

## Delegated authority officer decision notice

<b>Decision made by</b>	Tim Oruye Head of Policy and Programmes
<b>Lead officer contact details</b>	Tom Gill Planning Policy Officer (Neighbourhood) Tel: 07510 921689 Email: <a href="mailto:thomas.gill@southandvale.gov.uk">thomas.gill@southandvale.gov.uk</a>
<b>Decision</b> (Keep this succinct)	<ol style="list-style-type: none"> <li>1. To accept all modifications recommended by the Examiner;</li> <li>2. To determine that the Steventon Neighbourhood 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 an NDP;</li> <li>3. To take all appropriate actions to progress the Steventon Neighbourhood Development Plan to referendum</li> </ol>
<b>Key decision?</b> (see notes below)	No.
<b>If key decision, has call-in been waived by the Scrutiny Committee chair(s)?</b>	N/A.
<b>Confidential decision, and if so under which exempt category?</b>	No.
<b>Delegated authority reference from the constitution</b>	Head of Policy and Programmes ref 3.3.
<b>Risks</b>	<p>The local community will have the opportunity to vote on the neighbourhood plan at referendum; there is a risk that the local community will vote against the plan. This risk is low given the level of support shown for the plan as detailed in the consultation statement.</p> <p>The legislation makes provision for the council's decision at this stage to be challenged via a judicial review. The process undertaken and proposed accords with planning legislation.</p>
<b>Reasons for decision</b>	<ol style="list-style-type: none"> <li>1. The Steventon Neighbourhood Development Plan (the plan) as modified by the Examiner's recommendations, has had regard to policies and advice contained in guidance issued by the Secretary of State. A requirement to have regard to policies and advice does not require that such policy and advice must necessarily be followed, but it is intended to have and does have to a significant effect. A neighbourhood plan must not constrain the delivery of important national policy objectives. The principal document in which national planning policy is contained is the National Planning Policy Framework</li> </ol>

(NPPF) and this conclusion is reached bearing this in mind. It should be noted that the NPPF was revised on 20 December 2023. The revised NPPF replaces the previous NPPF published in March 2012 and revised in July 2018, February 2019, July 2021 and September 2023. The advice within National Planning Practice Guidance (“NPPG”) has also been borne in mind in reaching this conclusion.

2. Paragraph 13 of the NPPF is clear that neighbourhood plans should support the delivery of strategic policies contained in local plans and spatial development strategies. Qualifying bodies should plan positively to support local development, shaping and directing development in their area that is outside these strategic policies. More specifically paragraph 29 of the NPPF states that neighbourhood plans should not promote less development than set out in the strategic policies for the area, or undermine those strategic policies.
3. Beyond this, the content of a draft neighbourhood plan will determine which other aspects of national policy are or are not a relevant consideration to take into account. The basic condition allows qualifying bodies, the independent examiner and local planning authority to reach a view in those cases where different parts of national policy need to be balanced.
4. Having considered all relevant information, including representations submitted in response to the Plan, the Examiner’s considerations and recommendations, the council has come to the view that the Plan recognises and respects relevant constraints. The Plan has developed a positive suite of policies that seek to bring forward positive and sustainable development in the neighbourhood area. There is a clear focus on maintaining the character, quality and appearance of the neighbourhood area, as well as aims to enhance biodiversity and wildlife, as supported by National Planning Policy Framework paragraph 185. The Plan also contains policies which focus on the delivery of sustainable development, as supported by National Planning Policy Framework paragraph 29.
5. The plan, as modified by the Examiner’s recommendations, contributes to the achievement of sustainable development. This condition relates to the making of the plan as a whole. It does not require that each policy in it must contribute to sustainable development. Sustainable development has three principal dimensions – economic, social and environmental. It is clear that the submitted Plan has set out to achieve sustainable development in the neighbourhood area. In the economic dimension, the Plan includes a policy for new residential development (Policy 1). In the social dimension, it

includes policies on community facilities (Policy 2b) and on transport and connectivity (Policy 3). In the environmental dimension, the Plan positively seeks to protect its natural, built, and historic environment. It has four policies on landscape and environmental matters (Policies 4a to 4d).

6. As a whole, the council is satisfied that the policies in the plan pursue net gain across each of the different dimensions of sustainability in a mutually supportive way.
7. The plan, as modified by the Examiner's recommendations, is in general conformity with the strategic policies contained in the current Development Plan for the area. Steventon is identified as a Larger Village within the Abingdon and Oxford Fringe Sub-Area in Local Plan Part 1 (Core Policy 3). Core Policy 3 comments that unallocated development in Larger Villages will be limited to providing for local needs and to support employment, services, and facilities within local communities. Core Policy 4 (Meeting Our Housing Needs) sets the context for the nature of new development that would be supported in larger villages in the district. Core Policy 4 indicates that Steventon does not have a defined requirement to contribute towards delivering additional housing, however there is a presumption in favour of sustainable development within the existing built area of larger villages in accordance with Core Policy 1. The Steventon Neighbourhood Plan is not proposing to allocate any additional sites for housing; however, it does set out that development proposals will be supported where they make a positive contribution to the village character through innovative design which has been tailored to the local area and has had regard to the Steventon Character Appraisal.
8. The Plan, as modified by the Examiner's recommendation, would not breach, and otherwise be compatible with, the assimilated obligations of EU legislation as consolidated in the Retained EU Law (Revocation and Reform) Act 2023 (Consequential Amendment) Regulations 2023.
9. In order to comply with the basic condition on the European Union legislation, Vale of White Horse District Council undertook a screening exercise (dated June 2020) on the need or otherwise for a Strategic Environmental Assessment (SEA) to be prepared for the Plan. As a result of this process, it concluded that the Plan is not likely to have any significant effects on the environment and accordingly would not require SEA.
10. The Council screened the Plan's potential impact on EU

Special Areas of Conservation (SACs), and this was completed in June 2020. The HRA screening report concluded that the Plan would not have any likely significant effects on the integrity of European sites in or around Vale of White Horse, either alone or in combination with other plans or programmes and that an Appropriate Assessment is therefore not required.

11. 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.

12. The Plan, as modified by the Examiner's recommendations, complies with the definition of an NDP and the provisions that can be made by an NDP. The Plan sets out policies in relation to the development and use of land in the whole of the neighbourhood area; it specifies the period for which it is to have effect and it does not include provision about development that is 'excluded development'.

13. The council is satisfied that it is not necessary to extend the referendum area beyond the boundaries of the designated neighbourhood area as they are currently defined.

14. The individual modifications proposed by the Examiner are set out in Appendix 1 alongside the council's decision in response to each recommendation and the reason for them. The Examiner's Report is available at Appendix 2.

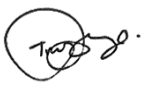
15. The Examiner noted in his report, paragraph 7.47, that it will be appropriate to make any necessary changes to the general text insofar as they are necessary to ensure that the Plan meets the basic conditions. To ensure that the plan reads as a coherent document, the qualifying body and the council have agreed factual, consequential, and typographical updates. These are set out in Appendix 3.

16. The modifications set out in Appendix 1 and Appendix 3, both separately and combined, produce no likely significant environmental effects and are unlikely to have any significant effects on the integrity of European Designated Sites.

17. The council has taken account of all the representations received.

	<p>18. The Counting Officer is responsible for determining the date of the referendum. The Electoral Service team advises that the referendum is planned for 5 September 2024.</p>
<p><b>Alternative options rejected</b></p>	<p><b>Make a decision that differs from the Examiner’s recommendation</b></p> <p>If the council deviates from the 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 representation, during a period of six weeks,</li> <li>2. Refer the issue to a further independent examination if appropriate.</li> </ol> <p><b>Refusing to progress 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>
<p><b>Legal implications</b></p>	<p>The process undertaken and proposed accords with planning legislation.</p>
<p><b>Financial implications</b></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 for this additional grant once the council issue a decision statement detailing the intention to send the plan to referendum.</p> <p>The Government grant funds the process of progressing neighbourhood plans through the formal stages, including the referendum. Any costs incurred in the formal stages in excess of Government grants is borne by the council. Staffing costs associated with supporting community groups and progressing neighbourhood plans through the formal stages are funded by the council. It is expected that costs associated with progressing this neighbourhood plan can be met from with existing neighbourhood planning budget.</p>
<p><b>Climate implications</b></p>	<p>The Plan contributes to the achievement of sustainable development. Sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs.</p>

	In terms of climate and ecological implications, the Plan seeks to have a positive impact, containing an objective concerned with improving and protecting the natural environment and biodiversity for the benefit of people and wildlife. The plan also contains a Biodiversity policy (4(b)) with the purpose of maintaining and enhancing the local biodiversity including the maintenance and creation of wildlife corridors.		
<b>Equalities implications</b>	No implications.		
<b>Other implications</b>	There are no other implications.		
<b>Background papers considered</b>	<ol style="list-style-type: none"> <li>1. Steventon Neighbourhood Plan and supporting documents</li> <li>2. National Planning Policy Framework (2023)</li> <li>3. National Planning Policy Guidance (July 2014 and subsequent updates)</li> <li>4. Vale of White Horse Local Plan Part 1</li> <li>5. Vale of White Horse Local Plan Part 2</li> <li>6. Vale of White Horse District Council SEA/HRA Screening Statement June 2020</li> <li>7. Representations submitted in response to the Steventon Neighbourhood Plan</li> <li>8. Relevant Ministerial Statements</li> </ol>		
<b>Declarations/ conflict of interest?</b>	None		
<b>Consultees</b>		<b>Name</b>	<b>Outcome</b>
	Legal <a href="mailto:legal@southandvale.gov.uk">legal@southandvale.gov.uk</a>		No comments 28/06/24
	Finance <a href="mailto:Finance@southandvale.gov.uk">Finance@southandvale.gov.uk</a>		No comments 28/06/24
	Climate and biodiversity <a href="mailto:climateaction@southandvale.gov.uk">climateaction@southandvale.gov.uk</a>	Jessie Fieth	Agree to proceed 27/06/24
	Equality and diversity <a href="mailto:equalities@southandvale.gov.uk">equalities@southandvale.gov.uk</a>	Lorne Grove	Agree to proceed 28/06/24
	Strategic property <a href="mailto:property@southandvale.gov.uk">property@southandvale.gov.uk</a>	Christopher Mobbs	No comments 26/06/24
	Communication	Victoria	Noted for comms 25/06/24

	s <a href="mailto:communications@southandvale.gov.uk">communications@southandvale.gov.uk</a>	Nickless		
	Relevant Cabinet member	Councillor Andy Foulsham	Supports progress	25/06/24
	Ward councillors	Councillor Sally Povolotsky	No comments	28/06/24
<b>Decision maker's signature</b> To confirm the decision as set out in this notice.	Signature:  Date: 01/07/2024			

## Appendix 1: Examiner's recommendations

Policy/Section	Examiner's recommendations	Council's Decision	Justification/Reason
The initial parts of the Plan (Sections 1 to 3)	On the front cover replace '2022 to 2030' with '2022 to 2031'	Agree	The council consider the modifications to the date on the front cover of the Plan necessary to bring the clarity required by the NPPF; the modifications ensure that the plan period is consistent throughout the document and so that it aligns with the period for the Vale of White Horse Local Plan.
Policy 1 - Housing design and character	<p>Replace the policy with:</p> <p>'Development proposals should make a positive contribution to the village character through innovative design which has been tailored to the local area and has had regard to the Steventon Character Appraisal.</p> <p>The layout and massing of residential development proposals should respond positively to the historic grain of development within the existing village.</p> <p>Development proposals should demonstrate that detailed consideration has been given to the balance of built form and green infrastructure. Where practicable, development proposals which deliver beyond the minimum open space requirement set out in Development Policy 33: Open Space of the Vale of White Horse Local Plan Part 2</p>	Agree	The council consider the modifications to this policy necessary to ensure that the policy acknowledges that other factors may affect the outcome of a planning application by adjusting the policy so that it sets out requirements for residential development rather than offering support for such development. This modification will ensure the plan meets the NPPF requirement for a presumption in favour of sustainable development. The council also supports the modification to the policy so that it relates to all development not just large scale development, and the deletion of the reference to the design statement as it was confirmed by the parish council that this document had not been produced to ensure the plan has clarity, as required by the NPPF.



	will be supported.'		
Policy 2a – Local Facilities and Economy	Replace the policy with: 'Proposals that would consolidate the role of the village centre by diversifying and enhancing the range of local shops and related commercial services for the local community will be supported.'	Agree	The council consider the modifications to this policy necessary to bring the clarity required by the NPPF; the modifications ensure that the wording used is more suitable to a development plan document and to enable the policy to be implemented effectively.
Policy 3 – Transport and Connectivity	In the first part of the policy replace 'significant' with 'unacceptable'  At the beginning of the second part of the policy insert: 'Wherever practicable, and as appropriate to their scale, nature, and location,'	Agree	The council consider the modifications to the policy necessary to bring the clarity required by the NPPF; the modifications ensure that the policy can be applied in a proportionate way throughout the Plan period.
Policy 4(a) – Landscape and Environment	Replace the opening element of the policy with: 'As appropriate to their scale, nature and location, development proposals should respond positively to the following principles:'  In the first and third criteria replace 'It' with 'They'	Agree	The council consider the modifications to this policy necessary to ensure that the policy acknowledge that other factors may affect the outcome of a planning application by adjusting the policy so that it sets out requirements for residential development rather than offering support for such development. This modification will ensure the plan meets the NPPF requirement for a presumption in favour of sustainable development.
Policy 4(b) – Landscape and Environment - Biodiversity	Delete 'having regard to the requirements of section 15 of the National Planning Policy Framework'  At the beginning of the second part of the policy insert 'Where appropriate,'	Agree	The council consider the modification to the policy necessary to ensure that the policy does not duplicate existing policy and legislation, as required by the NPPF, and to ensure that the policy acknowledges that a

			detailed environmental survey will not always be needed.
Policy 4(c) - Landscape and Environment – Views and Vistas	At the beginning of the policy (as a separate element) insert:  ‘The layout, design, and massing of development proposals should respond positively to the identified important views (as set out in Appendix 5).’	Agree	The council consider the modifications to the policy necessary to bring the clarity required by the NPPF; the modifications ensure that the policy acknowledges that the identified views should not be a barrier to appropriate development.
Policy 4 (d) - Landscape and Environment – Flooding	Replace the policy with: ‘As appropriate to their scale, nature and location, development proposals should incorporate sustainable drainage which is appropriate to the specific drainage and groundwater conditions of the site concerned.’	Agree	The council consider the modifications to the policy necessary to bring the clarity required by the NPPF; the modifications adjust the policy so that it sets out requirements for residential development rather than offering support for such development.
Monitoring and Review	Include an additional paragraph (107) to read:  ‘The eventual adoption of the Joint Local Plan (currently anticipated to be December 2025) could bring forward important changes to local planning policy. In this context the Parish Council will assess the need or otherwise for a full or partial review of the neighbourhood plan within six months of the adoption of that Plan.’	Agree	The council consider the modifications to the policy necessary to bring the clarity required by the NPPF; the modification inserts a paragraph into the plan explaining the relationship between the neighbourhood plan and the emerging Joint Local Plan.
Other Matters - General	Modification of general text to achieve consistency with the modified policies and to accommodate any administrative and technical changes.	Agree	Modifying the general text to ensure it is consistent with amended policies/supporting text is necessary to provide the clarity required by national policy and guidance.

Other Matters – Specific	The incorporation of the suggested changes to the general elements of the Plan as suggested by VWHDC other than items 1, 8, 13 (which have already been addressed in this report) and item 29 (which is not necessary to ensure that the Plan meets the basic conditions).	Agree	The council agrees with the Examiner that the identified recommended modifications suggested by the council at the post-submission consultation stage, which are related to minor typographical corrections and improvements to the clarity of maps and figures, are necessary to ensure that the plan has the clarity required by the NPPF.

## Appendix 2 – Examiner’s Report

The Examiner’s Report is available here:

<https://www.whitehorsedc.gov.uk/wp-content/uploads/sites/3/2024/06/Steventon-Neighbourhood-Development-Plan-Examiners-Report.pdf>

## Appendix 3 – Consequential and/or Factual Changes

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

Section	Agreed change	Justification/Reason
Page 3: Paragraph 2	“ <del>Once the</del> <b>the</b> plan <del>has been</del> formally submitted to the District Council <b>in December 2023</b> , <del>they will</del> <b>who</b> consulted on the draft plan for <del>a minimum six eight</del> <b>weeks</b> . All comments <del>will be received</del> <b>were</b> collated and passed to the Examiner for consideration as part of the examination process. The examiner <del>will</del> <b>considered</b> if the <del>submitted</del> <b>plan</b> meets the basic conditions and recommend modifications where necessary. Following this, the District Council <del>will</del> <b>considered</b> the examiner’s recommendations and determined <del>if that</del> <b>if that</b> the plan should proceed to a	Consequential Amendment

	referendum. If the plan is endorsed by a simple majority of those who vote at the referendum, the plan will become part of the Statutory Development Plan.”	
Page 3: Paragraph 3	Update Figure to reflect current stage of the process (Referendum in yellow)	Consequential Amendment