

## Record of individual Cabinet member decision

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

<b>Decision made by</b>	Councillor Anne-Marie Simpson
<b>Key decision?</b>	No
<b>Date of decision</b> (same as date form signed)	02/04/2020
<b>Name and job title of officer requesting the decision</b>	Robyn Tobutt <b>Planning policy Officer (Neighbourhood)</b>
<b>Officer contact details</b>	Tel: 07917 088349 Email: Robyn.Tobutt@southandvale.gov.uk
<b>Decision</b>	<ol style="list-style-type: none"> <li>1. To accept all modifications recommended by the Examiner;</li> <li>2. To determine that the Wheatley 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</li> <li>3. To take all appropriate actions to progress the Wheatley Neighbourhood Development Plan to referendum.</li> </ol>
<b>Reasons for decision</b>	<ol style="list-style-type: none"> <li>1. The Wheatley 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 (February 2019) (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.</li> <li>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</li> </ol>

and respects relevant constraints, including the Green Belt. The Plan has developed a positive suite of policies that seek to bring forward positive and sustainable development in the neighbourhood area. There is a clear focus on safeguarding the character of the village and proposing a series of development sites.

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. It is clear that the submitted Plan has set out to achieve sustainable development in the neighbourhood area. IN the economic dimension the Plan includes policies for infill residential development within the built-up area (H4) and the site allocation policies (SPES2). It also includes policies for the village centre (VCE1) and for general economic development (E1). In the social role, it includes policies on community facilities (SC11/2) and on community energy projects (DQS1). In the environmental dimension the Plan positively seeks to protect its natural, built and historic environment (HE1), biodiversity (EN1) and landscape character (H2).
4. As a whole, the council is satisfied that the policies in the Plan pursue net gain across each of the different dimensions of sustainability in a mutually supportive way.
5. 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 Wheatley should be consistent with the overall strategy of supporting and enhancing the larger villages as local service centres.
6. Criterion 3 of Policy CSS1 (The overall strategy) of the South Oxfordshire Core Strategy (2012) is particularly relevant to the settlement of Wheatley, 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.

7. 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.
8. 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 – which identified 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.
9. 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 appointed to Wheatley is 50. This number has been used by the council when considering the Core Strategy housing requirements for Wheatley.
10. 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, Wheatley is expected to have housing allocations and there is no limit on the size of infill. Policy CSR1 also recognises that all development should respect national designations such as Green Belt, which impacts on the Wheatley Neighbourhood Plan as the village of Wheatley is inset from the Green Belt.
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 Wheatley neighbourhood plan responds to the council's emerging Local Plan in an appropriate manner, balancing growth pressures and significant constraints. The neighbourhood plan, as modified by the examiner, supports the comprehensive

redevelopment of the Wheatley Campus and supports the comprehensive redevelopment of the Littleworth Road Industrial Estate for approximately 25 homes.

12. Paragraph 5.25 of the council's emerging Local Plan (Final Publication Version 2nd), identifies that larger villages are expected to deliver 15% growth in addition to any outstanding Core Strategy requirement. 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 Wheatley as 305 in the period up to 2034. In the period up until 30 September 2018 for commitments and 31 March 2018 for completions, the council has identified 129 completions and commitments for dwellings in Wheatley. The outstanding housing requirement for Wheatley is 0 as detailed in the South Oxfordshire Local Plan 2034 Final Publication Version 2nd.

13. In this case, the Wheatley neighbourhood plan was not required to deliver any growth but the Plan had aspirations to deliver a number of housing and employment allocations aimed at delivering a village enhancement plan which required the release land from the Green Belt in Wheatley. The Plan pursued an ambitious agenda, aligning itself with the emerging South Oxfordshire Local Plan, which sought to provide the strategic mechanism through Policy STRAT6, to allow the Plan to make detailed amendments to the Green Belt boundary. This approach took into account paragraph 135 of the NPPF which comments that:

*'Once established, Green Belt boundaries should only be altered where exceptional circumstances are fully evidenced and justified, through the preparation or updating of plans. Strategic policies should establish the need for any changes to the Green Belt boundaries, having regard to their intended permanence in the long term, so they can endure beyond the plan period. Where a need for changes to Green Belt boundaries has been established through strategic policies, detailed amendments to those boundaries may be made through non-strategic policies, including neighbourhood plans.'*

14. The delay in the production of the South Oxfordshire Local Plan has had a very significant effect on the approach taken in the Plan. During the examination of the Plan, October 2019 to February 2020, the examiner recognised that the uncertainty over the eventual outcome of the emerging Local Plan and lack of clarity on the timetable for the adoption of the

emerging Local Plan, would result in an unhealthy stand off period before the relevant policies relating to the allocations and village enhancement plan in the Plan took effect. As this approach would not provide the clarity required by national policy and guidance, a significant proportion of the village enhance plan and allocations were deleted from the Plan. The examiner recognised in his report that some or all of the work undertaken on the proposed allocations and village enhancement plan could be consolidated and updated within a review of any made Plan once the emerging Local Plan has been adopted. The council is satisfied that this is the appropriate approach at this time, given the circumstances surrounding the timings of the Plan and emerging Local Plan.

15. The Plan, as modified by the Examiner's recommendation, would not breach, and be otherwise incompatible with EU obligations, including the following Directives: the strategic Environmental Assessment (2001/42/EC); the Environmental Impact Assessment Directive (2011/92/EU); the Habitats Directive (92/43/EEC); the Wild Birds Directive (2009/147/EC); the Waste Framework Directive (2008/98/EC); the Air Quality Directive (2008/50/EC); and the Water Framework Directive (2000/60/EC). In addition, no issue arises in respect of equality under general principles of EU law or any EU equality directive. In order to comply with the basic condition on the European Union legislation the Qualifying Body has prepared a Strategic Environmental Assessment dated September 2019. The Strategic Environmental Assessment sets out the background of how it was developed in Section 1 and 2. Section 3 sets out the scope of the SEA. Section 5 identifies the reasonable alternatives. Section 7 develops the preferred approach. Section 8 details the methodology. Section 9 assess the submission plan. Section 11 sets out the monitoring and next steps.

16. 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 November 2019. The HRA screening report concluded that the Plan would not have any likely significant effects on the integrity of European sites in or around South Oxfordshire, either alone or in combination with other plans or programmes. Natural England confirmed on 7 November 2019 that the proposals in the plan will not have significant effects on sensitive sites and that an Appropriate Assessment

is therefore not required.

17. 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.
18. 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'.
19. The council is satisfied that it is necessary to extend the referendum area beyond the designated plan area as it is currently defined, to include the parish of Holton as recommended by the examiner. The Plan advises that it has been prepared by the communities of both Wheatley and Holton.
20. The individual modifications proposed by the Examiner are set out in Appendix 1 alongside the council's decisions in response to each recommendation and the reason for them. The Examiner's Report is available in Appendix 2.
21. The examiner noted in his report that nothing in his report should deter appropriate updating prior to the referendum in respect of incontrovertible issues of primary fact. To ensure that the plan reads as a coherent document the qualifying body and the council have agreed factual and consequential updates.
22. The Plan was submitted in September 2019, and as such it is assessed against the February 2019 National Planning Policy Framework.
23. The council has taken account of all of the representations received.
24. The Counting Officer is responsible for determining the date of the referendum. The Coronavirus Act 2020 postpones the scheduled May 2020 elections in England and Wales to May 2021 and also includes provision for the postponement of other elections including referendums during this period. The

	Counting Officer will consider a date for the referendum having regard to further regulations and in consultation with the qualifying body.
<b>Alternative options rejected</b>	<p><b>Make a decision that differs from the Examiner's recommendation</b></p> <p>If the council deviates from Examiner's recommendations, the council is required to:</p> <ol style="list-style-type: none"> <li>1. Notify all those identified on the consultation statement of the parish council and invite representations, during a period of six weeks,</li> <li>2. Refer the issue to a further independent examination if appropriate.</li> </ol> <p><b>Refuse the Plan</b></p> <p>The council can decide that it is not satisfied with the plan proposal with respect to meeting basic conditions, compatibility with Convention rights, definition and provisions of the NDP even if modified. Without robust grounds, which are not considered to be present in this case, refusing to take the Plan to a referendum could leave the Council vulnerable to a legal challenge.</p> <p><u>Reason for rejecting alternative options</u></p> <p>These options were rejected because the district council is minded to agree with all of the Examiner's modifications and his conclusion that the Plan, as modified, meets the basic conditions and relevant legal requirements.</p>
<b>Legal implications</b>	The process undertaken and proposed accords with planning legislation.
<b>Financial implications</b>	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 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 is borne by the council. Staffing costs associated with supporting community groups and progressing neighbourhood plans through the formal stages are funded by the council.
<b>Other implications</b>	There are no other implications.
<b>Background papers considered</b>	<ol style="list-style-type: none"> <li>1. Wheatley Neighbourhood Plan and supporting documents</li> <li>2. National Planning Policy Framework (2019)</li> <li>3. National Planning Practice Guidance (July 2014 and subsequent updates)</li> <li>4. South Oxfordshire Core Strategy 2012</li> </ol>

	5. Saved policies from the South Oxfordshire Local Plan 2011 6. South Oxfordshire District Council HRA Screening Statement 7. Representations submitted in response to the Wheatley Neighbourhood Plan 8. Relevant Ministerial Statements			
<b>Declarations/conflict of interest? Declaration of other councillor/officer consulted by the Cabinet member?</b>	None			
<b>List consultees</b>		<b>Name</b>	<b>Outcome</b>	<b>Date</b>
	Ward councillors	Alexandrine Kane Sarah Gray	No comment	27/03/2020
	Legal	Ian Price	Agreed subject to Democratic input	27/03/2020
	Finance	Richard Spraggett Roger Mcleod	No comment	27/03/2020
	Human resources	Capita HR	No comment	27/03/2020
	Sustainability	Heather Saunders	No comment	27/03/2020
	Diversity and equality	Yvonne Cutler	No comment	27/03/2020
	Communications	Communications team	No comment	27/03/2020
	Senior Management Team	SMT	Agreed	02/04/2020
<b>Confidential decision?</b> If so, under which exempt category?	No			
<b>Call-in waived by Scrutiny Committee chairman?</b>	N/A			
<b>Has this been discussed by Cabinet members?</b>	No			
<b>Cabinet portfolio holder's signature</b> To confirm the decision as set out in this notice.	Signature <u>Councillor Anne-Marie Simpson</u> Date <u>2 April 2020</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 31 – Policy H1: Design and Character Principles	<p>Replace 'conservation areas and their settings' with 'conservation area and its setting'.</p> <p>In the second paragraph of the policy replace:</p> <ul style="list-style-type: none"> <li>• 'The proposals' with 'Development proposals'</li> <li>• 'appropriately address... principles' with 'respond positively to the following principles as appropriate to their scale, nature and location with the neighbourhood area'</li> </ul> <p>Delete principle j.</p> <p>Add semi colons after each principle and after the penultimate principle include '; and'.</p>	Agree	The council consider the proposed modifications to the policy to be necessary to ensure that the policy is correct in factual terms and has the clarity that is required by national policy and guidance.
Page 32 – Policy H2: Landscape Character	<p>Replace the policy with:</p> <p>'As appropriate to their scale, nature and location development proposals should take account of their relationship with the intrinsic character and beauty of the countryside. In addition, development proposals should protect and enhance valued landscapes sites of biodiversity or geological value and soils subject to their compliance with other development plan policies proposals which would make a positive contribution to the character and appearance of the neighbourhood area and its landscape context will be supported'.</p>	Agree	The council consider the proposed modification to the policy by the examiner to be necessary to ensure that the policy has the clarity that is required by national policy and guidance.

Page 32 – Para 8.7	In paragraph 8.7 retain the final sentence and delete the two preceding sentences.	Agree	The council consider the proposed modifications to the supporting text to be necessary to ensure there is the clarity that is required by national policy and guidance, in particular to ensure that the supporting text does not refer to buildings/views outside of the neighbourhood area.
Page 34 – Policy H3: Mix and Size of New Housing	<p>Replace the policy with:</p> <p>‘Development proposals for more than ten homes should deliver affordable housing requirements as included in the most up-to-date and relevant part of the development plan.</p> <p>Within this context development proposals that meet identified housing needs either in the wider District or within the neighbourhood area in particular will be supported. Proposals which would deliver housing specifically designed for young people, local works, small families, the elderly and people with disabilities will be particularly supported’</p>	Agree	The council consider the proposed modifications to the policy to be necessary to ensure that the policy has the clarity that is required by national policy and guidance and is in general conformity with the development plan.
Page 33 – Para 8.8	At the end of paragraph 8.8 add: ‘Policy H3 sets out a context within which these matters can be addressed in the development management system. Where necessary the potential impact of the delivery of affordable housing on development viability will be taken into account. Any such impact will need to be assessed against independent and robust evidence. Plainly this will vary on a site by site basis and will be addressed on a case by case basis in either pre-application discussion or the determination of planning applications’	Agree	The council consider the proposed modifications to the supporting text to be necessary to ensure that there is the clarity that is required by national policy and guidance, with particular reference to the modifications made to H3.

<p>Page 34 – Policy H4: In-fill and Self-Build Dwellings</p>	<p>In the first sentence of the policy replace ‘Development Plan for the district’ with ‘wider development plan’</p> <p>In the second sentence of the policy delete ‘or outside... provisions of policy GBBA1’</p> <p>In the second sentence replace ‘countryside location... development plan policies’ with ‘appropriate for their location in the countryside in general or the Green Belt in particular or are otherwise allocated for development in the neighbourhood plan itself, or other development plan policies’</p>	<p>Agree</p>	<p>The council consider the proposed modifications to the policy to be necessary to ensure that there is clarity that is required by national policy and guidance and that the policy becomes more general.</p>
<p>Page 35 – Policy P1: Parking Provision</p>	<p>Replace the policy with:</p> <p>‘New development proposals should provide off road parking to meet the County Council’s car parking standards.</p> <p>The detailed configuration of car parking provision should deliver innovative and attractive arrangements which complement the character of the neighbourhood area. Parking arrangements which avoid the following matters will be particularly supported:</p> <p>[Insert at this point 1/2/3 from the submitted policy]’</p>	<p>Agree</p>	<p>The council consider the proposed modifications to the policy to be necessary to ensure there is clarity that is required by national policy and guidance.</p> <p>The council consider the deletion of the fourth matter of the policy necessary, as by definition such arrangements would not meet the County Council’s standards for off road parking.</p>
<p>Page 35 – Policy T1: Impact of</p>	<p>Delete the first three sentences of the policy.</p>	<p>Agree</p>	<p>The council consider the proposed modifications to the policy to be necessary to ensure the policy is not duplicating national</p>

Development on the Road Network			policy and to ensure there is clarity that is required by national policy and guidance.
Page 37 – Policy SCI1: Community Assets	<p>Replace ‘permitted’ with ‘supported’.</p> <p>Delete the final sentence.</p> <p>Replace the title with ‘Safeguarding Community Facilities’</p>		The council consider the proposed modifications to the policy wording to be necessary to ensure there is clarity that is required by national policy and guidance.
Page 36/37 Para 8.15	<p>In paragraph 8.15 delete ‘i. Recreation Land and j. Sports Fields’</p> <p>After the (modified) list of facilities in paragraph 8.15 add: ‘Policy SCI1 provides a context within which the Plan seeks to safeguard these important community facilities. It includes three circumstances where the loss of a community facility might be supported. [At this point include the deleted element of the policy with SODC written in full]’</p>	Agree	The council consider the proposed modifications to the supporting text necessary to ensure the approach in the submitted plan has regard to the approach in the NPPF (paragraph 97) in relation to recreational and sporting fields.
Page 37 – Policy SCI2: Improvement to Community Assets	<p>In the second sentence replace ‘permitted’ with ‘supported’.</p> <p>Thereafter replace the remainder of the sentence with: ‘where such proposals are in accordance with other development plan policies and do not generate any unacceptable amenity, environmental or traffic impacts’.</p> <p>In the policy title replace ‘Assets’ with ‘Facilities’</p>	Agree	The council consider the proposed modifications to the policy wording to be necessary to ensure there is clarity in the way in which amenity issues would be addressed in the circumstances of proposed new or extended facilities of this nature, as required by national policy and guidance. The council agrees with the modification to the title of the policy as it more accurately reflects its purpose.

Page 38 – Policy B1: Burial Provision	Replace ‘suit’ with ‘respect’	Agree	The council consider the proposed modification by the examiner to the policy wording to be necessary to ensure there is clarity that is required by national policy and guidance.
Page 38 – Policy VCE1: Wheatley Village Centre	Replace the policy with: ‘Proposals for new housing, retail, leisure and office developments in or adjacent to the village centre and which would maintain and where practicable improve its overall vitality and viability will be supported’	Agree	The council consider the proposed modification by the examiner to the policy wording to be necessary to ensure there is clarity and that the policy is not restating local and national planning policies.
Page 38 – Para 8.18	At the end of paragraph 8.18 add: ‘Policy VCE1 sets the context for new development to achieve this important objective. It has been designed to reflect the importance of a dynamic and multi-use village centre. Proposals for non-retail uses should demonstrate how they would not detract from the overall retail attractiveness of the village centre’	Agree	The council consider the proposed modifications to the supporting text to be necessary to ensure there is clarity that is required by national policy and guidance and ensure that the supporting text is consistent with Policy VCE1.
Page 38 – Policy E1: Supporting Wheatley’s Economy	Replace the policy with: ‘The development of new and businesses and the expansion and/or reconfiguration of existing businesses within the built-up area of Wheatley will be supported where they do not generate any unacceptable amenity, environmental or traffic impacts’	Agree	The council consider the proposed modification to the policy wording necessary as the specific elements of the policy lacked the clarity for development management purposes. The council agrees that the policy should be modified to focus on the more general elements of business growth and diversification and that the section about the relocation of existing businesses within the village is removed.
Page 41 – Policy EN1:	In the initial sentence replace ‘The protection... of’ with ‘Proposals that would protect or enhance’.	Agree	The council consider the proposed modification to the policy necessary so that it

Biodiversity	<p>At the beginning of the second sentence add: 'Proposals which would result in'</p> <p>At the end of the second sentence delete 'together with... Designated Area (see Figure 8.6)'</p>		<p>more closely relates to the development management process and to ensure that there is the clarity that is required by national policy and guidance.</p> <p>The council consider the proposed modification to remove the reference to the Shotover Target Conservation Area necessary as significant parts of the Area are located beyond the neighbourhood area and that detailed management plans are already in place.</p>
Page 41 – Policy HE1: Historic Environment	In the first part of the policy insert 'as listed in Appendix 1 of the Plan' between 'conservation area' and 'will be'.	Agree	The council consider the proposed modification necessary to ensure that the policy is locally distinctive and there is clarity as required by national policy and guidance.
Page 42 – Policy DQS1: Individual and Community Energy Projects	<p>Delete 'Any'</p> <p>Replace 'conform' with 'have regard'</p>	Agree	The council consider the proposed modification the policy by the examiner to be necessary to ensure that the policy has the clarity that is required by national policy and guidance.
Page 46 – Policy SPOBU – WHE25	<p>Replace the policy with:</p> <p>'Proposals for the comprehensive redevelopment for residential purposes of the Wheatley Campus site as shown on Fig 9.1 will be supported where they conform with the following development principles:</p> <ul style="list-style-type: none"> <li>the development of the site is underpinned by a masterplan addressing infrastructure, access, landscaping, and recreation/open space issues;</li> </ul>	Agree	<p>The council consider the proposed modifications the policy by the examiner to be necessary to ensure that the policy has the clarity that is required by national policy and guidance.</p> <p>The policy has been modified so that it is both simplified and has general effect, with the ability to be applied to any future applications which may arise. This approach</p>

	<ul style="list-style-type: none"> <li>• the layout, design and height of the new buildings take account of the openness of the Oxford Green Belt and as identified generally in national planning policy (NPPF 145g);</li> <li>• the development of the site should incorporate the provision of affordable housing to the most up-to-date standards of South Oxfordshire District Council;</li> <li>• the development of the site should incorporate high quality public realm and open space; and</li> <li>• the development of the site should address opportunities to incorporate safe, convenient and attractive pedestrian and cycling access to and from Wheatley'</li> </ul>		has regard to Planning Practice Guidance (41-004-20190509) on the matter of an emerging neighbourhood plan policy supporting the delivery of strategic policies in a local plan. This approach also provides a more detailed policy context than the approach more broadly included in national planning policy (NPPF 145g) on the redevelopment of brownfield sites within the Green Belt.
Page 44 – Figure 9.1	In Figure 9.1 remove the three assessment sites (WHE2/3/4) and the key on this matter and the listed buildings and ancient monument outside the neighbourhood area.	Agree	The council consider the proposed modifications to Figure 9.1 necessary to ensure there is clarity that is required by national policy and guidance and to ensure that areas/features outside of the designated neighbourhood area are not referred to.
Page 43/44 – Supporting text	<p>In paragraph 9.2 replace the second sentence with: 'This Plan and the resulting policy addresses only that part of the wider Campus site within the designated neighbourhood area'</p> <p>In paragraph 9.3 retain the first sentence. Replace the remainder of the paragraph with: 'The site is physically separated from the retail, community and educational facilities in Wheatley by the A40. In this context the redevelopment of the site should</p>	Agree	The council consider the proposed modifications the supporting text necessary to ensure there is clarity that is required by national policy and guidance and to ensure that the supporting text is consistent with the modifications made to Policy SPOBU.



	<p>address on-site and off-site opportunities to provide safe, convenient and attractive access for pedestrian access to Wheatley'</p> <p>Replace paragraph 9.4 with:</p> <p>'The campus includes sports and recreational facilities. Some of these facilities are outside the neighbourhood area (to the west of the built development on the site). Whilst they are primarily for university use, they have represented valuable amenities for local residents. The future of these facilities should be addressed in the masterplan for the redevelopment of the site'.</p> <p>Delete paragraph 9.6</p>		
Pages 47-50 – Section 10 & Policy GBBA1: Green Belt Boundary	<p>Delete the policy</p> <p>Delete Section 10 of the Plan (including Figure 10.3)</p>	Agree	<p>The council consider the proposed deletion of this policy and section necessary as the current context proposals to make detailed amendments to the Green Belt boundary in Wheatley do not meet the basic conditions. The delay in the production of the South Oxfordshire Local Plan has had a significant effect on the approach taken in the Plan, with a lack of certainty on the eventual outcome and timetable, resulting in the deletion of this section of the Plan.</p> <p>This modification has consequential effects on Policy SPES1, Policy SPES3 and Policy SPES4.</p>
Pages 50-53 – Policy SPES1	Delete the policy	Agree	The council consider the proposed deletion of this policy and section necessary as it is

	Delete paragraph 11.1-11.7 (including Figures 11.1 and 11.3)		contingent on the application of Policy GBBA1, which has been deleted.
Page 55 – Policy SPES2	<p>Replace the opening element of the policy with:</p> <p>‘The comprehensive redevelopment of the Littleworth Road Industrial Estate for residential purposes will be supported where it can be demonstrated that the site is no longer economically viable and has been marketed at a reasonable price for that or any other suitable employment or service trade uses’</p> <p>Replace the initial element of the second part of the policy with:</p> <p>‘Within this context development proposals should respond positively to the following design criteria:’</p> <p>Replace a. and b. with: ‘The delivery of approximately 25 homes in an attractive and imaginative way which complements the public realm of the surrounding residential areas;’</p> <p>Replace c. with: ‘The height of the dwellings should reflect the contours of the site and the design and height of the residential properties in the surrounding area. The development should be designed to reflect the natural contours of the site’</p> <p>Replace e. with ‘The layout of the site includes appropriate and safe access from Littleworth Road for motor vehicles, cyclists and pedestrians’</p> <p>Replace h. with ‘The development of the site should</p>	Agree	<p>The council consider the proposed modifications to the policy necessary to provide a more general context for redevelopment of the site for residential purposes and make it less restrictive, in accordance with national policy and guidance.</p> <p>The deletion of any reference to the need for the relocation of the existing businesses within Wheatley is necessary as it is both unnecessary and overly restrictive.</p> <p>The council agrees that the deletion of the reference to any redevelopment ‘not lowering the employment capacity of the District’, is necessary as this goes beyond the approach included in the saved Local Plan.</p> <p>The council consider the proposed modifications to the criteria necessary to ensure the policy provides the clarity required by national policy and guidance.</p>

	be arranged so that there is no adverse effect on the integrity of the Littleworth Brick Pit SSSI'		
Pages 53-55 – Supporting text	<p>Before the policy and paragraph 11.8 (as numbered in the submitted Plan) add:</p> <p>10 Littleworth Business Centre Site Allocation</p> <p>[Insert new paragraph and number accordingly] to read: 'This section of the report provides a policy context for the potential redevelopment of the Littleworth Industrial Estate. It reflects the condition of the site and its range of car repair and related uses. It has been designed to bring forward a local interpretation of Policy E6 of the saved Local Plan 2011. That policy provides an opportunity for redundant land and buildings formerly in commercial use to be used for residential purposes where the uses are no longer viable and where the sites concerned have been marketed for a specific period of time'</p> <p>In 11.9 remove the references to the emerging Local Plan. Thereafter replace the final sentence with: 'On this basis Policy SPES2 has been designed so that any redevelopment can only proceed in the event that the site is no longer economically viable'</p> <p>At the end of paragraph 11.11 add: 'Policy SPES2 sets out a policy arrangement for the potential redevelopment of the site. As indicated on figure 11.4 the eastern part of the site is within the Green belt. As such it should not be incorporated into the wider redevelopment proposals. The policy requires a comprehensive redevelopment of the site. Any</p>	Agree	The council consider the proposed modifications to the supporting text necessary to provide factual accuracy and clarity as required by national policy and guidance, due to the consequential changes made to Policy SPES2.

	<p>partial redevelopment for residential purposes would be likely to generate unacceptable amenity and access arrangements for the occupiers of new dwellings on the site. Criterion c. of the policy comments about the height of the new houses. In general terms they should be two storey in height to respect the height of the other houses in the immediate locality. Nevertheless, a degree of flexibility may be appropriate where such an approach would assist in the delivery of a high-quality development. This could include two storey houses with accommodation in the roof space or three storey houses.'</p> <p>Renumber paragraphs 11.8 to 11.11 to take account of recommended modifications to the other policies/supporting text in this part of the Plan.</p>		
Pages 56-57 – Policy SPES3	<p>Delete the policy</p> <p>Delete paragraphs 11.12-11.13 (including Figure 11.5)</p>	Agree	The council consider the proposed deletion of this policy and section necessary as it is contingent on the application of Policy GBBA1, which has been deleted.
Page 58 – Policy SPES4	<p>Delete the policy</p> <p>Delete paragraphs 11.14-11.15</p>	Agree	The council consider the proposed deletion of this policy and section necessary as it is contingent on the application of Policy GBBA1, which has been deleted.
Page 59 – Para 11.17-11.19	Delete paragraphs 11.17 – 11.19 (including Figure 11.6)	Agree	The council consider the proposed deletion of this supporting text necessary for accuracy and clarity as they relate so closely to the package associated with the SPES policies which have been deleted.

<p>Page 59 – Policy SPGR: Green Route</p>	<p>Replace the policy with: ‘Proposals for the creation of a Green Route stretching from Littleworth in the west to the Asda supermarket in the east will be supported.</p> <p>Where they are otherwise in accordance with the policies in the development plan in general and the policies in this Plan in particular development proposals which would deliver elements of a wider Green Route will be supported’</p>		<p>The council consider the proposed modification to the policy necessary to ensure this policy is not undermined by the other modifications made to other policies in the Plan, it offers general support for the creation of a Green Route.</p>
<p>Page 58/59 – Para 11.16</p>	<p>In the final part of the paragraph 11.16 delete ‘(see Figure 11.1 and 11.2)’</p> <p>At the end of the paragraph add: ‘Policy SPGR provides effect to this ambition. Its second part recognises that some development proposals offer the potential to deliver elements of a wider Green Route. Such proposals would be supported and the Parish Council will seek to engage with potential developers on a case by case basis. The application of this part of the policy will need to take account of the practicability of such an approach on particular site and any effects on the overall viability of the substantive development proposed’</p>		<p>The council consider the proposed modification to the supporting text necessary to ensure it is consistent with the modifications proposed to SPGR.</p>
<p>Page 61 – Figure 12.1</p>	<p>In Figure 12.1 add a new row after the twelve-month review to read:</p> <p>‘Left Column – Review following the adoption of the emerging South Oxfordshire Local Plan 2034’</p> <p>‘Right Column – ‘The eventual adoption of a new Local Plan for the District would represent an initial opportunity to assess whether any elements of a</p>		<p>The council agrees with the examiner that the circumstances with the emerging South Oxfordshire Local Plan 2034 and the dated nature of the existing Core Strategy mean that figure 12.1 should recognise that the eventual adoption of a new Local Plan for the District would represent an initial opportunity to assess whether any elements of a made neighbourhood plan need to be</p>

	made neighbourhood plan need to be reviewed at that time’.		reviewed.
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.
Front Cover	Include the Plan period	Agree	The council consider the proposed modifications to the front cover to include the plan period to be necessary to ensure there is clarity that is required by national policy and guidance.
Page 8 – Para 4.1	Replace the fourth, fifth and sixth sentences with:  ‘It is identified as a larger village in the development plan, serving surrounding villages in retail, light industry, education, Post Office services and medical practice. With the village of Holton, which is outside the neighbourhood plan area, both of these villages host a complete school system for children aged 5 to 18 years, including secondary and special education schools serving Oxford City and the surrounding villages’	Agree	The council consider the proposed modifications to the supporting text to be necessary to ensure it accurately reflects the position of Wheatley in the settlement hierarchy and clarifies that the village of Holton is not within the neighbourhood plan area. This amendment ensures there is clarity that is required by national policy and guidance.
Page 9 – Para 4.3	Replace the second sentence with:  ‘This is in part due to Green Belt constraints on housing development, although there have been some infill sites (notably the former railway land).	Agree	The council consider the proposed modification to supporting text to be necessary to ensure there is clarity that is required by national policy and guidance.
Page 20 –	Include a key for the areas shown in colour	Agree	The council consider the proposed

Figure 4.15			introduction of a key to be necessary to ensure there is clarity that is required by national policy and guidance.

## Appendix 2 – Examiner’s Report

The Examiner’s Report is available here: <http://www.southoxon.gov.uk/services-and-advice/planning-and-building/planning-policy/neighbourhood-plans/wheatley-neighbourhood>

## Appendix 3 – Consequential and/or Factual Changes

Section	Agreed change	Justification/Reason
All plan	Update paragraph and policy renumbering and references where necessary.	Factual correction. To accommodate the Examiner’s recommended changes.
Page 2 – Content Page	Amend content page to reflect deleted Section 10 of the plan and other Examiner recommendations.  Rename section 10 to ‘Littleworth Business Centre Site Allocation’ and rename section 11 to ‘Delivery and Monitoring’.	Factual correction. To accommodate the Examiner’s recommended changes.
Page 12 – Paragraph 4.19, sentences 5 and 6	Replace the sentences with:  ‘Today the building (including the Stables) houses Wheatley Library, Wheatley Archive, the local Police Office and Parish Offices and meeting rooms. It is a significant community centre but there are some events that it cannot accommodate.’	Factual correction. To update the status of amenities in the village since the plan was drafted, which have mitigated the need for increased village hall facilities since the plan was drafted.
Page 23 –	Delete the wording:	Factual correction. To more accurately

<p>Section 6 – Preamble box</p>	<p>‘enabling village enhancement, expanding employment possibilities and rationalising the layout of light industry in Wheatley.’</p> <p>Insert ‘current and future’ between ‘fulfilling’ and ‘housing needs’.</p>	<p>reflect the Examiner’s recommended changes and deletion of section 10 of the plan.</p>
<p>Page 26 – Objectives SI104</p>	<p>Delete objective:</p> <p>‘SI104 Consider identifying land to built new village hall to meet the increased demand created by new housing’</p> <p>Renumber objective SI105 to SI104 as a result of deleted objective.</p>	<p>Factual correction. Consequential change to reflect the Examiner’s recommended changes and the change in focus of the plan.</p>
<p>Page 32 – Policy H2: Landscape Character</p>	<p>Insert comma between ‘landscapes’ and ‘sites’.</p> <p>Remove capital ‘S’ on ‘Subject’.</p> <p>Insert full stop after ‘with other development plan policies’ and insert capital ‘P’ on ‘proposals’.</p>	<p>Grammatical correction.</p>
<p>Page 36 – Paragraph 8.15, sentences 2, 3 and 4</p>	<p>Replaces sentences with:</p> <p>‘Existing facilities, notably the Merry Bells and the Wheatley Scout Movement together with new refurbishments at St Mary’s Church and the URC Chapel provide important community services. The schools too now offer larger facilities for bigger events. Establishing a ‘sustainable hub’ which brings together ideas and organisations related to low-carbon living should be considered.’</p>	<p>Factual correction. To update the status of amenities in the village since the plan was drafted, which have mitigated the need for increased village hall facilities since the plan was drafted.</p>



Page 38 – Policy E1: Supporting Wheatley’s Economy	Remove ‘and’ after ‘The development of new’.	Grammatical correction.
Page 42 – Policy HE1: Historic Environment	Insert ‘the’ between ‘monuments and’ and ‘conservation area’.	Grammatical correction.
Page 46 – Paragraph 10.1	Replace ‘Littleworth Industrial Estate’ with ‘Littleworth Business Centre’.	Factual correction to be consistent with Examiner’s recommendations.
Page 46 – Paragraph 10.2	Replace ‘Littleworth Industrial Estate’ with ‘Littleworth Business Centre’.	Factual correction to be consistent with Examiner’s recommendations.
Page 47 – Paragraph 10.5	Replace ‘Criterion c.’ with ‘Criterion b.’.	Factual correction to align with the Examiner’s recommendations to Policy SPES2.
Page 49 – Paragraph 11.2 – Third bullet point	Replace third bullet point with: ‘Renewal and enhancement of existing community facilities (eg youth centre, Scout premises)’	Factual correction. To update the status of amenities in the village since the plan was drafted, which have mitigated the need for increased village hall facilities since the plan was drafted.
Appendix 1 – Section 4	Update reference 11: Lewis Hillsdon, private communication.	To correct an error.
Appendix 2 – Figure 2.1	Delete the sentence:	Factual correction. To update the status of amenities in the village since the plan was

	'Bigger community hall close to core village population'	drafted, which have mitigated the need for increased village hall facilities since the plan was drafted.
--	--	--



## 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 hand-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 2520.  
Email: [democratic.services@southandvale.gov.uk](mailto: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.**