

## Policy and Programmes

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### Chinnor Neighbourhood Development Plan Review II – Modification Statement

Under Regulation 17(e)(ii) of the Neighbourhood Planning (General) Regulations 2012 (as amended), the local authority must submit to the examiner a statement setting out whether or not the authority consider that the modifications contained in the modification proposal are so significant or substantial as to change the nature of the Neighbourhood Development Plan which the modification proposal would modify, giving reasons for why the authority is of this opinion.

#### Background

The Chinnor Neighbourhood Development Plan (NDP) Review was made as part of the district council's Development Plan on 20 May 2021, shortly after the South Oxfordshire Local Plan 2035 was adopted in December 2020. Since the adoption of the Chinnor NDP Review, the National Planning Policy Framework (NPPF) has been updated, with the latest revision dated September 2023.

#### Housing

Chinnor is classified as a 'Larger Village' in the [South Oxfordshire Local Plan 2035 Settlement Hierarchy](#) (page 276). The Local Plan 2035 'proposes the provision of 15% growth in the Larger Villages' (page 94), and for those with Neighbourhood Plans, it supports 'Larger Villages to allocate further development sites should the NDP so wish, where this level of growth is sustainable for that village, and where this is in accordance with national policies and guidance' (page 96).

The Local Plan 2035 also acknowledges, as set out on page 95, that in Chinnor the 15% growth level has been achieved, as 'a number of planning appeals have been allowed', therefore meaning it is 'already achieving the minimum 15% growth level'. Chinnor's Plan Review II continues to contain policies and a housing allocation that meet (and exceed) the identified housing requirement for the neighbourhood area; and

the Review II also updates the position, removing previously allocated sites that have already been completed (Policy CH H6: Site Allocations in the 'made' Plan Review).

## Policy Amendments/Additions

The Chinnor NDP Review II seeks to respond to both local and national planning policy changes. The following NDP policy changes have been made:

- **Policy CH H1: Infill Residential Development** - Policy carried forward with one minor amendment, to update an Appendix reference.
- **Policy CH H2: Affordable Housing** - Policy carried forward with a minor typographical amendment and one addition (of the wording 'or where a site has an area of 0.5 hectares or more') to clarify the hectareage criteria for affordable housing (this conforms with South Oxfordshire Policy H9).
- **Policy CH H6: Site Allocation** – Policy carried forward with amendments to update the position, via the removal of the previously allocated sites from the policy text that have already been completed. Sites that have been completed are now shown in a separate table.
- **Policy CH C1: Design** - Policy carried forward with a minor amendment to an Appendix reference and an update to refer to the South Oxfordshire and Vale of White Horse Joint Design Guide (adopted in 2022).
- **Policy CH C3: Heritage Assets** – Policy carried forward with a minor amendment to generally address 'harm to' (rather than specifically 'demolition or partial demolition of') listed buildings and non-designated heritage assets, allowing the policy to be more closely aligned with national and local policy.
- **Policy CH GP1: Local Green Space** - Policy carried forward with minor amendments and additions: to remove the word 'new'; to add Mill Lane Community Garden as a new local green space (number 16); and to amend the area of local green space 14. The smaller parcel of land in this local green space has been removed, as it no longer meets NPPF local green space criteria.
- **Policy CH GP2: Protection of Habitats of Significance** – Policy carried forward with minor additions, to specify a biodiversity net gain target ('of at least 10%') and how to measure this; and removal of the words 'SSSI'.
- **Policy CH GP3: Public Rights of Way (PROW)** – Policy carried forward with a minor amendment to correct one typographical error (repetition of the word 'existing').
- **Policy CH CF1: The Protection of Community Facilities** – Policy carried forward with amendments to ensure the names of Community Facilities 5, 6, 18, 21, 22 and 28 are up to date; and the addition of four new Community Facilities with an updated Community Facilities map. The new proposed Community Facilities are: 38 - Millie's Deli, Coffee Shop, Lower Road; 39 - Pound Garden and War Memorial; 40 - Buds that Blossom Nursery - Lower Road; and 41 - Parade of Shops on Middle Way.
- **Policy CH B2: Enhancement of Employment Facilities** - Policy carried forward with one minor amendment to update an Appendix reference.

- **Policy CH E1: Education Facilities** – a new policy addressing education facilities in a similar way to the medical facilities policy (CH CF2). This policy states support for the development of new school(s)/pre-school(s), or expansion of the existing schools subject to specific policy criteria.

Some new supporting text is also proposed to sit alongside policy modifications and additions. Text has also been amended (and removed, where no longer relevant) to ensure the information and references provided are as up to date as possible: for example, addressing the most up to date National Planning Policy Framework, the South and Vale Joint Design Guide 2023 and 2021 Census data, where available.

Policies which have not changed are:

- **Policy CH H3: Tenancy Mix**
- **Policy CH H4: Allocation of Affordable Housing for Local People**
- **Policy CH H5: Retirement Housing**
- **Policy CH H7: Development Boundary**
- **Policy CH H8: Sustainable Homes**
- **Policy CH C2: Conservation Areas**
- **Policy CH CF2: Healthcare Facilities**
- **Policy CH R1: Protection of Existing Retail Facilities**
- **Policy CH B1: Protection of Existing Employment Premises**
- **Policy CH T1: Enhancement of Tourism Facilities**

### Other Amendments/Additions

Some amendments/additions have also been made to the Vision, Objectives and Action Points. The Vision has been expanded to address in more detail the economic, social and environmental issues raised, and how the parish want to improve these. This provides clarity and context.

Objectives 2, 4, 5 and 6 have been reworded and expanded to provide further clarity and context regarding sustainable development, community facilities, transport and infrastructure. Objectives 3 and 7 have had very minor amendments: 3 to include the words 'and heritage', to sit alongside its character focus; and 7 to remove the superfluous word 'necessary'. There is also one new Objective - 8. This focuses on the natural environment and protecting it to benefit biodiversity and people. This links to the proposed biodiversity net gain additions to Policy CH GP2: Protection of Habitats of Significance, as described above.

The Action Points (a list of issues that the Council will continue to actively work on) have also been updated, with minor amendments: e.g., to provide up to date document references, to update organisation names, and to highlight what has been achieved.

The Public Consultations Appendix has also been moved to the end of the appendices, retitled as 'Historic Public Consultations'.

## Modification Analysis

The most significant modifications in the Plan Review II relate to the introduction of one new policy (CH E1: Education Facilities), the addition of one further local green space (16) and the addition of four further Community Facilities, all described above.

The Plan Review II also responds to the South Oxfordshire Local Plan 2035, whereas the 'made' Plan Review was largely drafted in parallel to the production of the South Oxfordshire Local Plan, which was adopted in December 2020, five months before the adoption of the Chinnor Plan Review in May 2021.

The Planning Practice Guidance sets out the types of modifications which can be made to neighbourhood plans. These are:

- *Minor (non-material) modifications to a neighbourhood plan or order are those which would not materially affect the policies in the plan or permission granted by the order. These may include correcting errors, such as a reference to a supporting document, and would not require examination or a referendum.*
- *Material modifications which do not change the nature of the plan or order would require examination but not a referendum. This might, for example, entail the addition of a design code that builds on a pre-existing design policy, or the addition of a site or sites which, subject to the decision of the independent examiner, are not so significant or substantial as to change the nature of the plan.*
- *Material modifications which do change the nature of the plan or order would require examination and a referendum. This might, for example, involve allocating significant new sites for development.*

## Conclusion

The council consider that the described modifications and additions proposed in the Chinnor Plan Review II (including the new Education Facilities policy and the additional local green space and community facilities) are material but are not so significant or substantial as to change the nature of the plan itself. The changes add a local level of detail and clarity regarding how planning applications within the Neighbourhood Area should be considered.

In the council's opinion, the Plan Review II, with material modifications which do not change the nature of the plan, should undergo an independent examination, but it should not require a new referendum.