

Culham Neighbourhood Development Plan 2020-2041

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

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Executive Summary

- 1 I was appointed by South Oxfordshire District Council in October 2022 to carry out the independent examination of the Culham Neighbourhood Development Plan.
- 2 The examination was undertaken by written representations. I visited the neighbourhood area on 14 October 2022.
- 3 The Plan includes a range of policies and seeks to bring forward positive and sustainable development in the neighbourhood area. There is a very clear focus on safeguarding its community facilities and its location in the Green Belt.
- 4 The Plan has been underpinned by community support and engagement. All sections of the community have been actively engaged in its preparation. In addition, the Plan has been prepared in quick order.
- 5 Subject to a series of recommended modifications set out in this report, I have concluded that the Culham 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
23 January 2023

1 Introduction

- 1.1 This report sets out the findings of the independent examination of the Culham Neighbourhood Development Plan 2020-2041 (the 'Plan').
- 1.2 The Plan has been submitted to South Oxfordshire District Council (SODC) by Culham Parish Council (CPC) in its capacity as the qualifying body responsible for preparing the neighbourhood plan.
- 1.3 Neighbourhood plans were introduced into the planning process by the Localism Act 2011. They aim to allow local communities to take responsibility for guiding development in their area. This approach was subsequently embedded in the National Planning Policy Framework (NPPF) 2012 and its updates in 2018, 2019 and 2021. The NPPF continues to be the principal element of national planning policy.
- 1.4 The role of an independent examiner is clearly defined in the legislation. I have been appointed to examine whether the submitted Plan meets the basic conditions and Convention Rights and other statutory requirements. It is not within my remit to examine or to propose an alternative Plan, or a potentially more sustainable Plan except where this arises as a result of my recommended modifications to ensure that the plan meets the basic conditions and the other relevant requirements.
- 1.5 A neighbourhood plan can be narrow or broad in scope. Any plan can include whatever range of policies it sees as appropriate to its designated neighbourhood area. The submitted Plan has been designed to be distinctive in general terms, and to be complementary to the development plan. It has a clear focus on maintaining the character and appearance of the neighbourhood area.
- 1.6 Within the context set out above this report assesses whether the Plan is legally compliant and meets the basic conditions that apply to neighbourhood plans. It also considers the content of the Plan and, where necessary, recommends changes to its policies and supporting text.
- 1.7 This report also provides a recommendation as to whether the Plan should proceed to referendum. If this is the case and that referendum results in a positive outcome the Plan would then be used to determine planning applications within the neighbourhood area and will sit as part of the wider development plan.

2 The Role of the Independent Examiner

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

Examination Outcomes

- 2.4 In my role as the independent examiner of the Plan I am required to recommend one of the following outcomes of the examination:
- (a) that the Plan as submitted proceeds to a referendum; or
 - (b) that the Plan should proceed to referendum as modified (based on my recommendations); or
 - (c) that the Plan does not proceed to referendum on the basis that it does not meet the necessary legal requirements.
- 2.5 The outcome of the examination is set out in Sections 7 and 8 of this report.

Other examination matters

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

3 Procedural Matters

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

- the submitted Plan;
- the Basic Conditions Statement;
- the Consultation Statement;
- the SEA screening statement;
- the various responses to the clarification notes;
- the representations made to the Plan;
- the adopted South Oxfordshire Local Plan 2035;
- the Joint Design Guide;
- the Technical Note on Policy DES10 of the Local Plan (November 2022);
- the National Planning Policy Framework (July 2021);
- Planning Practice Guidance; and
- relevant Ministerial Statements.

3.2 I visited the neighbourhood area on 14 October 2022. I looked at its overall character and appearance and at those areas affected by policies in the Plan in particular. My visit is covered in more detail in paragraphs 5.9 to 5.16 of this report.

3.3 It is a general rule that neighbourhood plan examinations should be held by written representations only. Having considered all the information before me, including the representations made to the submitted Plan, I was satisfied that the Plan could be examined by written representations and without the need for a public hearing.

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 CPC prepared a Consultation Statement. The Statement sets out the mechanisms used to engage all concerned in the plan-making process. It also provides specific details about the consultation process that took place on the pre-submission version of the Plan (January to March 2022). It captures the key issues in a proportionate way.
- 4.3 Sections 3-9 of the Statement set out details of the range of consultation events that were carried out in relation to the initial stages of the Plan. They highlight that the activities were affected by the Covid pandemic. The events included:
- the engagement with SODC;
 - the village-wide survey;
 - the stall at the Culham Festival;
 - the specific engagement with the Morrell family (the owners of the Waggon and Horse PH).
- 4.4 The Statement also provides details of the way in which CPC engaged with statutory bodies. The process has been both proportionate and robust. The appendices either reproduce the materials used or summarise the findings of the various events and engagements. This is best practice. It also brings life, depth, and interest to a statement of this nature which, by nature of its statutory role, can otherwise be rather descriptive.
- 4.5 Section 11 of the Statement provides specific details about the comments received during the consultation process associated with the pre-submission version of the Plan. It identifies the principal changes that worked their way through into the submission version. This process helps to describe the evolution of the Plan.
- 4.6 Consultation has been an important element of the Plan's production. Advice on the neighbourhood planning process has been made available to the community in a positive and direct way by those responsible for the Plan's preparation.
- 4.7 From all the evidence provided to me as part of the examination, I can see that the Plan has promoted an inclusive approach towards seeking the opinions of all concerned throughout the process. SODC has carried out its own assessment that the consultation process has complied with the requirements of the Regulations.

Representations Received

- 4.8 Consultation on the submitted plan was undertaken by SODC and ended on 7 September 2022. This exercise generated comments from the following organisations:
- Network Rail
 - Sutton Courtney Parish Council
 - South Oxfordshire District Council
 - Maritime Management Organisation
 - Coal Authority
 - Historic England
 - Scottish and Southern Electricity Network
 - Thames Water
 - Natural England
 - Morrells Farming Limited
 - National Highways
 - National Grid
 - Oxfordshire County Council
- 4.9 Comments were also received from 2 residents.
- 4.10 I have taken account of the various representations in examining the Plan. Where it is appropriate to do so, I make specific reference to the individual representations in Section 7 of this report.

5 The Neighbourhood Area and the Development Plan Context

The Neighbourhood Area

- 5.1 The neighbourhood area consists of the parish of Culham. The parish is dominated by the River Thames. It is bounded by the River Thames to the north, west and south, and by present and former field boundaries to the east. It is low-lying and flat, rising from the Thames floodplain in the south to a north-facing escarpment in the north up to 260 feet (80 m) above sea level. Its population in 2011 was 453 persons living in 171 houses. It was designated as a neighbourhood area on 18 September 2020.
- 5.2 The Parish lies entirely within the Green Belt. It is known internationally through the nearby Culham Science Centre.
- 5.3 The parish of Culham divides geographically into three distinct sections. Most of it lies between Clifton Hampden and a backwater of the Thames once known as Swift Ditch. The second section is Andersey Island, comprising the area between the backwater and Abingdon. The third section is the Otneys, an area on the right bank of the Thames adjoining the west side of Sutton Courtenay. The relationship between these three sections and the Green Belt combine to result in a very peaceful and tranquil neighbourhood area that belies its relatively proximity to the nearby built-up areas of Oxford, Didcot, and Abingdon.

Development Plan

- 5.4 The South Oxfordshire Local Plan was adopted in December 2020. It sets out the basis for future development in the District up to 2035.
- 5.5 The following policies are particularly relevant to the Culham Plan:

Policy STRAT 1	The Overall Strategy
Policy H8	Housing in the Smaller Villages
Policy H16	Backland and Infill Development and Redevelopment
Policy EMP10	Development in Rural Areas
Policy ENV1	Landscape and Countryside
Policy ENV3	Biodiversity
Policy ENV4	Watercourses
Policy ENV6	Historic Environment
Policy ENV7	Listed Buildings
Policy ENV8	Conservation Areas
Policy DES1	Delivering High Quality Development

- 5.6 Culham is identified as 'smaller village' in the adopted Local Plan (Appendix 7). Policy H8 of the Plan addresses development in such villages. Paragraph 4.37 of that Plan comments that smaller villages 'have no defined requirement to contribute towards delivering additional housing (beyond windfall and infill development) to meet the overall housing requirement of South Oxfordshire. There is a sufficient supply of housing from strategic allocations and from existing planning permissions, which means that the less sustainable settlements will not be required to offset the housing requirement. However, some parishes may still wish to proceed with preparing a

Neighbourhood Development Plan for example to achieve the protection afforded by allocating housing to fund projects they want to deliver or they would like to identify a specific type of housing bespoke to their village's needs. The Council's strategy therefore allows them to do so, provided that the levels of growth are commensurate to the size of the village'

5.7 The parish is affected by the following three strategic policies in the Local Plan:

STRAT8: Culham Science Centre – The policy removes Culham Science Centre from the Green Belt and supports its redevelopment and intensification to deliver at least a net increase in employment land of 7.3 ha (including the existing 10ha retained but redistributed across the two strategic allocations) in combination with the adjacent strategic allocation at Policy STRAT9.

STRAT9: Land adjacent to Culham Science Centre – The policy removes land from the Green Belt for a strategic allocation for 3,500 new homes (with 2,100 to be built in the plan period), employment, retail, and social infrastructure – including a GP surgery, a secondary school and a primary school.

TRANS3: Safeguarding land for Strategic Transport Schemes – The policy safeguards land including for the widening of the A4130 at Didcot, Clifton Hampden Bypass, Didcot Science Bridge and Culham River Crossing. These schemes make up the Didcot Garden Town Housing Infrastructure Fund programme (HIF1). To manage the highway network a tiered approach to development within the areas affected by HIF1 is currently in operation, enabling some development to come forward prior to the delivery of HIF1.

5.8 In process terms, the timings involved have allowed the submitted neighbourhood plan directly to take account of this new local planning context. In doing so it has relied on up-to-date information and research that has underpinned previous and existing planning policy documents in the District. This is good practice and reflects key elements in Planning Practice Guidance on this matter.

Unaccompanied Visit

5.9 I visited the neighbourhood area on 14 October 2022.

5.10 I drove into the neighbourhood area from Didcot to the south. This gave me an initial impression of its setting and character in general, and the context of its wider setting.

5.11 I looked initially at the area around St Paul's Church and the Green. I saw the way in which it was at the heart of the community.

5.12 I then walked along The Burycroft to Culham Old Bridge and then walked back towards the village along the Thames path. I saw the way in which the village sat comfortably in this wider landscape.

5.13 I then walked along The Cut to the Culham Lock.

5.14 I then looked at the scale and the significance of the Waggon and Horses Public House. I saw its current condition and the way in which it related to the Green Belt.

- 5.15 I then spent some in the wider village and the High Street. I saw several of the buildings proposed as Local Heritage Assets.
- 5.16 I finished my visit by driving to Abingdon to the north. This reinforced further the importance of the River Thames in the local environment.

6 The Neighbourhood Plan and the Basic Conditions

- 6.1 This section of the report deals with the submitted neighbourhood plan as a whole and the extent to which it meets the basic conditions. The submitted Basic Conditions Statement has helped considerably in the preparation of this section of the report. It is a well-presented and informative document. It is also proportionate to the Plan itself.
- 6.2 As part of this process I must consider whether the submitted Plan meets the Basic Conditions as set out in paragraph 8(2) of Schedule 4B of the Town and Country Planning Act 1990. To comply with the basic conditions, the Plan must:
- have regard to national policies and advice contained in guidance issued by the Secretary of State;
 - contribute to the achievement of sustainable development;
 - be in general conformity with the strategic policies of the development plan in the area;
 - be compatible with European Union (EU) obligations and European Convention on Human Rights (ECHR); and
 - not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017.
- 6.3 I assess the Plan against the basic conditions under the following headings:
- National Planning Policies and Guidance*
- 6.4 For the purposes of this examination the key elements of national policy relating to planning matters are set out in the National Planning Policy Framework (NPPF) issued in July 2021. This approach is reflected in the submitted Basic Conditions Statement.
- 6.5 The NPPF sets out a range of core land-use planning issues to underpin both plan-making and decision-taking. The following are particularly relevant to the Culham Neighbourhood Plan:
- a plan led system – in this case the relationship between the neighbourhood plan and the adopted South Oxfordshire Local Plan;
 - delivering a sufficient supply of homes;
 - building a strong, competitive economy;
 - recognising the intrinsic character and beauty of the countryside and supporting thriving local communities;
 - taking account of the different roles and characters of different areas;
 - highlighting the importance of high-quality design and good standards of amenity for all future occupants of land and buildings; and
 - conserving heritage assets in a manner appropriate to their significance.
- 6.6 Neighbourhood plans sit within this wider context both generally, and within the more specific presumption in favour of sustainable development. Paragraph 13 of the NPPF indicates that neighbourhoods should both develop plans that support the strategic needs set out in local plans and plan positively to support local development that is outside the strategic elements of the development plan.

- 6.7 In addition to the NPPF I have also taken account of other elements of national planning policy including Planning Practice Guidance and ministerial statements.
- 6.8 Having considered all the evidence and representations available as part of the examination I am satisfied that the submitted Plan has had regard to national planning policies and guidance in general terms subject to the recommended modifications included in this report. It sets out a positive vision for the future of the neighbourhood area within the context of its role in the settlement hierarchy and its location in the Green Belt. It proposes policies to safeguard the existing community facilities and to support the reopening of the Waggon and Horses PH. The Basic Conditions Statement maps the policies in the Plan against the appropriate sections of the NPPF.
- 6.9 At a more practical level the NPPF indicates that plans should provide a clear framework within which decisions on planning applications can be made and that they should give a clear indication of how a decision-maker should react to a development proposal (paragraph 16d). This is reinforced in Planning Practice Guidance Paragraph ID:41-041-20140306 which 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. Most of the 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. The submitted Plan has set out to achieve sustainable development in the neighbourhood area. In the economic dimension, the Plan includes a policy for the future use of the Waggon and Horse public house (Policy CUL2). In the social role, it includes policies on community facilities (Policy CUL1), on early years development (Policy CUL3) and on sustainable travel (Policy CUL8). In the environmental dimension, the Plan positively seeks to protect its natural, built, and historic environment. It includes policies on design (Policy CUL5), and on nature recovery (Policy CUL7). CPC has undertaken its own assessment of this matter in the submitted Basic Conditions Statement.

General conformity with the strategic policies in the development plan

- 6.12 I have already commented in detail on the development plan context in South Oxfordshire in paragraphs 5.4 to 5.8 of this report.
- 6.13 I consider that the submitted Plan delivers a local dimension to this strategic context. The Basic Conditions Statement helpfully relates the Plan's policies to the policies in the development plan. Subject to the recommended modification in this report, I am satisfied that the submitted Plan is in general conformity with the strategic policies in the development plan.

Strategic Environmental Assessment

- 6.14 The Neighbourhood Plan General Regulations 2015 require a qualifying body either to submit an environmental report prepared in accordance with the Environmental Assessment of Plans and Programmes Regulations 2004 or a statement of reasons why an environmental report is not required.
- 6.15 In order to comply with this requirement, SODC undertook a screening exercise (January 2022) on the need or otherwise for a Strategic Environmental Assessment (SEA) to be prepared for the Plan. The report is thorough and well-constructed. As a result of this process, SODC concluded that the Plan is unlikely to have any significant effects on the environment and accordingly would not require a SEA. It reaches this conclusion on the basis that the Plan does not allocate sites for housing and supports infill and the redevelopment of previously developed land, in accordance with the district's adopted Local Plan 2035. The strategic site STRAT9: Land adjacent to Culham Science Centre is within the Neighbourhood Plan area. However, the Neighbourhood Plan policies do not seek to directly address the Local Plan strategic site allocation and the neighbourhood plan focuses instead on the existing village of Culham.

Habitat Regulations

- 6.16 The screening report also included a separate Habitats Regulations Assessment (HRA) of the Plan. It concludes that the Plan is not likely to have significant environmental effects on a European nature conservation site or undermine their conservation objectives alone or in combination taking account of the precautionary principle. As such Appropriate Assessment is not required.
- 6.17 The HRA report is both thorough and comprehensive. It takes appropriate account of the significance of the following protected sites:
- Oxford Meadow SAC – approximately 13km (in Oxford City);
 - Little Wittenham SAC – approximately 7km (in South Oxfordshire District); and
 - Cothill Fen SAC – approximately 7km (in Vale of White Horse District).

The wider process provides assurance to all concerned that the submitted Plan takes appropriate account of important ecological and biodiversity matters.

- 6.18 Having reviewed the information provided to me as part of the examination, I am satisfied that a proportionate process has been undertaken in accordance with the various regulations. In the absence of any evidence to the contrary, I am entirely satisfied that the submitted Plan is compatible with this aspect of European obligations.

Human Rights

- 6.19 In a similar fashion I am satisfied that the submitted Plan has had regard to the fundamental rights and freedoms guaranteed under the European Convention on Human Rights (ECHR) and that it complies with the Human Rights Act. There is no evidence that has been submitted to me to suggest otherwise. In addition, there has been full and adequate opportunity for all interested parties to take part in the preparation of the Plan and to make their comments known. On the basis of all the

evidence available to me, I conclude that the submitted Plan does not breach, nor is in any way incompatible with the ECHR.

Summary

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

7 The Neighbourhood Plan policies

- 7.1 This section of the report comments on the policies in the Plan. It makes a series of recommended modifications to ensure that they have the necessary precision to meet the basic conditions.
- 7.2 The recommendations focus on the policies themselves given that the basic conditions relate primarily to this aspect of neighbourhood plans. In some cases, I have also recommended changes to the associated supporting text.
- 7.3 I am satisfied that the content and the form of the Plan is fit for purpose. It is distinctive and proportionate to the neighbourhood area. The wider community and CPC have spent time and energy in identifying the issues and objectives that they wish to be included in their Plan. This sits at the heart of the localism agenda.
- 7.4 The Plan has been designed to reflect Planning Practice Guidance (Section 41-004-20190509) which indicates that neighbourhood plans must address the development and use of land. Section 6 of the Plan identifies a series of Local Infrastructure improvements.
- 7.5 I have addressed the policies in the order that they appear in the submitted plan. Where necessary I have identified the inter-relationships between the policies.
- 7.6 For clarity, this section of the report comments on all policies whether I have recommended modifications in order to ensure that the Plan meets the basic conditions.
- 7.7 Where modifications are recommended to policies they are highlighted in bold print. Any associated or free-standing changes to the text of the Plan are set out in italic print.

The initial section of the Plan (Sections 1-5)

- 7.8 The initial parts of the Plan set the scene for the range of policies. They do so in a proportionate way. The Plan is presented in a professional and thorough fashion. It makes a very effective use of well-selected maps. A very clear distinction is made between its policies and the supporting text.
- 7.9 The Introduction (Section 1) addresses the background to the neighbourhood planning agenda. It comments about how the Plan has been prepared and how it will be used within the Plan period. It comments on when the neighbourhood area was designated and includes a map of the defined area (Plan A). It also describes the Plan period in paragraph 1.3.
- 7.10 Section 2 describes keys elements of the neighbourhood area. It does so in a very effective fashion. It is comprehensive in its coverage and includes information on its interesting history. Section 3 comments about the planning policy context within which the Plan has been prepared.
- 7.11 Section 4 comments about the way in which the community has expressed its views as the Plan has been prepared. It overlaps with the submitted Consultation Statement.
- 7.12 Section 5 sets out a Vision and the Objectives of the Plan. The Vision is as follows:

‘Culham will have grown successfully as a community through sustainable infill within the existing fabric of the village whilst protecting the Green Belt. These schemes have

been well-designed to ensure the rural character of the village has been preserved and the character and significance of the Conservation Area has been sustained and enhanced. Although change in the wider parish has been significant, it has provided the opportunity for access to new community facilities and services and improved connectivity of the wider green infrastructure network from the village into the countryside.'

- 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.

CUL1 Community Facilities

- 7.14 The policy identifies a series of community facilities in the parish. It then comments that development proposals which would affect the use of the identified community facilities of the policy will be determined against the provisions of Policies CF1 (Safeguarding Community Facilities) and CF4 (Existing Open Space, Sport, and Recreation Facilities) of the Local Plan.
- 7.15 The policy also comments that the comprehensive masterplan for the strategic allocation STRAT9 (Land adjacent to Culham Science Centre) will be expected to demonstrate that the masterplan layout locates the required social infrastructure in such a way to ensure that the existing village of Culham can access that infrastructure safely and securely.
- 7.16 The policy has been well-considered. It carefully applies Local Plan policies to the selected community facilities. Section D comments about land adjacent to Culham Science Centre. I am satisfied that it takes a non-prescriptive approach. Plainly SODC will reach its own judgement on the proposals which emerge for this important strategic site in due course.
- 7.17 In the round I am satisfied that the policy meets the basic conditions. It will contribute to the delivery of the social dimension of sustainable development.

CUL2 Former Waggon & Horses Public House

- 7.18 This policy is intended to help resolve the future of the Waggon and Horse PH in the Green Belt on the edge of the village by encouraging proposals for its improvement and extension. In doing so, the policy seeks to refine the intent and purpose of Local Plan Policies EMP10 and EMP11, CF1 and CF2. The policy is intended to operate alongside the provisions of strategic (Policy STRAT6) and national policies (NPPF paragraph 148) on the Green Belt. It also comments about the intention to design proposals that are not inappropriate development (based on the exceptions of NPPF paragraph 149(c)(d) or (g)). In any event, CPC considers the public benefit evidenced by the local community interest in seeing the retention of a viable social asset on the edge of the village, in the absence of any such other nearby, as highly desirable and which should have significant weight in the planning balance.
- 7.19 The policy sets out a positive context within which development proposals can proceed.
- 7.20 I looked at the former public house during the visit. I saw its deteriorating condition, its separation from the built-up part of the village, and the sensitivity of its location in the Green Belt.

7.21 The final part of the policy comments about Green Belt policy and the need for planning applications to demonstrate that very special circumstances exist to warrant the granting of planning permission. On the one hand, this approach takes account of national policy. On the other hand, it is rather disjointed from the main part of the policy and this could generate a degree of confusion. In these circumstances I recommend that the policy is modified so that the intentions of the final part of the policy (as submitted) is embedded within the main part of the policy. I also recommended consequential modifications to other parts of the policy and to the supporting text to ensure that they have regard to national policy on green belts (Section 13 of the NPPF). The recommended modifications are based on the helpful response from SODC to the clarification note. The effect of the policy remains the same but has regard to national policy. Plainly SODC will need to make decisions about the extent to which proposals demonstrate the very special circumstances for development proposals to be acceptable in a Green Belt location.

7.22 Otherwise the policy meets the basic conditions. It will do much to deliver each of the three dimensions of sustainable development.

Replace the opening element of the policy with:

‘Development proposals which directly provide or assist in the provision of a public house or drinking establishment use at the former Waggon and Horses Public House, as shown on the Policies Map, will be supported, provided they are appropriate for a Green Belt location as defined in national policy and:’

Replace iii) with: ‘the location and design of any new buildings and structures are such that their height and bulk will not have a greater impact on or substantially harm the openness of the Green Belt’

Delete the final part of the submitted policy.

Replace paragraph 5.13 with:

‘The development principles set out in the policy will secure a sustainable scheme that will benefit the village and wider Parish. In the first instance it will be very important for the public house use to be retained in any future proposal and the policy therefore secures this in line with the provisions of Policy CUL1 of this Plan. The policy also highlights the importance that any scheme/redevelopment, in terms of Green Belt openness, does not have a greater impact than existing development, or cause substantial harm. The landowner has also confirmed that it is intended to retain the ‘Waggon and Horses’ name for the redevelopment scheme.’

CUL3 Early years provision

7.23 This policy offers support for proposals to retain or improve the early years provision at Culham Village Nursery & Preschool and the Culham Science Centre Nursery & Preschool.

7.24 A separate part of the policy comments that proposals to deliver the strategic allocation at Culham (Policy STRAT9 of the Local Plan) should safeguard land for the provision of a new creche, day nursery or day centre use if one of the existing uses in the first part of the policy ceases to operate.

- 7.25 I am satisfied that part A of the policy meets the basic conditions. It will contribute to the delivery of the social dimension of sustainable development.
- 7.26 SODC comment that part B of the policy should be deleted as it is not appropriate for a policy to safeguard land if an existing use elsewhere ceases to deliver early years facilities. This approach runs in parallel with comments made by CEG at the pre-submission stage of the Plan.
- 7.27 I have considered this matter very carefully. On the balance of the evidence, I recommend that Part B of the policy is deleted. It seeks to address a situation which does not exist and may not happen within the Plan period. I also recommend consequential modifications to paragraph 5.20. Whilst I acknowledge CPC's comments that this part of the policy was seeking to future-proof the Plan, the submitted policy is not directly evidence based and the matter is best addressed in any subsequent review of a 'made' Plan (based on circumstances and evidence available at that time). On this basis the recommended consequential modification to the supported text is matter of fact in its approach.

Delete Part B of the policy

Replace paragraph 5.20 with: 'The latest South Oxfordshire Infrastructure Delivery Plan April 2020 update anticipates that the additional educational capacity at strategic allocation STRAT9 will include early years provision. Oxfordshire County Council, as the educational authority, confirms that sufficient early year's provision will be sought to mitigate the impact of development. The Parish Council will monitor the availability of early years provision in the overall neighbourhood area. This may be a matter for any review of the neighbourhood plan to address in the future.'

CUL4 Enhancing Culham Conservation Area

- 7.28 This policy comments that development proposals within the Culham Conservation Area and its setting should preserve or enhance its significance as a designated heritage asset. The policy refers to the features in the conservation area defined in the Culham Design Code.
- 7.29 The reference to the details in the Design Code ensures that the policy brings added value beyond national and local policies relating to conservation areas.
- 7.30 I recommend a detailed modification to the wording of the policy to bring the clarity required by the NPPF. Otherwise, it meets the basic conditions.

Replace the final sentence of the policy with:

'Features identified as positive characteristics of the Conservation Area and its immediate setting are defined in the Culham Design Code. All development proposals in the Conservation Area should have full regard to the Design Code.'

CUL5 Design Code for Culham

- 7.31 This policy sets out to promote high quality design. It is based around a submitted Design Code. The policy comments that development proposals in Culham will be supported provided they have full regard to the essential design considerations and general design principles set out in the Culham Design Code.

7.32 The Design Guide is a first-class document. It refines the South Oxfordshire Design Guide and establishes the principles of essential design considerations within three distinct area typologies of the main village settlement as well as certain features of the area outside of the main village settlement. These considerations set out features of each typology that make it distinctive, and the extent of each is defined in the Design Code document. It complements Policies DES1 and DES2 of the Local Plan by highlighting specific characteristics of the Parish.

7.33 The wider package of the policy and the Code is a very positive local response to Section 12 of the NPPF. It meets the basic conditions. It will contribute significantly to the delivery of the environmental dimension of sustainable development by ensuring that ant new development is distinctive and high quality in its nature.

CUL6 Local Heritage Assets

7.34 The Neighbourhood Plan identifies buildings as Local Heritage Assets for the purposes of applying development plan policies on non-designated heritage assets. The buildings concerned are shown on the Policies Map and in Appendix B

7.35 I saw several of the proposed assets during the visit. I noted that they were distinctive features in the local environment.

7.36 In the round this is a good policy which dovetails into the relevant Local Plan policy. Appendix B provides the relevant evidence of the selected assets. As such I am satisfied that it meets the basic conditions.

CUL7 Nature Recovery and Climate Change

7.37 The policy comments that the parish contains a variety of green and blue infrastructure that provides an environmental support system for the community and wildlife. The Plan designates this as a network for the purpose of promoting nature recovery and for mitigating climate change. The Network comprises the Water Meadows between the village and Sutton Pools, Andersey Island Water Meadows, woodland, trees, hedgerows, Culham Brook SSSI and other land of biodiversity value.

7.38 The policy takes a locally-distinctive and positive approach to this matter. In general terms I am satisfied that it meets the basic conditions. I recommend that a sentence is relocated from part C into part B of the policy to maintain the flow and integrity of the policy approach. Otherwise, it meets the basic conditions. It will contribute significantly to the delivery of the environmental dimension of sustainable development.

Reposition the first sentence of Part C of the policy to the end of Part B.

CUL8 Sustainable Travel

7.39 This policy comments about sustainable travel in the parish. The Plan identifies the existing Sustainable Travel Network for the purpose of supporting active travel in the Parish. The policy comments that development proposals on land that lies within or adjacent to the Network should sustain, and where practicable, enhance the functionality of the Network by virtue of their layout, means of access and landscape treatment. It also comments that proposals that will harm the functioning or connectivity of the Network will not be supported. The policy also comments that the comprehensive masterplan for the strategic allocation STRAT9 land adjacent to Culham Science Centre will be expected to demonstrate that the masterplan layout

enables safe and secure access to the required social infrastructure for the existing village of Culham through new, and improvement to, existing cycleways, footpaths, and bus services.

7.40 The policy has been well-considered. I am satisfied that it meets the basic conditions.
CUL9 Zero carbon buildings

7.41 This policy concentrates on building efficiency. The Plan comments that the policy is intended to be a temporary measure as in due course it is expected that a new Local Plan and possibly revised national policy will impose higher energy efficiency standards across the District.

7.42 The policy has five parts and is intended deliver a step change in the energy performance of all new developments in the parish. It encourages and incentivises the use of the Passivhaus or equivalent standard of building design. Along with the passive design capacity assessment, it is anticipated that designers will demonstrate compliance using a design for performance methodology such as the Passivhaus Planning package or CIBSE TM34 Operational Energy. The Plan also comments that achieving this level of performance will make a significant contribution to mitigating climate change.

7.43 The approach taken on this matter is both comprehensive and ambitious. As the Plan acknowledges the policy context for encouraging higher energy efficiency standards at a local plan or neighbourhood plan scale is complex.

7.44 I sought CPC's views on the following matters in the clarification note:

- the extent to which the Parish Council assessed this policy against the Written Ministerial Statement of March 2015;
- the basis on which, Parts C, D and E of the policy were crafted as they read as supporting text (to Parts A and B) rather than as policies in their own right; and
- the extent to which the policy was intended to apply to the development of the strategic site (land adjacent to the Culham Science Centre) in the adopted Local Plan (Policy STRAT9) and the extent to which the impact of the proposed neighbourhood plan policy on the viability of that site had been tested.

7.45 In its response CPC commented:

'It was therefore clear that the neighbourhood plan needed to act to fill the policy space (..as described in detail..) if it was to demonstrate that its policies contributed to the achievement of sustainable development, particularly ensuring that any new homes built now meet the needs of present and future generations, had full regard to the NPPF, and expressed the community's wishes within the confines of planning policy. The Parish Council therefore considers that the policy should be a parish-wide requirement. The viability evidence that the policy relies on is set out in paragraph 5.35 of the neighbourhood plan and the Parish Council considers that the evidence drawn upon is 'proportionate, robust evidence' required of neighbourhood plans to support their policy choices.

The Parish Council does not consider that it is necessary to address matters relating to the provisions of the Planning and Energy Act 2008 or the Written Ministerial Statement 2015 as the policy does not set an energy efficiency standard. In any event, the NPPF does not make that same distinction and requires the 'planning system'

(§152) and 'plans' (§153) to take a proactive approach to mitigation and adapting to climate change and the government has confirmed that the legislative framework has moved on since the publication of the Written Ministerial Statement of March 2015 and that the Planning and Energy Act 2008 will not be amended'

- 7.46 The policy attracted detailed comments in the consultation exercise. In its representation on the Plan SODC commented that:

'...the Planning and Energy Act 2008 only allows the council to include policies requiring development in their area to comply with energy efficiency standards that exceed the energy requirements of building regulations within development plan documents. Neighbourhood Plans are not development plan documents but form part of the district's development plan once made.'

It proposed amendments to the policy so that its focus shifts from one which requires the standards set out in the policy to one which offers support or encouragement.

- 7.47 In its representation on the Plan (and which referred to its representation on the pre submission Plan) CEG commented that:

'Whilst CEG supports the principle of proposed policy CUL9, it creates a tension with South Oxfordshire's adopted strategic Policy DES10. As is set out in our representations from March 2022, Policy DES10 is a strategic policy and CUL9 departs from its lead. Policy CUL9 does not amplify the requirements of the South Oxfordshire Local Plan, it seeks a different set of requirements through different criteria. There is an inherent risk to efficient decision making when a neighbourhood policy sets different expectations to the Local Plan on a shared issue, such as climate change resilience, or carbon neutrality. This cannot meet the basic conditions since Policy CUL9 is not in conformity with the strategic policies of the Local Plan, and neither does it follow the provisions of national policy as set out in our previous representations.'

It is not clear how much rigorous analysis has been applied to policy CUL9, and whether the new "requirements" are feasible and viable in every case. This is especially important as the policy is proposed to apply for all development proposals. The policy relies on third party research which has not been applied locally. There is little assessment of the neighbourhood level effects of such a policy, only assertions that costs will reduce, and further legislation and policy at national and local levels might be forthcoming.

This policy is not an amplification of strategic policies of the Local Plan, it fundamentally changes their position. This is a matter which should be explored through the emerging Oxfordshire 2050 plan, and the joint South and Vale plan, which will both be in a position to respond to changes in national policy and law as appropriate. The NDP is too soon, and at the wrong level of policy setting, to enact such a strategic change.'

- 7.48 I have considered these various approaches to the policy very carefully. In doing so I have looked carefully at national and local policies on this matter.

- 7.49 National policy is set out in the NPPF. Paragraph 153 of the NPPF sets the scene in commenting that plans should take a proactive approach to mitigating and adapting to climate change. Paragraph 155 continues by commenting that (amongst other things) that plans should help increase the use and supply of renewable and low carbon energy and heat, by providing a positive strategy for energy from these sources, that

maximises the potential for suitable development, while ensuring that adverse impacts are addressed satisfactorily (including cumulative landscape and visual impacts).

- 7.50 Planning Practice guidance (PPG) considers these matters in further detail. PPG ID:6-009-20150327 comments that

'The National Planning Policy Framework expects local planning authorities when setting any local requirement for a building's sustainability to do so in a way consistent with the government's zero carbon buildings policy and adopt nationally described standards. Local requirements should form part of a Local Plan following engagement with appropriate partners, and will need to be based on robust and credible evidence and pay careful attention to viability. In this respect, planning authorities will need to take account of government decisions on the Housing Standards Review when considering a local requirement relating to new homes. If considering policies on local requirements for the sustainability of other buildings, local planning authorities will wish to consider if there are nationally described standards and the impact on viability of development.'

- 7.51 PPG ID:6-012-20190315 comments that:

'The Planning and Energy Act 2008 allows local planning authorities to set energy efficiency standards in their development plan policies that exceed the energy efficiency requirements of the building regulations. Such policies must not be inconsistent with relevant national policies for England. Section 43 of the Deregulation Act 2015 would amend this provision, but is not yet in force. The Written Ministerial Statement on Plan Making dated 25 March 2015 clarified the use of plan policies and conditions on energy performance standards for new housing developments. The statement sets out the government's expectation that such policies should not be used to set conditions on planning permissions with requirements above the equivalent of the energy requirement of Level 4 of the Code for Sustainable Homes (this is approximately 20% above current Building Regulations across the build mix).'

- 7.52 Policies DES8-10 of the adopted Local Plan provide local guidance on this important matter. Paragraph 8.30 of the Plan provides the context for the approach taken. It comments that the government has established that through Part L of the Building Regulations, emissions allowed from new buildings will be reduced incrementally and that "zero carbon" buildings will be required within the plan period. It also comments that the Housing and Planning Act 2016 stipulated that a review of minimum energy performance requirements under Building Regulations must be carried out and it is expected that current standards will be improved with the introduction of the Future Homes Standard.

- 7.53 Policy DES8 comments that all new development, including building conversions, refurbishments, and extensions, should seek to minimise the carbon and energy impacts of their design and construction. It also comments that proposals must demonstrate that they are seeking to limit greenhouse emissions through location, building orientation, design, landscape, and planting taking into account any nationally adopted standards and in accordance with Policies DES10: Carbon Reduction and DES7: Efficient Use of Resources.

- 7.54 Policy DES10 provides more specific details and comments that a range of development proposals (including those for residential uses) should achieve at least a 40% reduction in carbon emissions compared with a code 2013 Building Regulations compliant base case. This reduction is to be secured through renewable energy and other low carbon technologies and/or energy efficiency measures. It also comments that the requirement will increase from 31 March 2026 to at least a 50% reduction in carbon emissions and again from 31 March 2030 to a 100% reduction in carbon emissions (zero carbon). Finally, it comments that these targets will be reviewed in the light of any future legislation and national guidance.
- 7.55 The implementation of Policy DES10 is expanded in the Joint Design Guide (June 2022). This Design Guide was prepared as part of South Oxfordshire and Vale of White Horse District Councils' commitment to securing the highest quality development within the districts. The guide builds upon and replaces previous local design guides and aligns with the National Design Guide (2019). It is intended to assist landowners, developers, applicants, agents, designers, and planners in the process of developing high quality development and in assessing its design quality. The guide is a Supplementary Planning Document (SPD). The section on climate and sustainability sets out a series of design standards to achieve the details of Policy DES10.
- 7.56 In November 2022 SODC published a technical advice note on Policy DES10. The note comments that whilst it is not an adopted policy document, and should not be read as such, it sets out how applicants should demonstrate compliance with the adopted policy. It also comments that it will be of use to SODC officers, developers, and applicants, elected Members, as well as any other interested parties. In this context it will be used extensively within the Plan period of the submitted Plan.
- 7.57 Taking account of all the information I recommend modifications to the policy to ensure that it meets the basic conditions. The recommended modifications are underpinned by five key and related factors.
- 7.58 The first is that an independent examiner's role is to assess a neighbourhood plan against the basic conditions. Whilst it is widely anticipated that the national policies about the energy efficiency of new houses will change within the Plan period, it is not my role to seek to anticipate the details of that future approach. This would ultimately be a matter for any potential future review of a 'made' Plan to address.
- 7.59 The second is that there is no direct connection between the approach taken in Policy DES10 of the Local Plan (and the Joint Design Guide) and the proposed Policy CUL9. These circumstances will create fundamental problems in terms of the way in which the two policies are applied in the Plan period both general, and in terms of the future development of the strategic site in particular. As such it will not bring the clarity required by the NPPF. The Local Plan policy is up to date and has recently been supplemented by the technical advice note.
- 7.60 The third is that the Written Ministerial Statement of March 2015 continues as an element of government policy. Whilst I have taken account of CPC's responses to the clarification note, I have concluded that to all intents and purposes the policy requires Passivhaus technology. Whilst this is proposed in the context of where such an approach is 'feasible', the policy does not offer any definitive guidance on how feasibility would be assessed beyond the commentary in paragraph 5.34 that an

applicant must demonstrate those factors which would make the delivery of Passivhaus technology unfeasible. The effect of such an approach would be that SODC and the developer concerned would need to engage in a detailed technical debate on this point. This would be onerous in general terms and within the specific context of SODC's recent publication of a technical advice note on buildings efficiency. In the round, I have concluded that the policy's approach is contrary to the Written Ministerial Statement. In any event such excellent technology may be overtaken by other similar approaches to building efficiency which come forward within the Plan period.

- 7.61 The fourth is that CPC has offered no direct evidence or assurance about the effect of the policy on new development in the parish in general, and on the development of the strategic site (STRAT 9) in particular. Its reference on viability to paragraph 5.33 of the Plan is to general, rather than to specific, local information. In addition, whilst I have noted CPC's comments that 'it is now clear that the additional costs of building to a zero-carbon standard are within the margin of build costs. It appears that many developers and housebuilders are 'pricing in' the need to meet such standards within the next five years anticipating that Government will need to make national requirements as part of its climate change obligations' there is no evidence available to me on this matter including any details from specific developers.
- 7.62 The fifth and final key factor is that the policy as submitted includes a series of elements which explain the proposed operation of the policy rather than being policy (Parts C/D/E).
- 7.63 Taking account of all these circumstances, I recommend a package of modifications to both the policy and to the supporting text. The recommended modifications to the submitted policy would result in a situation where the neighbourhood plan would offer a supportive context for development proposals in the parish to achieve more sustainable solutions that those required by the Local Plan policy rather than requiring this to be the case.
- 7.64 In specific terms, I recommend that the first two parts of the policy are modified so that they take on a less prescriptive format which has regard to national policy. The modifications are also been designed so that they will add value to Policy DES10 in the adopted Local Plan. In this context it is appropriate for a neighbourhood plan policy to offer support for carbon ready/Passivhaus buildings as opposed to requiring this to be the case.
- 7.65 In this context I recommend the deletion of parts C and E of the policy which would no longer apply to the wider policy. I also recommend a modification to the wording of Part D of the policy so that it more closely relates to the approach taken in the Local Plan.
- 7.66 I also recommend a consequential package of modifications to the supporting text.

Replace the policy with:

'Development proposals which would be 'zero carbon ready' by design by minimising the amount of energy needed to heat and cool buildings through landform, layout, building orientation, massing and landscaping will be supported. Consideration should be given to resource efficiency at the outset

and whether existing buildings can be re-used as part of the scheme to capture their embodied carbon.

Proposals for a Passivhaus or equivalent standard buildings with a space heating demand of less than 15KWh/m²/year will be supported. Schemes that maximise their potential to meet this standard by proposing the use of terraced and/or apartment building forms of plot size, plot coverage and layout that are different to those of the character area within which the proposal is located will be supported, provided it can be demonstrated that the scheme will not have an unacceptable effect on the character area.

Proposals for major development should be accompanied by a Whole-Life-Cycle Carbon Emission Assessment, using a recognised methodology, to demonstrate actions have been taken to reduce embodied carbon resulting from the construction and use of the building over its life.'

Replace paragraphs 5.31 to 5.41 as follows:

'Policies DES8-10 of the adopted Local Plan provide local guidance on this important matter. Its paragraph 8.30 provides the context for the approach taken and comments that the Government has established that through Part L of the Building Regulations, emissions allowed from new buildings will be reduced incrementally and that "zero carbon" buildings will be required within the plan period. The Housing and Planning Act 2016 stipulated that a review of minimum energy performance requirements under Building Regulations must be carried out and it is expected that current standards will be improved with the introduction of the Future Homes Standard. Policy DES10 sets the Council's policy requirement for carbon reduction.

Policy DES8 of the Local Plan comments that all new development, including building conversions, refurbishments, and extensions, should seek to minimise the carbon and energy impacts of their design and construction. Proposals must demonstrate that they are seeking to limit greenhouse emissions through location, building orientation, design, landscape, and planting considering any nationally adopted standards and in accordance with Policies DES10 and DES7.

Policy DES10 of the Local Plan provides more specific details and comments that a range of development proposals (including those for residential uses) should achieve at least a 40% reduction in carbon emissions compared with a code 2013 Building Regulations compliant base case. This reduction is to be secured through renewable energy and other low carbon technologies and/ or energy efficiency measures. The policy comments that this requirement will increase from 31 March 2026 to at least a 50% reduction in carbon emissions and again from 31 March 2030 to a 100% reduction in carbon emissions (zero carbon). The policy also comments that these targets will be reviewed in the light of any future legislation and national guidance.

The implementation of Policy DES10 is expanded in the Joint Design Guide (June 2022). This Design Guide has been prepared as part of South Oxfordshire and Vale of White Horse District Councils' commitment to securing the highest quality development within the districts. The guide builds upon and replaces previous local design guides

and aligns with the National Design Guide (2019). It is intended to assist landowners, developers, applicants, agents, designers, and planners in the process of developing high quality development and in assessing its design quality. The guide is a Supplementary Planning Document (SPD). The section on Climate and sustainability sets out a series of design standards to achieve the details of Policy DES10.

In November 2022 the District Council published a technical advice note on Policy DES10 of the Local Plan. The note comments that whilst it is not an adopted policy document, and should not be read as such, it sets out how applicants should demonstrate compliance with the adopted policy. It also comments that it will be of use to South Oxfordshire District Council officers, developers, and applicants, elected Members, as well as any other interested parties.

Policy CUL9 of this Plan builds on this comprehensive local approach. It will result in a situation where the neighbourhood plan would offer a supportive context for development proposals in the parish to achieve more sustainable solutions that those required by the Local Plan policy. Plainly the wider situation may be affected by changes to national or local planning policies on these matters in the Plan period.'

CUL10 Light Pollution

- 7.67 The policy comments that development proposals should be designed to minimise the occurrence of light pollution. It also comments that development proposals should employ energy-efficient forms of lighting that also reduce light scatter and have regard with the current guidelines established for rural areas by the Institute of Lighting Professionals.
- 7.68 In general terms I am satisfied that the policy takes an appropriate approach on this matter. However, I recommend the following package of modifications to ensure that the policy has the clarity required by the NPPF:
- to make a clear distinction between policy and supporting text (as submitted the policy includes details about how the policy would be implemented rather than policy in its own right);
 - this includes relocating the reference to Institute of Lighting Professionals guidance from the policy to the supporting text. That guidance is very helpful and well-prepared. Nevertheless, it has not directly been approved as a development plan document; and
 - to ensure that the policy can be applied proportionately – plainly individual proposals will have different impacts on the lighting profile in the local environment.
- 7.69 Otherwise the policy meets the basic conditions. It will contribute to the environmental dimension of sustainable development.

Replace the policy with:

'As appropriate to their scale, nature and location development proposals should be designed to minimise the occurrence of light pollution and employ energy-efficient forms of lighting that reduces light scatter.'

At the end of paragraph 5.42 add:

‘Development proposals will be expected to demonstrate how they have been designed to prevent light pollution. Information on these measures should be submitted with applications, and proposals should have regard with the current guidelines established for rural areas by the Institute of Lighting Professionals. Where a development proposal is otherwise acceptable, but would potentially impact on light levels in the area, an appropriate lighting scheme will be secured by planning condition.’

Local Infrastructure Improvements

- 7.70 The Plan includes a package of Local Infrastructure Improvements. They are non-land use issues which have naturally arisen during the plan-preparation stage. They are included in a separate part of the Plan (Section 6) as advised by national policy.
- 7.71 The various Aspirations are as follows:
- improving existing community facilities – toilets in the church, improved play equipment;
 - traffic management measures. The main issues identified from the Culham Community Led Plan 2014 were a pedestrian crossing on the A415 at the end of Burycroft; traffic calming on Tollgate Road; a pedestrian crossing on the A415 at the Waggon and Horses; traffic calming on High Street and less street lighting;
 - new allotments to serve Culham village; and
 - a new Culham Village Hall.
- 7.72 The Aspirations have been well-developed. They are distinctive to the neighbourhood area. In some cases, their delivery has the potential to complement the land use policies.

Other matters - General

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

- 7.74 SODC has suggested a series of specific amendments to specific policies and to the more general parts of the Plan. They have been very helpful for examination purposes. Where the proposed amendments relate to specific policies, I have addressed them in earlier parts of this report (on the policy concerned). I recommend the following specific modifications on more general matters which are necessary to ensure that the Plan meets the basic conditions:

Replace paragraph 1.4 with: ‘Once approved at a referendum, the Plan becomes a statutory part of the development plan.’

Replace the bullet points in paragraph 1.5 with the full description of the basic conditions (and as proposed by SODC).

Delete paragraphs 3.10 to 3.12 (and the bold heading for the Oxfordshire Plan 2050) as that Plan is no longer being pursued.

Other Matters – Details on Inset Maps

- 7.75 Concern has been expressed by residents in the parish about the details shown on Inset Map 1 on the relationship between the Green and the bridleway in that part of the village. CPC acknowledges that the plans concerned are not drawn to scale and do not intend to change the current ownership and maintenance arrangements.
- 7.76 In these circumstances I recommend that the Proposal Map Inset 1 (and any related maps in the Design Code indicate that the width of the bridleway running through the Green is indicative only.

On Proposal Map Inset 1 (and any related maps in the Design Code) indicate by way of an additional key that the width of the bridleway running through the Green is indicative only.

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 2041. It is distinctive in addressing a specific set of issues that have been identified and refined by the wider community.
- 8.2 Following the independent examination of the Plan, I have concluded that the Culham Neighbourhood Development Plan meets the basic conditions for the preparation of a neighbourhood plan subject to a series of recommended modifications.

Conclusion

- 8.3 On the basis of the findings in this report, I recommend to South Oxfordshire District Council that subject to the incorporation of the modifications set out in this report the Culham Neighbourhood Development Plan should proceed to referendum.

Referendum Area

- 8.4 I am required to consider whether the referendum area should be extended beyond the Plan area. In my view, the neighbourhood area is entirely appropriate for this purpose and no evidence has been submitted to suggest that this is not the case. I therefore recommend that the Plan should proceed to referendum based on the neighbourhood area as most recently approved by South Oxfordshire District Council on 18 September 2020.
- 8.5 I am grateful to everyone who has helped in any way to ensure that this examination has run in a smooth and efficient manner.

Andrew Ashcroft
Independent Examiner
23 January 2023