

SOUTH OXFORDSHIRE DISTRICT COUNCIL

BECKLEY AND STOWOOD NEIGHBOURHOOD DEVELOPMENT PLAN: FINAL DECISION STATEMENT

DATE OF PUBLICATION – 25/10/2024

1. Decision

- 1.1. Following an Independent Examination and a positive referendum result South Oxfordshire District Council decided at the Council meeting on 24 October 2024:
1. To make the Beckley and Stowood Neighbourhood Development Plan so that it continues to be part of the council's development plan.
 2. To delegate to the Head of Policy and Programmes, in consultation with the appropriate Cabinet Member and in agreement with the Qualifying Body, Beckley and Stowood Parish Council, the making of minor (non-material) modifications, the correction of any spelling, grammatical, typographical or factual errors together with any improvements from a presentational perspective.

2. Background

- 2.1 The Beckley and Stowood Neighbourhood Plan Area was designated on 6 June 2016.
- 2.2 Following the submission of the Beckley and Stowood Neighbourhood Plan Submission Version ('the Plan') to the Council, the plan was publicised, and comments were invited from the public and stakeholders. The consultation period closed on 2 March 2023.
- 2.3 South Oxfordshire District Council appointed an independent Examiner, Andrew Ashcroft, to review whether the plan met the basic conditions required by legislation and whether the plan should proceed to referendum.

- 2.4 During the examination, the examiner advised the council to conduct a consultation on his proposed significant modifications to the Plan. The revised Plan was publicised, and public and stakeholder feedback was invited. This consultation on the examiner's proposed modifications closed on 29 February 2024.
- 2.5 The Examiner's Report concluded, subject to the modifications proposed in the report, that the plan meets the Basic Conditions. The council determined on 4 July 2024 that the Plan, as modified by the Examiner's recommendations, should proceed to referendum.
- 2.6 A referendum was held on Thursday 5 September 2024 and 78.3% of those who voted were in favour of the plan.

3. Reason for Decision

- 3.1 Section 38A(4)(a) of the 2004 Act requires the Council to make the neighbourhood plan if more than half of those voting in the referendum have voted in favour of the plan being used to help decide planning applications in the neighbourhood area. Section 38A (6) of the 2004 Act states that the Local Planning Authority is not subject to the duty if it considers that the making of the Plan would breach, or would otherwise be incompatible with, any EU obligation or any of the Convention rights.
- 3.2 The council determined on 4 July 2024 that the Plan, as modified by the Examiner's recommendations, meets the basic conditions set out in paragraph 8(2) of Schedule 4B of the Town and Country Planning Act 1990, is compatible with EU obligations and the Convention rights and complies with relevant provision made by or under Section 38A and B of the Planning and Compulsory Purchase Act 2004 as amended.
- 3.3 Section 6 of the Basic Conditions Statement submitted in support of the Plan outlined the Qualifying Body's considerations to the European Convention on Human Rights (ECHR), in particular their regard to the fundamental rights and freedoms guaranteed under the ECHR and the Human Rights Act. The council is satisfied that the preparation of the Plan had regard to the fundamental rights and freedoms guaranteed under the European ECHR and that it complies with the Human Rights Act. The Council is satisfied that 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.

- 3.4 South Oxfordshire District Council produced a Strategic Environmental Assessment (SEA) Screening Determination in May 2021 which concluded that the Beckley and Stowood Neighbourhood Development Plan (NDP) was likely to have significant effects on the environment, necessitating the production of a full SEA. As a result of this conclusion, the Qualifying Body commissioned a Strategic Environmental Assessment dated June 2022. The Strategic Environmental Assessment set out the introductions and background in sections 1, 2, 3 and 4. Section 5 sets out the scope of the SEA. Section 6 is an appraisal of the plan vision and objectives and section 7 is an appraisal of reasonable alternatives. Section 8 assesses the environmental impact of the Neighbourhood Plan policies, and sections 9 and 10 sets out the monitoring and next steps of the Plan. The Environmental Report was well considered and detailed. It assessed the environmental conditions in the neighbourhood area and appraised the policies (and reasonable alternatives) against the framework developed through the Scoping Report. As part of the examination on the Plan, the examiner advised the council to run a consultation on the examiner's proposed significant changes to the Plan. As a result of this consultation, the Council undertook a further screening assessment (dated March 2024) which concluded that the Plan, as modified by the significant changes, is not likely to have any significant effects on the environment and accordingly the Plan would no longer require an SEA. This updated screening opinion was also subject to consultation.
- 3.5 The Council screened the Plan's potential impact on EU Special Areas of Conservation (SACs), and this was completed in May 2021. The HRA screening report concluded that the Plan would not have any likely significant effects on the integrity of European sites in or around South Oxfordshire, either alone or in combination with other plans or programmes and that an Appropriate Assessment is therefore not required. As a result of the consultation on proposed significant modifications to the Plan, the Council rescreened the Plan's potential impact on EU SACs, completed in March 2024. The updated HRA screening report again concluded that the Plan would not have any likely significant effects on the integrity of European sites in or around South Oxfordshire, either alone or in combination with other plans or programmes and that an Appropriate Assessment is therefore not required.
- 3.6 The Council's Decision Statement issued on 4 July 2024 under Regulation 18(2) confirmed that the modifications accepted by the Council, both separately and combined, produce no likely significant environmental affects and are unlikely to have any significant effects on European Designated Sites. Therefore, the Council is satisfied that the making of the Beckley and Stowood Neighbourhood Development Plan, incorporating the modifications recommended by the Examiner and accepted by the council, would not

breach, or would otherwise be incompatible with, any EU obligation or any of the Convention rights.

3.7 A referendum relating to the adoption of the Beckley and Stowood Neighbourhood Development Plan was held on Thursday 5 September 2024.

3.8 The question which was asked in the Referendum was: *“Do you want South Oxfordshire District Council to use the Neighbourhood Plan for Beckley and Stowood to help it decide planning applications in the neighbourhood area?”*

3.9 The result was as follows:

Response	Votes	Per cent of total
Yes	101	78.3%
No	28	21.7%
Turnout	129	26.3%

3.10 The majority of local electors voted in favour of the plan; therefore, the Beckley and Stowood Neighbourhood Plan has become part of the council’s development plan.

3.11 As the plan was approved at the local referendum and the council is satisfied it would not breach and be otherwise incompatible with EU obligations or human rights legislation, the council is required make the Beckley and Stowood Neighbourhood Development Plan so that it continues to be part of the council’s development plan.

3.12 The Council decided at the Council meeting on 24 October 2024 to make the Beckley and Stowood Neighbourhood Plan so that it continues to be part of the council’s development plan.

4. Other Information

4.1 In accordance with Regulations 19 and 20 of the Neighbourhood Planning (General) Regulations 2012, this Decision Statement and the made Beckley and Stowood Neighbourhood Plan can be viewed on the Council’s website: <http://www.southoxon.gov.uk/BeckleyAndStowood-NP>

4.2 This Decision Statement and the Beckley and Stowood Neighbourhood Plan can be inspected at:

Reception South Oxfordshire District Council Abbey House, Abbey Close, Abingdon, OX14 3JE	If you would like to view these documents at the Council offices, please contact us on 01235 422600 or email: planning.policy@southandvale.gov.uk to book an appointment.
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4.3 In accordance with Regulation 19(b) and Regulation 30 of the Neighbourhood Planning (General) Regulations 2012, a copy of this Decision Statement has been sent to:

- The qualifying body, namely Beckley and Stowood Parish Council
- The persons who asked to be notified of the decision

Signed: 

Date: 25/10/2024

Ricardo Rios
Planning Policy Team Leader (Neighbourhood)