



**WEST OXFORDSHIRE  
DISTRICT COUNCIL**

## **Decision Statement – Cassington Neighbourhood Plan**

- 1.1 In line with Regulation 18 of the Neighbourhood Planning (General) Regulations 2012, West Oxfordshire District Council have produced this 'Decision Statement' in relation to the Cassington Neighbourhood Development Plan which has been submitted to them by Cassington Parish Council.
- 1.2 Following an independent examination of written representations, West Oxfordshire District Council confirms that the Cassington Neighbourhood Plan will now proceed to a neighbourhood planning referendum.
- 1.3 In accordance with the examiner's recommendation, the Cassington Neighbourhood Plan will proceed to a public referendum scheduled for 22<sup>nd</sup> June 2023, based on the Cassington Neighbourhood Area as approved by West Oxfordshire District Council on 8th December 2020.

The Decision Statement and Examiners Report are posted on the District Council's website at: <https://www.westoxon.gov.uk/cassington/>

### **Background**

- 2.1 In December 2020 Cassington Parish Council submitted an application to West Oxfordshire District Council for the designation of the Parish of Cassington as a Neighbourhood Area. The approval of the Neighbourhood Area Designation was given on 8<sup>th</sup> December 2020.
- 2.2 Cassington Parish Council completed the Draft Cassington Neighbourhood Development Plan in January 2022. The Parish Council ran the 6 week Regulation 14 pre-submission consultation from 17<sup>th</sup> January – 28<sup>th</sup> February 2022.
- 2.3 The Submission version of the Neighbourhood Plan was completed in August 2022 and submitted to the District Council who ran the 6 week Regulation 16 pre-submission consultation from 20<sup>th</sup> September – 1<sup>st</sup> November 2022.
- 2.4 An independent examiner was appointed in September 2022 to undertake the examination of the Submission version of the Cassington Neighbourhood Development Plan and this was completed with the examination report sent to both the Parish Council and the District Council on the 8<sup>th</sup> February 2023.

West Oxfordshire District Council's Head of Planning, under delegated powers, has determined that the recommended modifications (see Appendix 1) to the Cassington Neighbourhood Development Plan meet the 'basic conditions', as set out in section 38A of the Planning and Compulsory Purchase Act 2004. WODC have agreed that all of the recommended modifications made by the independent examiner be included and revised in the original Neighbourhood Plan in order for it to proceed to public referendum.

Therefore, to meet the requirements of the Localism Act 2011, a referendum which poses the following question will be held on the 22<sup>nd</sup> June 2023.

*'Do you want West Oxfordshire District Council to use the Neighbourhood Development Plan for Cassington to help it decide planning applications in the Cassington Neighbourhood Area?'*

**4<sup>th</sup> April 2023**

## Appendix 1: Modifications to Cassington Neighbourhood Development Plan

Note: Additions are shown in **bold** and deletions denoted with ~~strikethrough~~.

Proposed modification number (PM)	Page no. of Examiners Report/ other reference	Modification	WODC Response to Proposed Modification
PM1	Page 6 Paragraph 1.2	Delete: <del>2040</del> Insert: <b>2041</b>	Agreed
PM2	Page 17 Paragraph 3.5	Modify second sentence to read:  The WOLP 2031 makes no development allocations in The Parish and <del>defaults to National Planning Policy provisions on the Green Belt for managing development proposals</del> <b>expects development proposals to have regard to relevant Green Belt policy as set out in the NPPF.</b>	Agreed
PM3	Pages 18 and 19 Paragraph 3.6	Delete the word <del>default</del> in the first bullet point and <del>defaulting</del> in the fourth bullet point and replace it in both instances with: <b>having regard.</b>	Agreed
PM4	Page 18 Paragraph 3.6	Insert new bullet point:  <b>Policy OS3 Prudent Use of Natural Resources – which includes the requirement for new development to achieve optional building regulations requirement for water efficiency of 100 litres/person/day. Thames Water has confirmed that this can only be achieved</b>	Agreed

		using the 'Fittings Approach'. The 'Calculation Method' will therefore not be appropriate as it fails to meet the intended water performance levels.	
PM5	Page 22 Paragraphs 3.10 to 3.12	Delete all of paragraphs 3.10, 3.11 and 3.12 and replace with:  <b>West Oxfordshire Council has committed to a review of the Local Plan with the new plan being adopted in 2024 and covering the period up to 2041. The Parish Council will therefore commit to an early review of the CNP should it be necessary to bring the policies of the Neighbourhood Plan up-to-date with those in the forthcoming Local Plan.</b>	Agreed
PM6	Page 26 Vision	Modify the last sentence of the Vision to read:  Whilst change in the wider area has been significant, it has provided opportunity for improved connectivity of the multi-functional green infrastructure network of the Parish; <b>the enhancement of biodiversity; and the mitigation of climate change.</b>	Agreed
PM7	Page 26 Objectives	Modify the first Objective to read:  To protect and improve the <del>ecological</del> <b>multi-functional</b> value and connectivity of the green infrastructure assets of the village and wider Parish <b>for nature recovery and mitigating the effects of climate change.</b>	Agreed
PM8	Page 31 Policy CAS2	Modify start of second sentence of C to read:  Proposals that fragment the routes <del>should</del> <b>will</b> be resisted .....	Agreed

PM9	Page 31 Policy CAS2	Add a new requirement D to read:  <b>Development proposals that would make an appropriate contribution to the improvement and/or extension of the network will be supported.</b>	Agreed
PM10	Page 32 Policy CAS3	Modify the first sentence of requirement A to read:  <del>All development proposals</del> <b>Development proposals that require the installation of external lighting</b> should be designed to minimise the occurrence of light pollution.	Agreed
PM11	Page 33 Paragraph 5.15	Delete the last sentence of paragraph 5.15:  <del>The content of the Code forms part of the policy but has been attached as an Appendix purely for practical presentational reasons.</del>  And replace it with:  <b>The Code is an integral part of the policy and is extensive in setting out the positive characteristics of the conservation area and in distinguishing the different character areas of the Parish. It is therefore published as an Appendix to the Neighbourhood Plan. The Code has been prepared and consulted on as part of this Plan preparation and it is an important component in the decision making process.</b>	Agreed
PM12	Page 34 Policy CAS6	Modify sub-section A to read:	Agreed

		<p>In addition to the locally listed building identified in the <del>Cassington Conservation Area Appraisal</del>, the The Neighbourhood Plan identifies the following buildings and structures, as shown on the policies map, as locally listed buildings by way of their local architectural or historic interest. <b>This is in addition to those identified in the Cassington Conservation Area Appraisal.</b> <del>for the application of WOLP policy EH9 Historic Environment:</del></p> <p>Add new sub-section B to read:</p> <p><b>The effect which development proposals would have on the significance of an identified Locally Listed Building should be taken into account in determining planning applications. In weighing applications that directly or indirectly affect non-designated heritage assets (which includes locally listed buildings), a balanced judgement will be taken having regard to the scale of any harm or loss and the significance of the heritage asset and the public benefits of the development as referred to in WOLP policy EH9 (Historic Environment).</b></p>	
PM13	Page 35 Policy CAS7	<p>Modify criterion B to read:</p> <p>Development proposals which would affect the use of the identified community facilities in the policy, <b>or which would significantly undermine their quality</b>, will be <del>determined against</del> resisted <b>unless suitable alternative provision is made.</b> The provisions of</p>	Agreed

		Policies E5 (Local Services and Community Facilities) and EH5 (Sport, recreation and children’s play) of the WOLP <b>will continue to apply.</b>	
PM14	Page 35 Policy CAS7	Modify criterion C to read:  Proposals to change the use of part of a community, open space, sport or recreation facility that is surplus to requirements will be <del>supported</del> <b>resisted unless</b> <del>where</del> it can be clearly evidenced that <del>they</del> <b>proposal</b> will not undermine the overall viability and importance of the community open space, sport or recreation facility concerned.	Agreed
PM15	Page 38 Paragraph 5.25	Replace last sentence of paragraph 5.25 as follows:  <del>This means that the applicant must demonstrate those factors that make its use unfeasible, for example, the topography and orientation of the site.</del>  <b>It is acknowledged that it may not be feasible to do so on some sites, for practical or cost reasons, and if that is the case it should be fully explained in the planning application.</b>	Agreed
PM16	Page 40 Paragraph 5.32	Delete the last sentence of paragraph 5.32:  <del>Land values in the Cassington area are high relative to build costs and ought to be sufficient to ensure requirements to tackle improving energy and carbon performance are viable.</del>	Agreed

PM17	Pages 41 and 42  Policy CAS9 and Policy CAS10	<p>Modify the policy title to read:</p> <p><b><del>Infill Residential Development</del> Providing New Homes</b></p> <p>Delete <u>all</u> of policies CAS9 and CAS10 and replace them with a 'new' policy CAS9:</p> <p><b>In accordance with policy OS2 of the West Oxfordshire Local Plan, support will be given to appropriate limited housing development which respects the character and local distinctiveness of Cassington and which would help to maintain the vitality of the village.</b></p> <p><b>Given the location of Cassington, within the Oxford Green Belt, and in accordance with national policy and policy OS2 of the West Oxfordshire Local Plan, unless there are very special circumstances, residential development in the Parish will comprise the following:</b></p> <ul style="list-style-type: none"> <li><b>a) limited infilling in the village;</b></li> <li><b>b) limited affordable housing for local community needs;</b></li> <li><b>c) the partial or complete redevelopment of previously developed land, provided it would not have a greater impact on the openness of the Green Belt than the existing development or cause substantial harm to the openness of the Green Belt and contribute to meeting an identified affordable housing need.</b></li> </ul> <p><b>In respect of criteria a) above, 'limited infill development' will be classed as development on sites which form a small gap in an otherwise continuous built-up frontage</b></p>	Agreed
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		<p><b>provided that gap does not comprise an important visual feature.</b></p> <p><b>In respect of criterion b) above, ‘limited affordable housing for local community needs’ is taken to mean that affordable housing which is necessary to meet a locally identified need for new affordable homes. Any such proposals must be located on previously developed or undeveloped land, either within or adjoining the built up area. This Plan supports the delivery of up to 10 affordable homes in this context over the plan period, unless there is clear evidence of additional locally identified need that would support additional affordable homes.</b></p> <p><b>Any new affordable homes proposed beyond the built up area of Cassington will be classed as ‘Rural Exception Sites’ and therefore will be subject to the relevant considerations of policy H3 of the West Oxfordshire Local Plan 2031 and national policy set out in the NPPF.</b></p> <p><b>In terms of property sizes, new affordable homes will be expected to comprise a mixture of 1 and 2-bed properties, unless there is clear evidence of local housing need that would support an alternative mix.</b></p> <p><b>In terms of tenure, a mix of options should be provided, broadly comprising about 25% low cost home ownership and 75% affordable housing for rent (including both affordable rent and social rent) unless</b></p>	
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		<b>there is clear evidence of need that would justify an alternative mix.</b>	
PM18	<p>Pages 41, 42 and 43</p> <p>Un-numbered paragraph below policy CAS9 and paragraphs 5.33 – 5.39</p>	<p>Delete <u>all</u> of the supporting text on pages 41, 42 and 43 and replace the text with:</p> <p><b>5.33 The West Oxfordshire Local Plan identifies an overall housing requirement of at least 15,950 homes in the period 2011 – 2031. Cassington is located within the Eynsham – Woodstock sub-area which is anticipated will accommodate 5,596 new homes. The majority of these new homes will be provided through strategic allocations at Eynsham, as well as at other allocated sites at Woodstock, Long Hanborough and Stanton Harcourt.</b></p> <p><b>5.34 In addition to these housing allocations, the Local Plan anticipates around 289 new homes coming forward from unallocated windfall sites across the sub-area in the period 2017-2031. Cassington is defined as a village in West Oxfordshire’s settlement hierarchy and is washed over by the Oxford Green Belt. Therefore, in addition to meeting the relevant criterion of Local Plan policies OS2 and H2 and to be in accordance with national policy (NPPF paragraph 149), any such windfall housing provision will need to meet an identified local affordable housing need and will need to comprise:</b></p> <ul style="list-style-type: none"> <li>• <b>limited infilling</b></li> </ul>	Agreed

		<ul style="list-style-type: none"> <li>• <b>limited affordable housing for local community needs; or</b></li> <li>• <b>the partial or complete redevelopment of previously developed land provided the proposed development would not have a greater impact on the openness of the Green Belt than the existing development and not cause substantial harm to the openness of the Green Belt.</b></li> </ul> <p><b>5.35 The policy establishes the goal of delivering affordable homes to meet local needs. In January 2021, the Housing Needs Survey commissioned by the Parish Council identified a need for approximately 10 affordable homes. It is acknowledged that additional land may be needed to deliver affordable homes and that this may be outside the built-up area of Cassington. The Survey identified a greater need for social or affordable rented accommodation and therefore the policy reflects that finding.</b></p>	
PM19	Page 44 Paragraph 6.1	<p>Modify chapter heading to read: <b>IMPLEMENTATION AND MONITORING</b></p> <p>Add a second sentence to paragraph 6.1 to read: <b>The Parish Council will endeavour to monitor the effectiveness of the Neighbourhood Plan, in line with best practice. It will look to review the Plan on a five</b></p>	Agreed

		<b>yearly cycle so that its contents remain valid and up-to-date.</b>	
PM20	Page 44 Paragraph 6.4	Modify the first sentence in paragraph 6.4 to read:  Although the scale of development likely to be consented in the Parish during the plan period is likely to be very limited, there may be opportunities <del>through S106 agreements (or through the Community Infrastructure Levy)</del> to secure financial contributions to invest in improving local infrastructure. <b>Where contributions to community infrastructure are required, they will be made through Section 106 Agreements and/or, (if it is introduced during the currency of this Plan) the Community Infrastructure levy.</b>	Agreed