spending CIL funds is a budgetary decision, made by the appropriate council, which cannot be committed by a</p>

			neighbourhood plan policy. A neighbourhood plan can highlight the infrastructure that it believes should be prioritised, but it cannot commit CIL receipts.
Page 58 Policy SV12- Dark Skies and Lighting	<p>Replace the first part of the policy with:</p> <p>‘Development proposals should conserve and enhance relative tranquillity in relation to light pollution and dark night skies.</p> <p>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.</p> <p>Development proposals have regard to the following hierarchy: [List a-c as included in the submitted policy]’</p> <p>Replace the opening element of the second part of the policy with:</p> <p>‘Development proposals which include lighting should ensure that:’</p> <p>In the second part of the policy replace d)</p>	Agree	The council consider the proposed modification to the policy to be necessary to achieve the clarity and precision that is required by national policy and guidance.

	with ‘building designs should avoid large areas of glazing which would result in light spillage into rural and unlit areas’		
Page 59 Policy SV13- Biodiversity Net Gain	<p>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.’</p> <p>Set out the remainder of the policy as a free-standing second element.</p> <p>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:’</p> <p>In a replace ‘Avoidance’ with ‘The avoidance’ and replace the two uses of ‘shall’ with ‘should’</p> <p>In e replace ‘shall’ with ‘should’ and ‘feasible’ with ‘practicable’</p> <p>Change the title of the policy to ‘Biodiversity and Wildlife’</p>	Agree	The council consider the proposed modification to be necessary to ensure the policy can be applied in a proportionate basis and with clarity and precision as required by national policy and guidance.
Page 60 Policy SV14- Landscaping and Greening of the Environment	<p>Replace the first part of the policy with:</p> <p>‘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</p>	Agree	The council consider the proposed modification to the policy to be necessary to ensure the policy is applicable to the development management process and has the clarity that is required by national policy and guidance.

	<p>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.'</p>		
<p>Page 60</p> <p>Policy SV15- Preservation and Protection of Trees</p>	<p>Replace the opening element of the policy with: 'As appropriate to their scale, nature and location development proposals should'</p> <p>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.'</p>	<p>Agree</p>	<p>The council consider the proposed modification to the opening element of the policy necessary to ensure the requirements set out are proportionate and not overly onerous.</p> <p>The proposed modification to the final component of the policy is considered necessary to achieve the clarity that is required by national policy and guidance.</p>
<p>Page 70</p> <p>SV16- Memorial Hall enabling development</p>	<p>Replace the policy with:</p> <p>'Insofar as planning permission is required proposals for the improvement of the Memorial Hall will be supported'.</p> <p>Replace the opening part of paragraph 6.5.66 with:</p> <p>'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</p>	<p>Agree</p>	<p>As submitted, the policy offers no guidance about the nature of the development proposals which might be supported by the policy. The council consider the proposed modification to the policy and supporting text to be necessary to ensure it serves a clear purpose. The modified policy offers support for improvement works to the Memorial Hall and the modified supporting text captures the community's ambitions for potential enabling development.</p>

	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:		
Page 70 Policy SV19 – New Development and Highway Safety	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'	Agree	The council consider the proposed modification to the policy to be necessary to ensure that there is the clarity that is required by national policy and guidance.
Page 71 Policy SV20 – Rights of Way and Cycle Network	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: <ul style="list-style-type: none"> • Safety; • Directness; • Access and Connections; • Attractiveness; Convenience; • Associated and adjacent landscape features such as trees and hedgerows.' In c replace 'shall' with 'should' 	Agree	The council consider the proposed modification to the policy to be necessary to ensure that it is less prescriptive.

	Delete d		
Page 71 Policy SV21- Cycle Network, rights of way, footpaths and other routes	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.	Agree	The council consider the proposed modifications to the policy to be necessary to ensure that there is the clarity that is required by national policy and guidance. The council considers the deletion of the third part of the policy necessary as it is describing a process instead of addressing a policy matter.
Page 77 Policy SV22- Design and Access Statements	Delete the policy. Delete paragraph 6.6.9.	Agree	The council consider the deletion of the policy and supporting text to be necessary as it currently describes the contents of a process (a design and access statement) rather than being a land use planning policy.
Page 77 Policy SV23- Village Centre Improvements	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:’	Agree	The council consider the proposed modification to the policy to be necessary to ensure that there is the clarity that is required by national policy and guidance.
Page 78 Policy SV25 – Building Materials/Design/ Density/Layout	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’	Agree	The council consider the proposed modification to the policy to be necessary to ensure that there is the clarity that is required by national policy and guidance.

	In the fourth part of the policy replace ‘involving’ with ‘which incorporate’		
Page 77	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.’	Agree	The council consider the proposed modification to the policy to be necessary to ensure that there is the clarity that is required by national policy and guidance.
Page 78 Policy SV26- Pre-application requirements	Delete the policy. Relocate the contents of the submitted policy to the end of paragraph 6.6.18 (as additional supporting text).	Agree	The council consider the deletion of the policy and supporting text to be necessary as it currently describes the contents of a process rather than being a land use planning policy.
	Paragraph 7.124 of the examiners 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	Agree	The council agrees with the examiner that it may be necessary to amend the plan where consequential changes to the text are required directly as a result of the examiners recommended modifications.

	necessary) to achieve consistency with the modified policies.		
	<p>In the Executive Summary key recommendations box replace the third bullet point with:</p> <p>‘development outside the existing built area of the villages should conform with the policies in the development plan and national policy;’</p> <p>In the Core Objectives replace the fourth objective with:</p> <p>‘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)’</p>	Agree	<p>The council consider the proposed modification to the executive summary to be necessary. The NPPF and the Adopted Local Plan 2035 require development to be appropriate for its location not that development outside the existing built area of villages should require clear justification. 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.</p> <p>The proposed modification to the fourth objective is considered necessary to ensure sufficient clarity is achieved.</p>
Page 13	<p>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</p>	Agree	<p>The council consider the proposed modification to the supporting text to be necessary to provide sufficient clarity on this matter.</p>

	Farm, Mount Ida and the former Wyevale Garden Centre.'		
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Appendix 2 – Examiner’s Report

The Examiner’s Report is available here: <https://www.southoxon.gov.uk/wp-content/uploads/sites/2/2022/05/Shiplake-Neighbourhood-Development-Plan-Examiners-Report.pdf>

Appendix 3 – Consequential and/or Factual Changes

Section	Agreed change	Justification/Reason
FRONT COVER	Updated to ‘Referendum Version’	Factual change
HEADERS FOR EACH PAGE	Updated to ‘Referendum Version’	Factual change
CONTENTS PAGE TITLE BLOCK	Updated to ‘Referendum Version’	Factual change
CONTENTS PAGE	Update deleted policies in contents	Factual change
2.6.1	Added “a” to the text “....it is intended to be <u>a</u> response to the evolving needs of....”	Grammatical correction
2.7.1	Update text to read: “The Neighbourhood Plan has reached the stage of Referendum version Submission draft . This draft version of the Neighbourhood Plan and supporting documents are now being submitted to South Oxfordshire District Council for <u>has been considered at</u> examination.”	Factual change

2.7.2	Update text to read: "SODC will consult <u>has consulted</u> on this draft of the Neighbourhood Plan for a minimum six weeks. You are encouraged to comment on this draft Plan at that stage. All comments will be <u>were then</u> collated and passed to the Examiner for their consideration as part of the examination process."	Factual change
Figure 2	Revise figure to reflect current stage in the process	Factual change
V & O diagram after 5.33	Remove deleted policies from diagram (policies SV5, SV22 and SV26)	Factual and consequential amendment to align with the examiners modification to delete Policy SV5, SV22 and SV26.
Policy Table, Section 6.1	Remove deleted policies from diagram (policies SV5, SV22 and SV26)	Factual and consequential amendment to align with the examiners modification to delete Policy SV5, SV22 and SV26.
6.4.13	Delete 'Each PCLA is a valued landscape in NPPF 2019 paragraph 170 terms.' Replace with 'The PCLAs are:'	Factual and consequential amendment to align with the changes made to Policy SV9
6.3.13	Delete ', supporting the principles set out in policy SV5' from the penultimate sentence before the bullet points.	To be consistent with the deletion of Policy SV5.
6.3.41-6.3.42	Delete paragraphs 6.3.41-6.3.42 and Table 5. Renumber subsequent tables to reflect the deletion of Table 5.	Factual and consequential amendment to align with the deletion of Policy SV5.
Figure 15	Figure 15- Map of Parish Landscape Character Areas/ Valued Landscapes Replace '/' with 'and' Amend the key to reflect the Valued Landscapes.	Factual and consequential amendment to align with the changes made to Policy SV9

APPENDIX 4 – Modifications to supporting documents

Document	Agreed change	Reason
Vol 2 - Appendices	Delete 'Submission Draft – September 2021' on front cover and headers throughout	Factual changes