

Policy and Programmes

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East Hagbourne Neighbourhood Development Plan Review – Modification Statement

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

The East Hagbourne Neighbourhood Development Plan (NDP) was made as part of the district council's Development Plan on 11 April 2019. Since the adoption of the East Hagbourne NDP, the South Oxfordshire Local Plan 2035 was adopted in December 2020 and the National Planning Policy Framework (NPPF) has been updated, with the latest revision dated 20 July 2021.

The South Oxfordshire Local Plan 2035 supports Neighbourhood Development Plans that wish to promote development in the Smaller Villages, such as East Hagbourne. Where NDPs do wish to make housing allocations, the Local Plan 2035 sets out what the appropriate level of growth should be. This is explained in Policy H8 as follows:

Policy H8: Housing in the Smaller Villages

- 1. The Council will support development within the Smaller Villages in accordance with Policy H16. 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.*

2. *Those Neighbourhood Development Plans will need to demonstrate that the level of growth they are planning for is commensurate to the scale and character of their village, and this is expected to be around a 5% to 10% increase in dwellings above the number of dwellings in the village in the 2011 census (minus any completions since 1 April 2011).*
3. *Neighbourhood Development Plans allocating sites on greenfield sites in these locations should consider how development can meet the bespoke needs of their village, including housing mix, tenure and the amount of affordable housing.*

As set out on [page 87 of the Local Plan](#), in East Hagbourne this growth level has been achieved by the current allocation in the ‘made’ Neighbourhood Development Plan; and the Plan Review continues to contain policies and an allocation that meet the identified housing requirement for the neighbourhood area.

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

- **Policy SD1 - Sustainable Development** - Policy carried forward with minor amendments/additions to policy wording, to address the promotion of water efficiency and reducing water consumption. It also highlights use of the newly added **Appendix 11** (East Hagbourne Design Guide 2023) and encourages net zero carbon, as well as the provision of EV charging.
- **Policy VC3 - Retaining Smaller Village Character and Promoting Good Design** - Policy carried forward with minor amendments/additions to policy wording, to address the provisions set out in the new **Appendix 11** (East Hagbourne Design Guide 2023).
- **Policy VC4 - Assets of Local Distinctiveness** – Policy carried forward with minor amendments/additions to policy wording: it now specifically refers to Figure 7, which adds two new green spaces at Rymans Crescent and Windsor Crescent as “Assets of Local Distinctiveness”.
- **Policy VC6 – Lighting** - Policy carried forward with minor amendments /additions to policy wording, to address external lighting and to highlight the new **Appendix 11** (East Hagbourne Design Guide 2023).
- **Policy CF1 - Infrastructure – Utilities** - Policy carried forward with minor amendments/additions to policy wording, to address integration with infrastructure upgrades, where needed.
- **Policy CF2 - Infrastructure - Community Facilities** - Policy carried forward with minor amendments/additions to policy wording, to update names of facilities and to highlight that the primary school *and* its playing field are one of the Community Facilities.
- **Policy E1 - Local Green Spaces** – the supporting text/Figure 11/Appendix 3 relating to this policy expand the area of one Local Green Space (Paddocks along Bakers Lane), from 1.3ha to 1.8ha.

- **Policy E2 - Protect and Enhance Biodiversity and The Natural Environment** – Policy carried forward with minor amendments/additions to policy wording, where it highlights the **Appendix 11** (the new Design Guide 2023) as well as a new **Appendix 12** (Strategy for People and Nature). It adds that development should seek to deliver a minimum biodiversity net gain of 20%, with detailed new supporting text to explain the background behind this.
- **Policies E2a - Wildlife Buffers** and **E2b - Enhance Wildlife Habitat** – New policies giving specific guidance regarding how biodiversity can be protected and enhanced; and which highlight the new **Appendix 12** (Strategy for People and Nature).
 - **Policy E2a - Wildlife Buffers** asks that development proposals potentially impacting watercourses and wildlife enhance and/or create new natural buffers and habitats.
 - **E2b - Enhance Wildlife Habitat** asks that development proposals contribute towards protecting and enhancing wildlife and biodiversity by using of the new **Appendix 12** (Strategy for People and Nature). Various options are set out, including tree planting, hedge line improvement, enhancement/creation of grassland and retention/care/planting of orchards (as these were once extensive throughout the village).
- **Policy E3 – Flooding** - Policy carried forward with additions to policy wording regarding drainage and sewers, and encouragement of the use of SuDs.

Some new supporting text is also proposed to sit alongside policy modifications and additions.

Policies which have not changed are:

- **Policy VC1a - Lower End Field Local Gap**
- **Policy VC1b - Coscote Fields Local Gap**
- **Policy VC1c - The Green Corridor Local Gap**
- **Policy VC2 - Conserving and Enhancing Important Views**
- **Policy VC5 - Conserving and Enhancing Heritage Assets**
- **Policy H1 - Housing Provision**
- **Policy H2 - Meeting Housing Needs**
- **Policy H3 - Housing Allocation**
- **Policy TA1 - Road Safety**
- **Policy TA2 - Footpaths and Pavements**
- **Policy TA3 – Parking**

As mentioned, two new Appendices have also been added to the supplement the Plan Review:

- **Appendix 11 - East Hagbourne Design Guide 2023** - prepared for the Neighbourhood Plan Review by AECOM. This aims to establish a set of

design principles that reflect the local character and rural nature of the village and ensure that any design proposal within the parish contributes to a distinctive place, with a consistent and high-quality standard of design. It also supports **Policy VC3 – Retaining Smaller Village Character and Promoting Good Design**, providing detailed guidance on how good design can be achieved whilst retaining the village character.

- **Appendix 12 - Strategy for People and Nature** – This document outlines a strategy to safeguard and enhance green infrastructure in East Hagbourne. It provides a framework and guidance for efforts to conserve and enhance its natural assets, to improve biodiversity and to benefit both wildlife and people.

The most significant modifications in the Plan Review relate to the introduction of the two new policies (E2a - Wildlife Buffers and E2b - Enhance Wildlife Habitat) and the new Appendices 11 and 12, as described above.

The Plan Review also responds to the South Oxfordshire Local Plan 2035, whereas the 'made' Plan responded to the now superseded South Oxfordshire Core Strategy and saved policies from the South Oxfordshire Local Plan 2011. The 'made' Plan had been drafted considering what was then the emerging South Oxfordshire Local Plan, now adopted.

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

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

The council consider that the described modifications and additions proposed in the East Hagbourne Plan Review (including the new and amended policies and appendices responding to national policy changes) are material, but are not so significant or substantial as to change the nature of the plan itself. The changes add a local level of detail and clarity regarding how planning applications within the

Neighbourhood Area should be considered. The plan Vision and Objectives remain unaltered.

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