

Delegated authority officer decision notice

Decision made by	Adrianna Partridge Deputy Chief Executive – Transformation and Operations
Lead officer contact details	Robyn Tobutt Senior Planning Policy Officer (Neighbourhood) Tel: 07917 088349 Email: Robyn.Tobutt@southandvale.gov.uk
Decision	<ol style="list-style-type: none"> 1. To accept all modifications recommended by the Examiner; 2. To determine that the Woodcote Neighbourhood Development Plan Review, as modified, meets the basic conditions, is compatible with the Convention rights, complies with definition of a neighbourhood development plan (NDP) and the provisions that can be made by a NDP; and 3. To take all appropriate actions to progress the Woodcote Neighbourhood Development Plan Review to referendum.
Key decision?	No
If key decision, has call-in been waived by the Scrutiny Committee chair(s)?	N/A
Confidential decision, and if so under which exempt category?	No
Delegated authority reference from the constitution	Head of Policy and Programmes ref 3.3 (Page 178)
Risks	<p>The local community will have the opportunity to vote on the neighbourhood plan at referendum; there is a risk that the local community will vote against the plan. This risk is low given the level of support shown for the plan and detailed in the consultation statement.</p> <p>The legislation makes provision for the council's decision at this stage to be challenged via a judicial review. The process undertaken and proposed accords with planning legislation.</p>
Reasons for decision	<ol style="list-style-type: none"> 1. The Woodcote Neighbourhood Development Plan Review (the plan) as modified by the Examiner's recommendations, has had regard to policies and advice contained in guidance issued by the Secretary of State. A requirement to have regard to policies and advice does not require that such policy and advice must necessarily be followed, but it is intended to have and does have to a significant effect. A neighbourhood plan must not constrain the delivery of important national policy objectives. The principal document in which national

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

2. Paragraph 13 of the NPPF is clear that neighbourhood plans should support the delivery of strategic policies contained in local plans and spatial development strategies. Qualifying bodies should plan positively to support local development, shaping and directing development in their area that is outside these strategic polices. More specifically paragraph 29 of the NPPF states that neighbourhood plans should not promote less development than set out in the strategic policies for the area, or undermine those strategic policies.
3. Beyond this, the content of a draft neighbourhood plan will determine which other aspects of national policy are or are not a relevant consideration to take into account. The basic condition allows qualifying bodies, the independent examiner and local planning authority to reach a view in those cases where different parts of national policy need to be balanced.
4. Having considered all relevant information, including representations submitted in response to the Plan, the Examiner’s considerations and recommendations, the council has come to the view that the Plan recognises and respects relevant constraints. The Plan has developed a positive suite of policies that aim to safeguard the character and appearance of Woodcote and to promote sensitive development appropriate to its character and location within the Chilterns Area of Outstanding Natural Beauty (AONB) and the position of the village in the local plan settlement hierarchy. There is a clear focus on allocating land for housing development to meet the strategic requirement for the parish in the South Oxfordshire Local Plan 2035 whilst great weight is given to conserving and enhancing the Chilterns AONB.
5. The Plan, as modified by the Examiner’s recommendations, contributes to the achievement of sustainable development. This condition relates to the making of the plan as a whole. It does not require that each policy in it must contribute to sustainable development. Sustainable development has three principal dimensions – economic, social and environmental. It is clear that the submitted Plan has set out to achieve sustainable development in the neighbourhood area. In the economic dimension, the Plan includes policies for 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).

6. As a whole, the council is satisfied that the policies in the Plan pursue net gain across each of the different dimensions of sustainability in a mutually supportive way.
7. The Plan, as modified by the Examiner's recommendation, is in general conformity with the strategic policies contained in the current Development Plan for the area. The Plan delivers a local dimension to the strategic context and supplements the detail already included in the adopted South Oxfordshire Local Plan 2035. The Neighbourhood Plan Review carries forward the allocations from the 'made' Neighbourhood Plan (76 homes) and allocates a further 53 homes.
8. Woodcote is identified as a larger village in the adopted Local Plan (Appendix 7) and the overall strategy supports and enhances the roles of the larger villages, including Woodcote. Policy H4 in the Local Plan sets out the housing requirement figures to be delivered in larger villages. It identifies that in Woodcote the requirement is 115 new homes. Part 2 of the policy contains a contingency mechanism addressing circumstances where the Neighbourhood Plan has not been submitted in time or does not allocate sufficient housing sites.
9. The housing requirement for larger villages in the Local Plan was arrived at using a proportional mathematical formula (15% growth on the number of dwellings in that village as per Census 2011 plus any Core Strategy allocations where these existed). Completions and commitments as of 1 April 2020 were taken into account when determining the outstanding requirement figure for Neighbourhood Plans identified in Policy H4, with a breakdown provided in table 4f. Paragraph 4.28 of the Local Plan recognises that some villages are constrained by factors such as Green Belt, Areas of Outstanding Natural Beauty, and Flood Zones. It states:

'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. 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.'

Paragraph 4.28 of the Local Plan is particularly relevant to the consideration of whether a neighbourhood plan is bringing forward sufficient housing allocations. It is important that an appropriate balance is reached between the capacity and constraints of the settlement and this balance should be evidenced through the evidence base of neighbourhood plans. The Local Plan strategy for larger villages is appropriately flexible, it recognises relevant constraints need to be taken into account to ensure sustainable development is achieved.

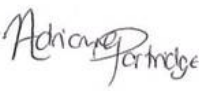
The Woodcote neighbourhood area is located entirely within the Chilterns AONB. The neighbourhood plan contains landscape evidence which considered the landscape impact of sites submitted to be considered for potential housing and/or employment allocation. The landscape evidence was produced by the neighbourhood planning group and in response to concerns raised by the council about the quality of this evidence, following the council's advice the landscape evidence was reviewed and endorsed by a member of the Landscape Institute. The plan is also supported by a Sustainability Appraisal.

10. The Plan progressed in line with the timetable envisaged in Policy H4 of the local Plan. The Plan is supported by proportionate evidence and therefore is considered to deliver sufficient housing allocations as required by Policy H4.
11. Four sites are carried forward from the made Woodcote Plan, two of these already have planning permission and development has commenced, and one site is currently subject to a planning application. The new sites in the Plan went through a site appraisal process, which is set out in detail in the Sustainability Appraisal supporting the Plan. The appraisal involved ensuring the sites were available for development, suitable and achievable. The process was supplemented by a Landscape and Visual Impact Assessment and Preliminary Ecological Assessment to assess the suitability of the sites.
12. The delivery development proposed in the plan will contribute towards supporting the overall spatial strategy for the district, which is to support and enhance the roles of the larger villages.

13. The Plan, as modified by the Examiner's recommendation, would not breach, and be otherwise incompatible with EU obligations, retained in UK law, including the following Directives: the strategic Environmental Assessment (2001/42/EC); the Environmental Impact Assessment Directive (2011/92/EU); the Habitats Directive (92/43/EEC); the Wild Birds Directive (2009/147/EC); the Waste Framework Directive (2008/98/EC); the Air Quality Directive (2008/50/EC); and the Water Framework Directive (2000/60/EC). In addition, no issue arises in respect of equality under general principles of EU law or any EU equality directive.
14. In order to comply with the basic condition on the European Union legislation the Qualifying Body produced a Sustainability Appraisal (SA). The SA sets out the introduction in section 1. Section 2 looks at the strategic option appraisal, section 3 contains the site option assessment. Section 4 contains the additional policy appraisal and section 5 contains the conclusions. The SA is fit for purpose and conforms with the Practical Guide to the SEA Directive (Office of the Deputy Prime Minister 2005).
15. The Plan, as modified by the Examiner's recommendations, would not give rise to significant environmental effects on European sites. The Council screened the Plan's potential impact on the EU Special Areas of Conservation (SACs) and this was completed in November 2021. The HRA screening report concluded that the Plan would not have any likely significant effects on the integrity of European sites in or around South Oxfordshire, either alone or in combination with other plans or programmes and that an Appropriate Assessment is therefore not required.
16. The Plan, as modified by the Examiner's recommendations, is in all respects fully compatible with Convention rights contained in the Human Rights Act 1988. There has been full and adequate opportunity for all interested parties to take part in the preparation of the Plan and to make their comments known.
17. The Plan, as modified by the Examiner's recommendations, complies with the definition of an NDP and the provisions that can be made by an NDP. The Plan sets out policies in relation to the development and use of land in the whole of the neighbourhood area; it specifies the period for which it is to have effect and it does not include provision about development that is 'excluded development'.
18. The council is satisfied that it is not necessary to extend the referendum area beyond the boundaries of the designated plan area as they are currently defined.

	<p>19. The individual modifications proposed by the Examiner are set out in Appendix 1 alongside the council's decision in response to each recommendation and the reason for them. The Examiner's Report is available in Appendix 2.</p> <p>20. The Examiner noted in his report, paragraph 7.165, that it will be appropriate to make any necessary consequential changes to the general text. TO ensure that the plan reads as a coherent document the qualifying body and the council have agreed factual and consequential updates. These are set out in Appendix 3.</p> <p>21. The modifications set in Appendix 1 and Appendix 3, both separately and combined, produce no likely significant environmental affects and are unlikely to have any significant effects on the integrity of European Designated Sites.</p> <p>22. The council has taken account of all the representations received.</p> <p>23. The Counting Officer is responsible for determining the date of the referendum. The Electoral Service team advises that the referendum is planned for Thursday 29 September 2022.</p>
<p>Alternative options rejected</p>	<p>Make a decision that differs from the Examiner's recommendation</p> <p>If the council deviates from the Examiner's recommendations, the council is required to:</p> <ol style="list-style-type: none"> 1. Notify all those identified on the consultation statement of the parish council and invite representation, during a period of six weeks, 2. Refer the issue to a further independent examination if appropriate. <p>Refusing to progress the Plan</p> <p>The council can decide that it is not satisfied with the plan proposal with respect to meeting basic conditions, compatibility with Convention rights, definition and provisions of the NDP even if modified. Without robust grounds, which are not considered to be present in this case, refusing to take the Plan to a referendum could leave the Council vulnerable to a legal challenge.</p> <p><u>Reason for rejecting alternative options</u></p> <p>These options were rejected because the district council is minded to agree with all of the Examiner's modifications and his conclusion that the Plan, as modified, meets the basic conditions and relevant legal requirements</p>
<p>Climate and ecological implications</p>	<p>The Plan contributes to the achievement of sustainable development. Sustainable development can be summarised as</p>

	<p>meeting the needs of the present without compromising the ability of future generations to meet their own needs.</p> <p>In terms of the climate and ecological implications the Plan contains goals and objectives to reduce the contribution to climate change. It contains policy E7 (Solar Energy Arrays) which looks to support proposals for solar energy array, and Policy D4 (Renewable Energy) which sets out that proposals should incorporate the carbon reduction requirements as set out in the Local Plan. In terms of ecological implications, it includes Policy E3 (Biodiversity and Wildlife Support) which sets out opportunities for incorporating wildlife improvements and encourages biodiversity net gain.</p>
Legal implications	The process undertaken and proposed accords with planning legislation.
Financial implications	<p>The Government makes funding available to local authorities to help them meet the cost of their responsibilities around neighbourhood planning. A total of £20,000 can be claimed for each neighbourhood planning area. In the case of neighbourhood plan reviews, a local planning authority may make only one claim for substantive modifications to a specific neighbourhood plan in their area within each 5-year window from the date that plan was first made. The council becomes eligible to apply for this additional grant once the council issue a decision statement detailing the intention to send the plan to referendum.</p> <p>The Government grant funds the process of progressing neighbourhood plans through the formal stages, including the referendum. Any costs incurred in the formal stages in excess of Government grants is borne by the council. Staffing costs associated with supporting community groups and progressing neighbourhood plans through the formal stages are funded by the council. It is expected that costs associated with progressing this neighbourhood plan can be met from with existing neighbourhood planning budget.</p>
Other implications	There are no other implications.
Background papers considered	<ol style="list-style-type: none"> 1. Woodcote Neighbourhood Plan Review and supporting documents 2. National Planning Policy Framework (2021) 3. National Planning Policy Guidance (July 2014 and subsequent updates) 4. South Oxfordshire Local Plan 2035 5. South Oxfordshire District Council HRA Statement 6. Representations submitted in response to the Woodcote Neighbourhood Plan Review 7. Relevant Ministerial Statement
Declarations/ conflict of interest?	None

Consultees		Name	Outcome	Date
	Legal legal@southandvale.gov.uk	Vivien Williams	Support	16.08.22
	Finance Finance@southandvale.gov.uk		No comment	
	HR hradminandpayroll@southandvale.gov.uk		No comment	18.07.22
	Climate and biodiversity climateaction@southandvale.gov.uk		No comment	15.07.22
	Equality and diversity equalities@southandvale.gov.uk	Lynne Mitchell	No comment	18.07.22
	Risk and insurance risk@southandvale.gov.uk	Allison Holliday	Support	22.07.22
	Communications communications@southandvale.gov.uk		No comment	18.07.22
	Senior Management Team ExecutiveSupportSAV@southandvale.gov.uk		Support	27.07.22
	Cabinet member	Cllr. Anne Marie-Simpson	No comment	
	Ward councillors	Cllr. Lorraine Hillier Cllr. Jo Robb	No comment No comment	
Decision maker's signature To confirm the decision as set out in this notice.	<div style="text-align: center;">  Signature: </div> <div style="text-align: center;"> Date: 17/08/2022 </div>			

Appendix 1: Examiner's recommendations

Policy/Section	Examiner's recommendations	Council's Decision	Justification/Reason
Policy C1: Assets of Community Value (Retained Policy)	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'	Agree	The council consider the proposed modification to the policy to be necessary to ensure that there is the clarity that is required by national policy and guidance.
Policy C3: Communications Infrastructure (Retained Policy)	Replace 'Applications for residential development must contain a Connectivity Statement and should' with 'New residential development should provide'	Agree	The council consider the proposed modification to the policy to be necessary to ensure that there is the clarity that is required by national policy and guidance. This will ensure there is a closer association with the development management process.
Policy C4: Community Facilities and Services	In criterion c) replace 'without impinging on' with 'without having an unacceptable impact on'	Agree	The council consider the proposed modification to criterion c of the policy to be necessary to ensure that there is the clarity that is required by national policy and guidance.
Policy C5: Schools	Delete ', if necessary,'	Agree	The council agrees that the deletion of the text from the policy is necessary to ensure that there is the clarity and precision required by national policy and guidance.
Policy T1: Traffic	Replace the opening element of the policy with:	Agree	The council consider the proposed

Congestion (Retained Policy)	‘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.’		modification to the opening element of the policy necessary to ensure that the policy has regard to paragraphs 111 and 113 of the 2021 version of the NPPF. These paragraphs set out when development should be refused and when applications should be supported by a transport statement or transport assessment.
Policy T2: Parking for the Library and Community Centre	At the beginning of the policy add: ‘Insofar as planning permission is required,’	Agree	The council consider the proposed modification to be necessary to ensure that there is the clarity that is required by national policy and guidance. This will mean that the policy acknowledges that planning permission may not be required for all proposal based on scale and position in relation to the highway.
Policy T5: Traffic Calming along Goring Road (Retained Policy)	At the beginning of the policy add: Where appropriate to their scale, nature and location’	Agree	The council consider the proposed modification to the policy necessary to ensure that the policy has regard national policy and guidance, specifically paragraph 57 of the NPPF which sets out the tests from Regulation 122 of the Community Infrastructure Levy Regulations. We agree with the Examiner that not all development which will directly access onto the Goring Road will meet these tests.
Policy T7:	Replace the policy with: ‘Proposals for all new	Agree	The council consider the proposed

Residential Car Parking Spaces	homes should provide off-street parking spaces having regard to site-specific circumstances and Oxfordshire County Council parking standards'		<p>modification to Policy T7 to replace the policy wording necessary to ensure the policy has regard to national policy and guidance.</p> <p>Whilst the policy is very similar to Policy T8 in the 'made' Plan, national policy and guidance has been updated several times since the Plan was adopted in 2014. Section 12 of the NPPF 2021 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'. The application of the policy is mechanical in nature and takes no account of the needs of dwellings on a case-by-case basis and does not consider the design implications. We agree with the Examiner that no evidence is provided about the way in which it would have regard to section 12 of the NPPF, and either the National Design Guide or National Model Design Code. The modification creates a design-led policy rather than being a prescriptive policy which would have the ability to restrict the ability of householders to accommodate family needs.</p>
Policy T7: Residential Car Parking Spaces – Supporting text	<i>Replace the final sentence of the supporting text with: 'Policy T7 seeks to address this matter. It applies</i>	Agree	The council consider the proposed change to the supporting text to be necessary to ensure the text is consistent with the modifications to Policy T7.

	<p><i>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'</i></p>		
<p>Policy EM1: Heavy Goods Traffic (Retained Policy)</p>	<p>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.'</p>	<p>Agree</p>	<p>The council agree that the opening element of the policy is reconfigured to ensure it has regard to national policy and guidance, specifically paragraphs 111 and 113 of the NPPF 2021. These paragraphs set out when development should be refused and when applications should be supported by a transport statement or transport assessment.</p>

Policy E1: Green Space and Landscaping	In the initial part of the policy replace ‘shall’ with ‘should’	Agree	The council consider the proposed modification to the wording necessary to bring the clarity required by national policy and to ensure that the policy’s wording is consistent with other policies in the Plan.
Policy E3: Biodiversity and Wildlife Support	<p>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’</p> <p>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;'</p>	Agree	The council consider that the proposed modifications to the policy text are necessary to ensure it has the clarity and precision required by national policy and guidance.
Policy E4: Settlement Boundary	<p>Replace the policy with:</p> <p>‘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</p>	Agree	The council agrees that the proposed modification to the policy text are necessary. The modification will ensure that the policy reflects the position of Woodcote as a Larger Village in the Local Plan 2035 settlement hierarchy. The modification will also reflect Woodcote’s position in the Chilterns AONB, which national policy places great weight on conserving and enhancing.

	appropriate to a countryside location and therefore conserve and enhance the special qualities of the Chilterns AONB.'		
Policy E5: Local Green Spaces – Supporting text	<i>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'</i>	Agree	The council agree that modifications to the supporting text in this section will bring clarity, as required by national policy and guidance. The supporting text to Policy E5 has an important role as it relates the policy's approach to the NPPF 2021 and identifies that development will only be supported on Local Green Spaces in exceptional circumstances, therefore it is important that it provides clarity.
Policy E6: Important Views	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.'	Agree	The council consider the proposed modifications to be necessary to ensure the policy has the clarity and precision required by national policy and guidance. As submitted, the policy was descriptive of the process which lacked clarity, the proposed modification identifies how development should respect and accommodate the identified important views.
Policy E7: Solar Energy Arrays	Delete 'in principle'	Agree	The council consider that the proposed modifications to the policy text are necessary to ensure it has the clarity required by national policy and guidance.

Policy H1: Number of New Homes	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’	Agree	The council agree with the proposed modifications to the policy text, which will ensure the policy has the clarity required by national policy and guidance.
Policy H1: Number of New Homes – Supporting text	<i>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.’</i>	Agree	The council also consider the proposed modifications to the supporting text necessary to provide clarity and ensure the text is consistent with Policy H1.
Policy H3: Affordable Housing	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.’	Agree	The council consider the proposed modification to the policy necessary to ensure it has the clarity required by national policy and guidance. The policy approach is robust and these modifications will improve the overall clarity of the policy and remove elements of unnecessary supporting text from the policy.
Page 35 – Supporting text	<i>At the end of the supporting text in Section 10.4 add:</i>	Agree	The council consider the proposed modifications to the supporting text necessary to provide clarity and ensure the

	<i>'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.'</i>		text is consistent with the modifications to Policy H3.
Policy H4: Allocation of Affordable Housing	Delete the policy <i>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).</i>	Agree	The council agree with the proposed deletion of this policy based on the fact it is not a land use policy. The council consider the proposed repositioning of the deleted policy into the supporting text to be appropriate to reflect the policy deletion.
Policy H6: Type of Homes (Retained Policy)	Delete the policy	Agree	The council consider the proposed deletion of Policy H6 to be necessary to provide the clarity to allow the decision maker to apply the policies consistently, as required by national policy and guidance. Whilst the policy was a retained policy it was

			unclear how this policy would interact with proposed new Policy H7, and the practicalities of applying the two policies side-by-side. To overcome this issue the approach in Policy H6 is proposed to be incorporated into Policy H7.
Policy H7: Size of Homes	<p>Replace the policy with:</p> <p>'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:</p> <ul style="list-style-type: none"> • 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. <p>Proposals which include terraced or semi-detached homes to achieve this mix of housing will be particularly supported.'</p>	Agree	The council consider the proposed modification to the policy to be necessary to ensure that there is the clarity that is required by national policy and guidance. The modifications, in line with the proposed deletion of Policy H6 incorporate the approach of Policy H6.
Policy H8: Scale of New Development	<p>Delete the policy</p> <p><i>Delete the supporting text in paragraph 10.8</i></p>	Agree	The deletion of Policy H8 will avoid unnecessary duplication because allocation policies identify that the three largest sites would yield 30,24 and 20 dwelling, and therefore Policy H8 would bring no added value. Additionally, national and local planning policies already address major

			<p>development in the AONB.</p> <p>Also, Policy H8 lacks clarity and is not supported by evidence that demonstrates that development up to 30 houses would be acceptable and that development of more than 30 homes would be unacceptable.</p> <p>The council consider the proposed deletion of Policy H8 to be necessary to avoid unnecessary duplication and to provide the clarity and precision required by national policy and guidance.</p>
Policy H9: Infill in the AONB	<p>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.’</p> <p>Replace criterion f with: ‘is compliant with policy H10 of this Plan if considered to be backland development.’</p> <p>Delete criterion g.</p>	Agree	<p>The council consider the proposed modification to criterion a of the policy necessary to ensure it is in general conformity with the strategic policy approach in the adopted South Oxfordshire Local Plan 2035. The modifications will mean that the policy takes a consistent approach to infill development as set out in the Local Plan.</p> <p>The council agree with the modification to criterion f to ensure it is worded in a positive fashion, as required by national policy and guidance.</p> <p>The council also agree that the deletion of criterion g is necessary to ensure the policy does not overlap with the policy approach set out in Policy H7 and provides the clarity required by national policy and guidance.</p>

<p>Policy H10: Backland Infill Development in the AONB</p>	<p>Replace criterion c with ‘does not result in unacceptable loss of wildlife habitat in a residential garden’</p>	<p>Agree</p>	<p>The council consider the proposed modification to criterion c necessary so that there is the clarity that is required by national policy and guidance. This will ensure there is a closer association with the development management process allowing 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.</p>
<p>Policy D1: Good Design (Retained Policy) – Supporting text</p>	<p><i>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’</i></p> <p><i>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.’</i></p>	<p>Agree</p>	<p>The council agree that the modification to the supporting text of Policy D1 is needed to ensure that the information is factually accurate and provides the clarity required by national policy and guidance.</p>
<p>Policy D3: Secured by Design (Retained Policy)</p>	<p>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’</p>	<p>Agree</p>	<p>The council consider the proposed modification to Policy D3 necessary as the ‘Secured by Design’ principles have not explicitly been examined as part of the preparation of either the Local Plan or the submitted Plan. This will ensure the policy is responding appropriately to the evidence supporting it.</p>

Policy D4: Renewable Energy	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.’	Agree	The council consider the proposed modification to the policy necessary to ensure it is in general conformity with the strategic policy approach in the adopted South Oxfordshire Local Plan 2035. Policy DES10 of the adopted Local Plan sets ambitious targets for carbon reduction and the modification will ensure the policy complements this approach.
Policy D5: Sustainable Homes	Replace ‘All new development’ with ‘Proposals for residential development’	Agree	The council consider the proposed modification to the policy to be necessary to ensure that there is the clarity that is required by national policy and guidance.
Policy D6: Sustainable Transport	Replace the policy with: ‘New residential development should: <ul style="list-style-type: none"> • 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.’ 	Agree	The council agree with the proposed modification to replace the policy text, which will result in the policy more generally requiring that the development of new residential development being designed in a way which enables vehicle charging to take place. Consideration has been given to a number of issues, including: <ul style="list-style-type: none"> - the impending updates to the Building Regulations; - the increasing charging range of modern electric vehicles; - the County Council’s Infrastructure

			<p>Strategy 2021; and</p> <ul style="list-style-type: none"> - the way in which this matter has been addressed in neighbourhood plans elsewhere in the District. <p>The modification will ensure the policy is responding appropriately to the evidence supporting it.</p>
Page 44 – Supporting text	<i>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’</i>	Agree	The council agree with the proposed modification to the supporting text in Section 12.3 to provide the clarity that is required by national policy and guidance.
Policy HS2: Chiltern Rise Cottage	<p>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:’</p> <p>Replace the criteria as follows:</p> <p>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;</p> <p>b. the development should be set back from the north-eastern boundary of the site bordering Tidmore Lane;</p> <p>c. no vehicular access for the development should be secured through Chiltern Rise;</p>	Agree	<p>The council consider the proposed series of modifications to the criteria necessary to ensure that there is the clarity that is required by national policy and guidance.</p> <p>The modifications comment specifically on the definition of certain boundaries and combine related criteria to ensure the policy is precise.</p> <p>The deletion of the final criterion on developer contributions is necessary as it is a process issue rather than a land use policy.</p> <p>Similarly, the first part of criterion k is deleted as it also relates to a process issue rather than a land use policy.</p>

	<p>d. access to the site should be taken from Reading Road near to the junction with Tidmore Lane;</p> <p>e. access to the site for nine homes at Woodcote Garden Centre (Policy HS3) will be provided through the site;</p> <p>f. where practicable Chiltern Rise Cottage should be retained and with future access to be taken from the new development;</p> <p>g. the existing hedges and trees to the north of the site should be retained;</p> <p>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;</p> <p>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</p> <p>j. significant trees and habitats on the site should be retained or replaced as part of the development.</p>		
<p>Policy HS2: Chiltern Rise Cottage – Supporting text</p>	<p><i>At the end of the supporting text add:</i></p> <p><i>'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</i></p>	<p>Agree</p>	<p>The council consider the proposed change to the supporting text to be necessary to ensure the text is consistent with the modifications to Policy HS2 and helps the policy achieve the clarity required by national</p>

	<i>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.'</i>		policy and guidance.
Policy HS3: Woodcote Garden Centre	<p>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:'</p> <p>Replace criterion c with: 'vehicular access to the site from the Reading Road shall be restricted to that for existing housing on the site;'</p> <p>Replace criterion e with: 'new development should respect the safeguarding area for the gas pipeline'</p> <p>In criterion f delete: 'to provide some screening from adjacent open fields.'</p> <p>In the policy replace the use of 'will' with 'should'</p>	Agree	<p>The council consider the proposed series of modifications to the criteria necessary to ensure that there is the clarity that is required by national policy and guidance.</p> <p>The modifications will ensure the criteria are presented in policy-based language and remove elements of unnecessary descriptive supporting text.</p>
Policy HS3: Woodcote Garden Centre - Supporting text	<p><i>At the end of the supporting text add:</i></p> <p><i>'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</i></p>	Agree	The council consider the proposed change to the supporting text to be necessary to ensure the text is consistent with the modifications to Policy HS3 and helps the policy achieve the clarity required by national policy and guidance.

	<i>pipeline as it runs through the site. Other criteria address access matters'</i>		
Policy HS4: Former Reservoir Site, Greenmore	<p>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:'</p> <p>Delete criteria b and c and the second part of the policy.</p> <p>In the various criteria replace the use of 'will' with 'should'</p>	Agree	<p>The council consider the proposed series of modifications to the criteria necessary to ensure that there is the clarity that is required by national policy and guidance.</p> <p>The modifications will ensure the criteria are presented in policy-based language and remove elements of supporting text.</p>
Policy HS4: Former Reservoir Site, Greenmore – Supporting text	<p><i>At the end of the supporting text add:</i></p> <p><i>'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:</i></p> <ul style="list-style-type: none"> <i>• the depth and thickness of the clay cap beneath the site;</i> <i>• the location of any infiltration points within</i> 	Agree	<p>The council consider the proposed change to the supporting text to be necessary to ensure the text is consistent with the modifications to Policy HS4 and helps the policy achieve the clarity required by national policy and guidance.</p>

	<p><i>the site boundaries; and</i></p> <ul style="list-style-type: none"> <i>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'</i> 		
Policy HS5: The Smallholding, Land at the end of Wood Lane	<p>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:'</p> <p>Replace criterion c with: 'where practicable the existing dwelling (The Smallholding) should be retained;'</p> <p>Delete the final part of criterion d on developer funding</p>	Agree	<p>The council consider the proposed series of modifications to the criteria necessary to ensure that there is the clarity that is required by national policy and guidance.</p> <p>The deletion of the final criterion on developer funding is necessary as it is a process issue rather than a land use policy.</p>
Policy HS5: The Smallholding, Land at the end of Wood Lane – Supporting text	<p><i>At the end of the supporting text add:</i></p> <p><i>'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'</i></p>	Agree	<p>The council consider the proposed change to the supporting text to be necessary to ensure the text is consistent with the modifications to Policy HS5 and helps the policy achieve the clarity required by national policy and guidance.</p>
Policy HS6: Yew Tree Farmhouse 1	<p>Replace the opening element of the policy with: 'Site WNP2-02 is allocated for five dwellings. Proposals for residential development will be</p>	Agree	<p>The council consider the proposed modifications to the criteria necessary to ensure that there is the clarity that is</p>

	<p>supported on the site subject to the following criteria:'</p> <p>In the various criteria replace the use of 'will' with 'should'</p>		required by national policy and guidance.
Policy HS6: Yew Tree Farmhouse 1 – Supporting text	<p><i>At the end of the supporting text add:</i></p> <p><i>'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)'</i></p>	Agree	The council consider the proposed change to the supporting text to be necessary to ensure the text is consistent with the modifications to Policy HS6 and helps the policy achieve the clarity required by national policy and guidance.
Policy HS7: Behind Yew Tree Farmhouse 2	<p>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:'</p> <p>In the various criteria replace the use of 'will' with 'should'</p>	Agree	The council consider the proposed modifications to the criteria necessary to ensure that there is the clarity that is required by national policy and guidance.
Policy HS7: Behind Yew Tree Farmhouse 2	<p><i>At the end of the supporting text add:</i></p> <p><i>'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)'</i></p>	Agree	The council consider the proposed change to the supporting text to be necessary to ensure the text is consistent with the modifications to Policy HS7 and helps the policy achieve the clarity required by national policy and guidance.
Policy HS8: Beechwood Court	<p>Replace the opening element of the policy with: 'Site WNP2-09 is allocated for 14 dwellings. Proposals for residential development will be</p>	Agree	The council consider the proposed modification to the opening element of the policy necessary to ensure that there is the

	supported on the site subject to the following criteria:'		clarity that is required by national policy and guidance.
Policy HS8: Beechwood Court – Supporting text	<i>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'</i>	Agree	The council consider the proposed change to the supporting text to be necessary to ensure it helps the policy achieve the clarity required by national policy and guidance.
Policy HS9: Land to the east of Church Farmhouse	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	Agree	The council consider the proposed series of modifications to the criteria necessary to ensure that there is the clarity that is required by national policy and guidance.

	<p>footpath.</p> <p>e. The existing hedge along the front of the site will be retained except where the footpath and entrance are created.</p> <p>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.</p> <p>g. The development should incorporate suitable landscaping to soften the appearance and increase biodiversity.'</p>		
Figure 12.viii - Policy HS9: Land to the east of Church Farmhouse	<i>In Figure 12.viii replace 'Green space' with 'Native tree and hedgerow planting'</i>	Agree	The council consider the proposed modification to Figure 12.viii necessary to provide clarity, as required by national policy and guidance.
Policy ES1: The Old Coal Yard	In the various criteria replace the use of 'will' with 'should'	Agree	The council consider the proposed modification to the policy to be necessary to ensure that there is the clarity that is required by national policy and guidance, and so that it more clearly relates to the development management process.
Policy ES2: Church Farm	In the various criteria replace the use of 'will' with 'should'	Agree	The council consider the proposed modification to the policy to be necessary to ensure that there is the clarity that is

			required by national policy and guidance, and so that it more clearly relates to the development management process.
Policy ES3: Ward Farm	In the various criteria replace the use of 'will' with 'should'	Agree	The council consider the proposed modification to the policy to be necessary to ensure that there is the clarity that is required by national policy and guidance, and so that it more clearly relates to the development management process.
Monitoring and Review – Supporting text	<p><i>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.</i></p> <p><i>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.'</i></p>	Agree	The council agrees with the examiner that the expansion of the text to take account of any changes which may arise in national policy in the Plan period and the way in which the sites are delivered is necessary. This insert of this text provides clarity on the monitoring of the housing allocations in the Plan.
Other matters - General	<i>Modification of general text (where necessary) to achieve consistency with the modified policies.</i>	Agree	The council agrees with the examiner that it may be necessary to amend the plan where consequential changes to the text are required directly as a result of the examiners

			recommended modifications.
Other matters - Specific	<i>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.'</i>	Agree	The council agree that the Examiner's proposed recommendation is necessary to ensure that the text has regard to national policy, specifically paragraph 177 of the NPPF.

Appendix 2 – Examiner's Report

The Examiner's Report is available here: <https://www.southoxon.gov.uk/wp-content/uploads/sites/2/2022/06/Woodcote-Neighbourhood-Development-Plan-Review-Examiners-report.pdf>

Appendix 3 – Consequential and/or Factual Changes

Section	Agreed change	Justification/Reason
Front Cover	Replace 'Submission Version November 2021' with 'Referendum Version July 2022'.	Factual correction.
Header	Replace 'Submission' with 'Referendum'.	Factual correction.
Contents Page	Updates to contents page.	Factual corrections to be consistent with the Examiner's recommendations.
Whole document	Update footnote numbering where relevant.	Factual correction.
Policy T1: Traffic Congestion (Retained Policy)	Following the Examiner's recommendation to the opening element of the policy insert ',particularly' before 'in the following areas:'.	Consequential change.
Examiner's recommendation -	In the replacement text recommended by the Examiner replace "made" version of the Plan (and which remain to be	This is a necessary factual correction to an element of the Examiner's recommendation to reflect the number

Policy H1: Number of New Homes – Supporting text	developed)’ with ‘Woodcote Neighbourhood Plan 2011-2027 (of which 14 are complete, 33 are under construction and 29 remain to be developed)’.	of homes which remain to be developed.
Page 37 – Supporting text	<p>The text supporting Policy H6, a policy which is recommended to be deleted, should be reconfigured into the text supporting Policy H7. The text has been combined and reconfigured to reflect the changes which have occurred to Policy H6 (deleted) and Policy H7 (modified):</p> <p>‘This requirement:</p> <ul style="list-style-type: none"> • provides more smaller and, therefore, relatively affordable open market family homes; • reflects the wish of over 80% of residents⁴¹ for flats, terraced and semi-detached housing and for two- and three- bedroom houses; • reflects the response to Question 31 of the Woodcote Housing Survey which showed 42% requiring a two-bedroom home and one, two- and three-bedroom homes meeting the need of 79% of the village⁴². • reduces the loss, and makes efficient use, of greenfield land in the AONB; and • complies with SODC’s requirement for a mix of dwelling types and sizes (Policy H11); • reflects the results of the Housing Need Assessment; • redresses a housing imbalance in the village in which 45% of homes have 4 or more bedrooms; • provides 3-bedroom homes suited to young families; and • provides homes for elderly residents wishing to downsize. <p>Overall, the Neighbourhood Plan delivers the requirement for affordable housing while maintaining the flexibility needed to meet the specific requirements within our housing</p>	This is a factual correction to the supporting text to reflect the deletion of Policy H6 and modifications to H7, to reconfigure the text into a more appropriate place and reflect the policy modifications.

	developments.'	
Examiner's recommendation – Policy HS2: Chiltern Rise Cottage and surrounding land	In criteria e and h replace 'will' with 'should'.	The council consider the proposed consequential modification necessary to ensure that there is the clarity that is required by national policy and guidance, and so that there is consistency with the allocation policies.
Policy HS5: The Smallholding, Land at the end of Wood Lane	In criteria a, b, and d replace 'will' with 'should'.	The council consider the proposed consequential modification necessary to ensure that there is the clarity that is required by national policy and guidance, and so that there is consistency with the allocation policies.
Examiner's recommendation – Policy HS9: Land to the east of Church Farmhouse	In criteria e and f replace 'will' with 'should'.	The council consider the proposed consequential modification necessary to ensure that there is the clarity that is required by national policy and guidance, and so that there is consistency with the allocation policies.
Appendix C: Summary of Neighbourhood Plan Policies	Update policies within this section to be consistent with Examiner's recommendations.	Factual corrections to be consistent with the Examiner's recommendations.

