

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 Wheatley Neighbourhood Plan Review, 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 extend the area in which the referendum is to take place to include the entire parish of Holton; and 4. To take all appropriate actions to progress the Wheatley Neighbourhood Development Plan Review to referendum.
Key decision? (see notes below)	Yes, the neighbourhood plan covers the parish of Wheatley and part of the parish of Holton, and this decision affects two wards; Wheatley and part of the ward of Forest Hill and Holton.
If key decision, has call-in been waived by the Scrutiny Committee chair(s)?	Yes.
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 Wheatley Neighbourhood Development Plan Review (the plan) as modified by the Examiner's recommendations, has had regard to policies and advice contained in guidance issued by the Secretary of State. A requirement to have regard to policies and advice does not require that such policy and advice must necessarily be followed, but it is intended to have and does have to a significant effect. A neighbourhood plan must not constrain the delivery of important national policy objectives. The principal

document in which national planning policy is contained is the National Planning Policy Framework (NPPF) and this conclusion is reached bearing this in mind. It should be noted that the NPPF was revised on 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, including detailed amendments to the Green Belt boundary in Wheatley to deliver new residential and mixed use development, in response to the need established through the South Oxfordshire Local Plan 2035 Policy STRAT6.
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 Supporting Wheatley’s Economy(E1) and Wheatley Village Centre (VCE1). In the social

role, it includes policies on Design and Character Principles (H1), Mix and Size of New Housing (H3) and Safeguarding Community Facilities (SC11), and a policy which aims to provide further detail to a strategic policy, STRAT14, in the South Oxfordshire Local Plan 2035 (SPOBU). In the environmental dimension, the plan positively seeks to protect its natural, built, and historic environment. It includes policies on Landscape Character (H2), Biodiversity (EN1), Historic Environment (HE1) and a Green Route (SPGR). Additionally, the plan contains four allocation policies (SPES1, SPES2, SPES3, SPES4) and a policy which makes detailed Green Belt Boundary Amendments (GBBA1) in response to the need established through the South Oxfordshire Local Plan 2035 Policy STRAT6. The decision to amend the Green Belt boundary and to exceed the minimum levels growth identified for Wheatley in the South Oxfordshire Local Plan contribute to 'sustainable development' in its broadest sense. There are clear economic and social benefits to enabling development in Wheatley. It is important to acknowledge, however, the likely negative environmental impact this development will have. The Strategic Environmental Assessment Environmental Report identifies that 'this is largely reflective of a lack of suitable alternative and available brownfield sites' within the parish.

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. Wheatley is identified as a 'larger village' in the adopted Local Plan (Appendix 7). The Spatial Strategy in the Local Plan treats 'Larger' and 'Smaller' villages differently. Policy H4 set housing requirements for larger villages to meet during the plan period. However, no housing allocation was set for Wheatley as a result of the Land at Wheatley Campus, Oxford Brookes University Strategic Allocation (Policy STRAT14).
8. Wheatley is the only Larger Village in South Oxfordshire which is inset from the Green Belt where a Neighbourhood Development Plan was being prepared. National planning policy allows neighbourhood plans to make detailed amendments to the Green Belt boundary where the Local Planning Authority sets the need through its strategic policies. The Council is committed to supporting Wheatley and their ambitions for their Neighbourhood Development Plan. The inset boundary at Wheatley is drawn tightly around the built edge of development. There are limited opportunities to redevelop existing land within the inset boundary and the removal of Green Belt would enable new development to take place. The Green Belt Study found that the land immediately adjacent to the eastern built up edge of Wheatley has few essential characteristics of the Green Belt.

9. Both the South Oxfordshire Local Plan and the Wheatley Neighbourhood Plan Review identify exceptional circumstances justifying detailed amendments to the Green Belt boundary in Wheatley. These include:

- to support the Neighbourhood Development Plan and to ensure that future allocations can be made through the NDP;
- Wheatley is a Larger Village and benefits from a number of services and facilities and represents an appropriate location for accommodating additional development; and
- the location of this land is recognised to be positioned between existing residential development to the west and industrial buildings to the east and has limited essential characteristics of the Green Belt.

In line with paragraph 140 of the NPPF, the neighbourhood plan relied on strategic policies to establish the need for any changes to Green Belt boundaries in the area before these could be proposed through the neighbourhood plan. The South Oxfordshire Local Plan 2035 was adopted in December 2020 and contains Policy STRAT6 which enables the Wheatley Neighbourhood Plan Review to make detailed amendments to the Green Belt boundary to allocate land for mixed use development.

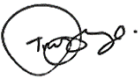
10. The Neighbourhood Area includes Littleworth which is identified as a 'smaller village' in the Local Plan (Appendix 7). Policies H8 (Housing in the Smaller Villages) and H16 (Infill development and redevelopment) of the Local Plan set the context for the scale and nature of new development which would 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 and make housing allocations within it to support further growth, the Council will support this provided that the levels of growth are commensurate to the size of the village. The Wheatley Neighbourhood Plan Review recognises and respects the distinct approach in the Local Plan in dealing with development in larger and smaller 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.

11. 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.

12. In order to comply with the basic conditions on the European Union legislation, the Qualifying Body commissioned a Strategic Environmental Assessment dated June 2022. The Strategic Environmental Assessment sets out the introductions and background in sections 1 and 2. Section 3 sets out the scope of the SEA. Section 5 identifies the growth scenarios and section 6 assesses the scenarios. Section 7 sets out the preferred approach, and sections 8, 9, and 10 set out the SEA findings and recommendations. Section 12 of the report covers monitoring. The Environmental Report is well considered and detailed. It assesses the environmental conditions in the neighbourhood area and appraises the policies (and reasonable alternatives) against the framework developed through the Scoping Report.
13. The Council screened the Plan's potential impact on EU Special Areas of Conservation (SACs), and this was completed in May 2022. 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.
14. 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.
15. 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'.
16. The council considers that the referendum area should be extended beyond the boundaries of the designated neighbourhood area in order to include the entire parish of Holton. The council has the authorisation to make this adjustment (Para 10(5), Schedule 4b, Town and Country Planning Act 1990) and deems it to be necessary as the neighbourhood area includes part of the parish of Holton, specifically the built up area of the Oxford Brookes University strategic site allocation. Furthermore, the Plan advises that it has been prepared and reviewed by the communities of both Wheatley and Holton. A map of this revised area can be viewed at Appendix 4.
17. 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

	<p>Report is available at Appendix 2.</p> <p>18. The Examiner noted in his report, paragraph 7.92, that it will be appropriate to make any necessary consequential changes to the general text. To ensure that the plan reads as a coherent document the qualifying body and the council have agreed factual and consequential updates. These are set out in Appendix 3.</p> <p>19. 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>20. The council has taken account of all the representations received.</p> <p>21. 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</p>

	landscapes. The plan also contains a 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, and an Individual and Community Energy Projects policy (DQS1) which supports individual and community energy projects provided they have regard to good quality existing design guidance.			
Legal implications	The process undertaken and proposed accords with planning legislation.			
Financial implications	<p>The Government makes funding available to local authorities to help them meet the cost of their responsibilities around neighbourhood planning. A total of £20,000 can be claimed for each neighbourhood planning area. In the case of neighbourhood plan reviews, a local planning authority may make only one claim for substantive modifications to a specific neighbourhood plan in their area within each 5-year window from the date that plan was first made. The council becomes eligible to apply for this additional grant once the council issue a decision statement detailing the intention to send the plan to referendum.</p> <p>The Government grant funds the process of progressing neighbourhood plans through the formal stages, including the referendum. Any costs incurred in the formal stages in excess of Government grants is borne by the council. Staffing costs associated with supporting community groups and progressing neighbourhood plans through the formal stages are funded by the council. It is expected that costs associated with progressing this neighbourhood plan can be met from with existing neighbourhood planning budget.</p>			
Other implications	There are no other implications.			
Background papers considered	<ol style="list-style-type: none"> 1. Wheatley Neighbourhood Plan Review 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. Strategic Environmental Assessment (SEA) 6. HRA Screening Statement 7. Representations submitted in response to the Wheatley Plan Review 8. Relevant Ministerial Statements 			
Declarations/ conflict of interest?	None			
Consultees	Email	Name	Outcome	Date
	Legal	Vivien	Approved	07/09

	legal@southandvale.gov.uk	Williams		/23
	Finance Finance@southandvale.gov.uk		No comment	12/09/23
	HR hradminandpayroll@southandvale.gov.uk	Trina Mayling	No comment	14/09/23
	Climate and biodiversity climateaction@southandvale.gov.uk	Jessie Fieth	Approve: plan has regard for climate crisis, although it could encourage low carbon development and renewable energy deployment more. Suggested adding reference to Policy DQS1 into the climate and ecological implications section.	12/09/23
	Equality and diversity equalities@southandvale.gov.uk	Lynne Mitchell	Approved	05/09/23
	Risk and insurance risk@southandvale.gov.uk		No comment	12/09/23
	Strategic Property property@southandvale.gov.uk	Christopher Mobbs	No comment	04/09/23
	Communications communications@southandvale.gov.uk		No comment	12/09/23
	Relevant Cabinet member	Councillor Anne-Marie Simpson	Approved	05/09/23
	Ward councillors	Councillor Alexandrine Kantor: Wheatley	No comment	12/09/23
	Ward councillor	Councillor Tim Bearder: Forest Hill and Holton	No comment	13/09/23
Decision maker's signature To confirm the decision as set out in this notice.	Signature:  Date: 20/09/2023			

Appendix 1: Examiner's recommendations

Policy/ Section	Examiner's recommendations	Council's Decision	Justification/Reason
<p>Design Guidance and Codes document and supporting text to Policy H1 – paragraph 8.3</p>	<p>At the end of paragraph 8.3 of the Plan add: 'The Design Guidance does not apply to the Wheatley Campus of the Oxford Brookes University. This reflects its scale, its allocation for housing development in the adopted Local Plan and the extensive range of criteria for the development of the site in Policy STRAT14 of that Plan.'</p> <p>In the DGC document:</p> <p>At the end of the wording in Section 5.3 add: 'The design guidelines and codes do not apply to CA9: Oxford Brookes University' In the key to Figure 83 remove the Settlement edge shading from the OBU Campus Character Area and leave the Area blank.</p> <p>At the end of the main text in CA9 Oxford Brookes University add: 'Given the wider context provided by the Local Plan the general and specific design guidelines do not apply to this character area.'</p>	<p>Agree</p>	<p>The council agrees that the supporting text for Policy H1 and the contents of the associated Wheatley Design Guidance and Codes document should not apply to the Wheatley Campus of the Oxford Brookes University site as the Design Guidance and Codes document has been designed to influence more minor and domestic developments in the neighbourhood area, therefore it does not include the necessary detail to provide design guidance for a strategic housing site, which this site is (South Oxfordshire Local Plan 2035 Policy STRAT 14).</p>
<p>Policy P1: Parking Provision</p>	<p>Replace criterion 4 with: 'discourage informal car parking on grass verges and pavements in the immediate locality.'</p>	<p>Agree</p>	<p>The council consider the modifications to the policy necessary to bring the clarity required by the NPPF. The changes ensure the language is unambiguous by adding clarity as to where the criterion should be applied and ensures that a decision maker can apply it consistently and with</p>

			confidence when determining planning applications.
Policy SPOBU: The Wheatley Campus of Oxford Brookes University and supporting text – Section 9	<p>In the opening element of the policy add ‘the requirements of Policy STRAT14 of the South Oxfordshire Local Plan and have regard to’ between ‘with’ and ‘the following development principles’</p> <p>In the second criterion replace ‘take account of.....(NPPF149g)’ with ‘should minimise their impact on the surrounding countryside’</p> <p>Delete the third criterion.</p> <p>Replace Section 9 of the Plan with:</p> <p>‘9 Wheatley Neighbourhood Plan: Oxford Brookes Campus</p> <p>9.1 The approach taken in this chapter is not an allocation for development, rather it aims to communicate the aspirations of the Wheatley Neighbourhood Plan Committee in consultation with the local people in the villages of Wheatley and Holton.</p> <p>9.2 The Oxford Brookes Campus is a brownfield site, approximately 12.1HA (as shown in Figure 9.1). This Plan comments only on that part of the wider Campus site within the designated neighbourhood area. The Campus is a strategic housing allocation in the South Oxfordshire Local Plan (Policy STRAT14). That policy proposes the development of approximately 500 houses on the site. It includes a</p>	Agree	<p>The council consider the modification to the policy necessary to bring the clarity required by the NPPF; the amendments to the policy wording will clarify the relationship between policy SPOBU and policy STRAT 14 of South Oxfordshire Local Plan 2035, recognise the removal of the OBU site from the green Belt (in a manner consistent with the requirements of STRAT14), and remove unnecessary duplication.</p> <p>The council consider the modification to the supporting text necessary to bring the clarity and consistency required by the NPPF, as well as to amend factual errors; the amendments will ensure that the plan does not inaccurately state that the site is within the Green Belt and that it reflects the up-to-date status of the site by referring to Policy STRAT14 of the South Oxfordshire Local Plan 2035 and the site’s planning history.</p>

	<p>comprehensive range of criteria and development principles to shape the development of the site. Planning permission has been granted for the development of the site and a current planning application (P22/S3973/0) is being considered by the District Council.</p> <p>9.3 The University has announced that it intends to vacate the current Wheatley Campus shortly and is in the process of selling the site with outline planning permission. The site is physically separated from the retail, community, and educational facilities in Wheatley by the A40. Policy SPOBU sets out an approach which complements that set out in Policy STRAT14 of the adopted Local Plan.</p> <p>9.4 The Campus includes sports and recreational facilities. Some of these facilities are outside the neighbourhood area (to the west of the built development on the site). Whilst they are primarily for university use, they have represented valuable amenities for local people. The future of these facilities should be addressed in the masterplan for the redevelopment of the site.</p> <p>9.5 A high-quality well integrated development of the Campus has the potential to enhance the overall quality of the neighbourhood area by removing some of the worst architectural features on the site (such as the Tower Block, see Figure 9.2). New or improved access arrangements may permit access for buses from the site through the Wheatley Park Academy (WPA) site to the Holton flyover and thereby create opportunities to implement a new routing for the bus service in Wheatley that could</p>		
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	alleviate traffic issues in Wheatley and perhaps, more importantly, also provide an easier and safer location for WPA pupils to access the buses rather than having to negotiate the Holton flyover to reach the bus stops at Park Hill.'		
Policy SPES1: The Bungalows Site and supporting text – paragraph 12.1	<p>In the opening part of the policy replace 'Subject to....a development proposal' with 'Development proposals on land at the Bungalows Site (as shown on Figure 12.1)' and replace 'would' with 'will'</p> <p>Replace a. with 'the housing delivered responds positively with the provisions of Policy H3 of the Plan'</p> <p>In c. and e. replace 'adverse' with 'unacceptable'</p> <p>Replace f. with 'the development provides appropriate car parking to meet the County Council's standards'</p> <p>Replace g. with 'the delivery of ancillary car parking for adjacent businesses'</p> <p>In paragraph 12.1 after 'any more parking' add: 'This will occupy around 0.07hectares of the overall site'</p>	Agree	The council consider the modification to the policy and supporting text necessary to bring the clarity required by the NPPF; the amendments remove an unnecessary reference to Policy GBBA1, create a link between the policy and the relevant figure of the site within the plan, and clarify the requirements relating to the provision of parking including moving explanatory text into the supporting text.
Policy SPES3: Miss Tomb's Field and supporting text – paragraph 12.10	<p>In the opening part of the policy replace 'Subject to.... proposal would' with 'Mixed development proposals on land at Miss Tomb's Field (as shown on Figure 12.3) will'</p> <p>In a. delete 'to accommodate the businesses relocated from Littleworth Industrial Estate and for</p>	Agree	The council consider the modification to the policy and supporting text necessary to bring the clarity required by the NPPF; the amendments remove an unnecessary reference to Policy GBBA1, create a link between the policy and the relevant figure of the site within the plan, and delete the

	<p>any other businesses or new ventures'</p> <p>Replace c. with: 'the overall development responds positively to the position of existing pylons/power cables, to priority species and delivers a net gain in biodiversity.'</p> <p>In d. replace 'generous wildlife corridor' with 'the delivery of a wildlife corridor'</p> <p>Replace e. with: 'the delivery of a Green Route access to the primary school;'</p> <p>In f. replace 'merge with' with 'relate to'</p> <p>Replace 12.10 a. with: 'An area for commercial uses adjacent to the existing power lines would be able to accommodate demand for employment uses in the parish. This could include existing businesses that would wish to be relocated from the Littleworth Industrial Estate (WHE22). In addition, this space could accommodate other local businesses or new ventures. Road access to this part of the site would be through the feeder road that already services the existing industrial area.'</p>		<p>reference to the site accommodating businesses relocating from the Littleworth Industrial Estate which constitutes a potential outcome for the site as opposed to a policy matter.</p>
<p>Policy SPES4 Mobb's Land</p>	<p>In the opening part of the policy replace 'Subject to.... proposal would' with 'Employment development proposals on land at Mobb's Land (as shown on Figure 12.3) will'</p> <p>Delete criteria a. and b.</p> <p>Replace c. with: 'the development can be satisfactorily accommodated in the surrounding</p>	<p>Agree</p>	<p>The council consider the modification to the policy and supporting text necessary to bring the clarity required by the NPPF; the amendments remove an unnecessary reference to Policy GBBA1, create a link between the policy and the relevant figure of the site within the plan, and delete the reference to the site accommodating businesses relocating from the Littleworth</p>

	<p>environment and, where appropriate, enhances its landscape and scenic beauty;</p> <p>Replace d. with: 'appropriate vehicular access is secured from the adjacent commercial site to the east'</p> <p>In criterion e. replace significant 'adverse' with 'unacceptable'</p> <p>In 12.1 delete 'in the Green Belt'</p>		<p>Industrial Estate which constitutes a potential outcome for the site as opposed to a policy matter.</p> <p>The council also consider the modifications to the policy and supporting text necessary to correct incorrect references to the site being within the Green Belt.</p>
Monitoring and Review	<p>At the end of paragraph 13.3 add: 'The adoption of the emerging Local Plan may alter the strategic context for new development in the neighbourhood area. In this context the two parish councils will consider the need for a full or partial review of the Plan within six months of the adoption of the emerging Local Plan 2041'</p>	Agree	<p>The council consider the additional wording necessary to address National Planning Practice Guidance advice about when it will be necessary to review/update a Neighbourhood Plan; the additional section clarifies how WPC will assess the need for a made Plan to be reviewed in the future.</p>
Other Matters - General	<p>Modification of general text (where necessary) to achieve consistency with the modified policies.</p>	Agree	<p>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.</p>

Appendix 2 – Examiner's Report

The Examiner's Report is available here:

<https://www.southoxon.gov.uk/south-oxfordshire-district-council/planning-and-development/local-plan-and-planning-policies/neighbourhood-plans/emerging-neighbourhood-plans/wheatley-neighbourhood-plan/>

Appendix 3 – Consequential and/or Factual Changes

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

Section	Agreed change	Justification/Reason
Throughout Plan	Rename plan from Wheatly Neighbourhood Plan to Wheatley Neighbourhood Plan Review	Enhance clarity; to avoid confusion with the first Wheatley Neighbourhood Plan.
Throughout Plan	Rename plan from WNP.03 to WNPR	Enhance clarity; WNP.03 indicates that this is the third made iteration of the plan which it is not.
Throughout Plan	Add in missing paragraph numbers and renumber effected paragraphs as appropriate.	Typographical correction.
Page 2	Add page numbers to table of contents.	Enhance clarity.
Page 2	Add policies to table of contents	Enhance clarity.
Page 3	31 October, 2022 12 September, 2023	Factual correction.
Page 3	This Review will be subject to Public Consultation together with a further Consultation for the community to vote in a Referendum and will mark the completion of the WNP which we have has been prepared in the best interests of our community.	Factual correction; remove outdated references.
Page 6 – Para 1.5	The First Wheatley Neighbourhood Plan (WNP. 02) was formally adopted by a community referendum held in May 2021. Within WNP. 02 provision was made for monitoring and reviewing WNP. 02 by Parish Council representatives following its adoption. The purpose of such a review would be primarily to assess the extent to which the WNP. 02 objectives have been implemented in practice and the contribution of the	Enhance clarity.

	policies and projects contained within it towards meeting those objectives; and secondly to rectify any errors and omissions. Furthermore, there was also provision made in the event of the adoption of a new Local Plan for the District which would represent an initial opportunity to assess whether any elements of WNP.02 needed to be reviewed at that time.	
Page 6 – Para 2.4	In February 2017 the WNP Committee undertook an analysis of 234 of these responses relating to the OBU site. This WNP Committee analysis [6] has been included in the evidence base.	Enhance clarity.
Page 8 – Figure 2.2	The First Wheatley Neighbourhood Plan (WNP) was examined between October 2019 and February 2020.	Enhance clarity.
Page 8 – Figure 2.2	In line with paragraph 136 of the NPPF, Section 10 of the WNP relied on strategic policies establishing the need for any changes to Green Belt boundaries in the area.	Factual correction; remove outdated reference.
Page 8 – Figure 2.2	However, the Local Plan 2035 adopted in December 2020 establishes the need for detailed amendments to the Green Belt to be made by the WNPR.	Enhance clarity.
Page 8 – Figure 2.2	Figure 2.2 Circumstances related to the examination of the First Wheatley Neighbourhood Plan	Enhance clarity.
Page 9 – Para 2.11	The original submission version of the Wheatley Neighbourhood Plan WNP included several proposals for Village Enhancement some of which involved the release of land from the Green Belt. For the reasons described in Figure 2.2 the Examiner deleted some of the Village Enhancements to ensure	Enhance clarity.

	<p>conformity with due process until such times as there was a Local Plan in place. So, The adoption of the South Oxfordshire Local Plan [48] has been able to therefore provided a trigger a to review of the WNP.02. following its own adoption In addition to now reinstating the proposals deleted by the Examiner there is now the opportunity to address other relevant issues that have arisen during the period between the original submission in September 2019 and adoption in May 2021.</p>	
Page 9 – Para 4.1	The South Oxfordshire Local Plan 2035 [48] identifies Wheatley as one of the 12 settlements classed as a “Larger Village” within the South Oxfordshire.	Typographical amendment.
Page 11 – Para 4.6	WNP Committee research [18] together with recent completions show that, despite the constraints of the Green Belt, at least 431 homes (24.3% of the current total of 1771) had been built in Wheatley since about 1980, the latest completed development being the upper London Road development of an additional 51 homes on a rural exception site, permitted on 31 March 2016.	Enhance clarity.
Page 11 – Para 4.7	The WNP Committee Straw Poll [3] in May 2016 showed that the principal reasons for the popularity of the neighbourhood were access to the M40 and A34, access to London and Oxford, access to three railway stations by bus, the village facilities including schools and surgery, its community spirit, a wide range of organisations and the setting and history of the village.	Enhance clarity.
Page 11 – Para 4.8	The need for affordable housing is acute and has shaped the WNP R ambition to provide this housing in	Enhance clarity.

	as timely a fashion as possible in accordance with SODC guidelines.	
Page 13 – Para 4.13	One of the reasons for the inclusion of both Wheatley and Holton Parishes in the WNPR is because this campus is located north of Wheatley, in Holton Parish.	Enhance clarity.
Page 13 – Para 4.14	OBU intends to vacate the site by 2021/22 shortly and therefore it is unlikely to be able to provide much needed housing for probably 5 years.	Factual correction.
Page 13 – Para 4.15	A key challenge to be considered in the WNPR is the impact of the proposed OBU development (and any other development) on the parishes of Wheatley and Holton, and how to mitigate any adverse effects, whilst seeking to maintain and improve the general living conditions for all the residents. For this reason the aspirations of the Local Plan in relation to the OBU site are of particular relevance in determining the content of the WNPR.	Enhance clarity.
Page 14 – Para 4.19	Parking in the High Street and in the neighbourhood is a major concern, with parking in Church Road being highlighted by 16% of the respondents in the WNP Committee Straw Poll [3].	Enhance clarity.
Page 14 – Para 4.20	The condition of the village centre is a community concern. The WNP Committee Straw Poll [3] highlighted the need for the centre to be modernised.	Enhance clarity.
Page 16 – Para 4.24	The WNP Committee Straw Poll [3] highlighted parking as a major issue.	Enhance clarity.
Page 17 – Para 4.26	A green route footpath east-west across Wheatley for	Enhance clarity.

	safer access to Wheatley Primary Academy has been mooted (and supported by the Head teacher) in a minor WNP Committee survey [20].	
Page 18 – Para 4.32	It is recommended by SODC in the Air Quality Action Plan [29] and endorsed by WNP Committee that no housing development should be considered as acceptable if as a consequence the Air Quality Action Plan objectives are exceeded.	Enhance clarity.
Page 21 – Para below Para 4.34	This arboriculture has been the subject of one survey [30] by SODC in 2005 and a further survey [31] carried out by the WNP Committee in 2017.	Enhance clarity.
Page 23 – Para 4.35	St. Mary's CE Church is surrounded by an extensive cemetery which has served the community since 1857. However, the need for further burial capacity is now at a critical level and it is imperative that a new site (approx. 0.3 Ha) is found. The WNP Committee , WPC and the Vicar of Wheatley have discussed the issue but no suitable site in Wheatley has emerged. The cemetery has been closed to new burials since the first quarter of 2019. The WNP Committee has agreed to support an application once WPC and Wheatley Parish Council of Churches propose a suitable site	Enhance clarity.
Page 23 – Para 5.1	Part 5 (Community Opinion Survey) comprised a series of questions compiled by the WNP Committee to ask the residents about their views, concerns and aspirations for the future of the villages.	Enhance clarity.
Page 25 – Para 5.5	Part 5 (Community Opinion Survey) comprised a series of questions compiled by the WNP Committee	Enhance clarity.

	to ask the residents about their views, concerns and aspirations for the future of the villages.	
Page 25 – Para below Para 5.5	It therefore must be a priority for the WNPR that, in seeking to satisfy the housing needs, any potential impacts arising in terms of traffic, transport and parking are satisfactorily mitigated.	Enhance clarity.
Page 25 – Para 6.1	This section sets out the community’s vision for Wheatley, the themes and primary objectives for the WNPR, and the strategy for bringing the vision and objectives forward. The planning policies which follow in Section 9 are the delivery tools for realising the vision, objectives and strategy.	Enhance clarity.
Page 26 – Para 6.2	The WNPR objectives and policies are organised around a set of main themes that have been the subject of planning policy, planning applications, Parish Council stewardship and community needs for many years. Continuing to address and review these themes is an important part of the WNPR and in so doing they have undergone extensive community consultation. The main themes are: -	Enhance clarity.
Page 31 – Para 8.1	The policies are organised by themes and relate to the WNPR objectives described in Section 6. For clarity, the WNPR objectives should not be confused with the WNPR policies. Figure 8.1 shows how the policies of the WNPR will meet the objectives set out in Section 6.	Enhance clarity.
Page 32 – Figure 8.1	Rename labels as WNPR Objectives/Policies	Enhance clarity.
Page 32 – Figure 8.1	Figure 8.1 Relationship between the WNPR objectives	Enhance clarity.

	and the WNPR policies	
Page 32 – Para 8.3	To ensure Wheatley and Holton residents and businesses are able to influence and shape new developments at an early stage, Design Guidance together with Codes have been prepared (see Appendix 8) and it would be welcomed that developers engage with Wheatley and Holton Parish Councils an in applying this Design Guidance.	Typographical amendment.
Policy H1 – Design and Character Principles	The development proposals will be supported where they reflect the Wheatley Design Guidance and Codes and where they respond positively to the following principles as appropriate to their scale, nature and location within in the neighbourhood area :-	Typographical amendment.
Page 34 – Para 8.6	Where appropriate, a Planning Performance Agreement between the applicant, SODC, OCC, Wheatley Parish Council and Holton Parish Council would be welcomed, particularly for the sites allocated for development within the WNPR.	Enhance clarity.
Page 34 – Para 8.8	It is also important to ensure that new housing meets the housing needs of Wheatley and Holton at present, over the lifetime of the WNPR and into the future. As housing needs in terms of size, type and tenure will vary over the lifetime of the WNPR, a flexible policy approach is required to ensure that future development proposals are able to respond to the housing needs at that time. Wheatley is a Larger Village in South Oxfordshire that is inset from the Green Belt. In the NPPF [33] it states the five purposes of the Green Belt, viz:-	Enhance clarity.

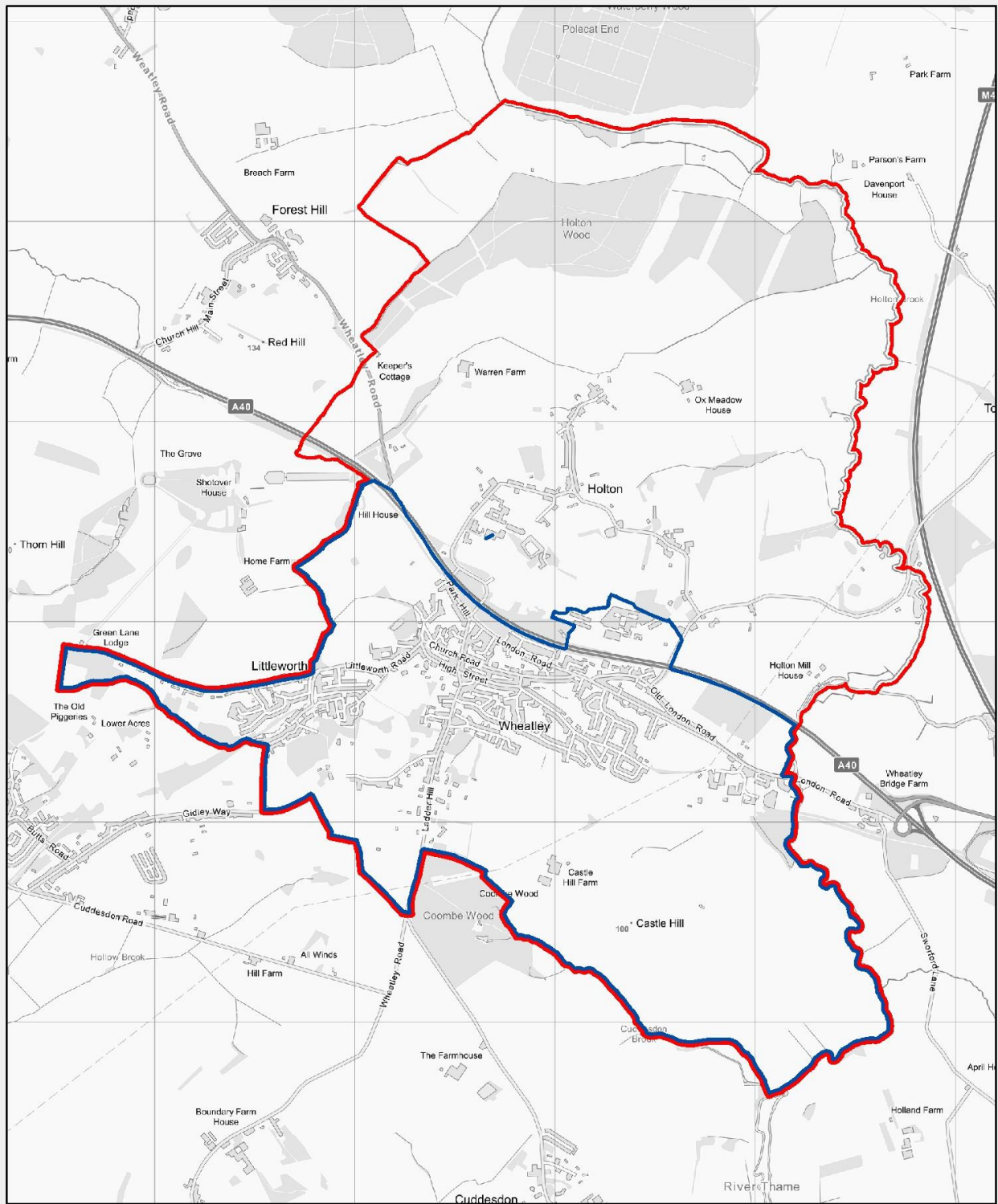
Page 36 – Para 8.9	Policy H4 is designed not to necessarily present a barrier to in-fill development but rather to ensure that there is no inappropriate implementation especially when the WNPR has provided more appropriate means of providing housing through the enhancement proposals. The Self-Build Register [55] indicates that there is little demand for self-build dwellings, nevertheless self-build development can be supported where the development is in compliance with the WNPR.	Enhance clarity.
Page 37 – Para 8.10	In Section 4 of the WNPR the issue and the causes of parking problems in Wheatley were described (see paras 4.19, 4.22 & 4.25). Parking standards [39] for new residential developments recognise the use of ‘tandem’ parking but fail to recognise the reality that both spaces are rarely used to the extent that adjacent street parking becomes the norm. Given this, and in order to guard against overspill onto the existing busy and constrained road infrastructure WNPR will support only the limited use of tandem car parking in calculating the level of parking provision for residential development.	Enhance clarity.
Page 37 – Para 8.12	The WNPR seeks to minimise the impact of existing and additional congestion on the road network, particularly the village centre.	Enhance clarity.
Page 38 – Para 8.13	a) To improve cycling routes (access, quality and safety) across and beyond the WNPR area	Enhance clarity.
Page 38 – Final Para on page	During the preparation of the WNP.02 there have been two developments contiguous with the roundabout at Park Hill.	Enhance clarity.



Page 43 – Para 8.26	The whole Oxford Brookes University Site (WHE25 and the adjacent area not in the WNPR designated area) was surveyed for tree diversity in 2017 [31].	Enhance clarity.
Page 43 – Para 8.27	Westfield, an area of ancient grassland within the WNPR area and the Shotover Target Conservation Area [42] has classic ridge and furrow, with biodiversity changing between ridge and furrow.	Enhance clarity.
Page 44 – Figure 8.6	Figure 8.6 Shotover Target Conservation Area [42]. The boundary line of the WNPR designated area is shown in red	Enhance clarity.
Page 44 – Para 8.28	Shotover is a significant wildlife area adjacent to the eastern boundary of the WNPR area, and has been monitored over many years by Shotover Wildlife; it contains woodland SSSI, with ancient woodland species of anemone and English bluebell.	Enhance clarity.
Page 44 – Para 8.29	The river Thames borders the eastern side of WNPR; it is a well-known fishing site, and the banks support wetland plants, such as bulrush	Enhance clarity.
Page 50 – Para 11.1	With the adoption of the Local Plan 2035 [48] that establishes the need for the release of Green Belt land in Wheatley and together with the provisions set out in GBBA1 the concerns raised by the Examiner (see Figure 2.2) have now been addressed thereby allowing the WNPR to support the coordinated development of WHE15, WHE16, WHE17 and WHE22.	Enhance clarity.
Page 52 – Para 12.1	At the front and rear of the bungalows lie two portions	Factual correction.

	of land within the Green Belt (in total 0.35HA) but which would be suitable for release from the Green Belt thereby permitting green space improvement and a small development.	
Page 56 – Para 12.9	This site (Figure 12.3) lies in the Green Belt at the eastern end of the village between the settlement boundary and the large-scale industrial buildings.	Factual correction.
Page 58 – Para 12.11	This site (Figure 12.3) lies in the Green Belt at the eastern end of the village between the boundary of WHE15 and the large-scale industrial buildings.	Factual correction.
Page 59 – Para 12.13	The WNPR would like to promote safe and easy access through the village for the residents of Wheatley and Holton, in particular the young and the elderly, enabling them to access the shops, the primary school and the surrounding recreational areas.	Enhance clarity.
Page 62 – Para 12.16	The benefit of the WNPR including the Village Enhancement Plan is summarised in Figure 12.7 which shows the estimate of the number of homes that could be built in Wheatley and Holton as a result of the adoption of the South Oxfordshire Local Plan LP2035[48] and First WNP.02 .	Enhance clarity.
Page 62 – Para 13.1	When completed, the WNPR policies will form part of the development plan for the area and will thus help to determine planning applications. The Wheatley and Holton Parish Councils will monitor the impact of the policies of the WNPR.	Enhance clarity.
Page 62 – Figure 13.1	Replace references to WNP with WNPR within table.	Enhance clarity.

Page 68	26. Clean Air Strategy, 2019, www.gov.uk	Typographical amendment.
Page 68	October 2022 September 2023	Factual correction.
Design Guidance and Codes – Page 1	September 2022 July 2023	Factual correction.

Appendix 4 – Map of Referendum Area



-  Referendum Area
-  Designated Neighbourhood Area



1:26,000

**Neighbourhood Plan
Referendum Area
March 2021**

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