

# **Woodcote Neighbourhood Development Plan Review 2018-2035**

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

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## **Executive Summary**

- 1 I was appointed by South Oxfordshire District Council in February 2022 to carry out the independent examination of the review of the Woodcote Neighbourhood Plan.
- 2 The examination was undertaken by way of written representations. I visited the neighbourhood plan area on 4 March 2022.
- 3 The Plan includes a variety of policies and seeks to bring forward positive and sustainable development in the neighbourhood area. There is a very clear focus on allocating land for housing development to meet the strategic requirement for the parish in the South Oxfordshire Local Plan.
- 4 The Plan has been underpinned by community support and engagement. It is clear that all sections of the community have been engaged in its preparation.
- 5 Subject to a series of recommended modifications set out in this report, I have concluded that the Woodcote 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**  
**21 June 2022**

## **1 Introduction**

- 1.1 This report sets out the findings of the independent examination of the review of the Woodcote Neighbourhood Development Plan Review 2018-2035 (the Plan).
- 1.2 The Plan has been submitted to South Oxfordshire District Council (SODC) by Woodcote Parish Council (WPC) 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). The NPPF continues to be the principal element of national planning policy.
- 1.4 The role of an independent examiner is clearly defined in the legislation. I have been appointed to examine whether or not the submitted Plan meets the basic conditions and Convention Rights and other statutory requirements. It is not within my remit to examine or to propose an alternative plan, or a potentially more sustainable plan except where this arises as a result of my recommended modifications to ensure that the plan meets the basic conditions and the other relevant requirements.
- 1.5 A neighbourhood plan can be narrow or broad in scope. It can include whatever range of policies it sees as appropriate to its designated neighbourhood area. In this case, the Plan is a review of the 'made' Plan. It has been designed to be distinctive in general terms, and to be complementary to the development plan in particular. The Plan has a very clear focus on promoting housing and employment allocations whilst safeguarding the village's relationship with the surrounding Chilterns Area of Outstanding Natural Beauty.
- 1.6 Within the context set out above this report assesses whether the Plan is legally compliant and meets the basic conditions that apply to neighbourhood plans. It also considers the content of the Plan and, where necessary, recommends changes to its policies and supporting text.
- 1.7 This report also provides a recommendation as to whether the Plan should proceed to referendum. If this is the case and that referendum results in a positive outcome the Plan would then be used to determine planning applications within the plan area and will sit as part of the wider development plan.

## 2 The Role of the Independent Examiner

- 2.1 The examiner's role is to ensure that any submitted neighbourhood plan meets the relevant legislative and procedural requirements.
- 2.2 I was appointed by SODC, with the consent of WPC, to conduct the examination of the Plan and to prepare this report. I am independent of both the SODC and WPC. I do not have any interest in any land that may be affected by the Plan.
- 2.3 I possess the appropriate qualifications and experience to undertake this role. I am a Director of Andrew Ashcroft Planning Limited. In previous roles, I have over 35 years' experience in various local authorities at either Head of Planning or Service Director level. I am a chartered town planner and have significant experience of undertaking other neighbourhood plan examinations and health checks. I am a member of the Royal Town Planning Institute and the Neighbourhood Planning Independent Examiner Referral System.

### *Examination Outcomes*

- 2.4 There are a variety of ways in which a review of a neighbourhood plan can be examined. In this case it is accepted by all concerned that the Plan needs both examination and a referendum.
- 2.5 In this context, as the independent examiner I am required to recommend one of the following outcomes of the examination:
- (a) that the Plan as submitted should proceed to a referendum; or
  - (b) that the Plan should proceed to referendum as modified (based on my recommendations); or
  - (c) that the Plan does not proceed to referendum on the basis that it does not meet the necessary legal requirements.

### *Other examination matters*

- 2.6 In examining the Plan I am also required to check whether:
- the policies relate to the development and use of land for a designated neighbourhood plan area; and
  - the Plan meets the requirements of Section 38B of the Planning and Compulsory Purchase Act 2004 (the Plan must specify the period to which it has effect, must not include provision about development that is excluded development, and must not relate to more than one neighbourhood area); and
  - the Plan has been prepared for an area that has been designated under Section 61G of the Localism Act and has been developed and submitted for examination by a qualifying body.
- 2.7 Having addressed the matters identified in paragraph 2.6 of this report, I am satisfied that all of the points have been met subject to the contents of this report.

### 3 Procedural Matters

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

- the submitted Plan
- the Basic Conditions Statement.
- the Consultation Statement.
- the HRA Screening report.
- the Sustainability Appraisal.
- the Ecological Appraisal
- the Housing Needs Assessment
- the Local Green Space Assessment
- the Landscape and Visual Impact Assessment
- the Protected Views Assessment
- the representations made to the Plan.
- WPC's responses to the clarification note.
- SODC's responses to the clarification note
- the South Oxfordshire Local Plan 2035.
- the National Planning Policy Framework (July 2021).
- Planning Practice Guidance.
- relevant Ministerial Statements.

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

3.3 I visited the neighbourhood area on 4 March 2022. I looked at its overall character and appearance and at those areas affected by policies in the Plan in particular. The visit is covered in more detail in paragraphs 5.9 to 5.16 of this report.

3.4 The submitted Plan proposes the following principal changes to the 'made' Woodcote Plan:

- Policy E4 – The identification of a Settlement Boundary
- Policy E5 – The designation of Local Green Spaces
- Policy H1 – A revised housing target for the Parish
- Policy HS1 – A revised package of housing allocations

In addition, the submitted Plan is now adding local value to a different local plan – in this case the South Oxfordshire Local Plan 2035 as adopted in December 2020.

3.5 The Neighbourhood Planning Act 2017 identifies the circumstances that might arise as and when qualifying bodies seek to review 'made' neighbourhood plans and introduces a proportionate process to do so based on the changes proposed.

- 3.6 There are three types of modification which can be made to a neighbourhood plan or order. The process will depend on the degree of change which the modification involves and as follows:
- minor (non-material) modifications to a neighbourhood plan or order which would not materially affect the policies in the plan or permission granted by the order. These may include correcting errors, such as a reference to a supporting document, and would not require examination or a referendum; or
  - material modifications which do not change the nature of the plan or order and which would require examination but not a referendum. This might, for example, entail the addition of a design code that builds on a pre-existing design policy, or the addition of a site or sites which, subject to the decision of the independent examiner, are not so significant or substantial as to change the nature of the plan; or
  - material modifications which do change the nature of the plan or order would require examination and a referendum. This might, for example, involve allocating significant new sites for development.
- 3.7 In the submitted Modification Statement, SODC consider that the proposals represent material modifications to the 'made' Plan, but they are not considered so significant or substantial as to change the nature of the 'made' Plan. WPC assesses the differences between the made Plan and its review but does not reach a definitive statement on this point.
- 3.8 I have considered the contents of SODC's Modification Statement very carefully. I agree with SODC that the majority of the changes to the 'made' Plan generate the need for an examination without a referendum. However, the package of new policies as described in paragraph 3.4 of this report are important new elements of the Plan and introduce a different direction and focus to its approach. In these circumstances, I have concluded that the submitted Plan includes material modifications which change the nature of the Plan and which require examination and a referendum.
- 3.9 I advised SODC and WPC of this conclusion. WPC subsequently confirmed that it was content for the examination of the Plan to proceed. In these circumstances, I have examined the Plan in accordance under Schedule 4B of the Town and Country Planning Act 1990. The remainder of this report sets out the findings of the examination.
- 3.10 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, WPC has prepared a Consultation Statement. The Statement is proportionate to the neighbourhood area and the policies in the Plan. It reflects the very specific circumstances that have generated the community's desire to review the existing 'made' Plan. It is a particularly good example of a Statement of this type. It is logically structured and specific details are provided in four appendices.
- 4.3 The Statement detail the various activities that were held to engage the local community during the initial stages of the plan-preparation process. They also provide specific details on the consultation process that took place on the pre-submission version of the Plan (April and May 2021).
- 4.4 The Statement sets out details of the community engagement that took place as the Plan was being prepared. They included:
- the use of the 'Woodcote Correspondent' to raise general awareness about the Plan;
  - the All-Village Survey (January 2017);
  - the Open Exhibitions and Consultations;
  - the use of the Parish Council website; and
  - the use of specific meetings in order to engage with landowners and local residents.
- 4.5 The detailed elements of the Statement set out how the submitted Plan took account of consultation feedback as follows:
- the pre-consultation publicity (Appendix A);
  - the general pre-submission responses (Appendix B);
  - the specific pre-submission responses from SODC (Appendix C); and
  - the refinements and updates made to the Plan as a result of the consultation process (Appendix D)

This is a helpful way to set out the information. In particular it helps to describe how the Plan was refined based on consultation and feedback.

### *Consultation Feedback*

- 4.6 Consultation on the Plan was undertaken by SODC for a six-week period that ended on 1 February 2022. This exercise generated representations from the following organisations:
- South Oxfordshire District Council
  - SSE
  - Coal Authority
  - Natural England
  - Highways England
  - Historic England
  - Chilterns Conservation Board
  - Lone Star Land
  - SGN
  - Council for the Preservation of Rural England
  - Oxfordshire County Council
  - Woodcote Properties Limited
  - T A Fisher Limited
  - SODC Property Services
  - Environment Agency
- 4.7 The Plan also attracted 54 representations from local residents. The majority of these representations expressed support for the Plan in general terms, and the proposed approach to the overall number of new houses to be brought forward in the Plan period in particular. Others raised specific issues in relation to some of the proposed housing allocations.
- 4.8 I have taken all the comments into account in preparing this report. Where appropriate, I refer to specific representations in my commentary on the various policies in the Plan.

## 5 The Neighbourhood Area and the Development Plan Context

### *The Neighbourhood Area*

- 5.1 The neighbourhood area is the parish of Woodcote. The parish is situated in a rural area of open farmland and beech woods. It is one of the larger villages in the district of South Oxfordshire and is located at the south-western end of the Chilterns Area of Outstanding Natural Beauty (AONB), some eight miles to the northwest of Reading and four miles from the point where the River Thames flows through the Goring Gap. Its population in 2011 was 2604 persons living in 1012 houses. It was designated as a neighbourhood area on 12 April 2017.
- 5.2 The neighbourhood area is mainly in agricultural use and sits within a rich landscape setting of the Chilterns AONB. The village is the principal focus of built development and sits within the middle of the neighbourhood area. Its setting within the AONB is immediately evident and the village is sensitively located with the surrounding countryside.
- 5.3 The village itself is nucleated in format and sits to the south of the A4074 which runs from Oxford to Reading. The Village Hall and the school are located off Reading Road. There are a range of retail and commercial premises off Goring Road (B471) including the Co-op store. The village has an open and spacious character. Much of this character relates to the predominance of larger homes in large plots.

### *Development Plan Context*

- 5.4 The South Oxfordshire Local Plan was adopted in December 2020. It sets out the basis for future development in South Oxfordshire up to 2035. It has largely been the adoption of that Plan which has generated WPC's desire to review the made Plan.
- 5.5 The Basic Conditions Statement usefully highlights the key policies in the development plan and how they relate to policies in the submitted Plan. This is good practice. It provides confidence to all concerned that the submitted Plan sits within its local planning policy context.
- 5.6 Woodcote is identified as a Larger Village in the adopted Local Plan (Policy H4 and Appendix 7). The policy comments that a housing requirement of 257 homes will be collectively delivered through neighbourhood development plans and Local Plan site allocations at specific Larger Villages (46 homes at Nettlebed, 96 homes at Sonning Common and 115 homes at Woodcote).
- 5.7 The supporting text in the Local Plan provides a broader context to the policy as follows:

*'The Local Plan proposes the provision of 15% growth in the Larger Villages. This level of growth has been calculated using the existing housing stock as it was at 2011 - the base date of the Local Plan and is on top of (the former) Core Strategy allocations where these exist (paragraph 4.17)*

*The achievement of the 15% growth figure needs to be balanced with the social, economic and environmental factors that may impact upon the ability of settlements to accommodate the amount of development that has been calculated. Consideration of the availability of suitable and deliverable sites may also impact on how much development a settlement may accommodate (paragraph 4.27)*

*Some villages are constrained by factors such as Green Belt, Areas of Outstanding Natural Beauty, and Flood Zones. Where Neighbourhood Development Plans are considering sites within an AONB or sites that form part of the setting of an AONB, a Landscape and Visual Impact Assessment should be undertaken. In these villages a 15% growth may not be fully achievable (paragraph 4.28)*

The submitted Plan directly addresses the environmental issues which are associated with delivering the level of growth in the neighbourhood area as anticipated in the adopted Local Plan.

- 5.8 In summary, the emerging neighbourhood plan has sought to respond positively to the adopted Local Plan. The submitted neighbourhood plan has been prepared within its wider development plan context. In doing so it has relied on up-to-date information and research that has underpinned existing and emerging planning policy documents in the District. This is good practice and reflects key elements in Planning Practice Guidance on this matter.

#### *Visit to the Neighbourhood Area*

- 5.9 I visited to the neighbourhood area on 4 March 2022. I approached from the A4074 to the north. This gave the opportunity to see the neighbourhood area within its wider context in general, and within the Chilterns AONB in particular. I parked by St Leonard's Church at the junction of South Stoke Road and Goring Road. Given the compact nature of the village, I was able to carry out the majority of the visit on foot.
- 5.10 I looked initially at the part of the village around Reading Road. I saw the Village Hall and the village green and the adjacent allotments. I then saw the significance of Langtree School. I took time to look at the various proposed housing allocations in this part of the village. In doing so, I saw the parking issues which the allocation of the land to the east of Church Farmhouse sought to resolve. I also saw the imposing granite cross war memorial at the crossroads of Goring Road and Reading Road.
- 5.11 I then walked to the south along Goring Road up to the Co-op store at the junction of Goring Road and Bridle Path. I saw the significance of the store to the local community. I then walked along Beech Lane, Behoes Lane, and Wood Lane so that I could understand the western part of the village. I looked at the proposed housing sites in this part of the village.
- 5.12 I then walked along Bridle Path and up to Greenmore Hill. I saw the Ponds and took an opportunity to read the very informative information boards. I saw the notice advertising the forthcoming volunteer work party on 19 March. I also saw the extensive

nature of the wooded areas in this part of the village. I then took the opportunity to look at the proposed housing allocation off Long Toll.

- 5.13 I then walked along Greenmore. This helped me to understand the very close relationship between the village and the surrounding countryside. In doing so I saw the various housing and employment allocations in this part of the village.
- 5.14 I then took the opportunity to look in detail at the relationship between the two proposed housing sites to the north of Reading Road. In doing so I looked at the Woodcote Garden Centre and its wider relationship with the surrounding countryside.
- 5.15 Throughout the visit I looked at the various proposed local green spaces. I saw the way in which they contributed towards the openness of the wider village.
- 5.16 I left the neighbourhood area along Goring Road so that I could understand how the village related to the landscape to its south.

## 6 The Neighbourhood Plan as a whole

- 6.1 This section of the report deals with the submitted neighbourhood plan as a whole and the extent to which it meets the basic conditions. The 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 Woodcote Neighbourhood Plan Review:
- a plan-led system – in this case the relationship between the neighbourhood plan and the adopted South Oxfordshire Local Plan;
  - delivering a sufficient supply of homes;
  - building a strong, competitive economy;
  - recognising the intrinsic character and beauty of the countryside and supporting thriving local communities;
  - taking account of the different roles and characters of different areas;
  - highlighting the importance of high-quality design and good standards of amenity for all future occupants of land and buildings; and
  - conserving heritage assets in a manner appropriate to their significance.
- 6.6 Neighbourhood plans sit within this wider context both generally, and within the more specific presumption in favour of sustainable development. Paragraph 13 of the NPPF indicates that neighbourhoods should both develop plans that support the strategic

needs set out in local plans and plan positively to support local development that is outside the strategic elements of the development plan.

- 6.7 In addition to the NPPF I have also taken account of other elements of national planning policy including Planning Practice Guidance and ministerial statements.
- 6.8 Having considered all the evidence and representations available as part of the examination, I am satisfied that the submitted Plan has had regard to national planning policies and guidance in general terms. It sets out a positive vision for the future of the neighbourhood area in promoting residential allocations in response to the strategic target for the parish in the adopted Local Plan. It also includes a series of policies that address a range of environmental and economic matters, including the designation of a package of local green spaces. 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. Paragraph ID:41-041-20140306 indicates that policies in neighbourhood plans should be drafted with sufficient clarity so that a decision-maker can apply them consistently and with confidence when determining planning applications. Policies should also be concise, precise and supported by appropriate evidence.
- 6.10 As submitted, the Plan does not fully accord with this range of practical issues. The majority of my recommended modifications in Section 7 relate to matters of clarity and precision. They are designed to ensure that the Plan fully accords with national policy.

*Contributing to sustainable development*

- 6.11 There are clear overlaps between national policy and the contribution that the submitted Plan makes to achieving sustainable development. Sustainable development has three principal dimensions – economic, social and environmental. It is clear that the submitted Plan has set out to achieve sustainable development in the neighbourhood area. In the economic dimension, the Plan includes policies for new residential and employment development (Policies HS1 and ES1-3). In the social role, it includes policies on housing mix (Policy H6) and housing sizes (Policy H7) and to plan positively for future school provision (Policy C5). In the environmental dimension, the Plan positively seeks to protect its natural, built and historic environment. It has specific policies on local green spaces (Policy E5), important views (Policy E6), and new development in the Chilterns AONB (Policies H9 and H10). This assessment overlaps with WPC's comments on this matter in the submitted Basic Conditions Statement.

*General conformity with the strategic policies in the development plan*

- 6.12 I have already commented in detail on the development plan context in South Oxfordshire in paragraphs 5.4 to 5.8 of this report.

- 6.13 I consider that the submitted Plan delivers a local dimension to this strategic context. The Basic Conditions Statement helpfully relates the Plan's policies to the policies in the development plan. Subject to the recommended modification in this report, I am satisfied that the submitted Plan is in general conformity with the strategic policies in the development plan.

*Sustainability Appraisal*

- 6.14 The Neighbourhood Plan General Regulations 2015 require a qualifying body either to submit an environmental report prepared in accordance with the Environmental Assessment of Plans and Programmes Regulations 2004 or a statement of reasons why an environmental report is not required.
- 6.15 In order to satisfy the regulations WPC produced a Sustainability Appraisal (SA) for the Plan. It is a well-designed and comprehensive document. Its findings inform the wider Plan in general terms and the proposed housing allocations in particular.
- 6.16 The SA comments that adopted Local Plan would require the allocation of some 4-4.5 ha of land for new homes in addition to the land allocated in WNP1 and the 0.4 ha for new employment purposes during the period to 2035. As such three delivery options were considered:
- Option A: place all new housing and all new employment development in a single site within the parish;
  - Option B: place all new housing in a single site and all employment in separate single site; or
  - Option C: spread all development (housing and employment) across a small number (5-7) of sites.
- 6.17 Section 2.4 assesses each of the sites considered against a series of sustainability factors. It results in a comprehensive assessment of the sites concerned. Table 2.3 summarises the outcome of the appraisal. All options show a cumulative negative effect. The appraisal considers that 'there is not enough pre-developed or vacant land in the Parish to accommodate the new homes and employment requirement thus most of the development will lead to the permanent loss of greenfield sites and landscape quality in the AONB'. It comments that Option C allows some limited development within the built-up area. It concludes that smaller sites distributed around the edges of the built-up area offer better opportunities for screening, albeit potentially intruding into or losing long views, more opportunity to provide for wildlife, and fit better with the character of the village as it has developed since the creation of the AONB. The appraisal concludes that Option C is the least damaging to sustainable development and should be the approach taken in the Plan.
- 6.18 In general terms, I am satisfied that this conclusion is both appropriate and based on a thorough understanding of the neighbourhood area. In particular, it takes account of the way in which the village has developed in a piecemeal way over time and its close landscape and visual relationship with the surrounding countryside.

- 6.19 Section 3 continues this analysis in detail on a site-by-site basis. A list of potentially suitable sites was assembled by incorporating:
- all sites in the South Oxfordshire District Council's current Strategic Housing & Economic Land Availability Assessment;
  - all unallocated sites identified for the made Plan;
  - other sites notified to SODC; and
  - all responses to an advertisement placed by WPC in the Henley Standard.
- 6.20 The list was refined to 16 potential sites by removing duplicate sites, sites where development was restricted by covenant, and sites which would be too small to be allocated. The initial landscape element of the site assessment was subsequently supplemented by a detailed Landscape and Visual Impact Assessment. A preliminary ecological assessment of the sites emerging as potentially suitable for development was then carried out by a retained ecology consultant. This assessment did not identify any significant ecological issues on any of the potentially suitable sites.
- 6.21 In general terms, I am satisfied that the process followed has been both robust and proportionate. The close relationship between the SA and the Landscape Appraisal has been carefully considered and co-ordinated. It gets to the heart of the acceptability or otherwise of the way in which the various potential housing sites would be incorporated sensitively into both the built fabric of the village and its relationship with the surrounding countryside.
- 6.22 The SA also addresses the way in which some of the sites were considered as being appropriate for either residential or for employment use. I am satisfied that the allocated employment sites are appropriate for that purpose and would be inappropriate for residential use. In some cases, the allocation of proposed employment sites directly reflects their proximity to existing employment uses.
- 6.23 Section 4 carries out a parallel analysis of each policy in the Plan against a series of sustainability objectives. Table 4.4 sets out the results of this process. In most cases, the assessment indicates that the policies in the Plan will have either a neutral or a significant positive effect on the neighbourhood area.
- 6.24 In the round, I am satisfied that the SA is fit for purposes and meets the basic conditions. In particular I am satisfied about the way in which it conforms with the Practical Guide to the SEA Directive (Office of the Deputy Prime Minister 2005).

#### *Habitat Regulations*

- 6.25 SODC prepared a Habitats Regulations Assessment (HRA) of the Plan (November 2021). It assesses the likely effects of the implementation of the Plan on the Hartslock Wood SAC, the Little Wittenham SAC and the Aston Rowant SAC. It concludes that the submitted Plan is unlikely to have significant effects on a European site. The report is very thorough and comprehensive. It concludes that the Plan will not give rise to likely significant effects on European sites, either alone or in combination with other plans or projects, and Appropriate Assessment is not required.

- 6.26 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*

- 6.27 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*

- 6.28 On the basis of my assessment of the Plan in this section of my report I am satisfied that it meets the basic conditions subject to the incorporation of the recommended modifications contained in this report.

## 7 The Neighbourhood Plan Policies

- 7.1 This section of the report comments on the policies in the Plan. In particular, it makes a series of recommended modifications to ensure that the various policies have the necessary precision to meet the basic conditions.
- 7.2 My recommendations focus on the policies themselves given that the basic conditions relate primarily to this aspect of neighbourhood plans. In some cases, I have also recommended changes to the associated supporting text.
- 7.3 I am satisfied that the content and the form of the Plan is fit for purpose. It is distinctive and proportionate to the neighbourhood area. The wider community and WPC have spent time and energy in identifying the issues and objectives that they wish to be included in their Plan. The community has successfully marshalled the capacity to prepare a review of its 'made' neighbourhood plan to reflect changing circumstances. This sits at the heart of the localism agenda.
- 7.4 The Plan has been designed to reflect Planning Practice Guidance (41-004-20170728) which indicates that neighbourhood plans must address the development and use of land. It includes a series of Parish Actions in Section 13.
- 7.5 I have addressed the policies in the order that they appear in the submitted Plan. Thereafter I comment on the Actions.
- 7.6 For clarity this section of the report comments on all policies whether or not I have recommended modifications in order to ensure that the Plan meets the basic conditions.
- 7.7 Where modifications are recommended to policies they are highlighted in bold print. Any associated or free-standing changes to the text of the Plan are set out in italic print.

### *The initial sections of the Plan (Sections 1-4)*

- 7.8 The Plan as a whole is well-organised and includes effective maps and photographs that give real depth and purpose to the Plan. The various photographs are particularly effective. The Plan makes an appropriate distinction between the policies and their supporting text. Its design will ensure that it will comfortably be able to take its place as part of the development plan in the event that it is eventually 'made'. The initial elements of the Plan set the scene for the policies. They are proportionate to the neighbourhood area and the subsequent policies.
- 7.9 Section 1 comments about the wider national agenda on this aspect of the planning system and how it has been developed in Woodcote. It comments about the neighbourhood area and the Plan period. It provides a concise summary of the implications of the adoption of the South Oxfordshire Local Plan on new development in the parish.
- 7.10 Section 2 sets out a summary of the process which the Plan has followed. Figure 2.i usefully summarises the overall process. Section 2.3 comments about the community

engagement process. It neatly overlaps with the Consultation Statement. Section 2.4 summarises the extensive evidence base which has underpinned the Plan.

- 7.11 Section 3 sets out a comprehensive package in relation to a vision, goals and objectives for the Plan. The Vision is that:

*'This, and future Neighbourhood Plans, will continue to support the development of Woodcote as a village that is a pleasant place to live and:*

- *that retains its vitality and vibrancy by providing a housing mix that is accessible to younger people and facilities, such as a well-supported and popular primary school, medical services and a social centre, that are attractive to younger families;*
- *in which the rural location, landscape and green spaces are conserved and enhanced for future generations to enjoy;*
- *in which cycling and walking are promoted, and roads are safe for pedestrians and motorists;*
- *for which the developed footprint is controlled to conserve the AONB;*
- *which sits lightly upon the planet continuously contributing to a reduction in net greenhouse gas emissions and increasing support for wildlife and biodiversity'*

- 7.12 Section 4 provides a very helpful Village Profile. It includes commentary on its landscape setting, its natural environment, its physical environment, the housing stock and general aspects of life in the parish.

- 7.13 The remainder of this section of the report addresses each policy in turn in the context set out in paragraphs 7.5 to 7.7 of this report.

General comments on policies

- 7.14 The Plan helpfully consolidates the review of the Plan into the structure of the 'made' Plan. This results in a series of new policies and the retention of existing policies in the 'made' Plan. The distinction between the two sets of policies is clear in the Plan. For the purposes of this report, I do not comment in any detail on the retained policies other than where they may have been affected by the adoption of the South Oxfordshire Local Plan 2035 or by updates in national planning policy since the Plan was 'made' in 2014.

Policy C1 Assets of Community Value (Retained Policy)

- 7.15 This policy is a retained policy from the made Plan.
- 7.16 SODC suggested that the policy is refined so that it clarifies that the approach taken is in accordance with development plan policies. Policy CF1 in the South Oxfordshire Local Plan comments about safeguarding community facilities and is identified as a strategic policy in that Plan. I am satisfied that a modification is required to bring the clarity required by the NPPF. I recommend accordingly.

**At the end of the policy replace ‘will be strongly resisted’ with ‘will not be supported unless it meets the requirements of relevant policies in the development plan’**

Policy C2 Sports Pitches at Schools (Retained policy)

- 7.17 This policy is a retained policy from the ‘made’ Plan. It is unaffected by any subsequent changes in the development plan or in national planning policy.

Policy C3 Communications Infrastructure (Retained Policy)

- 7.18 This policy is a retained policy from the ‘made’ Plan. It is unaffected by any subsequent changes in the development plan or in national planning policy. Nevertheless, I recommend a modification so that the policy has a closer association with the development management process.

**Replace ‘Applications for residential development must contain a Connectivity Statement and should’ with ‘New residential development should provide’**

Policy C4 Community Facilities and Services

- 7.19 This policy comments that proposals for additional community facilities will be supported subject to three criteria.
- 7.20 The policy takes a positive and supporting approach to this matter. I recommend a detailed modification to the wording of the third criterion so that it has the clarity required by the NPPF. It will have the indirect effect of ensuring that the criteria take a common format. Otherwise, it meets the basic conditions

**In criterion c) replace ‘without impinging on’ with ‘without having an unacceptable impact on’**

Policy C5 Schools

- 7.21 This policy recognises the importance of educational provision in the parish. It comments that proposals to relocate the Primary School to allow expansion of Langtree Academy without loss of playing fields, will be supported, provided the new location does not lead to an unacceptable impact on highway safety and the residual cumulative impacts on the road network would not be severe.
- 7.22 The policy seeks to address an important social and community matter in the neighbourhood area. I recommend the deletion of ‘if necessary’ from the policy. This acknowledges that in the event that the relocation of the School is not required, development proposals will not come forward within the context provided by the policy.

**Delete ‘, if necessary,’**

Policy T1 Traffic Congestion (Retained Policy)

- 7.23 This policy is a retained policy from the ‘made’ Plan.

- 7.24 I recommend that the opening element of the policy is reconfigured so that it takes account of the approach in paragraphs 111 and 113 of the 2021 version of the NPPF.

**Replace the opening element of the policy with: ‘Proposals which generate significant amounts of movement should provide a travel plan, and the application should be supported by a transport statement or transport assessment. Proposals which have an unacceptable impact on highway safety, or where the residual cumulative impact on the road network would be severe will not be supported.’**

Policy T2 Parking for the Library and Community Centre

- 7.25 This policy comments that proposals to provide a number of disabled parking spaces in front of the library will be supported.
- 7.26 I am satisfied that the approach is entirely appropriate. I recommend a modification to the policy to acknowledge that planning permission may not be required for such proposals based on their scale and position in relation to the highway.

**At the beginning of the policy add: ‘Insofar as planning permission is required,’**

Policy T3 Safe Travel to School (Retained Policy)

- 7.27 This policy is a retained policy from the ‘made’ Plan. It is unaffected by any subsequent changes in the development plan or in national planning policy.

Policy T4 Parking at the Co-op Store (Retained policy)

- 7.28 This policy is a retained policy from the ‘made’ Plan. It is unaffected by any subsequent changes in the development plan or in national planning policy.
- 7.29 From my observations during the visit the importance of the store in the village and the associated car parking pressures remain unchanged.

Policy T5 Traffic Calming along Goring Road (Retained Policy)

- 7.30 This policy is a retained policy from the ‘made’ Plan.
- 7.31 SODC made comments about the three Community Infrastructure Levy tests and suggest the inclusion of ‘where appropriate’ at the beginning of the policy. WPC does not agree with such an approach. It comments about the speed and volume of traffic on the Goring Road which is a ‘rat run’ linking the M4 to the M40. It also comments about the concerns consistently expressed during consultations and at other times by residents of the village concerned about road safety
- 7.32 I have considered this approach very carefully. However, I am not satisfied that it has regard to national policy. Paragraph 57 of the NPPF sets out the tests from Regulation 122 of the Community Infrastructure Levy Regulations. It comments that planning obligations ‘must only be sought where they are necessary to make the development acceptable in planning terms; are directly related to the development; and fairly and reasonably related in scale and kind to the development.’ Based on my observations

of the neighbourhood area I am not satisfied that all development which will directly access onto the Goring Road will meet the three tests. As such I recommend, 'where appropriate', is inserted at the start of the policy.

**At the beginning of the policy add: Where appropriate to their scale, nature and location'**

Policy T6 Pedestrian Footways (Retained Policy)

- 7.33 This policy is a retained policy from the 'made' Plan. It is unaffected by any subsequent changes in the development plan or in national planning policy.

Policy T7 Residential Car Parking Spaces

- 7.34 This policy is a replacement of Policy T8 in the 'made' Plan. The substantive element of the policy remains. However, the review of the Plan proposes an additional element whereby proposals for modifications and extensions to existing properties must demonstrate that no parking spaces are lost due to the modifications.
- 7.35 The policy has attracted a representation from SODC. It comments about the challenges which have been faced in implementing the policy in the 'made' Plan. I have considered these comments carefully against the Plan's view that inadequate provision for residential parking spaces has led to high levels of on-street parking on narrow estate roads and associated implications on road safety. I have also taken account of WPC's view that the significantly higher percentage of households with four or more cars or vans means that the Oxfordshire County Council parking standards do not meet the needs of Woodcote's residents.
- 7.36 Since 2014 national policy on design has been updated several times. Section 12 of the NPPF now has a sharp focus on 'the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve.' It comments that 'good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities'.
- 7.37 In this context, I am not satisfied that the policy continues to have regard to national policy. The application of a parking policy which requires one off-street car parking space per bedroom is mechanical in nature. In particular it takes no account of the needs of dwellings on a case-by-case basis and does not consider the implications of doing so in design and layout terms. The policy provides no evidence about the way in which it would have regard to Section 12 of the NPPF national in general, and either the National Design Guide or National Model Design Code in particular.
- 7.38 Policy DES1 of the Local Plan raises similar issues. As part of its ambition that all new development must be of a high standard it includes a criterion on car parking as follows:
- 'ensures a sufficient level of well-integrated and imaginative solutions for car and bicycle parking and external storage (xix)'*

- 7.39 In addition, the proposed additional element of the policy takes no account of the circumstances that might exist for each property. In extreme cases, the policy may prevent the development of an otherwise acceptable extension and which may have been promoted to accommodate social and/or community needs.
- 7.40 Finally, I am not satisfied that the Plan's approach is underpinned with compelling evidence. In any event, the responsibility of new development is to accommodate its own parking requirements rather than to resolve pre-existing issue.
- 7.41 In these circumstances I recommend a modification to the existing element of the policy so that it adopts a general rather than a prescriptive approach. I also recommend that the second (additional) part of the policy is deleted and repositioned into the supporting text. In the round, I consider that it should be a design-led ambition rather than a prescriptive policy which would have a clear and obvious ability to restrict the ability of householders to accommodate family needs.

**Replace the policy with: 'Proposals for all new homes should provide off-street parking spaces having regard to site-specific circumstances and Oxfordshire County Council parking standards'**

*Replace the final sentence of the supporting text with:*

*'Policy T7 seeks to address this matter. It applies the minimum County Council car parking standards to new residential development in the parish. Plainly there may be circumstances where a development has the space and flexibility to provide a standard of car parking beyond the minimum standards. Car parking spaces and parking areas should also be sensitively integrated into new developments in accordance with the various criteria in Policy DES1 of the adopted Local Plan. The Parish Council acknowledge that proposals for modifications and extensions to existing properties will continue to come forward within the Plan period. Where it is practicable to do so, such proposals should be designed to ensure that existing parking spaces are retained or rearranged as part of the proposed development'*

Policy EM1 Heavy Goods Traffic (Retained Policy)

- 7.42 This policy is a retained policy from the 'made' Plan.
- 7.43 I recommend that the opening element of the policy is reconfigured so that it takes account of the approach in paragraphs 111 and 113 of the 2021 version of the NPPF.

**Replace 'must demonstrate with the assistance of a Transport Statement that the proposal will not have an unacceptable traffic impact within the village' with 'will be supported where they do not have an unacceptable impact on highway safety, or would not result in a severe residual cumulative impact on the road network. All development proposals generating significant amounts of movement will require Travel Plans and should be supported by a transport statement or transport assessment.'**

### Policy E1 Green space and landscaping

- 7.44 This policy has been designed to offer a general context for the development of the allocated sites in the Plan. It is an updated policy from the equivalent policy in the 'made' Plan. It is intended to apply to the allocations in the Plan and for any application for major development. The policy requires a landscape strategy and visual analysis to be submitted incorporating details about:
- existing and proposed landscaping;
  - an outline of the measures to be taken to protect wildlife habitats;
  - an analysis of both near and distant views from principal public vantage points and
  - details, where appropriate, of how areas to be retained for open space and/or woodland will be managed in the future.
- 7.45 I sought comments from WPC on the extent to which the policy could be supporting text to the allocated sites elsewhere in the Plan both in general, and given that they are likely to represent the majority of new development in the Plan period. It commented that whilst the policy could be replaced by supporting text associated with the allocated development sites it would then not apply to other planning applications in the village.
- 7.45 On the balance of the evidence, I am satisfied that the policy is both appropriate to the circumstances that are being addressed by the Plan. I recommend a very specific modification to the wording used both to bring the clarity required by the NPPF and to ensure that the policy's wording is consistent with other policies in the Plan. I also recommend that there is an explicit reference to this policy in Section 12 of the Plan which deals with the specific allocations. This is addressed later in this report.

### **In the initial part of the policy replace 'shall' with 'should'**

### Policy E2 Historic Environment (Retained policy)

- 7.46 This policy is a retained policy from the 'made' Plan. It is unaffected by any subsequent changes in the development plan or in national planning policy.

### Policy E3 Biodiversity and wildlife support

- 7.47 This policy sets out the Plan's approach to biodiversity. It comments that all development should result in a net biodiversity gain of at least 10%, measured by a recognised biodiversity accounting metric against a baseline ecological survey. It also comments that opportunities to incorporate wildlife improvements in and around developments are encouraged, especially where they can secure measurable overall gains for wildlife by implementing measures.
- 7.48 The policy takes a positive approach to this matter which is now captured in the Environment Act.
- 7.49 I recommend two modifications to bring the clarity required by the NPPF. The first acknowledges that the word 'encouraged' has little, if any, weight in the statutory

planning process. The second clarifies the detailed wording of criterion b with regards to birds and roosting. Otherwise, it meets the basic conditions. It will contribute significantly to the achievement of the environmental dimension of sustainable development.

**Replace ‘Opportunities to incorporate wildlife improvements in and around developments are encouraged’ with ‘Development proposals which take appropriate opportunities to incorporate wildlife improvements in and around the site concerned will be supported’**

**Replace criterion b with 'retaining existing nesting and roosting opportunities where possible and providing nesting features and boxes for bats and birds, suited to, but not exclusively for swifts, swallows and house martins on each new dwelling or building as an integral part of their design;'**

Policy E4 Settlement boundary

- 7.50 This policy both establishes a settlement boundary and establishes a spatial strategy for the parish. It comments that proposals for infill development or redevelopment within the identified settlement boundary will be supported subject to a series of criteria. It then goes on to comment that proposals for development outside the boundary will only be supported if they are appropriate to a countryside location within the Chilterns AONB.
- 7.51 I am satisfied that the concept of a settlement boundary is both appropriate and meets the basic conditions. It provides a sharp focus for decisions on the location of new growth. It also provides a clear context to safeguard the village’s relationship with the surrounding countryside and its wider setting within the Chilterns AONB.
- 7.52 I recommend detailed modifications to the wording of the policy to take account of the representation from SODC and the Chilterns Conservation Board. Otherwise, it meets the basic conditions. It will contribute significantly to the achievement of the environmental and the social dimensions of sustainable development.

**Replace the policy with:**

**‘The Settlement Boundary is shown in Fig 9.i. Proposals for residential development within the boundary will be supported, provided that they accord with the design and development management policies of the Local Plan and other policies of the Neighbourhood Plan. Proposals for development outside the boundary will only be supported if they are appropriate to a countryside location and therefore conserve and enhance the special qualities of the Chilterns AONB.’**

Policy E5 Local Green Spaces

- 7.53 This policy proposes the designation of ten local green spaces (LGS). It then applies the approach in the NPPF (paragraph 103) to the proposed LGSs. The policy is underpinned by the excellent Local Green Space Assessment. The proposed LGS are shown on Figure 9ii and in greater detail in the LGS Assessment Paper.

- 7.54 The supporting text comments about the tests in the NPPF for the designation of LGSs. The Local Green Space Assessment provides detailed commentary on the way in which WPC considers that the various proposed LGSs meet the criteria for such designation in the NPPF. I looked carefully at the proposed LGSs when I visited the neighbourhood area.
- 7.55 On the basis of all the information available to me, including my own observations, I am satisfied that the proposed LGSs comfortably comply with the three tests in the paragraph 102 of the NPPF. In several cases they are precisely the types of green spaces which the authors of the NPPF would have had in mind in preparing national policy. The Greenmoor Ponds (LGS8) and the Village Green (LGS1) are particularly good examples of informal and formal LGSs respectively.
- 7.56 In addition, I am satisfied that their proposed designation would accord with the more general elements of paragraph 101 of the NPPF. Firstly, I am satisfied that their designation is consistent with the local planning of sustainable development. They do not otherwise prevent sustainable development coming forward in the neighbourhood area and no such development has been promoted or suggested. Secondly, I am satisfied that the LGSs are capable of enduring beyond the end of the Plan period. Indeed, they are an established element of the local environment and, in most cases, have existed in their current format for many years. In addition, no evidence was brought forward during the examination that would suggest that the proposed local green spaces would not endure beyond the end of the Plan period.
- 7.57 The policy itself has two related parts. The first lists the proposed LGSs. The second sets out the implications for LGS designation. The second part follows the approach as set out in paragraph 103 of the NPPF.
- 7.58 The supporting text helpfully relates the policy's approach to the NPPF and identifies that development will only be supported on LGS in exceptional circumstances. However, it does not provide any clarity on this matter. I recommend that the text is modified so that it addresses this matter.

*At the end of the fifth paragraph of supporting text add: 'Policy E5 follows the matter-of-fact approach in the NPPF. In the event that development proposals come forward on the local green spaces within the Plan period, they can be assessed on a case-by-case basis by the District Council. In particular it will be able to make an informed judgement on the extent to which the proposal concerned demonstrates the 'very special circumstances' required by the policy'*

#### Policy E6 Important Views

- 7.59 This policy follows a similar format to that of the previous policy. In this case its focus is on Important Views. It is underpinned by the Protected Views Assessment.
- 7.60 The policy comments that the views identified in Table 9. ii and map 9.iv are considered important as valued local views within the AONB. In this context it comments that new development should not intrude upon valued local views in and out of the settlement area of the Parish and proposals for development that might impact on such views

must identify the impact and demonstrate how the quality of the landscape will be preserved.

- 7.61 In general terms, I am satisfied that the policy approach is appropriate and takes account of the distinctive circumstances in the parish. However, as submitted, it would be mechanistic in its operation and largely describes the process to be followed rather than how development should be designed to respect and accommodate the identified important views. I recommend modifications to remedy these matters. They set out specific requirements for developers. In addition, they identify the way in which development proposals which did not safeguard the important views would be determined.

**Replace the policy with: ‘Development proposals should preserve, conserve and where practicable enhance, the local character of the landscape in general and should take account of the important views as identified on figure 9. iv and as listed in table 9.ii**

**Development proposals which would have an unacceptable impact on the local character of the landscape and/or on an identified important view will not be supported.’**

Policy E7 Solar Energy Arrays

- 7.62 This policy takes a positive approach to proposals for solar energy. In doing so it recognises that climate change presents a major threat to environmental and social sustainability.
- 7.63 It comments that proposals for a solar energy array will be supported having regard to the policies of the Chilterns AONB Management Plan and where it is located and designed to suit the character of the local landscape.
- 7.64 In general terms I am satisfied that the policy has regards to paragraphs 155 to 158 of the NPPF. However, as submitted the policy would operate in a slightly unusual way as it offers support to such proposals on the one hand and then caveats that support with ‘in principle’ on the other hand. This approach does not have the clarity required by the NPPF. This matter was acknowledged by WPC in its response to the clarification note. I recommend accordingly.

**Delete ‘in principle’**

Policy H1 Number of New Homes

- 7.65 In many respects, this policy sits at the heart of the Plan. It sets out WPC’s response to the strategic requirement for the delivery of 115 new homes in the parish in the period up to 2035 as set out in the Local Plan. Policy H4 of the Local Plan sets out the housing requirement figures to be delivered in larger villages. The first part sets out specific requirement for delivery in three of the larger villages including Woodcote. The requirement for Woodcote is 115 homes. The second part of the policy provides a contingency to ensure the housing requirement is met in the event that the relevant

neighbourhood plans have not been submitted in time or does not allocate sufficient housing sites.

*The approach taken in the Plan*

7.66 The review of the neighbourhood plan carries forward the allocations from the made Plan (76 homes) and allocates a further 53 homes. WPC prepared a Landscape and Visual Impact Assessment (LVIA) to provide evidence to justify the lower allocation of 53 houses compared with the allocation of 115 in the Local Plan. This approach is set out both within the Plan itself, within the Sustainability Appraisal and within the Landscape and Visual Impact Assessment.

7.67 WPC has sought to follow the approach which has underpinned Policy H4 in the Local Plan. Part of the wider assessment that was considered as part of the preparation of the Local Plan was the environmental capacity of some of the larger villages to accommodate the proposed level of growth. Paragraph 4.28 of the Local Plan explains how neighbourhood plans should deal with factors that may potentially constrain the supply of new homes and the capacity of the settlement to deliver the housing requirement. It comments that:

*‘Some villages are constrained by factors such as Green Belt, Areas of Outstanding Natural Beauty, and Flood Zones. Where Neighbourhood Development Plans are considering sites within an ANOB, a Landscape and Visual Impact Assessment should be undertaken. In these villages a 15% growth may not be fully achievable. Other villages are unconstrained and can plan for more than 15% growth. The level of growth proposed should be evidenced within the Neighbourhood Development Plan with local communities helping to shape the development of their village. Ultimately the detailed evidence base will need to be provided to support each Neighbourhood Development Plan and its assessment of capacity, whether this is to support a higher or lower number than that provided in Table 4f: Provision of homes at Larger Villages. Neighbourhood planning groups will need to cooperate with infrastructure providers and statutory consultees to provide this evidence, and develop viable solutions for any infrastructure provision that is needed.’*

7.68 The approach taken by WPC has divided opinions. On the one hand, it is supported by the Chiltern Conservation Board and the Council for the Protection of Rural England. In addition, Lone Star makes specific comments in relation to two sites in which it has commercial interests. Nevertheless, it offers support to the overall approach taken, and to the delivery of a lower figure of housing growth in Woodcote than that specified in the Local Plan.

7.69 On the other hand, both TA Fisher Limited and Woodcote Properties Limited comment that the approach taken fails to be in general conformity with the strategic policies in the adopted Local Plan. They make specific comments about the independence and the wider approach taken both in the Landscape and Visual Impact Assessment and the Housing Needs Assessment. Their overlapping representations comment that:

*‘an appropriate housing requirement for Woodcote has been established by SODC through the strategic plan and its evidence base. The Local Plan was independently*

*tested at Examination and found to be sound. The Inspector has also clearly considered the impact of development on the AONB and concluded that there was no evidence that the scale of development envisaged would be harmful. There is therefore no reasonable justification for the WNDP2 to depart from the housing requirement set out in Local Plan Policy H4. The WNDP2 should consequently be found to fail to accord with the basic conditions. The WNDP2 must undergo significant modification to ensure it accords with paragraphs 29 and 66 of the Framework and Local Plan Policy H4, to satisfy the basic conditions set out in legislation, with the starting point being the adoption of the housing requirement of 115 homes. (Paragraph 2.25)*

*'It is evident that the question of how much development should be provided in Larger Villages has already been pre-determined through the Local Plan Examination process. Therefore, the WNDP2 should seek to follow this and allocate sufficient sites for housing within the village to meet the identified need and set appropriate neighbourhood policies to guide this development, rather than go against the adopted Local Plan' (Paragraph 2.26)*

*'Further, the allocation of new homes to Woodcote is not trivial when that allocation is to promote sustainable development in rural areas in line with the Framework in order to maintain the vitality of this community. We consider that the dismissive approach of the Local Plan and its Policy H4 allocating 115 dwellings to Woodcote undermines the approved distribution strategy for meeting the level of housing need across the District and therefore the aims of Local Plan Policy H4. The WNDP2 housing strategy therefore does not accord with paragraph 29 of the Framework' (Paragraph 3.7)*

*'We consider it relevant too that if Woodcote Parish is allowed to depart from the Local Plan so soon after its adoption, this potentially sets a precedent for other Neighbourhood Plans to do similar if they too consider the figure allocated by the District is too high. This will further threaten the spatial strategy and the housing land supply within the District' (Paragraph 3.8)*

- 7.70 SODC comments about the relationship between the approach taken in the Plan and Policy H4 and paragraph 4.28 of the Local Plan. It expresses its concerns relating to the assessment of capacity.

*Consideration of the approach taken*

- 7.71 I have considered the policy approach very carefully. In doing so I looked carefully at the sites proposed to be included as allocations in the Plan and others which had been considered. I did so within the broader expectation that WPC would identify sites in the review of the neighbourhood plan to accommodate the 115 additional homes as required in the Local Plan for the neighbourhood area.

- 7.72 Appendix D of the Plan comments in detail about the way in which WPC addressed this matter as follows:

*'There are no available sites within the settlement boundary to accommodate the additional housing requirement. Therefore, any new development must be located on the perimeter of the village, intruding into the AONB with consequential adverse effects on the AONB. To accommodate additional housing it is, therefore, necessary to identify*

locations that have the minimum impact on the landscape where mitigation is possible to limit that impact. A total of 18 possible sites for housing or employment development were identified. These were identified from:

- the Strategic Housing and Employment Land Availability Assessment (SHELAA);
- all unallocated sites identified for the Woodcote Neighbourhood Plan 2012 – 2027 (WNP1);
- other sites notified to South Oxfordshire District Council;
- all responses to an advertisement placed in the Henley Standard; and
- the paddock by Wards Farm in response to local concerns about parking on the road.

One of these sites is a brownfield site – offices at Beechwood Court with the potential for conversion to flats, the remaining sites are all greenfield sites.

A detailed Landscape and Visual Impact Assessment (LVIA) was carried out to determine which sites might be suitable for development. Five sites for housing (accommodating 57 houses) and two sites for employment use were identified as having minimal impact on the AONB with appropriate mitigation. All other sites were found to have a major impact on the AONB and were rejected. Subsequently one of the sites was withdrawn by the new owners leaving four sites with the capacity for 53 houses’

7.73 On the balance of all the information, I am satisfied that the policy has taken an appropriate approach to this matter and in a way which is underpinned by comprehensive and robust evidence. I have reached this judgement for a related series of reasons as set out in the next paragraphs of this report.

7.74 Firstly, the approach taken in the Plan is an outcome which is anticipated in the wording of the Local Plan. The latter part of paragraph 4.28 of the Local Plan comments that:

*‘the level of growth proposed should be evidenced within the Neighbourhood Development Plan with local communities helping to shape the development of their village. Ultimately the detailed evidence base will need to be provided to support each Neighbourhood Development Plan and its assessment of capacity, whether this is to support a higher or lower number than that provided in (the table in the Local Plan). Neighbourhood planning groups will need to cooperate with infrastructure providers and statutory consultees to provide this evidence, and develop viable solutions for any infrastructure provision that is needed.’*

In effect the submitted Plan has reached its conclusions on this very basis. It has assessed the capacity of the parish to deliver growth both in general environmental terms and taking account of its location within the Chilterns AONB. It has done so in a balanced way which is underpinned by proportionate information.

7.75 Secondly, I have considered the landscape assessment very carefully. It is a well-considered and presented document produced by the local community. To ensure that the approach was appropriate it was independently validated by LandArb Limited, an

Oxfordshire based Landscape and Arboricultural consultancy in general and specifically by a Chartered Member of the Landscape Institute. I am satisfied that its conclusions are both appropriate and proportionate to the task involved. In particular, I am satisfied that it has properly assessed the landscape impact of sites which have not been allocated in the Plan itself. In reaching this conclusion I have taken account of the representations which have commented about the relationship between the work undertaken on landscape assessment and the nature of the task anticipated by paragraph 4.28 of the Local Plan. Whilst there may be differences in expectations of the task anticipated it is clear that WPC has sought to assess the potential impact of a series of development options on the character of the village and its wider setting in the Chilterns AONB. This gets to the heart of the neighbourhood plan agenda.

- 7.76 Thirdly, the Plan has been prepared at a local rather than a strategic level. In effect, it has highlighted the significance of the task associated with the allocation of specific sites and the associated assessment of the likely impact on the AONB on a site-by-site basis. This task has highlighted very different issues. On the one hand, WPC has assessed a range of potential sites for housing development. They are located on every flank of the village. On the other hand, the detailed assessments have concluded that many of the sites would have a major impact on the AONB. These issues reinforce the broader conclusion that WPC's approach has been both detailed and evidence-based. Its approach is far from one which has taken a dismissive view of details of Policy H4 of the adopted Local Plan.
- 7.77 Fourthly, I am satisfied that the difference between the anticipated number of dwellings to be provided in Woodcote in the Local Plan and the eventual number provided in the submitted Plan is unlikely to prejudice the wider approach taken towards housing delivery in South Oxfordshire. The anticipated figure of 115 new homes for Woodcote was part of an overall figure of 257 dwellings to be delivered collectively in the larger villages. The overwhelming majority of new development in the Local Plan was to be delivered on identified strategic sites. New development in the larger villages was aimed at supporting and enhancing their roles as local service centres.
- 7.78 Fifthly, I am satisfied that the density and yield of the allocated sites is appropriate and takes account of their locations on the edges of the village. This approach will ensure that the sites are sensitively incorporated into the surrounding landscape. This is an important matter given my earlier comments about the way in which the village relates seamlessly with its surrounding countryside.
- 7.79 Finally, I am satisfied that the approach taken in Woodcote will not establish a precedent for the approach that might be taken towards the delivery of housing in the preparation of neighbourhood plans elsewhere in the District. In a general sense, each neighbourhood plan (or a review of a 'made' Plan) will be examined against the basic conditions. In addition, individual examinations will proceed on the basis of the evidence which has underpinned the plan concerned. In a specific way, examinations are now proceeding for the review of the Sonning Common Plan (one of the three larger villages as identified in Policy H4) and for the review of the Henley-on-Thames and Harpsden Plan (one of the market towns identified in Policy H3).

*The relationship between the approach in the submitted Plan and Policy H4 of the Local Plan*

- 7.80 The second part of Policy H4 of the Local Plan provides a contingency to ensure the housing requirement is met in the event that the neighbourhood plan has not been submitted in time or does not allocate sufficient housing sites. Paragraph 4.28 of the Local Plan explains the relevance of the neighbourhood planning process in understanding whether sufficient housing sites have been allocated. I have concluded that the Plan has achieved the right balance between the capacity and the constraints of the settlement and the strategic requirement for additional development to come forward in the parish. As such, and on the basis of the findings in this report, I am satisfied that the contingency provided by the second part of Policy H4 of the Local Plan does not need to be applied. The submitted review of the Woodcote Plan has been progressed in good time. In addition, it has presented a robust case to justify the circumstances whereby a level of new housing development lower than that set out in Policy H4 of the Local Plan is appropriate for the neighbourhood area.

*The policy itself*

- 7.81 The policy comments that planning permission will be granted for a minimum of 129 new homes to be built in Woodcote in the period to 2035 on the sites specifically allocated in the Plan. I recommend that the policy is simplified – there is no need for it to refer either to Woodcote (as the Plan only addresses the parish) or to 2035 (as this is the Plan period). For clarity, I also recommend that the policy makes direct reference to the allocated sites as included in Policy HS1 of the Plan.
- 7.82 Several of the representations comment about the way in which the Plan has addressed the delivery of new homes and its mathematical relationship to the details in Policy H4 of the Local Plan. On the balance of the evidence, I am satisfied that the approach taken in the submitted Plan is both a sensible and a practical way forward. In particular, it acknowledges that several sites (and as included in Policy HS1) are sites allocated in the ‘made’ Plan and which have not yet come forward. Nevertheless, I recommend modifications to the supporting text so that the approach taken is absolutely clear. This approach will provide a robust basis against which the Plan can be monitored in general, and against which the development of new homes can be assessed in particular. I also address this matter later in this report in relation to the commentary in the Plan about its monitoring and potential review.

**Replace the policy with: ‘The Plan provides for the development of a minimum of 129 new homes within the Plan period and as set out in Policy HS1 of this Plan’**

*Replace Table 10i with:*

*‘The outcome of this process is that the Plan proposes the development of 129 homes in the Plan period. Fourteen of these homes have now been completed. The overall total of 129 homes consists of 76 homes which were allocated in the ‘made’ version of the Plan (and which remain to be developed) and 53 additional homes which are*

*allocated in this review of the Plan. Collectively they are shown in the allocated sites in Policy HS1 of this Plan. Policies HS2-HS9 provide specific details for their development on a site-by-site basis.'*

Policy H2 Tenancy Mix (Retained policy)

- 7.83 This policy is a retained policy from the made Plan. It is unaffected by any subsequent changes in the development plan or in national planning policy.

Policy H3 Affordable Housing

- 7.84 This policy supports the development of affordable housing in Woodcote for rent, low-cost ownership and for sale to local people. The Plan comments that residents have consistently expressed an overwhelming desire that affordable housing should meet the needs of local people with strong local connection to Woodcote. It also comments that the sustainability and balance of the community is threatened because young people brought up in Woodcote are forced to move away because the village is unable to meet their housing needs in the open market. Finally, it comments that starter homes and family homes with adequate gardens or shared green space are priorities for a community whose sustainability requires that it attracts young families.
- 7.85 The policy comments that proposals for developments that result in a net gain of five or more dwellings or where the site has an area of 0.5 hectares or more will be expected to provide a minimum of 40% of affordable housing on the site unless a financial viability assessment demonstrates a robust justification for a different percentage. The policy also requires that the affordable housing is fully integrated into the overall development. The second part of the policy comments about the way in which the mathematical elements of the policy will be applied.
- 7.86 In general terms, the policy takes a robust approach to this important matter. Nevertheless, its language is confusing in places. In particular I recommend that the element of the policy which comments about integration is separated from the wider numerical approach and is applied on a proportionate basis. In addition, the second part of the policy is supporting text as it describes how the policy would be applied rather than acting as policy in its own right. I recommend modifications to remedy these matters and to bring the clarity required by the NPPF.

**Replace the policy with:**

**'Proposals for developments that result in a net gain of five or more dwellings or where the site has an area of 0.5 hectares or more should provide a minimum of 40% of affordable housing on the site unless a financial viability assessment identifies a justification for a lower percentage. As appropriate to the scale of the site, the delivered affordable homes should be fully incorporated into the wider development.'**

*At the end of the supporting text in Section 10.4 add:*

*'Policy H3 sets out the Plan's approach to affordable housing. The ambition of the second part of the policy is to ensure that the affordable housing element is seamlessly incorporated into the wider development. Plainly this may require imaginative design*

*solutions, especially on smaller sites. It is on that basis that the policy has been designed to be applied on a proportionate basis. The application of the policy may result in some mathematical inconsistencies. In cases where the development is less than 10 homes, the contribution to affordable housing may be provided as a financial contribution. In cases where the 40% calculation provides a part unit, either the number of affordable units should be rounded up to the next whole unit or a financial contribution will be sought equivalent to that part unit.'*

#### Policy H4 Allocation of Affordable Housing

- 7.87 This policy follows on from Policy H3. In this case, it refers to the allocation of affordable housing. It comments that all new affordable housing in Woodcote will initially be subject to a local connection whereby people with a strong local connection to the Parish and whose needs are not met by the open market will be first to be offered the tenancy or shared ownership of the home.
- 7.88 In the clarification note I sought WPC's views about the extent to which the policy was a statement of a process rather than a land use policy. The Parish Council agree that this is not a land use policy and that it could be replaced by supporting text to Policy H3 (Affordable Housing). I recommend accordingly. In doing so I recommend a detailed modification to its wording.

#### **Delete the policy**

*Reposition the deleted policy so that it forms supporting text to Policy H3 and at the end of Section 10.4 (as modified in relation to Policy H3).*

#### Policy H5 Affordable Housing on Exception sites (Retained Policy)

- 7.89 This policy is a retained policy from the made Plan. It is unaffected by any subsequent changes in the development plan or in national planning policy.

#### Policy H6 Type of Homes (Retained Policy)

- 7.90 This policy is a retained policy from the made Plan. It comments that approximately two-thirds of new homes on developments of nine or more new homes should be terraced or semi-detached and one-third detached properties unless viability or other material considerations show a robust justification for a different mix. Section 10.6 of the Plan explains the context to this policy - Woodcote has significantly more detached homes compared to the national average and significantly less terraced homes. The Plan comments that this reduces the supply of less expensive homes in a village where housing is very expensive.
- 7.91 This background remains unaffected by the review of the Plan. Nevertheless, the Plan offers no explanation about the way in which this retained policy would interact with the proposed new policy (Policy H7) on the size of homes. Plainly there will be an overlap between the two policies. In particular new homes with one or two bedrooms are unlikely to be detached in their nature.
- 7.92 I have considered this matter very carefully. On the balance of the evidence, I am not satisfied that it would either be practicable or appropriate for the two policies to apply

side-by-side. The joint application of the two policies would be mathematically complicated and would have the ability to affect the viability of development. In all the circumstances I recommend that Policy H6 is deleted and that its approach is incorporated into Policy H7. This approach reflects that Policy H7 is the most up-to-date policy. It also acknowledges that controls on house sizes is a more realistic way of achieving WPC's intentions of bringing forward smaller homes. In this context in most cases the type/design of any house will be a consequence of its size.

### **Delete the policy**

#### Policy H7 Size of Homes

- 7.93 This policy addresses the mix of homes on the larger housing sites. In comments that up to 10% of new homes on developments of nine or more new homes should have one bedroom, up to 25% should have two bedrooms, no more than 15% have four or more bedrooms and the balance, at least 50%, should have three bedrooms unless viability or other material considerations show a robust justification for a different mix.
- 7.94 I am satisfied that the policy addresses an important matter in the parish and is underpinned by evidence. I am also satisfied that the threshold of nine dwellings is appropriate for the application of the policy. A lesser figure would make the application of the proportions involved mathematically impracticable. In coming to this judgement, I have taken account of the representation from Lone Star on this policy.
- 7.95 In specific terms, I recommend that the policy is expanded so that it incorporates the approach of Policy H6 of the 'made' Plan as set out in my commentary on that policy.
- 7.96 In general terms, I recommend that the policy is modified so that it has the clarity required by the NPPF. As submitted, it is written in a way which is not policy based. Otherwise, it meets the basic conditions. It will contribute significantly to the achievement of the social dimension of sustainable development.

### **Replace the policy with:**

**'Development proposals that deliver smaller dwellings will be supported. The following mix should be delivered on developments of nine or more new homes, unless viability or other material considerations show a robust justification for a different mix:**

- **Up to 10% should have one bedroom;**
- **Up to 25% should have two bedrooms;**
- **At least 50% should have three bedrooms; and**
- **No more than 15% should have four or more bedrooms.**

**Proposals which include terraced or semi-detached homes to achieve this mix of housing will be particularly supported.'**

#### Policy H8 Scale of New Development

- 7.97 The supporting text comments that large scale development is not acceptable to the community and if new housing is needed in Woodcote, then the consensus is that it

should be delivered through several smaller sites. The policy itself comments that proposals will be supported for a maximum of 30 new homes on any allocated site.

- 7.98 SODC suggest that this policy is deleted to avoid unnecessary duplication arising from the scale of development on allocated sites being guided by specific policies covering each site allocation. In its response to the clarification note WPC disagree with this suggestion and point to information about the way in which local residents have consistently expressed a strong preference for smaller developments. WPC also comment that sites which would deliver more than 30 homes could be considered 'major development in an AONB and thus not be deliverable without a demonstration of exceptional circumstances.
- 7.99 I sought separate clarification from WPC on this matter and its thinking for the policy. It commented that '(the) current, made, Woodcote Neighbourhood Plan established a nominal limit of 24 houses per site. As the consultations for the updated Woodcote Neighbourhood Plan show the community continues to support this limit but both to provide more homes on suitable sites and make efficient use of the suitable land the Parish Council increased the limit to 30 despite the risk of rejection at the referendum'
- 7.100 I have considered this matter very carefully. In doing so I have taken account of my assessment of Policy H1 against the basic conditions. On the balance of the evidence, I recommend that the policy is deleted. I have reached this judgement for three related reasons. The first is that the package of housing allocations in Policy HS1 has defined the proposed site allocations and their anticipated yields. The three largest sites would yield 30, 24 and 20 dwellings. As such proposed Policy H8 would bring no added value to this overall approach.
- 7.101 The second is that development of 30 or more homes would represent major development in the AONB and which is already addressed in national and local planning policies. The third is that there is no specific evidence in the Plan that development up to 30 houses would be acceptable and that development of more than 30 homes would be unacceptable. I acknowledge that the figure of 30 homes stems from public feedback. Nevertheless, WPC has already captured this feedback in the way in which it has allocated the package of housing allocations in Policy HS1.
- 7.102 I also recommend consequential modifications to the supporting text.

### **Delete the policy**

*Delete the supporting text in paragraph 10.8*

Policy H9 Infill Housing in the AONB

- 7.103 The policy reflects the location of Woodcote entirely within the Chilterns AONB. The supporting text provides the context to the policy as follows:

*'Woodcote is one of only two larger villages in South Oxfordshire to be situated wholly within the Chilterns AONB. Residents have indicated strongly that they expect this national designation to be a material consideration with regard to both the amount and scale of any new housing development in Woodcote. The Local Plan indicates that the*

*scale of infill should be appropriate to its location. The Woodcote Neighbourhood Plan draws attention to this part of the policy in order to reflect the strong views of local residents. Woodcote has an open, rural character with many wooded areas and open spaces that make an important contribution to this loose-knit character. It is important that infill development does not destroy this essentially open character and does not adversely affect the natural beauty and landscape of the AONB' (Paragraph 10.9)*

- 7.104 The policy comments that applications for residential developments on small infill or redevelopment sites within Woodcote will be supported where they are well-designed and comply with a series of criteria.
- 7.105 The policy has inevitable overlaps with Policy H16 (Backland and Infill Development and Redevelopment) of the South Oxfordshire Local Plan and to Policy E4 (Settlement Boundary) of the submitted Plan. I have considered the added value that would be secured by the incorporation of this new policy in the review of the submitted Plan. On the balance of the evidence, I am satisfied that the policy does bring added value to Policy H16 of the Local Plan and complements the approach taken in Policy E4 of this Plan. Nevertheless, it is important that this policy is in general conformity with the strategic policy approach in the adopted Local Plan and I recommended a series of modifications to remedy this matter.
- 7.106 In the first instance, I recommend a modification to criterion a of the policy. It takes account of the representation from SODC. It will ensure that the policy takes a consistent approach to infill development as set out in the Local Plan. Otherwise, the neighbourhood plan policy would be impracticable to apply through the development management process.
- 7.107 In the second instance I recommend that criterion f is worded in a positive fashion.
- 7.108 Criterion g comments that at least one small home with two or fewer bedrooms should be delivered for every one large dwelling with four or more bedrooms. I have considered this matter very carefully and taken account of the representation made by SODC and WPC's response to the clarification note. I recommend that criterion g is deleted from the policy. Its format and content are complicated in nature. In addition, Policy H7 already sets out a policy approach towards the mix of house sizes and applies a realistic threshold of nine homes or more.

**Replace criterion a with: 'fills a small gap in an otherwise continuous built-up frontage or on other sites within the settlement boundary where the site is closely surrounded by buildings.'**

**Replace criterion f with: 'is compliant with policy H10 of this Plan if considered to be backland development.'**

**Delete criterion g.**

Policy H10 Backland infill development in the AONB

- 7.109 This policy takes account of feedback from residents about the impact of excessive backland development on the open look and feel of the village. On this basis, the policy

comments that backland development will be supported where the development meets all relevant requirements set out in other policies in the Plan and the Local Plan, and complies with a schedule of criteria.

- 7.110 SODC comment that with regard to the criterion on wildlife and habitat it is very likely that any development in a residential garden would result in the loss of some wildlife habitat and that Policy E3 in the Plan already covers biodiversity net gain, and that this should be sufficient to ensure there is no overall loss in biodiversity. As such it suggests that the criterion is deleted. I have considered this matter carefully together with WPC's response to the question in the clarification note. On the balance of the evidence, I recommend that the criterion is modified to allow a judgement to be made on the acceptability or otherwise of any wildlife habitat in the garden of a residential property where backland development is being proposed. Plainly different circumstances and details will apply on a case-by-case basis.

**Replace criterion c with 'does not result in unacceptable loss of wildlife habitat in a residential garden'**

Policy D1 Good Design (Retained Policy)

- 7.111 This policy is a retained policy from the made Plan. The policy was clearly carefully crafted as part of the 'made' Plan. It has withstood the test of time well and continues to have regard national policy (as updated by the NPPF in 2021).
- 7.112 The supporting text comments in detail about the content of Design and Access Statements. However, as SODC comment not all planning applications require design and access statements. As such, I recommend a modification to the wording used in the supporting text. I also recommend that the commentary on design and access statements is broadened to take account of detailed comments from the County Council.

*In the supporting text replace: 'All proposals for new development must be accompanied by a design and access statement' with 'Where required, development proposals for new development should be accompanied by a design and access statement'*

*Replace the opening part of iv with: 'adopt the guidance produced by the Building for Life Partnership, the Oxfordshire County Council's Street Design Guide and, in particular, that proposals for development.'*

Policy D2 Light Pollution (Retained Policy)

- 7.113 This policy is a retained policy from the made Plan. It is unaffected by any subsequent changes in the development plan or in national planning policy.

Policy D3 Secured by Design (Retained policy)

- 7.114 This policy is a retained policy from the made Plan.
- 7.115 I recommend that the policy is reconfigured so that it would support 'Secured by Design' developments rather than requiring such an approach. This acknowledges that

the ‘Secured by Design’ principles have not explicitly been examined as part of the preparation of either the Local Plan or the submitted Plan. Otherwise, the policy meets the basic conditions. It will assist significantly in contributing towards the delivery of the social dimension of sustainable development.

**Replace the policy with: ‘Development proposals which incorporate the principles of ‘Secured by Design’ (SBD47) and ensure that a safe and sustainable community is maintained will be supported’**

#### Policy D4 Renewable Energy

- 7.116 The policy takes account of feedback from local residents and is a key goal of the Plan. The policy itself comments that all new development should contain solar photovoltaic panels and/or solar water heating panels and new dwellings and buildings be aligned to maximise energy generation. Both SODC and Lone Star comment about the rather prescriptive nature of the policy and the way it which relates to Policy DES10 of the adopted Local Plan which sets ambitious targets for carbon reductions.
- 7.117 I have considered this matter carefully. I recommend modifications to the policy to ensure that it complements the approach taken in the Local Plan. In particular, the modified approach will apply to development proposals on a proportionate basis and does not seek to anticipate the type of renewable energy approaches which should be applied to individual proposals. This matter would be one for the developer concerned to assess and for SODC to test against national and local policies in place at that time. This is a particularly important matter as national policy (and associated best practice) on this matter is likely to change significantly during the Plan period. In this scenario a prescriptive policy would quickly become out of date.

**Replace the policy with: ‘As appropriate to their scale, nature and location development proposals should incorporate the carbon reduction requirements set out in Local Plan Policy DES10. The use of a range of techniques and technologies, from energy use reduction to renewable energy generation will be supported.’**

#### Policy D5 Sustainable Homes

- 7.118 This policy continues the approach taken in Policy D4. It comments that all new development should align dwellings to take maximum advantage of passive solar heating; be insulated to a high level; and incorporate sustainable water and drainage systems and storage.
- 7.119 The policy takes a positive and appropriate approach to this important matter. I recommend a modification to the wording used in the initial element so that its application to residential development is clear. Otherwise, it meets the basic conditions. It will assist in the delivery of the environmental dimension of sustainable development in the parish.

**Replace ‘All new development’ with ‘Proposals for residential development’**

## Policy D6 Sustainable Transport

- 7.120 The context to the policy is set out in the supporting text. It highlights that the rural location of Woodcote and the poor public transport provision mean that car ownership is essential for most residents.
- 7.121 The policy itself comments that all new development should provide one electric vehicle charging point for houses with up to two bedrooms; two electric vehicle charging points for houses with three bedrooms or more; and secure bicycle storage facilities in accordance with Oxfordshire County Council cycle parking standards.
- 7.122 In an overlapping way SODC and Lone Star comment about the requirements for electric vehicle charging points and raise the following issues:
- the impending updates to the Building Regulations;
  - the increasing charging range of modern electric vehicles;
  - the County Council's Infrastructure Strategy 2021; and
  - the way in which this matter has been addressed in neighbourhood plans elsewhere in the District.
- 7.123 Taking these matters into account, I recommend that the policy is recast so that it more generally requires that the development of new residential development should be designed in a way which enables vehicle charging to take place. This highlights that charging facilities are best incorporated into designs which have considered this matter from the outset. The modified policy continues to incorporate the need for bicycle storage facilities.

### Replace the policy with:

#### 'New residential development should:

- **be designed to enable charging of plug-in and other ultra-low emission vehicles (including both cars and cycles) in safe, accessible and convenient locations; and**
- **provide bicycle storage facilities in accordance with Oxfordshire County Council cycle parking standards.'**

### General commentary on the proposed Site Allocations

- 7.124 Section 12 of the Plan sets out the Plan's approach towards site allocations. Policy HS1 is effectively a schedule of the proposed housing and employment allocations which are then supplemented by specific detail in the site-specific policies which make up the remainder of the Plan (Policies HS2-HS9 and ES1 to ES3).
- 7.125 Each site-specific policy follows a common criteria-based format. In relation to Policies HS2 to HS9 I recommend that each policy is modified so that it allocates the site for development and then indicates that residential development will be supported where it complies with the relevant criteria as set out in the policy. I also recommend a modification to each element of supporting text so that it provides a degree of summary and explanation to the package of site-related criteria.

- 7.126 Otherwise, the format of each policy is well-considered. The various criteria are both distinctive and proportionate to the sites concerned. In addition, each policy is underpinned by a detailed map of the relevant site. Given that the format for the individual sites is common, I do not repeat these comments on a site-by-site basis. As such my commentary is based on any required modifications to the criteria in each policy.
- 7.127 Lone Star raise the matter of the allocation of sites which either have planning permission and/or have commenced. On the balance of the evidence, I am satisfied that their allocation is appropriate in the Plan. Whilst it adds to the slightly complicated picture of the way in which the submitted Plan has sought to address the strategic requirement for Woodcote in the Local Plan, it provides a context within which future support can be given to the various sites in the event that extant planning permissions lapse within the Plan period. In this context, the supporting text for each relevant policy sets out any background to relevant planning applications.
- 7.128 Policy E1 (Green space and landscaping) has a general application across the allocated housing sites in the Plan and to other major residential proposals. On this basis, I recommend that Section 12.3 makes an explicit connection to this policy.

*At the end of Section 12.3 add: 'In each case the development of the housing allocations in the Plan should comply with Policy E1 of this Plan'*

#### Policy HS1 Site Allocations

- 7.129 This policy is a schedule of the allocated sites. Table 12.i lists the proposed housing allocations. Table 12.ii lists the proposed employment allocations. The approach taken is simple and straightforward. It meets the basic conditions.

#### Policy HS2 Chiltern Rise Cottage

- 7.130 The policy allocates the site for 24 homes subject to a series of criteria.
- 7.131 Planning permission has already been granted (P20/S2110/FUL) and development has commenced.
- 7.132 I recommend a series of modifications to the criteria to bring the clarity required by the NPPF. They comment specifically on the definition of certain boundaries and combine related criteria. In particular, I recommend that the final criterion on developer contributions is deleted from the policy and relocated into the supporting text. This reflects that it is a process issue rather than a land use policy. I recommend a similar approach to the first part of criterion k (as submitted) in relation to trees and ecology.

**Replace the opening element of the policy with: 'Site WNP1-01 is allocated for 24 dwellings. Proposals for residential development will be supported on the site subject to the following criteria:'**

**Replace the criteria as follows:**

**a. the development should occupy the blue shaded area edged in black shown on Map 12.i and exclude Chiltern Rise and the adjacent woodland;**

- b. the development should be set back from the north-eastern boundary of the site bordering Tidmore Lane;
- c. no vehicular access for the development should be secured through Chiltern Rise;
- d. access to the site should be taken from Reading Road near to the junction with Tidmore Lane;
- e. access to the site for nine homes at Woodcote Garden Centre (Policy HS3) will be provided through the site;
- f. where practicable Chiltern Rise Cottage should be retained and with future access to be taken from the new development;
- g. the existing hedges and trees to the north of the site should be retained;
- h. the existing hedge along the full length of the site adjacent to Reading Road will be retained except where the new vehicle access is provided from Reading Road;
- i. a pedestrian footpath should be provided through the site behind the existing hedge from Tidmore Lane to meet the boundary of the site with Woodcote Garden Centre; and
- j. significant trees and habitats on the site should be retained or replaced as part of the development.

*At the end of the supporting text add:*

*'The criteria associated with the policy provide clear guidance for its development. Criterion j will be supported by the results of a tree and ecological survey to be submitted by the developer as part of the planning application process. The District Council and the Parish Council will negotiate for the developer to make a contribution to the cost of providing hard standing and bus shelters for the two bus stops on Reading Road adjacent to the site.'*

Policy HS3 Woodcote Garden Centre

- 7.133 The policy allocates the site for nine homes.
- 7.134 Planning permission has already been granted (P20/S2110/FUL) and development has commenced.
- 7.135 I recommend a series of modifications to the criteria to bring the clarity required by the NPPF. In particular they ensure that the various criteria are presented in policy-based language and remove elements of descriptive supporting text.

**Replace the opening element of the policy with: 'Site WNP1-02 is allocated for nine dwellings. Proposals for residential development will be supported on the site subject to the following criteria:'**

**Replace criterion c with: ‘vehicular access to the site from the Reading Road shall be restricted to that for existing housing on the site;’**

**Replace criterion e with: ‘new development should respect the safeguarding area for the gas pipeline’**

**In criterion f delete: ‘to provide some screening from adjacent open fields.’**

**In the policy replace the use of ‘will’ with ‘should’**

*At the end of the supporting text add:*

*‘The criteria associated with the policy provide clear guidance for its development. The site will be developed in close association with the adjacent site (Policy HS2). Criterion e safeguards the gas pipeline as it runs through the site. Other criteria address access matters’*

Policy HS4 Former Reservoir Site, Greenmore

7.136 The policy allocates the site for 20 homes.

7.137 Planning permission was granted for development on the site (P15/S2685/FUL) which has now expired. An updated planning application (P20/S1984/FUL) has been submitted. The proposed allocation is a brownfield site that has been cleared of all vegetation, covered with hardcore and fenced off with hoardings.

7.138 The policy addresses various ground conditions which affect the site. The second part of the policy sets out specific requirements for the survey work required of the developer. In some cases, the wider approach conflates policy with supporting text. I recommend modifications to remedy this matter.

**Replace the opening element of the policy with: ‘Site WNP1-16 is allocated for 20 dwellings. Proposals for residential development will be supported on the site subject to the following criteria:’**

**Delete criteria b and c and the second part of the policy.**

**In the various criteria replace the use of ‘will’ with ‘should’**

*At the end of the supporting text add:*

*‘The criteria associated with the policy provide clear guidance for its development. There are specific ground condition issues to be addressed as part of the development of the site. The developer should prepare a hydro-geological survey to identify the profile of the underlying aquifer that feeds the Greenmoor Ponds and to demonstrate how the planned development will protect the underlying aquifer and any infiltration points into the aquifer that are highlighted by the hydro-geological survey of the site. In particular the results of the surveys identified above will be required to determine:*

- *the depth and thickness of the clay cap beneath the site;*
- *the location of any infiltration points within the site boundaries; and*

- *the type of development required to reduce to an absolute minimum any risk to the water supply to the ponds, including the recommendation for any covenants or restrictions that should be placed on properties built on the site to prevent a post-development threat to the aquifer'*

Policy HS5 The Smallholding, Land east of Wood Lane

- 7.139 The policy allocates the site for nine homes.
- 7.140 The site is at the end of a short lane with no through traffic. It is enclosed on two sides by buildings and on the third, by dense woodland. A footpath runs southwest alongside the fourth side. Approximately one-third of the site is occupied by a house and outbuildings.
- 7.141 I recommend a series of modifications to ensure that the policy has the clarity required by the NPPF. In particular I recommend that the final criterion on developer contributions is deleted from the policy and relocated into the supporting text. This reflects that it is a process issue rather than a land use policy.

**Replace the opening element of the policy with: 'Site WNP1-19 is allocated for nine dwellings. Proposals for residential development will be supported on the site subject to the following criteria:'**

**Replace criterion c with: 'where practicable the existing dwelling (The Smallholding) should be retained;'**

**Delete the final part of criterion d on developer funding**

*At the end of the supporting text add:*

*'The criteria associated with the policy provide clear guidance for its development. The District Council and the Parish Council will negotiate for the developer to make a contribution to the improvement of safety, road markings and visibility at the junction of Wood Lane and Beech Lane'*

Policy HS6 Yew Tree Farmhouse 1

- 7.142 The policy allocates the site for five homes.
- 7.143 The site is located on the edge of the settlement and is visible from the AONB to the northwest. As such the Plan comments that screening is required to minimise the impact of the development on the AONB. In general terms I am satisfied that the approach taken is appropriate. I recommend detailed modifications to the wording used in the policy. Otherwise, it meets the basic conditions.

**Replace the opening element of the policy with: 'Site WNP2-02 is allocated for five dwellings. Proposals for residential development will be supported on the site subject to the following criteria:'**

**In the various criteria replace the use of 'will' with 'should'**

*At the end of the supporting text add:*

*'The criteria associated with the policy provide clear guidance for its development. The principal focus is ensuring that the site is developed in a complementary way to that of the adjacent site (WNP2-03)'*

Policy HS7 Yew Tree Farmhouse 2

7.144 The policy allocates the site for four homes.

7.145 This development is located on the edge of the settlement and is visible from the AONB to the northwest. As such the Plan comments that screening is required to minimise the impact of the development on the AONB. In general terms I am satisfied that the approach taken is appropriate. I recommend detailed modifications to the wording used in the policy. Otherwise, it meets the basic conditions.

**Replace the opening element of the policy with: 'Site WNP2-03 is allocated for four dwellings. Proposals for residential development will be supported on the site subject to the following criteria:'**

**In the various criteria replace the use of 'will' with 'should'**

*At the end of the supporting text add:*

*'The criteria associated with the policy provide clear guidance for its development. The principal focus is ensuring that the site is developed in a complementary way to that of the adjacent site (WNP2-02)'*

Policy HS8 Beechwood Court

7.146 The policy allocates the site for 14 homes.

7.147 The site is currently occupied by offices. The office units are identified for conversion to flats rather than demolition and rebuilding as new flats in order to minimise the carbon footprint of the construction. The Plan comments that the configuration of the offices lends itself to conversion into 14 one or two bed flats. The Plan comments that many of the offices are currently empty and the owners are finding it difficult to let or sell the vacant offices and the additional employment space allocated elsewhere in this plan more than compensates for the loss.

7.148 I looked at the proposed allocation during the visit. I am satisfied that the policy approach meets the basic conditions.

**Replace the opening element of the policy with: 'Site WNP2-09 is allocated for 14 dwellings. Proposals for residential development will be supported on the site subject to the following criteria:'**

*At the end of the supporting text add:*

*'The criteria associated with the policy provide clear guidance for its development. Their principal focus is in securing small residential units and securing safe and convenient vehicular access'*

Policy HS9 Church Farmhouse

- 7.149 The policy allocates the site for 30 homes.
- 7.150 The proposed site is located to the north of Reading Road. A new public car park is proposed within the allocation to provide sufficient capacity to accommodate the cars regularly parked on the Reading Road during school time and to relieve congestion problems. The car park will be managed by the Parish Council to provide a public car park and parking for school staff.
- 7.151 The Plan takes a positive and balanced approach to the development of the site. It is located in a sustainable location adjacent to the School, and to the Village Hall. I recommend a series of modifications to ensure that the policy has the clarity required by the NPPF. In doing so I have taken account of the representations made by Lone Star in relation to the access to the housing and to the car park. Whilst criterion c seeks to restrict the development to one access to serve both the housing and the car park, I concur with Lone Star that the access solution should be determined in relation to highway safety and traffic flow considerations and justified by a Transport Assessment. There may also be design and layout considerations that need to be incorporated into emerging proposals. In overall terms it will be important that the public car park is seen as part of the wider development.
- 7.152 Figure 12.viii identifies the replacement hedge planting along the northern boundary of the site as green space. Plainly it will form an element of that broader use of land. However, I recommend that the figure refers to the strip of land as native tree and hedgerow planting. This will both describe its purpose and differentiate it from the local green spaces designated elsewhere in the Plan.
- 7.153 I also recommend a series of detailed modifications to the wording of the criteria to bring the clarity required by the NPPF. Otherwise, the policy meets the basic conditions.

**Replace the opening element of the policy with: ‘Site WNP2-30 is allocated for 30 dwellings. Proposals for residential development will be supported on the site subject to the following criteria:’**

**Replace the criteria as follows:**

**‘a. the housing development should occupy the blue shaded area edged in black shown on Map 12 viii.**

**b. the area shaded in brown should be surfaced and made available as a public car park.**

**c. vehicular access to the housing and car park should be provided in accordance with Oxfordshire County Council standards.**

**d. a footpath should be provided along the frontage of the site from the entrance to link with the footpath in front of Sunset House. This will require the hedge at this point to be moved back or replaced with new planting behind the footpath.**

**e. The existing hedge along the front of the site will be retained except where the footpath and entrance are created.**

**f. the existing hedge across the middle of the site should be relocated to the rear of the site into the area shaded yellow and edged in black. Additional native trees will be planted in the hedge to screen the site from views across the open fields.**

**g. The development should incorporate suitable landscaping to soften the appearance and increase biodiversity.'**

*In Figure 12.viii replace 'Green space' with 'Native tree and hedgerow planting'*

Policy ES1 The Old Coal Yard

7.154 The Plan allocates land at the Old Coal Yard for employment use.

7.155 I am satisfied that the site is appropriate for employment use. I recommend detailed modifications to wording used in the criteria so that they have the clarity required by the NPPF and more clearly relates to the development management process. Otherwise, it meets the basic conditions.

**In the various criteria replace the use of 'will' with 'should'**

Policy ES2 Church Farm

7.156 The Plan allocates land at Church Farm for employment use.

7.157 I am satisfied that the site is appropriate for employment use. I recommend detailed modifications to wording used in the criteria so that they have the clarity required by the NPPF and more clearly relates to the development management process. Otherwise, it meets the basic conditions.

**In the various criteria replace the use of 'will' with 'should'**

Policy ES3 Wards Farm

7.158 The Plan allocates land at Wards Farm for employment use.

7.159 I am satisfied that the site is appropriate for employment use. I saw its close relationship with the existing commercial uses to the north and east during the visit. I recommend detailed modifications to wording used in the criteria so that they have the clarity required by the NPPF and more clearly relates to the development management process. Otherwise, it meets the basic conditions.

**In the various criteria replace the use of 'will' with 'should'**

Parish Actions

7.160 Section 13 addresses a series of non-land use actions which have arisen as the Plan was developed. In accordance with national advice, they are included in a separate section of the Plan.

7.161 The Actions are as follows:

- Road Safety and Traffic Congestion;
- Climate Change;
- The Primary School; and
- Local Access to Affordable Housing.

7.162 I am satisfied that the various Actions are both appropriate and distinctive to the parish. In some cases, their implementation will complement some of the land use policies in the Plan.

#### Monitoring and Review

7.163 Section 1.5 of the Plan properly comments about the way in which the Plan will be monitored. Plainly this review of the Plan has arisen as a result of the monitoring of the effectiveness of the 'made' Plan.

7.164 The Plan proposes that WPC will maintain and periodically review the Plan should the needs and aspirations of the community require, or following significant changes to the Local Plan, or after five years if neither of the previous conditions occur. I recommend that this section is expanded to take account of any changes which may arise in national policy in the Plan period and the way in which the allocated sites are delivered. These are important matters in their own right. The second matter is also significant given the way in which the Plan has sought to respond to the strategic requirements in the Local Plan 2035 and has concluded that a lesser number of houses can be accommodated than set out in Policy H4 of the Local Plan. The importance of the issue is highlighted given that some of the sites remain to be developed following their allocation in the 'made' version of the Plan.

*At the end of Section 1.5 add:*

*'In addition, the Parish Council will monitor the delivery of the housing allocations in the Plan. If delivery is unlikely to proceed to meet the number of dwellings set out in Policy HS1 of the Plan, the Parish Council will consider a review of the Plan to identify the extent to which delivery is not proceeding and/or to explore the allocation of alternative sites to meet any shortfall.*

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

#### Other Matters - General

7.165 This report has recommended a series of modifications both to the policies and to the supporting text in the submitted Plan. Where consequential changes to the text are required directly as a result of my recommended modification to the policy concerned, I have highlighted them in this report. However other changes to the general text may be required elsewhere in the Plan as a result of the recommended modifications to the

policies. It will be appropriate for SODC and WPC 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

7.166 SODC has made detailed comments on the Plan. They have been very helpful as part of the wider examination process. Where they are necessary to ensure that the Plan meets the basic conditions, I have incorporated them into the recommendation modifications on a policy-by-policy basis. I also recommend a modification to an element of the introductory sections of the Plan.

*On Page 7 in the 'Planning Policies' section replace the second sentence with: 'In particular, the NPPF recognises the need for major development within the AONB to be refused other than in exceptional circumstances, and where it can be demonstrated that the development is in the public interest.'*

## 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 to safeguard the character of the neighbourhood area and to improve and enhance its community facilities.
- 8.2 Following the independent examination of the Plan, I have concluded that the Woodcote Neighbourhood Development Plan Review meets the basic conditions for the preparation of a neighbourhood plan subject to a series of recommended modifications.
- 8.3 This report has recommended a variety of modifications to the policies in the Plan. Nevertheless, the Plan remains fundamentally unchanged in its role and purpose.

### *Conclusion*

- 8.4 On the basis of the findings in this report I recommend to South Oxfordshire District Council that subject to the incorporation of the modifications set out in this report the Woodcote Neighbourhood Development Plan Review should proceed to referendum.
- 8.5 I am required to consider whether the referendum area should be extended beyond the neighbourhood area. In my view, the neighbourhood area is entirely appropriate for this purpose and no evidence has been submitted to suggest that this is not the case. I therefore recommend that the Plan should proceed to referendum based on the neighbourhood area as approved by the District Council on 12 April 2017.
- 8.6 I am grateful to everyone who has helped in any way to ensure that this examination has run in a smooth and efficient manner. WPC's response to the clarification note was both comprehensive and informative.

**Andrew Ashcroft**  
**Independent Examiner**  
**21 June 2022**