

Thame Neighbourhood Development Plan 2 2020-2041

**A report to South Oxfordshire District Council on
the Thame Neighbourhood Development Plan 2**

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Executive Summary

- 1 I was appointed by South Oxfordshire District Council in August 2024 to carry out the independent examination of the review of the Thame Neighbourhood Development Plan 2.
- 2 The examination was undertaken by written representations. I visited the neighbourhood area on 14 August 2024.
- 3 The Plan is an excellent example of a second version of a neighbourhood plan. It brings the Plan up-to-date and responds to the adoption of the South Oxfordshire Local Plan. It includes a variety of policies and seeks to bring forward positive and sustainable development in the neighbourhood area. It allocates land for housing and employment uses.
- 4 The Plan has been underpinned by community support and engagement. All sections of the community have been engaged in its preparation.
- 5 Subject to a series of recommended modifications set out in this report I have concluded that the Thame Neighbourhood Development Plan 2 meets all the necessary legal requirements and should proceed to referendum.
6. I recommend that the referendum area coincides with the neighbourhood area.

Andrew Ashcroft
Independent Examiner
28 November 2024

1 Introduction

- 1.1 This report sets out the findings of the independent examination of the Thame Neighbourhood Development Plan 2020-2041 ('the Plan').
- 1.2 The Plan was submitted to South Oxfordshire District Council (SODC) by Thame Town Council (TTC) in its capacity as the qualifying body responsible for preparing the neighbourhood plan.
- 1.3 Neighbourhood plans were introduced into the planning process by the Localism Act 2011. They aim to allow local communities to take responsibility for guiding development in their area. This approach was subsequently embedded in the National Planning Policy Framework (NPPF) in 2012, 2018, 2019, 2021 and 2023. The NPPF continues to be the principal element of national planning policy.
- 1.4 The role of an independent examiner is clearly defined in the legislation. I have been appointed to examine whether the submitted Plan meets the basic conditions and Convention Rights and other statutory requirements. It is not within my remit to examine or to propose an alternative plan, or a potentially more sustainable plan except where this arises because of my recommended modifications to ensure that the plan meets the basic conditions and the other relevant requirements.
- 1.5 A neighbourhood plan (and a review of a plan) can be narrow or broad in scope and can include whatever range of policies it sees as appropriate to its designated neighbourhood area. The submitted Plan has been designed to be distinctive in general terms, and to be complementary to the existing development plan. It seeks to provide a context in which the neighbourhood area can maintain its character and appearance, consolidate the role of the town centre and to allocate land for housing and employment development.
- 1.6 Within the context set out above, this report assesses whether the Plan is legally compliant and meets the basic conditions that apply to neighbourhood plans. It also considers the content of the Plan and, where necessary, recommends changes to its policies and supporting text.

2 The Role of the Independent Examiner

- 2.1 The examiner's role is to ensure that any submitted neighbourhood plan meets the relevant legislative and procedural requirements.
- 2.2 I was appointed by SODC, with the consent of TTC, to conduct the examination of the Plan and to prepare this report. I am independent of both SODC and TTC. I do not have any interest in any land that may be affected by the Plan.
- 2.3 I possess the appropriate qualifications and experience to undertake this role. I am a Director of Andrew Ashcroft Planning Limited. In previous roles, I have over 40 years' experience in various local authorities at either Head of Planning or Service Director level and more recently as an independent examiner. I have significant experience of undertaking other neighbourhood plan examinations. I am a member of the Royal Town Planning Institute and the Neighbourhood Planning Independent Examiner Referral System.

Examination Outcomes

- 2.4 The examination process for the review of a 'made' neighbourhood plan is set out in Section 3 of this report.
- 2.5 The outcome of the examination is set out in Section 8 of this report.

Other examination matters

- 2.6 In examining the Plan, I am required to check whether:
- the policies relate to the development and use of land for a designated neighbourhood plan area; and
 - the Plan meets the requirements of Section 38B of the Planning and Compulsory Purchase Act 2004 (the Plan must specify the period to which it has effect, must not include provision about development that is excluded development, and must not relate to more than one neighbourhood area); and
 - the Plan has been prepared for an area that has been designated under Section 61G of the Localism Act and has been developed and submitted for examination by a qualifying body.
- 2.7 I have addressed the matters identified in paragraph 2.6 of this report and am satisfied that they have been met.

3 Procedural Matters

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

- the submitted Plan.
- the Masterplanning Report (Appendix 1 of the Plan).
- the Employment Allocations Evidence (November 2022).
- the Basic Conditions Statement.
- the Consultation Statement.
- the SEA/HRA screening report.
- the Environmental Report (and its Addendum)
- the Design Code.
- the representations made to the Plan.
- TTC's responses to the clarification note.
- the adopted South Oxfordshire Local Plan (2011-2035).
- the submitted South Oxfordshire and Vale of White Horse Joint Local Plan 2041.
- the National Planning Policy Framework (December 2023).
- Planning Practice Guidance.
- relevant Ministerial Statements.

3.2 I visited the neighbourhood area on 14 August 2024. I looked at its overall character and appearance and at those areas affected by policies in the Plan in particular.

3.3 It is a general rule that neighbourhood plan examinations should be held by written representations only. Several of the individual representations which objected to the proposed development of the Oxford Road housing allocation requested that I considered this element of the Plan at a hearing. This approach was also suggested in a petition against the development of the site. I have considered these requests very carefully. Based on all the information before me, including the representations made to the Plan and the responses provided by TTC to the clarification note, I have concluded that the Plan can be examined by way of written representations. I was assisted in coming to this decision by the comprehensive nature of the representations received, the professional way in which the Plan has been developed, and the additional information received during the examination (including information submitted by Bloor Homes and Thame Regeneration).

The examination process for the review of a neighbourhood plan

3.4 The Neighbourhood Planning Act 2017 identifies the circumstances that might arise as and when qualifying bodies seek to review 'made' neighbourhood plans and introduces a proportionate process to do so based on the changes proposed.

3.5 There are three types of modification which can be made to a neighbourhood plan or order. The process will depend on the degree of change which the modification involves and as follows:

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

- 3.6 TTC considers the Plan to be a new Plan which, if made, will replace the made Plan (TNP1). I agree with this conclusion. In these circumstances, I have examined the Plan in accordance under Schedule 4B of the Town and Country Planning Act 1990. The remainder of this report sets out the findings of the examination.
- 3.7 Section 7 of this report assesses each policy in turn and identifies any modifications required to ensure that the policy meets the basic conditions. My recommendation is then set out in Section 8.

4 Consultation

Consultation Process

- 4.1 Policies in made neighbourhood plans become the basis for local planning and development control decisions. As such the regulations require neighbourhood plans to be supported and underpinned by public consultation.
- 4.2 In accordance with the Neighbourhood Planning (General) Regulations 2012 (as amended), TTC prepared a Consultation Statement. It includes specific sections on the engagement processes on the housing and employment sites considered as the Plan was being prepared. It is a comprehensive report which is underpinned with a series of more detailed tables and appendices.
- 4.3 Section 4.1 of the Statement records the various activities that were held to engage the local community. This process reflects the nature and content of the Plan. The Statement also provides specific details on the consultation processes that took place on the pre-submission version of the Plan (June to August 2023).
- 4.4 Volume 4 of the Statement provide details about how the Plan was refined because of the pre-submission Plan consultation process. This helps to explain the way in which the Plan was refined following on from that consultation exercise.
- 4.5 I am satisfied that consultation has been an important element of the Plan's production. Advice on the neighbourhood planning process has been made available to the community in a positive and direct way by those responsible for the Plan's preparation. From all the evidence provided to me as part of the examination, I can see that the Plan has promoted an inclusive approach to seeking the opinions of all concerned throughout the process. SODC has carried out its own assessment that the consultation process has complied with the requirements of the Regulations.

Consultation Responses

- 4.6 Consultation on the submitted plan was undertaken by SODC. It ended on 25 July 2024. This exercise generated representations from the following organisations:
- Ickford Parish Council
 - East Thame Residents Association
 - Sustrans
 - NHS Buckinghamshire, Berkshire, and Oxfordshire
 - Hallam Land Management
 - Diagnostics Reagents
 - Bloor Homes and Regeneration Thame
 - Swift Planning Group
 - CALA Homes
 - JM Castle Trust
 - Stoford Properties Limited

- Rectory Homes
- Thames Water
- South Oxfordshire District Council
- Natural England
- Oxfordshire County Council

4.7 In addition, approximately 45 comments were received from people living in the neighbourhood area, including a petition (with 1392 signatures). Most of these comments relate to the development of the proposed housing allocation off Oxford Road (Policy GDH1d).

4.8 I have taken account of all the representations in preparing this report. Where it is appropriate to do so, this report refers to representations on a policy-by-policy basis.

5 The Neighbourhood Area and the Development Plan Context

The Neighbourhood Area

- 5.1 The neighbourhood area is the parish of Thame. It was designated as a neighbourhood area on 12 April 2012. In 2011 its population was 11561 persons living in 4877 households. In 2021 its population had grown to 13270.
- 5.2 Thame lies approximately 18 miles to the east of Oxford, approximately 7 miles to the west of Princes Risborough, and approximately 9 miles to the south west of Aylesbury. The town is connected to Oxford by the A418/A40 and to Aylesbury by the A418. It is situated in pleasant countryside to the north of the Chilterns National Landscape.
- 5.3 The historic core based on High Street is a key feature of the town. It is a designated Conservation Area and includes several listed buildings. The town enjoys an impressive range of retail and community services. It also has a concentration of employment uses on land to the north of Wenman Road. In the round, it is a very interesting and attractive place in which to prepare a neighbourhood plan.

Development Plan Context

- 5.4 The South Oxfordshire Local Plan was adopted in December 2020. It sets out the basis for future development in the District up to 2035.
- 5.5 Thame is identified as one of the four towns in the settlement hierarchy. Policy STRAT1 comments that the roles of Wallingford, Thame and Henley-on-Thames will be supported by maintaining and improving the attractiveness of their town centres through a variety of measures. Policy TH1 sets out a specific strategy for Thame. At its heart is an approach which supports development proposals to consolidate the economic, the social and the environmental aspects of the town's role as an important market town. Policy H3 of the Plan sets out housing requirements for the three market towns. Thame is expected to deliver at least 1518 homes in the Plan period. The policy indicates that 1179 homes are already committed.
- 5.6 The following other policies in the Local Plan are particularly relevant to the submitted Plan:

H9	Affordable Housing
H11	Housing Mix
H16	Infill Development
H22	Loss of Existing Residential accommodation in town centres
EMP7	New employment land at Wallingford
EMP11	Tourism
EMP13	Retention of Visitor Accommodation
ENV7	Listed Buildings
ENV8	Conservation Areas
DES1	High Quality Development
TC5	Primary Shopping Areas

CF1 Safeguarding Community Facilities

- 5.6 The submitted Plan has been prepared within this development plan context. In doing so, it has relied on up-to-date information and research that has underpinned existing planning policy documents. This is good practice and reflects key elements in Planning Practice Guidance on this matter. In the round the submitted review of the Plan seeks to add value to the different components of the development plan and to give a local dimension to the delivery of its policies. This is captured in the Basic Conditions Statement.
- 5.7 Whilst the examination was taking place, SODC and the Vale of White Horse District Council published the Joint Local Plan (JLP) for consultation. It covers both administrative areas, and its Plan period runs up to 2041. SODC's Local Development Scheme (September 2024) advises that the Plan will be submitted for examination in December 2024, and that its adoption is anticipated in December 2025.
- 5.8 The consultation version of the JLP identifies Thame as a Tier 1 Settlement. The town is addressed specifically in Policy SP7. Paragraph 5.33 of the Plan advises that 'this policy provides an individual strategy for Thame as a Tier 1 settlement and sets the policy framework for neighbourhood plans and new development proposals in the town to consider. This policy should be read alongside Policy SP1 (Spatial strategy), to make sure that any specific growth or infrastructure needs for Thame are planned for holistically, having regard to other strategies and evidence supporting the Joint Local Plan (or published following its adoption). The strategy for Thame sets out a high-level delivery framework, based on our evidence and consultation feedback, outlining what we could improve or should protect within the town. Without being overly detailed or prescriptive, this policy allows town or parish councils or other neighbourhood planning groups the freedom and flexibility to steer future development in their local area.'
- 5.9 Finally, the eleventh part of Policy SP1 comments about role of neighbourhood plans as follows:
- 'We will support our communities with the preparation of neighbourhood plans that will reinforce the achievement of this spatial strategy, and we will support ambitious neighbourhood plans that may want to achieve something specific. Thame has an outstanding identified housing requirement of at least 143 homes. All other designated neighbourhood areas have a zero outstanding requirement, although communities can choose to exceed this when preparing neighbourhood development plans and neighbourhood development orders.'*
- Visit to the neighbourhood area*
- 5.10 I visited the neighbourhood area on 14 August 2024. I approached it from the M40 to the west. This helped me to understand its position in the wider landscape in general and its accessibility to the strategic road network. Due to the compact nature of the town, I was able to undertake most of the visit on foot.

- 5.11 I looked initially at the proposed employment allocation at Rycote Lane (GDE1) and the proposed housing allocation at Oxford Road (GHD1d). In relation to the former, I paid attention to the relationship of the site to the A418 to the north, and to the existing commercial uses to the south. In relation to the latter, I paid attention to the proposed arrangements for the development of the two parts of the site as set out in the Masterplanning report, the relationship of the proposed new housing to the existing houses off Roman Way and the way in which the proposed development would relate to the natural environment and the surrounding landscape.
- 5.12 I then walked through the Cuttlebrook Nature Reserve and Brook Lane into the town centre. I appreciated the accessibility of this important green space within the town and the network of footpaths. I saw that it was being used both for informal recreation and to provide access within the town.
- 5.13 I then looked at the area around St Mary's Church. I saw the range of commercial uses in historic buildings in Church Road. I walked to the north along Priest End up to the Thame bridge. As with Cuttle Brook it was rewarding to find peace and tranquillity within very close proximity to the town centre.
- 5.14 I then looked at the town centre and the interesting range of retail and commercial uses in historic buildings. I saw that they included a range of national and independent businesses. I also saw the range of the accessibility of car parking in and around the town centre. The connections between the High Street and the Waitrose store to the immediate north and east were clear.
- 5.15 I crossed North Street and walked into the Cattle Market. I saw the scale of the Market itself, the dated and utilitarian nature of the buildings, and the current availability of car parking. I paid particular attention to the relationship of the proposed development site to the surrounding residential areas.
- 5.16 I then walked to the east of the town to look at the two proposed housing allocations off Wenman Road (Policies GHD1a and 1b). In relation to the former I saw that initial earthworks had commenced on the site. In relation to the latter, I saw the existing residential and commercial buildings on the site.
- 5.17 I then walked back into the town centre along Chinnor Road/Garden City. Along the way, I looked at Elms Park Recreation Ground and the green area occupied by the War Memorial, the Philip Pearce water feature, and the Thame Youth Memorial Garden. The whole area was beautifully-maintained and complemented the historic character and appearance of the Upper High Street.
- 5.18 I walked along Nelson Street and Elms Road and looked at the ongoing development of The Crescent (allocated as Policy GHD1e).
- 5.19 I then walked along Windmill Road to look at the proposed housing allocation (Policy GHD1c) to the immediate south of the Phoenix Trail. I noted its relationship to the track to the east and the significance of the hedges and vegetation on each of its boundaries.

I saw the obvious popularity of the Phoenix Trail and the use of the allotment area to the immediate east.

- 5.20 I walked back to my car and then drove both to Towersey (to the east) and to Sydenham (to the south) to understand the relationship between these settlement and Thame.

6 The Neighbourhood Plan and the Basic Conditions

- 6.1 This section of the report deals with the submitted neighbourhood plan as a whole and the extent to which it meets the basic conditions. The submitted Basic Conditions Statement has helped in the preparation of this section of the report. It is an informative and well-presented document.
- 6.2 As part of this process, I must consider whether the submitted Plan meets the basic conditions as set out in paragraph 8(2) of Schedule 4B of the Town and Country Planning Act 1990. To comply with the basic conditions, the Plan must:
- have regard to national policies and advice contained in guidance issued by the Secretary of State;
 - contribute to the achievement of sustainable development;
 - be in general conformity with the strategic policies of the development plan in the area;
 - 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; and
 - not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017.

I assess the Plan against the basic conditions under the following headings.

National Planning Policies and Guidance

- 6.3 For the purposes of this examination the key elements of national policy relating to planning matters are set out in the National Planning Policy Framework 2023 (NPPF).
- 6.4 The NPPF sets out a range of land-use planning principles to underpin both plan-making and decision-taking. The following are particularly relevant to the submitted Plan:
- a plan-led system - in this case the relationship between the neighbourhood plan and the South Oxfordshire Local Plan;
 - building a strong, competitive economy;
 - recognising the intrinsic character and beauty of the countryside and supporting thriving local communities;
 - taking account of the different roles and characters of different areas;
 - highlighting the importance of high-quality design and good standards of amenity for all future occupants of land and buildings; and
 - conserving heritage assets in a manner appropriate to their significance.
- 6.5 Neighbourhood plans sit within this wider context both generally, and within the more specific presumption in favour of sustainable development. Paragraph 13 of the NPPF indicates that neighbourhoods should both develop plans that support the strategic

needs set out in local plans and plan positively to support local development that is outside the strategic elements of the development plan.

- 6.6 In addition to the NPPF, I have also taken account of other elements of national planning policy including Planning Practice Guidance and the recent ministerial statements.
- 6.7 Having considered all the evidence and representations available as part of the examination I am satisfied that the submitted Plan has had regard to national planning policies and guidance subject to the recommended modifications in this report. It sets out a positive vision for the future of the neighbourhood area. It includes a series of policies on a range of development and environmental matters. In addition, it seeks to update the 'made' Plan to take account of changes in national policy since the Plan was made.
- 6.8 At a more practical level, the NPPF indicates that plans should provide a clear framework within which decisions on planning applications can be made and that they should give a clear indication of how a decision-maker should react to a development proposal (paragraph 16d). This was reinforced with the publication of Planning Practice Guidance. Paragraph ID: 41-041-20140306 indicates that policies in neighbourhood plans should be drafted with sufficient clarity so that a decision-maker can apply them consistently and with confidence when determining planning applications. Policies should also be concise, precise, and supported by appropriate evidence.
- 6.9 As submitted the Plan does not fully accord with this range of practical issues. Most of my recommended modifications in Section 7 relate to matters of clarity and precision. They are designed to ensure that the Plan fully accords with national policy.

Contributing to sustainable development

- 6.10 There are clear overlaps between national policy and the contribution that the submitted Plan makes to achieving sustainable development. Sustainable development has three principal dimensions – economic, social, and environmental. The submitted Plan has set out to achieve sustainable development in the neighbourhood area. In the economic dimension, the Plan includes policies for residential development (Policies GDH1a-e) and for commercial development (Policies GDE1, GDR1 and GDR2). In the social role, it includes policies on community facilities (Policy SF01), the Cuttle Brook Corridor (Policy NEC1), the Phoenix Trail (Policy GAP1) and self-build and custom homes (Policy CPQ4). In the environmental dimension, the Plan positively seeks to protect its natural, built, and historic environment. It has policies on design (Policies CPQ1 and 2), on open spaces (Policies SF02 and 03), and on biodiversity (Policy NEB1). This assessment overlaps with the details on this matter in the submitted Basic Conditions Statement.

General conformity with the strategic policies in the development plan

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

- 6.12 I consider that the submitted Plan delivers a local dimension to this strategic context and supplements the detail already included in the adopted development plan. Subject to the recommended modifications in this report, I am satisfied that the submitted Plan is in general conformity with the strategic policies in the development plan.

Strategic Environmental Assessment

- 6.13 The Neighbourhood Plan General Regulations 2015 require a qualifying body either to submit an environmental report prepared in accordance with the Environmental Assessment of Plans and Programmes Regulations 2004 or a statement of reasons why an environmental report is not required.
- 6.14 In order to comply with this requirement, SODC undertook a screening exercise in May 2021 on the need or otherwise for a Strategic Environmental Assessment (SEA) to be prepared for the Plan. The report is thorough and well-constructed. It concludes that the Plan is likely to have a significant effect on the environment and therefore requires a Strategic Environment Assessment.
- 6.15 TTC commissioned the preparation of an Environment Report (June 2023). It provides a comprehensive assessment of the environmental implications of the Plan. It predicts significant positive effects under two topic headings (communities and transport), moderate or uncertain positive effects under two topic headings (biodiversity and health), neutral effects under three headings (climate change, landscape, and land/soil/water) and moderate or uncertain negative effects under one topic heading (historic environment).
- 6.16 The report grapples with the different permutations of development options which could reasonably come forward in the Plan period. It does so to good effect.
- 6.17 An addendum was produced to the Report in April 2024. It reflects the extent of changes made to Plan following consultation responses received at the pre-submission stage. Its summary comments as follows:

'The Environmental Report assessed a series of growth scenarios. The outcomes of this support the selection of the preferred growth option in TNP2. Comments received in response to the Regulation 14 consultation were considered and amendments made to TNP2 as appropriate. Planning Practice Guidance only requires modifications to be made to an Environmental Report after a Regulation 14 consultation where any proposed changes to the neighbourhood plan are substantial and give rise to significant effects that need to be assessed. This Addendum confirms that the changes made to the TNP2 following the Regulation 14 consultation have led to a reduction in certain environmental impacts. Furthermore, none of the changes could be considered substantial when compared against the Plan's objectives, nor to have resulted in significant effects. Finally, as discussed in (the report), there has been a recent overall reduction in the identified housing requirement for Thame. The reasonable alternatives, or potential variations of them, would now result in a scale of growth alongside associated impacts that would now be considered unreasonable.'

- 6.18 The work on the Environmental Report has taken a strong iterative process and has been pursued in parallel with the wider work on the Plan. This is best practice.

Habitats Regulations Assessment

- 6.19 SODC also prepared a Habitats Regulations Assessment (HRA) of the Plan in May 2021. It assessed the potential impact of the Plan's policies on the Aston Rowant SAC or Chiltern Beechwoods SAC.
- 6.20 The HRA concludes that the neighbourhood plan will not give rise to likely significant effects on these protected sites, either alone or in combination with other plans or projects, and that Appropriate Assessment is not required.
- 6.21 Having reviewed the information provided to me as part of the examination, I am satisfied that a proportionate process has been undertaken in accordance with the various regulations. None of the statutory consultees have raised any concerns about neighbourhood plan obligations. In the absence of any evidence to the contrary, I am entirely satisfied that the submitted Plan is compatible with this aspect of neighbourhood plan regulations.

Human Rights

- 6.22 TTC prepared an Equalities Impact Assessment in March 2024. It concludes that the Plan:

'provides a suite of objectives and policies to respond to the vision for the benefit of the local community as a whole including those with protected characteristics. In preparing the Thame Neighbourhood Plan, Thame Town Council and the Neighbourhood Plan Steering Group have sought to engage widely with all of the local community. They have gone beyond minimum consultation requirements to gather the views of the community. In conclusion, the assessment finds the Thame Neighbourhood Plan to be appropriate and that the duty of care prescribed by the Equalities Act (2010) is met.'

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

Summary

- 6.24 On the basis of my assessment of the Plan in this section of my report I am satisfied that it meets the basic conditions subject to the incorporation of the recommended modifications contained in this report.

7 The Neighbourhood Plan policies

- 7.1 This section of the report comments on the policies in the Plan. It makes a series of recommended modifications to ensure that the various policies have the necessary precision to meet the basic conditions.
- 7.2 The recommendations focus on the policies in the Plan given that the basic conditions relate primarily to this aspect of neighbourhood plans. In some cases, I have also recommended changes to the associated supporting text.
- 7.3 I am satisfied that the content and the form of the Plan is fit for purpose. It is distinctive and proportionate to the neighbourhood area. The wider community and TTC have spent time and energy in identifying the issues and objectives that they wish to be included in the Plan. This sits at the heart of the localism agenda.
- 7.4 The Plan has been designed to reflect Planning Practice Guidance (ID:41-004-20190509) which indicates that neighbourhood plans should address the development and use of land.
- 7.5 I have addressed the policies in the order that they appear in the submitted Plan.
- 7.6 For clarity, this section of the report comments on all the policies in the Plan.
- 7.7 Where modifications are recommended to policies they are highlighted in bold print. Any associated or free-standing changes to the text of the Plan are set out in italic print.

The initial parts of the Plan (Sections 1 to 3)

- 7.8 The Plan is very well-organised and presented. It incorporates the use of colour and excellent maps to very good effect. It has been prepared in a comprehensive way and makes an appropriate distinction between the policies and the supporting text. A key element of the Plan is the way in which it is underpinned by detailed documents and studies. The Environment Report, the Masterplanning Report and the Design Code have been particularly influential.
- 7.9 The initial elements of the Plan set the scene for the policies. They are proportionate to the neighbourhood area and the subsequent policies.
- 7.10 Section 1 sets the scene for the Plan. It properly identifies the neighbourhood area (in Figure 1) and the Plan period. Sections 1.5 to 1.8 advises about key issues which have underpinned the Plan and have informed its policies. This part of the Plan also comments about the distinction between land use policies (shown in green boxes) and projects (shown in blue boxes).
- 7.11 Section 2 sets out important information which has informed the Plan. It provides comprehensive details about the adopted Local Plan, climate change and the Thames Green Living Plan.

7.12 Section 3 sets out the vision, objectives for the Plan. The vision is as follows:

'Thame must maintain its character as a real market town'

The Plan has six objectives. They are distinctive the neighbourhood area. They are also expressed spatially in Figure 2

7.13 In the round the Plan is a very impressive document. It will comfortably sit within the overall development plan should it be made.

7.14 The remainder of this section of the report addresses each policy in turn in the context set out in paragraphs 7.5 to 7.7 of this report.

GDH1 Housing development and allocations

7.15 This is a general policy. It provides an overall context for new residential development in the town. In addition, it establishes a series of criteria which residential proposals should meet including:

- being contiguous with the built-up area of the town (part 1);
- avoiding coalescence with surrounding villages (part 2);
- making connections with the existing walking and cycling networks (part 3); and
- being deliverable (part 8).

7.16 The ninth part of the policy provides an overall context for Policies GDH1a-e. It comments that proposals for development of the allocated sites are expected to accord with the principles established in the Thame Masterplanning Report (Appendix 1). The master planning process is an innovative approach and overlaps with the wider design work incorporated in the Plan. The Masterplanning report provides the following context for its purpose:

'Through the Department for Levelling Up, Housing and Communities (DLUHC) Programme led by Locality, AECOM was commissioned to provide design support to Thame Town Council (TTC). Following the preparation of the Design Codes for Thame, AECOM has been commissioned to provide masterplans for seven key sites in the Neighbourhood Area. This document should be read as part of the Neighbourhood Plan policies that guide the assessment of future development proposals and encourage high-quality design, along with the Design Code.

This document provides a vision for how the sites in the Neighbourhood Area should come forward. These design concepts are high level and illustrative, prepared to demonstrate how the design principles that the Neighbourhood Forum wishes to promote could be applied on the sites. We have not undertaken technical studies on topics such as ecology, ground conditions, traffic, or drainage (although AECOM specialists have inputted into design development). It is expected that full co-design exercises are undertaken by applicants on the sites. This report is just a step in that direction, enabling stakeholders to progress from an informed position.'

7.17 In the round, I am satisfied that the approach taken in the Plan is both appropriate and distinctive. It seeks to ensure that the allocated sites come forward in a positive way.

A key element of the Report is its non-prescriptive approach. It expands on the details in the relevant policies and provides the opportunity for the developer concerned to propose a detailed design and layout on a site-by-site basis. I do not repeat this assessment on a policy-by-policy basis. The supporting text does not comment in any detail about this matter. I recommend that this is remedied by the inclusion of additional information in this part of the Plan.

7.18 The supporting text sets out a helpful context about the way in which the Plan seeks to ensure that the neighbourhood area meets the strategic growth requirements for the town in the Local Plan as follows:

- *‘the sites allocated for development in (the made Plan) have now been built out and the Local Plan notes that there is an outstanding minimum requirement of 339 new homes to be accommodated in Thame as of April 2020. Further monitoring undertaken and which takes account of completions and committed development schemes has reduced this figure to 143 homes. This requirement is for the period 2021 – 2041 to be covered by the new Joint Local Plan being prepared by SODC and the Vale of White Horse District Council (paragraph 4.7).*
- *sites have been identified through the process of preparing (the submitted Plan) and are allocated for new housing development, meeting the outstanding housing requirement for Thame (paragraph 4.12).*
- *since commencing work on (the submitted Plan), the site at Windmill Road has been granted permission. The land south of Wenman Road benefits from a resolution to grant permission. The land allocated at Oxford Road is currently subject to applications (paragraph 4.13).*
- *land at The Elms was allocated in the (made) Neighbourhood Plan and benefits from an extant permission for development. The first phase of development on the site is nearing completion. The site is included in the list of committed developments used by SODC to calculate the housing supply position for the District. It does not therefore count towards meeting the outstanding requirement for new homes in Thame but is retained in (the submitted Plan) as an extant allocation. (paragraph 4.14).’*

7.19 Plainly this is an important policy in the Plan. In general terms it takes a positive approach to the delivery of new homes in the town. Since the Plan was submitted and the representations were prepared, the draft version of the JLP has been published.

7.20 In terms of the structure and content of the policy, I recommend that the distinction between the approach towards non-allocated and allocated sites is made clearer. As part of this process, I also recommend that the different elements of the policy about non-allocated sites are incorporated (as criteria) within a single component of the policy to bring the clarity required by the NPPF.

7.21 The Plan highlights that the development process straddles development plans. The conclusion which TTC has reached in the supporting text has been challenged by several developers. In its response to the clarification note, TTC elaborated on its approach to this matter. It advises that it has prepared the Plan to acknowledge that

the general conformity test set out in the basic conditions is against the adopted Local Plan. It also advises that the publication of the emerging draft JLP confirms that the housing requirement for Thame has reduced because of completions and other commitments. Finally, it comments that irrespective of whether a new local plan was being prepared, the outcome of the monitoring process remains the same and the outstanding housing requirement has reduced.

- 7.22 I have considered these issues very carefully. I recommend that the Plan incorporates updates to the supporting text as suggested by SODC (to 2.4 and 4.7) and as agreed by TTC in its response to the clarification note. In the round they will bring the clarity required by the NPPF. I also recommend that paragraph 4.18 is modified so that it does not make any direct reference to the outstanding housing requirement for the town. This matter is addressed elsewhere in the policy and the strategic requirement is a minimum rather than a maximum figure.
- 7.23 With the incorporation of the various modifications, I am satisfied that the policy sets out a clear approach towards the delivery of new housing in the neighbourhood area in the Plan period. That delivery is significantly underpinned by the development of allocated sites and it will address the strategic requirement both in the adopted Local Plan and in the emerging JLP. In these circumstances I am satisfied that it meets the basic conditions. It will contribute to the delivery of each of the three dimensions of sustainable development.

Replace the policy with:

‘Residential development on non-allocated sites will be supported where, as appropriate to their nature, scale and location, the proposals:

- **are within the built-up area of the town, or consists entirely of affordable housing or specialist housing for older people and is in accordance with relevant policies in the Development Plan;**
- **do not result in the coalescence or unacceptable impact on the visual separation of Thame and Towersey, or Thame and Moreton;**
- **where practicable, deliver connections to the existing network of walking and cycling routes, and are either within walking distance of a bus service or provide scope to route new or extended bus services through the development site;**
- **provide good access to services and facilities, and are within walking distance of essential services and amenities, having regard to the catchment distances in Table 2;**
- **provide for a safe and convenient access for all users to the highway network;**
- **where required, are accompanied by a Transport Assessment or Transport Statement in accordance with Oxfordshire County Council standards and which has regard to the ‘Decide and Provide’ approach adopted by the County Council; and**
- **where required, are accompanied by a programme of archaeological evaluation to be agreed with Oxfordshire County Council and undertaken**

in advance of the proposal being determined. Subject to the findings of any evaluation, mitigation measures may be required that preserve features of archaeological interest on site.'

Part 9 of the policy (as submitted)

Proposals for development of the allocated sites should respond positively to the principles in the Thame Masterplanning Report (Appendix 1).'

Replace paragraph 2.4 with: 'A minimum of 339 new homes are to be accommodated in Thame over the period 2020 – 2035. However, since the Local Plan was adopted, planning permissions and development have come forward in Thame which count towards that housing requirement. The Joint Local Plan Preferred Options sets out that, as of 1 April 2023, the housing requirement for Thame is for 143 homes over the period 2021 – 2041. Thame Town Council has been advised by the District Council to work towards delivering this updated figure through the Neighbourhood Plan.'

Replace paragraph 4.7 with: 'Land allocated within the first Neighbourhood Plan represented the preferred sites for growth in and around Thame, reflecting constraints and the vision and objectives for the town. Several of the sites allocated for development in that Plan have now been built out and others have outstanding planning approval. The South Oxfordshire Local Plan notes that, as of April 2020, there was an outstanding minimum requirement of 339 new homes to be accommodated in Thame. Further monitoring undertaken and which takes account of completions and committed development scheme since April 2020 has reduced this figure to 143 homes. This requirement is for the period 2021 – 2041 to be covered by the new Joint Local Plan being prepared by South Oxfordshire and the Vale of White Horse District Council.'

Incorporate paragraph 4.14 into paragraph 4.13.

Thereafter replace paragraph 4.14 with: 'Policy GDH1 includes a reference to the need for proposals on the allocated sites to have regard to the Thame Masterplanning Report (Appendix 1). This Report provides a vision for how the various sites should come forward. These design concepts are high level and illustrative and have been prepared to demonstrate how the design principles that the Town Council wishes to promote could be applied on the sites. The overall number of homes to be delivered on each of the five sites, and the timing of their development will be subject to the design and master planning process for each site, and the availability and capacity of infrastructure to support development.'

Replace paragraph 4.18 with: 'Proposals for housing will be assessed against their compatibility with the vision and objectives for the Plan. Wherever practicable, they should contribute towards meeting local housing needs, particularly in respect of affordability and specialist housing for older people. Policy GDH2 and its supporting text provide further information on these matters.'

GDH1a Land south of Wenman Road

- 7.24 This site is located to the south-east of Thame. It was allocated as a 'Reserve Site' for development in the made Plan and is now carried forward as a site allocation. The site is approximately 5.86 hectares and is allocated for around 60 homes. During the visit I saw that earthworks and site clearance were taking place on the site.
- 7.25 The policy comments that proposals for this site will be supported where they take into consideration the indicative concept plan (Figure 7) and accord with the principles established in the Thame Masterplanning Report (Appendix 1), and a series of detailed criteria.
- 7.26 A reserved matters planning application (P23/S2269/RM) for this site was approved in May 2024, following the approval of outline planning permission (P21/S0917/O) which granted permission for 57 dwellings. I recommend that the allocation for this site should tie in with the approved figure of 57 dwellings.
- 7.27 I also recommend the following detailed modifications to the policy to bring the clarity required by the NPPF:
- the replacement of a word in part 2b of the policy;
 - the removal of the unnecessary reference to the future use of land to the south in part 2e of the policy; and
 - a revision to part 2f to take account of SODC's comments, and as agreed by TTC.
- 7.28 Subject to the incorporation of the recommended modifications, I am satisfied that the policy takes a robust approach to the development of the site. It is well-related to the existing built form of the town and its various facilities. In these circumstances, I am satisfied that it meets the basic conditions. It will contribute to the delivery of each of the three dimensions of sustainable development.

Replace 'approximately 60 homes' with 'approximately 57 homes'

In the opening element of the second part of the policy replace 'take into consideration' with 'respond positively to'

In part 2b replace 'must' with 'should'

Replace part 2e with: 'Development should not extend any further south of the area of housing established in the development to the immediate west of the site. Where practicable, the permissive paths in land to the south should be secured for public use connecting to the wider network of open space.'

Replace part 2f with: 'Tree planting shall be provided along Wenman Road, to screen new homes from the employment areas. Streets within areas of development should also incorporate tree planting.'

GDH1b Diagnostics Reagents

- 7.29 This site is located adjacent to land allocated to the south of Wenman Road at the junction of Wenman Road, Chinnor Road and Howland Road. It is approximately 1.15 hectares and is allocated for around 25 homes. The site is currently used for employment purposes. The policy comments that proposals for this site will be supported where they take into consideration the indicative concept plan (Figure 10) and accord with the principles established in the Thame Masterplanning Report (Appendix 1), and a series of criteria.
- 7.30 The site owner confirmed in its representation that the site is available, suitable, and deliverable for residential development.
- 7.31 I looked carefully at the site during the visit I saw its relationship to the site to the Wenman Road site (to the west) and to the roundabout at the junction of the B4012 (Wenman Road) and the B4445 (Chinnor Road).
- 7.32 In its response to the clarification note, SODC advised about its discussions with the County Council, and confirmed that access could technically be provided to Wenman Road. In this context I am satisfied that this is a detailed matter which can properly be addressed through the development management process.
- 7.33 I recommend a modification to part 2f of the policy on tree planting to take account of SODC comments.
- 7.34 The third part is supporting text rather than a land use policy. As such, I recommend that it is deleted and repositioned into the supporting text.
- 7.35 Subject to the incorporation of the recommended modifications, I am satisfied that the policy takes a robust approach to the development of the site. It is well-related to the existing built form of the town and its various facilities. In these circumstances, I am satisfied that it meets the basic conditions. It will contribute to the delivery of each of the three dimensions of sustainable development.

Replace part 2f with: ‘Where practicable, tree planting shall be retained along Wenman Road and new tree planting provided along the boundary with Wenman Road, Chinnor Road and the eastern edge of the site to screen new homes from the employment areas. The planting and landscape strategy should have regard to the setting of the site at the edge of Thame and views across open countryside towards it. Streets within areas of development should also incorporate tree planting.’

Delete the third part of the policy.

Reposition the deleted third part of the policy to the end of paragraph 4.25.

GDH1c Land at Windmill Road

- 7.36 This site is located to the south of Thame, to the west of Windmill Road, and directly to the south of the Phoenix Trail. The site is allocated for approximately 30 homes, all of which shall comprise affordable homes. The Plan advises that proposals for the site

will be supported where they take into consideration the indicative concept plan (Figure 12) and accord with the principles established in the Thame Masterplanning Report (Appendix 1).

- 7.37 I looked at the site carefully during the visit. I noted the existing vegetation both within the site and on its boundaries, and its proximity to the Phoenix Trail to the north. I note that the former issue is addressed in part 2a of the policy.
- 7.38 Planning permission has been granted for the development of this site for housing purposes (P20/S4693/FUL). I recommend the inclusion of an additional criterion about the way in which existing natural features on the site are incorporated into the development. This would mirror the approach taken in the determination of the planning application, and would apply to the determination of any further proposals (or amendments to the consented proposal) which may come forward in the Plan period.
- 7.39 Subject to the incorporation of the recommended modifications, I am satisfied that the policy takes a robust approach to the development of the site. It is well-related to the existing built form of the town and its various facilities. In these circumstances, I am satisfied that it meets the basic conditions. It will contribute to the delivery of each of the three dimensions of sustainable development.

Include an additional criterion (as part 2d) to read: ‘Wherever practicable, the existing trees and hedgerows within and on the boundaries of the site should be retained and incorporated into the overall landscaping elements of the scheme.’

GDH1d Land at Oxford Road

- 7.40 This site is located at the western gateway to Thame. It is adjacent to new homes allocated in and built since the original Plan was made (known as ‘Thame Meadows’). For convenience I refer to these homes as the new homes off Roman Way. The site is bounded to the north, by the A418 and, to the south east by the Cattle Brook Nature Reserve. In the made Plan, part of the wider site was reserved for housing and part for new school facilities. The rest of the site was to be retained as open space. The submitted Plan now proposes the allocation of additional land for housing, whilst retaining the overall quantum of open space on the site, but providing it in alternative locations.
- 7.41 The policy proposes the allocation of land for approximately 70 homes on the north west development parcel and approximately 30 homes to the eastern development parcel (as indicated on Figure 15). It advises that proposals for the sites will be supported where they take into consideration the indicative concept plan (Figure 15) and accord with the principles established in the Thame Masterplanning Report (Appendix 1), and a series of detailed criteria.
- 7.42 The proposed development of the site has attracted a considerable level of objection. This includes individual local comments and a petition (with 1392 signatures – both local and national). In summary, the objections comment about:
- the risk of flooding;
 - the capacity of the water and sewage systems in the immediate locality;

- the capacity of community and medical services in the town;
- the development areas were identified as open spaces in the made Plan;
- the current open spaces support wildlife;
- the proposed development would block views of the countryside from Oxford Road; and
- the density and scale of the proposals would exceed those of the current recently-developed housing development.

7.43 I sought TTC's comments on a series of matters including the amount of open space which would be lost by the development of the site as proposed in the policy and extent to which the Town Council had engaged with the organisations with an interest in the site to ensure that the development anticipated by the policy can be implemented.

7.44 In its response to the clarification note, TTC provided a sequence of images to summarise what is meant by the 'land swaps' envisaged in the Plan. It also advises that:

'All show the entire extent of the land allocated in the first Neighbourhood Plan and carried forward through the review of this. Land now built out for housing (Thame Meadows) is highlighted. The first of the plans shows three additional areas allocated for development in the first Neighbourhood Plan, including land for a school / school expansion, and a reserve site for housing. None of these have come forward. The second of the plans introduces the housing development areas identified in the new Neighbourhood Plan and the areas they are replacing from the first Neighbourhood Plan. The third simply shows the Thame Meadows area with the new housing allocation areas adjacent to these.

TTC comments that the images are intended to help show that there is no overall loss of open space envisaged through allocation of land at Oxford Road in the Neighbourhood Plan, rather that proposed areas of development in the first Neighbourhood Plan are relocated to different parts of the overall site. The sites allocated in the new Neighbourhood Plan are expected to provide open space in line with standards set out in the Local Plan. The masterplan documents show how this might be achieved through provision of play areas, landscaping and similar within the development areas. In addition to this, and as per the first Neighbourhood Plan, there is a requirement to provide permissive footpaths across the site as well as areas of unrestricted public access.

The Town Council has engaged with the applicant (and their agent) on a regular basis since the site was first promoted as a potential allocation, including through preparation of the Neighbourhood Plan and subsequent planning application process. This has allowed for a shared understanding of the site constraints and development potential.

The policy (and associated concept masterplan) in the Plan respond to those discussions, evidence presented, reported preapplication discussions and stakeholder responses, including those received in response to the Regulation 14 consultation on the Plan. Some discussions have taken place since the Plan was submitted, and further stakeholder responses received to the application, and it is acknowledged that there will be some changes to the final proposed scheme before it is approved. The

Policy in the Plan recognises this: the housing figures in the Neighbourhood Plan are for example stated as ‘approximate’ and the wider criteria state that proposals should take the ‘indicative concept’ masterplan into consideration. This allows for some degree of flexibility (and also certainty) within the planning application process

- 7.45 Bloor Homes and Thame Regeneration also submitted additional information shortly after TTC had responded to the clarification note. Given that I had sought TTC’s comments on collaborative working arrangements on the site, I concluded that it would be appropriate to take account of the Bloor Homes/Thame Regeneration comments. Those comments addressed the following matters:

‘On open space – ‘Paragraph 4.31 indicates that it is expected that the overall quantum of open space as envisaged by TNP1 is retained. Items 2 f) and 2 g) explain that there should be no net loss, and new areas should be of equal size and quality. In terms of existing uses, the TNP1 helpfully set out the intentions for the relevant areas which were subsequently incorporated in a site Design Brief for the site and secured via a Section 106 Planning Obligation. These reflect the concept of Publicly Accessible Open Spaces set out in TNP, which provide access to a network of informal paths around fields that remain in agricultural use, under the working title of permissive paths. In quantum terms, a submitted map shows the nominal acreage that incorporate those Permissive Paths lost to the proposed development and how these are provided for in a different location (approximately 7 hectares) generally to the southwest of the area. In addition, the proposal is expected to provide unrestricted public access, beyond the existing permissive footpaths in the area of Parkland. This area would provide approximately 9.8 hectares of land that is not fully accessible under the current arrangements. This provision would be in addition to that provided within the body of the new development which reflects South Oxfordshire District Council’s standards for Amenity Green Space, Equipped Play & teenage and young people. Overall, the proposals provide a quantitative and qualitative gain on open space provision that is well-linked to existing green infrastructure and the development itself.’

On the boundaries of the North West parcel of land - ‘The North-West parcel boundaries have been derived from physical constraints, natural and man-made. In particular, the flood plain and an area of archaeological interest. The archaeological interest was established during site investigations for the previous scheme and a boundary (and stand-off) has been agreed with the County Archaeologist.’

Engagement between TTC and Bloor Homes – ‘Bloor has been in regular dialogue with the Town Council throughout the preparation of the Neighbourhood Plan revision and the associated planning application. This iterative process has allowed all parties to better understand the constraints and opportunities to refine the scheme. Bloor and representatives of the Town Council met most recently on 20 August 2024 to consider the latest revisions to the planning application proposals. Policy GDH1d is the outcome of several years of collaborative working between the Town Council and Bloor Homes. Our letter on the Neighbourhood Plan raised concerns about the merits of including a masterplan for the site which does not reflect the up-to-date work.’

The deliverability of the policy – ‘Bloor has had the benefit of two pre-application meetings with officers at the District Council since the Town Council considered the

submitted application in March 2024. These involved landscape, heritage, urban design, and planning officers. The case officer has advised that a proposal based on the attached plan would be appropriate. This is programmed for submission in late September 2024. In relation to Flood Risk, Bloor has had extensive discussions with the Environment Agency (EA) and a revised FRA has been prepared based on the EA data sets. As a result, revised flood zone boundaries have been derived and the built development is shown outside of the flood risk zone. This will be formally confirmed with the EA through the planning application process. The scheme also includes an integrated SUDs system to manage storm water. In summary, the parties remain committed to developing the Oxford Road allocation in collaboration with both the Town Council and District Council in a manner that fully meets the TNP Review aspirations and policy requirements for this important site that had strong public support during the preparation of the new Plan.'

7.46 The policy raises a series of related issues which I address in turn as follows:

The relationship between the existing residential development off Roman Way (as allocated in the made Plan) and the proposed development.

7.47 I have considered carefully the comments raised by the residents of the existing houses off Roman Way. Plainly the overall concept and quantum of development proposed is now proposed to be altered since the Plan was made. In addition, the residents have had to comment on the emerging neighbourhood plan at the same time as commenting on detailed planning applications.

7.48 On the balance of the evidence, I am satisfied that the current proposals represent a reasonable evolution of the site. In addition, the various technical issues have been addressed in a comprehensive way. In addition, TTC has a wider responsibility to promote a Plan which delivers the strategic housing requirement for the town in the Local Plan, and the selection of this (and other sites) has been informed by the Environmental Report. Finally, the promotion of the revisions to the development of the overall site within the submitted Plan has allowed a full debate on the matter.

The way in which the proposed new housing would relate to the existing housing

7.49 The way in which the proposed new housing would relate to the existing housing off Roman Way is a matter which has been raised by several of the residents of the recently-constructed homes. I have considered this matter carefully and taken account of the information in the policy, in Figure 15, and in Bloor Homes/Thame Regeneration additional comments.

7.50 On the balance of the evidence, I am satisfied that in urban design and layout terms, the proposed new houses can be accommodated into the immediate locality in a satisfactory way. The layout of the proposed new homes would continue the approach taken within the existing development off Roman Way. In addition, the proposed layout of the new homes could be arranged so that it would not have an unacceptable impact on the amenities of the existing homes. Plainly the detailed arrangements will be determined through the development management process.

The extent to which the proposed development can be satisfactorily incorporated given flood risk issues

- 7.51 Plainly this is an important matter. It is also one which overlaps with development management process.
- 7.52 Paragraph 4.32 of the Plan comments that part of the site is within the flood plain and that it shall remain undeveloped. It also comments that flood mitigation measures, including use of sustainable drainage systems will be required. Whilst I note these comments, I recommend that the importance of the issue is addressed in greater detail in the supporting text.
- 7.53 In the round I also note from Figure 15 of the Plan and the details in the most recent representation from Bloor Homes/Thame Regeneration that the two proposed areas of built development are located so that they respect the flood plain of the River Thames to the north.
- 7.54 In addition, and as highlighted in paragraph 7.45 of this report, Bloor Homes/Thame Regeneration are seeking to resolve any outstanding flooding and drainage issues with SODC and with the Environment Agency. I also note that Bloor Homes/Thame Regeneration continue to liaise with TTC on this and other matters in relation to the determination of the current planning application on the site.
- 7.55 On the balance of the evidence, I am satisfied the promotion of the site in the Plan has regard to national policy on flood risk issues. The matter is being pursued in greater technical detail through the most recent planning application on the site. In addition, the proposed allocation of the site in the Plan has not attracted objections from SODC (in its capacity as the local planning authority), from the County Council (in its capacity as the Lead Local Flood authority), or from the Environment Agency. Nevertheless, I recommend that an additional criterion is included in the policy to address this important matter.

The differing views of Bloor Homes/Thame Regeneration and TTC on the details in the policy

- 7.56 The examination process has highlighted the differences (on some technical matters) between Bloor Homes /Thame Regeneration and TTC on the development of the site. On the one hand, it would have been helpful if there was full agreement at this well-advanced stage of the Plan preparation process, especially as the proposed allocation is locally-sensitive. However, on the other hand, it is not unusual for differences to exist between a qualifying body (here TTC) and a developer (here Bloor Homes/Thame Regeneration) on some of the details of a proposed residential allocation in a neighbourhood plan.
- 7.57 In the round, I am satisfied that the differences can be resolved through the recommended modifications to the policy in the following sections of the report. They are designed to ensure that the policy meets the basic conditions. The determination of the current planning applications (or any future applications) will be for a matter for SODC (in its capacity as the local planning authority).

Conclusion

- 7.58 On the balance of the evidence, I am satisfied that the policy takes an appropriate approach to the development of the site. Subject to technical matters being resolved through the development management process the site can be developed in a satisfactory way. Subject to the incorporation of the recommended modifications I am generally satisfied that the policy takes a robust approach to the development of the site. It is well-related to the existing built form of the town and its various facilities
- 7.59 However, I recommend a series of modifications to the second part of the policy to bring the clarity required by the NPPF, to provide local assurances, and to allow SODC to apply its details through the development management process, as follows:
- revisions to the wording used so that the policy delivers the objectives of the Plan and achieves the best and most efficient use of the allocated sites;
 - the relocation of elements of explanatory text into the supporting text; and
 - the provision of additional commentary in the supporting text about flooding.
- 7.60 Subject to the incorporation of the recommended modifications, I am satisfied that the policy takes a robust approach to the development of the site which meets the basic conditions. It will contribute to the delivery of each of the three dimensions of sustainable development.

Replace the following elements of the second part of the policy with:

‘The density of development should make the best use of land and correspond generally with the density of the adjacent Thame Meadows housing development. (Part b)

Landscaped green corridors and noise mitigation measures should be provided along the edges of the development areas, including measures to provide screening from the A418. (Part c)

The development should minimise the impact of views along the Cuttle Brook looking north from Oxford Road and from the A418, minimising the impact on the landscape to the north of the site. The Cuttle Brook Corridor itself shall also be protected in accordance with Policies NEC1 and SF02 of this Plan. (Part d)

The development should not result in a net loss of the amount of open space across the overall Thame Meadows development. Wherever practicable, land already provided as open space within the overall development should be retained and integrated into the network of green infrastructure to be provided as part of new development. (Part f)

The provision of new areas of public open space in line with Policy CF5 of the South Oxfordshire Local Plan 2035 will be required. In addition to this, new areas of public open space, of at least equal size and quality to any existing open space lost as a result of development, should also be provided in an equally accessible location as part of the development. Land provided as open space

should not be located where it would create unacceptable noise levels for houses in the immediate locality. (Part g)

An area of parkland should be provided within the flood plain incorporating wetland areas with paths designed to enable access in all conditions. (Part h)

Walking and wheeling routes should be provided that connect the residential development with the surrounding open space and footpath network, including those along the Cuttle Brook, and along Oxford Road. (Part j)

Tree planting should be incorporated within residential streets (Part l)

Wherever practicable existing trees and hedgerows should be retained. In addition, biodiversity net gain should be delivered on the site. (Part m)

In part 2e of the policy replace 'shall seek to avoid harm to' with 'should respond positively to'

Include the following addition criterion (after 2a): 'The layout of the new homes should respond positively to the flood and drainage profile of the immediate locality of the site, and avoid built development in the functional flood plain of the River Thame and Cuttle Brook. In addition, integrated sustainable drainage systems should be used within the wider development to manage storm water.'

Replace the first bullet point of paragraph 4.32 with:

'Part of the site is within the flood plain of the River Thame and Cuttle Brook. This part of the overall site should remain undeveloped. Part 2b) of Policy GHD1d advises that the layout of the new homes should respond positively to the flood and drainage profile of the immediate locality of the site, and avoid built development in the functional flood plain of the River Thame and Cuttle Brook. In addition, it also advises that integrated sustainable drainage systems should be used within the wider development to manage storm water. These are important matters both for the proposed new development and for the recently-constructed homes off Roman Way. Developers should liaise both with the Environment Agency and the District Council in preparing detailed proposals for the development of all or part of the site. Planning applications should be accompanied by sufficient detail to allow the Agency to comment on such proposals and for the District Council to reach an informed decision.'

At the end of the second bullet point of paragraph 4.32 add: 'This matter is addressed in part 2d of Policy GHD1d. It is suggested that a buffer of at least 15m is provided from the A418.'

GDH1e The Elms

- 7.61 The Plan comments that land at The Elms (as shown in Figure 16) was allocated in the made Plan for 'no more than' 45 dwellings. The site is located within the centre of Thame to the west of Elms Park and is adjacent to The Elms (a nineteenth century house and listed building within the Conservation Area). The made Plan notes that the precise number of dwellings to be accommodated on the site would be determined through the detailed design process, enabling full consideration to be taken of heritage

issues, public benefits, and other material planning matters. Following the making of the Plan, a planning application for 37 dwellings was approved for the site (P14/S2176FUL). It is included in the committed supply of land for housing in SODC and therefore does not count towards meeting the outstanding housing requirement for Thame. The site is however retained in the submitted Plan as it has not yet been developed but the principle of development remains. A revised planning application for 66 care homes has since been approved (P20/S0928/FUL). The Plan advises that SODC includes extra care housing within the calculations of housing supply by applying an occupation factor to these, dividing each extra care home generated by 1.9. The 66-care home scheme would thus equate to 35 dwellings and make a similar contribution to housing requirements as the earlier committed scheme. The first phase of development of the 37 dwelling scheme is nearing completion. The site is retained in the submitted Plan as an extant allocation.

- 7.62 The policy comments that land at The Elms, Upper High Street, Thame is allocated for approximately 35 dwellings. It advises that the layout, scale, and massing of development shall be consistent with the extant permission for 37 dwellings unless good urban design reasons can be demonstrated that justify an alternative approach. The policy also includes criteria on built heritage matters and access arrangements.
- 7.63 I looked at the site carefully during the visit. I saw that it enjoyed a very sustainable location, including direct links to the town centre. In the round, the policy has been well-considered. It reflects the ongoing nature of the development and recent planning permissions. I am satisfied that the policy should remain in the Plan. It will provide a context for any future planning applications on the site (including any potential revisions to the existing permissions). In this context the policy meets the basic conditions. It will contribute to the delivery of each of the three dimensions of sustainable development.

GDH2 Housing type, tenure, and mix

- 7.64 As its title suggests, this is a detailed policy on housing type, tenure' and mix. It addresses the delivery of affordable homes, detailed advice on the breakdown of affordable housing, and detailed discount advice on First Homes.
- 7.65 The overall policy is underpinned by the Housing Needs Assessment (HNA). In general terms, the HNA found that the future development of specialist units will be needed in Thame to account for demographic change and associated housing requirements. The policy has highlighted differing views between TTC, SODC and the development industry on these matters.
- 7.66 On the one hand, the details in the policy reflect the comprehensive findings of the HNA. However, on the other hand, this approach results in a slightly mechanistic policy. In particular, the policy does not arrange the various issues into consistent themes or groups. In addition, it does not address the potential overlaps between the various elements of the policy and the details of development proposals which may come forward in the Plan period (both in general, and in relation to housing which is proposed to meet specific housing needs such as housing for the elderly).

- 7.67 I have considered these issues very carefully, including TTC's responses to the clarification note. On the balance of the evidence, I recommend modifications to remedy the issues addressed in the previous paragraph. They are based on SODC's comments together with detailed revisions to the submitted elements of the policy. In some cases, detailed elements of the submitted policy are combined into a single component of the policy.
- 7.68 The recommended modified policy does not include the seventh element of the submitted policy (on the priority which should be given to flats in the delivery of smaller housing units). Commentary about a priority in a planning policy will be difficult to administer, and the supporting text does not provide a justification for the approach. Nevertheless, I recommended that a revised version of the commentary is repositioned into the supporting text. I also recommend consequential modifications to the supporting text
- 7.68 Otherwise, the policy meets the basic conditions. It will contribute to the delivery of the social and the environmental dimensions of sustainable development.

Replace the policy with:

'Proposals for residential development should have regard to the most up-to-date evidence on housing mix including the details in the South Oxfordshire Local Plan 2035, and the findings and recommendations of the Thame Housing Needs Assessment (HNA), and respond positively to the following key principles:

Affordable Housing/First Homes

Developments of ten or more homes should incorporate 40% of those homes as affordable housing. The provision of affordable homes should be split such that 65% takes the form of rented tenures, including social and affordable rent, and 35% comprises affordable routes to home ownership.

All qualifying developments of ten or more homes should provide First Homes at a discount of 50% where it is commercially-viable to do so.

All affordable homes, including First Homes, should be designed so that they are integrated into the design of the overall proposed development and be of an equal quality in terms of design and use of materials compared to the market housing element.

Specialist Housing.

Proposals for development that meets the specialised need of the ageing population will be supported. Unless commercial viability considerations indicate otherwise, the tenure split of specialist housing developments should comprise 60% market homes and 40% affordable homes.

Wherever practicable, specialist housing proposals should be located within ready access of shops, facilities, and public transport services. Such

developments should be well integrated within the wider neighbourhood and be designed in accordance with the HAPPI principles.

General

At least 65% of all new homes should consist of 1–3 bedroom properties.

Proposals for new homes that are designed to be adaptable to meet the future accommodation needs of occupiers at different stages of their lives will be supported.'

At the end of paragraph 4.50 add: 'Policy GDH2 is underpinned both by the approach taken in the adopted Local Plan and in the Housing Needs Assessment produced for the Thame Plan. The policy advises that at least 65% of all new homes should comprise 1–3-bedroom properties. Wherever practicable and commercially-viable, the delivery of flats should actively be considered for these smaller properties.'

GDE1 Land at Rycote Lane

- 7.69 The Plan advises that employment land requirements in Thame have been reviewed as part of the preparation of the Plan (through the Employment Allocations Evidence note). This document recommends that 5.5 hectares of land (an increase of 2 hectares over and above the Local Plan requirement) should be allocated for employment purposes, allowing Thame to maintain its character and the balance between residential and commercial development in the town. To accommodate future growth in Thame, the Plan allocates 7.8 hectares (gross) of land at Rycote Lane for employment purposes. The proposed development allows for provision of landscaping on site as well as meeting the requirements for employment land in Thame.
- 7.70 The policy comments that proposals that include employment floorspace for small to medium-sized enterprises will be supported and that the proposed mix of uses must have regard to the proximity of safeguarded waste operations. It also comments that proposals for this site will be supported where they accord with the principles established in the Thame Masterplanning Report (Appendix 1), and a series of detailed criteria.
- 7.71 In its representation, the owner of the site advise that it supports the proposed allocation and that it is committed to engaging fully with the market as soon as possible so this allocation is delivered to provide TTC with confidence that the town will meet its employment floorspace requirements early in the Plan period.
- 7.72 Stoford Properties Limited makes a series of comments in its representation as follows:
- 'The South Oxfordshire Local Plan, at Policy EMP1 ('The Amount and Distribution of New Employment Land') and at EMP6 ('New Employment Land at Thame') establishes a net requirement for a minimum of 3.5 hectares of employment land to be provided in Thame over the period 2011 – 2035. It is important to note that at the SODC Local Plan examination, Thame Town Council were arguing for a figure closer to 10ha, similar to Stoford. It is irrational and disappointing, given the loss of floorspace since that Examination (e.g. the loss of the DAF site; lost at appeal and another site*

challenged at that time by Thame Town Council), that the Town Council would now seek a minimum of just 5.5ha within TNP2. It is unclear why the Town Council have changed their mind and produced TNP2, especially given the further loss of floorspace at the DAF site since their view that some 10ha of employment land was required – as recently as 2020/21

At para 4.54, TNP2 introduces a rather new point, and seeks to rely on using the floorspace arising from land north of Rycote Lane (15,973sqm) by suggesting that even though it is outside of the TNP2 plan area, it is viable to count this floorspace because it is claimed to form part of a ‘cluster’. It is a far stretched argument, and one of no foundation. The SODC Local Plan itself makes no reference at any point to there being a ‘cluster’ in respect of Thame, or to there being a Functional Economic Area (FEA) around Thame, that can be used to justify the decisions now being made within the TNP2. Given that the north of Rycote Lane site was submitted before the SODC Local Plan was adopted, and examined, it was a known quantum to the Inspector, SODC and Thame Town Council at that time. No reference was made then by any participant or their Examination Statements to there being a reliance or role for the 15,973 sqm at north of Rycote Lane, in terms of meeting any of the employment land requirements that might stem from Thame and that should be considered as part of the TNP2. To try to make this connection now, to simply downplay the employment land provision of TNP2 is disingenuous and is retrofitting the data to downplay the employment land that TNP2 should be making provision for.’

7.73 In its response to the clarification note, TTC comments that:

‘the (representation) says that the Employment Allocations evidence underestimates the requirement for new employment land in Thame because it incorrectly includes new employment development (on Rycote Lane) that is located outside of Thame within its calculations. Although just outside the Thame Town Council boundary, the land that has come forward on Rycote Lane forms part of the Thame employment cluster assessed in the employment land evidence underpinning the Local Plan, informing the requirement established in that for Thame, and thus counts towards the employment land supply in Thame. This has been agreed with SODC.

The (representation) states that the Regulation 14 version of the Neighbourhood Plan included a windfall policy on employment land which has since been removed but should be reinstated. The policy was removed based on advice from SODC who advised that it was overly restrictive and unnecessary, and that SODC would consider applications on their merits against Local Plan policies. Elements of the previous policy are now incorporated into Policy CPQ2 (Design Principles for Employment Development) in the Neighbourhood Plan

The recommendations of the Thame Employment Allocations evidence report state that it is based on a cautious approach that should avoid over-provision of employment land. This report has been informed by surveys of local businesses and interviews with local employment land agents. The conclusions of the report note that it is striking a balance between need and demand whilst responding to the character of Thame in terms of the balance between housing and employment land.

The proposed allocation of land at Rycote Lane in the Neighbourhood Plan responds to the findings of the Employment Allocations report. Notwithstanding previous assessments of employment supply undertaken by Thame Town Council, the recommended figure of 5.5 hectares of land in the Employment Allocations report is the most up-to-date position and has been derived following a considered evaluation of past loss, current demand, and anticipated employment land trends.'

- 7.74 I have considered these different approaches very carefully and within the context of the Employment Allocations Evidence. In doing so, I have noted that it contains the most up-to-date information on this matter. I also note that SODC has agreed with the approach taken in that document. Whilst the new employment development off Rycote Lane is not within the neighbourhood area, it is reasonable to conclude that the amount of new floorspace with planning permission will be considered both by the commercial market and local people as part of the wider employment offer of the town.
- 7.75 In addition, I note that the allocation of the site will meet the minimum requirement for employment land in Thame in the adopted Local Plan. Whilst I note the comments made by Stoford Properties about the potential limitations which the policy/master plan may place on the development of the site, I also note the owner's positive support for the approach taken.
- 7.76 On the balance of the evidence, I am satisfied that TTC has selected an appropriate site for employment development. The choice which it has made between the Rycote Lane site and the land at Howland Road (as proposed by Stopford Properties Limited) is a matter of judgement for the TTC. In addition, that choice has been informed by community feedback which is an important element of the production of a neighbourhood plan. Nevertheless, I have taken account of the Stoford Property comments and recommend that the take up and demand for the development of the site is assessed as part of the overall monitoring of the Plan.
- 7.77 In terms of details, I note that the site has the potential to create a good access to the strategic road network, is adjacent to existing employment uses, and is close to the permitted employment scheme off Rycote Lane. I also note that the policy addresses important elements of the development of the site including access (part 2a), the siting of buildings in relation to the topography of the site (part 2c), landscaping (part 2e) and safe crossing points (part 2f).
- 7.78 In its representation, SODC comments about the potential heights of buildings on the site as follows:

'the requirement for buildings to be one or two storeys on this site, which was included in the pre-submission version of the Plan, has now been omitted which we support. However, the Masterplanning document states that buildings should be no more than 3 storeys for B1/2 uses and two storeys for a larger footprint. This is considerably higher than the previous draft policy requirement for one and two storeys. The site is elevated and open and in a sensitive location at the entrance to Thame, albeit close to the Menlo estate. The Masterplanning document does indicate that building heights will need to be low in the most elevated areas, with ridge heights below those in the Menlo Estate, but it is not stated clearly what these are. A storey does not always mean

the same thing for commercial/employment purposes as it does for residential properties. As such, we recommended that rather than setting height limits in storeys, which can vary significantly depending on the use, it would be better to specify the height limits in metres. This will also help to alleviate concerns with the landscape impact of this site which could conflict with the requirements of Local Plan policies such as ENV 1’.

7.79 The Masterplanning report includes important information on the topography of the site and its implications for the height of new buildings as follows:

- the site is in a key gateway location to the west of Thame. It is located opposite the playing fields associated with Lord Williams school, on an elevated point in the landscape, which is open and visible. As such, it is considered a sensitive site from a landscape setting perspective (10.4).
- the development would impact on the local character and the entrance area to Thame. This entrance it is an important part of the town’s gateway. Locally the site would be visible from the A418 and the A329 and there would be a noticeable change in a large proportion of the views from these routes. Potentially there are middle distance views due to the limited topography changes and the vegetation cover, which is generally limited to the field edge and not particularly dense. The development would interrupt the flat landscape and would be a noticeable feature particularly with the upper sections of the building development closer to the A418/A329 link. Therefore, it is assessed that the area has a medium acceptance of development (10.5).
- the proposed scale should be no more than three storeys in scale to ridgeline for B1/2 and two storeys for a larger footprint (10.7).

7.80 I have considered this issue very carefully. I recommend that part 2c) of the policy is expanded so that it addresses this important matter and consolidates the approach taken in the Masterplanning report. The approach taken in the recommended modification is general rather than specifying specific heights for the buildings as suggested by SODC. Such an approach would be prescriptive, and the precise heights of buildings can be determined through the development management process, using the information supplied with planning applications as required by the modified part 2c) of the policy.

7.81 I also recommend modifications to the wording used in other parts of the policy either to correct errors or to use language which is appropriate for a neighbourhood plan. Otherwise, the policy meets the basic conditions. It will contribute to the delivery of each of the three dimensions of sustainable development.

In the first part of the policy replace ‘must’ with ‘should’

In part 2b) replace ‘are to be provide’ with ‘should be provided’

At the end of 2c) add: ‘In addition, detailed information should be submitted with development proposals to show the way in which the height of proposed buildings will relate to the contours of the site and how the new buildings will be

seen in the wider landscape setting of the site and the height of other buildings on the site.'

GDR1 Cattle Market site

- 7.82 The made Plan allocated land at the Cattle Market for mixed-use development, including a mix of retail floorspace, residential units, offices, car parking and community facilities. The submitted Plan advises that site remains suitable and, subject to the relocation of current activities, is available for development. It also comments that planning permission has been granted for the relocation of the Cattle Market from its current site to new premises on Rycote Lane. The Cattle Market site currently comprises the Cattle Market itself, the Racquets Fitness Club and car parking. The Plan advises that the car parking provides an important role for the town centre, particularly on market days, where parking provision along the High Street is limited.
- 7.83 The policy advises that proposals for development will be supported which include some (or all) of the following uses:
- Convenience retail floorspace Use Class E(a).
 - Civic or Community facilities Use Class E(e), E(f) F1 and F2.
 - Residential Use Class C3.
 - Office floorspace Use Class E(c).
 - Hotel accommodation Use Class C1.
- 7.84 The policy also includes two important general criteria. The first part advises that the development should not result in an overall loss of car parking. The second part comments that the new development should provide for its own parking needs.
- 7.85 The policy also comments that the mix of uses will be determined through the planning application process but should include provision of 1,500sqm net convenience retail floorspace, unless up-to-date evidence of retail needs and requirements is provided that justifies an alternative level of provision. It also comments that a large footprint superstore is not appropriate for the site. Finally, the policy comments that development will only be supported on this site once a new cattle market site is operational.
- 7.86 In general terms, the policy takes a very positive approach to the development of this important site. It reflects its relationship with the town centre, and the opportunities to enhance and consolidate the range of retail, commercial and community uses in the town. In this context it has regard to Sections 6 and 7 of the NPPF.
- 7.87 However, as submitted, the policy's focus reads as an approach towards resisting the loss of car parking on the site rather than promoting its redevelopment. In addition, the sixth part of the policy is inflexible and could affect the commercial viability of the package of works necessary to relocate the existing cattle market.
- 7.88 In its response to the clarification note on these matters, TTC commented that:

'the public interest in this site, as expressed through consultation, is considerable. Whilst acknowledging that the site has potential for development, as established

through the first Neighbourhood Plan, the ordering of the policy reflects the scale of interest in the site and important role it plays in terms of Town Centre parking. The wording in the Policy makes clear that locally expressed priorities and needs are reflected in it.

In respect of para 4, it is noted that the overall response from SODC suggests that reference to use classes is removed but that the Property Team (who are responsible for delivering the scheme) are happy for these to be retained, although suggest some softening of the wording. The Town Council would prefer for the wording in para 4 as expressed in the submitted version of the Neighbourhood Plan to remain, responding to wider consultation feedback and aspirations for the site. Indeed, the current form of wording does not preclude alternative uses from being accommodated.

In respect of Part 6, the Town Council notes that the response from SODC recommends that not only should this text be retained but that it becomes new Part 1 of the policy. This recognises the importance of the Cattle Market to the role and function of Thame. It is also noted that the comments from the SODC Property Team do not raise issue with respect of Part 6. In terms of the Racquets club, Local Plan Policy CF4 would be applied in any event. The response from the SODC Property Team suggests that this clause should only apply if the club is 'still located and operational on the site at the time of a planning application being submitted'. The Town Council is happy for this or similar wording to be reflected in an update to the policy.'

- 7.89 I have considered these comments very carefully. On the balance of the evidence, I am satisfied that the order of the policy should be retained. Nevertheless, I recommend that the first three parts of the policy are combined into a single element.
- 7.90 I recommend that the sixth part of the policy is deleted and repositioned (with modifications) into the supporting text. As submitted, the wording would prevent any planning applications being approved until a relocated cattle market is operational. Such an approach would be onerous, and does not take account of the time which may be needed for that site to be developed and to become operational. Ideally the development of the site would be phased to allow the existing cattle market to have become operational on the alternative site. This can be achieved through the planning process using conditions. Such an approach is particularly important given the recent progress which has been made in securing permission for an alternative cattle market and the uncertainty which any further delays in the development of the existing site may generate.
- 7.91 In addition, I recommend that the fourth and fifth parts of the policy are combined as the latter part consolidates the approach taken in the former part. I also recommend that part 7h of the policy (on the Racquets Club) is recast based on the comments received from SODC.
- 7.92 Otherwise, the policy meets the basic conditions. It will contribute to the delivery of each of the three dimensions of sustainable development.

Replace the first, second and third parts of the policy with:

‘Proposals for the comprehensive redevelopment of the Cattle Market site should be underpinned by three important principles:

- **the overall quantum of town centre parking on the Cattle Market site (Figure 19) shall be retained;**
- **proposals for new development should provide parking to Oxfordshire County Council standards and existing parking spaces on the site will not count towards the requirement for any new parking that is generated; and**
- **proposals that result in a loss of car parking spaces should be justified by evidence of car park utilisation across the town centre and demonstrate that sufficient alternative parking provision is available to off-set any loss, and include proposals that relocate space for parked vehicles associated with businesses operating in the Charter Market.’**

Replace the fourth and fifth parts of the policy with:

‘In this context, proposals for development will be supported which include some or all of the following uses: [Add the list as set out in the fourth part of the policy]

The mix of uses should include provision of 1,500sqm net convenience retail floorspace, unless up-to-date evidence of retail needs and requirements is provided that justifies an alternative level of provision. A large footprint superstore on the site will not be supported.’

Delete the sixth part of the policy.

Replace part 7h of the policy with: **‘The layout of development should retain the Racquets Club unless it can be demonstrated that the loss of the facility would be acceptable in accordance with the criteria set out in Policy CF4 of the South Oxfordshire Local Plan 2035.’**

Replace the eighth part of the policy with: **‘Development proposals should be designed and arranged to respond positively to the adjacent school both generally and during the construction period.’**

At the end of paragraph 4.67 add: ‘The occupation of development proposals on this site should relate to the operational availability of the new cattle market site. Where necessary, planning conditions may need to be applied to achieve this effect.’

GDR2 Town Centre uses

- 7.93 The Plan advises that with the changing nature of the ‘High Street’, competition from other centres and from internet-based shopping, town centre uses that provide a mix of activities, including services, are encouraged. It also comments that the use of such services will help support retail activities by bringing customers into the centre, including local and independent retailers, and provide services to local people as well as those in the rural hinterland.

- 7.94 The Plan also advises that the town centre is a vibrant place with a wide retail offer and with few vacancies. Where premises become vacant, TTC encourages their temporary re-use through ‘pop- up’ and meanwhile uses. I saw this vibrancy first-hand during the visit and I had a good selection of places to buy some lunch.
- 7.95 The policy takes a detailed approach towards retail uses in the town, including guidance for uses in the primary and secondary shopping areas.
- 7.96 In general terms, the policy takes a positive role to the future of the town centre. Nevertheless, as SODC comment, it takes a dated and somewhat prescriptive approach to town centre uses. In this context I recommend that the policy takes a less prescriptive approach to determining which use classes are appropriate in various areas of the town and reflects the changes were made to the Use Class Order in 2020, in part with the aim of allowing more flexibility. As submitted, the policy does not provide this flexibility or a recognition that many of the specific uses listed are able to change their use without applying for planning permission. It also does not reflect the changing nature of town centres and providing such a high degree of specificity could lead to the policy becoming quickly outdated. The recommended modifications to the policy largely follow the suggestions made by SODC and as accepted by TTC in its response to the clarification note.
- 7.97 SODC also comments on the primary shopping boundary as follows:
- ‘the primary retail frontage, as shown on Figure 21, is similar to the Primary Shopping Area produced as part of the Town Centres and Retail Study, but contains a number of differences, most noticeably the inclusion of the Cattle Market site to the northeast. The NPPF defines a Primary Shopping Area boundary as a ‘defined area where retail development is concentrated’. As there is no current concentration of retail development in the Cattle Market area, we recommend Figure 21 is redrawn using the latest evidence from the Town Centres and Retail Study to inform the boundary of the Primary Shopping Area identified in the plan*
- 7.98 In its response to the clarification note, TTC commented:
- ‘However, and despite the Cattle Market being a long-standing allocation (as identified through the first Neighbourhood Plan), the study does not make any reference to this. It is important to note that the Cattle Market is the single biggest opportunity for change and development in the Town Centre, and where that change must be successfully integrated with and contribute towards an enhanced town centre offer. Identification of an extended primary retail frontage will help tie the site and proposed uses into the main retail area. This aligns with para 90 of the NPPF which supports the allocation of mixed-use sites in town centres, defining the extent of primary retail areas and uses appropriate within these, forming ‘part of a positive strategy for the future of each centre’. The Town Council is of the view that the extent of the primary retail frontage shown in the Neighbourhood Plan does not need to be amended.’*
- 7.99 I have considered this matter carefully. On the one hand, TTC’s thinking relates to the previous policy (GDR1) and anticipates that an element of retail development will feature in the redevelopment of the Cattle Market, and that the retail development will

front onto North Street (to secure a visual and functional link with the town centre to the south). However, on the other hand, there is no active retail frontage in this part of the town, nor is there any guarantee (either generally or in terms of the wording in Policy GDR1) that a prime retail frontage will be developed.

- 7.100 Taking account of all the evidence I recommend the deletion of the Cattle Market Primary Retail Frontage along North Street. This is a matter which TTC may wish to review once the Cattle Market development has been implemented. Otherwise, the policy meets the basic conditions. It will contribute to the delivery of each of the three dimensions of sustainable development.

Replace the policy with:

'Insofar as planning permission is required, proposals for new retail or other main town centre uses, as defined by the NPPF, should follow a 'town centre first' approach, as set out in Policy TC2 of the South Oxfordshire Local Plan 2035.

Within the Town Centre boundary (as defined on Figure 21) proposals should, where appropriate, incorporate a mix of complementary uses consistent with the role, function, and character of the centre.

Within the Primary Shopping Area (as defined on Figure 21), and when planning permission is required, the following uses will be supported:

- **on the ground floor - retail, financial and professional services, cafes and restaurants, leisure, drinking establishments, community facilities and employment**
- **on upper floors - office space, community facilities and residential**

Hot food takeaways and betting shops may be appropriate on the ground floor within the Primary Shopping Area where they:

- **mitigate any detrimental impacts of their use, such as in respect of litter, commercial waste, dirty pavements, and noise;**
- **when relevant, provide adequate extraction and air condition which does not cause nuisance by way of noise or odour to residents living above or close to the proposed use, and where the impact of extraction and air conditioning on the appearance of buildings and townscape is minimised; and**
- **when relevant, ensure that collection and delivery vehicles do not cause obstruction to pedestrians or other road users.**

Other uses may be appropriate within the Primary Shopping Area where the proposed new use would not have an adverse impact on the vitality and viability of the town centre.

The use of the ground floor of vacant premises on a temporary basis within the Primary Shopping Area for new retail or other main town centre uses will be supported.

Proposals for development in the town centre that enhance the attractiveness of the public realm and which improve the quality of the pedestrian environment will be supported.'

Delete the Cattle Market Primary Retail Frontage along North Street on Figure 21.

GDV1 Visitor economy

- 7.101 The Plan comments that Thame is an attractive destination for visitors. It is a gateway to the Chilterns National Landscape and benefits from an award-winning High Street, historic market, and attractive countryside. The Phoenix Trail, which starts in Thame, forms part of the national cycle network. Thame is one of the most frequently used filming locations in the TV series *Midsomer Murders*, with guided tours regularly taking place and supplementing wider town trails which offer an insight into the town's rich and eventful history.
- 7.102 The policy comments that sustainable development that improves the quality and diversity of existing tourist facilities, attractions, accommodation, and infrastructure, including green infrastructure, will be viewed favourably subject to detailed criteria. It also identifies the limited circumstances where loss of tourist and visitor facilities to other uses will be supported.
- 7.103 In general terms this is a positive policy which has regard to Sections 6-8 of the NPPF. However, I recommend that the second part is modified so that its remit is clear. This was agreed by TTC in its response to the clarification note. Otherwise, the policy meets the basic conditions. It will contribute to the delivery of each of the three dimensions of sustainable development.

Replace the opening element of the second part of the policy with: 'Proposals for new build tourism and leisure-related development should demonstrate that;'

CPQ1 Design in response to local character

- 7.104 This is an important policy. The Plan advises that good design is essential in producing attractive, high quality, sustainable places which people want to live, work, and relax in. It also comments that good design is not just about the way that buildings look, it also considers factors such as the mix of uses and activities that help create lively and interesting places that foster a sense of community through well designed, functional, and attractive public spaces; and enhancing the quality of environment. Furthermore, achieving good design requires consideration of the local character and distinctiveness of a place.
- 7.105 The policy is underpinned by the Character Area Assessment which identifies eight-character areas in the neighbourhood area.
- 7.106 The policy includes the following key elements:
- a comprehensive package of design principles;
 - a requirement that applicants are required to demonstrate how proposals for development have been informed by and respond to the qualities identified in

the Thame Neighbourhood Plan Design Code and Character Area Study (Appendix 1); and

- development proposals that establish bespoke design solutions and residential typologies that demonstrate an imaginative sense of place whilst respecting the local context are actively encouraged

7.107 In general terms, the policy takes a very positive approach to the design of new buildings. It is a very distinctive local response to Section 12 of the NPPF. Within this context, I recommend the following package of recommended modifications to bring the clarity required by the NPPF and to allow SODC to be able to apply it on a practical basis through the development management process:

- a shift in the emphasis to supporting proposals to one which sets out policy requirements. Whilst design is an important part of development proposals, SODC will need to apply the provisions of other policies to determine the outcome of planning applications;
- the introduction of a proportionate elements into the policy – whilst design is universally important, most of the criteria in the second part of the policy will apply only to larger proposals
- detailed revisions to the wording used so that they are appropriate for a neighbourhood plan;
- acknowledging that whilst density of new developments should take account of the density of existing developments in the immediate locality there is also a need to ensure that they make the most efficient use of the land concerned (in accordance with Section 11 of the NPPF).

7.108 Otherwise, the meets the basic conditions. It will contribute to the delivery of each of the social and environmental dimensions of sustainable development.

Replace the first part of the policy and the opening element of the second part of the policy with:

‘Development proposals should respond positively to the setting and character of the area within which it is located. As appropriate to their scale, nature and location, development proposals should meet the following criteria:’

In 2c replace ‘not to cause overlooking’ with ‘not to cause unacceptable levels of overlooking’

In 2g replace ‘by seriously reducing’ with ‘by unacceptably reducing’

Replace 2i) with: ‘Access: Infill development proposals should have direct access to the highway unless it can be shown that their access arrangements can be satisfactorily accommodated within the application site and any land which connects the site to the highway.’

In 2j replace ‘must’ with ‘should’

Replace Part 2 k) with: ‘Density: The density of new development should respond positively to its immediate context as expressed through plot ratios,

the scale and massing of development, whilst making an efficient use of the land concerned.'

In 3 replace 'are required to' with 'should'

In 4 replace 'are actively encouraged' with 'will be supported'

CPQ2 Design principles for employment development

- 7.109 This policy complements the approach taken in the previous policy. In this case, it sets out a comprehensive package of design principles for new employment development. The third part of the policy advises that proposed employment sites should not, individually, or cumulatively, result in coalescence of or unacceptable impact on the visual separation of Thame and Towersey, or Thame and Moreton. The fourth part of the policy comments about archaeological investigations.
- 7.110 As with Policy CPQ1, I have concluded that the policy takes a very positive approach to the design of new buildings (in this case in employment uses). It is a very distinctive local response to Section 12 of the NPPF.
- 7.111 As with Policy CPQ1, I recommend the introduction of a proportionate elements into the policy. Whilst design is universally important, most of the criteria in the second part of the policy will apply only to larger proposals. Otherwise, the policy meets the basic conditions. It will contribute to the delivery of each of three dimensions of sustainable development.

Replace the opening element of the first part of the policy with: 'Development proposals for B2-B8 led employment development should meet the requirements of appropriate policies in the development plan in respect of location and impact on landscape, the setting of Thame and the natural environment. As appropriate to their scale, nature and location, development proposals should respond positively to the following principles.'

In the third part of the policy replace 'might' with 'would'

Replace the fourth part of the policy with: 'Where appropriate, development proposals should be accompanied by a programme of archaeological evaluation to be agreed with Oxfordshire County Council and to be undertaken in advance of the associated planning application being determined.'

CPQ3 Town Centre design principles

- 7.112 The Plan sets out the context for this policy. It advises that growth and development of the town centre should help strengthen the role of the Thame town centre as the civic and commercial hub for Thame and surrounding rural communities who will use the town as their main leisure and retail centre. It also comments that good design must be reflected in the layout and distribution of buildings and uses, the spaces between them, the scale and architecture of buildings. It also comments about efforts to revitalise the centre should make it an attractive place to visit.

- 7.113 The policy comments that proposals for new development in Thame Town Centre (as defined in Figure 21) should complement the special character of the centre, reflected in the height and massing of buildings, as well as the materials used, building styles and roof heights, as set out in the Thame Neighbourhood Plan Design Code and Character Area Study, Thame Conservation Area Appraisal and Management Plan. The policy includes a series of criteria. I am satisfied that they are both appropriate and distinctive to the Town Centre. As with the earlier design policies, I have concluded that the policy takes a very positive approach to the design of new buildings and is a very distinctive local response to Section 12 of the NPPF.
- 7.114 As with Policy CPQ1, I recommend a shift in the emphasis to supporting proposals to one which sets out policy requirements. Whilst design is an important part of the development process, SODC will need to apply the provisions of other policies to determine the outcome of planning applications. I also recommend that the third part of the policy is reconfigured so that it better expresses its intentions.
- 7.115 Otherwise, the policy meets the basic conditions. It will contribute to the delivery of each of the social and environmental dimensions of sustainable development.

Replace the opening element of the second part of the policy with: ‘As appropriate to their scale, nature and location, development proposals should meet the following criteria:’

Replace the third part of the policy with: ‘Where relevant, development proposals should be designed and arranged to respect the ability for the market and other outdoor events to operate in the town centre.’

CPQ4 Self and custom-build housing

- 7.116 Policy H12 (Self-Build and Custom-Build Housing) of the South Oxfordshire Local Plan supports proposals for delivery of self and custom-build housing, requiring 3% of development plots on strategic allocations to be made available for such housing. There are no strategic allocations in Thame. However, diversification of the housing offer in Thame is supported, providing new routes to home ownership. In Thame, proposals for major developments are encouraged to include plots for self and custom-build housing.
- 7.117 The policy comments that proposals for major development that include provision of plots for self and custom-build housing, and which meet a series of criteria, will be supported. One of the criteria is that plot passports should be prepared to establish the form of development and building parameters for each plot, including building heights, footprint, frontages, density, and parking requirements.
- 7.118 In the round, I am satisfied that the policy takes a very positive and non-prescriptive approach to this matter. It has regard to Section 5 of the NPPF and meets the basic conditions. It will contribute to the delivery of each of the three dimensions of sustainable development.

CPQ5 Sustainable design and construction

7.119 The Plan advises that the context to this policy is that future growth and development in Thame represents an opportunity to secure reduced emissions, potentially through the construction of highly energy efficient homes, the provision of decentralised energy networks and the retrofitting of existing homes to reduce their energy use and fuel bills. It also comments that:

- buildings should be designed to maximise solar gain and incorporate technologies that maximise the use of energy from renewable sources;
- development in Thame will be expected to make use of the best available sustainable design and technology; and
- development proposals are expected to minimise the use of resources, mitigate against and be resilient to the impact of climate change.

7.120 The policy comments that the design and standard of any new development should aim to meet a high level of sustainable design and construction and be optimised for water and energy efficiency, targeting zero carbon emissions and, as far as possible, being 'Future Homes Standard' ready. It also advises that new developments will be supported where they make optimal use of land through good design and meeting a series of criteria.

7.121 In general terms the policy takes a positive approach to this important matter and has regard to Section 14 of the NPPF. I am satisfied that it has a non-prescriptive approach which accords with the Written Ministerial Statement of December 2023 on Planning: Local Energy Efficiency Standards. However, I recommend a package of modifications to bring the clarity required by the NPPF and to allow SODC to be able to apply the policy through the development management process. The modifications also take account of the helpful comments on the policy made by Beechcroft and Bloor Homes. They are as follows:

- ensuring that the principles in the first part of the policy flow more naturally from the opening element;
- replacing parts 2-5 of the policy to ensure that the policy can fulfil its ambitions; and
- the deletion of any reference to electric vehicle charging facilities in the third part of the policy as this matter is now addressed in Part S of the Building Regulations.

7.122 Otherwise, I am satisfied that the policy meets the basic conditions. It will contribute to the delivery of each of the three dimensions of sustainable development.

In the first part of the policy replace a) to e) with:

'subject to topography, layout and good urban design principles, buildings are orientated to maximise solar gain where appropriate to site topography and creating a consistent building frontage to the street.'

solar access along the south façade of the building is maximised, with appropriate shading elements and cross-ventilation employed in new and existing buildings.

the use of appropriate renewable energy technologies including ground source and air source heat pumps, photovoltaics, solar panels, and other technologies. Such technology should be designed to reflect the character and materials present with the immediate area.

the use of low embodied carbon materials assessed through a Life Cycle Assessment.

taking a ‘Fittings Approach’ to improve water efficiency in buildings, including achieving a water efficiency standard of 100 l/p/d or better. Wherever practicable, non-residential development should meet BREEAM excellent standards for water consumption.’

Replace parts 2 to 5 of the policy with:

‘Innovative approaches to the construction of low carbon homes, including construction to Passivhaus standards, will be supported where the development proposal otherwise complies with development plan policies.

Development proposals which incorporate renewable energy sources will be supported.

Where appropriate, proposals for refurbishments and or the retrofitting of existing buildings to optimise the energy efficiency of the building, reduce heat loss and install energy saving measures and renewable energy sources will be supported. Associated alterations to existing buildings should be carefully designed to ensure that potential adverse impacts are adequately mitigated.

Wherever practicable, development proposals for large employment and industrial buildings should maximise the renewable energy potential of their site by utilising their roof space for solar panels. Where it is commercially-viable to do so and would meet good design principles, employment buildings should be orientated to optimise passive solar gain, and be designed such that they can accommodate photovoltaic panels or materials on roofs, either at the point of construction or at a future date. In addition, alterations to existing commercial buildings should also be designed to secure energy reduction.’

CPQ6 Street hierarchy

- 7.123 The Plan advises that the rationale behind this policy is that new streets should be designed, or existing streets redesigned, to enable safe travel by all, making walking and wheeling more attractive propositions.
- 7.124 The policy is comprehensive and has three key elements. The first is that proposals for major development must be based around a permeable street network, creating a strong sense of place that is safe for people who are walking and wheeling. The second is that a hierarchy of streets shall be integrated within development areas and details

of these should accompany planning application material. The third is that street design shall have regard to guidance illustrated in the County Council's Street Design Guide and South Oxfordshire Joint Design Guide.

- 7.125 In the round, the policy takes a very positive approach to this matter. It also relates well to the overarching principles of the Plan including the Masterplanning report.
- 7.126 Bloor Homes comments that the policy is very detailed, and that its contents would sit better in the Design Guide. I have considered this comment very carefully. However, on balance, I am satisfied that the policy is both appropriate and locally-distinctive. Indeed, one of the main purposes of a neighbourhood plan is to provide local detail on non-strategic matters and the policy performs very well on this count.
- 7.127 The fourth part of the policy seeks to ensure that development proposals help to facilitate the improvements identified in the forthcoming Thame Local Cycling and Walking Infrastructure Plan. Whilst this is appropriate in principle, I recommend that this element of the policy is modified so that it can be applied proportionately. I also recommended modifications to the wording used so that it has the clarity required by the NPPF. Otherwise, I am satisfied that the policy meets the basic conditions. It will contribute to the delivery of each of the three dimensions of sustainable development.

Replace the final part of the policy with: 'As appropriate to their scale, nature and location development proposals should help to facilitate infrastructure improvements identified in the forthcoming Thame Local Cycling and Walking Infrastructure Plan.'

CPQ7 Parking in residential areas

- 7.128 The Plan sets out the context to the policy. It advises that the quality and provision of car parking can be a major determinant on the quality of place, particularly in residential areas and that if it is not provided in the right place, it is unlikely to be used properly. The policy comments that the location and provision of parking should respond to good urban design and placemaking principles (such as those outlined in the SODC/Vale of White Horse Joint Design Guide), with on-plot and on-street parking provided near the home.
- 7.129 The policy has a comprehensive approach. It advises that:
- new development shall be designed such that it reduces informal parking that undermines the quality of the street environment;
 - parking should be unobtrusive and in locations that benefit from natural surveillance; and
 - proposals for rear or separate parking courts are not encouraged and should only be proposed where alternative provision is impracticable.

7.130 The policy also identifies a series of key principles.

7.131 Bloor Homes raises the same point as it did on the previous policy. I have reached the same conclusion for the same reasons.

- 7.132 In the round, the policy takes a very positive approach to this matter. It also relates well to the overarching principles of the Plan including Masterplanning report.
- 7.133 The third part of the policy seeks to ensure that development proposals do not displace parking onto the street. I recommend that this element of the policy is modified so that it requires the provision or retention of parking spaces on the site concerned (which is in SODC's control) rather than to limit the amount of on-street parking (which is beyond planning control). I also recommended modifications to the wording used elsewhere in the policy so that it has the clarity required by the NPPF. Otherwise, I am satisfied that the policy meets the basic conditions. It will contribute to the delivery of each of the three dimensions of sustainable development.

Replace the final sentence of the first part of the policy with: 'Proposals for rear or separate parking courts will only be supported where other parking solutions are impracticable.'

Replace the third part of the policy with: 'Proposals for homeowner extensions or the conversion of buildings should be designed to safeguard existing off-road parking spaces, or to provide the number of off-road parking space for any new use created.'

CPQ8 Paving of front gardens

- 7.134 The Plan comments that the conversion of gardens in residential areas into areas of hardstanding for car parking has an impact on the suburban verdancy of the area and biodiversity value, as well consequences for surface water flooding. It also advises that one of the main features of Thame's character is its connection to nature and green spaces. Finally, it comments that the lack of greenery associated with hard surfacing of parking areas in front gardens promotes the need to reintroduce greenery into the street. The policy acknowledges that permitted development rights exist for elements of work of this nature.
- 7.135 The policy advises that where it is proposed to pave over front gardens, and where planning permission is required, all new areas of hard standing must help reinforce the positive character features of the town as set out in the Character Area Assessment and should meet a series of criteria. The policy includes a separate element on dropped kerbs.
- 7.136 The policy takes a distinctive approach. I am satisfied that it meets the basic conditions. It will contribute to the delivery of each of the three dimensions of sustainable development.

SFO1 Community facilities and services

- 7.137 The Plan comments that social and community infrastructure is critical to sustaining and meeting the day-to-day needs of residents in Thame, providing access to essential services and facilities, and helping to maintain a high quality of life. Such facilities, which include schools, healthcare, churches, sports, and community centres, also have an important role to play in strengthening social networks, sense of community

and identity. Finally, the Plan advises that Thame currently thrives socially because of its range of community facilities and services, which should be preserved.

- 7.138 The policy comments that proposals for new or improved community facilities, including primary healthcare, nursery provision, a community hall or centre will be supported. It also advises that proposals that involve the loss of any space or buildings used for community purposes will only be supported where it would lead to the significant improvements of an existing facility or the replacement of an existing facility with one equally convenient to the local community it serves and with equivalent or improved facilities, or it has been determined that the community facility is no longer needed or, in the case of commercial services, it is not economically viable.
- 7.139 The policy also includes other detailed elements.
- 7.140 In general terms, this is a very positive policy which has regard to Section 8 of the NPPF. Within this overall context, I recommend that the contents of part 1e (on a large community space) is repositioned to the end of the second part of the policy. This recognises that any such proposals would be a one-off project which would be very different to other policy elements relating to new or improved community facilities.
- 7.141 I also recommend that the fourth part of the policy is reconfigured so that it acknowledges that its approach may not always be practicable or commercially viable. I also recommend consequential modifications to the supporting text.
- 7.142 Finally, I recommend that the supporting text is expanded to incorporate some of the suggested revisions from the Buckinghamshire, Oxfordshire, and Berkshire West Integrated Care Board. Otherwise, the policy meets the basic conditions. It will contribute to the delivery of the social and environmental dimensions of sustainable development.

Delete part 1e) of the policy

At the end of the second part of the policy add: ‘Proposals which would provide a large community space which can act as an alternative to St. Mary’s Church will be supported.’

Replace the fourth part of the policy with: ‘Wherever practicable and commercially-viable, any social and community facilities to be provided as part of any major development proposal should be delivered during the early phases of development.’

At the end of paragraph 6.10 add: ‘Any proposals for primary healthcare provision (or contributions to such facilities) should relate positively to the operational and financial viability of the facility concerned. The operational details should be agreed with NHS Buckinghamshire, Oxfordshire, and Berkshire Integrated Care Board or other such appropriate body.’

At the end of paragraph 6.11 add: ‘The fourth part of Policy SF01 comments about the importance of the early delivery of social and community facilities associated with new development. The District Council will wish to be satisfied about the phasing and

delivery of these uses. The policy acknowledges that whilst this outcome may not always be practicable or viable, the early delivery of new community uses will help to build a sense of community and integration with existing surrounding communities.'

SFO2 Existing open spaces

- 7.143 The made Plan identified several green spaces to be protected. These locations remain important and are carried forward into the submitted Plan. In addition, the wider network of green spaces in Thame, including amenity green space, is recognised as being important. These include areas for leisure, play and recreation, as well as allotments, which provide important opportunities for local food growing, as well as delivering a wide range of mental and physical benefits.
- 7.144 The policy advises that land defined as 'important green spaces', 'other amenity green spaces', or 'sports pitches' on Figure 26 should be protected and retained in line with NPPF's guidance on open spaces.
- 7.145 In general terms this is a very good policy which has regard to Section 8 of the NPPF. Nevertheless, I recommend that the third part of the policy (on the link between open spaces and biodiversity) is simplified and that explanatory text is relocated into the supporting text. Otherwise, the policy meets the basic conditions. It will contribute to the delivery of the social and the environmental dimensions of sustainable development.

Replace the third part of the policy with: 'Opportunities for biodiversity net gain within the identified open spaces will be supported, including through proposals for offsite delivery in circumstances where it is not practicable to deliver net gain on the site concerned.'

At the end of 6.22 add: 'The third part of Policy SF02 comments about opportunities for biodiversity net gain within the identified open spaces. Any proposals for off-site delivery will be subject to maintenance and management regimes which would need agreeing with the owner, as well as consideration of any impacts on the wider use and enjoyment of that space.'

SFO3 New green spaces

- 7.146 The Plan advises that development of a scale that triggers provision of new green space should be provided in line with standards established by South Oxfordshire District Council. It also comments that the design of this space should reflect good design principles. The policy includes a series of criteria for development proposals.
- 7.147 This is a very comprehensive policy and its criteria are locally-distinctive. I am satisfied that the policy has regard to Section 8 of the NPPF and meets the basic conditions. It will contribute to the delivery of the social and the environmental dimensions of sustainable development.

NEB1 Biodiversity

- 7.148 This is a wide-ranging policy on biodiversity. It seeks to provide a local interpretation of recent local guidance and to the implementation of the national agenda on biodiversity net gain (as now enacted in the Environment Act).
- 7.149 In general terms, the policy takes a positive approach to these matters and has regard to Section 15 of the NPPF. However, to bring the clarity required by the NPPF and to allow SODC to be able to implement the policy through the development management process, I recommend the following package of modifications:
- the inclusion of commentary about the practicability of certain elements of the parts of the policy;
 - the removal of explanatory text from the policy and its repositioning into the supporting text; and
 - a recasting of the sixth and seventh parts of the policy so that they better express their ambitions
- 7.150 Otherwise, the policy meets the basic conditions. It will contribute to the delivery of the social and the environmental dimensions of sustainable development.

Replace the first sentence of the second part of the policy with: ‘Wherever practicable, biodiversity net gain should be delivered on the site concerned.’

Delete the final two sentences of the second part of the policy.

Delete the third part of the policy.

Replace the fourth part of the policy with: ‘Wherever practicable, development proposals should safeguard existing trees and hedgerows in their layouts and, where appropriate, incorporate such features within green areas, open spaces and alongside walking and cycling route.’

Replace the first three sentences of the fifth part of the policy with: ‘New green infrastructure should provide functional permeability for wildlife through and around development. The width of wildlife corridors should be proportionate to the requirements of target species.’

Replace the sixth part of the policy with: ‘Any landscaping should consist of species appropriate for the site’s growing conditions wherever practicable.’

Replace the seventh part of the policy with: ‘Wherever practicable, swift and bat boxes should be integrated into new buildings and extensions to homes and other buildings.’

At the end of paragraph 7.13 add: ‘In addition, and when required, it is also strongly recommended that offsite measures should be provided within one year of construction work commencing.’

NEC1 The Cuttle Brook Corridor

- 7.151 The Plan advises that the Cuttle Brook Nature Reserve is a unique piece of ‘semi-wild’ countryside close to the Town Centre. The area offers open river-meadow views and a network of paths through thirty acres of mixed meadows, woodland, sedge and reef beds, hedges, trees, riverbanks, and scrub-land. The Nature Reserve and wider corridor is highly value for biodiversity and recreation, and forms an important green lung for the town, providing a north south link to countryside either side of the built-up area.
- 7.152 The policy comments that any development proposals within the Cuttle Brook corridor, including the Nature Reserve (as defined on Figure 28), must ensure that the north-south green corridor through Thame is retained. It also advises that development proposals should meet a series of criteria. It also comments that where development is proposed adjacent to the Cuttle Brook corridor it should, as appropriate to the site, incorporate green links that connect with the corridor.
- 7.153 The policy takes a very positive approach to this important natural feature in the town. The criteria are very distinctive. In general terms I am satisfied that the policy meets the basic conditions. However, to bring the clarity required by the NPPF I recommend that the criteria in the first part of the policy are applied in a proportionate way. This would acknowledge that not all proposals would directly affect the criteria in the policy.
- 7.154 Otherwise, the policy meets the basic conditions. It will contribute to the delivery of the social and the environmental dimensions of sustainable development.

In the first part of the policy replace ‘Development should’ with ‘As appropriate to their scale, nature and location, development proposals should’

NEF1 Flood risk and sustainable drainage

- 7.155 The context to the policy is that flood risk in Thame is concentrated along the River Thame and Cuttle Brook.
- 7.156 Thames Water suggests that the supporting text is expanded to address operational requirements. However, its suggestion is already incorporated in paragraph 7.23 of the Plan
- 7.157 The policy is comprehensive in its nature and comments about sustainable drainage systems. I am satisfied that it has regard to Section 14 of the NPPF. As such, the policy meets the basic conditions. It will contribute to the delivery of the social and the environmental dimensions of sustainable development.

GAAT1 Active travel

- 7.158 The Plan advises that proposals for major residential and commercial development are expected to include plans which make clear how they satisfy a series of active travel criteria: The policy takes a very positive approach to this important matter in the town. The criteria are very distinctive. In general terms I am satisfied that the policy meets the basic conditions. However, to bring the clarity required by the NPPF I recommend

that the criteria in the first part of the policy are applied in a proportionate way. This would acknowledge that not all proposals would directly affect any or all the criteria.

- 7.159 Otherwise, the policy meets the basic conditions. It will contribute to the delivery of the social and the environmental dimensions of sustainable development.

Replace the opening element of the first part of the policy with: ‘As appropriate to their scale and location, proposals for major residential and commercial development should respond positively to the following active travel criteria:’

GAP1 The Phoenix Trail

- 7.160 The Plan comments that Thame’s most significant asset is the Phoenix Trail. The Phoenix Trail is owned and maintained by Sustrans. It is a flat surfaced path ideal for cyclists and pedestrians, with seating every 500 metres. In total it stretches 12km between Thame and Princes Risborough.
- 7.161 The policy comments that where development is proposed adjacent to the Phoenix Trail opportunities should be taken that support improvements to access and use of the Trail. It identifies a series of access matters which will be supported.
- 7.162 This is an excellent policy. I am satisfied that it meets the basic conditions. It will contribute to the delivery of the social and the environmental dimensions of sustainable development.

GAA1 Alleyways

- 7.163 The Plan advises that development proposals adjacent to an existing alleyway will be supported where they facilitate passive surveillance by meeting a series of criteria. It also comments that alleyways must support active travel and be of a sufficient width to allow space for walking and wheeling without conflict between users.
- 7.164 The policy takes a distinctive approach to this important element of the character of the town. However, I recommend two modifications to bring the clarity required by the NPPF. The first revises the wording in the opening part of the policy so that it provides guidance for development proposals rather than anticipating the outcome of planning applications. It also acknowledges that SODC will need to consider the full extent of the development proposal in determining planning applications rather than a single policy. The second is a modification to the wording in the second part of the policy so that it is more appropriate for a neighbourhood plan. Otherwise, the policy meets the basic conditions. It will contribute to the delivery of the social and the environmental dimensions of sustainable development.

In the opening element of the policy replace ‘will be supported where they’ with ‘should’

In the second part of the policy replace ‘must’ with ‘should’

GAPT1 Public transport

7.165 The Plan comments that whilst it is accepted that people will continue to travel by car, it aims to create the conditions that encourage safe, attractive, and efficient travel by alternative modes, and which provide people with the choice and opportunity to travel by foot, bike, or public transport.

7.166 There are three components of the policy:

- proposals that involve improvements to public transport services, such as bus services, and/or supporting infrastructure will be supported;
- major new development will be supported provided it is located within walking distance (400 metres) of a frequent bus service, with the 400-metre distancing referring to the actual walking distance as opposed to as the crow flies. Alternatively, proposals for major development outside of the 400-metre walking distance of a bus stop will be supported where they are able to incorporate new bus routes and services for residents; and
- where it is proposed that new development incorporates bus routes, the placemaking function of the street must be optimised, allowing for public transport connectivity but without vehicles dominating the street environment.

7.167 This is an excellent, non-prescriptive policy. It has regard to Section 9 of the NPPF and meets the basic conditions. It will contribute to the delivery of each of the three dimensions of sustainable development.

GAM1 Mobility hubs and EVs

7.168 The Plan advises that development proposals are encouraged to incorporate and help deliver a network of mobility hubs across Thame. It also comments that proposals for mobility hubs will be supported where they incorporate a series of criteria.

7.169 In the round the policy sets out an interesting concept which regard to Section 8 of the NPPF. Nevertheless, I recommend that the first part of the policy is more explicit in offering support rather than encouragement. The latter has limited effectiveness in the development management process. In the second part of the policy. I recommend the addition of a proportionate element. This will acknowledge that not all developments will be able to provide the overall package of measures included in the policy. Otherwise, the policy meets the basic conditions. It will contribute to the delivery of each of the three dimensions of sustainable development.

Replace the first part of the policy with: ‘Development proposals which incorporate and help to deliver a network of mobility hubs across Thame will be supported.’

Replace the opening element of the second part of the policy with: ‘As appropriate to the scale, nature and location of the development proposal concerned, mobility hubs should incorporate the following elements:’

GATCP1 Town Centre parking

7.170 The Plan advises that the provision of car parking in the town centre is important to the vitality of business and the ability of the town to serve the need of residents, including those in outlying villages who are reliant on the retail offer and wider services in Thame.

7.171 The policy has three elements as follows:

- the overall quantum of parking in the town centre should be retained;
- development proposals that retain existing provision but involve the reconfiguration of spaces that allows for the introduction of multi-functional green space and public realm improvements will be supported; and
- proposals that result in the loss of parking provision in the town centre will only be supported where they meet a series of criteria.

7.172 In the round this is a well-considered policy which has regard to Sections 5,6 and 9 of the NPPF. I am satisfied that the policy meets the basic conditions. It will contribute to the delivery of each of the three dimensions of sustainable development.

Other Matters - General

7.173 This report has recommended a series of modifications both to the policies and to the supporting text in the submitted Plan. Where consequential changes to the text are required directly because of my recommended modification to the policy concerned, I have highlighted them in this report. However other changes to the general text may be required elsewhere in the Plan because of the recommended modifications to the policies. Similarly, changes may be necessary to paragraph numbers in the Plan or to accommodate other administrative matters. It will be appropriate for SODC and TTC to have the flexibility to make any necessary consequential changes to the general text. I recommend accordingly.

Modification of general text (where necessary) to achieve consistency with the modified policies and to accommodate any administrative and technical changes.

Other Matters – Specific

7.174 SODC has made a series of helpful comments on both the policies and the supporting text in the Plan. I have included them in the recommended modifications on a policy-by-policy basis where they are required to ensure that the Plan meets the basic conditions.

7.175 I also recommend a modification to the text of the Plan based on SODC's comments which relates to the timescale of the emerging JLP.

Modification of general text to update the information in the Plan about the JLP (SODC comment 1)

Implementation, Review and Monitoring

7.176 Section 9 of the Plan addresses the implementation, review, and monitoring in a very positive way. It advises that the neighbourhood plan will be assessed and where
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necessary reviewed based on existing mechanisms, including the Neighbourhood Plan Continuity Committee.

- 7.177 In general terms the approach taken is best practice. Nevertheless, I recommend that this part of the Plan is expanded so that it addresses three issues. The first is the potential impact of the adoption of the JLP on a made neighbourhood plan for the neighbourhood area. The second is the importance of monitoring the uptake of employment land on the proposed allocation at Rycote Lane (Policy GDE1). The third is the importance of monitoring the outcome of the current planning applications on land off Roman Way and their potential impact on the delivery of the housing numbers anticipated in Policy GHD1d.

At the end of section 9 of the Plan add the following paragraphs:

'9.13 The Town Council notes that the Joint Local Plan will be submitted for its own examination later this year. That Plan covers the period up to 2041 and addresses the strategic delivery of housing across South Oxfordshire District and the Vale of White Horse District. Whilst the submitted TNP2 has been prepared within this evolving context, the Town Council will assess the need for a further review of the Neighbourhood Plan within six months of the adoption of the Joint Local Plan.'

9.14 The Town Council also recognises that the implementation of several policies in the Plan will be a key element of the way in which the town delivers its strategic requirements as identified in the adopted Plan. In this context it will specifically monitor two matters. The first is the uptake of employment land on the proposed allocation at Rycote Lane (Policy GDE1). The second the outcome of the current planning applications on land off Roman Way and their potential impact on the delivery of the housing numbers anticipated in Policy GHD1d. Where it is necessary to do so, the Town Council will liaise with the District Council and take appropriate action if these developments do not proceed as anticipated in the policies concerned.'

8 Summary and Conclusions

Summary

- 8.1 The Plan sets out a range of policies to guide and direct development proposals in the period up to 2041. It is thorough and distinctive in addressing a specific set of issues that have been identified and refined by the wider community.
- 8.2 Following the independent examination of the Plan, I have concluded that the Thame Neighbourhood Development Plan 2 meets the basic conditions for the preparation of a neighbourhood plan subject to a series of recommended modifications.
- 8.3 This report has recommended a range of modifications to the policies in the Plan. Nevertheless, it remains fundamentally unchanged in its role and purpose.

Conclusion

- 8.4 On the basis of the findings in this report, I recommend to South Oxfordshire District Council that, subject to the incorporation of the modifications set out in this report, the Thame Neighbourhood Plan 2 should proceed to referendum.

Referendum Area

- 8.5 I am required to consider whether the referendum area should be extended beyond the Plan area. In my view the neighbourhood area is entirely appropriate for this purpose and no evidence has been submitted to suggest that this is not the case. I therefore recommend that the submitted Plan should proceed to referendum based on the neighbourhood area as approved by the District Council on 12 April 2012
- 8.6 I am grateful to everyone who has helped in any way to ensure that this examination has run in a smooth and efficient manner. The Town Council's responses to the clarification note were both comprehensive and timely.

Andrew Ashcroft
Independent Examiner
28 November 2024