

Beckley and Stowood Neighbourhood Development Plan 2011-2035

**A report to South Oxfordshire District Council on
the Beckley and Stowood Neighbourhood
Development Plan**

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Executive Summary

- 1 I was appointed by South Oxfordshire District Council in March 2023 to carry out the independent examination of the Beckley and Stowood Neighbourhood Plan.
- 2 The examination was undertaken by way of written representations. I visited the neighbourhood area on 28 March 2023.
- 3 The Plan includes a variety of policies and seeks to bring forward positive and sustainable development in the neighbourhood area. There is a very clear focus on three specific matters. The first is the community's ambition to provide detailed guidance for the development of the strategic site (Land north of Bayswater Brook - STRAT 13) allocated in the Local Plan. The second is to define settlement boundaries. The third is the proposed identification of Key Views.
- 4 The Plan has been underpinned by community support and engagement. All sections of the community have been engaged in its preparation.
- 5 Subject to a series of recommended modifications set out in this report, I have concluded that the Plan meets all the necessary legal requirements and should proceed to referendum.
- 6 I recommend that the referendum should be held within the neighbourhood area.

Andrew Ashcroft
Independent Examiner
29 May 2024

1 Introduction

- 1.1 This report sets out the findings of the independent examination of the Beckley and Stowood Neighbourhood Development Plan 2011-2035 ('the Plan').
- 1.2 The Plan was submitted to South Oxfordshire District Council (SODC) by Beckley and Stowood Parish Council (BSPC) in its capacity as the qualifying body responsible for preparing the neighbourhood plan.
- 1.3 Neighbourhood plans were introduced into the planning process by the Localism Act 2011. They aim to allow local communities to take responsibility for guiding development in their area. This approach was subsequently embedded in the National Planning Policy Framework (NPPF) in 2012, 2018, 2019, 2021 and 2023. The NPPF continues to be the principal element of national planning policy.
- 1.4 The role of an independent examiner is clearly defined in the legislation. I have been appointed to examine whether the submitted Plan meets the basic conditions and Convention Rights and other statutory requirements. It is not within my remit to examine or to propose an alternative plan, or a potentially more sustainable plan except where this arises because of my recommended modifications to ensure that the plan meets the basic conditions and the other relevant requirements.
- 1.5 A neighbourhood plan can be narrow or broad in scope and can include whatever range of policies it sees as appropriate to its designated neighbourhood area. The submitted Plan has been designed to be distinctive in general terms, and to be complementary to the existing development plan. It seeks to provide a context in which the neighbourhood area can maintain its character and accommodate the development of the strategic site with mitigation measures.
- 1.6 Within the context set out above, this report assesses whether the Plan is legally compliant and meets the basic conditions that apply to neighbourhood plans. It also considers the content of the Plan and, where necessary, recommends changes to its policies and supporting text.
- 1.7 This report also provides a recommendation as to whether the Plan should proceed to referendum. If this is the case and that referendum results in a positive outcome the Plan would then be used to determine planning applications within the neighbourhood area and will sit as part of the wider development plan.

2 The Role of the Independent Examiner

- 2.1 The examiner's role is to ensure that any submitted neighbourhood plan meets the relevant legislative and procedural requirements.
- 2.2 I was appointed by SODC, with the consent of BSPC, to conduct the examination of the Plan and to prepare this report. I am independent of both SODC and BSPC. I do not have any interest in any land that may be affected by the Plan.
- 2.3 I possess the appropriate qualifications and experience to undertake this role. I am a Director of Andrew Ashcroft Planning Limited. In previous roles, I have 41 years' experience in various local authorities at either Head of Planning or Service Director level and more recently as an independent examiner. I am a chartered town planner and have significant experience of undertaking other neighbourhood plan examinations. I am a member of the Royal Town Planning Institute and the Neighbourhood Planning Independent Examiner Referral System.

Examination Outcomes

- 2.4 In my role as the independent examiner of the Plan I am required to recommend one of the following outcomes of the examination:
- (a) that the Plan as submitted should proceed to a referendum; or
 - (b) that the Plan should proceed to referendum as modified (based on my recommendations); or
 - (c) that the Plan does not proceed to referendum on the basis that it does not meet the necessary legal requirements.
- 2.5 The outcome of the examination is set out in Section 8 of this report.

Other examination matters

- 2.6 In examining the Plan, I am required to check whether:
- the policies relate to the development and use of land for a designated neighbourhood plan area; and
 - the Plan meets the requirements of Section 38B of the Planning and Compulsory Purchase Act 2004 (the Plan must specify the period to which it has effect, must not include provision about development that is excluded development, and must not relate to more than one neighbourhood area); and
 - the Plan has been prepared for an area that has been designated under Section 61G of the Localism Act and has been developed and submitted for examination by a qualifying body.
- 2.7 I have addressed the matters identified in paragraph 2.6 of this report and am satisfied that they have been met.

3 Procedural Matters

3.1 In undertaking this examination I have considered the following documents:

- the submitted Plan.
- the Basic Conditions Statement.
- the Consultation Statement.
- the Environmental Report.
- the SEA/HRA screening report (May 2021).
- the updated SEA/HRA screening report (March 2024).
- the various appendices.
- the Evidence Base.
- the representations made to the Plan.
- the representations made to the proposed significant modifications.
- BSPC's responses to the clarification note.
- the adopted South Oxfordshire Local Plan (2011-2035).
- the National Planning Policy Framework (December 2023).
- Planning Practice Guidance.
- relevant Ministerial Statements.

3.2 I visited the neighbourhood area on 28 March 2023. I looked at its overall character and appearance and at those areas affected by policies in the Plan in particular.

3.3 It is a general rule that neighbourhood plan examinations should be held by written representations only. Dorchester Residential Management Group and Christ Church Oxford (DRMGCCO) requested that a hearing should be organised to consider the proposed mitigation policies in the Plan. Having considered all the information before me, including the representations made to the submitted Plan, I concluded that the Plan could be examined by way of written representations. I was assisted in this process by the comprehensive nature of the representations, including those from DRMGCCO and BSPC's responses to the clarification note. Those comments were further consolidated by the representations received on the proposed significant modifications to the Plan.

3.4 The NPPF has been updated twice (September and December 2023) since the Plan was submitted. For clarity, I have examined the Plan against the December 2023 version of the NPPF.

3.5 The recommended modifications to the Plan as set out in this report are significant. SODC invited comments on the recommended modifications. The feedback from that consultation exercise is summarised in the following section of this report. My overall findings are set out in Sections 7 and 8 of this report.

4 Consultation

Consultation Process – Submission Version

- 4.1 Policies in made neighbourhood plans become the basis for local planning and development control decisions. As such the regulations require neighbourhood plans to be supported and underpinned by public consultation.
- 4.2 In accordance with the Neighbourhood Planning (General) Regulations 2012 (as amended), BSPC prepared a Consultation Statement. It is proportionate to the neighbourhood area and its policies.
- 4.3 The Statement records the various activities that were held to engage the local community and the feedback from each event. It also provides specific details on the consultation processes that took place on the two pre-submission versions of the Plan.
- 4.4 The Statement sets out details of the range of consultation events that were carried out in relation to the initial stages of the Plan which included:
- the inaugural meeting (January 2016);
 - the initial survey (June 2016);
 - the development sites and design meeting (October 2016);
 - the design criteria survey (November 2016);
 - the local businesses and organisations Survey (March 2017);
 - the first Regulation 14 Consultation Survey and meeting (December 2017);
 - the cycleway survey (March 2020); and
 - the second Regulation 14 process (August 2022).
- 4.5 Section 8 of the Statement advises about the representations which were received to the second pre-submission version of the Plan (August to September 2022) and the way in which BSPC responded to those comments. The commentary is very comprehensive. It helps to explain the evolution of the Plan.
- 4.6 I am satisfied that consultation has been an important element of the Plan's production. Advice on the neighbourhood planning process has been made available to the community in a positive and direct way by those responsible for the Plan's preparation. From all the evidence provided to me as part of the examination, I can see that the Plan has promoted an inclusive approach to seeking the opinions of all concerned throughout the process. SODC has carried out its own assessment that the consultation process has complied with the requirements of the Regulations.

Consultation Responses- Submission Version

- 4.7 Consultation on the submitted Plan was undertaken by SODC. It ended on 2 March 2023. This exercise generated representations from the following organisations:
- South Oxfordshire District Council

- Oxfordshire County Council
- Dorchester Residential Management Group and Christ Church Oxford
- Coal Authority
- SSE
- Historic England
- Thames Water

4.8 Representations were also received from residents.

Consultation Process and Responses – Significant Modifications

4.9 During the examination, I concluded that significant modifications were required to the Plan to ensure that it meets the basic conditions. The recommended modifications relate to the mitigation policies on the development of the strategic site as identified in the Local Plan (Policy STRAT13) at land north of Bayswater Brook. The proposed recommended modifications involved the deletion of the mitigation policies and the associated supporting text (Section 6 of the Plan) as well as references to the mitigation policies and the associated supporting text throughout the Plan (including Objective 7).

4.10 Consultation on the submitted plan was undertaken by SODC. It ended on 29 February 2024. This exercise generated representations from the following organisations:

- Oxfordshire County Council
- Historic England
- Stanton St John Parish Council
- SODC
- Natural England
- Dorchester Residential Management and Christ Church Oxford
- Beckley and Stowood Parish Council

4.11 Comments were also received from eleven residents

4.12 DRMGCCO supported the recommended modifications.

4.13 In summary BSPC, Stanton St John Parish Council, and the residents objected to the recommended modifications and raised the following points:

- the proposed mitigation measures are valid and necessary;
- the submitted Plan has been carefully prepared over several years;
- full and proper consultation has taken place;
- the submitted Plan is an expression of local democracy;
- the submitted Plan supports the strategic policies in the Local Plan; and
- the policies in the submitted Plan are in general conformity with the strategic policies in the development plan.

- 4.14 I have taken account of all the representations in preparing this report. Where it is appropriate to do so, I refer to specific representations on a policy-by-policy basis.

5 The Neighbourhood Area and the Development Plan Context

The Neighbourhood Area

- 5.1 The neighbourhood area is the parish of Beckley and Stowood. Its population in 2011 was 608 persons living in 256 households. It is located to the north-east of Oxford. It was designated as a neighbourhood area on 3 June 2016.
- 5.2 Beckley is a linear hilltop village which overlooks the original Otmoor. It is a designated conservation area and St. Mary's Church dominates the western end of the village. Although the village has no traditional centre, the junction of High Street and Church Street by the Church is a focal point in the broadly U-shaped plan, formed by Church Street, High Street and Otmoor Lane which circle the higher ground and largely define the extent of the historic settlement. Many of the traditional houses and walls in the village are built of local limestone. Several thatch roofs still survive and some old roofs have also been replaced with slate or machine-made tiles. The overall effect of the village is its attractiveness and its tranquillity. This effect belies its proximity to Oxford.
- 5.3 The remainder of the neighbourhood area is attractive rolling countryside most of which is within the Oxford Green Belt. The boundary of the Green Belt was revised when the South Oxfordshire Local Plan was adopted and allocated a strategic housing site at Land north of Bayswater Brook (Policy STRAT 13).

Development Plan Context

- 5.4 The South Oxfordshire Local Plan was adopted in December 2020. It sets out the basis for future development in the District up to 2035.
- 5.5 Beckley is identified as 'smaller village' in the Plan (Appendix 7). Policy H8 of the Plan addresses development in such villages. Paragraph 4.37 of that Plan comments that smaller villages 'have no defined requirement to contribute towards delivering additional housing (beyond windfall and infill development) to meet the overall housing requirement of South Oxfordshire. There is a sufficient supply of housing from strategic allocations and from existing planning permissions, which means that the less sustainable settlements will not be required to offset the housing requirement. However, some parishes may still wish to proceed with preparing a Neighbourhood Development Plan for example to achieve the protection afforded by allocating housing to fund projects they want to deliver or they would like to identify a specific type of housing bespoke to their village's needs. The Council's strategy therefore allows them to do so, provided that the levels of growth are commensurate to the size of the village'
- 5.6 Policy STRAT 13 of the Plan identifies land north of Bayswater Brook (LNBB) as one of a series of strategic allocations. In this case it identifies approximately 1100 new homes and supporting services and facilities. Part of the strategic site is in the neighbourhood area. Other parts are in Elsfield, Forest Hill with Shotover and Stanton St Johns.

5.7 Other policies in the Local Plan are particularly relevant to the submitted Plan:

Policy STRAT 1	The Overall Strategy
Policy STRAT 6	Green Belt
Policy EMP10	Development in Rural Areas
Policy ENV1	Landscape and Countryside
Policy ENV3	Biodiversity
Policy ENV4	Watercourses
Policy ENV6	Historic Environment
Policy ENV7	Listed Buildings
Policy DES1	Delivering High Quality Development

5.8 The submitted Plan has been prepared within its up-to-date development plan context. In doing so, it has relied on up-to-date information and research that has underpinned existing planning policy documents. This is good practice and reflects key elements in Planning Practice Guidance on this matter. The submitted Plan seeks to add value to the different components of the development plan and to give a local dimension to the delivery of its policies. This is captured in the Basic Conditions Statement.

Visit to the neighbourhood area

- 5.9 I visited the neighbourhood area on 28 March 2023. I approached it from the B4027 to the south. This helped me to understand its position in the wider landscape and its accessibility to the strategic road network.
- 5.10 I looked initially at the Church and Church Street. I saw the attractive nature of the various buildings and the importance of the School to the overall social well-being of the village and the surrounding area.
- 5.11 I then walked along High Street to the Abingdon Arms. As with Church Street, I saw the attractive buildings. The importance of the Abingdon Arms to the local community was self-evident.
- 5.12 I then walked along Roman Way and Woodperry Road. I saw the importance of the Village Hall and the playground.
- 5.13 Throughout my time in Beckley I looked carefully at the boundary of the conservation area and the proposed settlement boundary. I also took the opportunity to look at the area at Sandy Acre, Woodperry Road which was proposed to be included in the settlement boundary in one of the representations. I also looked at the key views identified in the Plan.
- 5.14 I then took the opportunity to look at the part of the parish within the strategic housing site (LNBB) as allocated in the Local Plan. I walked along the right of way from the B4027 to the south to Sydlings Copse.

- 5.15 I also looked at the strategic site from the Bayswater Road and around the Oxford Crematorium.
- 5.16 I left the neighbourhood area on the A40 and headed to the ongoing development at Barton Field Road. This highlighted the significance of Bayswater Brook in the local environment and the way in which the strategic site to the north of the Brook would relate to the Barton Field development.

6 The Neighbourhood Plan and the Basic Conditions

- 6.1 This section of the report deals with the submitted neighbourhood plan as a whole and the extent to which it meets the basic conditions. The submitted Basic Conditions Statement has helped in the preparation of this section of the report. It is an informative and well-presented document.
- 6.2 As part of this process, I must consider whether the submitted Plan meets the basic conditions as set out in paragraph 8(2) of Schedule 4B of the Town and Country Planning Act 1990. To comply with the basic conditions, the Plan must:
- have regard to national policies and advice contained in guidance issued by the Secretary of State;
 - contribute to the achievement of sustainable development;
 - be in general conformity with the strategic policies of the development plan in the area;
 - be compatible with European Union (EU) obligations and European Convention on Human Rights (ECHR); and
 - not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017.

I assess the Plan against the basic conditions under the following headings:

National Planning Policies and Guidance

- 6.3 For the purposes of this examination the key elements of national policy relating to planning matters are set out in the National Planning Policy Framework December 2023 (NPPF).
- 6.4 The NPPF sets out a range of land-use planning principles to underpin both plan-making and decision-taking. The following are particularly relevant to the Beckley and Stowood Neighbourhood Development Plan:
- a plan-led system - in this case the relationship between the neighbourhood plan and the South Oxfordshire Local Plan;
 - building a strong, competitive economy;
 - recognising the intrinsic character and beauty of the countryside and supporting thriving local communities;
 - taking account of the different roles and characters of different areas;
 - highlighting the importance of high-quality design and good standards of amenity for all future occupants of land and buildings; and
 - conserving heritage assets in a manner appropriate to their significance.
- 6.5 Neighbourhood plans sit within this wider context both generally, and within the more specific presumption in favour of sustainable development. Paragraph 13 of the NPPF indicates that neighbourhoods should both develop plans that support the strategic

needs set out in local plans and plan positively to support local development that is outside the strategic elements of the development plan.

- 6.6 In addition to the NPPF I have also taken account of other elements of national planning policy including Planning Practice Guidance and the recent ministerial statements.
- 6.7 Having considered all the evidence and representations available as part of the examination I am satisfied that the submitted Plan has had regard to national planning policies and guidance subject to the recommended modifications in this report. It includes a series of policies on a range of development and environmental matters. It has a focus on a package of local policies for the LNBB strategic housing site and on identifying a settlement boundary.
- 6.8 At a more practical level the NPPF indicates that plans should provide a clear framework within which decisions on planning applications can be made and that they should give a clear indication of how a decision-maker should react to a development proposal (paragraph 16d). This was reinforced with the publication of Planning Practice Guidance. Paragraph ID: 41-041-20140306 indicates that policies in neighbourhood plans should be drafted with sufficient clarity so that a decision-maker can apply them consistently and with confidence when determining planning applications. Policies should also be concise, precise, and supported by appropriate evidence.
- 6.9 As submitted the Plan does not fully accord with this range of practical issues. Most of my recommended modifications in Section 7 relate to matters of clarity and precision. They are designed to ensure that the Plan fully accords with national policy.

Contributing to sustainable development

- 6.10 There are clear overlaps between national policy and the contribution that the submitted Plan makes to achieving sustainable development. Sustainable development has three principal dimensions – economic, social, and environmental. The submitted Plan has set out to achieve sustainable development in the neighbourhood area. In the economic dimension, the Plan includes a policy for infill residential development (Policy VB1). In the social dimension, it includes policies on flood risk (Policy DS3) and on dark skies (Policy DG2). In the environmental dimension, the Plan positively seeks to protect its natural, built, and historic environment. It has policies on important views (Policy DS1) and on design (Policy DG1). It also includes a series of mitigation policies for the LNBB (in Section 6 of the Plan). This assessment overlaps with the details on this matter in the submitted Basic Conditions Statement.

General conformity with the strategic policies in the development plan

- 6.11 I have already commented in detail on the development plan context in South Oxfordshire in paragraphs 5.4 to 5.8 of this report.
- 6.12 I consider that the submitted Plan delivers a local dimension to this strategic context and supplements the detail already included in the adopted development plan. This report comments in detail on the proposed mitigation policies in Section 6 of the Plan.

Subject to the recommended modifications in this report, I am satisfied that the submitted Plan is in general conformity with the strategic policies in the development plan.

Strategic Environmental Assessment

- 6.13 The Neighbourhood Planning (General) (Amendment) Regulations 2015 require a qualifying body either to submit an environmental report prepared in accordance with the Environmental Assessment of Plans and Programmes Regulations 2004 or a statement of reasons why an environmental report is not required.
- 6.14 In order to comply with this requirement, SODC undertook a screening exercise (May 2021) on the need or otherwise for a Strategic Environmental Assessment (SEA) to be prepared for the Plan. The report is thorough and well-constructed. It concludes that the Plan is likely to have a significant effect on the environment and therefore requires a Strategic Environment Assessment. It reaches this conclusion as the Plan seeks to mitigate against potential environmental effects associated with the strategic development at LNBB, which falls within the boundary of three parishes, two of which are not covered by the submitted NDP. It concludes that, in combination, the mitigation policies are considered likely to give rise to significant environmental effects. These policies seek to affect a development of significant proportions and seek to go further than the requirements set out in the Local Plan 2035.
- 6.15 On this basis BSPC commissioned a SEA. It was published in June 2022. It addresses a series of environmental issues in a comprehensive way. It also assesses the environmental implications of the proposed policies.
- 6.16 In March 2024 SODC updated the screening exercise to take account of the recommended deletion of the mitigation policies. The updated report is equally thorough and well-constructed. It concludes that the Plan is unlikely to have a significant effect on the environment and therefore does not require a Strategic Environment Assessment. In both cases consultation took place with the three statutory consultation bodies and the public.

Habitats Regulations Assessment

- 6.17 SODC prepared a Habitats Regulations Assessment (HRA) of the Plan in both May 2021 and March 2024. It assesses the potential impact of the Plan's policies on Oxford Meadow SAC and Cothill Fen SAC (which are located outside the parish).
- 6.18 The HRA concludes that the neighbourhood plan will not give rise to likely significant effects on these protected sites, either alone or in combination with other plans or projects, and that Appropriate Assessment is not required.
- 6.19 Having reviewed the information provided to me as part of the examination, I am satisfied that a proportionate process has been undertaken in accordance with the various regulations. None of the statutory consultees have raised any concerns regarding neighbourhood plan obligations. In the absence of any evidence to the contrary, I am entirely satisfied that the submitted Plan is compatible with this aspect of neighbourhood plan regulations.

Human Rights

- 6.20 In a similar fashion I am satisfied that the submitted Plan has had regard to the fundamental rights and freedoms guaranteed under the European Convention on Human Rights (ECHR) and that it complies with the Human Rights Act. There is no evidence that has been submitted to me to suggest otherwise. 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. On this basis, I conclude that the submitted Plan does not breach, nor is in any way incompatible with the ECHR.

Summary

- 6.21 On the basis of my assessment of the Plan in this section of my report I am satisfied that it meets the basic conditions subject to the incorporation of the recommended modifications contained in this report.

7 The Neighbourhood Plan policies

- 7.1 This section of the report comments on the policies in the Plan. It makes a series of recommended modifications to ensure that the various policies have the necessary precision to meet the basic conditions.
- 7.2 The recommendations focus on the policies in the Plan given that the basic conditions relate primarily to this aspect of neighbourhood plans. In some cases, I have also recommended changes to the associated supporting text.
- 7.3 I am satisfied that the content and the form of the Plan is fit for purpose. It is distinctive and proportionate to the neighbourhood area. The wider community and BSPC have spent time and energy in identifying the issues and objectives that they wish to be included in their Plan. This sits at the heart of the localism agenda. A key element of the examination has been an assessment of the extent to which the mitigation policies proposed for the development of the strategic site (STRAT13) in the Local Plan have regard to national planning policies and are in general conformity with the strategic policies in the development plan.
- 7.4 The Plan has been designed to reflect Planning Practice Guidance (ID:41-004-20190509) which indicates that neighbourhood plans should address the development and use of land. It also includes a series of non-land use Community Aspirations.
- 7.5 I have addressed the policies in the order that they appear in the submitted Plan. I address the Aspirations after the general policies.
- 7.6 For clarity, this section of the report comments on all the policies.
- 7.7 Where modifications are recommended to policies they are highlighted in bold print. Any associated or free-standing changes to the text of the Plan are set out in italic print.

The initial parts of the Plan (Sections 1 to 4)

- 7.8 The Plan is well-organised. It makes an appropriate distinction between the policies and their supporting text.
- 7.9 The initial elements of the Plan set the scene for the policies. They are proportionate to the neighbourhood area and the subsequent policies. The Introduction comments about the way in which the Plan was prepared and when the neighbourhood area was designated. It properly identifies the Plan period.
- 7.10 Section 2 provides comprehensive information about the neighbourhood area. It provides interesting and comprehensive details which help to set the scene for the eventual policies. The map identifies the neighbourhood area.
- 7.11 Section 3 comments about the way in which the community has been engaged in the preparation of the Plan. It neatly summarises key elements of the more detailed Consultation Statement.

7.12 Section 4 sets out the vision and objectives for the Plan. It makes a strong functional relationship between the various issues. In several cases, the issues feed directly into the resulting policies. The Vision neatly summarises the approach taken as follows:

‘The character of our parish should be conserved and even improved for the present and future generations of its inhabitants.’

7.13 The objectives of the Plan are as follows:

- Objective 1. Preservation of the Green Belt
- Objective 2. Conserving and Enhancing Our Heritage and Rural Character
- Objective 3. Maintaining Views and Dark Skies
- Objective 4. Sustainable Growth and Compatible Design
- Objective 5. Sustainable New Development
- Objective 6. Encouraging Housing Mix
- Objective 7. Protecting the Environment and Residents from Negative Aspects of Development at Land North of Bayswater Brook

7.14 The remainder of this section of the report comments on the policies in the context set out in paragraphs 7.5 to 7.7 of this report. The general policies in the Plan (Section 5) are addressed in paragraphs 7.15 to 7.78. The mitigation policies for the development of the LNBB site (Section 6) are addressed in paragraphs 7.79 to 7.104.

General Policies (Section 5)

Initial commentary on the settlement boundary policies (VB1 and VB2)

7.15 The settlement boundary policies are a key element of the Plan. In combination they seek to establish a spatial structure for the parish.

7.16 The Plan addresses a very specific issue in the parish which revolves around its location within the Green Belt and the interplay between a settlement boundary policy and national and local policies for the Green Belt. The Plan comments in several places about the way in which it expects national policy to be implemented. Paragraph 149e of the NPPF advises that ‘limited infilling in villages’ is one of the limited exceptions to the construction of new buildings being considered as inappropriate development in a Green Belt.

7.17 SODC suggests that the two policies are combined. In its response to the clarification note, BSPPC contended that this approach would be inappropriate and would reduce the effectiveness and purpose of the approach taken in Policy VB2. I have considered these commentaries very carefully. In doing so I have taken account of my role to examine the Plan as submitted and not to propose an alternative Plan.

7.18 On the balance of the evidence, I recommend that the two policies are combined. I have reached this conclusion for three related reasons. The first is that the two policies are different elements of the same overall policy approach. The second is that the outcome would merge two policies in the submitted Plan rather than propose a new or an alternative policy. The third is that Policy VB2 as submitted is more a statement of intent rather than a land use policy.

- 7.19 I assess each policy against the basic conditions. Thereafter I recommend a combined policy based on my findings.

POLICY VB1. SETTLEMENT BOUNDARY

- 7.20 This policy identifies a settlement boundary. The supporting text provides detailed commentary about the way in which it has been defined. The process has been more challenging than usual for two reasons. The first is that the designated conservation area is more extensive than the built extent of the village. The second is the complicated physical layout of Beckley based on the interplay between the traditional conservation area and the linear development along Woodperry Road to the south and east of the village.
- 7.21 On the first point, the Plan uses the conservation area boundary as the basis for defining the settlement boundary. However, it excludes four parcels of land within the conservation area from the proposed settlement boundary as follows:
- to the north of the High Street around the site of Beckley Palace where the fields are used for grazing and the site of Beckley Palace is of archaeological interest. There are some of the most important views in the village across Otmoor;
 - to the north west at the end of Church Street where the field that is now used as a playing field for the school is excluded to protect views across Otmoor and from development and retain the field for school use;
 - to the west of Grove House which sits on the limestone ridge and is important to the openness of the Green Belt; and
 - to the south of Beckley High Street where a garden running along New Inn Road which juts out south to protect from development. This is considered by BSPC to be an attractive woodland garden and its development would be harmful to the Green Belt, the Conservation Area, and other adjacent houses particularly on the south side of the High Street, and to the local environment and biodiversity.
- 7.22 At the same time, the Plan proposes that the settlement boundary also includes an area to the south-east of the traditional village bounded by a small section of Roman Road/Sand Path to the west and along the south side of Woodperry Road. The Plan comments that this parcel of land has a continuous built-up frontage and includes the bungalows on Roman Way along the back-garden boundaries of the existing houses. The Plan also comments that the south side of Woodperry Road is built up and continuous with the Conservation Area of Beckley. It also advises to the east in Woodperry Road the boundary continues along the back-garden boundaries and includes Bungalow Close.
- 7.23 In the round this assessment results in the identification of a very pragmatic settlement boundary. It properly excludes parcels of land within the Conservation Area for a variety of heritage, planning and landscape reasons. Similarly, it acknowledges the long-standing nature of the linear development along Woodperry Road.

7.24 JPPC (on behalf of the owners) comment that a parcel of land at Sandy Acre, Woodperry Road should be included within the settlement boundary. The representation comments that planning permission has been granted for two houses on the site (P20/S4112/FUL). The suggested approach is supported by SODC.

7.25 In the response to the clarification note, BSPC commented:

'In the case of Sandy Acre development of the site other than replacing existing buildings will adversely affect the openness of the Green Belt and important views. The position of the bungalow on the northern edge of the plot adversely affects the Conservation Area and is overlooking and overbearing of nearby houses and buildings.'

BSPC also commented in considerable detail about the elevated nature of the site and the way in which a series of planning applications had been submitted and determined in recent years.

7.26 I looked at the Sandy Acre site carefully during the visit and have considered the competing approaches to the definition of the settlement boundary very carefully. On the balance of the evidence, I am satisfied that the approach taken by BSPC is appropriate and meets the basic conditions. I have reached this conclusion for the following related reasons:

- there is no clear or obvious definition of a settlement boundary in this part of the village;
- the character and appearance of the Sandy Acre site is different to that of the conservation area (to the north) and to the linear development along Woodperry Road (to the south);
- the site is elevated and further built development could have a detrimental impact on the character and appearance of the adjacent Conservation Area;
- planning permission has been granted for the development of two houses on the site and any decision to include or exclude the site from the settlement boundary would have no direct impact on that decision; and
- there is a complicated planning history on the site beyond that related to the two proposed homes.

7.27 In coming to this judgement I have also taken account of the limited nature of my role as the examiner and that it is not within my remit to propose an alternative Plan. This is an important issue both generally and as the inclusion of the Sandy Acre in the settlement boundary has not been subject to public consultation.

7.28 The policy advises that proposals for limited infill development within the settlement boundary will be supported, provided they accord with the design and development management policies of the development plan and other policies of the neighbourhood plan. In the round the policy takes a positive approach to this matter. Nevertheless, I recommend that its second paragraph is deleted. It comments about how the settlement boundary has been defined rather than setting out a land use policy. In any event the way in which the settlement boundary has been defined is already comprehensively set out in the supporting text.

POLICY VB2. RESIDENTIAL DEVELOPMENT OUTSIDE THE SETTLEMENT BOUNDARY

- 7.29 This policy complements Policy VB1. It comments that outside the settlement boundary proposals for residential development will only be supported if they are for one of the exceptions outlined in national Green Belt policy or 'very special circumstances' exist.
- 7.30 The policy advises that the southernmost area of the parish including Wick Farm and Lower Farm have been removed from the Green Belt with the adoption of the Local Plan as they are within the strategic development site of Land north of Bayswater Brook and are therefore not included in this policy.
- 7.31 As submitted, the policy does not have the traditional characteristics of a land use policy. The first two paragraphs largely explain national Green Belt policy. The third comments that the policy does not affect the strategic site allocated in the Local Plan. This reinforces the judgement to merge Policies VB1 and VB2.

Summary

- 7.32 In all the circumstances I recommend that the two policies are amalgamated into a single policy. They are complementary elements of the same broader approach. This approach will bring the clarity required by the NPPF both to the decision maker (here SODC) and to the development industry.
- 7.33 I recommend consequential modifications to the supporting text associated with the submitted Policy VB2. This involves the deletion of the unnecessary elements of the NPPF in the text.

Replace Policies VB1 and VB2 with:

'The Neighbourhood Plan defines the settlement boundary as set out in Figure VB1 on the Policies Map.

Proposals for limited infill and the redevelopment of previously-developed land within the defined settlement boundary will be supported provided they accord with development plan policies.

Development proposals outside the settlement boundary and outside the land north of Bayswater Brook strategic allocation will only be supported where they are appropriate for a Green Belt location as identified in Section 13 of the NPPF and have regard to the principles of sustainable development. Proposals for inappropriate development will not be supported except in very special circumstances.'

Delete the supporting text in the Plan associated with the submitted Policy VB2. Thereafter add the following supporting text at the end of the text associated with Policy VB1:

'The policy also deals with situations where residential proposals affect areas outside the settlement boundary, but where Green Belt policy, and the location, sustainability

and accessibility of those areas does not support such development other than in exceptional circumstances as set out in paragraph 149 of the NPPF.

Development proposals outside the settlement boundary which meet one of the Green Belt exceptions should be designed to ensure that they respond as appropriate to other policies in the wider development plan. Particular attention should be given to the prevailing character of the area in terms of the impact of new development on built form, density, and landscape quality, and that the location, sustainability and accessibility of the site is acceptable having regard to the principles of sustainable development.'

POLICY E1. BIODIVERSITY

- 7.34 This policy celebrates the importance of the natural environment in the parish. It is underpinned by extensive supporting text.
- 7.35 The policy comments that development proposals should demonstrate how they will deliver biodiversity net gain and conserve local assets such as mature trees, hedgerows, grass verges along the roads and woodland edges, and where possible secure the provision of additional habitat areas for wildlife and green spaces
- 7.36 The policy also advises that development proposals which show a biodiversity net gain and conserve and enhance the environmental and landscape assets in the neighbourhood area, including areas of designated Ancient Woodland, Sites of Special Scientific Interest, RSPB reserves, Conservation Target Areas, Biodiversity Action Plan Priority Habitats and Local Wildlife Sites will be strongly supported.
- 7.37 DRMGCCO comment about the relationship of the policy with Policy STRAT 13 of the Local Plan. It also questions the need for the policy given the approach taken in the Local Plan. SODC raise specific concerns about the final part of the policy and its potentially onerous blanket restrictions on large areas of land. In addition, it comments that Treescapes report should not be viewed in isolation. SODC suggests revisions to the overall policy.
- 7.38 I have considered these comments very carefully together with BSPC's response to the clarification note. I recommend a revised version of the suggested approach to the policy by SODC. In the round I am satisfied that the inclusion of such a policy in the Plan is appropriate. It acknowledges that the neighbourhood area is far more extensive than the area affected by the strategic site in the Local Plan (LNBB).

Replace the policy with:

'Development proposals which show a biodiversity net gain and conserve and enhance the environmental and landscape assets, including areas of designated Ancient Woodland, Sites of Special Scientific Interest, RSPB reserves, Conservation Target Areas, Biodiversity Action Plan Priority Habitats and Local Wildlife Sites (including BBOWT reserves) will be supported.

Development proposals should demonstrate how they will conserve local assets such as mature trees, hedgerows, grass verges along the roads and woodland

edges, and where appropriate secure the provision of additional habitat areas for wildlife.

Proposals which encourage and promote additions and enhancements to wildlife corridors and air quality improvements as identified within the treescape project map will be supported'

POLICY H1. PRESERVATION OF HERITAGE

- 7.39 This policy sets out to safeguard heritage assets. It makes an appropriate distinction between designated and non-designated assets.
- 7.40 As submitted, the policy takes a general approach. Its focus is on the preservation of assets rather than the more nuanced approach taken in Section 16 of the NPPF which balances preservation and the significance of the asset concerned. I recommend that the second component of the policy is modified so that it has regard to paragraph 209 of the NPPF (on non-designated heritage assets).
- 7.41 I comment on the associated community action on this matter later in this report.

Replace the second part of the policy with:

'The effect of a development proposal on the significance of a non-designated heritage asset should be taken into account in determining the planning application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be taken having regard to the scale of any harm or loss and the significance of the heritage asset.'

POLICY DS1. IMPORTANT VIEWS

- 7.42 This policy seeks to safeguard a series of identified views. The supporting text explains the context. The Evidence Base provides commentary on the views.
- 7.43 The policy comments that development proposals should preserve or enhance the local character of the landscape and through their design, height and massing should recognise and respond positively to the various Important Views. It also comments that development proposals which would have a significant adverse impact on an identified important view will not be supported.
- 7.44 SODC comment about the limited detail in the Evidence Base about the identified views. It also highlights specific concern about View 6 which affects the strategic housing site at LNBB allocated in the Local Plan.
- 7.45 I have considered these matters very carefully. On the balance of the information, I am satisfied that there is appropriate evidence for the approach taken in the policy. In many instances the identified views are part of the overall character of the neighbourhood area and reflect the interplay between the village and the surrounding countryside. Nevertheless, there is a degree of inconsistency between the wording of the policy and the details in the supporting text. I recommend a modification to remedy this matter.

7.46 I am also satisfied that the wording of the policy is appropriate. It is non-prescriptive and provides opportunities for developers to design their proposals in such a way that the identified views can be safeguarded. Nevertheless, I recommend a detailed modification to its wording so that it has the clarity required by the NPPF.

7.47 In its response to the clarification note, BSPC comments on the potential impact of viewpoint 6 on the development of the strategic site at LNBB as follows:

‘View 6 is a view from Stowood at approximately 140 metres (400+ feet) above sea level, across Oxford towards Didcot. The strategic development site of Land north of Bayswater Brook will be built on land next to Bayswater Brook which is at approximately 70 metres (230 ft) above sea level, rising to approximately 80 metres. The topology of the landscape rises very steeply behind the site. The development of Land north of Bayswater Brook will not be able to be seen from Stowood or anywhere along the limestone ridge due to the height difference of the site and Stowood and the fact that the land slopes very steeply northwards from the Bayswater Brook. The existing developments of Barton and Barton Park cannot be seen from Stowood or from along the limestone ridge, due to the height difference and topology. So, Viewpoint 6 does not affect the area of the strategic allocation at Bayswater Brook and the approach taken in the policy does take account of the strategic allocation in the adopted Local Plan as well as wishing to protect important views.’

7.48 I have considered this matter very carefully. Based on the available information, including my own observations during the visit, I recommend that View 6 is deleted from the policy. I have reached this conclusion for the following related reasons:

- the identified view is very extensive and, as BSPC advises, extends across Oxford to Didcot. In this context the view is very different to the other more local views proposed in the policy;
- whilst the view is across pleasant and open countryside it has no specific features or characteristics. In addition, I am not satisfied that the end stop of the view (in Didcot) is of any specific merit; and
- notwithstanding the technical comments made by BSPC in its response to the clarification note there is an inherent tension between the identification of an important view which cuts across a strategic housing allocation.

Replace the first part of the policy with:

‘The Neighbourhood Plan identifies the following Important Views as shown on Figure 2.11.1.2:

- **View 1. From the High Street Across Otmoor.**
- **View 2. Across Otmoor from Church Street.**
- **View 3. Across Otmoor from Woodperry Road.**
- **View 4. Beckley from Shotover showing Beckley Transmitter.**
- **View 5. From Woodperry Road to Brill.**
- **View 6. From Stowood to Stokenchurch Cutting.**
- **View 7. Across Otmoor from Common Road.**
- **View 8. High Street Beckley.’**

In the second part of the policy replace ‘significant adverse’ with ‘unacceptable’

Delete the (now) unnecessary list of views after the policy.

Delete View 6 from Figure 2.11.1.2

POLICY DS2. PARKING

- 7.49 This policy sets out the Plan’s approach to car parking. It advises that the policy is confined to the parts of the parish outside the strategic development site at LNBB. It comments that new development and extensions/changes to existing development should make adequate provision for parking within the overall site, to avoid parking on the narrow village roads, in accordance with the provisions of the development plan.
- 7.50 The first part of the policy comments that the policy does not apply to the strategic site (LNBB). This is appropriate. However, the commentary is explanatory text and not policy. As such I recommend that it is repositioned into the supporting text.
- 7.51 I have taken account of SODC’s comments on the policy. On this basis I recommend that the policy is modified so that it refers to the most up-to-date County Council standards for car parking. I also recommend that the policy is worded so that it can be applied on a proportionate basis. Clearly individual proposals will generate their own parking requirements and related opportunities for the development of alternative and/or sustainable approaches to movement and access.
- 7.52 I recommend that the specific issues identified in the policy are modified so that they will have the clarity required by the NPPF and can be applied consistently by SODC through the development management process. I recommend that the policy achieves an overlap with the approach on design elsewhere in the Plan. I also recommend that the specific point about longer-term parking demands is deleted. The overall parking requirements for the lifetime of any development will be assessed by SODC and the County Council at the planning application stage. In addition, any future applications which would affect the parking requirements of buildings will be considered at the relevant time through the development management process.

Replace the policy with:

‘Development proposals should make provision for parking within the overall site, in accordance with the provisions of the most up-to-date Oxfordshire County Council standards.

As appropriate to their scale, nature and location, development proposals should incorporate parking provision which:

- **is provided off-road wherever practicable;**
- **responds positively to the contents of the Design Guide and minimises the impact of the private car on the street scene; and**
- **reflects the character and appearance of the immediate locality as set out in the Character Assessments at Appendices 12 and 13.’**

At the end of the first paragraph of supporting text on page 58 of the Plan add:

'For clarity Policy DS2 does not apply to the strategic development site of Land north of Bayswater Brook. The parking requirements for that site should meet the most up to date Oxfordshire County Council's Parking Standards.'

POLICY DS3. FLOOD RISK AND DEVELOPMENT

- 7.53 This policy sets out to manage flood risk in a positive way. It comments that development proposals should demonstrate, through the provision of flood risk assessments, where required, how the risk of flooding, including flash flooding, resulting from the prospective development will be managed, so that the risk of flooding will not be increased, and that opportunities to reduce flood risk, for example, using sustainable drainage systems, are exploited, where possible.
- 7.54 The approach taken in the policy is appropriate in principle. However, the first two parts of the policy replicate the equivalent policies in the Local Plan. National policy advises that there is no need for a neighbourhood plan to take this approach. In these circumstances I recommend the deletion of these parts of the policy.
- 7.55 I am satisfied that the final element of the policy is appropriate for inclusion in the Plan. However, I recommend that it is modified so that it sets out the requirements for development proposals rather than anticipating the outcome of planning applications. Plainly other development plan policies will have a bearing on the determination of such proposals. I also recommend that the policy is worded so that it can be applied on a proportionate basis. This acknowledges that individual proposals will generate their own opportunities for the development of the achievement of sustainable drainage solutions. Otherwise, the policy meets the basic conditions.

Replace the policy with: 'As appropriate to their scale, nature and location, development proposals should minimise the use of paved and hard-standing areas and utilise porous driveways and planting to reduce the risk of flooding and run off.'

POLICY DS4. DWELLING SIZE

- 7.56 This policy comments about extensions to dwellings or the erection and extension of ancillary buildings within the curtilage of a dwellings. It also offers support to proposals which would deliver smaller homes.
- 7.57 DRMGCCO question the purposes of the policy given that the elements about extensions to existing buildings repeats the equivalent policies in the adopted Local Plan. I have considered this matter carefully. On the balance of the evidence, I recommend that the policy is modified so that it focuses solely on offering support to the development of smaller homes. This approach acknowledges that there is no need for a neighbourhood plan to repeat or restate existing policies in the development plan. The recast policy defines smaller homes to allow SODC to implement its contents consistently throughout the Plan period.
- 7.58 I recommend consequential modifications to the title of the policy.

Replace the policy with: ‘Development proposals which deliver smaller homes (1-3 bedrooms) will be supported where they otherwise comply with the policies in the development plan.’

Change title of policy to ‘Smaller homes’

POLICY DG1. DESIGN GUIDE

- 7.59 This policy sets out detailed information on the Plan’s expectations for design. It is based on the excellent Design Guide.
- 7.60 The policy comments that development proposals should have regard to the guidance contained in the Design Guide. In addition, it advises that proposed development should have regard to and where appropriate incorporate design elements which are technologically innovative and of a high quality, and which are reflective of the local character and vernacular. The policy has different spatial effects. It comments in a general way, about design in the conservation area and design elements which apply only outside the strategic housing site.
- 7.61 In general terms the policy is a good local response to Section 12 of the NPPF. However as submitted and explained the concept of a Design Guide does not have the clarity required by the NPPF. It requires the decision-maker and potential developers to work through a series of unstructured information. I recommend that this issue is remedied by the reconfiguration of the policy so that it is free-standing and incorporates a series of development principles. I also recommend that the policy refers to the South Oxfordshire Design Guide.
- 7.62 I have also considered carefully the potential effect of the policy on strategic site at LNBB. Plainly good design is a common matter which applies equally to domestic and minor developments and to large scale developments. Nevertheless, the parish will see developments at different extremes during the Plan period. At the one extreme, it will see the usual range of domestic proposals in Beckley, some of which will affect the conservation area and/or listed buildings. At the other extreme, it will see the development of a strategic housing site. Such developments will bring their own requirements and design standards.
- 7.63 On this point SODC comments that:
- ‘The policy does not recognise that part of the parish is contiguous with Oxford city and that requiring building heights to be no higher than 3 storeys everywhere is overly restrictive and unduly onerous. The wider Bayswater Brook allocation adjoins the Barton Development where in some places building heights extend to 4 and 5 stories. This is therefore in potential conflict with Policy DES1 of the SODC Local Plan, which requires development to use land efficiently while respecting the existing landscape character (1.i)) and with Policy DES2, which requires that new development is informed by contextual analysis (e.g. neighbouring Barton Park is not limited to 3 storeys). There is also a potential conflict with STRAT5 (Residential Densities), DES7 (Efficient use of resources) and STRAT13 requirement for higher density development (min. 45dph) along key frontages.’*

7.64 I have considered these matters very carefully. In the round, I recommend that the policy is modified so that it does not apply to the strategic site. That site has been allocated in the Local Plan for strategic purposes, and its relationship with Oxford to the south will be much more significant than that to Beckley to the north. In addition, the strategic site will be developed around its specific masterplan and the criteria in Policy STRAT 13 of the Local Plan. This approach will avoid any broader conflict between the submitted policy and the development of the strategic site at LNBB. As with other policies in the Plan, I also recommend that this policy is worded in a way which will allow it to be applied in a proportionate way. The modified version of the policy continues to identify the additional requirements for development and design in the designated conservation area. Otherwise, it meets the basic conditions. It will contribute to the delivery of the environmental dimension of sustainable development.

Replace the policy with:

‘As appropriate to their scale, nature and location, development proposals outside the strategic allocation at land north of Bayswater Brook should respond positively to the following design principles and the character and vernacular of the part of the parish in which they are located as described in the character assessments at Appendices 12-15 and the Conservation Area appraisal for Beckley:

- **new buildings should be compatible with the size and character of existing buildings in the immediate locality;**
- **power cables shall wherever possible be located underground and minimise the visual impacts associated with new development;**
- **building heights should be in keeping with those of the surrounding buildings and should not extend beyond three storeys;**
- **the design of new buildings should avoid appearing over-bearing by comparison with the neighbouring buildings, having regard to their height, massing, and general scale;**
- **extensions to buildings should be subservient to the original building and should appear a natural evolution of the buildings which respects its character and appearance;**
- **porches and canopies should be in keeping with the character, appearance, and design of the dwelling;**
- **external landscaping proposals should respect the character of the village and the landscape of the immediate surroundings;**
- **wherever practicable, development proposals should incorporate open fencing, railings and hedging that relate sensitively to the open countryside;**
- **the design of new buildings or extensions should incorporate traditional pitched roofs;**
- **TV Dishes and aerials should generally be kept away from the principal elevations and should not be visible on any silhouette elevations;**
- **large box-type dormer windows should be avoided;**

- wherever practicable, solar panels should face the rear of the property, located in hidden valleys and away from principal elevations. Consideration should be given to the use of designs such as panels without frames, or those which that blend into the roofing colour and design of the host building.

The following additional design principles will apply in the Conservation Area:

- the use of vernacular materials such as limestone rubble with quoins, well-modelled brickwork, wooden lintels and either wooden window casements or high-quality double-glazed units;
- roofs pitches should be covered in tiles, slate, or thatch; and
- solar panels should mimic roof tiles and/or have minimal visual impact.

Development proposals shall also demonstrate how they will maintain the nucleated pattern of settlements, and promote the use of building materials to maintain vernacular style and a scale of development which is in keeping with and appropriate to the Oxford Heights landscape character area.’

POLICY DG2. NIGHT SKY/LIGHTING

- 7.65 This policy sets out to safeguard the dark skies environment in the parish. It comments that where external lighting is necessary, development proposals must incorporate design features and mitigating measures that avoid excessive lighting in order to limit the adverse impact of lighting on neighbouring residents, the rural character of the countryside and biodiversity.
- 7.66 The supporting text provides comprehensive information about the dark sky environment in the parish and the need for the policy
- 7.67 I recommend two modifications to bring the clarity required by the NPPF. The first acknowledges that not all proposals for external lighting will need planning permission. The second reconfigures the final element of the policy so that it sets out the implications of proposals which do not take a sensitive approach to this matter rather than more generally commenting about the wider purpose of the policy. Otherwise, the policy meets the basic conditions. It will contribute to the delivery of the environmental dimension of sustainable development.

Replace the policy with:

‘Insofar as planning permission is required, proposals for external lighting should incorporate design features and mitigating measures to ensure that the lighting is at the minimum level for its intended purpose.

Lighting proposals which would have an unacceptable impact on the amenity of residential properties in the immediate vicinity or on the wider rural character of the countryside and biodiversity will not be supported.’

POLICY CC1. NEW CONSTRUCTION AND ENERGY EFFICIENCY

- 7.68 This policy comments that new dwellings should be built to the highest standards in terms of energy and materials efficiency to meet the standards in Policy DES10 of the Local Plan, or subsequent standards as they emerge in local or national policy. It also highlights a series of sustainability features which will be supported.
- 7.69 The policy takes a positive and non-prescriptive approach to this matter. It follows the approach in the Local Plan and acknowledges that further changes in national/local policy on this matter may arise during the Plan period. I am satisfied that in principle the specific features mentioned in the policy are appropriate.
- 7.70 I recommend that the reference to the Local Plan policy is clearer in the submitted policy. I also recommend that the final bullet point of the policy is recast so that it more properly relates to the context of the specific points made. Otherwise, the policy meets the basic conditions. It will contribute to the delivery of the environmental dimension of sustainable development.

Replace 'policy DES10' with 'Policy DES10 of the South Oxfordshire Local Plan'

Replace the final bullet point with: 'the provision of electric vehicle charging points for all new dwellings.'

POLICY CC2. LOW CARBON TRANSPORT SOLUTIONS

- 7.71 This policy addresses the national importance of low carbon transport solutions.
- 7.72 The policy comments that development proposals which deliver low carbon transport solutions, including new cycle ways, safer walking, and increased use of buses where possible will be strongly supported.
- 7.73 The policy takes a non-prescriptive approach to this matter. I am satisfied that it meets the basic conditions. It will contribute to the delivery of the environmental dimension of sustainable development

Community Aspirations

- 7.74 The general policies in the Plan are accompanied by a series of Community Aspirations. They are non-land use matters which have naturally arisen during the production of the Plan. They are weaved into the Plan and sit with the land use policies.
- 7.75 National guidance indicates that Community Aspirations should be included in a separate part of the Plan to distinguish them from the land use policies. I have considered this issue very carefully. On the balance of the evidence, I am satisfied that the approach taken is appropriate. I have reached this conclusion for the three related reasons. Firstly, the Aspirations are distinguished from the land use policies both by their titles and using colour. Secondly, in many cases, the Aspirations complement a relevant policy. Thirdly the format used helps the reader to understand the wider intentions of the Plan.
- 7.76 In general terms the Aspirations take an appropriate and distinctive approach.

- 7.77 I recommend a modification to the Aspiration on non-designated heritage assets so that it factually describes the process intended. As submitted, the Aspiration makes judgements about how the assets would be safeguarded and in a way which does not have regard to paragraph 203 of the NPPF.

Replace the Action with: 'The community will develop a list of non-designated assets.'

- 7.78 I have considered the Aspiration on the future monitoring of the Plan very carefully. I acknowledge the time and effort which the Steering Group has spent in preparing the Plan. Nevertheless, its role has been to assist BSPC (as the qualifying body) in the preparation of the Plan. BSPC will continue to be notified about planning applications if the Plan is made and will be able to comment on such proposals based on the policies in the Local Plan and the neighbourhood plan. The general opportunity for the public to comment on planning applications will equally apply to the members of the Steering Group. In these circumstances I recommend the deletion of the Aspiration and the associated supporting text.

Delete the Community Aspiration on the monitoring of the Plan.

Delete the heading and Section 5.7

Mitigation Policies (Section 6)

- 7.79 The Plan includes an extensive package of mitigation policies relating to the development of the strategic site at LNBB. They are listed in Appendix 1 of this report along with a summary of the policies. Whilst the Plan does not directly identify the purpose of this package of policies, the various elements of supporting text highlight ongoing concerns which the BSPC and residents have about the development of the strategic site. In its response to the clarification note, BSPC comments that the three recent planning applications for the strategic development of LNBB (as registered in January 2023) have greatly heightened concern in the local population about the possible effects from this development. BSPC contends that this has strengthened the need for the proposed mitigation policies.
- 7.80 The package of mitigation policies has attracted significant commentary from SODC and DRMGCCO. In both cases the representations comment about the relationship between the approach taken in Policy STRAT13 of the Local Plan and the proposed mitigation policies in the submitted Plan.
- 7.81 SODC comment about the broader context within which a neighbourhood plan should relate to policies in an adopted local plan as follows:

'We acknowledge the consideration that has gone into developing the draft mitigation policies; however, we have some concerns that these policies go beyond the remit of what a neighbourhood plan can do in seeking to deal with strategic issues and will be difficult to implement in practice. Whilst Neighbourhood Plans may help to shape the development of Local Plan allocations, for example by putting in place policies on

things like design or housing mix, several of the policies in this section look to address non-land use issues and therefore fall outside the scope of a neighbourhood plan.

Additionally, neighbourhood plan policies are only applicable to development within the designated neighbourhood plan area, and large parts of the strategic site allocation at Bayswater Brook fall outside of this area.

The National Planning Policy Framework (NPPF) is clear that neighbourhood plans should not undermine the delivery of the allocated development. Para 13 of the NPPF states ‘Neighbourhood plans should support the delivery of strategic policies contained in local plans or spatial development strategies; and should shape and direct development that is outside of these strategic policies’. Furthermore, neighbourhood plans should only deal with non-strategic issues (para 18). The NPPF also states that neighbourhood plans should not promote less development than set out in the strategic policies for the area, or undermine those strategic policies (para 29).

Many of the issues addressed in these policies are already addressed in the South Oxfordshire Local Plan. The duplication of these matters within the neighbourhood plan is therefore unnecessary and in conflict with para 16 of the NPPF. Neighbourhood plans should not repeat local plan policy, and this is particularly problematic where the neighbourhood plan policy includes less detail.

Several of the policies within the mitigation section of the neighbourhood plan add additional requirements for the STRAT13 allocation to meet. There is no evidence provided that these additional requirements have been assessed as to whether they impact the viability of the allocation.’

- 7.82 Similar comments were made by planning consultants on behalf of DRMGCCO as follows:

The fundamental issue with regard to the preparation of the Beckley and Stowood Neighbourhood Plan is that it fails to recognise the context in which it is prepared. First and foremost, in the “Introduction” the NP should acknowledge that it is prepared to support the delivery of strategic policies set out in the adopted South Oxfordshire Local Plan 2035 and this includes the land allocated in Policy STRAT13 Land North of Bayswater Brook (LNBB). The (Plan) should shape and direct development that is outside of those strategic policies (Paragraph 13 of the NPPF) it is within this context that the (Plan) should be prepared.

The (Plan) should confine itself to non-strategic matters in accordance with the NPPF 2021 and the PPG Neighbourhood Plans. It should support the delivery of strategic policies contained in the SODC adopted Local Plan and shape and direct development that is outside of these strategic policies.

It is considered that the policies that are included in the Beckley and Stowood NP often repeat or undermine those that are included in the adopted SODC Local Plan and propose unnecessary detail in so far as they would adversely affect the delivery of LNBB. Extensive objections and comments were submitted in response to the Reg 14 NP consultation in September 2022 and whilst some attempt has been made to cross

reference to the Local Plan policies, the NP still includes 19 “mitigation policies” for Land North of Bayswater Brook (LNBB).

Pegasus consider that such policies cannot be justified and Section 6 of the Plan “Mitigation Policies for the Strategic Development Site” should be deleted as these policies do not support the strategic allocation of LNBB in Policy STRAT13 in the adopted SODC Local Plan, instead as currently drafted it seeks to undermine the Local Plan allocation and its delivery.

- 7.83 A Counsel's opinion has also meet submitted on behalf of DRMGCCO. Paragraphs 14-18 of that opinion advise as follows:

‘A fair reading of the policies and text within chapter 6 of the (Plan) makes it clear without ambiguity that the approach being promoted is not one that is seeking to ‘support’ the delivery of the allocation under STRAT13. In part chapter 6 is flagging up points that are already covered within the local plan itself, either in policy STRAT13 or its development management policies. In part it is expressly setting out aspirations which are explicitly not contained in policy (and which ought not to be within the content of a development plan in any event); and in part it is setting out detailed constraints over how STRAT13 will be delivered which imposes additional, and in places significant constraints in terms of the manner of its delivery.

Whilst the fifth Basic Condition is to be in general conformity with the strategic policies of the local plan, that does not afford a neighbourhood planning authority the ability to impose additional constraints upon a strategic policy. Nor does it mean that it is lawful to start to rewrite what are perceived to be deficits in the strategic policy context, by imposing requirements which are at odds with those carefully assessed by the Inspector at local plan examination stage. That is especially so when the local plan examiner is not conducting a light touch examination, but is carefully scrutinising all aspects of the policy including deliverability and viability. It would be to rewrite the structure of the planning legislation to interpret schedule 4B of the 1990 Act as essentially allowing a neighbourhood body in whose area a strategic policy sits to have a second bite at the cherry of rewriting policy requirements which have already been assessed as being sound.

Whilst some degree of latitude can be afforded to a neighbourhood plan, an overall judgment needs to be formed. In this case – in my view the (Plan) steps very firmly onto the wrong side of that line.

Thus, it is plainly not in even general conformity with the strategic policy to require a specific type of treatment of the boundary of the green belt, the hiding of development by landscaping, the introduction of buffer zones or even the elevation of non-planning matters such as the protection of private views.

The range of policy requirements taken together set out at paragraph 5 of this note are in my view such as to make the (Plan) obviously inconsistent with basic requirement (e), and in tension with (a) and (d).’

- 7.84 I have considered these comments carefully alongside BSPC’s comments to the clarification note. They present a series of sharp differences.

7.85 For the purposes of this report, I will address these differences around the following issues:

- the nature of the policy and the supporting text in STRAT13 of the Local Plan;
- the extent to which the mitigation policies bring appropriate and added value to Policy STRAT13 of the Local Plan;
- the extent to which the mitigation policies have been prepared in a collaborative fashion with SODC and/or DRMGCCO; and
- the way in which Policy STRAT13 of the Local Plan is being implemented by SODC.

The nature of Policy STRAT13 of the Local Plan and its supporting text

7.86 Policy STRAT 13 is one of a package of strategic policies in the Local Plan. It sets out the way in which the allocated strategic site (LNBB) will be developed.

7.87 Different local plans address strategic sites in different ways. In this case, the Local Plan policy comments in considerable detail about:

- the nine matters which the development of the strategic site should address (Section 2);
- the need for the development to proceed by way of a masterplan prepared in collaboration and agreed with the Local Planning Authority in consultation with Oxfordshire County Council and Oxford City Council. (Section 3); and
- the number and phasing of homes to be permitted and the timing of housing delivery linked to the planned infrastructure, and that these arrangements should be agreed (and potentially conditioned) through the planning application process, in consultation with the relevant statutory authority. (Section 5).

7.88 The supporting text of the policy is equally comprehensive. It comments as follows on a series of environmental matters:

‘Development should be focused on the lower lying ground on the south and east of the site, which has a greater likelihood to accommodate acceptable development in landscape terms, as it is less visible from the wider area and has higher potential for mitigation to be achieved (Paragraph 3.107).

Development focused on the lower lying ground on the south and east of the site must be sensitive to the listed buildings within and surrounding the site, including their setting, as well as being sensitive to the site’s archaeological potential. Appropriate detailed landscape and visual impact assessments and heritage impact assessments that demonstrate how harm to heritage assets, landscape and Oxford’s historic setting will be avoided must be provided as part of any planning application (Paragraph 3.108).

Sidlings Copse and College Pond SSSI and Wick Copse Ancient Woodland are located directly to the north of the site. These are fragile sites comprising rare habitats which could suffer under increased visitor pressure. Other potential indirect impacts of development, such as impacts on hydrology and air pollution and nutrient deposition, also need to be considered and managed. The masterplanning of any development here should take into account the recommendations of the Council’s Ecological

Assessment10 and a detailed hydrological assessment to understand the developments effects on the SSSI must be completed prior to Masterplanning (Paragraph 3.110).

The Bayswater Brook runs along the south of the site. Areas of Flood Zone 2 and 3 should be preserved as accessible green space, with built development restricted to Flood Zone 1. The Bayswater Brook is designated as a Site of Local Importance to Nature Conservation in the Oxford City Local Plan. Existing habitats associated with the brook should be protected and opportunities for enhancement should be pursued. The adjoining Barton Park development proposes a linear park alongside the Bayswater Brook as a buffer between the watercourse and built development. There is an opportunity to mirror this with complementary provision on this site (Paragraphs 3.111/3.112).

The site is located in an area of archaeological interest, within an area of a known Roman settlement. Deposits include the line of a possible Roman road as well as a number of possible Roman settlement sites. Land North of Bayswater Brook is also immediately adjacent to the site of Headington Wick Roman Villa. Any surviving aspects of the Headington Wick Roman Villa site or related high status Roman settlement could be considered to be of similar significance to a scheduled monument (Paragraph 3.116).

The Grade II listed Wick Farmhouse Well House is located within the site boundary. This listed building is currently included on Historic England's Heritage at Risk Register. Development at Land North of Bayswater Brook provides an opportunity to improve the condition of this listed building (Paragraph 3.117).'*

- 7.89 In these circumstances I now assess the extent to which the submitted mitigation policies will be complementary to Policy STRAT 13 of the Local Plan and provide additional detail based on appropriate evidence and information.

The extent to which the proposed mitigation policies are complementary to the approach taken in Policy STRAT13

- 7.90 Plainly the relationship between local plans and neighbourhood plans on the development of strategic sites will reflect local circumstances and protocols. There will be circumstances where a neighbourhood plan can provide local input and detail to help shape a strategic policy and/or assist in its delivery and the decision on the type of community facilities to be delivered. Such an approach is supported in national planning policy and has been pursued successfully in other neighbourhood plans.

- 7.91 I have considered this matter very carefully and have taken account of the details in the Plan, the comments in the representations, BSPC's responses to the clarification note and BSPC's representation on the proposed significant modifications. I am satisfied that the situation is helpfully summarised in counsel's opinion (for DRMGCCO) as follows:

The following policies add to the package of requirements in the Local Plan:

Policy GB1 - This requires planting of pot grown English Oak of a height of at least 1.8m every 10m along the new inner boundary of the green belt;

Policy TA2 - This requires applications to be accompanied by a 'health, mobility, active travel and physical activity assessment' and regard to be had to specific NICE guidance;

Policy PC1 - Detailed treatment of footpaths and bridleways but with signal-controlled crossings wherever they cross roads

Policy LR1, SSSI2 - Meeting NICE guidelines in respect of road design; - Nil effect of air pollution from road traffic upon the SSSI (also HAP1)

Policy SSSI1 & 3 - A requirement for an ecological assessment of the effects upon the SSSI to include the need for buffer zones; - A preference for apple trees rather than 'urban trees'

Policy LV1 - A requirement to maintain existing trees and hedges around Wick Farm & plant new vegetation to ensure that the development of STRAT13 is 'hidden' from existing residents.

Policy LV2 - A requirement to ensure no overlooking of existing properties & to protect private views of those properties 'as far as possible'.

Policy LV4 - A requirement for all 'edges' of housing areas to be of a low density.

Policy HAP2 - A requirement to 'reduce' indoor air pollution.

The following policies replicate the requirements in the Local Plan:

Policy TA1 - The requirement for a travel plan and transportation assessment

Policy CM1 - The requirement for construction management plans – but prescribing in detail what should be within them;

Policy B1 - The requirement for integrated public transport

Policy LV3 - A requirement to introduce landscaping in association with any link road and promote drainage by SUDS.

- 7.92 In the round I conclude that the submitted Plan either repeats the requirements for the development of the site in the Local Plan or propose additional requirements. On the former matter, there is no need for a neighbourhood plan to repeat or restate policies in a local plan. In terms of the proposed additional requirements, the Plan offers no specific advice or information about the approach taken. At the same time, it offers no assessment of the impact of the policies on the development of the site, or an assessment of the appropriateness of the environmental implications. In addition, most of the requirements are expressed as processes (including requirements for planning applications) rather than as land use policies.

- 7.93 I also conclude that the approach taken in the section on mitigation policies has not been produced in a way which relies on detailed evidence or an assessment of the extent to which the issues addressed can be properly addressed by reference to the criteria in the Local Plan policy. In coming to this conclusion, I have considered carefully BSPC's representation to the proposed significant modifications and its reference to other plans which have sought to pursue a similar approach. Plainly in each case, the independent examiner and the local planning authority concerned will have reached their conclusions based on the evidence presented. As such it is not possible to compare neighbourhood plans on this matter.

The extent to which the mitigation policies have been prepared in a collaborative fashion with local bodies, SODC and/or DRMGCCO

- 7.94 There is no specific requirement for a qualifying body to work collaboratively with the proposed developer of an allocated strategic site. Plainly qualifying bodies will approach this matter as they see fit. In general terms, engagement with developers is usually at its greatest where the qualifying body is proposing to allocate smaller housing sites in their plans. Clearly these circumstances do not apply in relation to the submitted Plan.
- 7.95 Nevertheless, there is a general requirement for a qualifying body to involve other bodies, including developers, in the preparation of a neighbourhood plan. Planning Practice Guidance (ID; 41-048-20140306) comments that:

'a qualifying body must consult any of the consultation bodies whose interest it considers may be affected by the draft neighbourhood plan or Order proposal. Other public bodies, landowners and the development industry should, as necessary and appropriate be involved in preparing a draft neighbourhood plan or Order. By doing this qualifying bodies will be better placed to produce plans that provide for sustainable development which benefits the local community whilst avoiding placing unrealistic pressures on the cost and deliverability of that development.'

- 7.96 The Consultation Statement and Appendix 4 of BSPC's representation on the proposed significant modifications to the Plan set out the way in which BSPC engaged with DRMGCCO as the Plan was being prepared. In addition, DRMGCCO has commented on the Plan at its key stages. However, in the round, there is no evidence that BSPC has reached any agreement with DRMGCCO on the extent to which the emerging neighbourhood plan would complement the details in Policy STRAT 13 of the Local Plan regarding the development of the strategic site. This is highlighted in the representation from DRMGCCO on the Plan.
- 7.97 In addition the approach taken in the mitigation policies does not take account of the wider extent of the strategic allocation. Whilst the other parishes affected by the strategic allocation (Elsfield, Forest Hill with Shotover and Stanton St Johns) have been consulted and engaged in the preparation of the submitted Plan, its contents would only apply in the neighbourhood area. Plainly strategic development sites have been proposed and allocated to be developed in a consistent way rather than in potentially different ways across parish boundaries. In reaching this conclusion I have

taken account of BSPC's representation to the consultation exercises on the proposed significant modifications.

The way in which Policy STRAT13 is being implemented

- 7.98 I have also considered the way in which Policy STRAT 13 has been prepared and is being implemented.
- 7.99 On the former issue, the Planning Inspector's report on the now-adopted Local Plan identified that the proposed strategic site had been robustly considered as part of the examination process. It comments as follows:

'STRAT13 contains requirements which would limit visual impact on the surrounding countryside and provide a defensible Green Belt boundary and a strong countryside edge. Development would be confined to a strip related to the existing built up area, away from the view cone, and softened by green infrastructure and with a strong defensible boundary. Being on a slope facing inwards towards Oxford, it would relate well both to existing development and to the new development at Barton Park and would not rise up the hill to the extent that it would affect the wider setting of Oxford or spill out on to and over the plateau to the south. The concept plan shows a series of separate development areas on the lower slopes, but away from the higher flood risk area along Bayswater Brook, occupying a much smaller developed area than overall allocation, and smaller than the extent of the land parcels evaluated in the Green Belt Assessment of Strategic Sites. Much of the allocation would be devoted to green infrastructure. With these requirements in place the impact on the Green Belt would be reduced (Paragraph 166).

As the overall allocation area is substantially larger than the area for development, there is sufficient land to incorporate a buffer and alternative greenspace between development and the SSSI. In addition, STRAT13 requires development to protect and enhance existing habitats including the SSSI and to ensure that there is no demonstrable negative recreational, hydrological or air quality impacts on the SSSI. MM17 adds requirements for a net gain in biodiversity through the protection and enhancement of habitats along Bayswater Brook and new habitats to the north buffering the SSSI, and a reduction of development density close to the SSSI. It also requires the masterplanning of the site to take into account the recommendations of the Ecological Assessment and a detailed hydrological assessment. Subject to these modifications the Plan's requirements will ensure that the SSSI and its hydrology are protected (Paragraph 168).'

- 7.100 The issues raised in the Inspector's report have been incorporated into the policy in the adopted Local Plan. In addition, no evidence has been submitted that the policy is not being fully and properly implemented by SODC and/or that the masterplan work is not proceeding with SODC, Oxfordshire County Council and Oxford City Council.
- 7.101 On the second issue, three applications were submitted in January 2023 for the development of the strategic site (P22/S4618/O, P22/S4596/FUL, and P22/S4550/LB). Plainly it is not my role to comment on the detailed proposals. Nevertheless, the details included in the various planning applications are comprehensive and seek to address

the matters set out in Policy STRAT13 of the Local Plan. The outline planning application includes a detailed Design and Access Statement which is underpinned by a series of technical documents. BSPC and interested residents have been able to express their comments on the proposal in the usual way.

7.102 The relationship between the submitted Plan and the applications has caused DRMGCCO to include comments in its representation to the submitted Plan as follows:

'The Plan should not refer to emerging plans in respect of the preparation of the planning application for LNBB or pass opinion on these plans. Such opinions/views are more appropriately made when responding to the consultation on the planning application. The Parish Council and the NP Steering Group have for some time been aware that the planning application was being prepared and along with local residents have been consulted on the preparation of the planning application.'

Summary

7.103 Based on these findings, I am not satisfied that the approach taken in the mitigation policies in the Plan has regard to national policy or is in general conformity with the strategic policies in the adopted Local Plan. I have reached this conclusion for the following reasons:

- the mitigation policies in the submitted Plan do not bring any added value to the comprehensive details included in Policy STRAT 13 of the Local Plan;
- the mitigation policies do not support the delivery of the strategic policies in the Local Plan (contrary to the details in Planning Practice Guidance 41:004-20190509) and could undermine the deliverability of the strategic policies in the development plan (contrary to the details in Planning Practice Guidance 41-005-20190509);
- the policies have not been developed with SODC and DRMGCCO in a collaborative fashion;
- there is no evidence that the contents of Policy STRAT 13 will not be properly implemented and its various principles will be incorporated into the eventual development; and
- although the mitigation policies were developed in consultation with neighbouring parish councils, the approach taken has been pursued in isolation from other parishes which are affected by the strategic site (Elsfield, Forest Hill with Shotover and Stanton St Johns) and are not developing complementary policies. It would be unreasonable for a specific policy approach to be identified in part of a wider strategic development site where no other equivalent complementary policies are being pursued elsewhere.

7.104 In all the circumstances I recommend that the package of mitigation policies and the supporting text is deleted from the Plan. In coming to this conclusion, I have considered the appropriateness of retaining some of the mitigation policies (and or the associated community aspirations). However, based on the evidence available to me as part of the examination of the Plan, I have concluded that the issues which I have identified in this part of the report apply throughout the broader package.

Delete the Mitigation policies and community actions in Section 6.

Delete the supporting text in Section 6.

Other Matters – General

- 7.105 This report has recommended a series of modifications both to the policies and to the supporting text in the submitted Plan. Where consequential changes to the text are required directly because of my recommended modification to the policy concerned, I have highlighted them in this report. However other changes to the general text may be required elsewhere in the Plan because of the recommended modifications to the policies. Similarly, changes may be necessary to paragraph numbers in the Plan or to accommodate other administrative matters. It will be appropriate for SODC and BSPC to have the flexibility to make any necessary consequential changes to the general text. I recommend accordingly.
- 7.106 I have recommended the deletion of Section 6 of the Plan which sets out the proposed mitigation policies for the strategic site. There are several references elsewhere in the Plan to the mitigation policies and I recommend that they are removed from the Plan as and where necessary.

Modification of general text (where necessary) to achieve consistency with the modified policies and to accommodate any administrative and technical changes.

Removal of general text elsewhere in the Plan to take account of the deletion of Section 6 of the Plan.

Other Matters – Consequential Modification to the Objectives

- 7.107 The recommended deletion of Section 6 of the Plan removes the context for Objective 7 of the Plan. In all the circumstances I recommend the deletion of that Objective.

In Section 4 of the Plan delete Objective 7.

Other Matters – Specific

- 7.108 SODC has made a series of helpful comments on the Plan. I have included them in the recommended modifications on a policy-by-policy basis where they are required to ensure that the Plan meets the basic conditions.
- 7.109 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 bring the Plan up-to-date. Other matters relate to the more general parts of the Plan. In combination they are as follows:

Maps

The maps currently used in the plan vary greatly in design and quality. It would improve the clarity and understanding of the plan if all the maps in the plan are standardised and enhanced, bringing them in line with the Basic Conditions which require a neighbourhood plan to be clear and unambiguous. Additionally, it is not clear if the appropriate licencing agreements are in place for maps from external organisations used throughout the plan. Any maps without the appropriate licencing agreement for their use in the plan should be replaced or removed.

Figures and tables

The figures, maps, and tables used within the Plan do not follow a structured labelling system. Each one should be given its own unique figure and title in a structured order, and ideally be referenced throughout the supporting text and the policies where applicable.

Map of the neighbourhood area

This map should be enhanced by ensuring that the base map used is of a high quality. The current base map is difficult to read and understand which could lead to difficulties when considering planning applications. This will bring this map in line with the Basic Conditions which require a neighbourhood plan to be clear and unambiguous.

8 Summary and Conclusions

Summary

- 8.1 The Plan sets out a range of policies to guide and direct development proposals in the period up to 2035. It is distinctive in addressing a specific set of issues that have been identified and refined by the wider community to safeguard the character and setting of the neighbourhood area and its heritage assets.
- 8.2 Following the independent examination of the Plan, I have concluded that the Beckley and Stowood Neighbourhood Development Plan meets the basic conditions for the preparation of a neighbourhood plan subject to a series of recommended modifications.
- 8.3 The examination has raised a complex range of issues in relation to the strategic site identified in the Local Plan. I have recommended that the mitigation policies in the Plan on the strategic site are deleted. Nevertheless, I am satisfied that the remaining general policies meet the basic conditions and that the Plan is sufficiently robust and meaningful to proceed to referendum without the mitigation policies. In that context it includes a range of issues which are traditionally incorporated in plans for similar villages and neighbourhood areas both locally and nationally.

Conclusion

- 8.4 On the basis of the findings in this report, I recommend to South Oxfordshire District Council that subject to the incorporation of the modifications set out in this report that the Beckley and Stowood Neighbourhood Development Plan should proceed to referendum.

Other Matters

- 8.5 I am required to consider whether the referendum area should be extended beyond the neighbourhood area. In my view, the neighbourhood area is entirely appropriate for this purpose and no evidence has been submitted to suggest that this is not the case. I therefore recommend that the Plan should proceed to referendum based on the neighbourhood area as approved by the District Council on 3 June 2016.
- 8.6 I am grateful to everyone who has contributed in any way to the examination.

Andrew Ashcroft
Independent Examiner
29 May 2024

Appendix 1

Proposed Mitigation Policies for the LNBB strategic site

POLICY CI 1 COMMUNITY INVOLVEMENT

In bringing forward proposals for the development of land north of Bayswater Brook strategic allocation site the developers should have regard to the Community Involvement Strategy outlined in this Plan.

POLICY GB 1. DEFINITION A NEW GREEN BELT BOUNDARY

A line of English Oak (*Quercus Robur*) saplings, pot grown, at least 1.8m high will be planted every 10m along the new Green Belt boundary and will be actively maintained for at least 5 years.

POLICY TA 1. TRANSPORT ASSESSMENT AND TRAVEL PLAN

It is a requirement that all development proposals for the strategic site are to be accompanied by a transport assessment and travel plan which contain measures to maximise the number of trips made by non-car modes, and measures to discourage car-based development and this should inform the masterplan. Furthermore, where residual impacts on the highway network are predicted after sustainable transportation measures are taken into account, the Transport Assessment should assess the effect of new highway infrastructure in mitigating any residual impacts. These Transport Assessments and Travel Plan for LNBB must be completed objectively, to a high standard and that these are overseen by and conducted to the satisfaction of Oxfordshire County Council.

CM 1 PROVISION OF CONSTRUCTION MANAGEMENT PLANS

A Construction Management Plan should be provided as part of the supporting information accompanying any planning application.

POLICY TA 2. COMPLIANCE WITH NICE GUIDELINES ON PHYSICAL ACTIVITY AND THE ENVIRONMENT AND HEALTH ASSESSMENT

Development should have regard to the NICE guidelines “Physical Activity and The Environment” - [NG90] (shown above) and any updates or reviews. In addition, all strategic site planning applications should be accompanied by a health, mobility, active travel, and physical activity assessment.

POLICY PC. 1. MAINTENANCE OF ACCESS AND SEPARATION OF EXISTING FOOTPATHS AND BRIDLEWAY

To ensure safety for all cyclists, pedestrians, and equestrians all existing footpaths and bridleways must be well maintained and kept open and accessible, ensuring that they are not overgrown and passable, during any construction work and afterwards. To ensure safety any crossings that are required to ensure rights of way are not severed by new roads and must be fully protected by either bridges or light controlled crossings to accommodate pedestrians, horse-riders, and cyclists. Crossings of site roads for accessibility to houses should be by protected pedestrian crossings.

COMMUNITY ASPIRATION -SAFETY OF UNDERPASSES

If the underpass at Wick Close/North Way is to be improved as part of the connectivity to Oxford the recommendations from “Reducing Crime Hotspots in City Centres” should be implemented to reduce crime and increase safety.

COMMUNITY ASPIRATION C 1. PROVISION OF CYCLEWAYS

Dedicated safe cycleway connections should be provided as part of the development connecting each end and the middle of the LNBB site with the surrounding cycleway network.

POLICY B 1. PROVISION OF PUBLIC TRANSPORT

The transport package secured to mitigate the delivery of the Land North of Bayswater Brook development should include measures to ensure that public transport services are integrated with the new development, providing connections to key employment destinations such as the centre of Oxford, Headington, the hospitals and Cowley and other transport hubs such as railway stations, airports and bus stations and other near-by towns – Thame, Abingdon, Didcot etc.

POLICY LR 1. COMPLIANCE WITH NICE GUIDELINES – IMPROVING AIR QUALITY

Any road through the LNBB development in Beckley Parish should be designed to be compliant with - NICE guideline [NG70] Published date: June 2017 or any updates or reviews. The design of the link road shall be developed taking into consideration the following measures set out in 1.1.2 of the NICE Guidelines.

POLICY SSSI 1. REPORT AND ASSESSMENT REQUIREMENTS FOR THE SSSI SYDLINGS COPSE AND COLLEGE POND

The development should be informed by a detailed assessment of the effect of the development on the SSSI.

COMMUNITY ASPIRATION PROVISION OF LAND FOR FOOTPATH CHANGES TO PROTECT SSSI SYDLINGS COPSE AND COLLEGE POND

As part of the development proposals consideration should be given to options for the diversion of the footpath running from the Bayswater Brook through the south west end of the SSSI around the outside of the SSSI in order to reduce visitor numbers and access from Barton Park and LNBB to the SSSI.

POLICY SSSI 2. IMPLEMENTATION OF PROTECTION ZONE FROM ROADS

Any road development within Land North of Boundary Brook will take place only if it can be shown to not worsen air pollution at Sydlings Copse, Wick Copse and College Pond SSSI, and in consultation with Natural England and BBOWT. Any associated requirements for monitoring of pollutants and their effects on the SSSI as determined by Natural England and BBOWT must be implemented and the costs borne by the developers.

POLICY SSSI 3. LANDSCAPE AND RECREATIONAL ENHANCEMENTS

A buffer zone of at least 200m is required to protect the fragile SSSI - Sydlings Copse, Wick Copse and College Pond. Further protection will be required in line with any recommendations from hydrology, air quality, ecology, and environmental reports to be produced on protecting the SSSI. The design and detailed planting of a buffer and recreational zone around the SSSI should be in keeping with the rural landscape and not appear to be an urban or suburban park.

Planting of fruit trees such as apples and indigenous trees would be encouraged in preference to urban trees. The design and planting should be discussed and agreed with the Community Liaison Committee.

POLICY LV 1. LANDSCAPING AND MAINTAINING IMPORTANT 105 FOR WICK FARM AND LOWER FARM

The landscape buffer between Wick Farm and the LNBB development must maintain existing trees and hedgerows around Wick Farm and Lower Farm and provide additional planting of native trees and hedgerows at a density and height and maturity to ensure adequate screening for the residents from the LNBB development and that the LNBB development is hidden.

POLICY LV 2. MAINTAINING PRIVACY AND AVOIDING OVERLOOKING BUILDING HEIGHTS

Building heights should not extend above three storeys.

POLICY LV 3. SPECIFIC LANDSCAPING, MITIGATION FOR LOSS OF COUNTRYSIDE

Applications to develop the land North of Bayswater Brook development site shall be supported by a comprehensive landscaping strategy which ensures that any link road, housing estate roads and the edges of the development including but not confined to around Wick Farm, Lower Farm are appropriately landscaped to avoid impacting adversely on the adjacent countryside and the openness of the Oxford Green Belt.

The landscaping should include Sustainable Urban Drainage Systems where appropriate, to help reduce flooding and maintain water quality in adjacent waterbodies.

The strategy should include provision for access by walking, horse riding and cycling.

POLICY LV 4. AVOIDING HARD URBAN EDGES

The Land north of Bayswater Brook development should be designed to contain low density edges to the housing areas. These should be landscaped appropriately to minimise the risk of visual impacts arising from the development and to mitigate the effects of the development on the adjacent countryside and the openness of the Green Belt.

POLICY LV 5. DESIGN IN SYMPATHY WITH LANDSCAPE AND SURROUNDINGS

The design quality of the site overall and the individual neighbourhoods should maintain and enhance existing landscape features with prevailing character of the Oxford Heights landscape character area and the Character Assessment for the Wick Farm Area Evidence Base 2- 2.11.7 and Appendix 14.

POLICY HAP 1. AIR QUALITY ASSESSMENT AND MITIGATION

Applications for development shall be accompanied by technical information identifying nearby habitats and species that are sensitive to air pollution, and setting out a management regime to protect them from air pollution from the development. This should include regular monitoring of air quality and SODC should consider extending the Oxford Air Quality Management Area to Land north of Bayswater Brook. Air pollution can cause serious disease, especially to the lungs, heart, and skin. There should be compliance with NICE guidelines on Air pollution: outdoor air quality and health NICE guideline [NG70] Published: 30 June 2017 and any updates and reviews to minimise disease and improve local health profile.

POLICY HAP 2. INDOOR AIR QUALITY

The opportunities to incorporate design in the new LNBB development to reduce indoor air pollution should not be lost. New buildings and refurbishments of existing buildings should comply with “Indoor air quality at home” - NICE guideline [NG149] Published: 08 January 2020 and any updates and revisions.