

WEST OXFORDSHIRE DISTRICT COUNCIL**Examination of Salt Cross Garden Village Area Action Plan (AAP)**

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Note outlining main modifications required

1. The **Appendix** to this note sets out the Main Modifications that are required to the AAP for soundness. It should be read in conjunction with the referencing in the following Council documents:
 - Schedule of Potential Modifications (Examination library ref : WODC EXAM 02)
 - Schedule of Potential Modifications Arising from Hearing Sessions (Examination library ref : WODC EXAM 07)
 - Redrafted Policies 13-17 (Examination library ref : WODC EXAM 10)
2. The starting point is the 'AAP – Pre-submission Draft' (August 2020) and the Additional Modifications contained in 'AAP - Schedule of Minor Modifications' (February 2021) which were submitted for examination at the same time in February 2021. The required Main Modifications in this note should be read as being made to the AAP at this starting point.
3. Unless specifically referred to in the **Appendix**, no modifications are required. Other modifications should not be added. Additional minor modifications prior to adoption are entirely a matter for the Council and should be kept completely separate from this process.
4. The Council should prepare a schedule of proposed Main Modifications that should contain three columns
 - Main modification ref. e.g. MM1, MM2 etc.
 - Policy/para ref.
 - Proposed Main Modification
5. The Council should use a single modification with single ref [i.e. MM1] for each bullet point under each policy. This may incorporate a number of specific amendments.
6. Main Modifications should be shown clearly using the conventions of bold and underlined for new text and strikethrough for deleted text, using the text from the submitted plan as the basis. Where large sections of text are to be deleted this can be referred to as "delete para XX" or "delete para XX and replace with..". It must be absolutely clear which text is to be deleted.

7. Where Main Modification to a Policy is indicated, there will be associated consequential updating to explanatory text to ensure consistency/clarity with the new policy wording, this includes updating to the AAP Delivery and Monitoring Framework. Unless specifically identified as a Main Modification, such changes may be carried out by the Council as additional modifications. This will be entirely a matter for the Council.
8. Reasons for the proposed Main Modifications should not be included. Reasons will be set out fully in the Inspectors' report.

D.R. McCreery and David Spencer

INSPECTORS

26 May 2022

Appendix – Main Modifications required for soundness

General

- Add a statement setting out that, 'In relation to the land within the identified boundary of the AAP, the AAP is intended to amend the following in the Local Plan –
 - Figure 3.2 of the AAP updates Figure 9.5e of the Local Plan to confirm the boundary and include land to the north within it.
 - AAP Policy 25 supersedes Local Plan Policy H5 in respect of custom and self build housing.
 - AAP Policy 16 supersedes Local Plan Policy T4 in respect of car parking standards.

Core Objectives

- Amend core objective GV3 to remove '100%' and add 'wherever possible' after 'fossil fuels' in the last sentence.

Policy 1

- Amend first paragraph in Policy 1 to remove 'and demonstrate'. Amend second paragraph to remove 'required to demonstrate resilience' and replace with 'resilient'. Amend third paragraph to remove 'must' and replace with 'will'. At the start of supporting paragraph 5.25 add, 'Through compliance with the policies in the AAP taken as a whole'.

Policy 2

- Replace first paragraph with 'Proposals for development at Salt Cross will be required to demonstrate an ambitious approach to the use of renewable energy, sustainable design and construction methods, with a high level of energy efficiency in new buildings. An energy statement will be required for all major development, which should include the consideration of the feasibility of incorporating the following principles.
- Redraft the remainder of Policy 2 to remove references to absolute requirements and KPIs that must be met and instead to reframe as standards for consideration as part of an energy statement.

Policy 3

- At the start of the first paragraph add 'So far as practicable'.
- Amend Policy 3 to remove 'In support of any outline planning application for the whole garden village site and any major reserved matters or other detailed applications' and associated footnote. Change 'demonstrating' to 'to demonstrate'.

Policy 4

- Amend Policy 4 to remove 'the outline planning application and'.
- WO/S/26.

Policy 5

- Amend final paragraph in Policy 5 to remove 'through a planning condition or legal agreement' and add 'proportionate to the needs of the development as they evolve over time'.

Policy 6

- Amend Policy 6 to remove 'in accordance with' and replace with 'paying appropriate regard to'

Policy 7

- First paragraph – remove 'with the outline planning application for the garden settlement'.
- WO/H/8
- WO/H/9, WO/H/10 – amend policy to read "around 50% (including private gardens and green roofs) of the area to form the overall green infrastructure network."
- Amend third paragraph, new second sentence to read "Accessibility and quality standards and minimum quantitative standards for specific green infrastructure types will be agreed as part of applications for major development, paying regard to the Tables in 6.1 and 6.2".
- WO/H/11. No specific requirement for use of Building with Nature Standards should be set.
- Amend Policy 7 to remove fifth paragraph and remove 'therefore' from the sixth paragraph.

Policy 8

- Second paragraph replace 'accompany the outline planning application setting' with 'set'.

Policy 9

- WO/H/13 - amend to say 'DEFRA Biodiversity Metric (as may be amended and in force at the time of the application).
- WO/H/15. Move reference to off site net gain to the end of the policy and strengthen the presumption that gain will be on site.
- WO/H/12 and WO/S/13 (to replace paragraphs 6-9 in the policy). Omit the first suggested paragraph in WO/S/13. Include the bullet points, preceded by 'A Biodiversity Net Gain Strategy shall be submitted with applications for major development that includes consideration of: '

Policy 10

- WO/S/18 and remove Para 7.78.
- WO/H/19
- WO/H/20
- Amend Policy 10 to remove 'Using a methodology first agreed in writing by the local

- planning authority.’
Change ‘the OCGV’ to ‘development at Salt Cross’.

Policy 11

- Amend Policy 11 to remove ‘to accompany the outline planning application’ and replace with ‘for major development’.

Policy 12

- WO/S/21, WO/S/20

Policy 13

- No modifications

Policy 14

- Insert WODC EXAM 10 from examination library.
- Amend second bullet of WODC EXAM 10 Policy 14 to read ‘Improved crossings facilities of the A40. This shall include a grade separated crossing (underpass) unless it is clearly demonstrated that the crossing is not necessary to meet placemaking objectives or cannot be delivered due to technical feasibility.’
- Amend fourth bullet to add ‘Subject to a successful stopping up order’ at the beginning.

Policy 15

- Insert WODC EXAM 10 from examination library, with amendment to second paragraph delete ‘allowing for future expansion of the Park and Ride site in accordance with Local Plan Policy EW1’ and replace with ‘with consideration given to accommodating means for future expansion of the Park and Ride site’.
- Add ‘,wherever possible’ to the end of the second paragraph.
- Remove ‘safeguard’ from fourth paragraph.

Policy 16

- Insert WODC EXAM 10 from examination library.
- Amend first paragraph of WODC EXAM 10 Policy 16 to remove ‘to include as a minimum’ and delete the four bullet points that follow.
- Remove the final sentence from the fourth paragraph that starts ‘Measures relating to the efficient...’

Policy 17

- Insert WODC EXAM 10 from examination library.
- Amend the last sentence of the sixth bullet of WODC EXAM 10 Policy 17 to read ‘The spine road will need to be completed in an early phase of development as access via Cuckoo Lane to the Garden Village will be limited in later phases’.

Policy 18

- WO/H/34

Policy 19

- No modifications

Policy 20

- Amend Policy 20 third paragraph to add 'unless justified on the grounds of technical feasibility' at the start.

Policy 21

- Amend Policy 21 to remove 'Any outline planning application or subsequent application for major development' and replace with 'Applications for major development'.

Policy 22

- Amend figure 10.1 to align with the indicative trajectory set out in the Phasing Report [EV36]
- Amend Policy 22 first paragraph to replace 'units' with 'homes'.
- Amend Policy 22 second paragraph as follows. Delete 'Any increase over and above this indicative quantum will need to be robustly justified having regard to' and replace with 'if it is demonstrated to accord with'. This amalgamates the first and second sentences of this paragraph.
- Amend Policy 22 third paragraph to delete 'any' and replace with 'the'. Delete 'as appropriate'
- Amend Policy 22 to delete text from fourth paragraph onwards (starting Residential development proposals at Salt Cross will.....)

Policy 23

- WO/S/02, WO/H/38
- WO/H/39 – remove reference to living rents and refer only to affordable rents being capped at LHA limits.
- WO/H/41 – remove reference to 'genuine affordability'.

Policy 24

- Amend fifth paragraph to remove 'default requirement' and insert 'benchmark'.

Policy 25

- Amend first paragraph to remove 'at least'.
- Amend third paragraph to start 'As an indicative guide serviced plots will be encouraged'. Delete 'Serviced plots will be expected to be provided'. With associated amendment to para 10.71
- WO/H/42- replace 'to be supported' with 'shall be considered'.
- WO/H/43 - Amend seventh paragraph to remove 'which must be agreed with the

- Council prior to the commencement of the development' and insert 'agreed as part of any planning permission'.
- Delete the final paragraph.

Policy 26

- WO/H/45 – to confirm the Council's position that the policy is intended to 'guide' rather than 'require'. And WO/H/46
- Remove second paragraph.
- WO/H/48

Policy 27

- WO/H/49. Policy should be deleted. Text should not be incorporated into supporting text.
- WO/S/32. Update needed to reflect current position on Use Classes Order.

Policy 28

- After para 11.9 add new para : 'It is expected that the detailed layout of Salt Cross will follow a comprehensive masterplan agreed as part of the planning application process. The following pages of the AAP set out detail on layout that should be regarded as illustrative but should also taken into account as part of drawing up the masterplan (in accordance with Policy 28).
- Para 11.14. Remove 'determining' and replace with 'guiding'. Delete last sentence.
- Para 11.15. Amend 'provides certainty' to read 'provides an appropriate level of certainty'.
- Para 11.16. Delete.
- WO/H/50. Amend paragraph 10 to read 'A comprehensive masterplan will be required that takes account of the illustrative spatial framework plan at Figure 11.6 and includes consideration of:'

Policy 29

- Paragraph 11.50 amend 'well designed places' to read 'well designed and beautiful places'. After 'National Design Guide' add 'and National Model Design Code'.
- Paragraph 11.60 add 'and National Model Design Code' after 'National Design Guide'.
- Figure 11.12. Delete wording after 'Design Guide' and add 'and National Model Design Code - design guides or codes should be consistent with the principles in the National Guide and Code '.
- Policy 29 first paragraph. Delete rest of paragraph after 'garden village principles'.
- Eleventh paragraph add reference to National Model Design Code.
- WO/S/33.

Policy 30

- Third paragraph. Replace with 'The site-specific IDP should include consideration of the identified requirements set out in the Eynsham Area Infrastructure Delivery Plan (IDP). A phasing plan must also be included covering the lifetime of the development'
- Fourth paragraph. Delete.

- Add new fourth paragraph. 'The phasing plan may include triggers and particular circumstances that would justify the need for a viability assessment of the cumulative effects of all policies in the AAP. This must be subject to robust evidence being presented by an applicant. Consideration of such evidence will balance the need to not compromise sustainable development with ensuring that all policies are realistic and will not undermine deliverability of the development.'

Policy 31

- WO/H/53. Delete second paragraph and 'This and other' from the start of the third paragraph.