

Record of an individual Cabinet member decision

Local Government Act 2000 and the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012

Decision made by	Councillor Felix Bloomfield
Key decision?	No
Date of decision (same as date form signed)	24/01/2019
Name and job title of officer requesting the decision	Cheryl Soppet Planning Policy Officer (Neighbourhood)
Officer contact details	Tel: 07917088314 Email: cheryl.soppet@southandvale.gov.uk
Decision	<ol style="list-style-type: none"> 1. To accept all modifications recommended by the Examiner; 2. to determine that the Cholsey 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 Cholsey Neighbourhood Development Plan to referendum.
Reasons for decision	<ol style="list-style-type: none"> 1 The Cholsey 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 borne in mind in reaching this conclusion. 2 Having considered all relevant information, including representations submitted in response to the Plan, the Examiner's considerations and recommendations, the council has come to the view that the Plan recognises and respects relevant constraints. The Plan has

developed a positive suite of policies that aim to safeguard the character and appearance of Cholsey and to promote sensitive development appropriate to its character and the position of the village in the local settlement hierarchy.

- 3 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 housing CNP H1-H8, infrastructure policies CNP I1-CNP I11 and transport policies CNP T1-T2. In the social role, it includes policies for housing CNP H1-H8 and infrastructure policies CNP I1- I11. In the environmental dimension the Plan positively seeks to protect its natural, built and historic environment Policies CNP E1-E3. As a whole, the council is satisfied that the policies in the Plan pursue net gains across each of the different dimensions of sustainability in a mutually supportive way.
- 4 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 adopted Development Plan requires larger villages to accommodate an appropriate amount of growth. In this context, proposals for development in Cholsey should be consistent with the overall strategy of supporting its role and function within the wider network of settlements.
- 5 Criterion 3 of Policy CSS1 (The overall strategy) of the South Oxfordshire Core Strategy (2012) is particularly relevant to the settlement of Cholsey, it sets out that: proposals for development in South Oxfordshire should be consistent with the overall strategy of supporting and enhancing the larger villages as local service centres.
- 6 Criterion 5 of Policy CSS1 is relevant to the wider neighbourhood area, it sets out that: outside the towns and villages, and other major developed sites, any change/development will need to relate to very specific needs or enhancement of the environment.
- 7 Policy CSH1 of the Core Strategy deals with the amount and distribution of housing in the district. It sets out that planning permission will be granted to meet housing requirements in Table 7.1 in accordance with Tables 7.2 to 7.3. The policy directs the reader to Table 7.3 - which

identifies the figure of: 1,154 homes to be allocated in a Site Allocations Development Plan Document for the larger villages in the district. As regards the distribution of this figure, the Core Strategy only went as far as setting out that at least 500 homes should be provided in the central Oxfordshire area in order to secure general conformity with the South East Plan.

- 8 Preparation of the Site Allocations Development Plan Document was superseded by the preparation of the emerging South Oxfordshire Local Plan. In September 2013, a cabinet paper proposing distribution numbers for the larger villages, as a basis for taking forward neighbourhood plans in advance of the Local Plan was approved by the council. The figure apportioned to Cholsey is 128 homes. This number has been used by the council when considering the Core Strategy housing requirements for Cholsey.
- 9 Policy CSR1 (Housing in villages) of the Core Strategy (2012) is also relevant. It guides the nature and scale of housing development in accordance with the position of the settlement in the district wide settlement hierarchy. Notably, as a larger village, Cholsey is expected to have housing allocations and there is no limit on the size of infill development sites.
- 10 Paragraph 5.24 of the council's emerging Local Plan (Final Publication Version 2nd), larger villages are expected to deliver 15% growth in addition to any outstanding Core Strategy Requirements. The latest evidence informing the Local Plan process has been used to set out housing requirements for larger villages in the district. Table 5F sets out the requirement for Cholsey as 612 in the period up to 2034. In the period up until 30 September 2018, the council has identified 585 completions and commitments for dwellings in Cholsey. The outstanding housing requirement for Cholsey is 27 as detailed in the South Oxfordshire Local Plan 2034 Final Publication Version 2nd.
- 11 The council's emerging Local Plan, which will replace the Core Strategy, continues to direct development to the most sustainable locations and supports neighbourhood planning groups in 'larger villages' in bringing forward appropriate development in the form of site allocations and infill development. The Cholsey neighbourhood plan appropriately responds to the council's emerging Local Plan and sets out a positive strategy for managing future growth in Cholsey by allocating in excess of the requirements set out in the emerging Local Plan.
- 12 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 the European Union legislation the Qualifying Body has prepared a Sustainability Appraisal Report on May 2018, The Sustainability Appraisal prepared by the Qualifying Body incorporates a Strategic Environmental Assessment. The Sustainability Appraisal sets out the background of how it was developed in Section 1. Section 2 sets out the scoping. Section 3 details the methodology. Section 4 identifies the reasonable alternatives. Section 5 details the assessment findings and policies. Section 6 identifies significant effects and mitigation. Section 7 sets out the monitoring and next Steps.

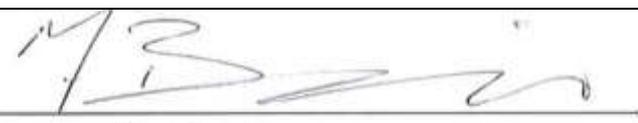
- 13 During the public hearing concerns were raised in relation to the consideration of reasonable alternatives in the Plan's Sustainability Appraisal. Having considered the issues raised in detail, the council is satisfied that it was reasonable for CHOL2 not to be assessed further as a reasonable alternative in the Sustainability Appraisal on the basis that the larger site was not a realistic option and the smaller site was not a viable and deliverable option. Those seeking to follow the Plan process can easily tell why it was not selected as a reasonable alternative, because clear and adequate reasons are provided for the decision in both the Plan and the accompanying Sustainability Appraisal
- 14 The Plan, as modified by the Examiner's recommendations, would not give rise to significant environmental effects on European sites. The Council screened the Plan potential impact on EU Special Areas of Conservation (SACs) and this was completed in May 2018. The HRA screening report concluded that the Plan would not have any likely significant effects on the integrity of European sites in or around South Oxfordshire. The council decided to appoint consultants to update the screening assessment in light of the recent judgment from the Court of Justice of the European Union 'People over Wind, Peter Sweetman v Coillte Teoranta (Case C-323/17)' which ruled that Article 6(3) of the Habitats Directive should be interpreted as meaning

that mitigation measures should be assessed as part of an Appropriate Assessment and should not be taken into account at the screening stage. The revised Screening Assessment (August 2018) concluded that the Plan will not have any likely significant effects on the integrity of European sites either alone or in combination with other plans or projects. Natural England confirmed on 03 September 2018 that they agree with the conclusions of the revised screening assessment report, that the Cholsey Neighbourhood Plan will not give rise to likely significant effects on European sites, and that an Appropriate Assessment is therefore not required.

- 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 1988. There has been full and adequate opportunity for all interested parties to take part in the preparation of the Plan and to make their comments known.
- 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. Therefore, there is no reason to extend the referendum area beyond the boundaries of the designated plan area as they are currently defined.
- 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. The Examiner's Report is available in Appendix 2.
- 19 The examiner noted in his report that he has recommended a series of modifications both to policies and to the supporting text in the submitted Plan. Where consequential changes to the text are required directly as a result of his recommended modifications to the policy concerned, they are highlighted in his 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. The examiner noted that it would be appropriate for SODC and the Parish Council to have the flexibility to make any necessary consequential changes to the general text.

	<p>20 The National Planning Policy Framework was revised on 24 July 2018 and sets out the government’s planning policies for England and how these are expected to be applied. The policies in the previous Framework (published on 27 March 2012) will apply for the purpose of examining plans, where those plans are submitted on or before 24 January 2019. Paragraph 213 sets out that policies should not be considered out-of-date simply because they were adopted prior to the publication of the Framework. Due weight should be given to them, according to their degree of consistency with the Framework. The council is satisfied that the policies in the Cholsey Neighbourhood Plan are consistent with the revised National Planning Policy Framework (2018).</p> <p>21 The council has taken account of all the representations received.</p> <p>22 The Electoral Services team advise that the referendum is planned for Thursday 14 March 2019.</p>
<p>Alternative options rejected</p>	<p>Make a decision that differs from the Examiner’s recommendation If the council deviates from the Examiner’s recommendations, the council is required to:</p> <ol style="list-style-type: none"> 1. notify all those identified on the consultation statement of the parish council and invite representations, during a period of six weeks, 2. refer the issue to a further independent examination if appropriate. <p>Refuse the Plan The council can decide that it is not satisfied with the plan proposal with respect to meeting basic conditions, compatibility with Convention rights, definition and provisions of the NDP even if modified. Without robust grounds, which are not considered to be present in this case, refusing to take the Plan to a referendum could leave the Council vulnerable to a legal challenge.</p> <p><u>Reason for rejecting alternative options:</u> These options were rejected because the district council is minded to agree with all of the Examiner’s modifications and his conclusion that the Plan, as modified, meets the basic conditions and relevant legal requirements.</p>
<p>Legal implications</p>	<p>The process undertaken and proposed accords with planning legislation.</p>
<p>Financial implications</p>	<p>The Government makes funding available to local authorities to help them meet the cost of their responsibilities around neighbourhood planning. A total of £20,000 can be claimed for each neighbourhood planning area. The council becomes eligible to apply to receive this single payment once a date is set for the referendum, after a successful examination. The</p>

	Government grant funds the process of progressing neighbourhood plans through the formal stages, including the referendum. Any costs incurred in the formal stages in excess of £20,000 will have to be borne by the council. Staffing costs associated with supporting community groups and progressing neighbourhood plans through the formal stages are funded by the council.			
Other implications	There are no other implications.			
Background papers considered	<ol style="list-style-type: none"> 1. Cholsey Neighbourhood Plan and supporting documents. 2. National Planning Policy Framework (2012) 3. National Planning Practice Guidance (July 2014 and subsequent updates). 4. South Oxfordshire Core Strategy 2012 5. Saved policies from the South Oxfordshire Local Plan 2011 6. South Oxfordshire District Council Emerging Local Plan 2033 7. South Oxfordshire District Council SEA/HRA Screening Statement. 8. Representations submitted in response to the Cholsey Neighbourhood Plan 9. Relevant Ministerial Statements. 10. National Planning Policy Framework (2018) 			
Declarations/conflict of interest? Declaration of other councillor/officer consulted by the Cabinet member?	None			
List consultees		Name	Outcome	Date
	Ward councillor	Jane Murphy	Agree	13/01/2019
	Ward councillor	Pat Dawe		
	Legal	Ian Price	Agree	14/01/2019
	Finance	Richard Spraggett	No comment	14/01/2019
	Human Resources	Capita HR	No comment	
	Sustainability	Heather Saunders	No comment	14/01/2019
	Diversity and equality	Cheryl Reeves	Agree	16/01/2019
	Communications	Gavin Walton	Agree	14/01/2019
	Head of Service	Adrian Duffield	Suggested modification incorporated.	18/01/2019
	Elections	Steven Corrigan	Suggested modification incorporated.	15/01/2019

	Chief Executive	Mark Stone	No Comment	
Confidential decision? If so, under which exempt category?	NO			
Call-in waived by Scrutiny Committee chairman?	N/A			
Cabinet member's signature To confirm the decision as set out in this notice.	Signature <u></u> Date <u>24th January 2019.</u>			

ONCE SIGNED, THIS FORM MUST BE HANDED TO DEMOCRATIC SERVICES IMMEDIATELY

For Democratic Services office use only		
Form received	Date:	Time:
Date published to all councillors	Date:	
Call-in deadline	Date:	Time:

Appendix 1: Examiner's recommendations

Policy/Section	Examiner's recommendations	Council's Decision	Justification/Reason
Page 22	Remove tonal shading from the Strategy Box and the text box around it.	Agree	The council considers the modification to be necessary as the contents within the box is a strategic statement rather than a policy. The grey tonal shading and text box is the same as the policies in the NDP and therefore is confusing to the lay reader and should be removed.
Page 32 Para 92	<p>The examiner recommends supporting text at paragraph 92 refers to work that is likely to take place before the site is developed in the event that the plan is made.</p> <p><i>In paragraph 92 (fifth sentence) replace 'Whilst the proposed....the homes' with: 'The sixth criterion of the Policy CNP H1a addresses the design and layout of the site. In addition,'</i></p> <p>At the end of the paragraph 92 add: 'Policy H1a sets out the need for proposals on the site to be in general accordance with the masterplan in Map 5. This process will need to be applied flexibly. Large development sites tend to change and refine as they worked out in detail. In addition, financial and viability circumstances might change. On this basis the planning process may need to be applied flexibly throughout the Plan period to allow the development to come forward and to deliver the required strategic housing for the</p>	Agree	The council considers the modifications to be necessary to accommodate the flexibility required in relation to large development sites and their ability to change and refine as they are worked out in detail. In addition, financial and viability circumstances may change. The combination of these and other factors may cause the policy to be interpreted in a perspective way and become dated very quickly.

	village. This flexibility should be not undermine the intentions for high quality development on the site that sits well both within the village itself and its wider landscape setting. Development proposals should demonstrate how they can be satisfactory incorporated into the local highway network through the preparation of a travel and cycle plan.'		
Page 34 Policy CNP H1a	The examiner recommends in the opening part of the policy insert the word 'general' before 'accordance'	Agree	The council considers the modification to be necessary to accommodate the flexibility required in relation to large development sites and their ability to change and refine as they are worked out in detail. In addition, financial and viability circumstances may change. The combination of these and other factors may cause the policy to be interpreted in a perspective way and become dated very quickly.
Page 34 Policy CNP H1a	Replace the sixth criterion (minimum separation distances) with the following: 'The design, layout, orientation and massing of the new houses has regard to the character and appearance of the dwellings to the north-west and south of the site and to the setting of the village within the wider rural landscape.'	Agree	The council considers the modification to delete the separation distance criterion to be necessary as the approach of including separation distances is very prescriptive and has the ability to hinder good design on the site and the appropriate delivery of new houses. Whilst many elements of the policy are flexible and will help to deliver high quality outcomes, this component fails to meet the requirements of paragraph 59 of the NPPF. The council considers the modification to include a replacement criterion to be necessary to provide a level of detail whilst concentrating and guiding the overall scale,

			density and massing of new development in relation to neighbouring buildings and the local area in a more general way.
Page 34 Policy CNP H1a	Insert an additional criterion (after the one above) to read: 'a range and mix of new homes to meet the housing needs set out in the Neighbourhood Plan Housing Mix Strategy'	Agree	The council considers the modification to be necessary due to the need for a range and mix of new homes which the Plan has identified are needed and to also provide the clarity required by the NPPF. In addition, it will focus the range and mix of the housing on the allocated sites and will naturally allow self-build and custom build homes to come forward to other sites in the neighbourhood area.
Page 34 Policy CNP H1a	Delete the final criterion (travel plan) and other consequential modifications to paragraph 92 to take account of the recommended modifications to the policy itself.	Agree	The council considers the modification to be necessary as the criterion is a procedural requirement rather than a policy
Page 37 Policy CNP H2	<i>In the initial part of the policy replace 'granted' with 'supported'</i>	Agree	The approach in the submitted Plan is very prescriptive and has the ability to detract from SODC's need to assess all material planning considerations on each and every planning application on a site-by-site basis. The recommended changes in the first part of the policy refer to the unacceptable harm rather than simply harm. The council considers the modification to be necessary to have the clarity required by the NPPF.
Page 37 Policy CNP H2	In the first criterion replace 'spoil' with 'have an unacceptable impact on'	Agree	The approach in the submitted Plan is very prescriptive and has the ability to detract from SODC's need to assess all material planning

			considerations on each and every planning application on a site-by-site basis. The recommended changes in the first part of the policy refer to the unacceptable harm rather than simply harm. The council considers the modification to be necessary to have the clarity required by the NPPF.
Page 37 Policy CNP H2	In the second criterion replace 'is not lost' with 'is not unacceptably harmed' and insert 'unacceptably' before harmed. Insert ';' and' at the end of the second criterion.	Agree	The approach in the submitted Plan is very prescriptive and has the ability to detract from SODC's need to assess all material planning considerations on each and every planning application on a site-by-site basis. The recommended changes in the first part of the policy refer to the unacceptable harm rather than simply harm. The council considers the modification to be necessary to have the clarity required by the NPPF.
Page 37 Policy CNP H2	In the third criterion replace 'problems of' with 'produce an unacceptable impact on' and insert 'in the neighbourhood area' after 'access'	Agree	The approach in the submitted Plan is very prescriptive and has the ability to detract from SODC's need to assess all material planning considerations on each and every planning application on a site-by-site basis. The recommended changes in the first part of the policy refer to the unacceptable harm rather than simply harm. The council considers the modification to be necessary to have the clarity required by the NPPF.
Page 37 Policy CNP H2	Replace the final part of the policy with: 'Proposals for development outside the built-up area boundary will only be supported if they are appropriate to a countryside location and are otherwise consistent	Agree	The council considers the modification to be necessary so that the policy has proper regard to national policy and is in general conformity with strategic policy CSS1 from the South

	with development plan policies.'		Oxfordshire Core Strategy 2012.
Page 39 Policy CNP H3	Delete the first sentence of the policy. Incorporate it into Policy H1	Agree	The council considers the modification to be necessary to ensure the plan refers to the need for a range and mix of new homes which the Plan has identified to be needed, thus providing the clarity required by the NPPF.
Page 39 Policy CNP H3	At the end of paragraph 114 add: 'Policy H1a addresses the need for the allocated housing site (CHOL 1/7) to deliver a range and mix of housing types. Policy CNP H3 has a specific focus on custom and self-build houses. It applies across the neighbourhood area.'	Agree	The council considers the modification to be necessary to ensure the plan refers to the need for a range and mix of new homes which the Plan has identified to be needed, thus providing the clarity required by the NPPF. In addition, the policy as modified will focus the range and mix of the housing on the allocated sites and will naturally allow self-build and custom build homes to come forward to other sites in the neighbourhood area.
Page 41 Policy CNP H4	Delete the second sentence of the policy.	Agree	The council considers the modification to be necessary as it relates to the administration of a process rather than the application of a policy.
Page 46 Policy CNP H6 Page 43 Para 140 and Table 1	Delete the policy and Delete Paragraph 140 and Table 1	Agree	The council considers the modification to be necessary as the original policy wording is considered to be unduly restrictive and as such does not have regard to paragraph 59 of the NPPF. The council also considers the modification to delete the associated supporting text and Table 1 to be necessary to provide consistency throughout the plan.
Page 48	In the opening part replace 'permitted' with 'supported'.	Agree	The council considers the proposed

Policy CNP H8	<p>In the fourth paragraph replace 'compatible' with 'in keeping'.</p> <p>In the fifth paragraph replace 'daylight, sunlight and outlook of' with 'daylight and sunlight of'.</p>		<p>modifications are necessary to ensure the policy provides the clarity required by the NPPF.</p>
Page 53 Policy CNP E1	<p>In the first part of the policy replace the comma after 'enhanced' with a full stop and then delete the remainder of the sentence.</p> <p>Thereafter replace the remainder of the policy with the following:</p> <p>'Within the AONB (as shown on Map 2) great weight will be given to conserving landscape and scenic beauty. Development proposals for major development will not be supported in this area except in exceptional circumstances and where they can be demonstrated to be in the public interest.</p> <p>Elsewhere in the neighbourhood area development proposals will only be supported where it would promote small scale economic growth which promotes the conservation and enhancement of the countryside.'</p>	Agree	<p>The council considers the modifications necessary so that the policy has regard to the different national policy contexts that affect the neighbourhood area.</p>
Page 52	<p>In paragraph 173 delete '(CHOL5 and 6)'.</p>	Agree	<p>The council considers the modification necessary to provide consistency throughout the plan.</p>
Page 52	<p>At the end of paragraph 177 add:</p> <p>Policy CNP E1 sets out a policy to address these important issues. It makes a distinction between the</p>	Agree	<p>The council considers the modifications necessary so that the policy has regard to the different national policy contexts that affect the neighbourhood area.</p>

	<p>parts of the neighbourhood area that are affected by AONB status and those which are not. This will ensure that the policy has regard to national policy. In relation to proposals outside the AONB development proposals should address the following matters as appropriate to their location:</p> <ul style="list-style-type: none"> • how it would safeguard key views of importance in Cholsey Views Assessment; and • how it would impact on local landscape features such as trees, hedgerows, watercourses and bodies of water.’ 		
Page 52	<p>Insert a new policy as follows:</p> <p>Policy CNP [E Insert Number] ‘Development proposals should respect the landscape, waterscape, cultural heritage and the user enjoyment of the River Thames, its tributaries and floodplains, the Ridgeway and the Thames Path. Insofar as planning permission is required proposals for mooring stages, posts, earthworks or river-facing banks with piles and planking outside the built-up area boundary will not be supported.’</p> <p>Include new supporting text to read: ‘A key part of the attractiveness of the rural parts of the neighbourhood area arise from its association with the River Thames. Policy [insert number] addresses this important matter. At its heart is safeguarding the tranquillity of this part of the neighbourhood area in general, and that of the River Thames in particular.’</p>	Agree	The council considers the modifications necessary so that the policy has regard to the different national policy contexts that affect the neighbourhood area.
Page 53 Policy	<p>In the first sentence:</p> <ul style="list-style-type: none"> • replace ‘must’ with ‘should’ 	Agree	The council considers the modifications proposed by the examiner to be necessary to

CNP E1	<ul style="list-style-type: none"> delete 'for example....advice'. <p>In the second sentence after 'attributes' add 'particularly those features of the historic environment identified in this Plan'.</p>		ensure the policy has sufficient clarity and is not overly restrictive.
Page 58	<p>At the end of paragraph 206 add:</p> <p>'Policy E3 sets out the Plan's approach towards the relationship between heritage assets in the neighbourhood area and development proposals. Its first part indicates that development proposals should assess the historic environment and how the proposal concerned contributes towards their settings. A good example of how this process could be achieved is set out in Historic England's publication 'Managing Significance in Decision Taking'. (Reposition link to footnote 36 to this revised text).</p>	Agree	The council considers the proposed modifications necessary to ensure that the supporting text provides sufficient clarity.
Page 61 Policy CNPI1	<p>At the start of the policy insert 'Where appropriate'.</p> <p>Insert 'housing' between 'New' and 'developments'</p> <p>In the first two sentences replace 'must' with 'should'</p>	Agree	The council considers the proposed modifications necessary to ensure that the policy provides the necessary clarity and has sufficient flexibility.
Page 61	<p>In paragraph 214 insert 'housing' between 'new' and 'developments'</p>	Agree	The council considers the proposed modification necessary to ensure that the policy provides the necessary clarity.
Page 67 Policy CNP I3	<p>In the first part of the policy (237) delete the first sentence. After the retained sentence add a new sentence to read:</p> <p>'New developments should also be designed in a way which will neither exacerbate existing water supply or</p>	Agree	The council considers the proposed modifications to the policy necessary so that it addresses the outputs of the development process.

	wastewater issues nor create water supply or disposal issues for properties elsewhere in the neighbourhood area.'		
Page 66	<p>Replace the final bullet point in paragraph 236 with 'the desirability of developers engaging in pre-application discussions with Thames Water'</p> <p>Replace paragraph 234 with the revised statement from Thames Water in its representation to the Plan.</p>	Agree	The council considers the proposed modifications to the supporting text necessary so that it addresses the outputs of the development process rather than the technical process that previously used to underpin planning decisions.
Page 67 Policy CNP I4	<p>Throughout the policy replace 'must' with 'should'</p> <p>Delete the final sentence.</p> <p>Reposition the delete final sentence (and the link to footnote 46) to the end of paragraph 234 (as recommended to be modified).</p>	Agree	The council considers the proposed modification necessary to allow other guidance or updates to current guidance to influence planning decisions.
Page 71 Policy CNP I6	<p>In the first part of the policy replace 'permitted' with 'supported'</p> <p>After i. add ';or'</p> <p>Delete the second paragraph of the policy</p> <p>Replace the deleted element of the policy at the end of paragraph 240. In doing so replace 'realistic price' with 'realistic market price that reflects the existing (community) use of the premises.'</p>	Agree	The council considers the modifications proposed by the examiner to be necessary to ensure the policy and supporting text has sufficient clarity and is not overly restrictive.
Page 73 Policy CNP I8	Insert 'Insofar as planning permission is required' at the beginning of the policy	Agree	The council considers the modification necessary to take account of circumstances where planning permission would not be

	At the end of paragraph 252 add: 'In some cases planning permission may not be required for people to work for such businesses. Policy CNP 18 will apply only to proposals which requires planning permission.'		required for persons to work from home.
Page 73 Policy CNP 19	Delete 'small scale' After 'village' add 'which respect the scale of the village and its wider landscape setting.' After the first sentence of Paragraph 255 insert: 'Policy CNP 19 addresses the issue of new business development. It supports new enterprises which would respect the scale of the village and its wider landscape setting. Plainly each proposal would need to be considered on its own merits. However, the Plan anticipates that any such new developments would be of 0.5 hectares or less in the site area.'	Agree	The council considers the modification necessary as the existing policy would not have regard to national policy and may prevent otherwise acceptable schemes from coming forward.
Page 74 Policy CNP 110	Replace the first sentence with: 'Proposals that would involve the loss of the existing allotments and the cemetery will not be supported'. In the second sentence replace 'in accordance with the National' with 'to a'.	Agree	The council considers the modifications proposed by the examiner to be necessary to ensure the policy and supporting text has sufficient clarity.
Page 74 Policy CNP 111	Replace 'is particularly encouraged' with 'will be particularly supported'.	Agree	The council considers the modifications to be necessary so CNP111 is reconfigured to adopt a policy format.

<p>Page 77 Policy CNP T1</p>	<p>At the beginning of the policy insert 'Where appropriate'</p> <p>Delete final sentence.</p>	<p>Agree</p>	<p>The council considers the modification to be necessary, so the policy identifies that not all developments may offer the opportunity to establish connections. For example, not all schemes will provide a direct opportunity to connect to the walking and cycling network.</p> <p>The deletion of the final sentence is considered necessary to ensure the policy is not overly restricted and unduly onerous.</p>
<p>Page 79 Policy CNP T2</p>	<p>Insert 'Where appropriate' at the beginning of the second sentence of the policy.</p>	<p>Agree</p>	<p>The council considers the modifications proposed by the examiner to be necessary to ensure the policy has sufficient clarity.</p>
<p>Page 84 Policy CNP ED1</p>	<p>Replace the policy with:</p> <p>'Proposals for the expansion and/or consolidation of the existing educational facilities on the Cholsey Primary School site will be supported subject to the following criteria:</p> <ul style="list-style-type: none"> • They provide appropriate levels of staff car parking; and • They meet the minimum requirements for the playing field and outdoor play space.' 	<p>Agree</p>	<p>The council considers the modifications to be necessary to be in line with works currently being undertaken by the County Council and to ensure the policy can fully address any potential expansion needs which may arise within the Plan period.</p>
<p>Page 84 Policy CNP ED2</p>	<p>Delete the second sentence of the policy</p> <p>At the end of paragraph 317 add:</p> <p>'Policy CNP ED2 supports proposals for an expanded pre-school facility. In certain circumstances it may be appropriate for wider developer contribution packages associated with new residential proposals to include the</p>	<p>Agree</p>	<p>The council considers the modifications proposed by the examiner to be necessary to ensure the policy and supporting text has sufficient clarity.</p>

	expansion of the pre-school.'		
Page 85 Monitoring	Replace the final sentence of paragraph 335 with the following: 'The neighbourhood plan will be assessed against the emerging South Oxfordshire Local Plan 2033 when that Plan is eventually adopted. This will be done in two phases. The first phase would assess the implications of the adoption of the Local Plan 2033 on the neighbourhood plan within six months of the adoption of the Local Plan. The second phase would be to begin a review of the neighbourhood plan within twelve months of the adoption of the Local Plan where it was considered that the neighbourhood plan had effectively been superseded by the adoption of the Local Plan'.	Agree	The council considers the modification to be necessary to enable the Plan to be more explicitly related to the adoption of the emerging Local Plan and its strategic housing requirements in particular.
Page 77 Pledge T1	Replace 'The neighbourhood...consider' with 'The Parish Council will explore the feasibility of'	Agree	The council considers the modification necessary, so it refers simply to outcomes and the appropriate qualifying body. By definition the qualifying body for the neighbourhood plan is the Parish Council and therefore the pledge should be amended to reflect this.
Other matters	Modification of the general text (where necessary) to achieve consistency with modified policies	Agree	The council agrees with the examiner that it may be necessary to amend the plan where consequential changes to the text are required directly as a result of the examiners recommended modifications.

Appendix 2 - Examiner's Report

The Examiner's Report is available here: <http://www.southoxon.gov.uk/sites/default/files/19-12-2018%20Cholsey%20Examiner's%20Report.pdf>

Appendix 3 - Consequential and/or Factual Changes

Section	Agreed change	Justification/Reason
All plan	Paragraph and policy renumbering	To accommodate the Examiner's recommended changes
All plan	To add CNP to all policy references	To ensure that the Examiner's recommended changes are consistent with the format of the Plan.
Introduction paragraph 2	Delete duplicate word ' planning '	typo
Paragraph 63	Delete - which was submitted for examination in December 2015	Factual update reflecting the progress of the Minerals and Waste Local Plan part 1.
Paragraph 180	Replace ' features in bullets ii a to f above ' with ' the landscape of the parish '.	To ensure the paragraph reflects the Examiner's change to Policy CNP E1
Policy CNP E2 Para 195	Add ' and CNP E3 ' before will be supported.	To ensure consistency with other policies. The Examiner's recommended modifications move part of Policy CNP E1 into a new policy CNP E3.
Paragraph 241	Replacing the 'above' with ' policy ' when reproducing the deleted part of policy CNP 16 into supporting text.	The text has been relocated from the policy to supporting text, as recommended by the Examiner.
Para 255	Move the new wording recommended by the Examiner to the end of the original paragraph.	Editorial amendment – no changes to the meaning of the paragraph.
Policy CNP I10	Replace ' and ' with ' or ' before cemetery	Grammatical correction

Guidance notes

1. This form must be completed by the lead officer who becomes the contact officer. The lead officer is responsible for ensuring that the necessary internal consultees have signed it off, including the chief executive. The lead officer must then seek the Cabinet portfolio holder's agreement and signature.
2. Once satisfied with the decision, the Cabinet portfolio holder must sign and date the form and return it to the lead officer who should send it to Democratic Services immediately to allow the call-in period to commence.
Tel. 01235 422520 or extension 22520.
Email: democratic.services@southandvale.gov.uk
3. Democratic Services will then publish the decision to the website (unless it is confidential) and send it to all councillors to commence the call-in period (five clear working days) if it is a 'key' decision (see the definition of a 'key' decision below). A key decision cannot be implemented until the call-in period expires. The call-in procedure can be found in the council's constitution, part 4, under the Scrutiny Committee procedure rules.
4. Before implementing a key decision, the lead officer is responsible for checking with Democratic Services that the decision has not been called in.
5. If a key decision has been called in, Democratic Services will notify the lead officer and decision-maker. This call-in puts the decision on hold.
6. Democratic Services will liaise with the Scrutiny Committee chairman over the date of the call-in debate. The Cabinet portfolio holder will be requested to attend the Scrutiny Committee meeting to answer the committee's questions.
7. The Scrutiny Committee may:
 - refer the decision back to the Cabinet portfolio holder for reconsideration or
 - refer the matter to Council with an alternative set of proposals (where the final decision rests with full Council) or
 - accept the Cabinet portfolio holder's decision, in which case it can be implemented immediately.

Key decisions: assessing whether a decision should be classified as 'key'

The South Oxfordshire and Vale of White Horse District Councils' Constitutions now have the same definition of a key decision:

A key decision is a decision of the Cabinet, an individual Cabinet member, or an officer acting under delegated powers, which is likely:

- (a) to incur expenditure, make savings or to receive income of more than £75,000;**

- (b) to award a revenue or capital grant of over £25,000; or**
(c) to agree an action that, in the view of the chief executive or relevant head of service, would be significant in terms of its effects on communities living or working in an area comprising more than one ward in the area of the council.

Key decisions are subject to the scrutiny call-in procedure; non-key decisions are not and can be implemented immediately.

In assessing whether a decision should be classified as 'key', you should consider:

- (a) Will the expenditure, savings or income total more than £75,000 across all financial years?
- (b) Will the grant award to one person or organisation be more than £25,000 across all financial years?
- (c) Does the decision impact on more than one district council ward? And if so, is the impact significant? If residents or property affected by the decision is in one ward but is close to the border of an adjacent ward, it may have a significant impact on that second ward, e.g. through additional traffic, noise, light pollution, odour. Examples of significant impacts on two or more wards are:
- Decisions to spend Didcot Garden Town funds (significant impact on more than one ward)
 - Changes to the household waste collection policy (affects all households in the district)
 - Reviewing a housing strategy (could have a significant impact on residents in many wards)
 - Adopting a supplementary planning document for a redevelopment site (could significantly affect more than one ward) or a new design guide (affects all wards)
 - Decisions to build new or improve existing leisure facilities (used by residents of more than one ward)

The overriding principle is that before 'key' decisions are made, they must be published in the Cabinet Work Programme for 28 calendar days. Classifying a decision as non-key when it should be a key decision could expose the decision to challenge and delay its implementation.