

## **SOUTH OXFORDSHIRE DISTRICT COUNCIL**

### **WATLINGTON NEIGHBOURHOOD PLAN DECISION STATEMENT**

#### **Summary**

- 1 Following an independent Examination, South Oxfordshire District Council's Cabinet Member for Planning confirmed on 8 May 2018 that the Watlington Neighbourhood Plan will proceed to referendum.
- 2 This Decision Statement and the Examiner's Report can be viewed on the Council's website. Hard copies of these documents can be inspected until 27 June 2018 in the following locations:

<p>Reception <b>South Oxfordshire District Council</b> 135 Eastern Avenue, Milton Park, Milton, OX14 4SB</p>	<p>Opening Times: Monday to Thursday 8.30am to 5.00pm and Friday 8.30am to 4.30pm</p>
<p><b>Watlington Library</b> Greengates 35 High Street Watlington Oxon OX49 5PZ</p>	<p>Opening Times: Monday 2.00pm to 7.00pm Tuesday 9.30am to 12.30pm and 2.00pm to 5.00pm Thursday 2.00pm to 6.00pm Friday 9.30am to 12.30pm and 2.00pm to 5.30pm Saturday 9.30am 1.00pm</p>
<p><b>Watlington Parish Council</b> Community Office 1 Old School Place Watlington Oxon OX49 5QH</p>	<p>Opening Times: Monday to Friday 9.30am to 12.30pm</p>

#### **Background**

- 3 Watlington, as the qualifying body, successfully applied for Watlington parish to be designated as a Neighbourhood Area, under the Neighbourhood Planning Regulations.

- 4 Following the submission of the Watlington Neighbourhood Plan Submission Version ('the Plan') to the district council, the Plan was publicised and comments were invited from the public and stakeholders. The publicity period closed on 28 January 2018
- 5 South Oxfordshire District Council appointed an independent examiner, Andrew Ashcroft, to review whether the plan meets the basic conditions required by legislation and should proceed to referendum.
- 6 The examiner concluded that the plan meets the basic conditions, and that subject to the modifications proposed in his report, the plan should proceed to referendum.

## **Decision**

Having considered the examiner's recommendations and reasons for them, South Oxfordshire District Council's Cabinet Member for Planning decided on 8 May 2018:

1. To accept all modifications recommended by the Examiner;
2. to determine that the Watlington Neighbourhood Development 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 a NDP; and
3. to take all appropriate actions to progress the Watlington Neighbourhood Development Plan to referendum on Thursday 28 June 2018; and
4. to agree that the referendum area should extend beyond the neighbourhood area to include properties in Pyrton parish (as recommended by the Examiner).

## **Reasons for decision**

- 7 The council has committed to supporting neighbourhood planning in its Strategic Objective on facilitating sustainable communities, and more specifically through the commitment in the Corporate Plan 2016-2020 of 'Strongly supporting the development of neighbourhood plans for our towns and villages'.
- 8 The Watlington Neighbourhood Development Plan (the Plan), as modified by the Examiner's recommendations, has had regard to national 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 a significant effect. The principal document in which national planning policy is contained is the National Planning Policy Framework (March 2012) (NPPF) and this conclusion is reached bearing this in mind. The advice within National Planning Practice Guidance (NPPG) has also been considered in reaching this conclusion.

- 9 Watlington Parish Council submitted the Plan to SODC in December 2017, and after an assessment that the plan met the Basic Conditions as stipulated in the legislation, the council appointed Mr Andrew Ashcroft as independent Examiner to examine the Plan. The Plan has been examined in a way which also included a Public Hearing on 5 March 2018. This process allowed an adequate consideration of two related issues – the proposed Watlington edge road and the three proposed housing allocations. The Plan has been successful at examination, with the Examiner’s report, received in April 2018, concluding that subject to the modifications proposed, the Watlington Neighbourhood Plan should proceed to referendum.
- 10 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. In the economic dimension, the plan includes policies for new residential development (P5 and Housing Policies A, B and C) and employment (P7). In the social role, it includes policies for enhancing Watlington as a service centre (P6), and for the protection of Local Green Spaces (P4). In the environmental dimension, the plan positively seeks to protect the natural, built and historic environment. It has specific policies on conservation and heritage (P1) and conserving and enhancing the natural environment (P3).
- 11 The Plan, as modified by the Examiner’s recommendations, is in general conformity with the strategic policies contained in the Development Plan for the area. The Plan makes appropriate allocations for Watlington. This is having regard to the requirement for 79 homes derived from the cabinet report agreed by councillors in September 2013 as a distribution of housing from the Core Strategy. The Plan has regard to the emerging Local Plan 2033. This sets out the proposed provision of homes in the larger villages. Watlington is expected to provide 262 homes (based on Core Strategy plus 15% growth) and has already provided for 28 homes through completions and commitments. Therefore, Watlington have a target of 234 homes to deliver. The Plan sets out a positive strategy for managing future growth in Watlington, and its surroundings, by allocating homes to meet the requirements set out in the emerging Local Plan. The plan safeguards a route to accommodate the realignment of the B4009 to provide a ‘by-pass’ for Watlington, which is identified as a priority. It will also help the district in securing a five-year housing land supply, and ensures that development is planned positively, rather than dealing with developments on an ad hoc basis.
- 12 The land for the Watlington edge road is safeguarded in both the emerging Local Plan (policy TRANS3), and the Watlington Neighbourhood Plan. The

council is satisfied, having seen the examiner's report, correspondence, documents and current planning applications, that the safeguarding of land for the edge road within the three proposed housing allocation sites is based on evidence of its need. The delivery of the safeguarded route is actively being considered and planned by a comprehensive package of national and local public bodies, landowners and proposed housing developers, but has also noted that part of the safeguarded route falls outside the neighbourhood area (in Pyrton parish), and therefore this part of the route does not fall within the remit of the Watlington Neighbourhood Plan.

- 13 The Plan, as modified by the Examiner's recommendations, would not breach, and be otherwise incompatible with EU obligations, including the following Directives: the Strategic Environmental Assessment Directive (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. In order to comply with the basic condition on European Union legislation the Parish Council has prepared a Sustainability Appraisal Report. This report incorporates Strategic Environmental Assessment. The Sustainability Appraisal sets out how it was developed in an iterative fashion with the wider preparation of the plan itself (Figure 1). Section 4.3 sets out a comprehensive range of sustainability issues in the parish to which the plan responds to. Section 4.3 also describe the principal environmental characteristics of the plan area. Section 5 makes an assessment of the neighbourhood plan objectives against a wider set of sustainability objectives. Section 6 assesses potential development sites against the sustainability objectives and considers reasonable alternatives. Section 7 then provides an assessment of the neighbourhood plan policies against the sustainability objectives. Section 7.2 covers the Identification and mitigation of predicted effects. Section 8 sets out proposed local monitoring indicators.
- 14 The Plan, as modified by the Examiner's recommendations, would not give rise to significant environmental effects on European sites. The Council commissioned a screening report on the impact of development proposed in the Plan on EU Special Areas of Conservation (SACs) and this was completed in December 2017 (W NDP 15). The HRA screening report has concluded that the Watlington Neighbourhood Plan will not have any likely significant effects on the integrity of European sites around South Oxfordshire. Natural England was consulted on the council's screening opinion and raised no concerns with its conclusions.
- 15 The Plan, as modified by the Examiner's recommendations, is in all respects fully compatible with Convention rights contained in the Human Rights Act 1998. 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.

- 16 The Plan, as modified by the Examiner's recommendations, complies with the definition of an NDP and the provisions that can be made by a 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'.
- 17 The council cannot make a decision that differs from the Examiner's recommendations about the referendum area. The Examiner considered whether it would be appropriate to extend the referendum area to include properties in Pyrton. In doing so he invited representations from the council, and the relevant parish council. The Examiner concluded that residents of Pyrton would be impacted by both the delivery of the Watlington edge road and the development of Housing Site C and that it is therefore appropriate to extend the referendum area to include specific properties in Pyrton. The Democratic Services team has confirmed that this is feasible.
- 18 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 reasons for them.
- 19 The council has taken account of all the representations received.

#### **SEA/ HRA SCREENING**

- 20 The modifications set in Appendix 1, both separately and combined, produce no likely significant environmental affects and are unlikely to have any significant effects on European Designated Sites.

#### **Councillor Felix Bloomfield**

South Oxfordshire District Council Cabinet Member with Portfolio for Planning  
Decision Statement Published on 16 May 2018

## Appendix 1 – Examiner’s modifications

Policy/ Section	Examiner’s recommendations (highlighted text are the changes)	Council’s Decision	Justification/Reason
Policy P1	<p><b>Replace the opening part of the policy with:</b>  <i>Proposals for new development which are in accordance with other policies in this Plan and the development plan will be supported, as appropriate to the particular site, where they comply with the following criteria:</i></p> <p><b>In criterion (a) replace ‘makes a positive contribution to’ with ‘respects’.</b></p> <p><b>In criterion (b) replace ‘sustains and enhances’ with ‘should sustain and where possible enhance’.</b></p> <p><b>Replace criterion c) with:</b>  <i>‘New development relates well to the established character of the street scene and street pattern of the town (W NDP 9 Photographs)’</i></p>	Agree	<p>The National Planning Policy Framework (NPPF) indicates that plans should provide a clear framework within which decisions on planning applications can be made and that they should give a clear indication of how a decision-maker should react to a development proposal (paragraphs 17 and 154). This was reinforced with the publication of Planning Practice Guidance in March 2014. Its paragraph 41 (41-041-20140306) indicates that policies in neighbourhood plans should be drafted with sufficient clarity so that a decision-maker can apply them consistently and with confidence when determining planning applications. Policies should also be concise, precise and supported by appropriate evidence.</p> <p>The council considers the modifications proposed by the examiner necessary to ensure that the Plan achieves the clarity required by the NPPF.</p>

<p>Policy P2</p>	<p><b>In the first part of the policy replace ‘will be.... route’ with ‘should provide land to safeguard a route’.</b></p> <p><b>Replace the second part of the policy with:</b>  <i>‘Proposals for development should demonstrate how the additional traffic generated can be accommodated in a satisfactory way in the highway network. Development which has a severe impact on the transport network will not be supported unless it can be demonstrated that improvements within the network can be undertaken to limit those impacts’.</i></p> <p><b>In the third part of the policy replace ‘are expected to’ with ‘should’.</b></p> <p><b>Replace the fourth part of the policy with:</b>  <i>‘When considering mitigation measures arising from new developments in the neighbourhood area consideration should be given to proposals for the town centre contained in this Plan in general, and the most up to date version of the Watlington Traffic Management Plan in particular’.</i></p> <p><b>Replace the fifth part of the policy with:</b>  <i>‘Proposals for new or extended public parking facilities within or adjoining the built form of the town will be supported where they are of a scale that respects the historic street pattern in the town and safeguard heritage assets in the immediate locality of the site’.</i></p>	<p>Agree</p>	<p>The modifications recommended by the Examiner are considered necessary to ensure this policy achieves the clarity required by the NPPF and addresses land use issues in particular in respect of the fourth part of the policy.</p> <p>The council also consider it necessary to ensure there is consistency with the criteria in three housing site policies (A, B and C).</p>

Policy P3	<p><b>Replace the opening part of the policy with:</b>  <i>'Proposals for new development which are in accordance with other policies in this Plan and the development plan will be supported, as appropriate to the particular site, where they comply with the following criteria:</i></p> <p><b>In criterion (e) delete 'in order to.... Watlington'</b></p>	Agree	The council considers the modifications proposed by the Examiner necessary as it provides clarity and acknowledges that not all developments will be able to meet all of the specified criteria.
Policy P4	<p><b>Delete the first part of the policy (including the initial wording)</b></p> <p><b>Delete 'In addition'</b></p> <p><b>Replace the second part of the policy to read:</b>  <i>The following green spaces are designated as Local Green Spaces:  [List the green spaces as submitted in WNDP10 (with the exception of Willow Close Green) as bullet points]  New development will not be supported on land designated as Local Green Space except in very special circumstances.</i></p> <p><b>Delete Willow Close Green from Appendix A of WNDP 10</b></p>	Agree	<p>The modifications recommended by the Examiner are considered necessary to ensure this policy achieves the clarity required by the NPPF.</p> <p>The first part of the policy does not stipulate the amount of green space to be provided on sites of 10 or more houses. The PPG indicates that policies drafted should be concise, precise and supported by appropriate evidence.</p> <p>It also seeks to designate future parcels of green space as Local Green Space and thereby seeks to anticipate future policy. There is no evidence to demonstrate that the policy meets the basic conditions and the council consider it necessary to delete the first part of the policy as recommended by the Examiner.</p>



			The council considers the Examiner’s recommendation to delete Willow Close Green as a Local Green Space necessary as it has not been sufficiently justified that this space, in its current form is demonstrably special to the local community. Therefore, this is not in conformity with Paragraph 77 of the NPPF which also states that “ <i>Local Green Space designation will not be appropriate for most green areas or open space.</i> ”
Policy P5 & Supporting Text	<p><b>Replace the policy with the following:</b>  <i>New residential development in Watlington will be concentrated in the three proposed housing allocations (Housing Policies Site A, Site B and Site C). The development of these sites should comply with the criteria set out in the three component policies.</i></p> <p><i>Other proposals for residential development within the built-up area of Watlington which reflect the scale and character of the neighbourhood area will be supported where they accord with other policies in this Plan and in the development plan. Where appropriate development proposals should demonstrate how they meet the following criteria:</i></p> <ul style="list-style-type: none"> <li>• <i>they deliver a well-balanced mix of housing types, including needs identified in the most recent Watlington Housing Study;</i></li> <li>• <i>they deliver affordable housing to development</i></li> </ul>	Agree	<p>The modification recommended by the Examiner is necessary to ensure this policy achieves the clarity required by the NPPF.</p> <p>It makes a clear distinction between the three allocated sites and other sites which may potentially come forward. The effect of the modified policy would be to provide three separate categories: development on the allocated sites, development in the built-up area and development elsewhere in the Plan area.</p> <p>The Examiner also recommends that criterion (d) is incorporated into the supporting text as specific examples of new development to meet identified housing needs.</p>

	<p><i>plan standards;</i></p> <ul style="list-style-type: none"> <li>• <i>they provide connectivity for pedestrians and cyclists to local facilities and services; and</i></li> <li>• <i>they include measures to provide resilience to the effects of climate change</i></li> </ul> <p><i>Proposals for new residential development elsewhere in the neighbourhood area will only be supported if they are appropriate for a countryside location and are otherwise consistent with other policies in this Plan and in the development plan.</i></p> <p><b>At the start of the supporting text add:</b>  <i>'Policy P5 sets out the Plan's approach to the delivery of new housing development. It identifies three separate categories – development on the allocated sites, development in the built-up area and development elsewhere in the Plan area.'</i></p> <p><b>At the end of the third paragraph of supporting text add:</b>  <i>'In seeking to bring forward a balanced range of housing types developers are encouraged to provide houses for older households seeking to downsize, for growing families, self-builders, for those who work from home and those with physical and sensory disabilities.'</i></p> <p><b>Delete the fourth paragraph of the supporting text.</b></p>		<p>The modification to the supporting text recommended by the Examiner is considered to be necessary to ensure consistency in respect of the revised recommended wording to Policy P5.</p>
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	<p><b>Replace it with:</b>  <i>'The third part of the policy adopts a more restrictive approach to residential development away from Watlington and the three allocated sites. This approach has regard to national and local planning policies. It also takes account of the position of Howe Hill, Greenfield and Christmas Common in the AONB. Any proposals which may come forward would be assessed against national and local planning policies'</i></p>		
Policy P6 & Supporting Text	<p><b>Replace the opening part of the policy with:</b>  <i>'Proposals that would enhance the role as a service centre by any or all of the following initiatives will be supported:'</i></p> <p><b>Replace (b) with 'Result in the opening of new retail facilities in High Street, Shirburn Street and Couching Street'.</b></p> <p><b>Replace (c) with 'Result in the opening of new community facilities or the extension of existing community facilities'.</b></p> <p><b>At the end of a/b/c/d add '; and/or'</b></p> <p><b>Add a second part of the policy to read:</b>  <i>'Proposals that would result in the loss of an existing retail facility as shown on Map 11 or in the loss of an</i></p>	Agree	<p>The modifications to Policy P6 recommended by the Examiner are considered to be necessary to ensure this policy achieves the clarity required by the NPPF.</p> <p>The addition of a second part to the policy is considered to be necessary in order to ensure that where appropriate, existing retail and community uses are safeguarded. The first part of the policy focuses on <u>new</u> retail and community uses.</p>

	<p><i>existing Key Place as shown on Map 7 will not be supported unless:</i></p> <ul style="list-style-type: none"> <li>• <i>it would lead to the significant improvement of an existing facility or the replacement of an existing facility equally convenient to the local community it serves and with equivalent or improved services; or</i></li> <li>• <i>it has been determined that the community facility concerned is no longer needed; or</i></li> <li>• <i>in the case of commercial services, it is no longer economically viable.'</i></li> </ul> <p><b>At the end of the second paragraph of supporting text add:</b>  <i>'The first part of Policy P6 supports a range of potential proposals that would enhance the town's role as a service centre. The policy's structure acknowledges that most such proposals will not be able to deliver the full range of initiatives as set out in that part of the policy. Its second part sets out to safeguard existing retail, commercial and community facilities'.</i></p>		<p>The modification to the supporting text recommended by the Examiner is considered to be necessary to ensure consistency in respect of the revised recommended wording to Policy P6.</p>
Policy P7	<p><b>Replace 'Opportunites' with 'Opportunities'</b></p> <p><b>Insert '; or' at the end of criteria (a) and (b)</b></p> <p><b>In (a) replace 'Watlington...WNDP area' with 'the immediate locality'</b></p>	Agree	<p>The council considers the modifications proposed by the examiner necessary to ensure that the Plan achieves the clarity required by the NPPF and to correct a factual error.</p>

	<b>In (b) replace 'location...W NDP area' with 'immediate locality'</b>		
Policy P8	<p><b>Replace the opening part of the policy with:</b> <i>'Proposals that would enhance the role as a service centre by any or all of the following initiatives will be supported.'</i></p> <p><b>At the end of (a) to (j) add '; and/or'</b></p> <p><b>In (c) delete 'to safeguard'</b></p> <p><b>Add:</b> <b>(k) The supply of water in the neighbourhood area and the development of waste water treatment infrastructure</b></p>	Agree	<p>The council considers the modifications proposed by the examiner necessary to ensure that the Plan achieves the clarity required by the NPPF and to prevent the policy being overly onerous.</p> <p>The addition of point (k) has been recommended by the Environment Agency and the council considers this additional text appropriate as it is in line with paragraphs 156 and 162 of the NPPF.</p>
Policy P9 & Supporting Text	<p><b>Delete the policy</b> <b>Delete the associated supporting text</b></p> <p>Reproduce the deleted policy and its supporting text as a Community Action in a separate part of the Plan. In doing so:</p> <p><b>Delete the second (b) and the third (c) parts of the submitted policy.</b> <b>Delete the '(a)' before the (retained) first part of the submitted policy.</b></p>	Agree	<p>The council considers the modifications proposed by the examiner to delete the policy necessary as it is not a land-use policy, therefore it does not meet the basic conditions.</p> <p>The council agree that the information contained in the policy is useful and that it is appropriate to move the contents into a 'community action' point in a separate part of the document. The council also considers that the proposed modifications to this text are</p>

	<p><b>Replace the opening part of the supporting text with:</b></p> <p><i>'The following infrastructure projects have been identified during the production of the Plan. They will be prioritised as CIL funding becomes available.'</i></p> <p><b>At the end of the supporting text add the following:</b></p> <p><i>'In working through the various projects and coming to decisions on their relative priority and delivery, the Parish Council will work with partner organisations to identify their various costs. It will also have regard to the SODC Infrastructure Delivery Plan. This Community Action refers specifically to the Parish Council's use of the local element of any CIL funding generated in the neighbourhood area.'</i></p>		necessary in order to provide clarity.
Housing Policy Site A & Supporting Text	<p><b>Replace the opening paragraph of the policy (including the associated two bullet points) with:</b></p> <p><i>'Proposals for the development of residential use and for workshops and offices on Site A (as shown on Figure 12) will be supported where they comply with the following criteria.'</i></p> <p><b>Replace the first substantive criterion to read:</b></p> <p><i>'they conform to the principles set out in the Watlington Design Guide (W NDP 11); '</i></p> <p><b>Insert a new second criterion (after the first criterion)</b></p>	Agree	<p>These modifications proposed by the Examiner are considered to be necessary in order to bring the policy in line with the NPPF and development plan, to provide clarity, and consistency with Policy P5 in this Plan.</p> <p>The council considers it appropriate to delete the criterion related to archaeology as this is already in place in national and local policies.</p>

	<p><b>to read:</b>  <i>'they are landscape-led and are appropriate for their location within the setting of the Chilterns AONB. All proposals should demonstrate that they have addressed site layout, design, orientation, height, bulk and scale of structures and buildings. In addition, careful consideration should be given to the use of colours, materials and the reflectiveness of surfaces in relation to the proximity of the site to the AONB. Careful consideration should be given to the use of street lights and other forms of external illumination to safeguard the dark night skies of the AONB'</i></p> <p><b>Introduce a new third criterion to read:</b>  <i>'they provide affordable dwellings to development plan standards'</i></p> <p><b>Insert a new fourth criterion to read:</b>  <i>'they are designed in a way which takes account of heritage assets in the wider locality of the site'</i></p> <p><b>In the third criterion in the submitted Plan replace 'it's' with 'its'</b></p> <p><b>Replace the fourth criterion in the submitted Plan with:</b></p>		
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	<p><i>'provide land for formal and informal recreation use and open space in accordance with development plan standards'</i></p> <p><b>Replace the seventh criterion with:</b> <i>'they provide for the necessary traffic mitigation measures in general, and on Britwell Road and Cuxham Road in particular'</i></p> <p><b>Delete the eighth criterion in the submitted Plan (archaeology)</b></p> <p><b>Insert a new criterion to read:</b> <i>'they take account of the existing Watlington Industrial Estate to the south and east of the site. Where necessary planning applications should demonstrate the necessary measures to ensure that the existing industrial uses can continue and that the occupiers of the new dwellings can enjoy appropriate standards of amenity'.</i></p> <p><b>Insert two additional criteria as follows:</b></p> <ul style="list-style-type: none"> <li>• <i>they deliver a well-balanced mix of housing types, including needs identified in the most recent Watlington Housing Study; and</i></li> <li>• <i>they include measures to provide resilience to the effects of climate change</i></li> </ul>		
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	<p><b>In the first paragraph of the supporting text delete the second and third sentences and replace with:</b></p> <p><i>'It is anticipated that the development of the site will yield approximately 140 dwellings. A key factor in its implementation will be the extent to which it responds to the second criterion on its relationship to the Chilterns AONB. It is important that proposed developments are landscape-led. The approach adopted by developers to this challenge should be set out in the associated Design and Access Statement or a wider Planning Statement. In addition, proposals will be expected to have been tested through a full Landscape and Visual Impact Assessment which include photomontages showing the relationship of the development to the AONB in general, and the views from Watlington Hill and the White Mark in particular'</i></p> <p><b>Insert a new paragraph of supporting text after the first paragraph to read:</b></p> <p><i>'In addition to the need for the development of the site to address the proximity of the AONB to the south and east there are two other matters that are fundamental to its successful delivery. The first is the need for it to be designed in a fashion that respects heritage assets in the town and its wider locality. The second is the need for the site to mitigate any traffic issues that arise in the town as</i></p>	<p>The modification to the supporting text recommended by the Examiner is considered to be necessary to ensure consistency in respect of the revised recommended wording to Housing Policy Site A.</p>
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	<p><i>a result of its development. At this stage the relationship between the implementation of residential development and the delivery of an effective Watlington edge road is not known. The scale and extent of any mitigation will depend on the yield of the site and its delivery in relation to sites B and C. In this regard there will be an expectation that the developers concerned will address on and off-site issues in conjunction with both the District Council and the County Council'.</i></p> <p><b>Insert a new third paragraph of supporting text to read:</b></p> <p><i>'The development of this site raises particular issues around the potential relationship between the proposed residential development and the existing Watlington Industrial Estate to its south and east. It is important that the layout, design and orientation of the residential development takes account of the proximity of existing industrial uses and implements any necessary mitigation'.</i></p> <p><b>Insert a new fourth paragraph of supporting text to read:</b></p> <p><i>'The policy requires that affordable housing is delivered on the site in accordance with development plan standards. This is important in its own right and to reflect specific housing needs in the town. Other criteria in the</i></p>		
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	<i>policy address matters such as open space on the site and a series of ecological matters'</i>		
Housing Policy – Site B & Supporting Text	<p><b>Replace the opening paragraph of the policy (including the associated bullet point) with:</b> <i>'Proposals for the residential development of Site B (as shown on Figure 13) will be supported where they comply with the following criteria:'</i></p> <p><b>Replace the first substantive criterion to read:</b> <i>'they conform to the principles set out in the Watlington Design Guide (WNDP 11);'</i></p> <p><b>Insert a new second criterion (after the first criterion) to read:</b> <i>'they are landscape-led and are appropriate for their location within the setting of the Chilterns AONB. All proposals should demonstrate that they have addressed site layout, design, orientation, height, bulk and scale of structures and buildings. In addition, careful consideration should be given to the use of colours, materials and the reflectiveness of surfaces in relation to the proximity of the site to the AONB. Careful consideration should be given to the use of street lights and other forms of external illumination to safeguard the dark night skies of</i></p>	Agree	These modifications proposed by the Examiner are considered to be necessary in order to bring the policy in line with the NPPF and development plan, to provide clarity, and consistency with Policy P5 in this Plan.

	<p><i>the AONB'</i></p> <p><b>Introduce a new third criterion to read:</b> <i>'they provide affordable dwellings to development plan standards'</i></p> <p><b>Insert a new fourth criterion to read:</b> <i>'they are designed in a way which takes account of heritage assets in the wider locality of the site'</i></p> <p><b>Replace the third criterion in the submitted Plan with:</b> <i>'provide land for formal and informal recreation use and open space in accordance with development plan standards'</i></p> <p><b>Delete the sixth criterion in the submitted Plan (archaeology)</b></p> <p><b>Add an additional criterion to read:</b> <i>'they provide for any necessary traffic mitigation measures'</i></p> <p><b>Insert two additional criteria as follows:</b></p> <ul style="list-style-type: none"> <li>• <i>they deliver a well-balanced mix of housing types, including needs identified in the most recent Watlington Housing Study; and</i></li> </ul>		<p>The council considers it appropriate to delete the criterion related to archaeology as this is already in place in national and local policies.</p>
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	<ul style="list-style-type: none"> <li>• <i>they include measures to provide resilience to the effects of climate change</i></li> </ul> <p><b>Replace the second paragraph of the supporting text with:</b></p> <p><i>'It is anticipated that the development of the site will yield approximately 40-60 dwellings. A key factor in its implementation will be the extent to which it responds to the second criterion on its relationship to the Chilterns AONB. It is important that proposed developments are landscape-led. The approach adopted by developers to this challenge should be set out in the associated Design and Access Statement or a wider Planning Statement. In addition, proposals will be expected to have been tested through a full Landscape and Visual Impact Assessment which include photomontages showing the relationship of the development to the AONB in general, and the views from Watlington Hill and the White Mark in particular'</i></p> <p><b>Insert a new paragraph of supporting text after the modified second paragraph to read:</b></p> <p><i>'In addition to the need for the development of the site to address the proximity of the AONB to the south and east there are two other matters that are fundamental to its successful delivery. The first is the need for it to be designed in a fashion that respects heritage assets in the</i></p>		<p>The modification to the supporting text recommended by the Examiner is considered to be necessary to ensure consistency in respect of the revised recommended wording to Housing Policy Site B.</p>
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	<p><i>town and its wider locality. The second is the need for the site to mitigate any traffic issues that arise in the town as a result of its development. At this stage the relationship between the implementation of residential development and the delivery of an effective Watlington edge road is not known. The scale and extent of any mitigation will depend on the yield of the site and its delivery in relation to sites A and C. In this regard there will be an expectation that the developers concerned will address on and off-site issues in conjunction with both the District Council and the County Council'.</i></p> <p><b>Insert a new paragraph of supporting text after the new paragraph above to read:</b></p> <p><i>'The policy requires that affordable housing is delivered on the site in accordance with development plan standards. This is important in its own right and to reflect specific housing needs in the town. Other criteria in the policy address matters such as open space on the site and a series of ecological matters'</i></p>		
Housing Policy – Site C & Supporting	<p><b>Replace the opening paragraph of the policy (including the associated bullet point) with:</b></p> <p><i>'Proposals for the residential development of Site C (as shown on Figure 14) will be supported where they comply</i></p>	Agree	These modifications proposed by the Examiner are considered to be necessary in order to bring the policy in line with the NPPF and development plan, to provide clarity, and

Text	<p><i>with the following criteria:</i></p> <p><b>Replace the first substantive criterion to read:</b>  <i>'they conform to the principles set out in the Watlington Design Guide (W NDP 11);'</i></p> <p><b>Insert a new second criterion (after the first criterion) to read:</b>  <i>'they are landscape-led and are appropriate for their location within the setting of the Chilterns AONB. All proposals should demonstrate that they have addressed site layout, design, orientation, height, bulk and scale of structures and buildings. In addition, careful consideration should be given to the use of colours, materials and the reflectiveness of surfaces in relation to the proximity of the site to the AONB. Careful consideration should be given to the use of street lights and other forms of external illumination to safeguard the dark night skies of the AONB'</i></p> <p><b>Introduce a new third criterion to read:</b>  <i>'they provide affordable dwellings to development plan standards'</i></p> <p><b>Insert a new fourth criterion to read:</b>  <i>'they are designed in a way which takes account of</i></p>		consistency with Policy P5 in this Plan.
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	<p><i>heritage assets in the wider locality of the site'</i></p> <p><b>Replace the third criterion with:</b> <i>'they accommodate any identified needs for expanding the primary school or the secondary school into the site'.</i></p> <p><b>Replace the fifth criterion in the submitted Plan with:</b> <i>'provide land for formal and informal recreation use and open space in accordance with development plan standards'</i></p> <p><b>Delete the eighth criterion in the submitted Plan (archaeology)</b></p> <p><b>Add an additional criterion to read:</b> <i>'they provide for any necessary traffic mitigation measures'</i></p> <p><b>Insert two additional criteria as follows:</b></p> <ul style="list-style-type: none"> <li>• <i>they deliver a well-balanced mix of housing types, including needs identified in the most recent Watlington Housing Study; and</i></li> <li>• <i>they include measures to provide resilience to the effects of climate change</i></li> </ul> <p><b>Replace the second paragraph of the supporting text</b></p>		<p>The council considers it appropriate to delete the criterion related to archaeology as this is already in place in national and local policies.</p> <p>The modification to the supporting text recommended by the Examiner is considered to be necessary to ensure consistency in</p>
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<p><b>with:</b>  <i>'It is anticipated that the development of the site will yield approximately 60 dwellings. A key factor in its implementation will be the extent to which it responds to the second criterion on its relationship to the Chilterns AONB. It is important that proposed developments are landscape-led. The approach adopted by developers to this challenge should be set out in the associated Design and Access Statement or a wider Planning Statement. In addition, proposals will be expected to have been tested through a full Landscape and Visual Impact Assessment which include photomontages showing the relationship of the development to the AONB in general, and the views from Watlington Hill and the White Mark in particular'</i></p> <p><b>Insert a new paragraph of supporting text after the modified second paragraph to read:</b>  <i>'In addition to the need for the development of the site to address the proximity of the AONB to the south and east there are two other matters that are fundamental to its successful delivery. The first is the need for it to be designed in a fashion that respects heritage assets in the town and its wider locality. The development of the site will need to take account of important heritage assets to the east and north east of the site. These include the Pyrton Conservation Area, Pyrton Manor, Shirburn Castle</i></p>	<p>respect of the revised recommended wording to Housing Policy Site C, paying particular regard to accommodating any identified needs for expansion of the school into the site and to take account of heritage assets in the wider locality of the site.</p>
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	<p><i>and its associated Registered Park and Garden.</i></p> <p><i>The second is the need for the site to mitigate any traffic issues that arise in the town as a result of its development. At this stage the relationship between the implementation of residential development and the delivery of an effective Watlington edge road is not known. The scale and extent of any mitigation will depend on the yield of the site and its delivery in relation to sites A and B. In this regard there will be an expectation that the developers concerned will address on and off-site issues in conjunction with both the District Council and the County Council as part of the development management process.'</i></p> <p><b>Insert a new paragraph of supporting text after the new paragraph above to read:</b></p> <p><i>'The policy requires that affordable housing is delivered on the site in accordance with development plan standards. This is important in its own right and to reflect specific housing needs in the town. Other criteria in the policy address matters such as open space on the site and a series of ecological matters.'</i></p>		

Housing Policy Additional Sites	<b>Delete Policy</b>	Agree	The deletion of this policy as proposed by the Examiner is considered to be necessary as it lacks the clarity and preciseness as required by the NPPF. There is no detailed guidance against which planning applications could be determined with any degree of consistency or confidence.
Section 6.7	<b>Delete section 6.7 (Pyrton Neighbourhood Development Plan)</b>	Agree	The deletion of this section as proposed by the Examiner is considered to be necessary as the inclusion of this section in the Plan directly conflicts with national policy. Section 38B of the Planning and Compulsory Purchase Act 2004 specifies that plans should not relate to more than one neighbourhood plan area.
Watlington Design Guide (W NDP11)	<p><b>On page 3 Heading – ‘Who should read this Guide’ replace the existing text with:</b>  <i>‘Anyone considering carrying out new development in the parish of Watlington. Whilst it has been designed to address proposals that require planning permission the same principles apply to works that do not need permission’</i></p> <p><b>On page 5 in the text box delete ‘with....as shown’</b></p>	Agree	<p>The Examiner has examined the Watlington Design Guide (W NDP11) as it has been designed to underpin certain policies in the Plan. The proposed modifications are considered to be necessary in order to provide clarity and correct some factual errors.</p> <p>The recommendation to remove the references to external lighting and the food section were recommended to the examiner by SODC. This is because the restrictions on</p>

	<p><b>On page 6 in the text box on Walls delete the final sentence</b></p> <p><b>On page 8 in the text box on Doors replace ‘favoured’ with ‘traditional’</b></p> <p><b>On page 10 in the text box on Parking replace the second sentence with:</b>  <i>‘Car parking associated with new development should respect the design and character of the proposal and its wider setting within the town. Surfacing materials should be of a traditional nature appropriate to the wider character and appearance of the town. Particular care should be taken within the conservation area to preserve or enhance its character and appearance.’</i></p> <p><b>On pages 14/15 delete references to external lighting</b></p> <p><b>On page 17 delete the section on Food production</b></p>		<p>external lighting are not enforceable. Even if the developer chose to comply with them residents do not. In respect of the section on food production, the design principles relating to food can be encouraged but cannot be enforced. In view of the above, it is therefore considered to be appropriate to delete these two references.</p>
Other matters	<p><i>Modification of general text (where necessary) to achieve consistency with the modified policies.</i></p>	Agree	<p>The council consider that where modifications have been made to the general text of the Plan by the Examiner, it will be appropriate for the district council to have the flexibility to make any necessary consequential changes to the general text for clarity.</p>

Section 7	<p><b>Delete the final two sections of paragraph 7.2 and replace with:</b></p> <p><i>'Review of the Plan: To take account of the relationship between this Plan and the emerging South Oxfordshire Local Plan 2033 the Parish Council will liaise with the District Council about the need or otherwise for an early review of the neighbourhood plan. In the event that there are fundamental revisions to the strategy of the emerging Local Plan and/or that the residential development of the Chalgrove Airfield site is not included in the Local Plan a formal review of the neighbourhood plan will be started within two years of its making or within three months of the adoption of the South Oxfordshire Local Plan 2033 whichever occurs first.</i></p>	Agree	<p>This modification proposed by the Examiner to shorten the monitoring and review process of the Plan is considered to be necessary in the event that there are fundamental revisions to the strategy of the emerging Local Plan. This has been reinforced by the recent decision of the Council in March 2018 to deviate from Cabinet's recommendation in respect of the Local Plan strategy.</p>

**Appendix 2**

# **Watlington Neighbourhood Development Plan 2017-2033**

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

**Andrew Ashcroft  
Independent Examiner  
BA (Hons) MA, DMS, MRTPI**

**Director – Andrew Ashcroft Planning Limited**

## **Executive Summary**

- 1 I was appointed by South Oxfordshire District Council in December 2017 to carry out the independent examination of the Watlington Neighbourhood Plan.
- 2 The examination was undertaken by and combination of written representations and a hearing. I visited the neighbourhood plan area on 12 January 2018. A hearing was held on 5 March 2018.
- 3 The Plan includes a variety of policies and seeks to bring forward positive and sustainable development in the neighbourhood area. There is a very clear focus on safeguarding local character and promoting and safeguarding its rich historic environment. It promotes three housing sites and in so doing safeguards the proposed route for the Watlington edge road as included in the emerging Local Plan
- 4 The Plan has been significantly underpinned by community support and engagement. It is clear that all sections of the community have been actively engaged in its preparation.
- 5 Subject to a series of recommended modifications set out in this report I have concluded that the Watlington Neighbourhood Plan meets all the necessary legal requirements and should proceed to referendum.
- 6 I recommend that the referendum should be held within the neighbourhood area and in an extended area to include a series of properties in Pyrton to the immediate east (as set out in Appendix 2).

**Andrew Ashcroft**  
**Independent Examiner**  
**12 April 2018**

## **1 Introduction**

1.1 This report sets out the findings of the independent examination of the Watlington Neighbourhood Plan 2017-2033 (the Plan).

1.2 The Plan has been submitted to South Oxfordshire District Council (SODC) by Watlington Parish Council in its capacity as the qualifying body responsible for preparing the neighbourhood plan.

1.3 Neighbourhood plans were introduced into the planning process by the Localism Act 2011. They aim to allow local communities to take responsibility for guiding development in their area. This approach was subsequently embedded in the National Planning Policy Framework in 2012 and which continues to be the principal element of national planning policy.

1.4 This report assesses whether the Plan is legally compliant and meets the Basic Conditions that apply to neighbourhood plans. It also considers the content of the Plan and, where necessary, recommends changes to its policies and supporting text.

1.5 This report also provides a recommendation as to whether the Plan should proceed to referendum. If this is the case and that referendum results in a positive outcome the Plan would then be used to determine planning applications within the plan area and will sit as part of the wider development plan.



## 2 The Role of the Independent Examiner

2.1 The examiner's role is to ensure that any submitted neighbourhood plan meets the relevant legislative and procedural requirements.

2.2 I was appointed by SODC, with the consent of the Parish Council, to conduct the examination of the Plan and to prepare this report. I am independent of both the SODC and the Parish Council. I do not have any interest in any land that may be affected by the Plan.

2.3 I possess the appropriate qualifications and experience to undertake this role. I am a Director of Andrew Ashcroft Planning Limited. In previous roles, I have over 30 years' experience in various local authorities at either Head of Planning or Service Director level. I am a chartered town planner and have significant experience of undertaking other neighbourhood plan examinations and health checks. I am a member of the Royal Town Planning Institute and the Neighbourhood Planning Independent Examiner Referral System.

### *Examination Outcomes*

2.4 In my role as the independent examiner of the Plan I am required to recommend one of the following outcomes of the examination:

- (a) that the Plan is submitted to a referendum; or
- (b) that the Plan should proceed to referendum as modified (based on my recommendations); or
- (c) that the Plan does not proceed to referendum on the basis that it does not meet the necessary legal requirements.

### *The Basic Conditions*

2.5 As part of this process I must consider whether the submitted Plan meets the Basic Conditions as set out in paragraph 8(2) of Schedule 4B of the Town and Country Planning Act 1990. To comply with the basic conditions, the Plan must:

- have regard to national policies and advice contained in guidance issued by the Secretary of State; and
- contribute to the achievement of sustainable development; and
- be in general conformity with the strategic policies of the development plan in the area; and
- be compatible with European Union (EU) and European Convention on Human Rights (ECHR) obligations; and
- not be likely to have a significant effect on a European site or a European offshore marine site, either alone or in combination with other plans or projects.

I have examined the submitted Plan against each of these basic conditions, and my conclusions are set out in Sections 6 and 7 of this report. I have made specific comments on the fourth bullet point above in paragraphs 2.6 to 2.10 of this report.

2.6 In order to comply with the Basic Condition relating to European obligations the Parish Council has prepared a sustainability appraisal which includes a strategic environmental assessment. The appraisal has been prepared to a high standard and addresses a range of overlapping environmental matters. It carefully sets out the reasonable

alternatives that were considered as part of the Plan making process. In doing so it provides compelling evidence to support the selection of the three proposed allocated housing sites.

2.7 The required consultation was carried out with the three prescribed bodies and their responses are included within the screening report. This is best practice.

2.8 SODC commissioned a Habitats Regulations Assessment (HRA) screening report on the Plan. The report is very thorough in its approach. In particular it assesses the likely effect of the Plan on the following European sites that fall within 17kms of Watlington:

- Little Wittenham SAC
- Aston Rowant SAC
- Chiltern Beechwood SAC
- Hartslock Wood SAC

The 17km screening distance was used to ensure consistency with previous HRA work on the South Oxfordshire Core Strategy and the emerging Local Plan. Its section 4 is exemplary in the ways in which it relates the Plan policies to the various European sites and draws conclusion on scale and significance of the various effects. The conclusions of the report are that the Plan was not likely to have any significant effect on a European site in terms of air pollution or recreational pressures. Four policies and site allocations that would result in new homes were identified as having uncertain effects on the Aston Rowant SAC due to increased visitor numbers, and uncertain effects on the Aston Rowant and Chiltern Beechwood SACs due to increased traffic and air pollution. Its overall conclusion was that no further appropriate assessment of the Watlington Plan was required.

2.9 Having reviewed the information provided to me as part of the examination I am satisfied that a proportionate process has been undertaken in accordance with the various regulations. None of the statutory consultees have raised any concerns with regard to either neighbourhood plan or to European obligations. In the absence of any evidence to the contrary, I am entirely satisfied that the submitted Plan is compatible with this aspect of European obligations.

2.10 In a similar fashion I am satisfied that the submitted Plan has had regard to the fundamental rights and freedoms guaranteed under the European Convention on Human Rights (ECHR) and that it complies with the Human Rights Act. There is no evidence that has been submitted to me to suggest otherwise. There has been full and adequate opportunity for all interested parties to take part in the preparation of the Plan and to make their comments known. On this basis, I conclude that the submitted Plan does not breach, nor is in any way incompatible with the ECHR.

### *Other examination matters*

2.11 In examining the Plan I am also required to check whether:

- the policies relate to the development and use of land for a designated neighbourhood plan area; and
- the Plan meets the requirements of Section 38B of the Planning and Compulsory Purchase Act 2004 (the Plan must specify the period to which it has effect, must not include provision about development that is excluded development, and must not relate to more than one neighbourhood area); and
- the Plan has been prepared for an area that has been designated under Section 61G of the Localism Act and has been developed and submitted for examination by a qualifying body.

2.12 Having addressed the matters identified in paragraph 2.11 of this report I am satisfied that all of the points have been met subject to the contents of this report. Paragraphs 7.126 and 7.127 in particular recommend the deletion of the references to land in the adjacent Pyrton parish to ensure compliance with the second bullet point above.

### 3 Procedural Matters

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

- the submitted Plan.
- the Basic Conditions Statement.
- the Consultation Statement.
- the Sustainability Appraisal.
- the various appendices to the Plan.
- the representations made to the Plan.
- the Parish Council's responses to my Clarification Note.
- the Watlington Parking Study (VISSIM modelling).
- the Oxfordshire Infrastructure Strategy (OxIS).
- the South Oxfordshire Core Strategy 2012.
- the saved policies of the South Oxfordshire Local Plan 2011.
- the emerging South Oxfordshire Local Plan 2033.
- the report to the SODC Council on the Local Plan 2033 (27 March 2018)
- the National Planning Policy Framework (March 2012).
- Planning Practice Guidance (March 2014 and subsequent updates).
- relevant Ministerial Statements.

3.2 I carried out an unaccompanied visit to the neighbourhood area on 12 January 2018. I looked at its overall character and appearance and at those areas affected by policies in the Plan in particular. My site inspection is covered in more detail in paragraphs 5.11 to 5.18 of this report.

3.3 It is a general rule that neighbourhood plan examinations should be held by written representations only. Having considered all the information before me, including the representations made to the submitted plan, I concluded that the Plan should be examined in a way which included a public hearing. This process allowed an adequate consideration of two related issues – the proposed Watlington bypass and the three proposed housing allocations. The hearing note is included as Appendix 1 to this report.

3.4 I am grateful to all the parties that attended the hearing and contributed to the discussions. It allowed me to get to the heart of the two issues concerned. I am particularly

grateful to SODC for organising the meeting with local residents to determine which of the various persons who had requested a public hearing should represent the others at the hearing. Ms Schafer and Mrs Harris took on this role with significant effectiveness.

3.5 The findings of the hearing are principally captured in my commentary on Policy P2 (the Watlington edge road) and in Sites A/B/C (the housing allocations). For the avoidance of repetition, I have made general comments on the three housing sites in a separate section of this report immediately before Housing Policy: Site A.

## 4 Consultation

### *Consultation Process*

4.1 Policies in made neighbourhood plans become the basis for local planning and development control decisions. As such the regulations require neighbourhood plans to be supported and underpinned by public consultation.

4.2 In accordance with the Neighbourhood Planning (General) Regulations 2012 the Parish Council has prepared a Consultation Statement. This Statement is proportionate to the Plan area and its policies. It is particularly detailed in terms of its recording of the various activities that were held to engage the local community and the feedback from each event. It also provides specific details on the consultation processes that took place on the pre-submission version of the Plan (April to June 2017).

4.3 The Statement sets out details of the comprehensive range of consultation events that were carried out in relation to the various stages of the Plan. Section 1.4 provides details about:

- the establishment of a bespoke website
- the use of leaflets for distribution
- the use of banners and displays to advertise events
- the use of separate traffic and housing surveys
- the organisation of a series of Summer roadshows
- the organisation of meetings with land owners and the development industry
- the arrangement of discussions with neighbouring communities
- the holdings of stalls at the Watlington Christmas Fairs (2014/15/16)

4.4 The Statement also reproduces the parts of leaflets, reports and other information that were used throughout the consultation process. This provides a real sense of interest to the Statement. This is reinforced by the effective use of photographs of the various community events. They add further to the integrity of the consultation process. This reinforces the approach that was adopted by those responsible for the Plan through the application of the consultation principles set out on page 6 of the Statement.

4.5 Section 7.3 of the Statement sets out how the submitted Plan took account of consultation feedback. It does so in a proportionate and effective way. It helps to describe how the Plan has progressed to its submission stage. Earlier elements of the Statement identify how the Plan makers have addressed key elements of commentary on the Plan in general, and on the proposed safeguarding of the bypass route in particular.

4.6 It is clear that consultation has been an important element of the Plan's production. Advice on the neighbourhood planning process has been made available to the community in a positive and direct way by those responsible for the Plan's preparation. The evolution of the Plan has openly and honestly addressed a series of challenges. In doing so it reflects the range and significance of the issues addressed by the Plan.

4.7 From all the evidence provided to me as part of the examination, I can see that the Plan has promoted an inclusive approach to seeking the opinions of all concerned throughout the process. SODC has carried out its own assessment that the consultation process has complied with the requirements of the Regulations.

#### *Representations Received*

4.8 Consultation on the submitted plan was undertaken by the District Council for a six-week period that ended on 28 January 2018. This exercise generated 70 representations from local residents and a range of public and private organisations. I list the relevant organisations below:

- Oxfordshire Clinical Commissioning Group
- Chiltern Society
- Chilterns Conservation Board
- Beechcroft Developments
- Providence Land Limited
- South Oxfordshire District Council
- Sport England
- National Grid
- Thames Water
- Environment Agency
- Gladman Developments
- Cuxham with Easington Parish Council
- Pyrton Manor and The Beechwood Estates Company Limited
- Pyrton Parish Council
- Millgate Homes Limited
- Oxfordshire County Council
- Homes England
- LCP Investments Limited
- Archstone Projects/Bloor Homes
- Historic England
- Natural England

4.9 I have taken account of all these representations as part of the examination of the Plan. Where it is appropriate and relevant to do so I refer specifically to the representation concerned in this report in general terms and to comments made at the hearing in particular.

## 5 The Plan Area and the Development Plan Context

### *The Plan Area*

5.1 The Plan area is the parish of Watlington. The town of Watlington sits astride the B4009 roughly equidistant from Benson (and the A4074) to the west and Aston Rowant (and the M40) to the east. Watlington sits in the north-west corner of the Plan area which is mainly comprised of pleasant rolling countryside. The Plan area to the south and east of Watlington falls within the Chilterns AONB. Its population in 2011 was just over 2727 persons. It was designated as a neighbourhood area on 5 November 2015.

5.2 The Plan area is mainly in agricultural use and sits within a rich landscape and ecological setting. Watlington is a spring line settlement at the foot of the Chiltern Hills. The Chilterns Area of Outstanding Natural Beauty is located to the south and east of the town itself. Part of the neighbourhood area is within the AONB. These important factors have been properly assessed in plan-making and the associated environmental assessments. Watlington is the principal focus of built development. The Plan area also includes the smaller settlements of Christmas Common, Greenfield and Howe Hill and parts of Northend and Pishill.

5.3 Watlington has a traditional nucleated format based on the junction of the B4009 and the B480 (Cuxham-Howe Road). High Street runs to the west of the B4009. It contains the majority of the town's listed buildings and its various retail and commercial outlets. This reflects the town's role as a small market town serving its hamlets and other smaller surrounding rural communities. It displays a wide range of building types and ages that reflect its rich built heritage. The majority of the built-up element of the town is within the Watlington Conservation Area.

### *Development Plan Context*

5.4 The South Oxfordshire Core Strategy was adopted in December 2012. It sets out the basis for future development in the District up to 2027. Most of the policies in the Core Strategy are strategic policies of the development plan (see paragraph 2.5 of this report). The adoption of the Core Strategy partially replaced a number of policies in the South Oxfordshire Local Plan 2011. It is this development plan context against which I am required to examine the submitted Neighbourhood Plan. The following policies are particularly relevant to the Watlington Neighbourhood Plan:

CS1	Presumption in favour of sustainable development
CS S1	The Overall Strategy
CS EM1	Supporting a successful economy
CS H3	Affordable Housing
CS H4	Meeting Housing Needs
CS R1	Housing in Villages
CS R3	Community facilities and rural transport
CS EN1	Landscape
CS EN3	Historic Environment
CS Q3	Design



5.5 Section 4 of the Basic Conditions Statement usefully highlights the key policies in the development plan and how they relate to policies in the submitted Plan. This is good practice. It provides confidence to all concerned that the submitted Plan sits within its local planning policy context.

5.6 Watlington is identified as a Larger Village in the adopted Core Strategy (policy CSR1 and Appendix 4). In larger villages housing allocations and infill developments are acceptable. Any new development is required to protect local character and distinctiveness.

5.7 The emerging Local Plan 2033 (Publication Version) was the subject of its own consultation process from October to November 2017. Once the comments received have been assessed the Plan will be submitted for its own independent examination. SODC is currently addressing the timetable for its submission as set out in paragraphs 5.9 and 5.10 below. At this stage the Publication Version incorporates a review of the adopted Core Strategy and the saved policies of the Local Plan. In process terms the timings involved have not permitted the submitted neighbourhood plan directly to take account of this emerging local planning context. Nevertheless, it is clear that the emerging neighbourhood plan has taken account of the emerging local plan both in terms of its growth and delivery agenda in general terms, and in safeguarding the route for the Watlington bypass in particular (Policy TRANS3 and Appendix 5). In overall terms the fundamental approach of the emerging Local Plan refines the previous approach taken in the Core Strategy by focusing new development in Science Vale, promoting major development at Berinsfield, Chalgrove, Culham and Wheatley and in market towns and larger villages commensurate with their size and capacity. The submitted neighbourhood plan anticipates a need for monitoring and review in its Section 7. The adoption of the emerging Local Plan will be a key milestone in this review process.

5.8 The submitted Plan has been prepared within its wider development plan context. In doing so it has relied on up-to-date information and research that has underpinned existing and emerging planning policy documents in the District. This is good practice and reflects key elements in Planning Practice Guidance on this matter. The Parish Council has taken a key part in the wider public/private sector discussions on the potential contributions that the developers of Chalgrove Airfield and/or Homes England may make towards the delivery of the Watlington bypass in order to provide the necessary traffic capacity for the delivery of that key strategic site. Notes of the various meetings are available on the Parish Council's website and were made available to me at the hearing.

5.9 Following the hearing SODC advised me that a report was being considered on future progress of the Local Plan at its Cabinet meeting on 20 March 2018. That report provided an update that attempts by Homes England to secure agreement with their tenants, Martin Baker, to secure land at Chalgrove Airfield for residential development (as proposed in the emerging Local Plan) had been unsuccessful. The report indicated that Homes England will continue to seek to reach an agreement through commercial negotiations. However, in the event that those discussions are unsuccessful the report advised that Homes England will use its statutory powers including Compulsory Purchase Order powers. The report also comments that 'all parties remain committed to working together to seek to resolve the outstanding concerns in respect of transport infrastructure'.

5.10 The report then set out a series of options that exist for the future progress of the Local Plan. The Cabinet decided to recommend to Council an option (Option 1) which retains Chalgrove Airfield as a strategic housing allocation in the Local Plan and presses ahead with the anticipated programme to submit the Local Plan for independent examination in June 2018. The report indicated that the pursuit of this option would involve a degree of risk in relation to the inspector's views on the acceptability or otherwise of relying on the CPO process to secure the land for the development of a strategic allocation. The recommendation of the Cabinet was not accepted by the Council meeting on 27 March 2018. On this basis the other options set out in the Cabinet report are now being considered in further detail. These options are the removal of the proposed Chalgrove allocation from the Plan and its replacement with one or more sites elsewhere in the District (Option 2) and the retention of the proposed Chalgrove allocation and the inclusion of an additional reserve site or sites as an option in the event that Chalgrove does not come forward in a timely manner or at all. I comment on this update where relevant in this report.

#### *Site Visit*

5.11 I carried out an unaccompanied visit to the Plan area on 12 January 2018. I was fortunate in selecting a dry if rather cold day.

5.12 I drove into the Plan area from the M40 from the east. I looked initially at the north and eastern parts of Watlington. In doing so I saw the Recreation Ground, the Sports Field and the allotments. I walked through the Recreation Ground into Love Lane and up to the Community College and Primary School complex.

5.13 I then drove to the south and east along Hill Road to look at the outlying settlements in the Plan area. The relationship between the town and the Chiltern escarpment became immediately obvious at this point. I took the opportunity to park in the Watlington Hill car park within the Chilterns AONB and walk in the wider area. I was rewarded with some very interesting views. I then continued to Christmas Common, Greenfield and Howe Hill. I then arrived back in Watlington by way of the B480.

5.14 I then looked at the three proposed housing allocations to the north and west of the town. I saw their relationships with the Cuxham Road (B480), Pyrton Lane and the Watlington Industrial Estate. I also looked at their particular relationships with the proposed route for the safeguarded Watlington bypass in the emerging South Oxfordshire Local Plan 2033.

5.15 Whilst I was in this part of the town I took the opportunity to look at the proposed Marlbrook Green and Willow Close local green spaces. I also walked along Pyrton Lane to the easternmost point of proposed housing allocation Site C so that I could see its relationship to the wider landscape and how the proposed route of the bypass would proceed to the east (outside the Plan area). In doing so I saw the playing fields to the north and west of the college/school complex. On my way out there was one bird of prey sitting on the top of the left of the rugby posts. On my way back into the town centre the first bird had been joined by a second on the top of the right post. It was an interesting spectacle in its own right and a very clear reminder of the rural context of the built-up area.

5.16 I then retraced my steps back into the town centre. I looked at the other proposed local green spaces. The Paddock is an absolute delight as a haven of calm and openness right at the heart of a historic town. I then spent some time looking at the range and variety of streets in the historic core of the town based on its conservation area. High Street, Chapel Street and Church Street in their different ways display a fine range of well-maintained vernacular buildings. The combination of plain bricks, multi coloured bricks and painted bricks, timber framed structures together with a combination of tiled and thatched roofing materials give a very pleasant and traditional character to the town. I also saw the range of specialist shops and cafes in and around High Street.

5.17 I then spent some time watching the flow of traffic around the junction of High Street and Hill Road. I saw first-hand several of the matters raised in the Plan about the physical impact of through traffic on the B4009 on the character and appearance of the town centre. In particular I saw the particular issues around the geometry of the junction and the inability of vehicles to pass each other moving in different directions. I finished my visit by walking along the southern part of the B4009 in the town centre (Couching Street). Whilst I saw that the carriageway here was wider I saw the effects of parked vehicles on the flow of traffic. I also saw the impact of traffic flows in Couching Street on the effectiveness of the operation of the junction between the B4009 and B480 opposite The Lilacs.

5.18 I then looked at the proposed West Meadow local green space. I saw the access into this area off Barnacre. I drove out of the Plan area to the west towards Britwell Salome so that I could understand further its setting in its wider landscape.

## 6 The Neighbourhood Plan as a whole

6.1 This section of the report deals with the submitted neighbourhood plan as a whole and the extent to which it meets the basic conditions. The submitted Basic Conditions Statement has helped considerably in the preparation of this section of the report. It is a well-presented, informative and very professional document.

6.2 The Plan needs to meet all the basic conditions to proceed to referendum. This section provides an overview of the extent to which the Plan meets three of the four basic conditions. Paragraphs 2.6 to 2.10 of this report have already addressed the issue of conformity with European Union legislation.

### *National Planning Policies and Guidance*

6.3 The key elements of national policy relating to planning matters are set out in the National Planning Policy Framework (NPPF) issued in March 2012.

6.4 The NPPF sets out a range of core land-use planning principles to underpin both plan-making and decision-taking. The following are of particular relevance to the Watlington Neighbourhood Plan:

- a plan led system– in this case the relationship between the neighbourhood plan and the adopted Core Strategy/saved Local Plan;
- proactively driving and supporting sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places
- recognising the intrinsic character and beauty of the countryside and supporting thriving local communities;
- always seeking to secure high quality design and good standards of amenity for all future occupants of land and buildings; and
- conserving heritage assets in a manner appropriate to their significance

6.5 Neighbourhood plans sit within this wider context both generally, and within the more specific presumption in favour of sustainable development, which is identified as a golden thread running through the planning system. Paragraph 16 of the NPPF indicates that neighbourhoods should both develop plans that support the strategic needs set out in local plans and plan positively to support local development that is outside the strategic elements of the development plan.

6.6 In addition to the NPPF I have also taken account of other elements of national planning policy including Planning Practice Guidance and the recent ministerial statements.

6.7 Having considered all the evidence and representations available as part of the examination I am satisfied that the submitted Plan has had regard to national planning policies and guidance in general terms. It sets out a positive vision for the future of the plan area in promoting new residential development within the context of its historic character and in doing so respecting the route of the safeguarded Watlington bypass. It includes a series of policies that seek to safeguard its special heritage and landscape settings. However, it actively supports proposals for infill development and for employment use. The Basic Conditions Statement maps the policies in the Plan against the appropriate sections of the NPPF.

6.8 At a more practical level the NPPF indicates that plans should provide a clear framework within which decisions on planning applications can be made and that they should give a clear indication of how a decision-maker should react to a development proposal (paragraphs 17 and 154). This was reinforced with the publication of Planning Practice Guidance in March 2014. Its paragraph 41 (41-041-20140306) indicates that policies in neighbourhood plans should be drafted with sufficient clarity so that a decision-maker can apply them consistently and with confidence when determining planning applications. Policies should also be concise, precise and supported by appropriate evidence.

6.9 As submitted the Plan does not fully accord with this range of practical issues. The majority of my recommended modifications in Section 7 relate to matters of clarity and precision. They are designed to ensure that the Plan fully accords with national policy.

#### *Contributing to sustainable development*

6.10 There are clear overlaps between national policy and the contribution that the submitted Plan makes to achieving sustainable development. Sustainable development has three principal dimensions – economic, social and environmental. It is clear to me that the submitted Plan has set out to achieve sustainable development in the neighbourhood area. In the economic dimension the Plan includes policies for infill residential development (P5), for three allocated residential sites, for business use (P7) and for transport-related proposals (P2). In the social role, it includes a policy on Watlington as a service centre (P6). It also requires the delivery of affordable housing on each of the three allocated housing sites. In the environmental dimension the Plan positively seeks to protect its natural, built and historic environment. It has specific policies on the built environment (P1), on the natural environment and wildlife (P3), and on local green spaces (P4). This assessment overlaps with the Parish Council's assessment in section 3 of the submitted Basic Conditions Statement.

#### *General conformity with the strategic policies in the development plan*

6.11 I have already commented in detail on the development plan context in the wider South Oxfordshire District area in paragraphs 5.4 to 5.8 of this report.

6.12 I consider that the submitted Plan delivers a local dimension to this strategic context and supplements the detail already included in the adopted Core Strategy. Section 4 of the Basic Conditions Statement helpfully relates the Plan's policies to policies in the Core Strategy/saved Local Plan. I am satisfied that the submitted Plan is in general conformity with the strategic policies in the development plan.

## 7 The Neighbourhood Plan policies

7.1 This section of the report comments on the policies in the Plan. In particular, it makes a series of recommended modifications to ensure that the various policies have the necessary precision to meet the basic conditions.

7.2 My recommendations focus on the policies themselves given that the basic conditions relate primarily to this aspect of neighbourhood plans. In some cases, I have also recommended changes to the associated supporting text.

7.3 I am satisfied that the content and the form of the Plan is fit for purpose. It is distinctive and proportionate to the Plan area. The wider community and the Parish Council have spent time and energy in identifying the issues and objectives that they wish to be included in their Plan. In particular it includes a co-ordinated approach to achieve planned housing growth in the context of the route proposed to be safeguarded for a Watlington bypass in the emerging Local Plan. This sits at the heart of the localism agenda.

7.4 The Plan has been designed to reflect Planning Practice Guidance (41-004-20170728) which indicates that neighbourhood plans must address the development and use of land.

7.5 I have addressed the policies in the order that they appear in the submitted plan. Its proposals are addressed after the policies.

7.6 For clarity this section of the report comments on all policies whether or not I have recommended modifications in order to ensure that the Plan meets the basic conditions.

7.7 Where modifications are recommended to policies they are highlighted in bold print. Any associated or free-standing changes to the text of the Plan are set out in italic print.

### *The initial sections of the Plan (Sections 1-4)*

7.8 The presentation of the Plan as a whole has been prepared to a high standard. It is well-organised and includes effective maps and photographs that give real depth and purpose to the Plan. It makes an appropriate distinction between the policies and their supporting text. It also ensures that the vision and the objectives for the Plan set the scene for the various policies. Its design will ensure that it will comfortably be able to take its place as part of the development plan in the event that it is eventually 'made'. The initial elements of the Plan set the scene for the policies. They are proportionate to the Plan area and the subsequent policies.

7.9 Section 1 provides a very clear context to the Plan. It describes the neighbourhood plan process. This is then skilfully grafted onto the local planning context. It introduces the concept of sustainable development and summarises the issues addressed in the Plan.

7.10 Section 2 helpfully sets out a range of demographic and employment information about the Plan area. It provides a useful reference point for various policies later in the Plan.

7.11 Section 3 sets out the community engagement and consultation exercises that were used as part of the plan-making process.

7.12 Section 4 sets out the Vision and Objectives for the Plan. It includes six core objectives.

7.13 The policies are then set out in sections 5 and 6. The remainder of this section of the report addresses each policy in turn in the context set out in paragraphs 7.5 to 7.7 of this report.

Policy P1: Protect and Enhance the Character of Watlington and the setting of the Town.

7.14 This policy is intended to have general applicability throughout the Plan area. It sets out to protect and enhance the character of Watlington and the historic setting of the town. It includes a series of factors including its heritage assets, the relationship of proposed development to its existing form and demonstrating high standards of design and distinctiveness.

7.15 The policy has attracted a series of generally positive representations from public bodies. These comments largely relate to the comprehensive nature of the policy itself. In particular Historic England welcome and support the policy. It specifically comments that the fifth criterion has regard to paragraph 58 of the NPPF which, amongst other things, requires that neighbourhood plans should develop robust and comprehensive policies for the quality of new development which are based on an understanding and evaluation of its defining characteristics.

7.16 I recommend a series of modifications to bring the clarity required by the NPPF. They largely mirror the helpful suggestions made by SODC in its representations on the Plan. I recommend that the initial element of the policy is modified so that it relates to other Plan and development plan policies. Otherwise it could have unintended consequences. I also recommend that its initial element is modified to acknowledge that not all developments would be able to meet all the criteria in the policy.

**Replace the opening part of the policy with:**

**Proposals for new development which are in accordance with other policies in this Plan and the development plan will be supported, as appropriate to the particular site, where they comply with the following criteria:**

**In criterion (a) replace ‘makes a positive contribution to’ with ‘respects’.**

**In criterion (b) replace ‘sustains and enhances’ with ‘should sustain and where possible enhance’.**

**Replace criterion c) with:**

**‘New development relates well to the established character of the street scene and street pattern of the town (W NDP 9 Photographs)’**

Policy P2: Transport



7.17 This policy has several important elements. Its principal component is that new development allocations should safeguard the route identified for the Watlington bypass in the emerging Local Plan. I address this matter later in this section of the report.

7.18 Its other elements refer to traffic capacity, air pollution and proposals for new car parking areas. I address these matters in turn.

7.19 The second element of the policy indicates that developments which have a significant impact on the traffic network will be refused permission. Plainly the development management process may achieve that outcome on a day-to-day basis. However, in policy terms the approach in the Plan is negatively rather than positively-prepared. I recommend a modification to address this issue.

7.20 The third element of the policy addresses air quality issues. It is distinctive to the neighbourhood area and appropriate to its circumstances. Subject to a technical modification to ensure that the policy has the necessary clarity to sit within the development plan it meets the basic conditions.

7.21 As submitted the fourth part of the policy is neither a policy nor is it land use based. It simply indicates that traffic management strategies to enhance the town centre will be detailed in the Watlington Traffic Management Plan. In its response to my Clarification Note the Parish Council asked if a modified version of this part of the policy could be maintained in the Plan. On balance I agree that this should be the case. I recommend that the SODC suggested modification to this policy is applied. It helpfully connects the broader traffic initiatives to potential mitigation measures that may be required on the basis of the second component of the policy.

7.22 The fifth part of the policy offers support for new public car parks in the town. It has attracted an objection from the County Council on the basis of a lack of evidence. It also contends that this approach has the potential to increase car use and that it may have negative impacts on issues such as air quality.

7.23 Having considered all the information on this aspect of the policy and having looked at the town in detail both on 12 January and 5 March I am satisfied that, with modifications, it meets the basic conditions. There are already pressures for off-street parking in the town. The hearing on 5 March stretched existing facilities. This is likely to be intensified with the development of the new housing allocations proposed in the Plan and the measures to enhance its role as a service centre (Policy P6). In any event any new car parks will sit within the wider context of sustainable transport measures identified in the Watlington Traffic Management Plan.

7.24 I recommend modifications to the language in the policy, to take account of its heritage assets and to delete supporting text from the policy.

7.25 A key element of the Plan is the linkages that it makes between the safeguarding of a proposed Watlington bypass with the allocation of three sites for residential development. This section of the report has a focus on the former. Paragraphs 7.80 to 7.110 have a focus on the latter. At the hearing the Parish Council and the County Council suggested that I



apply a common description to this important proposal. In the submitted Plan it is referred to as 'a route for a realigned B4009'. In the emerging Local Plan, it is referred to as the Watlington bypass'. I am content to use the suggested title 'the Watlington edge road' and recommend accordingly. Plainly it is beyond my remit to change the language used in the emerging Local Plan.

7.26 The first part of this policy requires that proposals for the development of allocated sites to the north and west of the town (Sites A/B/C) should identify land for a safeguarded edge road. An indicative route is set out in Figure11 (not figure 9 as indicated in the policy).

7.27 The supporting text to the policy indicates that traffic issues dominated residents' concerns about the town as the Plan was prepared. The neighbourhood plan is expected to achieve an improved situation. It goes on to highlight the linkages that it makes between the safeguarding of a proposed Watlington bypass (in the emerging Local Plan) with the allocation of three sites for residential development. It also comments that this approach is in line with provision for infrastructure in the emerging South Oxfordshire Local Plan 2033. In effect the approach in the submitted Plan is to follow and consolidate the emerging strategic approach at a local level.

7.28 The wider issue was considered at the hearing. Whilst there were a range of comments made the following factual information was central to the debate:

#### Status of the edge road:

- It is proposed as a safeguarded route in the emerging South Oxfordshire Local Plan (Policy TRANS3);
- It is not included in the Local Transport Plan and is not being directly proposed by the County Council;
- It is included in the Oxfordshire Infrastructure Strategy produced by the Oxfordshire Growth Board. It is featured in Corridor 9 – M40 Corridor Eastern; and
- Detailed discussions are taking place between the landowners, SODC, the County Council, the Parish Council and Homes England to agree and achieve its funding and delivery arrangements.

#### Local Conditions in Watlington:

- Approximately 9400 vehicles pass through Watlington on a daily basis;
- At peak times approximately 80% of traffic movements are journeys which both began and end outside the town;
- The geometry of the highway network in the heart of the town is substandard and reflects its historic nature;
- On street parking in Shirburn Road and Couching Street restricts the two-way flow of traffic along the B4009 axis; and
- There is a recognised air quality issue in the town. It is one of three Air Quality Management Areas in the District.

7.29 There were a range of views expressed on this matter. The first is the evidence that underpinned this policy in the Plan. The second is whether, in combination with the three proposed allocations, it would represent sustainable development. The third is the deliverability of the proposed edge road. I will summarise these issues in the following sections of this report.

7.30 The evidence for the proposed safeguarded Watlington edge road largely relates to strategic transport modelling. This work undertaken by SODC has been based on the emerging proposals for new homes in the wider area, including at Chalgrove, and those for Watlington itself. The potential wider increase in traffic levels on the B480 and the B4009 have generated a strategic need for bypasses for Watlington and other similar settlements along the B4009.

7.31 The County Council supports the principle of a Watlington edge road and comment about its concerns about the ability of the town centre to accommodate additional traffic. Nevertheless, it was anxious to ensure a degree of certainty about the delivery of the proposals. The AECOM Watlington Parking Study (VISSIM Modelling Study) was submitted for consideration at the hearing. It assessed journey time results and queue length results based on surveys carried out during peak periods on 26 May 2015. Three junctions were included in the model: B4009/Cuxham Road; B480/Couching Street and B4009/High Street/Hill Road. It looked at a series of growth and mitigation studies ranging from a Base Do Nothing scenario to a 2033 Chalgrove plus edge road scenario. Amongst other things it concluded that the provision of an edge road, even with the addition of Chalgrove Airfield traffic in 2033, would result in less delay, shorter queues and improved journey times compared to the existing situation in 2016. An edge road would provide significant traffic congestion and air quality benefits.

7.32 The potential developers of Sites A/B/C took an approach which respected and understood the evidence and information presented by the two principal councils. Local residents commented that traffic management is a key issue for the town and that a survey of residents supports the need for an edge road. Concern was however expressed over the potential impact of such a road and its precise location.

7.33 Pyrton Parish Council took a different view. Whilst it understood the approach adopted in the submitted Plan it commented that there was a risk that the town's expansion along an edge road may simply displace the traffic problems and issues. Its intended remedy to the town's traffic problems was to remove the existing on-street car parking. It also contended that a neighbourhood plan was not an appropriate mechanism to address a strategic issue of this magnitude.

7.34 This approach was consolidated by Pyrton Manor and Beechwood Estates. The two organisations contended that the proposal needed more detailed interrogation. In any event it suggested that the matter should be considered and assessed at the forthcoming Local Plan inquiry.

7.35 On the basis of the representations made to the Plan and the discussions at the hearing I am satisfied that there is sufficient robust evidence to support the merits and purpose of a proposed edge road. The submitted Plan seeks to follow the approach taken in

the emerging Local Plan. In doing so it provides an imaginative series of housing policies that would both safeguard the route and potentially assist in the delivery of the proposed edge road.

7.36 In addition it is clear that the proposed road is being actively managed by a combination of public and private bodies. This process provides a degree of reassurance that a viable delivery package is capable of being agreed. In any event the planning application for Site A indicates that significant parts of the safeguarded edge road within that site would be directly delivered by the residential development. This may be replicated on Sites B and C.

7.37 As SODC commented at the hearing a neighbourhood plan can proceed in advance of an emerging Local Plan. The approach adopted takes account of Planning Practice Guidance (ID:41-044-20160519). In particular the Parish Council has worked with SODC to discuss and aim to agree the relationship between policies in the emerging neighbourhood plan, the emerging local plan and the adopted local plan.

7.38 The issue about the extent to which the proposed edge road and the three housing sites represented sustainable development generated similar discussions. SODC and the Parish Council identified how the submitted Plan had taken account of the need to deliver strategic growth in a sensitive natural and built environment. It was asserted that the levels of growth were proportionate to the size and character of the town and were proposed to be delivered with the least impact on the Chilterns AONB. In particular SODC commented that the levels of growth proposed in Watlington related to the strategy in both the adopted and the emerging development plans and that the proposed edge road will deliver growth proposed in the emerging Local Plan. The County Council supported the principle both of an edge road and new housing.

7.39 Local residents expressed a degree of reservation about the linkages between the proposed number of houses and the edge road. It was suggested that this may explain why there had been limited public challenge to the overall level of housing growth. Concern was also expressed about the sustainability of the number of new houses proposed.

7.40 Pyrton Manor and Beechwood Estates took a different view. It argued that the proposed road would need to go through Pyrton parish and that it had the ability to affect either listed buildings or their settings in a detrimental way.

7.41 On the basis of all the information I am satisfied that the package of housing sites and an edge road represents sustainable development. It will deliver the economic dimension of sustainable development by delivering new homes. It also has the potential to add to wider initiatives to enhance the town's role as a service centre by making it a more pleasant and relaxed place once the levels of through traffic have been reduced. It will also deliver the social dimension of sustainable development. The delivery of an edge road will address the principal concern expressed by residents as the Plan has been developed and will help to improve accessibility within and enjoyment of its historic core. In the environmental dimension it has the clear ability to safeguard and enhance the historic core of the town and reduce the harm to listed buildings by passing traffic. There are likely to be associated improvements in air quality.

7.42 The points raised by Pyrton Manor/Beechwood Estates are important considerations. I have recommended that they are addressed in the criteria in the various policies for the housing allocation in general, and for Site C in particular.

7.43 The deliverability of a Watlington edge road was a key issue that was discussed at the hearing. Plainly it is a complex issue in its own right. It is more complex given that the eastern part of a bypass route to the B4009 falls outside the neighbourhood area (in Pyrton parish). This broader issue is being considered by SODC, the County Council and the various landowners concerned. It does not fall within the remit of this examination. On that basis I confine my comments to the sections of the proposed route within the neighbourhood area.

7.44 At the hearing SODC helpfully set out how it considered that the road would be delivered. At its core are the provision of land and funding from the implementation of housing site allocations A/B/C. It identified that discussions are taking place with Homes England in relation to securing proportionate contributions towards the delivery of the Watlington edge road from the residential development of Chalgrove Airfield. It also highlighted its consideration of other funding opportunities including the Housing Infrastructure Fund. I was also advised that the road was included in the Oxfordshire Infrastructure Strategy.

7.45 The potential developers of sites A/B/C in the Plan confirmed their willingness either to provide land and/or to safeguard land for the delivery of the road as part of the development of the three sites concerned. Indicative site layouts shown as part of the outline planning application for the development of Site A (P17/3231/0) show the delivery of part of the route to serve proposed houses and safeguarding of land to deliver the other section of the road within that site.

7.46 The County Council identified that the delivery of the edge road was its main concern about the submitted Plan. It considered that each of the three sites should deliver its own section of the road. It also explained its concerns about the delivery of the safeguarded section of the route to the east of the neighbourhood area (in Pyrton Parish). It expressed its views about the risks associated with the agreement of a funding package in general, and the potential funding from Homes England in relation to the proposed residential development at Chalgrove in particular.

7.47 Pyrton Manor/Beechwood Estates commented on this matter in its hearing note. The two organisations advised that the proposal is not identified in the Local Transport Plan and that specific agreements on funding mechanisms have yet to be disclosed. They also contended that the amount of land necessary for a road remains uncertain, as was any decision on whether compulsory purchase powers would be needed or would be used if so. The relationship of a funding and delivery package to the potential residential development at Chalgrove Airfield was also highlighted. With Pyrton Parish Council, the two organisations also drew to my attention that part of the wider route of the road in Pyrton Parish was identified as a local gap (PYR/2) in the emerging neighbourhood plan for that parish.

7.48 Having considered all the information on this matter I am satisfied that with modifications that the first part of Policy P2 meets the basic conditions. The proposed safeguarding of land within Sites A/B/C is based on evidence of its need. At the same time the balance of the information available to me as part of the examination is that its delivery is actively being considered and planned by a comprehensive package of national and local public bodies, landowners and proposed housing developers.

7.49 In reaching this decision I have taken account of the recent debate on the submission of the emerging Local Plan in general, and progress on the intended strategic delivery of residential development at Chalgrove Airfield in particular (paragraphs 5.9/5.10 of this report). Plainly the lack of any commercial agreement between Homes England and its tenant at Chalgrove will have come as a disappointment to the various public bodies. Nevertheless, commercial discussions of the type set out in the SODC report to its Cabinet/Council are not unusual on such complex projects. The current considerations on the timetable for the submission of the Local Plan and its inclusion or otherwise of the proposed strategic allocation at Chalgrove has introduced a further degree of potential uncertainty for the delivery of the Watlington edge road. However, for the purposes of this examination I have addressed the potential risks around the delivery of the package in the emerging Local Plan (upon which the Parish Council has relied in the preparation of this Plan) in my recommended modifications to the review and monitoring of the Plan later in this report (paragraphs 7.132 to 7.134).

7.50 I am also satisfied that the requirement of the policy for the three allocated housing sites to safeguard land for an edge road rather than for its delivery meets the basic conditions. Any potential requirement for the developers directly to provide the sections of the road within their respective sites would not be directly based on evidence. It would also potentially conflict with the outcome of the wider discussions that are taking place between public and private bodies. In any event as the indicative drawings in relation to Site A indicate, it may well be the case that parts of the route are directly delivered as part of housing development on the three sites.

7.51 I comment later in this report in respect of Housing Policies A/B/C about the potential requirement of traffic mitigation measures in relation to each of the three sites in the event that they proceed before an effective Watlington edge road is available and open to traffic.

7.52 I recommend modifications to the first part of the policy so that it has the clarity required by the NPPF. I have sought to ensure that there is consistency on this matter with the criteria in Housing Policies A/B/C.

**In the first part of the policy replace ‘will be.... route’ with ‘should provide land to safeguard a route’.**

**Replace the second part of the policy with:**

**‘Proposals for development should demonstrate how the additional traffic generated can be accommodated in a satisfactory way in the highway network. Development which has a severe impact on the transport network will not be supported unless it can be demonstrated that improvements within the network can be undertaken to limit those impacts’.**

In the third part of the policy replace ‘are expected to’ with ‘should’.

Replace the fourth part of the policy with:

**‘When considering mitigation measures arising from new developments in the neighbourhood area consideration should be given to proposals for the town centre contained in this Plan in general, and the most up to date version of the Watlington Traffic Management Plan in particular’.**

Replace the fifth part of the policy with:

**‘Proposals for new or extended public parking facilities within or adjoining the built form of the town will be supported where they are of a scale that respects the historic street pattern in the town and safeguard heritage assets in the immediate locality of the site’.**

Policy P3: Conserve and Enhance the Natural Environment

7.53 This policy has several important elements. Its principal component is that new development should safeguard the natural environment. It also has a specific focus on flood risk and the protection of ponds, water courses and streams. Its other elements refer to views of and from the Chilterns AONB and biodiversity. It has attracted support from both the Chilterns Conservation Board and the Environment Agency.

7.54 I recommend that the initial element of the policy is modified so that it relates to other Plan and development plan policies. Otherwise it could have unintended consequences. I also recommend that this initial element is modified to acknowledge that not all developments would be able to meet all its various criteria. Finally, I recommend the deletion of supporting text from the fifth criterion both in its own right and as it is already addressed in the supporting text.

Replace the opening part of the policy with:

**‘Proposals for new development which are in accordance with other policies in this Plan and the development plan will be supported, as appropriate to the particular site, where they comply with the following criteria:**

**In criterion (e) delete ‘in order to.... Watlington’**

Policy P4: Green Spaces

7.55 This policy has two separate but related parts. The first requires new open space to be provided on developments of ten or more houses. The second part proposes the designation of a series of local green spaces (LGS).

7.56 I recommend the deletion of the first part of the policy for three reasons. The first is that it offers no guidance on the amount of green space to be provided on sites of 10 or more houses. The second is that the matter is already addressed in SODC local policies and in relation to sites A, B and C in the submitted Plan. The third is that the proposed



designation of these future parcels of green space as LGS seeks to anticipate future policy. As I comment in relation to the second part of the policy LGSs can only be designated where they already exist and meet the NPPF criteria.

7.57 In relation to the second part of the policy I looked at the range of LGSs as part of my visit to the Plan area. The various sites are very well-detailed in one of the Plan appendices (W NDP10). I found this information very helpful in general. The way in which it assessed each site against the criteria set out in paragraph 77 of the NPPF was particularly thorough and effective. The maps of different scales for each proposed LGS was very helpful in identifying the location of the green spaces within the town and then their detailed boundaries. This is a useful template for other neighbourhood plan groups to follow.

7.58 National policy identifies that any proposed LGS has to meet all the three criteria set out in paragraph 77 of the NPPF. Having looked at the various sites I am satisfied that they are all within close proximity to the community that they serve. I am also satisfied that they are all local in scale and are not extensive tracts of land. W NDP 10 helpfully identifies the respective sizes of the sites concerned.

7.59 W NDP 10 provides compelling evidence for the various sites in relation to how they are demonstrably special to the local community. With the exception of Willow Close Green, I am satisfied that they meet this criterion. However, in the case of Willow Close Green the information is far less compelling. As W NDP10 comments the parcel of land concerned is a small strip of grassland running to the rear of houses in Willow Close. I saw no activity in the area when I visited the Plan area. Paragraph 77 of the NPPF comments that 'LGS designation will not be appropriate for most green areas or open space'. In this context I do not consider that this proposed site meets the tests in national policy.

7.60 W NDP10 comments that its value to the community is its potential to provide access linking Marlbrook to the new housing sites proposed in the Plan. I saw that there was already a degree of informal access through the fence at the northern end of the strip of land into the adjoining agricultural land. Plainly there will be opportunities to pursue this ambition in the future. However, I am obliged to assess the proposed designation of a LGS based on its current characteristics and uses rather than what may be the case in the future. In the event that the Plan is 'made' and the area is redesigned to provide the proposed access arrangements it could be identified as a LGS at that point within any review of a 'made' neighbourhood plan. The hearing clarified that the parcel of land had no status as a safeguarded potential route for a future Watlington edge road. This had been suggested by several local residents in their representations.

7.61 I recommend modifications to the second part of the policy. As submitted it designates LGSs but fails to apply the policy approach as established in paragraph 78 of the NPPF. I recommend accordingly. For clarity I also recommend that the proposed LGSs are listed as bullet points in the policy rather than as an extension of the policy itself.

**Delete the first part of the policy (including the initial wording)**

**Delete 'In addition'**

**Replace the second part of the policy to read:**

**The following green spaces are designated as Local Green Spaces:**

**[List the green spaces as submitted in WNDP10 (with the exception of Willow Close Green) as bullet points]**

**New development will not be supported on land designated as Local Green Space except in very special circumstances.**

### **Delete Willow Close Green from Appendix A of WNDP 10**

Policy P5: New Housing Development

7.62 This policy sets out the Plan's approach to the delivery of new housing in the Plan area. It anticipates delivering in the order of 238 houses to ensure conformity with the approach taken in the emerging Local Plan. In addition to proposed development on the three allocated sites the policy sets out an approach that would support suitably located and designed smaller sites (up to a maximum of five units). A series of criteria are set out to assist in this process and to provide a benchmark for the development industry.

7.63 The policy is an important component of the Plan. It establishes a sustainable pattern of development. It also addresses the need for the neighbourhood area to deliver strategic growth in the period covered by the emerging Local Plan. In particular it responds positively to paragraph 47 of the NPPF by identifying the different ways in which the neighbourhood area can contribute towards boosting significantly the supply of housing.

7.64 The policy has attracted a variety of representations from both public bodies and the development industry. In many respects these representations stem from the complicated nature of the policy itself. As submitted it is not clear which of the various criteria would apply to the different types of proposed development which may arise in the Plan period. The matter is particularly sensitive given that the policy refers to the three site allocations on the one hand and then sets out a series of criteria which do not necessarily overlap with the three sets of criteria in the body of the policies for the three sites concerned.

7.65 Other elements of the policy fail to take account of the need for the Plan to protect and enhance the Chilterns AONB. This point is raised both by SODC and the Chilterns Conservation Board. The latter correctly points out that criterion (b) of the policy would directly support new residential development in sensitive parts of the neighbourhood area (Christmas Common, Greenfield and Howe Hill).

7.66 I recommend modifications to the policy both in general terms and to its structure in particular. In terms of the latter the recommended modification makes a clear distinction between the three allocated sites and other sites which may potentially come forward. In relation to the three allocated sites I draw particular attention to the three component policies. I also recommend that criterion (d) is incorporated into the supporting text as specific examples of new development to meet identified housing needs. The effect of the modified policy would be to provide three separate categories: development on the allocated sites, development in the built-up area and development elsewhere in the Plan area.

**Replace the policy with the following:**



**New residential development in Watlington will be concentrated in the three proposed housing allocations (Housing Policies Site A, Site B and Site C). The development of these sites should comply with the criteria set out in the three component policies.**

**Other proposals for residential development within the built-up area of Watlington which reflect the scale and character of the neighbourhood area will be supported where they accord with other policies in this Plan and in the development plan. Where appropriate development proposals should demonstrate how they meet the following criteria:**

- **they deliver a well-balanced mix of housing types, including needs identified in the most recent Watlington Housing Study;**
- **they deliver affordable housing to development plan standards;**
- **they provide connectivity for pedestrians and cyclists to local facilities and services; and**
- **they include measures to provide resilience to the effects of climate change**

**Proposals for new residential development elsewhere in the neighbourhood area will only be supported if they are appropriate for a countryside location and are otherwise consistent with other policies in this Plan and in the development plan.**

*At the start of the supporting text add:*

*'Policy P5 sets out the Plan's approach to the delivery of new housing development. It identifies three separate categories – development on the allocated sites, development in the built-up area and development elsewhere in the Plan area.'*

*At the end of the third paragraph of supporting text add:*

*'In seeking to bring forward a balanced range of housing types developers are encouraged to provide houses for older households seeking to downsize, for growing families, self-builders, for those who work from home and those with physical and sensory disabilities.'*

*Delete the fourth paragraph of the supporting text. Replace it with:*

*'The third part of the policy adopts a more restrictive approach to residential development away from Watlington and the three allocated sites. This approach has regard to national and local planning policies. It also takes account of the position of Howe Hill, Greenfield and Christmas Common in the AONB. Any proposals which may come forward would be assessed against national and local planning policies.'*

**Policy P6: Enhance Watlington as a Service Centre**

**7.67** This policy is an enabling policy to support the role of Watlington as a service centre. It sets out a range of initiatives that would be supported to achieve this ambition.

**7.68** The policy sensitively captures the significance of the town within its rural hinterland. The supporting text identifies that the town's role as a service centre is wide and varied. In retail and commercial terms, it serves a combined population of around 5000 persons within

a 5km radius. This is reflected in the supporting comments of Cuxham with Easington Parish Council on this policy. In addition, it is a popular centre with tourists and walkers and cyclists.

7.69 The overall thrust of the policy is entirely appropriate. It has regard to national policy.

In order to ensure that the policy has the clarity required by the NPPF I recommend three modifications. The first identifies that the proposals which would be supported are those which would enhance Watlington's role as a service centre. As submitted the policy would loosely offer support for any proposal which could argue that it met any of the five types of outcomes identified in the policy. The second clarifies that any development proposal would not have to meet all the five identified outcomes to secure support. In many cases this would either be impractical or excessively onerous.

7.70 The third recommended modification is more fundamental. It draws a distinction between supporting the development of new retail and community uses in the body of the existing policy and an additional component of the policy which would safeguard existing retail and community uses. Plainly the development of new such uses would be welcomed and supported by the Plan. On the other hand, the loss of existing facilities has the potential to have a disproportionately negative impact on the vitality of the town as a service centre. I recommend accordingly.

7.71 The adoption of this approach relies on the information collected as part of the preparation of the Plan itself. Maps 7 and 11 respectively identify Key Places (community facilities) and retail premises (Class A1 and A3).

**Replace the opening part of the policy with:**

**'Proposals that would enhance the role as a service centre by any or all of the following initiatives will be supported:'**

**Replace (b) with 'Result in the opening of new retail facilities in High Street, Shirburn Street and Couching Street'.**

**Replace (c) with 'Result in the opening of new community facilities or the extension of existing community facilities'.**

**At the end of a/b/c/d add '; and/or'**

**Add a second part of the policy to read:**

**'Proposals that would result in the loss of an existing retail facility as shown on Map 11 or in the loss of an existing Key Place as shown on Map 7 will not be supported unless:**

- **it would lead to the significant improvement of an existing facility or the replacement of an existing facility equally convenient to the local community it serves and with equivalent or improved services; or**
- **it has been determined that the community facility concerned is no longer needed; or**
- **in the case of commercial services, it is no longer economically viable.'**

*At the end of the second paragraph of supporting text add:*

*'The first part of Policy P6 supports a range of potential proposals that would enhance the town's role as a service centre. The policy's structure acknowledges that most such proposals will not be able to deliver the full range of initiatives as set out in that part of the policy. Its second part sets out to safeguard existing retail, commercial and community facilities'.*

#### Policy P7: Employment

7.72 This policy sets out support for new employment initiatives that would be appropriate to the scale and character of the town. Specific support is offered for small scale workshops and initiatives related to local farmers and the food industry. The thrust of the policy has regard to national policy. It also reflects the service centre role of the town as highlighted in the previous policy.

7.73 I sought clarification from the Parish Council on the applicability of its three components. In particular it would be impractical for any proposal to satisfy all three of the components of the policy. The Parish Council confirmed that this was not its intention. I recommend modifications accordingly to bring the clarity to the policy as required by the NPPF. I also recommend detailed modifications to the second and third criteria so that they are more related to the part of the neighbourhood area in which any planning application is submitted. Finally, I correct a spelling mistake in the policy.

#### **Replace 'Opportunites' with 'Opportunities'**

#### **Insert '; or' at the end of criteria (a) and (b)**

**In (a) replace 'Watlington...W NDP area' with 'the immediate locality'**

**In (b) replace 'location...W NDP area' with 'immediate locality'**

#### Policy P8: Physical and Social Infrastructure

7.74 This is a general policy which offers support for a wide range of infrastructure projects. The overall thrust of the policy is appropriate. It has regard to national policy. In order to ensure that the policy has the clarity required by the NPPF I recommend four modifications. The first identifies that the proposals which would be supported are those which would enhance physical and social infrastructure in Watlington. As submitted the policy would loosely offer support for any proposal which could argue that it met any of the ten types of infrastructure identified in the policy. The second clarifies that any development proposal would not have to meet all the five identified outcomes to secure support. In many cases this would either be impractical or excessively onerous.

7.75 The third modification relates to the future expansion of schools in the neighbourhood area. I recommend the modification proposed by the County Council as the education authority in its representation to the Plan.

7.76 The fourth modification includes a further element into the policy to provide support for the development of water supply and waste water treatment infrastructure as recommended by the Environment Agency. It reflects the potential investment plans by Thames Water. The inclusion of an additional element into the policy would have regard to paragraphs 156 and 162 of the NPPF. It would also take account of the scale of new housing growth proposed in the Plan.

**Replace the opening part of the policy with:**

**‘Proposals that would enhance the role as a service centre by any or all of the following initiatives will be supported:’**

**At the end of (a) to (j) add ‘; and/or’**

**In (c) delete ‘to safeguard’**

**Add:**

**(k) The supply of water in the neighbourhood area and the development of waste water treatment infrastructure**

Policy P9: Proposals for the use of the Community Infrastructure Levy (CIL)

7.77 This policy sets out a series of general comments about the approach intended to be adopted with regard to the Community Infrastructure Levy. It indicates that the Parish Council will work with a series of partners and SODC to deliver infrastructure in the Plan area.

7.78 The Parish Council helpfully commented on my Clarification Note on certain elements of the policy. In particular it identified that the proposals identified in the supporting text had been identified through the production of the Plan but had not yet be put into priority order. I recommend a modification to the supporting text based on the Parish Council’s comments to bring the clarity required by the NPPF.

7.79 Whilst I can understand the purpose of the approach taken I am not convinced that the policy is a land use-based policy. On this basis I recommend that it is deleted as a policy. However, given the significance of the wider issue to the local community I recommend that it is reintroduced into the Plan as a non-land use ‘community action’ in a separate part of the document. In doing so I also recommend the deletion of the second and third parts of the original policy from the replacement community action as they are more process issues. Nevertheless, they serve a useful purpose and, on this basis, I recommend that they are repositioned into the supporting text of the community action. I also recommend the addition of a new sentence in the supporting text to bring absolute clarity that the approach adopted is referring only to the Parish Council’s use of the local element of any CIL funding generated in the neighbourhood area in the event that the Plan is ‘made’.

**Delete the policy**

*Delete the associated supporting text*

*Reproduce the deleted policy and its supporting text as a Community Action in a separate part of the Plan. In doing so:*

*Delete the second (b) and the third (c) parts of the submitted policy.*

*Delete the '(a)' before the (retained) first part of the submitted policy.*

*Replace the opening part of the supporting text with:*

*'The following infrastructure projects have been identified during the production of the Plan. They will be prioritised as CIL funding becomes available.'*

*At the end of the supporting text add the following:*

*'In working through the various projects and coming to decisions on their relative priority and delivery, the Parish Council will work with partner organisations to identify their various costs. It will also have regard to the SODC Infrastructure Delivery Plan. This Community Action refers specifically to the Parish Council's use of the local element of any CIL funding generated in the neighbourhood area.'*

### General Housing

7.80 This section addresses a general series of matters in relation to the three proposed housing allocations in the Plan. They were one of the two issues addressed at the hearing on 5 March 2018. This section of the report provides general commentary on the extent to which the package of housing sites meets the basic conditions. Thereafter specific sections address the three sites in turn and recommend any modifications that are required to ensure that they meet the basic conditions.

7.81 The Plan's approach to new housing development has attracted a series of conflicting comments. The Parish Council and some local residents argue that it is a positive and necessary way in which the town can meet its strategic housing requirements in the period up to 2033. Other local residents argue that the scale of proposed development is disproportionate to the size of the town. In this context it is contended that the character of the town will change in a detrimental way and that the local highway network will be incapable of coping with the additional traffic. Particular concerns are expressed about the potential for increased traffic along Pyrton Lane with associated safety risks. Other organisations contend that the package of housing growth and its association with the proposed Watlington edge road are not supported with sufficient evidence and should be delayed until the emerging Local Plan has been examined.

7.82 Plainly the submitted Plan has taken a far-reaching approach to the future of the town in the Plan period. In this context it has adopted the approach set out in Planning Practice Guidance (ID:41-044-20160519) that neighbourhood plans should plan positively to support local development and should not promote less development than set out in the Local Plan or undermine its strategic policies. In this context the submitted Plan has tackled a range of key issues in a robust and innovative way. As I have already mentioned in the overarching context of Policy P5, it responds positively to paragraph 47 of the NPPF by identifying the different ways in which the neighbourhood area can contribute towards boosting significantly the supply of housing.

7.83 At the same time the Parish Council has applied a sophisticated degree of analysis in its selection of housing sites. Its submitted Sustainability Appraisal (incorporating strategic environmental assessment) provides a robust assessment of the environmental baseline in the neighbourhood area. This includes a proportionate assessment of the impact of new development on the Chilterns AONB, the Watlington Air Quality Management Area, the conservation area and listed buildings and a wider range of ecological and biodiversity issues. The associated site selection process is both rational and compelling.

7.84 Some representations have commented that the close association between the selection of housing sites and the safeguarded route of the proposed Watlington edge road represents a basic assessment of what is a much more complicated scenario. Plainly as was highlighted at the hearing there is further work to be done on securing the financial and phasing requirements of the delivery of the proposed road. Nevertheless, the ambitious proposals in the submitted Plan are precisely the type of initiatives that local communities are encouraged to deliver through the neighbourhood planning process. The approach adopted by the Parish Council reflects the first three of the twelve core planning principles set out in paragraph 17 of the NPPF. In relation to the first core principle the submitted Plan is genuinely plan-led and empowers local people to shape their surroundings with a positive vision for the future of the area. In relation to the second core principle the submitted Plan has been a 'creative exercise in finding ways to enhance and improve the places in which people live their lives'. In relation to the third core principle the Plan 'proactively drives and supports sustainable economic development to deliver the homes.... that the country needs'. Indeed, in this context it would have been surprising if the Plan had failed to address the potentially related issues of traffic congestion and air quality in the town and the need to plan for the delivery of new housing growth in the period up to 2033.

7.85 The Plan proposes levels of housing growth beyond those which might be reasonably expected on the basis of existing adopted policies in the development plan. Policy CSH1 of the Core Strategy December 2012 proposed a total of 1154 houses in twelve larger villages in the period from 2006 to 2027. Nevertheless, circumstances have moved on since that time and SODC is now planning for a different level of housing provision. In this context Policy CSR1 supports the identification of housing allocated in the range of larger villages. In this context there is nothing to prevent an emerging neighbourhood plan from delivering a higher level of growth than that in the adopted development plan. (ID:41-044-20160519)

7.86 The Plan has actively sought to address the future levels of housing growth required in the South Oxfordshire District in general terms and in Watlington in particular. Policy H4 of the emerging Local Plan identifies a requirement for 260 dwellings in Watlington in the period up to 2033. The importance of the neighbourhood plan in delivering this growth is highlighted in that policy. In this regard the submitted neighbourhood plan has taken a positive and proactive approach to this potentially challenging agenda. It also takes account of Planning Practice Guidance (ID:41-044-20160519) which comments that neighbourhood plans can come forward before an up-to-date Local Plan is in place. In particular the Parish Council has worked with SODC to discuss and aim to agree the relationship between policies in the emerging neighbourhood plan, the emerging local plan and the adopted local plan.



7.87 The Plan has also taken account of the need to ensure its deliverability as set out in Planning Practice Guidance (ID: 41-005-20140306). There is active developer interest in all three sites. This interest provides a degree of assurance that robust measures are in place to deliver growth. It is also clear that Homes England are working collaboratively with the Parish Council, SODC, the County Council and the developers concerned to plan, shape and deliver the three sites.

7.88 In coming to these conclusions I have taken into account the decision of the District Council on the emerging Local Plan. The delay in the submission of the Plan and its eventual package of growth adds a degree of uncertainty that the Parish Council could not have had in mind when preparing its neighbourhood plan. Nevertheless, I have addressed this issue in my recommended modifications to the monitoring and review period of the Plan (paragraphs 7.132 to 7.134 of this report).

7.89 I am also satisfied that the Plan includes sufficient measures to integrate the proposed developments into the existing townscapes. Historic England comment in its representation that the three sites selected represent the least harmful option to deliver strategic housing growth. At the hearing the Parish Council set out its ambitions for high quality development based around the implementation of the submitted Watlington Design Guide. SODC commented at the hearing that it could not identify any practical reasons that would prevent the three sites from being incorporated into the fabric of the town through good design and the practical implementation of its development management powers.

7.90 Within this positive context I address a series of aspects where the proposed policies for the three sites need a degree of modification to ensure that they meet the basic conditions. The recommended modifications are set out in the policies for the sites concerned.

7.91 In its original representation to the Plan and at the hearing the Chilterns Conservation Board set out the responsibilities that public bodies need to address. In particular Section 85 of the Countryside and Rights of Way Act 2000 requires that a relevant authority should have regard to the purpose of conserving and enhancing the natural beauty of an area of outstanding natural beauty when exercising planning functions in relation to, or so as to affect land in an area of outstanding natural beauty. All three sites lie within the setting of the Chilterns AONB.

7.92 At the hearing the Conservation Board identified that it had no objection to the principle of the package of the three housing sites. Nevertheless, it highlighted its concerns over the substance and details of the three policies and the likely yield of the sites. I address the yield issue below.

7.93 The combination of the original representations and the discussion at the hearing identified three principal concerns of the Conservation Board about the housing developments. The first is that the policies themselves do not make explicit reference to the need to safeguard the setting of the AONB. Whilst there is a loose reference to ensuring that 'the built edge of the development blends into the landscape' it does not adequately address the statutory requirement in relation to the AONB. The second issue is the cumulative effect of the three sites which would increase the scale and bulk of the built form of Watlington both

in general terms, and when viewed from the AONB in particular. The third issue was the sense of suburbanisation that would arise both from the developments themselves and the range of materials used.

7.94 I recommend modifications to each of the three policies concerned and to the associated supporting text to address the first and the third of these matters. The wider issue of the strategic allocation of new dwellings to Watlington is addressed later in this report.

7.95 The hearing addressed the issue of the proposed yield of each of the three housing allocations. Plainly the submitted Plan has been produced in good faith and has relied on earlier Strategic Housing Land Availability Assessment work undertaken by SODC as part of the emerging Local Plan. It also took account of associated landscape assessment studies. An outline planning application has been submitted on Site A showing an indicative layout and yield. Initial discussions are now taking place on Sites B and C.

7.96 The Chilterns Conservation Board commented that the yields on sites A and C should be lower than those indicated in the submitted Plan to take account of earlier landscape assessment work (the 'Kirkham' Study). The Parish Council commented that it found itself 'between a rock and a hard place' on this issue. On the one hand it wanted to protect the setting of the AONB, and yet on the other hand there were no other suitable sites in which to accommodate the strategic levels of growth planned for the town. SODC identified at the hearing that it was expecting the submitted neighbourhood plan to identify indicative numbers that could be delivered within the Plan period. The landowners/developers of the two sites provided their own assurances at the hearing that the numbers proposed in the Plan could be sensitively delivered on the sites concerned. Archstone/Bloor developments identified that they had commissioned a landscape consultant to refine its current planning application to address comments received. There were different views at the hearing on the need for any definitive statement on the yield of the three sites. The Parish Council and SODC supported the concept to provide certainty. The Chiltern Conservation Board also supported the concept within the context of it then offering a reason to refuse potential schemes which would deliver higher figures.

7.97 At this stage of the development of detailed proposals for the three sites concerned I am not satisfied that there is sufficient information to allow the three policies to comment with any degree of certainty on their final yield. The current planning application on site A demonstrates that the agreement on yield can be an iterative process that reflects a series of factors. On this basis I recommend in the case of each of the three sites that an indicative yield is addressed in the supporting text rather than within the policy itself. This will provide a more nuanced context within which the layout, development and design of the three sites concerned can be delivered. This context will also address the location of the three sites within the setting of the AONB and as tackled in the additional criterion in each of the policies.

7.98 I acknowledge that the majority of new housing development in the neighbourhood area will come forward on these three sites. Nevertheless, the three separate yields would be underpinned by general infill and other development in the town. In this context I am satisfied that the package of housing measures would be in general conformity with the strategic policies in the adopted development plan. The indicative figures for delivery also



accord with the strategic targets for the town in the emerging Local Plan 2033. Assuming that the Local Plan is adopted the delivery of new housing in the town would be monitored against those targets. In the event that the yield underperformed against target or trajectory there would be the ability for any 'made' neighbourhood plan to be reviewed.

7.99 Several representations raised the issue of the extent to which the three housing allocations (and their incorporation of the proposed Watlington edge road) properly addressed the need to protect the setting and integrity of heritage assets in the wider area. Particular concern was raised by Pyrton Parish Council and Pyrton Manor/Beechwood Estates Limited about the effects of the package of development proposed in the Plan on the Pyrton Conservation Area, Pyrton Manor and the Shirburn Castle Estate. These are important issues given that Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that in determining planning applications a local planning authority 'shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possess'.

7.100 In its representations to the Plan Historic England comments that the package of the three proposed sites appears to represent the least harmful option. In coming to this conclusion, it does however comment that 'consideration would have to be given to any potential adverse impacts on the historic environment from a new road (for example on archaeological remains or on Shirburn Castle Registered Historic Park and Garden to the north-east)'.

7.101 At the hearing the Parish Council commented on its site selection process in general, and the way in which it addressed the impact of the package on the Watlington conservation area and listed buildings. The potential developers concerned identified the measures that they were intending to put in place to ensure that any new development respected heritage assets both within the neighbourhood area and in adjoining parishes. Providence Land identified that in any event the merits of the Plan were sufficient to outweigh any dis-benefits that may arise.

7.102 At the hearing Pyrton Parish Council and Pyrton Manor/Beechwood Estates Limited reinforced their collective concerns on the potential impact of the development of site C on the Pyrton Conservation Area, Pyrton Manor and the Shirburn Castle and its associated Registered Park and Gardens.

7.103 As with the matter of the yield of the three sites there was insufficient information as part of the examination on the detailed layout of the three sites in general, and of Site C in particular to allow any detailed assessment of their likely impact on heritage assets. In this context SODC helpfully explained at the hearing that the neighbourhood plan would not operate within a vacuum and that the determination of planning applications would be considered within the wider context of national and local policies. It also commented that there was sufficient detail in the submitted neighbourhood plan to allow any such applications to be determined in this context. Plainly this approach would apply the principles set out in paragraphs 126 to 141 of the NPPF. As part of this process SODC would be able to assess the harm to any designated heritage asset and the public benefits that may arise from the proposed development concerned.

7.104 Whilst I agree with the general principle set out by SODC on its ability to determine subsequent planning applications I consider that this matter is sufficiently important that the insertion of an additional criterion in each of the policies is necessary to ensure that the Plan has regard to national policy. I also recommend modifications to the supporting text for each policy. In relation to that for Site C it addresses the importance of its development being designed and delivered to respect its location in relation to the Pyrton Conservation area, Pyrton Manor, Shirburn Castle and the Shirburn Castle Registered Park and Garden.

7.105 The discussion at the hearing and some representations raised the issue of whether the policies for the three proposed housing allocations should include a requirement for the delivery of the respective sections of the proposed Watlington edge road rather than the more matter of fact safeguarding of land for that purpose. In particular the County Council suggested this course of action both in its own right and to ensure that any or all of the three housing sites do not result in severe local traffic effects. This concern reflects the current lack of clarity about whether each site would be delivered in advance of a new edge road being built and open to traffic.

7.106 I explored this general issue with the various parties at the hearing. The County Council suggested that I recommend modifications to each of the three policies so that the route of the edge road is delivered as part of the development of the three housing sites. Archstone/Bloor Homes identified that different parts of the safeguarded route would be delivered in different ways. Providence Land expressed concerns about the impact of this potential course of action on project viability.

7.107 I have considered these comments carefully, within the context of local residents' concerns about the short-term impact of new residential development on the operation of the local highway network, and the safeguarding approach adopted by SODC in its emerging Local Plan. In addition, I can see that the indicative layout proposed by Archstone/Bloor on Site A includes the delivery of part of the edge road as an integral part of the construction of housing, with another section safeguarded for future delivery once the funding package has been agreed and implemented. Whilst proposals have yet to emerge for sites B and C this situation may well repeat itself on those sites.

7.108 On this basis I am satisfied that the safeguarding approach adopted in the Plan meets the basic conditions. In advance of detailed agreement emerging from the public and private sector partnership there could be significant impacts on the viability of the sites concerned if I was minded to recommend modifications to the policies to require the full delivery of all the various sections of the edge road as part of the development of each of the sites. However, the County Council makes a very valid point about the need for the three sites to mitigate their own impacts (on or off-site) if they are developed in advance of the effective operation of an effective Watlington edge road. This approach will have regard to national policy (NPPF paragraphs 29-41) and will be in general conformity with strategic policies in the development plan. I recommend accordingly.

7.109 Through the Clarification Note process I sought advice from the Parish Council on its intentions for the delivery of recreation and open space on the three sites. It acknowledged that the criterion did not have the clarity required by the NPPF. I recommend that open spaces should be delivered to development plan standards.

7.110 Finally SODC has recommended the deletion of the archaeological investigation criteria in each of the policies on the basis that they largely reproduce local and national policy. I agree with this approach and recommend accordingly. National policy is clear that there is no need for a neighbourhood plan to repeat existing policies.

#### Housing Policy Site A – Land off Britwell Road and Cuxham Road

7.111 This policy proposes the development of 140 dwellings and workshops and offices on land off Britwell Road and Cuxham Road. 40% are required to be affordable in nature. The site is 9.9 hectares in size. Detailed criteria are set out for the development of the site. They include a requirement that it provides land to safeguard a route for the realigned B4009 through the site. Other criteria include space for recreational and sports areas and the introduction of measures to ensure connectivity to the town centre.

7.112 An outline planning application was submitted for the development of 183 dwellings on the site in 2017 (P17/3231/O). The applicants are now addressing a series of issues that have been raised as part of the initial consultation exercise.

7.113 Based on the comments in paragraphs 7.80 to 7.110 of this report I recommend modifications to the following aspects of the policy:

- the inclusion of a criterion around need to conserve and enhance the AONB;
- the yield of the site;
- the inclusion of a criterion around need to protect heritage assets;
- the inclusion of a criterion around need to mitigate traffic impacts;
- clarity on the amount of recreation areas and sports provision; and
- the deletion of the criterion on archaeological investigations.

I also recommend the inclusion of additional criteria which mirror those included in both the submitted version of Policy P5 and in my recommended modifications to that policy.

7.114 The potential development of this site raises issues about the compatibility of the proposed new residential development with the existing industrial uses on the adjacent Watlington Industrial Estate (to the east of the site). The matter had been raised through the initial representation by LCP Investments Limited, the owners of the industrial estate. My attention was drawn to paragraph 123 of the NPPF and to Planning Practice Guidance ID 30-006- 20141224. The matter was debated at the hearing.

7.115 Having considered all the information presented both in the representations and at the hearing I am satisfied that the compatibility of the two uses is capable of being addressed in a satisfactory fashion. As SODC pointed out at the hearing the matter has been identified by all parties as a material planning consideration and is being addressed as part of an emerging package of amendments to the planning application. However, I recommend that a criterion should be inserted in the policy to reflect this important aspect of national policy. This would be accompanied by supporting text. At the heart of the recommended modification is the need to have regard to national policy both in terms of

protecting the economic viability of the industrial estate whilst promoting high standards of design, layout and amenity for the residents of the proposed housing site.

**Replace the opening paragraph of the policy (including the associated two bullet points) with:**

**‘Proposals for the development of residential use and for workshops and offices on Site A (as shown on Figure 12) will be supported where they comply with the following criteria:’**

**Replace the first substantive criterion to read:**

**‘they conform to the principles set out in the Watlington Design Guide (W NDP 11); ‘**

**Insert a new second criterion (after the first criterion) to read:**

**‘they are landscape-led and are appropriate for their location within the setting of the Chilterns AONB. All proposals should demonstrate that they have addressed site layout, design, orientation, height, bulk and scale of structures and buildings. In addition, careful consideration should be given to the use of colours, materials and the reflectiveness of surfaces in relation to the proximity of the site to the AONB. Careful consideration should be given to the use of street lights and other forms of external illumination to safeguard the dark night skies of the AONB’**

**Introduce a new third criterion to read:**

**‘they provide affordable dwellings to development plan standards’**

**Insert a new fourth criterion to read:**

**‘they are designed in a way which takes account of heritage assets in the wider locality of the site’**

**In the third criterion in the submitted Plan replace ‘it’s’ with ‘its’**

**Replace the fourth criterion in the submitted Plan with:**

**‘provide land for formal and informal recreation use and open space in accordance with development plan standards’**

**Replace the seventh criterion with:**

**‘they provide for the necessary traffic mitigation measures in general, and on Britwell Road and Cuxham Road in particular’**

**Delete the eighth criterion in the submitted Plan (archaeology)**

**Insert a new criterion to read:**

**‘they take account of the existing Watlington Industrial Estate to the south and east of the site. Where necessary planning applications should demonstrate the necessary measures to ensure that the existing industrial uses can continue and that the occupiers of the new dwellings can enjoy appropriate standards of amenity’.**

**Insert two additional criteria as follows:**

- **they deliver a well-balanced mix of housing types, including needs identified in the most recent Watlington Housing Study; and**
- **they include measures to provide resilience to the effects of climate change**

*In the first paragraph of the supporting text delete the second and third sentences and replace with:*

*'It is anticipated that the development of the site will yield approximately 140 dwellings. A key factor in its implementation will be the extent to which it responds to the second criterion on its relationship to the Chilterns AONB. It is important that proposed developments are landscape-led. The approach adopted by developers to this challenge should be set out in the associated Design and Access Statement or a wider Planning Statement. In addition, proposals will be expected to have been tested through a full Landscape and Visual Impact Assessment which include photomontages showing the relationship of the development to the AONB in general, and the views from Watlington Hill and the White Mark in particular'*

*Insert a new paragraph of supporting text after the first paragraph to read:*

*'In addition to the need for the development of the site to address the proximity of the AONB to the south and east there are two other matters that are fundamental to its successful delivery. The first is the need for it to be designed in a fashion that respects heritage assets in the town and its wider locality. The second is the need for the site to mitigate any traffic issues that arise in the town as a result of its development. At this stage the relationship between the implementation of residential development and the delivery of an effective Watlington edge road is not known. The scale and extent of any mitigation will depend on the yield of the site and its delivery in relation to sites B and C. In this regard there will be an expectation that the developers concerned will address on and off-site issues in conjunction with both the District Council and the County Council.'*

*Insert a new third paragraph of supporting text to read:*

*'The development of this site raises particular issues around the potential relationship between the proposed residential development and the existing Watlington Industrial Estate to its south and east. It is important that the layout, design and orientation of the residential development takes account of the proximity of existing industrial uses and implements any necessary mitigation.'*

*Insert a new fourth paragraph of supporting text to read:*

*'The policy requires that affordable housing is delivered on the site in accordance with development plan standards. This is important in its own right and to reflect specific housing needs in the town. Other criteria in the policy address matters such as open space on the site and a series of ecological matters'*

#### Housing Policy Site B – Land off Cuxham Road and Willow Close

7.116 This policy proposes the development of between 38-60 dwellings on land off Cuxham Road and Willow Close. 40% of the houses to be delivered are required to be affordable in nature. The site is 6.4 hectares in size. Detailed criteria are set out for the development of the site. They include a requirement that it provides land to safeguard a route for the realigned B4009 through the site. Other criteria include space for recreational

and sports areas and the introduction of measures to ensure connectivity to the town centre and the Marlbrook development.

7.117 Based on the comments in paragraphs 7.80 to 7.110 of this report I recommend modifications to the following aspects of the policy:

- the inclusion of a criterion around need to conserve and enhance the AONB;
- the yield of the site;
- the inclusion of a criterion around need to protect heritage assets;
- the inclusion of a criterion around need to mitigate traffic impacts;
- clarity on the amount of recreation areas and sports provision; and
- the deletion of the criterion on archaeological investigations.

I also recommend the inclusion of additional criteria which mirror those included in both the submitted version of Policy P5 and in my recommended modifications to that policy.

**Replace the opening paragraph of the policy (including the associated bullet point) with:**

**‘Proposals for the residential development of Site B (as shown on Figure 13) will be supported where they comply with the following criteria:’**

**Replace the first substantive criterion to read:**

**‘they conform to the principles set out in the Watlington Design Guide (W NDP 11); ‘**

**Insert a new second criterion (after the first criterion) to read:**

**‘they are landscape-led and are appropriate for their location within the setting of the Chilterns AONB. All proposals should demonstrate that they have addressed site layout, design, orientation, height, bulk and scale of structures and buildings. In addition, careful consideration should be given to the use of colours, materials and the reflectiveness of surfaces in relation to the proximity of the site to the AONB. Careful consideration should be given to the use of street lights and other forms of external illumination to safeguard the dark night skies of the AONB’**

**Introduce a new third criterion to read:**

**‘they provide affordable dwellings to development plan standards’**

**Insert a new fourth criterion to read:**

**‘they are designed in a way which takes account of heritage assets in the wider locality of the site’**

**Replace the third criterion in the submitted Plan with:**

**‘provide land for formal and informal recreation use and open space in accordance with development plan standards’**

**Delete the sixth criterion in the submitted Plan (archaeology)**

**Add an additional criterion to read:**

**‘they provide for any necessary traffic mitigation measures’**

**Insert two additional criteria as follows:**



- **they deliver a well-balanced mix of housing types, including needs identified in the most recent Watlington Housing Study; and**
- **they include measures to provide resilience to the effects of climate change**

*Replace the second paragraph of the supporting text with:*

*'It is anticipated that the development of the site will yield approximately 40-60 dwellings. A key factor in its implementation will be the extent to which it responds to the second criterion on its relationship to the Chilterns AONB. It is important that proposed developments are landscape-led. The approach adopted by developers to this challenge should be set out in the associated Design and Access Statement or a wider Planning Statement. In addition, proposals will be expected to have been tested through a full Landscape and Visual Impact Assessment which include photomontages showing the relationship of the development to the AONB in general, and the views from Watlington Hill and the White Mark in particular'*

*Insert a new paragraph of supporting text after the modified second paragraph to read:*

*'In addition to the need for the development of the site to address the proximity of the AONB to the south and east there are two other matters that are fundamental to its successful delivery. The first is the need for it to be designed in a fashion that respects heritage assets in the town and its wider locality. The second is the need for the site to mitigate any traffic issues that arise in the town as a result of its development. At this stage the relationship between the implementation of residential development and the delivery of an effective Watlington edge road is not known. The scale and extent of any mitigation will depend on the yield of the site and its delivery in relation to sites A and C. In this regard there will be an expectation that the developers concerned will address on and off-site issues in conjunction with both the District Council and the County Council'.*

*Insert a new paragraph of supporting text after the new paragraph above to read:*

*'The policy requires that affordable housing is delivered on the site in accordance with development plan standards. This is important in its own right and to reflect specific housing needs in the town. Other criteria in the policy address matters such as open space on the site and a series of ecological matters'*

#### Housing Policy Site C – Land off Pyrton Lane

7.118 This policy proposes the development of 60 dwellings and workshops and offices on land off Cuxham Road and Willow Close. 40% of the houses are required to be affordable in nature. The site is 4.6 hectares in size. Detailed criteria are set out for the development of the site. They include a requirement that it provides land to safeguard a route for the realigned B4009 through the site. Other criteria include space for recreational and sports areas and the introduction of measures to ensure connectivity to the town centre, and the need to provide a buffer between the new development and the Pyrton Manor Estate.

7.119 Based on the comments in paragraphs 7.80 to 7.110 of this report I recommend modifications to the following aspects of the policy:

- the inclusion of a criterion around need to conserve and enhance the AONB;

- the yield of the site;
- the inclusion of a criterion around need to protect heritage assets;
- the inclusion of a criterion around need to mitigate traffic impacts;
- clarity on the amount of recreation areas and sports provision; and
- the deletion of the criterion on archaeological investigations.

I also recommend the inclusion of additional criteria which mirror those included in both the submitted version of Policy P5 and in my recommended modifications to that policy.

7.120 This site presents two specific factors that are particular to this site. The first is the expectation that it provides any necessary land to deliver expansions of the schools to the south of the site (if required). I recommend that the criterion included in the submitted version of the Plan is modified to provide clarity on potential delivery. The recommended modification takes account of the representations made by the County Council in its capacity as the education authority.

7.121 The second factor is the relationship of the site to important heritage assets to the east and north east of the site. These include the Pyrton Conservation Area, Pyrton Manor, Shirburn Castle and its associated Registered Park and Garden. I have already addressed this important matter earlier in this report. In this context I recommend the insertion of additional text so that all concerned in the development of the site are clear about the significance of the matter.

**Replace the opening paragraph of the policy (including the associated bullet point) with:**

**‘Proposals for the residential development of Site C (as shown on Figure 14) will be supported where they comply with the following criteria:’**

**Replace the first substantive criterion to read:**

**‘they conform to the principles set out in the Watlington Design Guide (W NDP 11); ‘**

**Insert a new second criterion (after the first criterion) to read:**

**‘they are landscape-led and are appropriate for their location within the setting of the Chilterns AONB. All proposals should demonstrate that they have addressed site layout, design, orientation, height, bulk and scale of structures and buildings. In addition, careful consideration should be given to the use of colours, materials and the reflectiveness of surfaces in relation to the proximity of the site to the AONB. Careful consideration should be given to the use of street lights and other forms of external illumination to safeguard the dark night skies of the AONB’**

**Introduce a new third criterion to read:**

**‘they provide affordable dwellings to development plan standards’**

**Insert a new fourth criterion to read:**

**‘they are designed in a way which takes account of heritage assets in the wider locality of the site’**



**Replace the third criterion with:**

**‘they accommodate any identified needs for expanding the primary school or the secondary school into the site’.**

**Replace the fifth criterion in the submitted Plan with:**

**‘provide land for formal and informal recreation use and open space in accordance with development plan standards’**

**Delete the eighth criterion in the submitted Plan (archaeology)**

**Add an additional criterion to read:**

**‘they provide for any necessary traffic mitigation measures’**

**Insert two additional criteria as follows:**

- **they deliver a well-balanced mix of housing types, including needs identified in the most recent Watlington Housing Study; and**
- **they include measures to provide resilience to the effects of climate change**

*Replace the second paragraph of the supporting text with:*

*‘It is anticipated that the development of the site will yield approximately 60 dwellings. A key factor in its implementation will be the extent to which it responds to the second criterion on its relationship to the Chilterns AONB. It is important that proposed developments are landscape-led. The approach adopted by developers to this challenge should be set out in the associated Design and Access Statement or a wider Planning Statement. In addition, proposals will be expected to have been tested through a full Landscape and Visual Impact Assessment which include photomontages showing the relationship of the development to the AONB in general, and the views from Watlington Hill and the White Mark in particular’*

*Insert a new paragraph of supporting text after the modified second paragraph to read:*

*‘In addition to the need for the development of the site to address the proximity of the AONB to the south and east there are two other matters that are fundamental to its successful delivery. The first is the need for it to be designed in a fashion that respects heritage assets in the town and its wider locality. The development of the site will need to take account of important heritage assets to the east and north east of the site. These include the Pyrton Conservation Area, Pyrton Manor, Shirburn Castle and its associated Registered Park and Garden.*

*The second is the need for the site to mitigate any traffic issues that arise in the town as a result of its development. At this stage the relationship between the implementation of residential development and the delivery of an effective Watlington edge road is not known. The scale and extent of any mitigation will depend on the yield of the site and its delivery in relation to sites A and B. In this regard there will be an expectation that the developers concerned will address on and off-site issues in conjunction with both the District Council and the County Council as part of the development management process.’*

*Insert a new paragraph of supporting text after the new paragraph above to read:*

*'The policy requires that affordable housing is delivered on the site in accordance with development plan standards. This is important in its own right and to reflect specific housing needs in the town. Other criteria in the policy address matters such as open space on the site and a series of ecological matters.'*

#### Housing Policy Additional Sites

7.122 This policy identifies three possible ways in which windfall developments could naturally add to the delivery of new houses in the neighbourhood area over and above those that will be delivered on the three proposed allocated sites. The first is for staff or extra care housing at the Watlington and District Nursing Home off Hill Road. The second is on the Park Homes site. The third is for unspecified rural exception sites.

7.123 The policy lacks the clarity required by the NPPF. Both the policy and the supporting text simply 'encourage' such development. There is no detailed guidance against which SODC could determine planning applications with any degree of consistency or confidence. In this regard this policy contrasts significantly with the comprehensive detail in the three previous policies.

7.124 This lack of clarity is further compounded by the location of site E in the Chilterns AONB. There is no evidence that the submitted Plan has followed its duties with regard to this site under the Countryside and Rights of Way Act to safeguard and enhance the Chilterns AONB.

7.125 For these various reasons I recommend that the policy is deleted. This course of action will not in itself prevent the development of these or other sites. Plainly any such proposals will be determined on the basis of national and local planning policies and the policies in this neighbourhood plan in the event that it is eventually 'made'.

#### **Delete policy**

##### Other matters

7.126 Section 6.7 of the Plan makes direct references to the emerging Pyrton Neighbourhood Plan. In particular it addresses two sites (PYR1 and PYR2) and the potential section of the Watlington edge road within that parish. I can see that this section of the Plan has been included in good faith. Nevertheless, it has caused confusion to several parties. Some have commented directly on the two sites concerned and others have made direct connections between the two plans.

7.127 I sought clarification from the Parish Council on this important matter. It agreed that the inclusion of this section in the Plan directly conflicts with national policy. Section 38B of the Planning and Compulsory Purchase Act 2004 specifies that plans should not relate to more than one neighbourhood plan area. On this basis I recommend that the section is deleted.

*Delete section 6.7 (Pyrton Neighbourhood Development Plan)*

7.128 The Parish Council asked that I examine the Watlington Design Guide (W NDP 11). It is important that I do so given the way in which it has been designed to underpin certain policies in the Plan.

7.129 The Guide is an excellent example of a local community taking responsibility for design in its own area. It reflects the importance that the government attaches to this matter. Its implementation will also assist in delivering the environmental dimension of sustainable development.

7.130 Within this context I recommend the following detailed modifications to its contents. I am grateful to the Urban Design Officer at SODC for the detailed comments made on this aspect of the Plan at the representation stage.

*On page 3 Heading – ‘Who should read this Guide’ replace the existing text with:*

*‘Anyone considering carrying out new development in the parish of Watlington. Whilst it has been designed to address proposals that require planning permission the same principles apply to works that do not need permission’*

*On page 5 in the text box delete ‘with....as shown’*

*On page 6 in the text box on Walls delete the final sentence*

*On page 8 in the text box on Doors replace ‘favoured’ with ‘traditional’*

*On page 10 in the text box on Parking replace the second sentence with:*

*‘Car parking associated with new development should respect the design and character of the proposal and its wider setting within the town. Surfacing materials should be of a traditional nature appropriate to the wider character and appearance of the town. Particular care should be taken within the conservation area to preserve or enhance its character and appearance.’*

*On pages 14/15 delete references to external lighting*

*On page 17 delete the section on Food production*

7.131 This report has recommended a series of modifications both to the policies and to the supporting text in the submitted Plan. Where consequential changes to the text are required directly as a result of my recommended modification to the policy concerned I have highlighted them in this report. However other changes to the general text may be required elsewhere in the Plan as a result of the recommended modifications to the policies. It will be appropriate for SODC and the Parish Council to have the flexibility to make any necessary consequential changes to the general text. I recommend accordingly.

*Modification of general text (where necessary) to achieve consistency with the modified policies.*

7.132 Section 7 of the Plan addresses the monitoring and review of the Plan. It does so in a thorough way. Section 7.2 identifies that annual reviews of the Plan will be undertaken. It

also comments that at least two years before the expiry of the Plan period that a full review would be undertaken.

7.133 Plainly the Plan has been produced in good faith. The Parish Council has prepared the Plan in the expectation that the emerging Local Plan package would be delivered in general, and through the collaborative discussions that have been taking place between public and private bodies to fund and deliver the safeguarded Watlington bypass. Clearly there was always the potential for the local plan package to be affected or refined by the outcome of its inquiry process. The recent decision of the Council in March 2018 has reinforced this matter.

7.134 On this basis I recommend that the monitoring and review process is significantly sharpened and tightened. The first part of paragraph 7.2 (Annual monitoring) remains appropriate. However, I recommend that the Five-Year review and End of Plan review sections are deleted and replaced with a more rigorous review in the event that there are fundamental revisions to the strategy of the emerging Local Plan and/or that the residential development of the Chalgrove Airfield site is not included in the Plan. This course of action would require that a formal review of the Plan is started within two years of its making or within three months of the adoption of the South Oxfordshire Local Plan 2033 (whichever occurs first). Whilst this may appear onerous it reflects the functional connections between the two Plans.

*Delete the final two sections of paragraph 7.2 and replace with:*

*'Review of the Plan:*

*To take account of the relationship between this Plan and the emerging South Oxfordshire Local Plan 2033 the Parish Council will liaise with the District Council about the need or otherwise for an early review of the neighbourhood plan. In the event that there are fundamental revisions to the strategy of the emerging Local Plan and/or that the residential development of the Chalgrove Airfield site is not included in the Local Plan a formal review of the neighbourhood plan will be started within two years of its making or within three months of the adoption of the South Oxfordshire Local Plan 2033 whichever occurs first.*

7.135 I invited comments at the hearing on the issue of whether the referendum area should be extended beyond the Plan area. There was a general consensus that the referendum area should include properties in Pyrton Parish to the east. I was invited to come to my own judgement on this matter. I am grateful to SODC for sending me various maps showing the potential properties to be included. I have identified a specific series of properties in and around Pyrton village for this purpose. Given the extended linear geography of the wider Pyrton parish I do not consider that it would be appropriate for all properties in that parish to be included within the referendum area.

7.136 On the basis of the evidence of the potential impact of both the delivery of the Watlington edge road (within the neighbourhood area) and the development of housing site C I recommend that the referendum area should be extended to include the properties in Pyrton identified in Appendix 2 of this report.

*Extend the referendum area to include the properties in Pyrton identified in Appendix 2 of this report*

## 8 Summary and Conclusions

### *Summary*

8.1 The Plan sets out a range of policies to guide and direct development proposals in the period up to 2033. It is distinctive in addressing a specific set of issues that have been identified and refined by the wider community to balance housing growth with proposals to safeguard the emerging route for an edge road.

8.2 Following my independent examination of the Plan I have concluded that the Watlington Neighbourhood Development Plan meets the basic conditions for the preparation of a neighbourhood plan subject to a series of recommended modifications.

8.3 This report has recommended a variety of modifications to the policies in the Plan. In particular the modifications to the three policies in relation to housing allocations propose both additional criteria and changes to criteria already included in the submitted Plan. Nevertheless, the Plan remains fundamentally unchanged in its role and purpose.

### *Conclusion*

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

### *Referendum Area*

8.5 I am required to consider whether the referendum area should be extended beyond the Plan area. As set out in paragraphs 7.135 to 7.136 of this report this matter was discussed at the hearing. On the basis of the evidence of the potential impact of both the delivery of the Watlington edge road (within the neighbourhood area) and the development of housing site C, I have concluded that the referendum area should be extended to include certain properties in Pyrton. I therefore recommend that the Plan should proceed to referendum based on the neighbourhood area as approved by the District Council on 5 November 2015 together with the residential properties in Pyrton Parish identified in Appendix 2 of this report.

### *Other comments*

8.6 I am grateful to everyone who has helped in any way to ensure that this examination has run in a smooth and efficient manner. I am particularly grateful to the Parish Council, SODC and the other participants who attended the hearing in March 2018. It was approached in good faith by all concerned. It allowed me to understand the identified issues more fully than would otherwise have been the case.

8.7 I am also particularly grateful to the Parish Council for providing the Town Hall as a venue for the hearing. Whilst space was tight it was appropriate to hold the hearing in such an iconic building in a highly sustainable location in the town centre.

**Andrew Ashcroft**  
**Independent Examiner**  
**12 April 2018**

## Appendix 1

### Watlington Neighbourhood Development Plan

#### Arrangements and Matters for debate at oral hearing

Monday 5 March 2018

Town Hall Watlington 10.30am

#### **Context**

I have now visited the Plan area, read the submitted documents and the representations made to the Plan. In accordance with paragraph 9 (3) of Schedule 4B to the Town and Country Planning Act 1990 I have concluded that it in order to ensure adequate examination of the Plan it is necessary to hold a hearing. That hearing will allow oral representations to be made on the following matters:

#### ***The Proposed bypass of Watlington***

- What evidence underpins the proposal in the Plan for a Watlington bypass?
- Would the combination of the three proposed housing allocations and the bypass represent sustainable development?
- There are various references in the Plan (para 2.6/WNDP10) to earlier proposals to use Willow Close and the access road to the Watlington Industrial Estate as the western part of a bypass for the town. Does this route have any status and/or is it safeguarded?
- How will the proposed route be delivered in general terms? Is its delivery dependent on financial contributions from the emerging residential development at Chalgrove (as set out in the submitted South Oxfordshire Local Plan 2033) and/or from other sources of funding? In broad terms is the development of a bypass commercially viable?
- What discussions have taken place between public bodies and potential site developers of the sites proposed in the submitted Plan to ensure a co-ordinated approach towards its design and delivery? Has an appropriate technical standard been determined?
- When is it anticipated that the bypass (within the NP area) will be delivered?
- Are any measures being pursued by public bodies to secure the connection of the proposed Watlington bypass to the B4009 to the east of the neighbourhood area (in Pyrton parish)?
- What would be the likely impact of the proposed new developments (Sites A/B/C) on the free and safe flow of traffic in the town before an effective bypass of Watlington is developed?

- What would be the likely impacts of the proposed scale of development on traffic levels along Pyrton Lane (with or without a bypass)? What impact will any changes in traffic levels have on the character of Pyrton Lane?

### ***The proposed housing allocations***

- Can the proposed housing allocations be sensitively incorporated within the neighbourhood area in general, and its surrounding agricultural landscape in particular? Do they take account of the Chiltern Hills AONB to the south and east of the town?
- Can the three sites be satisfactorily incorporated into the design, layout and townscape of Watlington? Do they take account of heritage assets?
- Would the development of Site A be compatible with the ongoing operation of existing businesses on the Watlington Industrial Estate?
- What is the current progress of planning application P17/S3231/0 on Site A?
- What is the anticipated timetable for the submission of planning applications on sites B and C?

### ***Timing and Location***

The hearing will be held on Monday 5 March 2018 between 10.30 and 16.00. The session on the proposed bypass will take place between 10.30 and 13.00. The session on the proposed housing allocations will take place between 14.00 and 16.00. The venue is the Town Hall, Watlington. The general public are invited to attend the hearing.

I would like to meet the various participants for each session at 10.15 and 13.45 respectively on that day in the venue to discuss procedural matters and to assist in the smooth running of the hearing. These pre-meetings will not debate any of the substantive issues.

### ***The participants***

In accordance with paragraph 9 (3) of Schedule 4B to the Town and Country Planning Act 1990 Watlington Parish Council (the qualifying body) and South Oxfordshire District Council (the local planning authority) will be entitled to make oral representations at both of the sessions at the hearing.

In addition, the following persons are invited to participate at the specific sessions to address the matters set out earlier in this Note. The reference numbers are those set out in the SODC schedule of representations.

### ***The Proposed bypass of Watlington***

- Oxfordshire County Council (63)
- Homes England (64)
- Providence Land (36)
- Pyrton Manor/Beechwood Estates Company Limited (59)
- Pyrton Parish Council (61)
- Archstone Projects and Bloor Homes (67)



- Historic England (70)
- Ms Nicola Schafer (4) \*
- Mrs Elizabeth Harris (6) \*
- Mr Michael Holden (14) \*
- Professor James Simmie (16) \*
- Mrs Penny Cole (17) \*
- Mr Richard Harris (19) \*
- Mr Alan Whitfield (22) \*
- Mr and Mrs Taylor (23) \*
- Mr Jonathan Moses (26) \*
- Mrs Gillian Morris (27) \*
- Ms Maria Mademyr (39) \*
- Mr Graham Miller (41) \*
- Ms Davies (42) \*

### ***The proposed housing allocations***

- Chiltern Society (32)
- Chilterns Conservation Board (33)
- Providence Land (36)
- Pyrton Manor/Beechwood Estates Company Limited (59)
- Pyrton Parish Council (61)
- Oxfordshire County Council (63)
- Homes England (64)
- LCP Investments Limited (65)
- Archstone Projects and Bloor Homes (67)
- Natural England (69)
- Historic England (70)

It will be helpful if both the qualifying body and the local planning authority are represented by no more than two persons at each of the sessions. The other bodies and organisations should be represented by one person. If any party considers that this approach may be impractical to their circumstances, please contact Ricardo Rios at the District Council as soon as possible.

Several local residents have been invited to participate in the first session. I request that they appoint up to two spokespersons to present a common case to the hearing. The residents concerned are marked with an asterisk in the above lists. Plainly there will not be the time for largely identical cases to be made several times. In any event this would not make best use of the time allocated for the hearing. I would be grateful if the District Council facilitates a meeting with the local residents concerned to assist the process.

There will be no opportunity for other bodies or the public to participate directly at the hearing.

### *The format of the hearing and associated documents*

The hearing will address the two matters listed above in turn and in the times set out in the Note. The format will follow that set out in the bullet points under each heading. There will be no opportunity for any party to question the other parties.

The hearing will proceed on the basis that all the submitted statements should be taken as read. Participants will be expected to present a summary of their case to the questions raised. In general terms answers to individual questions should not exceed two minutes in duration. I may ask follow up questions as the need arise.

I recognise that the matters that I have identified do not necessarily overlap with the information that has been included in the submitted Plan (by the Parish Council). In addition, I recognise that the Parish Council has not otherwise had the opportunity to respond to the various representations made to the Plan. On this basis, I invite the Parish Council to prepare a single document that addresses the two matters that will be explored at the hearing. This document should not exceed 2000 words (1000 words for each of the two sessions) and should be submitted by 5.00pm Monday 26 February 2018. Thereafter it will be circulated to all other participants invited to attend the hearing.

In my view the representations made by the District Council and other parties invited to the hearing are clear and comprehensive. On this basis, I am satisfied that the preparation of separate statements for the hearing is not required. Nevertheless, I do not want any party to feel potentially disadvantaged. If this is the case any other party invited to participate at the hearing is free to submit its own statement by the same date as that specified for the Parish Council. Any statement should not exceed 1000 words. In the event that an organisation has been invited to attend both sessions it is permitted to submit two such statements. Any documents submitted will be circulated to all other hearing participants.

### *The examiner's report*

I am satisfied that the remainder of the Plan can be examined by written representations. I have sent a separate Clarification Note to the District Council and the Parish Council on a series of more technical matters that will not be discussed at the hearing. The Clarification Note and the responses to the Note will be published on the SODC website.

Following the hearing I will be working to produce my report on the submitted Plan by Friday 16 March 2018. There will be no separate report arising from the hearing. My findings and conclusions from the hearing will form part of the overall report.

Andrew Ashcroft  
Independent Examiner – Watlington Neighbourhood Development Plan  
13 February 2018

## Appendix 2

### Recommended Extended Referendum Area

Further to the comments in paragraphs 8.5 and 8.6 of this report I recommend that the referendum area is extended beyond the designated neighbourhood area to include the following residential properties in Pyrton Parish:

1-6 (inclusive) Hall Close	OX49 5BE
New Farm Bungalow	OX49 5AP
West Lodge	OX49 5AP
Home Farm Cottage	OX49 5AW
Hubbards Cottage	OX49 5AP
Pond House	OX49 5AP
Candledene	OX49 5AP
Magpies	OX49 5AP
Timbers	OX49 5AP
Silver Howe	OX49 5AP
Red Kites	OX49 5AP
Hedgerows	OX49 5AP
Christmas Cottage	OX49 5AP
Flintstones	OX49 5AP
The Old Smithy	OX49 5AP
The Granary	OX49 5AP
Mount View	OX49 5AP
Lothlorien	OX49 5AP
Pyrton House	OX49 5AP
The Plough	OX49 5AP
Orchard House	OX49 5AP
The Lodge House	OX49 5AN
The Gate House	OX49 5AN
Gatehouse Cottage	OX49 5AN
Old Vicarage Cottage	OX49 5AN
Lodge Cottage	OX49 5AN
Hampden Cottage	OX49 5AN
The Vicarage	OX49 5AN
Pyrton Manor	OX49 5AN
The White House	OX49 5AN
The Old Forge	OX49 5AP
Garden Cottage, Church Lane	OX49 5AN
Annexe, New Farm	OX49 5AP
Home Farm Cottage	OX49 5AW
Home Farm	OX49 5AP
Paddock House	OX49 5AP
The Court House	OX49 5AP
Court Cottage	OX49 5AP
New Farm House	OX49 5AP

Brook Cottage, Church Lane	OX49 5AN
Pyrton Field Cottage, Station Lane	OX49 5DE
Pyrton Field Farm, Station Road	OX49 5DE
The Warehouse, Shirburn Road	OX49 5BZ
The Barn Flat, Tilia House, Station Road	OX49 5DE
The Bungalow, Shirburn Road	OX49 5BZ
The Old Stables	OX49 5AN
Tilia House, Station Road	OX49 5DE

These properties are displayed on a map which can be viewed on the part of the SODC website that includes all the information on the submitted Plan and its examination. A link is provided below:

<http://www.southoxon.gov.uk/services-and-advice/planning-and-building/planning-policy/neighbourhood-plans/watlington-neighbourho>