

SOUTH OXFORDSHIRE DISTRICT COUNCIL

CHALGROVE NEIGHBOURHOOD DEVELOPMENT PLAN REVIEW: FINAL DECISION STATEMENT

DATE OF PUBLICATION – 7 NOVEMBER 2025

1. Decision

- 1.1. Following an Independent Examination South Oxfordshire District Council decided at the Council meeting on 6 November 2025:
1. To make the Chalgrove Neighbourhood Development Plan Review with the modifications specified in the Examiner's report.
 2. To correct errors in the Neighbourhood Development Plan relating to the date of adoption of the South Oxfordshire Local Plan 2035, and to amend the description of Oxfordshire's Strategic Vision for Long-Term Sustainable Development in the Design Guidance and Codes Document, as detailed in Appendix 3.
 3. To delegate to the Head of Policy and Programmes, in consultation with the appropriate Cabinet Member and in agreement with the Qualifying Body, Chalgrove 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 Chalgrove Neighbourhood Development Plan was adopted in 2018. Following the plan's adoption, the Parish Council started to work on the review in 2022. The Chalgrove Neighbourhood Development Plan Review (the Plan) was submitted to the district council in March 2025.
- 2.2 Following the submission of the Plan to the Council, the Plan was publicised and comments were invited from the public and stakeholders.
- 2.3 South Oxfordshire District Council appointed an independent Examiner, Mr Andrew Ashcroft to review whether the Plan met the basic conditions required by legislation.

- 2.4 The Examiner's Report concluded, subject to the modifications proposed in his report, that the Plan meets the Basic Conditions and should be made by the council.
- 2.5 The council determined on 6 November 2025 that the Plan, as modified by the Examiner's recommendations, should be made.

3. Reason for decision

- 3.1 The Neighbourhood Planning Act 2017 identifies the circumstances that might arise as parish councils seek to review 'made' neighbourhood plans. It introduces a proportionate process for the modification of neighbourhood plans where a neighbourhood development plan has already been made in relation to that area.
- 3.2 There are three types of modification which can be made to a neighbourhood plan. The process will depend on the degree of change which the modification involves, as follows:
- **minor (non-material) modifications** to a neighbourhood plan which would not materially affect the policies in the plan;
 - **material modifications which do not change the nature of the plan** and which would require examination but not a referendum; or
 - **material modifications which do change the nature of the plan** would require examination and a referendum.
- 3.3 Whether modifications change the nature of the plan is a decision for the independent examiner. The examiner will consider the nature of the existing plan, alongside representations and the statements on the matter made by the qualifying body and the local planning authority.
- 3.4 Chalgrove Parish Council has considered this issue. It took the view that the proposed changes to the 'made' Plan fall into the second category where they consider that the changes proposed constitute material modifications which do not change the nature of the Plan and would require examination but no referendum.
- 3.5 South Oxfordshire District Council undertook a separate assessment and concluded that the proposed modifications do not change the nature of the Plan and therefore should undergo an independent examination, but it should not require a new referendum.

- 3.6 With the consent of Chalgrove Parish Council, the council appointed Andrew Ashcroft to examine the Plan. The Independent Examiner considered this issue and concluded that the review of the Plan included material modifications which did not change the nature of the Plan, and which required examination but not a referendum.
- 3.7 In these circumstances, proposals for the modification of made neighbourhood development plans are examined in line with the procedures set out in Schedule A2 of the Planning and Compulsory Purchase Act 2004 (as Amended).
- 3.8 Paragraph 13 of Schedule A2 of the 2004 Act sets out that after considering a draft plan, the examiner must make a report on the draft plan containing one of the following recommendations:
- that the council should make the draft plan; or
 - that the council should make the draft plan with the modifications specified in the report; or
 - that the council should not make the draft plan.
- 3.9 The Examiner's Report is available in **Appendix 1**. The Examiner's Report assesses the policies in the plan and identifies any modifications required to ensure that they meet the basic conditions. The Examiner concluded that the recommended modifications refine the wording of certain policies and delete Policy H1 given that the former housing allocation is substantively completed. Nevertheless, the focus of the submitted review of the Plan remains fundamentally unchanged in its role and purpose. The Examiner's Report recommends that the council should make the Plan Review with the modifications specified in the Report. A list of the Examiner's recommendations, exactly as they are shown in his Report, is available in Appendix 2.
- 3.10 Paragraph 14 of Schedule A2 of the 2004 Act sets out that if the Examiner's Report recommends that the council should make the draft plan with the modifications specified in the report, the council must make the draft plan with those modifications. The only circumstance where the council should not make this decision is where the making of the plan would breach, or would otherwise be incompatible with, any EU obligation or any of the Convention rights (within the meaning of the Human Rights Act 1998).
- 3.11 The making of the the Plan would not breach, or otherwise be incompatible with, any EU or human rights obligations, including the following Directives: the Strategic Environmental Assessment Directive (2001/42/EC); the

Environmental Impact Assessment Directive (2011/92/EU); the Habitats Directive (92/43/EEC); the Wild Birds Directive (2009/147/EC); the Waste Framework Directive (2008/98/EC); the Air Quality Directive (2008/50/EC); and the Water Framework Directive (2000/60/EC). In addition, no issues arise in respect of equality under general principles of EU law or any EU equality directive. In order to comply with the basic condition on the European Union legislation, the council produced a Strategic Environmental Assessment Screening Report in May 2024. The report concludes that the implementation of Plan Review would not result in likely significant effects on the environment.

- 3.12 The reviewed Plan would not give rise to significant environmental effects on European sites. The council screened the Plan's potential impact on EU Special Areas of Conservation (SACs) in May 2024. The Habitats Regulations Assessment 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.
- 3.13 The council is satisfied that the Plan is in all respects fully compatible with Convention Rights contained in the Human Rights Act 1988. There has been full and adequate opportunity for all interested parties to take part in the preparation of the Plan and to make their comments known.
- 3.14 The modifications set out in the Examiner's Report individually or combined are not considered to produce likely significant environmental affects and are unlikely to have any significant effects on the integrity of European Designated Sites.
- 3.15 As the Examiner's Report recommends that the council should make the Plan with the modifications specified in the Report and the council is satisfied that the making of the Plan would not breach, or otherwise be incompatible with, any EU or human rights obligations as incorporated into UK law, the council must make the Chalgrove Neighbourhood Development Plan Review.
- 3.16 The Council has identified two factual corrections while producing the made version of the Plan and its appendices. These errors relate to an incorrect reference to the date of adoption of the South Oxfordshire Local Plan 2035 and an incorrect description of Oxfordshire's Strategic Vision for Long Term Sustainable Development in the Design Guidance and Codes Document. These changes are necessary to correct factual errors and are detailed in Appendix 3.
- 3.17 The Council has the authority to correct errors in a neighbourhood plan at any time, provided it has the consent of Chalgrove Parish Council. Chalgrove

Parish Council has confirmed that it agrees these corrections are necessary; therefore, the changes have been incorporated as part of this decision.

- 3.18 The effect of making the Chalgrove Neighbourhood Plan Review is that it will replace the Chalgrove Neighbourhood Plan made on 20 December 2018.

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 Chalgrove Neighbourhood Plan Review can be viewed on the Council's website:
<https://www.southoxon.gov.uk/Chalgrove-NP/>

- 4.2 Copies of this Decision Statement and the Chalgrove Neighbourhood Plan Review 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 Chalgrove Parish Council
- The persons who asked to be notified of the decision



Signed:

Date: 07/11/2025

Ricardo Rios

Planning Policy Team Leader (Neighbourhood)

Appendix 1 Examiners Report

<https://www.southandvale.gov.uk/app/uploads/sites/2/2025/10/Chalgrove-NDP-Review-Final-Examiners-Report-16.10.25.pdf>

Appendix 2 – Listing of the Examiner’s recommendations exactly as they are shown in his Report

Section	Agreed change	Justification/Reason
Section 2.3 Page 6	<i>At the end of the first paragraph of section 2.3 add: ‘The Plan period is 2018-2033.’</i>	To achieve the clarity required by the National Planning Policy Framework (NPPF).
Section 5.2 Page 17	<p>Replace the policy with:</p> <p>‘Within the built-up area of Chalgrove and on sites allocated in a development plan document, proposals will be supported where they conform with other relevant development plan policies.</p> <p>The built area is defined by the boundaries of permanent, non-agricultural buildings located around the edge of the village, where such properties are directly connected to the village’s main, singular form.</p> <p>Infill development on the edge of the built-up area and development proposals outside the built area will only be supported where they conform with national and local planning policies.’</p>	To achieve the clarity required by the NPPF. To also ensure the policy can be applied appropriately consistently in a precise way.
Section 5.2 Page 19	<p>Replace the opening elements of the policy with:</p> <p>‘Development proposals should reflect and enhance the character of Chalgrove, reinforce local distinctiveness, and create a sense of place</p> <p>As appropriate to their scale, nature and location</p>	To achieve the clarity required by the NPPF and to ensure the policy can be applied in a proportionate, clear and transparent way.

Section	Agreed change	Justification/Reason
	<p>development proposals should be designed to meet the following criteria:'</p> <p>Replace criterion j with: 'Development proposals should take account of the District Council's Joint Design Guide and the Chalgrove Design Guidance and Codes to ensure coherence with, and enhancement of, the character of the area'.</p> <p>Delete the penultimate sentence.</p> <p>In the final sentence replace 'AONB' with 'Chilterns National Landscape'.</p>	
<p>Design Code Section 1.1 Page 5</p>	<p><i>At the end of paragraph 1.1 of the Design Guidance and Codes add: 'This document does not relate to any development proposals which may come forward for the development of Chalgrove Airfield which is already addressed in detail in Policy STRAT7 of the adopted South Oxfordshire Local Plan 2035.'</i></p>	<p>To achieve the clarity required by the NPPF.</p>
<p>Section 5.3, page 27</p>	<p>Delete the policy</p>	<p>I am not satisfied that the policy serves any continued purpose based on the information provided by SODC. Whilst CPC has retained the policy in good faith to achieve the general ambitions, that approach has been overtaken by the pace at which the site has been developed. The policy should therefore be deleted</p>

Section	Agreed change	Justification/Reason
		to achieve the clarity required by the NPPF.
Section 5.3 Pages 21-30	<p><i>In Section 5.3 (Objectives and Policy Box) delete Policy H1 in the Objective 3 and 4 rows</i></p> <p><i>Replace the Introduction section (and Map 3) with:</i></p> <p><i>‘The initial version of the Plan included two housing allocations (Policies H1A and H1B). Site H1a is now substantively completed and Site H1b is completed. In these circumstances they have now been removed from the Plan. For strategic housing delivery purposes, they are now commitments and completions.’</i></p> <p><i>Delete Map 4</i></p> <p><i>Delete the Justification</i></p> <p><i>Delete the Community endorsement section</i></p> <p><i>Delete the Site-Specific Policies section (including Policy H1A)</i></p> <p><i>Delete Map 4A</i></p>	<p>I am not satisfied that the policy serves any continued purpose based on the information provided by SODC. Whilst CPC has retained the policy in good faith to achieve the general ambitions, that approach has been overtaken by the pace at which the site has been developed. The policy and relevant supporting text should therefore be deleted to achieve the clarity required by the NPPF.</p>
Section 5.3 Page 34	<p>Show the initial part of the policy in bold text</p> <p>Replace the third bullet point with: ‘Proposals for residential extensions should maintain the amount of on-plot parking spaces and not seek to rely on on-street parking.’</p>	<p>To achieve the clarity required by the NPPF, to ensure the policy can be applied precisely and consistently.</p>

Section	Agreed change	Justification/Reason
Section 5.3 Page 37	Replace ‘must’ with ‘should’	To ensure that the policy is not overly restrictive and can be applied with clarity and consistency required by the NPPF and to be in accordance with national and local policy.
Section 5.4 Page 43	Replace ‘will be resisted’ with ‘will not be supported’	To ensure the policy can be applied with clarity and consistency required by the NPPF and to be in accordance with national and local policy.
Throughout plan	<i>Modification of general text (where necessary) to achieve consistency with the modified policies and to accommodate any administrative and technical changes.</i>	To achieve the clarity required by the NPPF and to correct typographic and factual errors.
Section 4.3.6 Page 69	Replace ‘Development proposals’ with ‘As appropriate to their scale, nature and location, development proposals’ Reposition the final part of the paragraph so that it sits as the final bullet point rather than as a separate element of the policy.	For clarity required by the NPPF.
Section 4.3.6 Page 70	Replace the policy with: ‘Development proposals within the catchment area of Hacca’s Brook or its tributaries should	For clarity required by the NPPF.

Section	Agreed change	Justification/Reason
	<p>demonstrate that they will not exacerbate the existing risk of flooding taking into account the flooding history of the immediate locality and local conditions.</p> <p>Appropriate provision should be made for surface water drainage to ground, water courses or surface water sewer. Surface water should not drain to the foul sewer.</p> <p>The incorporation of sustainable drainage systems within new development will be supported. Wherever practicable, such systems should enhance water quality and biodiversity in accordance with the Water Framework Directive.</p> <p>Sustainable drainage schemes should be capable of regular maintenance so that their long-term effectiveness can be maintained.'</p>	
Across plan	<i>Modification of general text (where necessary) to achieve consistency with the modified policies and to accommodate any administrative and technical changes.</i>	To achieve the clarity required by the NPPF and to correct typographic and factual errors.
Across plan	I also recommend other modifications to the text of the Plan based on SODC's comments insofar as they are necessary to ensure that the Plan meets the basic conditions. In the main they will	To achieve the clarity required by the NPPF and to correct typographic and factual errors in both the plan and appendices.

Section	Agreed change	Justification/Reason
	<p>bring the Plan up-to-date. Other matters relate to the more general parts of the Plan. They have been agreed by CPC. It would be entirely appropriate for these corrections to be incorporated into the Plan. For convenience I list them using the relevant reference numbers in the SODC representation.</p> <ul style="list-style-type: none"> • 3 General Comment • 5 (Policy C2) • 11 General Comment • 12 Design Code (except the final paragraph) • 13 Design Code • 14 Design Code <p><u>SODC Comment 3</u></p> <p>The Plan refers to previous SODC Core Strategy document which has been replaced by the Adopted South Oxfordshire Local Plan.</p> <p>This recommendation will apply to the following pages: 5,19,22,28, 31.</p> <p>The plan also references to the previous South Oxfordshire Design Guide on page 19 which has now been replaced with the Joint Design Guide 2022 and therefore should also be amended.</p> <p><u>SODC Comment 5</u></p>	

Section	Agreed change	Justification/Reason
	<p>Policy C2 Design and Character criteria h, we recommend adding 'and cycles' to the bullet point as follows:</p> <p>'Adequate storage space should be provided for bins and cycles and the design of the storage should not detract from the street scene.'</p> <p><u>SODC Comment 11</u></p> <p>No particular heritage comments or concerns with the updated plan and new Design Code.</p> <p>The character area descriptions within the Design Code will be a useful tool to ensure quality and local distinctiveness of proposed development. It is recommended that policy wording and supporting text within the main plan makes clear references to the Design Code to ensure it is rooted within the plan evidence base.</p> <p>Following the advice from the heritage officer we recommend updating the section 'How the Chalgrove Neighbourhood Plan fits into the Planning System' on page 5 of the NDP. We</p>	

Section	Agreed change	Justification/Reason
	<p>have already recommended the inclusion of both the Joint Design Guide and the Chalgrove Design Code within policy wording as a separate comment.</p> <p>‘The CNDP must be in general conformity with the strategic policies contained in the development plan for the area. South Oxfordshire District Council adopted the new current Local Plan 2035, on the 20th December 2020</p> <p>The development plan in South Oxfordshire includes:</p> <ul style="list-style-type: none"> • South Oxfordshire Core Strategy (2012) • South Oxfordshire Local Plan 2035 • Adopted neighbourhood plans <p><u>SODC Comment 12</u></p> <p>The reference to the 2017 South Oxfordshire Landscape Character Assessment (also p13) is out of date, this has been replaced by the 2024 South Oxfordshire and Vale of White Horse Landscape Character Assessment. We</p>	

Section	Agreed change	Justification/Reason
	<p>therefore recommend updating the references to the most up to date landscape assessment on pages 10 and 13 with:</p> <p>‘NHL04 Landscape Character Assessment for South Oxfordshire and Vale of White Horse September 2024.’</p> <p>On Page 13 we also recommend including a paragraph below the updated document reference as follows:</p> <p>2017—Landscape—Character Assessment</p> <p>South—Oxfordshire—District Council</p> <p>This report comprises the Landscape Character Assessment for South Oxfordshire. It is a revision of the previous landscape assessment for South Oxfordshire (1998).</p> <p>NHL04 Landscape Character Assessment for South Oxfordshire and Vale of White Horse September 2024</p> <p>This report comprises the Landscape Character Assessment for South Oxfordshire and Vale of White Horse. It is a revision of the previous landscape assessment for South Oxfordshire (2017).</p>	

Section	Agreed change	Justification/Reason
	<p>The landscape officer also highlighted the following:</p> <p>The majority of Chalgrove parish, outside the current built up area, lies in landscape character type LCT12: Middle Vale and landscape character area LCA12C: Eastern Middle Vale. A small area at the eastern side lies within landscape character type LCT9: Vale Edge Slopes and landscape character area LCA9F: Eastern Vale Edge Slopes. There is also a 2024 Local Landscape Designation Review of the Districts, which identifies areas of valued landscape as candidate Local Landscape Designations (LLD). The Chilterns Chalk Escarpment Footslopes LLD includes a small area at the eastern side of the parish. We therefore recommend the following paragraph is taken into account by the examiner.</p> <p><u>SODC Comment 13</u></p> <p><u>Page 14- Design Code</u></p> <p>The Developers Contributions Supplementary Planning Document date that is referenced should be amended to: '20222023 - Developers Contributions Supplementary Planning Document'</p> <p><u>SODC Comment 14</u></p>	

Section	Agreed change	Justification/Reason
	<p data-bbox="472 235 799 271"><u>Page 72- Design Code</u></p> <p data-bbox="472 302 919 338"><u>RD 01 Development principles:</u></p> <p data-bbox="472 369 922 656">Wooden fencing is stated to be encouraged on front boundaries, this could result in unsightly close board fencing which would not be appropriate, I recommend the reference to wooden fences is removed</p>	

Appendix 3- Factual Corrections

Number	Correction	Reason
1	<p>On page 6 Section 2.2 of the Chalgrove NDP Review replace:</p> <p>'South Oxfordshire District Council adopted the current Local Plan 2035 on the 20th December 2020.'</p> <p>with:</p> <p><u>'South Oxfordshire District Council adopted the current Local Plan 2035 on the 10th December 2020.'</u></p>	Factual correction.
2	<p>On page 13 of the Design Guidance and Codes document delete duplicate text:</p> <p>'South Oxfordshire District Council</p> <p>The South Oxfordshire Local Plan 2035 was adopted at a meeting of Full Council on 10 December 2020. It now forms part of the development plan for the district and replaces the South Oxfordshire Local Plan 2011 and Core Strategy (2012).'</p> <p>And replace with:</p>	Factual correction.

	<p><u>'2021 - Oxfordshire's Strategic Vision for Long-Term Sustainable Development</u></p> <p><u>Oxfordshire County Council</u></p> <p><u>The Oxfordshire Strategic Vision for Long Term Sustainable Development was approved at cabinet with amendments on 20 April 2021.</u></p> <p><u>The document sets out specifically the concept of "good growth" based on enhanced social, environmental and economic wellbeing.'</u></p>	
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