

<b>This report is public</b>	
<b>Bloxham Neighbourhood Plan</b>	
<b>Committee</b>	Executive
<b>Date of Committee</b>	16 June 2026
<b>Portfolio Holder presenting the report</b>	Deputy Leader - Planning and Enforcement, Councillor Chris Brant
<b>Date Portfolio Holder agreed report</b>	3 June 2026
<b>Report of</b>	Assistant Director Planning, David Peckford

## Purpose of report

To consider the Examiner's report on the draft Modified Bloxham Neighbourhood Plan (the Draft Neighbourhood Plan") to determine whether the Draft Neighbourhood Plan, incorporating modifications should proceed to referendum.

## 1. Recommendations

The Executive resolves:

- 1.1 To approve all the Examiner's recommendations and modifications (Appendices 1 and 2) to enable the Neighbourhood Plan, incorporating the recommended modifications (Appendix 3), to proceed to a referendum.
- 1.2 To authorise the issue of a 'decision statement' confirming the Executive's decision including that the Neighbourhood Plan will now proceed to a referendum.
- 1.3 To authorise the Assistant Director Planning to make any minor presentational changes and corrections necessary to ready the Neighbourhood Plan for referendum.

## 2. Executive Summary

2.1 This report is prepared to inform a decision by the Executive following the independent examination of the Bloxham Neighbourhood Plan Review. The examination commenced in March 2026 and the Examiner's report was received on 11 May 2026. Bloxham Parish Council, as the Qualifying Body, also received a copy of the Examiner's report.

2.2 The Executive is invited to consider the following documents:

- Examiner's Report (Appendix 1)
- A schedule of the Examiner's recommendations and officer consideration of each recommendation and proposed changes (Appendix 2)

- The draft Bloxham Neighbourhood Plan 2024 – 2042 incorporating all recommended modifications (Appendix 3).

- 2.3 All the documents submitted to the Examiner are available online at <https://www.cherwell.gov.uk/info/221/neighbourhood-plans/395/bloxham-neighbourhood-plan> together with the Examiner’s correspondence.
- 2.4 The Executive is now required to make a decision on whether the neighbourhood plan should proceed to referendum, and what modifications, if any should be made to the plan.
- 2.5 It must consider each of the recommendations made by the Examiner and decide what action to take in response to each recommendation. It must then issue a Decision Statement.

## Implications & Impact Assessments

Implications	Commentary
<b>Finance</b>	<p>There are no direct financial implications arising from this report. Cherwell District Council can claim up to £20,000 of MHCLG grant for Neighbourhood Development Plan which also includes costs for the examiner and the referendum meaning no additional costs for the council. However, any costs over the £20,000 will need to be met within the service.</p> <p>Kimberley Digweed, Finance Business Partner, 20 May 2026</p>
<b>Legal</b>	<p>The Council has a statutory duty to assist communities in the preparation of neighbourhood development plans. The Draft Neighbourhood Plan has been prepared in accordance with the Town and Country Planning Act 1990 (as amended), the Planning and Compulsory Purchase Act 2004 (as amended), and the Neighbourhood Planning (General) Regulations 2012 (as amended).</p> <p>The Examiner has considered whether the Plan meets the Basic Conditions (explained within the Examiner’s report) and recommended a number of modifications to ensure that the Draft Neighbourhood Plan meets the statutory Basic Conditions.</p> <p>The Examiner has also concluded that the Plan does not breach any Human Rights.</p> <p>Denzil – John Turbervill, Head of Legal Services, 26 May 2026</p>
<b>Risk Management</b>	<p>The Draft Neighbourhood Plan has been thoroughly examined and officers have considered the Plan and the Examiner’s report. Whilst there is always the potential for legal challenge, in the circumstances described there is not considered to be any notable risk of challenge. If any arise it will be managed through the service operational risk register and escalated to the Leadership Risk Register as and when deemed necessary.</p>

				Celia Prado-Teeling, Performance & Insight Team Leader, 26 May 2026
Impact Assessments	Positive	Neutral	Negative	Commentary
<b>Equality Impact</b>		x		The Plan as proposed is to benefit the local community.  Celia Prado-Teeling, Performance & Insight Team Leader, 26 May 2026
<b>A</b> Are there any aspects of the proposed decision, including how it is delivered or accessed, that could impact on inequality?		X		There are no identified impacts on inequality.
<b>B</b> Will the proposed decision have an impact upon the lives of people with protected characteristics, including employees and service users?		x		There are no identified impacts on the lives of people living with protected characteristics.
<b>Climate &amp; Environmental Impact</b>	x			The draft modified Neighbourhood Plan has been the subject of a Strategic Environmental Appraisal. The Examiner is satisfied that, overall, the Plan as proposed to be modified does not conflict with the aims of securing development which contributes to the mitigation of, and adaptation to, climate change.
<b>ICT &amp; Digital Impact</b>		x		N/A
<b>Data Impact</b>		x		N/A
<b>Procurement &amp; subsidy</b>		x		N/A
<b>Council Priorities</b>	Priority 4 Quality housing and place making.			
<b>Human Resources</b>	N/A			
<b>Property</b>	N/A			
<b>Consultation &amp; Engagement</b>	Consultation and engagement have been undertaken in accordance with legislation and regulations for the preparation of neighbourhood plans.			

## Supporting Information

### 3. Details

- 3.1 A neighbourhood area for Bloxham Parish was designated on 7 June 2013.
- 3.2 On 19 December 2016, following a favourable referendum, Cherwell District Council formally 'made' the Bloxham Neighbourhood Plan 2031, and it became part of the District's Development Plan. It has been used subsequently in the determination of planning applications in the parish.
- 3.3 Bloxham Parish Council has now modified its 'made' Neighbourhood Plan. This has included modifying, deleting or merging some policies and rolling forward the plan period to 2042 in line with the emerging Cherwell District Local Plan Review. There are also several new policies including a site-specific allocation for housing and community uses.
- 3.4 Bloxham Parish Council as the Qualifying Body carried out a Regulation 14 pre-submission public consultation between July and September 2025. It then formally submitted a draft Modified Neighbourhood Plan (2024-2042) to this Council in October 2025.
- 3.5 Consultation on the Regulation 16 submission draft took place between 8 December 2025 and 1 February 2026 in accordance with the Neighbourhood Planning Regulations 2012.
- 3.6 Following the consultation on the draft submission plan, the Council, in agreement with the Parish Council, appointed an independent Examiner, Andrew Freeman, to undertake the examination in March 2026. The Examiner considered the draft plan, all the submitted evidence documents and all responses received during the Regulation 16 consultation period.
- 3.7 Shortly after the Regulation 16 consultation ended, amendments were made in legislation by the Government to the Basic Conditions, and further legal requirements were introduced. In response to these changes, the Examiner asked the Council to carry out an additional consultation specifically focused on these changes for a two-week period. The Examiner subsequently took account of responses to this focussed consultation in his assessment of the Plan.
- 3.8 The Examiner's report has been fact checked by the Council and by the Parish Council and has been published on the Council's website.
- 3.9 The role of the Examiner is to test whether the draft plan meets the Basic Conditions and any relevant legal requirements.
- 3.10 The Examiner's report is presented at Appendix 1. It includes his recommended modifications to the draft Neighbourhood Plan. Appendix 2 presents a schedule of the Examiners' recommendations and officer responses. The modifications proposed by the Examiner include amendments to policy, maps and supporting text.

## Requirements

- 3.11 The Examination includes consideration of whether a plan meets the legal requirements in the prescribed Basic Conditions which are set out below:
- have regard to national policy and advice contained in guidance issued by the Secretary of State
  - contribute to the achievement of sustainable development
  - not result in the development plan for the area of the authority proposing that less housing is provided by means of development taking place in that area than if the draft plan were not to be made
  - be compatible with and not breach assimilated EU obligations (e.g. Strategic Environmental Assessment and Habitats Regulation Assessment)
  - meet prescribed conditions in relation to the plan (meaning that the plan has passed all necessary legal, environmental and procedural requirements)
  - the making of the Neighbourhood Development Plan does not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017.
- 3.12 In addition to the Basic Conditions, the Examiner's report also considers:
- whether a Neighbourhood Plan is compatible with the European Convention on Human Rights
  - whether the Neighbourhood Plan complies with the provisions made by or under sections 38A and 38B of the Planning and Compulsory Purchase Act 2004.
- 3.13 The Examiner's report must recommend either:
- that the Draft Neighbourhood Plan is submitted to a referendum; or
  - that modifications are made and that the modified Neighbourhood Plan (the "Modified Neighbourhood Plan") is submitted to a referendum; or
  - that the Draft Neighbourhood Plan does not proceed to a referendum on the basis it does not meet the necessary legal requirements.
- 3.14 Whilst the Examiner's report must address the issues above, it is the responsibility of the Council, as local planning authority, to ensure that all the regulations appropriate to the nature and scope of the Draft Neighbourhood Plan submitted have been met in order for the Draft Neighbourhood Plan to progress to referendum.
- 3.15 Schedule 4B to the Town and Country Planning Act 1990 requires that the local planning authority must:
- a) consider each of the recommendations made by the report (and the reasons for them), and
  - b) decide what action to take in response to each recommendation.
- 3.16 The local planning authority must then publish the decisions it makes in relation to the Examiner's recommendations (the "Decision Statement"), the reasons for

making those decisions and such other matters relating to those decisions and to notify the qualifying body and other relevant bodies.

3.17 The only modifications that the local planning authority may make are:

- modifications that the authority consider need to be made to secure that the draft Plan meets the Basic Conditions
- modifications that the authority consider need to be made to secure that the draft Plan is compatible with the Human Rights
- modifications that the authority consider need to be made to secure that the draft Plan complies with the provision made other sections of the 1990 Town and country Planning Act relating to excluded development
- modifications relating to the Plan period
- modifications for the purpose of correcting errors.

3.18 Where a council wishes to put forward any modifications which differ from those proposed by the Examiner, the Council is required to undertake further consultation.

3.19 If the Council is satisfied that the draft neighbourhood plan meets the Basic Conditions, and is compatible with Convention Rights as set out in the Human Rights Act 1998, and meets requirements of the 1990 Act, or would meet these requirements with the provision of modifications then the Council must hold a referendum on the 'making' of the neighbourhood plan.

### **The Examiner's Report**

3.20 The Examiner's report is presented at Appendix 1. It includes his recommended modifications to the draft Neighbourhood Plan. At Appendix 2 is the schedule of the Examiner's recommendations and officer responses. The modifications proposed by the Examiner include amendments to policy, maps and supporting text.

3.21 The Examiner is satisfied that the consultation process has met the legal requirements and has had regard to Government advice on plan preparation and engagement.

3.22 The Examiner identified seven main issues relating to the Basic Conditions for the examination. These are:

- Spatial Strategy
- Connectivity
- House Types
- Infrastructure
- Views
- Employment
- Local Green Space.

3.23 **Issue 1 Spatial Strategy:** The Examiner concluded that the proposal under Policy BL1 which sets out a spatial strategy for the neighbourhood area is soundly based. He also considered whether the Bloxham settlement boundary should be modified to include the Plan's proposed housing allocation and sites with planning permission. However, he concluded that such changes were not imperative or necessary to comply with the Basic Conditions.

- 3.24 The Examiner considered the appropriateness of the proposed allocation of land East of Tadmarton Road (Policy BL2) for approximately 125 homes and the process that led to its selection.
- 3.25 The Examiner accepted the Parish Council's overall approach to site selection as a part of the preparation of the Modified Neighbourhood Plan and considered that it has made a legitimate choice in the allocation of the site East of Tadmarton Lane.
- 3.26 The Examiner considered the detail of Policy BL2 and recommended a number of amendments as set out in proposed modification PM1.
- 3.27 **Issue 2 Connectivity:** The Examiner is proposing a modification to Policy BL3 that changes the reference in the plan from 'Rights of Way' to 'footpaths'.
- 3.28 **Issue 3 House Types:** The Examiner recommends a modification to Policy BL6 reducing the requirement for the percentage of bungalows to 10% from 20%.
- 3.29 **Issue 4 Infrastructure:** The Examiner recommends a modification to Clause 2 of Policy BL8 to correct an error in the wording in relation to surface water flooding. At Clause IV the Examiner recommends a modification to ensure that the number of children attending early years or secondary classes arising from the new development is considered in addition to primary school age children.
- 3.30 **Issue 5 Views:** – The Examiner recommends that BL11 is amended to clearly define the Key Street Scenes and the Key Views. He also suggests some additional text to the policy and supporting text for clarification.
- 3.31 **Issue 6 Employment:** The Examiner recommends that this policy includes specific reference to Policy SLE 1 of the adopted Local Plan and policy LEC2 of the emerging Local Plan Review.
- 3.32 **Issue 7 Local Green Space:** The Examiner is content that the three areas proposed as Local Green Spaces meet the criteria set out in the National Planning Policy Framework (NPPF). However, he suggests amending the wording of the policy to bring into line with the NPPF.

### **General comments**

- 3.33 In relation to the other policies in the Neighbourhood plan the Examiner finds that regard has been had to national policy and that the Basic Conditions have been met.
- 3.34 The Examiner concluded that the Modified Bloxham Neighbourhood Plan has been duly prepared in compliance with the procedural requirements. He also concluded, that, with the recommendations to modify a number of policies and text, the Plan meets the Basic Conditions and other legal requirements.
- 3.35 The Examiner recommended that the boundary for the purposes of any future referendum on the Plan should be the boundary of the designated Neighbourhood Plan Area.

- 3.36 Finally, the Examiner congratulated all those involved in the preparation of the Plan which he considered should prove to be a useful tool for future planning and change in Bloxham over the coming years. He states, *'It is evident that a considerable amount of time and effort has been devoted to the development and production of this Plan and I congratulate those who have been involved'*.

### **Officers' consideration of the Examiner's Report**

- 3.37 Having considered the Examiner's report, officers are of the view that all of his recommendations should be accepted. Officers consider that the Draft Modified Neighbourhood Plan meets the Basic Conditions with the Examiner's proposed modifications. The modifications and necessary consequential changes and editing are shown in the Draft Neighbourhood Plan text at Appendix 3.
- 3.38 Officers also agree with the Examiner that the referendum area should be based on the Designated Area and that the referendum area does not need to be extended.

### **Next Steps**

- 3.39 If the Executive resolves to send the Neighbourhood Plan (as modified) to referendum and that a Decision Statement be issued, the Council would then be responsible for making the necessary arrangements for the referendum. A notice of the referendum will need to be issued. In line with the Neighbourhood Planning (Referendums) Regulations 2012, Schedule 1, the following question would be asked:

*"Do you want Cherwell District Council to use the neighbourhood plan for Bloxham to help it decide planning applications in the neighbourhood area?"*

- 3.40 If a majority of votes are in favour of the Neighbourhood Plan, it would come into force as part of the statutory Development Plan for the District. This Council must then ensure that the plan is "made" within eight weeks of the referendum for it to take effect.

## **4. Alternative Options and Reasons for Rejection**

- 4.1 The following alternative options have been identified and rejected for the reasons as set out below.

*Option 1: Not to accept all the Examiner's recommendations.*

Where a local planning authority proposes to make a decision that differs from the Examiner's recommendations it is required to set out these reasons in a Decision Statement which would be subject to further consultation. Officers consider that the Examiner's recommendations should be accepted.

*Option 2: Not to accept the Examiner's recommendations and not to proceed to a referendum.*

Option 2 could only be justified if the Examiner recommends that the Draft Neighbourhood Plan should not proceed to a referendum, or the Council is not satisfied that the Draft Neighbourhood Plan has met the procedural and legal requirements. Officers consider that the Examiner's recommendations should be

accepted and are of the view that the procedural and legal requirements have been met.

## 5 Conclusion and Reasons for Recommendations

- 5.1 The draft Bloxham Neighbourhood Plan Review has been independently examined and is recommended by the Examiner for referendum subject to the incorporation of a number of modifications. Officers agree with the Examiner's conclusion. It is therefore considered that, with the recommended modifications, the Neighbourhood Plan meets the requisite Basic Conditions and should proceed to referendum.

### Decision Information

<b>Key Decision</b>	No
<b>Subject to Call in</b>	Yes
<b>If not, why not subject to call in</b>	N/A
<b>Ward(s) Affected</b>	Adderbury, Bloxham and Bodicote Ward

### Document Information

<b>Appendices</b>	
<b>Appendix 1</b>	The Examiners Report on the Bloxham Modified Neighbourhood Plan
<b>Appendix 2</b>	Schedule of the Examiners' recommendations and officer responses.
<b>Appendix 3</b>	The Modified Neighbourhood Plan, incorporating the recommended modifications.
<b>Background Papers</b>	None
<b>Reference Papers</b>	<a href="https://www.cherwell.gov.uk/info/221/neighbourhood-plans/395/bloxham-neighbourhood-plan">https://www.cherwell.gov.uk/info/221/neighbourhood-plans/395/bloxham-neighbourhood-plan</a>
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<b>Executive Director Approval (unless Executive Director or Statutory Officer report)</b>	Ian Boll, Executive Director Place & Regeneration, 3 June 2026.