

Delegated authority officer decision notice

Decision made by	Tim Oruye Head of Policy and Programmes
Lead officer contact details	Tom Gill Planning Policy Officer (Neighbourhood) Tel: 07510 921689 Email: thomas.gill@southandvale.gov.uk
Decision	<ol style="list-style-type: none"> 1. To accept all modifications recommended by the Examiner; 2. To determine that the Lewknor Parish Neighbourhood Plan, as modified, meets the basic conditions, is compatible with the Convention rights, complies with the definition of a neighbourhood development plan (NDP) and the provisions that can be made by an NDP; 3. To take all appropriate actions to progress the Lewknor Parish Neighbourhood Development Plan to referendum.
Key decision? (see notes below)	No.
If key decision, has call-in been waived by the Scrutiny Committee chair(s)?	Not applicable.
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 as 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 Lewknor Parish Neighbourhood Development Plan (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 5 September 2023. The revised NPPF replaces the previous NPPF published in March 2012 and revised in July 2018, February 2019 and July 2021. The advice within National Planning Practice Guidance (“NPPG”) has also been borne in mind in reaching this conclusion.

2. Paragraph 13 of the NPPF is clear that neighbourhood plans should support the delivery of strategic policies contained in local plans and spatial development strategies. Qualifying bodies should plan positively to support local development, shaping and directing development in their area that is outside these strategic policies. More specifically paragraph 29 of the NPPF states that neighbourhood plans should not promote less development than set out in the strategic policies for the area, or undermine those strategic policies.
3. Beyond this, the content of a draft neighbourhood plan will determine which other aspects of national policy are or are not a relevant consideration to take into account. The basic condition allows qualifying bodies, the independent examiner and local planning authority to reach a view in those cases where different parts of national policy need to be balanced.
4. Having considered all relevant information, including representations submitted in response to the Plan, the Examiner’s considerations and recommendations, the council has come to the view that the Plan recognises and respects relevant constraints. The Plan has developed a positive suite of policies that seek to bring forward positive and sustainable development in the neighbourhood area. There is a clear focus on maintaining the character, quality and appearance of the neighbourhood area, as well as aims to enhance biodiversity and wildlife, as supported by National Planning Policy Framework paragraph 179. The Plan also contains policies which focus on the delivery of sustainable development, as supported by National Planning Policy Framework paragraph 29.
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 Employment, Economic and Commercial Development (FI6). In the social role, it includes policies on the Character of Developments (DC1), Design Principles (DC2), Sustainable Design (DC3), Community Facilities (FI2), Sustainable Movement (FI3), Green Energy (FI4), and Sustainable Transport (TH1). In the environmental dimension, the plan positively seeks to protect its natural, built,

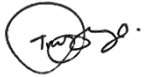
and historic environment. It includes policies on Conserving Heritage (CH1), Landscape Character (CH2), Protection of Views (CH3), The Chilterns Area of Outstanding Natural Beauty (CH4), Wildlife and Biodiversity (EN1), Aston Rowant National Nature Reserve (EN2), High Grade Agricultural Land (EN3), and Local Green Spaces (FI1).

6. As a whole, the council is satisfied that the policies in the plan pursue net gain across each of the different dimensions of sustainability in a mutually supportive way.
7. The plan, as modified by the Examiner's recommendations, is in general conformity with the strategic policies contained in the current Development Plan for the area. Lewknor is identified as a 'smaller village' in the adopted Local Plan (Appendix 7). Policies H8 (Housing in the Smaller Villages) and H16 (Infill development and redevelopment) of the Local Plan set the context for the scale and nature of new development which would be supported in smaller villages in the district. Policy H8 advises that smaller villages have no defined requirement to contribute towards delivering additional housing, however where a Parish Council wishes to prepare a Neighbourhood Development Plan to support further growth, the Council will support this provided that the levels of growth supported are commensurate to the size of the village.
8. The Neighbourhood Area also includes Postcombe which is identified as a 'other village' in the Local Plan (Appendix 7). The Local Plan expresses support for other villages within the district which may wish to prepare Neighbourhood Development Plans in the same way that the Council support their preparation in smaller villages. The Lewknor Parish Neighbourhood Plan recognises and respects the distinct approach in the Local Plan in dealing with development in smaller villages and other villages. The Plan delivers a local dimension to the strategic context and supplements the detail already included in the adopted South Oxfordshire Local Plan 2035.
9. 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.

10. In order to comply with the basic condition on the European Union legislation, South Oxfordshire District Council undertook a screening exercise (dated April 2020) on the need or otherwise for a Strategic Environmental Assessment (SEA) to be prepared for the Plan. As a result of this process, it concluded that the Plan is not likely to have any significant effects on the environment and accordingly would not require SEA.
11. The Council screened the Plan's potential impact on EU Special Areas of Conservation (SACs), and this was completed in April 2020. 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.
12. 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.
13. 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'.
14. The council is satisfied that it is not necessary to extend the referendum area beyond the boundaries of the designated neighbourhood area as they are currently defined.
15. 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 at Appendix 2.
16. The Examiner noted in his report, paragraph 7.70, that it will be appropriate to make any necessary consequential changes to the general text. The Examiner also notes in paragraphs 7.73 of their report that it would be entirely appropriate to make any typographical amendments to the Plan. To ensure that the plan reads as a coherent document the qualifying body and the council have agreed factual, consequential, and typographical updates. These are set out in Appendix 3.

	<p>17. The modifications set out in Appendix 1 and Appendix 3, both separately and combined, produce no likely significant environmental effects and are unlikely to have any significant effects on the integrity of European Designated Sites.</p> <p>18. The council has taken account of all the representations received.</p> <p>19. The Counting Officer is responsible for determining the date of the referendum. The Electoral Service team advises that the referendum is planned for Thursday 23rd November 2023.</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 meeting the needs of the present without compromising the ability of future generations to meet their own needs.</p> <p>In terms of climate and ecological implications, the Plan seeks to have a positive impact, containing an objective concerned with protecting and enhancing the rural habitat and ecological diversity of the plan area, and minimising the impact of any development on the key visual landscapes. The plan also contains a Wildlife and Biodiversity policy (EN1) with the purpose of supporting development which protects or enhances urban and rural biodiversity, and proposals which result in a 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. 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. Lewknor Parish Neighbourhood Plan and supporting documents 2. National Planning Policy Framework (2023) 3. National Planning Policy Guidance (July 2014 and subsequent updates) 4. South Oxfordshire Local Plan 2035 5. South Oxfordshire District Council SEA/HRA Screening Statement April 2020 6. Representations submitted in response to the Lewknor Parish Plan 7. Relevant Ministerial Statements 			
Declarations/ conflict of interest?	None			
Consultees	Email	Name	Outcome	Date
	Legal legal@southandvale.gov.uk	Vivien Williams	Approved	03/10/23
	Finance Finance@southandvale.gov.uk		No Comment	06/10/23
	HR hradminandpayroll@southandvale.gov.uk	Trina Mayling	No Comment	05/10/23
	Climate and biodiversity climateaction@southandvale.gov.uk	Jessie Fieth	Approved	04/10/23
	Equality and diversity equalities@southandvale.gov.uk	Lynne Mitchell	Approved	03/10/23
	Risk and insurance risk@southandvale.gov.uk		No Comment	06/10/23

	Strategic Property property@southandvale.gov.uk	Christopher Mobbs	No Comment	02/10/23
	Communications communications@southandvale.gov.uk		No Comment	06/10/23
	Relevant Cabinet member	Councillor Anne-Marie Simpson	Approved	02/10/23
	Ward councillor	Councillor Georgina Heritage	Approved	02/10/23
Decision maker's signature To confirm the decision as set out in this notice.	Signature:  Date: 06 /10 2023			

Appendix 1: Examiner's recommendations

Policy/Section	Examiner's recommendations	Council's Decision	Justification/Reason
The initial parts of the Plan (Sections 1 to 9)	At the end of the final paragraph in Section 5 add: 'The Plan period is 2023 to 2040.'	Agree	The council consider the modifications to the settlement boundary necessary to bring the clarity required by the NPPF; the modifications will ensure the plan period is clearly identified within the plan.
Policy SS1: Settlement Boundaries	Revise the settlement boundaries as suggested in Comment 9 of the SODC representation.	Agree	<p>The council consider the modifications to the settlement boundary necessary to bring the clarity required by the NPPF. The changes ensure that modern agricultural buildings are removed from the settlement boundary, in line with the methodology used during the preparation of the Plan.</p> <p>Additionally, the revised boundaries will remove a large area of land which does not form part of the built up area of the village, therefore ensuring the policy has regard to National Policy and is in general conformity with STRAT1 of the SODC Local Plan 2035.</p>
Policy CH1: Conserving Heritage	<p>Replace the policy with:</p> <p>'The Plan identifies non-designated heritage assets (as shown on Maps Insert numbers).</p> <p>The effect of a development proposal on the</p>	Agree	The council consider the modifications to the policy and supporting text necessary to bring the clarity required by the NPPF. The changes ensure the language is unambiguous by refocusing the policy to cover only non-designated heritage assets,

	<p>significance of the identified non-designated heritage asset should be taken into account in determining planning applications. In weighing applications that directly or indirectly affect an identified non-designated heritage asset, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset concerned.'</p> <p>Show the proposed non-designated heritage assets and the designated heritage assets on four additional plans (as set out in paragraph 7.20 of this report).</p> <p>Include an additional paragraph at the end of Section 11.1 to read:</p> <p>'National and local policies already provide a robust context to safeguard the conservation area and the various listed buildings in the parish. As part of the preparation of the neighbourhood plan, the Steering Group, on behalf of the Parish Council has undertaken an assessment of the significance of non-designated heritage assets. Important buildings are described in Appendix 3. Policy CH1 translates this information into a policy context and in doing so identifies the various buildings as nondesignated heritage assts. The buildings are shown on Maps [insert numbers].'</p>		<p>as proposed by the Plan in Appendix 3, and also ensures that the location of the non-designated heritage assets is clear by introducing 4 new maps to show their location which will enable the policy to be applied in an appropriate and consistent manner, as required by national planning policy and guidance.</p> <p>We note there is a typographical error in the supporting text (the word 'assets' was misspelt, and a comma is incorrectly placed). This typographical error is addressed in row 26 of Appendix 3.</p>
Policy CH2: Landscape Character	<p>In the first part of the policy replace 'Any development' with 'Development proposals'</p> <p>In the first part of the policy delete the second sentence.</p>	Agree	The council consider the modification to the policy and supporting text necessary to avoid unnecessary duplication with the Local Plan and to bring the clarity required by the NPPF; the amendments to the policy

	<p>In the second part of the policy replace the opening element with: ‘As appropriate to their scale, nature and location, development proposals should respect.’</p> <p>Insert the deleted second sentence of the first part of the policy at the end of the final paragraph of the supporting text in Section 11.2.</p>		<p>wording and supporting text will ensure that it does not duplicate Policy ENV1 of the SODC Local Plan 2035 and that it can be applied in a proportionate way, taking account all relevant considerations, throughout the Plan period.</p>
Policy CH3: Protection of Views	<p>Reverse the order of the two parts of the policy.</p> <p>In the part listing the views replace the opening element with:</p> <p>‘The Plan identifies important views in the Parish (as shown on Figure Insert number) as being of special significance for the character and setting of the parish and its villages as follows:’</p> <p>Replace the policy element with: ‘Development proposals should preserve or where practicable enhance the local character of the landscape and respond positively to the identified important views.’</p> <p>At the end of the penultimate paragraph of the supporting text in Section 11.3 add: ‘Figure [insert number] reproduces the map from Appendix 4.’</p>	Agree	<p>The council consider the modification to the policy and supporting text necessary to bring the clarity required by the NPPF; it ensures that the policy can be applied in a proportionate way throughout the Plan period and that the location of the key views is clear by introducing a new map to show their location which will enable the policy to be applied in an appropriate and consistent manner.</p> <p>We note there is need for a factual correction in the policy and supporting text (the word ‘Figure’ is used instead of ‘Map’ which is used throughout the rest of the plan). This factual correction is addressed in row 29 of Appendix 3.</p>
Policy CH4: The Chilterns Area of Outstanding Natural Beauty	<p>Replace the opening element of the policy with:</p> <p>‘Proposals for major developments in the Chilterns Area of Outstanding Natural Beauty will not be supported other than in exceptional circumstances and where it can be demonstrated that development</p>	Agree	<p>The council consider the modification to the policy necessary to bring the clarity required by the NPPF and to ensure it has regard to national policy; the modifications clarify the role of the Plan which is not give or refuse planning permission, and the</p>

	<p>is in the public interest, as defined by national planning policy.</p> <p>Development proposals within the Chilterns Area of Outstanding Natural Beauty, or affecting the setting of the Chilterns Area of Outstanding Natural Beauty, will only be supported where they:</p> <p>In i) replace 'conserves and enhances' with 'conserve and enhance'</p> <p>In ii) replace 'is appropriate' with 'are appropriate'</p> <p>In iii) replace 'meets the aims of' with 'has regard to' and delete 'statutory'</p> <p>In iv) replace 'complies' with 'comply'</p> <p>Replace v) with 'are designed to avoid unacceptable impacts (including cumulative effects), unless any harm can be satisfactorily mitigated'</p>		<p>appropriate standing of the Chilterns AONB management and Building Design Guide which are not part of the development plan and should therefore be treated as material considerations.</p>
<p>Policy DC1: Character of Developments</p>	<p>In the initial part of the policy replace 'Lewknor parish' with 'the parish' and 'and enhance' with 'and where practicable enhance'</p> <p>Replace the first two criteria with:</p> <p>i. implement the best practices set out in the Joint Design Guide; and have regard to the Chilterns Buildings Design Guide;</p> <p>ii. where a Design and Access Statement is required and the development is in the Chilterns Area of Outstanding Natural Beauty or its environs, it should</p>	<p>Agree</p>	<p>The council consider the modification to the policy necessary to bring the clarity required by the NPPF; the modifications ensure that the policy wording recognises that it may not always be practicable for proposals to enhance the sense of place and local distinctiveness of the parish, and that the Chilterns AONB management and Building Design Guide are not part of the development plan and should therefore be treated as material considerations.</p>

	explain how it complies with the Joint Design Guide and has regard to the Chilterns Buildings Design Guide.		
Policy DC2: Design Principles	<p>Replace the opening element of the policy with:</p> <p>‘As appropriate to their scale, nature and location, development proposals should incorporate designs and layouts that respond positively to the local character of the area and address the following principles:’</p> <p>Replace iv. with: ‘boundary treatments to highways and village lanes should comprise, where practicable, native hedgerow (or species appropriate to the site’s growing conditions), or stone, brick or flint boundary walls as appropriate to the immediate context of the site.’</p> <p>Replace the final part of viii. with: ‘All new residential developments should provide for the parking of vehicles in accordance with Oxfordshire County Council’s parking standards, unless specific evidence is provided to justify a departure from those standards.’</p> <p>In ix. replace ‘permitted’ with ‘supported’</p> <p>Replace xii. with ‘roads and footpaths should not feature street and/or path lighting unless it is a requirement of a statutory body, in which case renewable energy solutions (such as solar lighting) are encouraged.’</p> <p>Replace xiii. with: ‘it should avoid the installation of</p>	Agree	The council consider the modification to the policy necessary to bring the clarity required by the NPPF; the modifications ensure clarify the role of the Plan which is not to give or refuse planning permission. It also ensures the policy can be applied in a proportionate way throughout the Plan period by clarifying that many of the criteria in the policy will not be relevant to all types of proposals.

	<p>kerbs to new or existing village lanes or roads. Where such an approach is impracticable, the use of more sympathetic materials / construction design, as identified in Oxfordshire County Council's Residential Road Design Guide, should be used in preference to the installation of precast concrete kerbs.'</p> <p>In xiv. replace 'greenhouse gases' with 'carbon emissions'</p>		
Policy DC3: Sustainable Design	<p>Replace ii. With 'how the development has been future proofed for the provision of modern technology, such as high-speed broadband, electric vehicle charging points and ground or air source heat pumps.'</p>	Agree	The council consider the modification to the policy necessary to bring the clarity required by the NPPF.
Policy EN1: Wildlife and Biodiversity	<p>At the beginning of the policy add: 'As appropriate to their scale, nature and location'</p> <p>In the first criterion replace the second sentence with: 'Where the loss of a mature tree or hedgerow is unavoidable, the proposals should make provision on site for species appropriate to the site's growing conditions.'</p> <p>At the end of the first criterion add 'or in an approved alternative location in accordance with a compensation scheme provided as a condition of planning permission.'</p> <p>Replace the second criterion with: 'Where appropriate, incorporate landscape schemes which use species appropriate to the site's growing conditions.'</p>	Agree	The council consider the modification to the policy necessary to bring the clarity required by the NPPF; the modifications ensure the policy can be applied in a proportionate way throughout the Plan period by clarifying that many of the criteria in the policy will not be relevant to all types of proposals and that it may not always be possible for provisions to be made on site, by making it clear that the Plan cannot give or refuse planning permission, and by removing references to the protection of 'wildlife corridors' which are not mapped or addressed sufficiently within the plan. The modification also encourages the rewording of the policy to support the planting of species appropriate to the site's growing conditions which is a condition positively

	<p>In iv. delete the first sentence.</p> <p>In x. replace 'outside' with 'adjacent to' and 'should not normally be permitted' with 'will not be supported'</p>		<p>supported by the council as native or species-specific equivalent replacements may not always be the most appropriate form of biodiversity for the site.</p>
Policy EN2: Aston Rowant National Nature Reserve	<p>Replace the policy with:</p> <p>'Development proposals at the Aston Rowant National Nature Reserve should conserve and where practicable enhance its status as a Site of Special Scientific Interest/Special Area of Conservation. In addition, any development proposals within the Reserve should result in a biodiversity net gain of at least 10% through the incorporation of measures including land management approaches such as grazing regimes, restoring hedgerows, reinstating ponds, reverting arable land to chalk grassland, and joining up islands of ancient woodland or chalk grassland.</p>	Agree	<p>The council agrees that the modifications to this policy are required as National Planning Practice Guidance highlights that Neighbourhood Plans should provide an additional level of detail and/or a distinct local approach to local and national policy and should not duplicate existing information. The modifications ensure that the policy is reconfigured to set out requirements for development proposals rather than restating the importance of the Aston Rowant National Nature Reserve itself which benefits from the highest level of protection through law, national and local policy. The modified policy also includes a more specific requirement that development within the reserve should result in at least a 10% biodiversity net gain in alignment with Schedule 14 of the Environment Act (2021).</p>
Policy FI1: Local Green Spaces	<p>Replace the opening part of the policy with:</p> <p>'New development will not be supported, except in very special circumstances, on the following designated Local Green Spaces (as shown on Map insert number):</p>	Agree	<p>The council consider the modification to the policy and supporting text necessary to bring the clarity required by the NPPF; the modifications make it clear that the Plan cannot give or refuse planning permission and also ensures the location of the LGS is clearly identified within the plan and</p>

	<p>Delete LGS vi Wooded area next to Box Tree House</p> <p>Reproduce the map of the LGSs in Appendix 2 in the Plan itself (without LGS vi)</p>		<p>referenced to within the policy. The council supports the removal of LGS vi as it does not meet the criteria required by paragraph 102 of the NPPF, specifically that it has not been demonstrated that it is demonstrably special to the local community and that it holds a particular local significance, in order to be designated as a Local Green Space.</p>
Policy FI4: Green Energy	<p>In ii. replace 'create a negative' with 'have an unacceptable'</p> <p>In iii. replace 'adverse' with 'unacceptable'</p> <p>In iv. replace 'cause detrimental' with 'have an unacceptable'</p>	Agree	<p>The council consider the modification to the policy necessary to bring the clarity required by the NPPF and so that it can be applied in a consistent way throughout the Plan period.</p>
Policy FI5: Utilities	<p>In the Utilities part of the policy replace 'Development proposals will be supported, provided it can be demonstrated that, where appropriate:' with 'As appropriate to their scale, nature and location, development proposals should demonstrate that:'</p> <p>In the Communications part of the policy replace 'providing they do not detrimentally impact the character, any views or biodiversity' with 'where they respond positively to the character of the immediate locality of the site, the key views identified in Policy CH3 of this Plan, and to the biodiversity of the site and its immediate surroundings'</p>	Agree	<p>The council consider the modification to the policy necessary to bring the clarity required by the NPPF; the modifications ensure the policy can be applied in a proportionate and consistent way throughout the Plan period.</p>
Policy FI6: Employment, Economic and	<p>Delete the opening element of the policy.</p> <p>Replace the opening element of the first part of the</p>	Agree	<p>The council consider the modification to the policy necessary to bring the clarity required by the NPPF; the modifications</p>

Commercial Development	<p>policy with: 'Development proposals for employment, economic and commercial development will be supported subject to the following criteria:'</p> <p>In the first bullet point replace 'which is' with 'where they are'</p> <p>In the second, third and fifth bullet points replace 'should' with 'they'</p> <p>Replace the fourth bullet point with: 'do not have an unacceptable residual cumulative impact on the road network or give rise to unacceptable effects on the environmental quality of the rural areas and villages within the neighbourhood area and should identify the way in which they would be satisfactorily accommodated within the local highways network.'</p> <p>In the second part of the policy replace 'support' with 'consolidate'</p> <p>Replace the three criteria with:</p> <ul style="list-style-type: none"> • respond positively to their immediate locality; • are located, and designed to respect the character of the local landscape; and • respond positively to the scenic beauty of the Chilterns Area of Outstanding Natural Beauty and its setting and the character and appearance of the Conservation Areas. 		<p>ensure the policy can be applied in a proportionate and consistent way throughout the Plan period, make it clear that the Plan cannot give or refuse planning permission, and ensure that the language used is unambiguous.</p>
Policy HO1: Housing Mix	<p>Delete the policy</p> <p>At the end of the second paragraph of Section 15.1</p>	Agree	<p>The council agrees that policy should be deleted as National Planning Practice Guidance highlights that Neighbourhood</p>

	add: 'This approach reflects the details of Policy H11 of the adopted Local Plan.'		Plans should provide an additional level of detail and/or a distinct local approach to local and national policy and should not duplicate existing information. Policy H01 is not locally-specific and echoes SODC Local Plan 2035 Policy H11: Housing Mix.
Policy TH1: Sustainable Transport	<p>Replace the policy with:</p> <p>'Development proposals should seek to maximise the use of sustainable modes of transport and minimise the additional traffic within the neighbourhood area. Development proposals which would have an unacceptable impact on the capacity and/or the safety of the local highways network will not be supported.'</p> <p>At the end of the final paragraph of Section 16.1 add: 'These matters are addressed in Policy TH1. Development proposals which would lead to a significant increase in traffic should be accompanied by a travel plan.'</p>	Agree	The council consider the modification to the policy and supporting text necessary to bring the clarity required by the NPPF; the modifications recast the policy to focus on land use issues rather than a process requirement, as required by Paragraph 13 of the NPPF, and move the majority of the wording of the current policy into the supporting text.
Policy TH2: Vehicle Traffic	<p>Replace the policy with:</p> <p>'As appropriate to their scale, nature and location, development proposals should mitigate the impact of vehicular traffic by incorporating land for natural screening including tree planting and hedgerows, and designing their layouts to reduce the impact of noise from the M40 motorway and other main roads.'</p>	Agree	The council consider the modification to the policy necessary to bring the clarity required by the NPPF; the modification recast the policy to removes the traffic management measures from the policy as they are a highways matter rather than a land use matter, as required by Paragraph 13 of the NPPF, and instead focus on mitigating the impacts of traffic from the development itself and of existing traffic on strategic routes from the occupiers of new development.

Other Matters - General	Modification of general text (where necessary) to achieve consistency with the modified policies and to accommodate any administrative and technical changes.	Agree	Modifying the general text to ensure it is consistent with amended policies/supporting text is necessary to provide the clarity required by national policy and guidance.
Other Matters – Specific	Modification of general text to update the Plan and correct errors	Agree	Modifying the general text to amend typographical errors is necessary to provide the clarity required by national policy and guidance.

Appendix 2 – Examiner’s Report

The Examiner’s Report is available here:

<https://www.southoxon.gov.uk/wp-content/uploads/sites/2/2023/09/Lewknor-Neighbourhood-Development-Plan-Examiners-Report.pdf>

Appendix 3 – Consequential and/or Factual Changes

Please note that new text is shown in bold and deleted text as struck through.

Section	Agreed change	Justification/Reason
Throughout Plan	Update reference to NPPF to be September 2023	Factual correction.
Throughout plan	Update NPPF page number references to those found in the NPPF 2023.	Factual correction.
Throughout plan	Update maps and figure references	Factual correction; amending for changes made as a result of examiner's modifications.
Throughout plan	Insert page break after each main section	Clarification; improve consistency throughout the plan and ensure it is clear when a new section starts.
Page 1	Draft Referendum Version 24 March 2 October 2023	Factual correction.
Page 2	Update page numbers for Table of Contents	Consequential amendment.
Page 4	South Oxfordshire District Council's Local Plan 2035 looks for housing growth in the towns and larger villages; there is no requirement to deliver additional housing for growth in "smaller", "other" or unclassified villages;	Clarification; more consistent with wording found in SODC Local Plan 2035.
Page 6	Update page numbers for 'Summary of Policies' and 'Summary of Maps'	Consequential amendment.
Page 7	Development Plan - The Local Plan as published by the current Local Planning Authority, South	Factual correction.

	Oxfordshire District Council., together with adopted Neighbourhood Plans and Minerals and Waste Development Planning Documents (produced by Oxfordshire County Council)	
Map on Page 9	Move key so it no longer overlaps Neighbourhood Area Boundary.	Clarification; for precision and to prevent any ambiguity.
Page 12	<p>The Neighbourhood Plan covers the period 2020 2023-2040 and sets the framework and policies against which any development proposals within this period can be assessed.</p> <p>During the 20 17-year life span of this Neighbourhood Plan the Prevailing Local Plan will be subject to review at least every five years and then updated as necessary.</p>	Factual correction.
Page 15	<p>The consultation had to be postponed when the country went into lockdown on 23 March 2020.</p> <p>The June 2020 issue of Grapevine - a notice was included informing residents of the revised dates for the pre-submission consultation.</p>	Typographical correction; consistency with rest of the list.
Page 17	A recent Parish Council initiative has enabled six dwellings for people with a local connection to be built on a rural exception site in Weston Road.	Factual correction.
Page 18	Council initiative has enabled six dwellings for people with a local connection to be built on a rural exception site in Weston Road. Manor Close is the latest addition to the housing stock, consisting of nine new houses in Weston Road, construction completed in 2021. There	Factual correction.

	is also an empty retail shop premises, currently formerly occupied by Fabric Fields which sold fabrics, selling fabrics and soft furnishings. A notable characteristic of the village is its hidden aspect, nestled in the local countryside and unseen from the B4009 and M40.	
Page 21	<p>Evidence of early habitation exists, documented most recently by archaeological investigations in the early 1970s prior to the building of the M40 motorway, which found traces of a Romano-British settlement near the village of Lewknor and a Romano-British cemetery near the Upper Icknield Way.</p> <p>The modern Ridgeway long distant distance path follows the route of the Upper Icknield Way at the foot of the scarp.</p> <p>The name is derived from the Old English name of its owner Leofeca and refers to a flat-topped ridge with a convex shoulder, presumably Beacon Hill, which would have been a landmark for those travelling on the Upper Icknield Way.</p>	Typographical correction and factual correction.
Page 29	Ensure there is adequate parking provision in the within any future development	Typographical correction.
Page 32	Delete Theme: Housing and associated table	Consequential amendment.
Page 32	Align columns of 'Facilities and Infrastructure' & 'Transport and Highway' themes with others in this section.	Typographical correction.
Page 33	Policy ENV1 of the Local Plan prevents the loss of	Factual correction.

	protects the landscape features against harmful development	
Page 33	Development in Lewknor Parish has already exceeded 10%; this Plan does not make housing allocations.	Typographical correction.
Page 34	By defining the boundaries on the Policy's Maps	Typographical correction.
Page 34	Consequently, the policy indicates that no significant development should occur in the open countryside or around existing agricultural holdings (other than in the limited circumstances set out in the Neighbourhood Plan). These Development types in these locations would also diverge from the current historic development pattern.	Clarification; more consistent with wording found in SODC Local Plan 2035.
Page 36	Move policy box below supporting maps	Clarification; improve consistency throughout the plan and ensure it is clear which policy the supporting maps are related to and when a new section starts.
Page 36	The Neighbourhood Plan defines settlement boundaries at Lewknor and Postcombe, as shown on Policies Maps 2 & 3 which distinguish between the built-up areas of the Parish and the surrounding countryside	Factual correction.
Page 38	The Upper Icknield Way, a prehistoric thoroughfare, followed the outcrop of dry, permeable rocks between the wet land of the vale and the steep Chilterns escarpment, and the numerous pure springs which emerge along the scarp foot have attracted the formation of a long string of villages from Chinnor to Ewelme.	Factual correction.

Page 40	As part of the preparation of the neighbourhood plan, the Steering Group, on behalf of the Parish Council, has undertaken an assessment of the significance of non-designated heritage assets. Important buildings are described in Appendix 3. Policy CH1 translates this information into a policy context and in doing so identifies the various buildings as non-designated heritage assets.	Typographical amendment.
Page 41	This has regard to both the South Oxfordshire Local Plan policy ENV-1 Landscape and Countryside: 1. “The highest level of protection will be given to the landscape and scenic beauty of the Chilterns and North Wessex Downs Areas of Outstanding Natural Beauty (AONBSs)”	Typographical amendment.
Page 42	Development proposals should preserve or where practicable enhance the local character of the landscape and respond positively to the identified important views.	Typographical correction; consistency with rest of the policies.
Page 42	The Plan identifies important views in the Parish (as shown on Figure Map Insert number) as being of special significance for the character and setting of the parish and its villages as follows: Figure Map [insert number] reproduces the map from Appendix 4.’	Typographical amendment.
Page 43	Footnote 7 NPPF paragraph 115 176 Footnote 10 NPPF paragraph 116-177 (and update the quoted text to match the paragraph) Footnote 11 Planning Practice Guidance 8-004-	Factual correction.

	20140306 Paragraph 005 Paragraph 041 Reference ID: 8-041-20190721	
Page 43	In policy terms they have the same planning status as National Parks ⁷ with the highest status of protection in relation to landscape and scenic beauty.	Enhance clarity.
Page 44	v. In determining compliance with criterion (a i) in the policy below	Clarification; ensures it is clear which specific criterion is being referred to.
Page 45	(including the Ridgeway National Trail)	Typographical amendment.
Page 46	The character assessment fully documents the existing character, including the prevalence of two storey dwellings and the natural rhythm of front gardens and curtilages, particularly the open feeling as houses are not built close to both sides of roads.	Typographical amendment.
Page 47 – 49	Insert subheadings for Lighting and Dark Skies and Parking into this section.	Presentational improvement; the current section is difficult to follow and has no clear structure.
Page 52	notably roe- deer deer migrate	Typographical amendment.
Page 53	Development on land within or adjacent to the Sites of Special Scientific Interest in the Parish, the areas of Ancient Woodland and the Special Area of Conservation, and which is likely to have an adverse effect on it any of them (either individually or in combination with other developments), will not be supported.	Typographical amendment.
Page 57	Proposals for development on land outside the built-up part of the Plan area in the areas shown as Excellent and Very Good Agricultural Land will not be supported,	Typographical amendment.

	unless the development is necessary and suitable for that specific countryside location.	
Page 59	Move policy box below supporting text	Enhance clarity; improve consistency throughout the plan and ensure it is clear which policy the supporting text is related to and when a new section starts.
Page 61	Update extract from National Planning Policy Framework Section 2 – Sustainable Development in line with the NPPF 2023 text, to provide the most up to date information.	Factual correction.
Page 62-63	Insert subheadings for Water and Flooding and Communications into this section.	Enhance clarity; the current section is difficult to follow and has no clear structure.
Page 63	the sewer network can accommodate the additional demand for sewerage sewage disposal either in its existing form or through planned improvements to the system in advance of the construction of the development; and	Typographical amendment.
Page 64	Policy FI6 -: Employment, Economic and Commercial Development	Typographical amendment.
Page 67	(NPPF, July 2021, p. 6413 6416)	Typographical amendment and factual correction.
Page 67	ii. Development of existing dwellings	Typographical amendment and enhance clarity; use same paragraph numbering system in use for other paragraph headers in this section
Page 69	reduced or slower traffic in the villages including a 20-mph limit in the area of the school;	Factual correction.

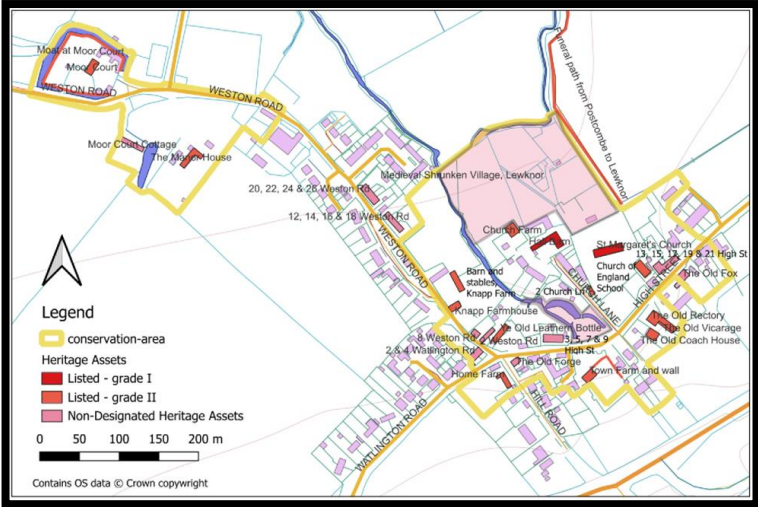
Page 70	Move policy box below supporting text	Enhance clarity; improve consistency throughout the plan and ensure it is clear which policy the supporting text is related to and when a new section starts.
Page 73	South Oxfordshire District Council has set rates (from 1 January 2020 3 January 2023) for residential development at £182.18-260 per square metre in Lewknor Parish, classed as Zone 3 . The average 3 bedroom house is 110-120 square metres. These rates may change within the life time of this Plan. 25% of the Levy comes to the Parish Council if there is a Neighbourhood Plan in place; otherwise 15%, subject to a cap of £100 per existing council tax dwelling per year. For example, a nine house development at 100 square metres each might raise £41,000 for the Parish Council.	Factual correction.

Appendices

Section	Agreed change	Justification/Reason
Appendix 1 – Page 1	Draft – 24 March Updated – 2 October	Factual correction.
Appendix 2 – Page 1	Draft – 24 March Updated – 2 October	Factual correction.
Appendix 2 – Page 1	Update page numbers for Table of Contents	Consequential amendment.
Appendix 2 – Page 30	5.7 Independent Examination The independent examiner as part of his review of the neighbourhood plan considered the proposed Local Green Spaces and concluded that site I in Box Tree Lane, Postcombe did not have the characteristics to warrant its designation and therefore recommended its deletion from the list of proposed Local Green Spaces.	Consequential amendment in relation to the Examiner’s recommendation to delete LGS Site I.

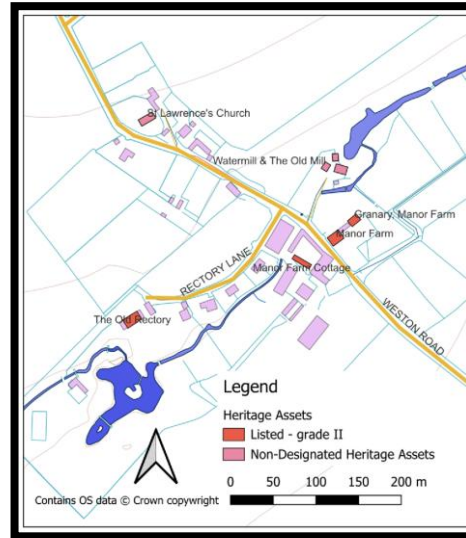
	<p>5.7-5.8 Future Management</p> <p>5.8-5.9 Conclusion</p> <p>Six sites were put forward in the submission version of the plan:</p> <p>Site I, a wooded area in Box Tree Lane, Postcombe was not considered appropriate to be designated as a Local Green Space by the Independent Examiner for the Plan.</p> <p>Following the examination, the following five sites are considered appropriate to be designated as Local Green Spaces as per NPPF 99 and NPPF 100 Based on this assessment the following six sites should be designated as Local Green Spaces as per NPPF 99 and NPPF 100</p> <ul style="list-style-type: none"> I - Wooded area next to Box Tree House 										
Appendix 3 – Page 1	Draft - 24 March Updated Version – 2 October	Factual correction.									
Appendix 3 – Page 1	Update page numbers for Table of Contents	Consequential amendment.									
Appendix 3 – Page 2	<p>Insert:</p> <p>Maps</p> <table border="1" data-bbox="689 1241 1368 1433"> <thead> <tr> <th>Map number</th> <th>Title</th> <th>Page</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>Heritage Assets – Lewknor</td> <td>7</td> </tr> <tr> <td>2</td> <td>Heritage Assets –</td> <td>13</td> </tr> </tbody> </table>	Map number	Title	Page	1	Heritage Assets – Lewknor	7	2	Heritage Assets –	13	Consequential amendment to reflect the Examiner’s recommendation to insert maps of heritage assets into the plan.
Map number	Title	Page									
1	Heritage Assets – Lewknor	7									
2	Heritage Assets –	13									

			South Weston		
		3	Heritage Assets – Postcombe	15	
		4	Heritage Assets – Outside the villages	18	
Appendix 3 – Page 2	<p>The Plan identifies non-designated heritage assets (as shown on Maps 5 to 8).</p> <p>The effect of a development proposal on the significance of the identified non-designated heritage asset should be taken into account in determining planning applications. In weighing applications that directly or indirectly affect an identified non-designated heritage asset, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset concerned.</p> <p>Development proposals within the Conservation Area or its setting, those affecting designated heritage assets, and assets in the non-designated heritage assets list in Appendix 3 and their settings, both above and below ground, including archaeological sites, listed buildings and scheduled monuments should conserve or enhance the significance of the conservation area, designated heritage asset or non-designated heritage asset, the contribution of their setting and their important contribution to local distinctiveness, character and sense of place.</p>			<p>Consequential amendment to reflect the Examiner’s recommendation to modify Policy CH1</p>	
Appendix 3 – Page 5	<p>Barn and stables, nNorth of Knapp Farmhouse, Weston Road</p>			<p>Typographical amendment.</p>	

	<p>No 2, Church Lane</p> <p>Granary, North-East of Manor Farm</p> <p>Barn, North-West of Adwell Farm, Box Tree Lane</p> <p>Barn, North of Lower Vicar's Farm</p>	
<p>Appendix 3 – Page 5</p>	<p>3.2.4 Outside the Villages</p> <p>Copcourt House and outbuildings</p>	<p>Factual correction.</p>
<p>Appendix 3 – Page 7</p>	<p>The buildings and sites selected as non-designated heritage assets are:</p> <p>5.1 Lewknor</p>  <p>Map 1 - Heritage Assets – Lewknor</p>	<p>Consequential amendment to reflect the Examiner's recommendation to insert maps of heritage assets into the plan.</p>
<p>Appendix 3 – Page 8</p>	<p>The Old Forge, High Street</p>	<p>Typographical amendment.</p>

Appendix 3 – Page 12

5.2 South Weston



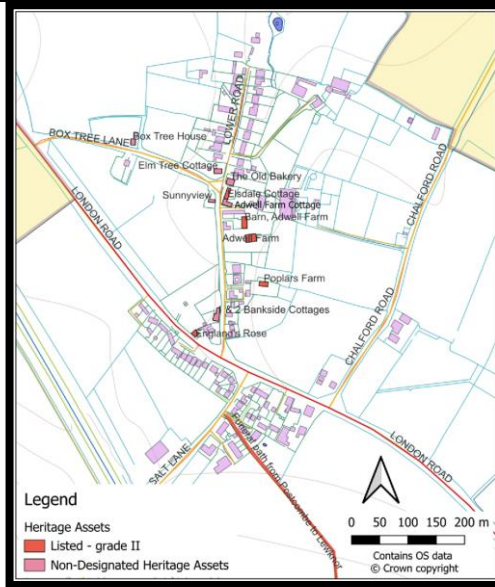
Map 2 – Heritage Assets – South Weston

Consequential amendment to reflect the Examiner's recommendation to insert maps of heritage assets into the plan.

Appendix 3 – Page 13

5.3 Postcombe

Consequential amendment to reflect the Examiner's recommendation to insert maps of heritage assets into the plan.

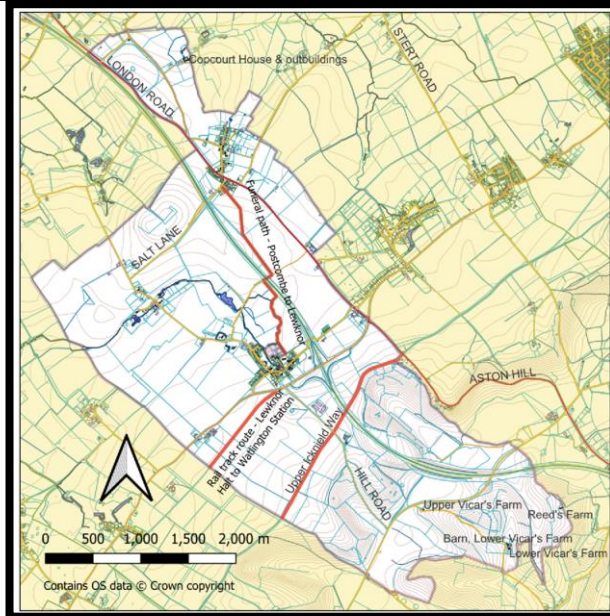


Map 3 – Heritage Assets – Postcombe

Appendix 3 – Page 15

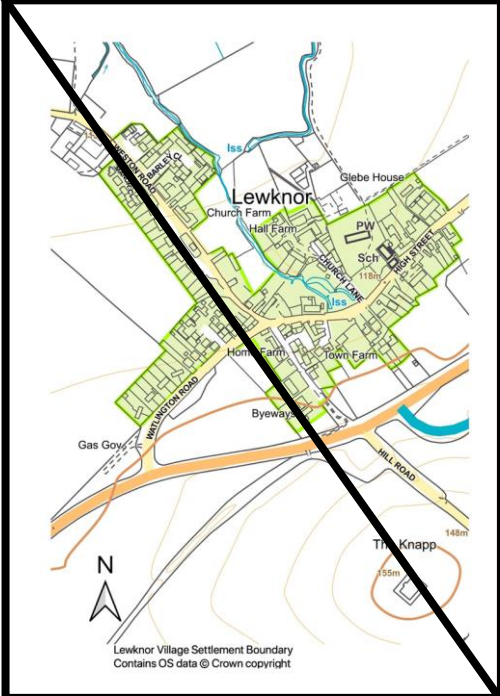
5.4 Outside the villages

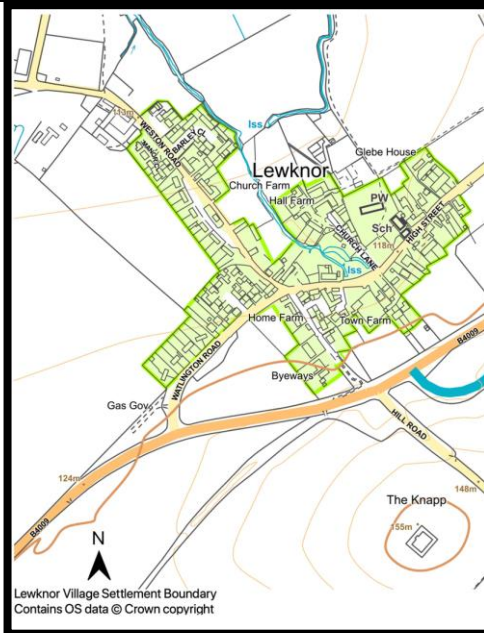
Consequential amendment to reflect the Examiner’s recommendation to insert maps of heritage assets into the plan.



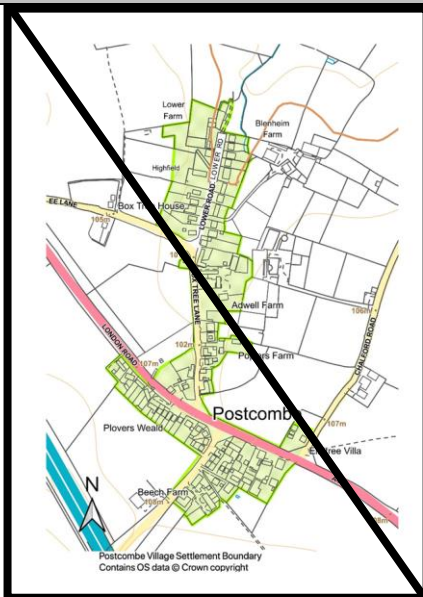
Map 3 – Heritage Assets – Outside the villages

Appendix 3 – Page 15	Upper Vicar's Farm, Stokenchurch	Typographical amendment.
Appendix 3 – Page 16	Retaining banks are present on the N north and S south W western sides	Typographical amendment.
Appendix 3 – Page 17	<p>Chiltern Ridgeway Upper Icknield Way</p> <p>The Upper Icknield Way, now forming part of The the the nationally designated Ridgeway National Trail, runs through the parish of Lewknor. The route is believed to be prehistoric.</p> <p>The Ridgeway Icknield Way is marked in orange in the map, a solid line through the parish and, for information only, a dotted line in parts outside the parish.</p>	Factual correction.

	<p>Burial Funeral path from Postcombe to Lewknor</p> <p>The historic burial funeral path, marked in orange on the map, runs from Salt Lane in Postcombe, which never had a church, to Lewknor church.</p>	
Appendix 4 – Page 1	Draft - 24 March Updated – 2 October	Factual correction.
Appendix 5 – Page 1	Draft - 24 March Updated – 2 October	Factual correction.
Appendix 5 – Page 7	 <p>Lewknor Village Settlement Boundary Contains OS data © Crown copyright</p>	Consequential amendment to reflect the Examiner’s recommendation to modify the settlement boundary.



Appendix 5 – Page 8



Consequential amendment to reflect the Examiner's recommendation to modify the settlement boundary.

