

Beckley and Stowood Neighbourhood Plan - publicity period

Response 1

Respondent Details

[REDACTED]	
[REDACTED]	[REDACTED]

Contact Details	
Name	Sir/Madam
Email	[REDACTED]

Q1. Are you completing this form as an:
Individual

Your comments

<p>Q2. You can provide your comments on the Beckley and Stowood Neighbourhood Plan below. When commenting, you should bear in mind that the examiner will mainly assess the plan against the 'basic conditions', which are set out in the Basic Conditions Statement. If you are commenting on a specific section or a supporting document, please make this clear. After this publicity period consultation, the opportunity for further comments will be only at the request of the examiner. If you wish to provide evidence and any supporting documents to support or justify your comments, there is a facility to upload your documents below.</p>
<p>In my judgement there is no usefulness in not extending the Settlement Boundary to include all that area within the Parish Boundary that falls within the envelope of:</p> <p>Woodperry Road, Horton Road, B4027, New inn Road and Sand Path.</p> <p>It is bordering on the perverse not to do so; there are already many houses within this envelope.</p> <p>If the village is to survive and thrive this is an obvious area where housing development could take place without detriment to the village conservation area or the principles of the Green Belt. I do not accept the "wash over" argument and I do not believe "wash over" to have been the intention of Green Belts. Green Belts should preserve existing green spaces between conurbations. There are clear infill sites on New Road, "the track" along Woodperry Road, Horton Road, the quarry off Horton Road, New Inn Road and possibly within the core of the area.</p>

Public examination

<p>Q6. Most neighbourhood plans are examined without the need for a public hearing. If you think the neighbourhood plan requires a public hearing, you can state this below, but the examiner will make the final decision. Please indicate below whether you think there should be a public hearing on the Beckley and Stowood Neighbourhood Plan:</p>
No, I do not request a public examination

Response 2

Respondent Details

[REDACTED]	
[REDACTED]	[REDACTED]

Q1. Are you completing this form as an:
Organisation

Your comments

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Response received via email. Please see below:

Dear Planning Policy team

Thank you for your notification regarding the Beckley and Stowood Neighbourhood Plan Consultation.

The Coal Authority is only a statutory consultee for coalfield Local Authorities. As South Oxfordshire District Council lies outside the coalfield, there is no requirement for you to consult us and / or notify us of any emerging neighbourhood plans.

This email can be used as evidence for the legal and procedural consultation requirements at examination, if necessary.

Kind regards

[REDACTED]

Your details and future contact preferences

Q8. After the publicity period ends, your response will be sent to an independent examiner to consider. As the neighbourhood planning process includes an independent examination of the plan, your name, postal address and email (where applicable) are required for your comments to be considered by the examiner. The opportunity for further comments at this stage would only be at the specific request of the examiner. All personal data will be held securely by the council and examiner in line with the Data Protection Act 2018. Comments submitted by individuals will be published on our website alongside their name. No other contact details will be published. Comments submitted by businesses, organisations or agents will be published in full, excluding identifying information of any individual employees. Further information on how we store personal data is provided in our privacy statement.

Title	-
Name	██████████
Job title (if relevant)	Planning and Development Manager
Organisation (if relevant)	The Coal Authority
Organisation representing (if relevant)	-
Address line 1	200 Lichfield Lane
Address line 2	-
Address line 3	-
Postal town	Mansfield
Postcode	NG18 4RG
Telephone number	(01623) 637 281
Email address	██████████@coal.gov.uk

Response 3

Respondent Details

[REDACTED]	
[REDACTED]	[REDACTED]

Q1. Are you completing this form as an:
Organisation

Your comments

<p>Q2. You can provide your comments on the Beckley and Stowood Neighbourhood Plan below. When commenting, you should bear in mind that the examiner will mainly assess the plan against the 'basic conditions', which are set out in the Basic Conditions Statement. If you are commenting on a specific section or a supporting document, please make this clear. After this publicity period consultation, the opportunity for further comments will be only at the request of the examiner. If you wish to provide evidence and any supporting documents to support or justify your comments, there is a facility to upload your documents below.</p>
<p>Response received via email. Please see attachment'</p>

Q3. You can upload supporting evidence here.
<ul style="list-style-type: none">File: 2023-0~2.PDF [REDACTED]

Your details and future contact preferences

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Title	-
Name	██████████
Job title (if relevant)	Business Officer (South East Region)
Organisation (if relevant)	Historic England
Organisation representing (if relevant)	-
Address line 1	25 Dowgate Hill
Address line 2	-
Address line 3	-
Postal town	London
Postcode	EC4R 2YA
Telephone number	-
Email address	██████████@HistoricEngland.org.uk

Would you like to be notified of South Oxfordshire District Council's decision to 'make' (formally adopt) the plan?

████████████████████



25/01/23 Our ref: PL00245949

Dear Sir/Madam,

Ref: Beckley and Stowood Neighbourhood Plan Regulation 16 Consultation

Thank you for inviting Historic England to comment on the Regulation 16 Submission version of this Neighbourhood Plan.

We do not consider it necessary for Historic England to provide detailed comments at this time. We would refer you if appropriate to any previous comments submitted at Regulation 14 stage, and for any further information to our detailed advice on successfully incorporating historic environment considerations into a neighbourhood plan, which can be found here: <https://historicengland.org.uk/advice/planning/plan-making/improve-your-neighbourhood/>.

We would be grateful if you would notify us on [REDACTED] [@HistoricEngland.org.uk](mailto:[REDACTED]@HistoricEngland.org.uk) if and when the Neighbourhood Plan is made by the council. To avoid any doubt, this letter does not reflect our obligation to provide further advice on or, potentially, object to specific proposals which may subsequently arise as a result of the proposed plan, where we consider these would have an adverse effect on the historic environment.

Please do contact me, if you have any queries.

Yours sincerely,

[REDACTED]
Business Officer

E-mail: [REDACTED]@historicengland.org.uk

Response 4

Respondent Details

[REDACTED]	
[REDACTED]	[REDACTED]

Q1. Are you completing this form as an:
Individual

Your comments

Q2. You can provide your comments on the Beckley and Stowood Neighbourhood Plan below. When commenting, you should bear in mind that the examiner will mainly assess the plan against the 'basic conditions', which are set out in the Basic Conditions Statement. If you are commenting on a specific section or a supporting document, please make this clear. After this publicity period consultation, the opportunity for further comments will be only at the request of the examiner. If you wish to provide evidence and any supporting documents to support or justify your comments, there is a facility to upload your documents below.

Response received via email. Please see below:

Dear Sir/Madam,

Just a few comments on the excellent Beckley and Stowood Neighbourhood Plan.

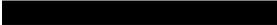
There is no doubt that the biggest threat to the Beckley and Stowood parish is the conversion of green belt land (land north of Bayswater Brook) into an urban landscape, with totally inadequate infrastructure. The conservation of green belt areas is a stated government policy and removing green belt status should only very rarely be granted. It is a desecration of valuable countryside to develop the land north of Bayswater Brook and I hope Oxford City Council have the courage to refuse planning permission for the vast number of houses proposed. It is so obviously a cynical commercial development with no regard to those living in the area.

Therefore I would hope that SODC uses whatever powers it possesses to block this development and enable the Beckley and Stowood Neighbourhood Plan to be followed in full.

Yours Faithfully
John Stradling
[REDACTED]

Your details and future contact preferences

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Title	-
Name	John Stradling
Job title (if relevant)	-
Organisation (if relevant)	-
Organisation representing (if relevant)	-
Address line 1	-
Address line 2	-
Address line 3	-
Postal town	-
Postcode	-
Telephone number	-
Email address	

Response 5

Respondent Details

[REDACTED]	
[REDACTED]	[REDACTED]

Q1. Are you completing this form as an:
Organisation

Your comments

<p>Q2. You can provide your comments on the Beckley and Stowood Neighbourhood Plan below. When commenting, you should bear in mind that the examiner will mainly assess the plan against the 'basic conditions', which are set out in the Basic Conditions Statement. If you are commenting on a specific section or a supporting document, please make this clear. After this publicity period consultation, the opportunity for further comments will be only at the request of the examiner. If you wish to provide evidence and any supporting documents to support or justify your comments, there is a facility to upload your documents below.</p>
<p>Response received via email. Please see below:</p> <p>[REDACTED]</p> <p>Thank you for your message below, and link to the NP web-site, regarding the above location / topic.</p> <p>I can confirm that, at this present time, I have comments to make.</p> <p>Regards,</p> <p>[REDACTED]</p>

[REDACTED] details and future contact preferences

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Title	-
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Job title (if relevant)	Network Connections Planning Engineer
Organisation (if relevant)	Scottish and Southern Electricity Networks
Organisation representing (if relevant)	-
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Address line 2	Yarnton
Address line 3	-
Postal town	Kidlington
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Telephone number	+ 44 (0) 1865 845888
Email address	██████████@sse.com

Response 6

Respondent Details

[REDACTED]	
[REDACTED]	[REDACTED]

Q1. Are you completing this form as an:
Individual

Your comments

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Response received via email. Please see below:

I would like to make a brief comment on the proposed plan.

May I at once compliment the Neighbourhood Planning team on an extraordinarily comprehensive document.

I have but one comment which relates to Policy DS1 "Important Views". This policy notes the need, quite correctly, to protect "Views from the top of the hill at Beckley village looking north, north east and north west towards Otmoor".

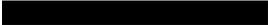
Otmoor is itself a special place worthy of protection. Its isolation and rural character in this location are unique. Elsewhere in the document the need to protect the views from Otmoor towards the village on the high ground to the south is accepted but this has not found its way into policy DS1. Such protection appears to be quite as crucial as protecting the views of the moor from the village.

Perhaps consideration should be given to adding a bullet point to read "Views from Otmoor to the top of the hill at Beckley village looking south, south west and south east". The plan at figure 2.11.1.2 could then be amended by adding south pointing arrows on those already marked 1,2 and 3.

My Regards
John Ovens

Your details and future contact preferences

Q8. After the publicity period ends, your response will be sent to an independent examiner to consider. As the neighbourhood planning process includes an independent examination of the plan, your name, postal address and email (where applicable) are required for your comments to be considered by the examiner. The opportunity for further comments at this stage would only be at the specific request of the examiner. All personal data will be held securely by the council and examiner in line with the Data Protection Act 2018. Comments submitted by individuals will be published on our website alongside their name. No other contact details will be published. Comments submitted by businesses, organisations or agents will be published in full, excluding identifying information of any individual employees. Further information on how we store personal data is provided in our privacy statement.

Title	-
Name	John Ovens
Job title (if relevant)	-
Organisation (if relevant)	-
Organisation representing (if relevant)	-
Address line 1	-
Address line 2	-
Address line 3	-
Postal town	-
Postcode	-
Telephone number	-
Email address	

Response 7

Respondent Details

[REDACTED]	
[REDACTED]	[REDACTED]

Q1. Are you completing this form as an:
Agent

Your comments

<p>Q2. You can provide your comments on the Beckley and Stowood Neighbourhood Plan below. When commenting, you should bear in mind that the examiner will mainly assess the plan against the 'basic conditions', which are set out in the Basic Conditions Statement. If you are commenting on a specific section or a supporting document, please make this clear. After this publicity period consultation, the opportunity for further comments will be only at the request of the examiner. If you wish to provide evidence and any supporting documents to support or justify your comments, there is a facility to upload your documents below.</p>
<p>Response received via email. Please see attachment</p>

Q3. You can upload supporting evidence here.
<ul style="list-style-type: none">File: 2023_0~1.PDF - [REDACTED]

Your details and future contact preferences

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Title	-
Name	██████████
Job title (if relevant)	Associate
Organisation (if relevant)	JPPC
Organisation representing (if relevant)	██████████ ██████████
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Address line 3	-
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Telephone number	01865 326823
Email address	██████████@jppc.co.uk

Would you like to be notified of South Oxfordshire District Council's decision to 'make' (formally adopt) the plan?

██████████

JPPC ref: DB/7493

Planning Policy
South Oxfordshire District Council

SENT VIA E-MAIL

2nd March 2023

Dear Sir or Madam

Beckley and Stowood Neighbourhood Plan consultation

We write with representations regarding the Beckley and Stowood Neighbourhood Plan on behalf of [REDACTED] who are residents of Beckley and the owners of Sandy Acre on Woodperry Road. For convenience we attach an aerial photograph to this letter which indicates the location of the property in the village as **Attachment 1**.

Our clients are concerned at the proposed settlement boundary which excludes their property, Sandy Acre, from the built-up area of the village. We believe the omission Sandy Acre from the village to be illogical. It is not supported by appropriate evidence and in our view means the Neighbourhood Plan, as drafted, does not satisfy the basic conditions to proceed to referendum.

Neighbourhood Plans (NP) must have regard to national policies and advice contained in guidance issued by the Secretary of State and contribute to the achievement of sustainable development. This is set out by the first Basic Condition.

The NP must give sufficient clarity to enable a policy to do the development management job it is intended to do; or to have due regard to Practice Guidance. For example, para 041 of the Guidance explains:

“A policy in a neighbourhood plan should be clear and unambiguous. It should be drafted with sufficient clarity that a decision maker can apply it consistently and with confidence when determining planning applications. It should be concise, precise and supported by appropriate evidence. It should be distinct to reflect and respond to the unique characteristics and planning context of the specific neighbourhood area for which it has been prepared” (Paragraph: 041 Reference ID: 41-041-20140306).

Cont...

The John Phillips Planning Consultancy

Partners:
Neil Warner MRTPI Ltd
Henry Venners Ltd



Bagley Croft
Hinksey Hill
Oxford OX1 5BD
T: 01865 326823
E: [REDACTED]@jppc.co.uk
W: www.jppc.co.uk

Extent of settlement boundary

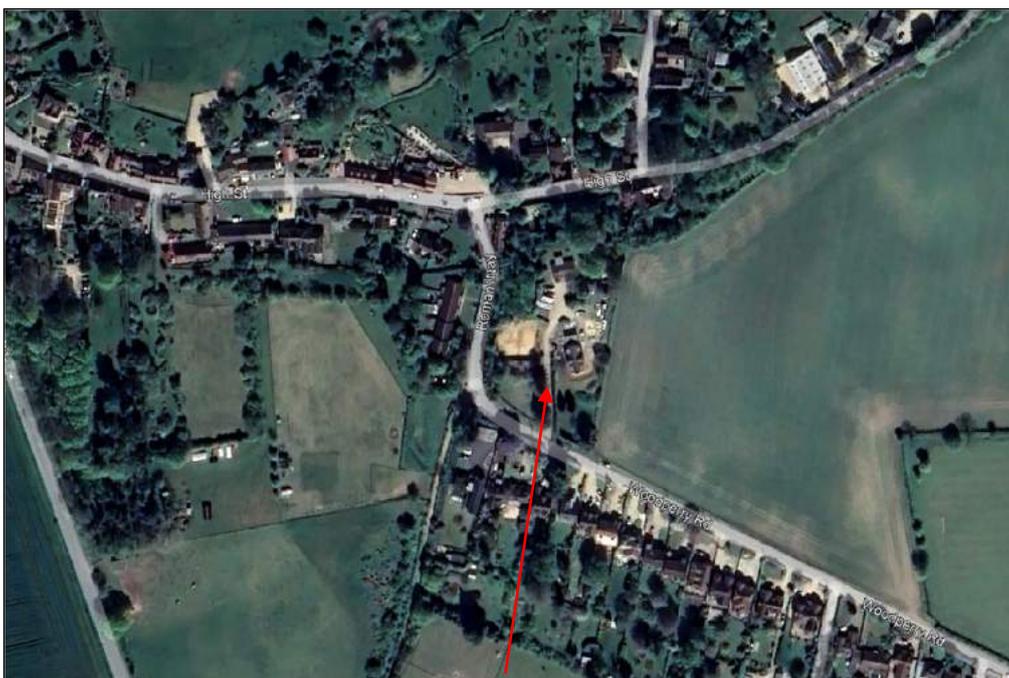
Having reviewed the NP we are concerned that the proposed settlement boundary is not supported by appropriate evidence, and therefore does not meet the first Basic Condition.

The NP sets out the basis upon which the settlement boundary has been defined around Woodperry Road at page 33. The considerations and evidence which informed the working group’s decision on the position of the boundary are noted. However, we consider that the rationale set out indicates that Sandy Acre should be included as part of the built settlement, not excluded from it. Reference to the Sandy Acre site is also considered misleading as it ignores the development of two dwellings permitted and being undertaken on the land.

The map included in the NP at Figure 5.1.8 showing Woodperry Road, is out of date as it does not show the two new homes permitted and under construction at Sandy Acre. Consequently, it gives a misleading impression of the property as a largely undeveloped site, similar to the open agricultural field to its east. This impression is compounded in the NP text at page 35 which states there is only one house on the plot. This is factually incorrect, there are two dwellings on the site as planning permission P20/S4112/FUL is being implemented. For the Inspector’s convenience a copy of the approved site plan for the permission is included as **Attachment 2**.

The site is clearly developed and of the same character as the surrounding residential land to the north, south, and west which is included in the settlement boundary. It is distinct in character, and physically enclosed from, the open countryside to the east. The Inspector will note the eastern boundary of Sandy Acre is a continuation of the field boundary which encloses Yellowhammer Cottage to the north. Yellowhammer Cottage is included in the settlement boundary.

For ease of reference we provide an aerial photograph from April 2022 which better shows Sandy Acre in context below. By any reasonable assessment the property can be seen as contiguous to, and characteristic with, the core of the village and so part of the settlement rather than outlying countryside.



Sandy Acre

Turning to the rationale for definition of the settlement boundary, the NP at page 33 explains the basis upon which development to the southern side of Woodperry Road has been included in the settlement boundary. These can be summarised as follows:

- The south side of Woodperry Road is built up and continuous with the Conservation Area (i.e. historic core) of Beckley
- It has consistently been held by South Oxfordshire District Council Planning Officers that it is within the settlement (confirmed by SODC letter provided as NP Appendix 17)

The factors which have seen dwellings to the south side of Woodperry Road included within the settlement boundary indicate that Sandy Acre should also be included. It is a basic requirement that the factors used in defining the site boundary are applied consistently. Principles of public law also require decisions to be made with rationality and fairness.

As shown in the above aerial photograph and the property is 'built up' and continuous with the Conservation Area. The property has also been held as lying within the settlement by SODC Planning Officers in all previous planning applications. In determining planning application P20/S4112/FUL the officer stated: *"In my view the site is on the edge of the village, of that there can be no question as can be seen by the open field to the east, but on the ground and in aerial view the site feels contained. In my view, given that the properties to the south and extending westward along Woodperry Road have been established to be within the settlement, I conclude that this site is in the village"* (para. 6.7).

In view of these factors, based on the considerations applied by the working group, the settlement boundary should include Sandy Acre.

The NP proceeds at page 35 to set out reasons land north of Woodperry Road, namely:

- There are gaps in the High Street with the village pond; Roman Way where there is only one house on the east side and significant gaps of fields between the few buildings on the north side of Woodperry Road
- There are only three areas of building on the north side of the Woodperry Road – Sandy Acre, the village hall and a pair of semi-detached houses. All are interspersed and surrounded by Green Belt fields
- The western end of Woodperry Road is elevated high above the Conservation Area of Beckley village and dominates Roman Way and the High Street in particular, and overlooks nearby properties

Noting these factors it is not considered unreasonable that land east of Sandy Acre (i.e. the open field and beyond) is placed outside the field boundary. However none of them offers a reasonable basis for Sandy Acre's exclusion.

Firstly, noting the gaps identified in the High Street (village pond) this has a limited bearing on the setting of Sandy Acre which does not adjoin High Street. Furthermore, dwellings east of the village pond (Old Chapel, Yellowhammer Cottage) are included in the settlement boundary. From this it can be taken the pond does not dictate the settlement boundary.

Secondly, the NP is incorrect in stating that all buildings north of Woodperry Road are 'surrounded by green fields'. This is broadly true of the village hall and the dwellings to the east (1 and 2 Upper Park), it is though wholly untrue of Sandy Acre which is

surrounded by dwellings on three sides with countryside only to the east. This inaccurate description is not considered contrary to the requirement that NP policies are informed by 'appropriate evidence', and thus does not satisfy the basic conditions. The logical position for the settlement boundary is the boundary with the open countryside (as has been done for dwellings north of Sandy Acre) which is the eastern boundary of Sandy Acre.

Thirdly, the observation that the western end of Woodperry Road (i.e. the plot Sandy Acre) is elevated above and the resulting relationship with properties in the High Street (dominating and overlooking) is indicative of a perception that the site is developed. Consequently, this is a further factor which directs Sandy Acre is part of the developed settlement not undeveloped countryside.

In summary, all available evidence indicates that Sandy Acre's situation and character directs that the land should be included within the settlement boundary defined in the NP. The NP commentary upon the basis of the settlement boundary's definition also indicates that Sandy Acre should be included within it. It is a basic principle that the factors used in defining the boundary must be applied consistently. As the settlement boundary (and associated policies VB1 and VB2) are not informed by appropriate evidence, as required by Practice Guidance, the Basic Condition to have regard to national policies and advice contained in guidance issued by the Secretary of State.

Our clients are keen to work positively with the NP, therefore we provide an aerial photograph at **Attachment 3** with suggested revision to the settlement boundary. We believe modification of the NP with this revised boundary would address the issues outlined above regarding compliance with the Basic Conditions.

Purpose of settlement boundary

As noted above, Practice Guidance requires NP policies to be precise. We believe clarification is needed as to the purpose of the settlement boundary. It is unclear whether its principal purpose is to direct where new dwellings will be permitted (in line with South Oxfordshire Local Plan 2035 housing policies H8 and H16) or to control development in the Green Belt more broadly.

Julian Wood v SoS and Gravesham Borough Council [2015] sets out that the term "in villages" for the purposes of Green Belt policy under the NPPF (para.149) is not necessarily the same as a settlement boundary defined for the purposes of housing policy. In Wood the court found that a village boundary as designated in the development plan was not determinative on the question of whether a development was "infilling in a village" as allowed by the NPPF. Instead, there is a need to consider the facts on the ground at each application. Noting this judgement it would not seem correct for a boundary defined in the Neighbourhood Plan to determine whether a development was or was not inappropriate in the Green Belt.

If the settlement boundary is defined for purposes of considering the appropriateness of development in the Green Belt (NPPF para. 149) then this must be clear in the NP. Additional explanation would also be required to make clear what appropriate evidence has informed the decision to define the settlement boundary for the purposes of housing policy, and what has for Green Belt policy.

Policy VB2 which relates to 'residential development outside the settlement boundary' requires refinement. It is understood the policy is intended to control the erection of new dwellings outside the settlement boundary rather than all residential development (extensions, outbuildings) but this is not clear. Without precision the policy does not meet the Basic Condition of adherence to Practice Guidance.

We trust these comments are of assistance to you and would be pleased to discuss further or elaborate on any matter raised. Our clients are keen to contribute to the Neighbourhood Plan and so wish to be notified of any further consultation.

Yours faithfully,

[Redacted signature]

[Redacted name]

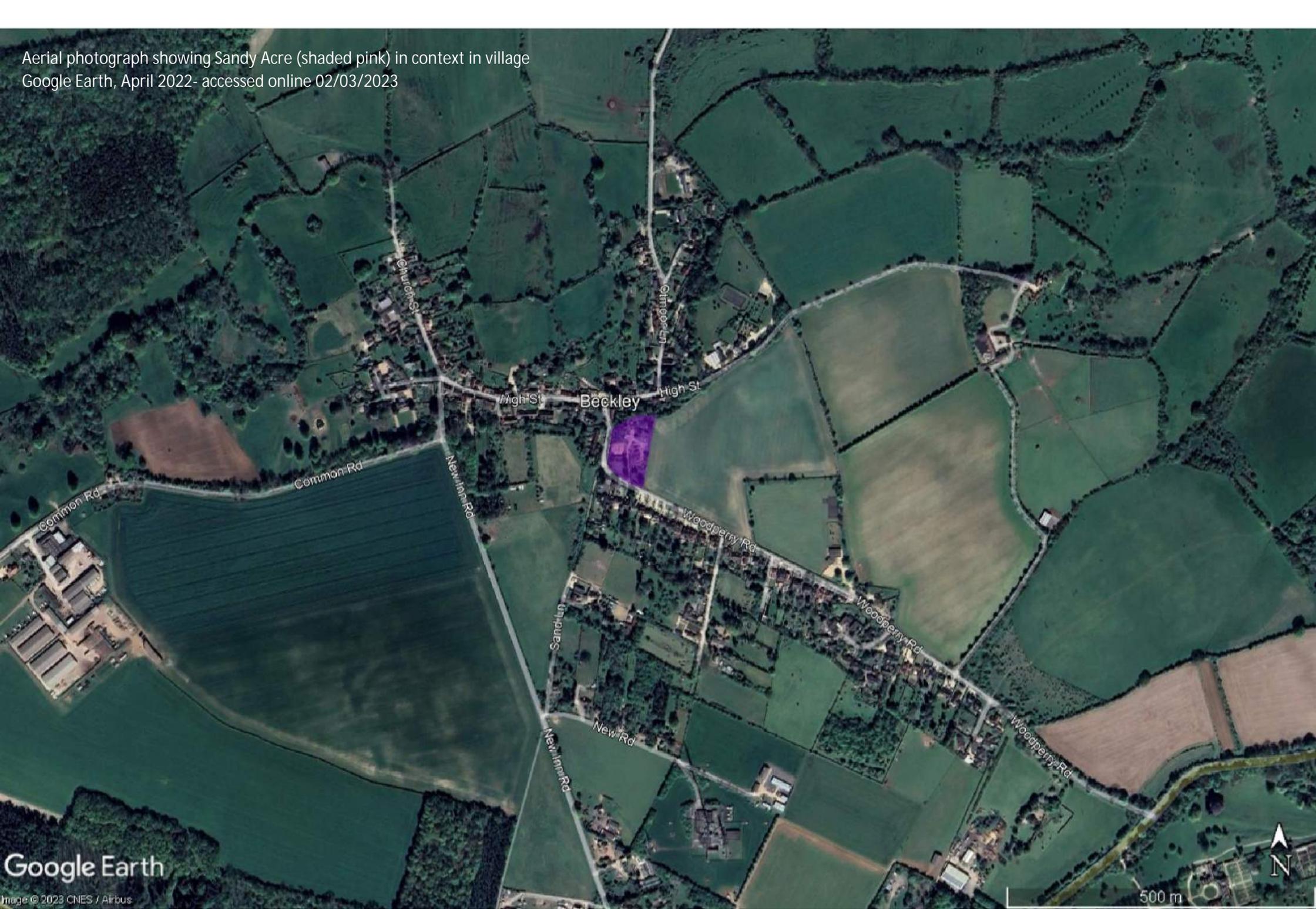
Associate

email: [Redacted]@jppc.co.uk
direct dial: 01865 322358

ATTACHMENT 1

Aerial photograph showing position of Sandy Acre in village

Aerial photograph showing Sandy Acre (shaded pink) in context in village
Google Earth, April 2022- accessed online 02/03/2023

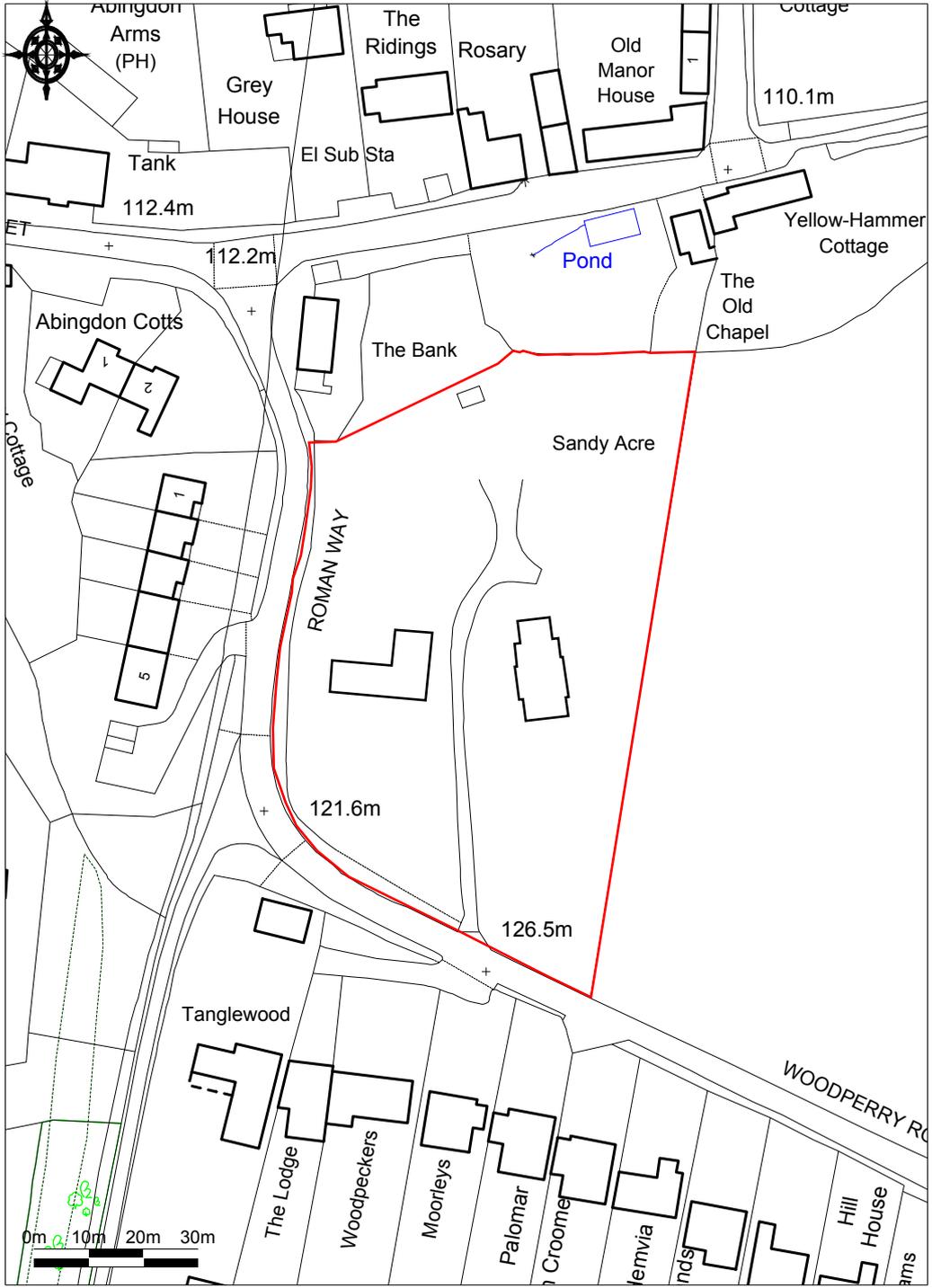


Aerial photograph showing Sandy Acre (shaded pink) in context with near neighbours
Google Earth, April 2022- accessed online 02/03/2023



ATTACHMENT 2

Plans showing new dwellings approved by P20/S4112/FUL and under construction at Sandy Acre



Ordnance Survey © Crown Copyright 2018. All rights reserved.
 Licence number 10002432. Plotted Scale - 1:1250



Proposed Site Plan 1:200



7 PHILCOTE STREET
DEDDINGTON
OX15 0TB

mail.com

PROJECT:

Sandy Acres, Woodperry Road, Beckley, OX3 9UY

Job no: 1080-1S Scale: as shown @ A1P

Tanglewood
133.82 Ridge
133.80 Ridge
134.55 Chimney
131.51 Gutter
134.44 Ridge
131.44 Roof

The Lodge
129.09 Fascia
133.43 Ridge

Wood Peckings
133.45 Ridge
133.42 Ridge

Moorleys
129.39 Fascia
129.41 Fascia
129.81 Fascia
130.18 Fascia
132.64 Fascia

Palomar
130.11 Fascia
134.97 Ridge
135.46 Ridge
135.49 Ridge

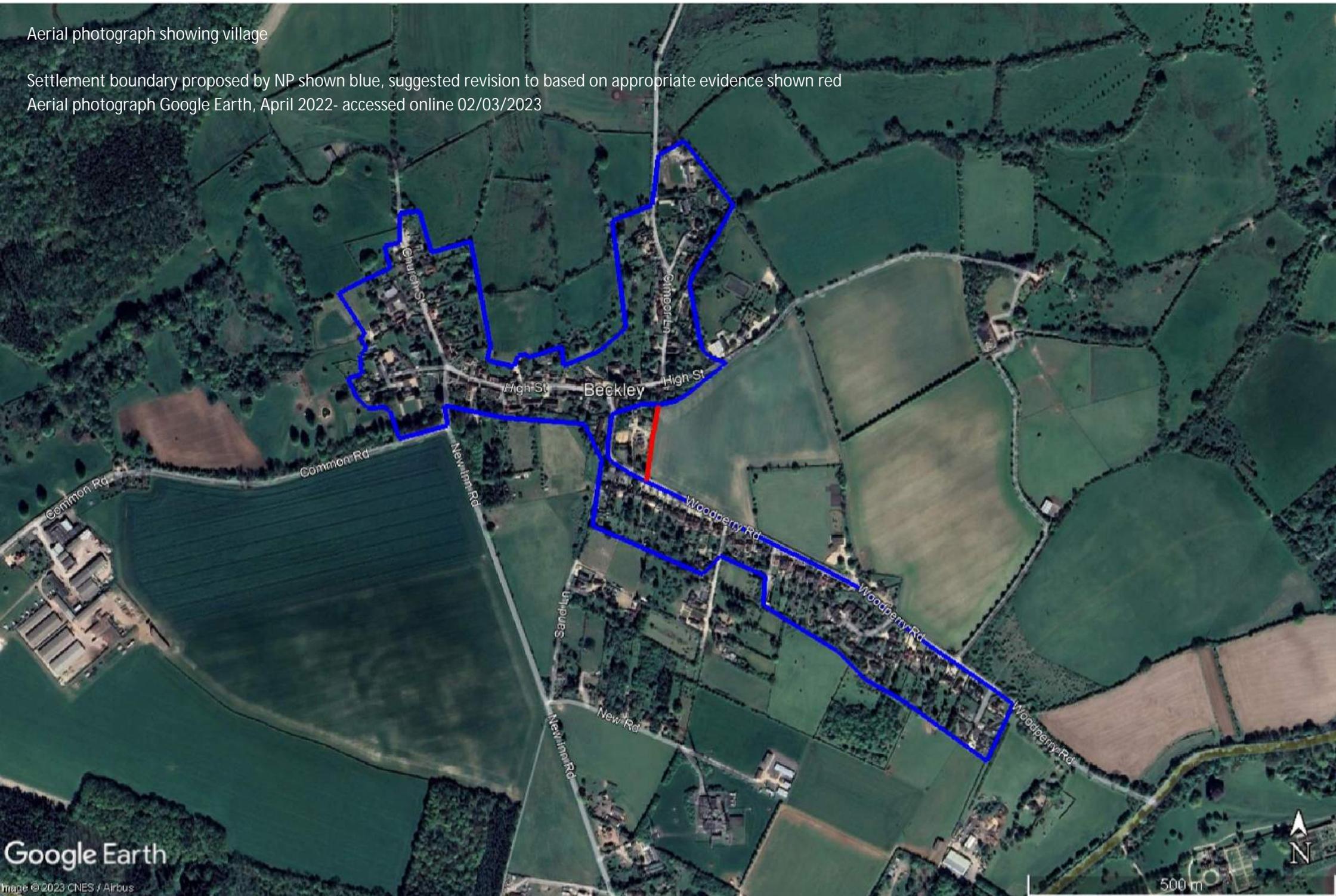
ATTACHMENT 3

Aerial photographs indicating settlement boundary

Aerial photograph showing village

Settlement boundary proposed by NP shown blue, suggested revision to based on appropriate evidence shown red

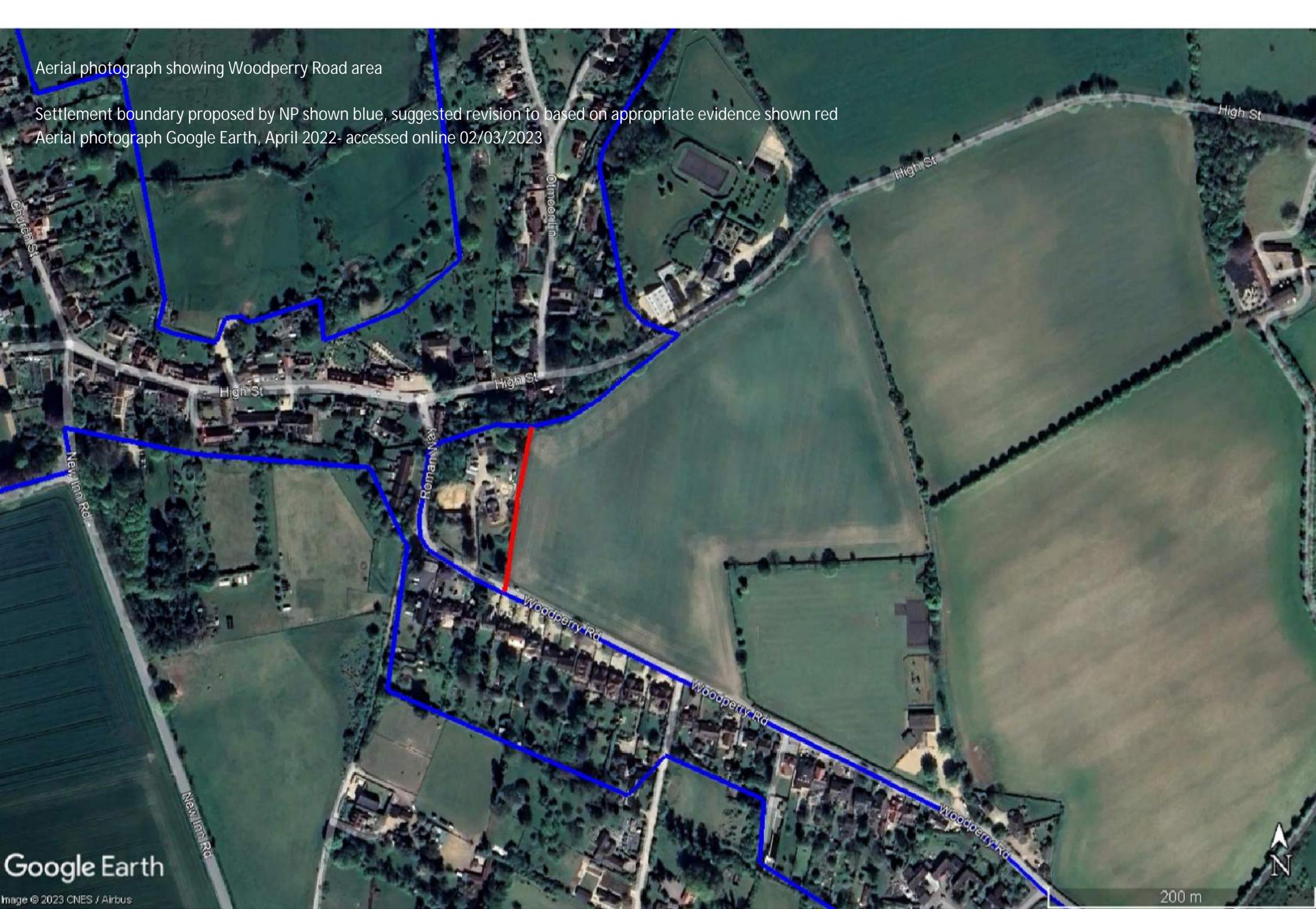
Aerial photograph Google Earth, April 2022- accessed online 02/03/2023



Aerial photograph showing Woodperry Road area

Settlement boundary proposed by NP shown blue, suggested revision to based on appropriate evidence shown red

Aerial photograph Google Earth, April 2022- accessed online 02/03/2023



Response 8

Respondent Details

[REDACTED]	
[REDACTED]	[REDACTED]

Q1. Are you completing this form as an:
Organisation

Your comments

<p>Q2. You can provide your comments on the Beckley and Stowood Neighbourhood Plan below. When commenting, you should bear in mind that the examiner will mainly assess the plan against the 'basic conditions', which are set out in the Basic Conditions Statement. If you are commenting on a specific section or a supporting document, please make this clear. After this publicity period consultation, the opportunity for further comments will be only at the request of the examiner. If you wish to provide evidence and any supporting documents to support or justify your comments, there is a facility to upload your documents below.</p>
<p>Response received via email. Please see attachment</p>

Q3. You can upload supporting evidence here.
<ul style="list-style-type: none">File: 230302~1.PDF - [REDACTED]

Your details and future contact preferences

Q8. After the publicity period ends, your response will be sent to an independent examiner to consider. As the neighbourhood planning process includes an independent examination of the plan, your name, postal address and email (where applicable) are required for your comments to be considered by the examiner. The opportunity for further comments at this stage would only be at the specific request of the examiner. All personal data will be held securely by the council and examiner in line with the Data Protection Act 2018. Comments submitted by individuals will be published on our website alongside their name. No other contact details will be published. Comments submitted by businesses, organisations or agents will be published in full, excluding identifying information of any individual employees. Further information on how we store personal data is provided in our privacy statement.

Title	-
Name	██████████
Job title (if relevant)	Property Town Planner
Organisation (if relevant)	Thames Water
Organisation representing (if relevant)	-
Address line 1	1st Floor West
Address line 2	Clearwater Court
Address line 3	Vastern Road
Postal town	Reading
Postcode	RG1 8DB
Telephone number	██████████
Email address	██████████@thameswater.co.uk



E: [REDACTED]@thamewater.co.uk
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South and Vale Councils
Issued via email:
planning.policy@southandvale.gov.uk

1st Floor West
Clearwater Court
Vastern Road
Reading
RG1 8DB

02 March 2023

South Oxfordshire –Beckley and Stowood Neighbourhood Plan Submission Version

Dear Sir/Madam,

Thank you for allowing Thames Water Utilities Ltd (Thames Water) to comment upon the above.

As you will be aware, Thames Water are the statutory water supply and sewerage undertaker for the South and Vale area and are hence a “**specific consultation body**” in accordance with the Town & Country Planning (Local Planning) Regulations 2012.

We have the following comments on the consultation in relation to our water supply and sewerage undertakings:

Policy DS3. Flood Management - Water and Wastewater Infrastructure Comments

Policy DS3.1 part 2 is supported in principle, but should be improved and a policy needs to cover both water supply and wastewater.

A key sustainability objective for the preparation of Local Plans and Neighbourhood Plans should be for new development to be co-ordinated with the infrastructure it demands and to take into account the capacity of existing infrastructure. Paragraph 20 of the revised National Planning Policy Framework (NPPF), 2021, states: “*Strategic policies should set out an overall strategy for the pattern, scale and quality of development, and make sufficient provision for... infrastructure for waste management, water supply, wastewater...*”

Paragraph 11 states: “*Plans and decisions should apply a presumption in favour of sustainable development. For plan-making this means that:*

a) all plans should promote a sustainable pattern of development that seeks to: meet the development needs of their area; align growth and infrastructure; improve the environment; mitigate climate change (including by making effective use of land in urban areas) and adapt to its effects”

Paragraph 28 relates to non-strategic policies and states: “*Non-strategic policies should be used by local planning authorities and communities to set out more detailed policies for specific areas, neighbourhoods or types of development. This can include allocating sites, the provision of infrastructure...*”

Paragraph 26 of the revised NPPF goes on to state: “*Effective and on-going joint working between strategic policy-making authorities and relevant bodies is integral to the production of a positively prepared and justified strategy. In particular, joint working should help to determine where additional infrastructure is necessary....*”

The web based National Planning Practice Guidance (NPPG) includes a section on ‘water supply, wastewater and water quality’ and sets out that Local Plans should be the focus for ensuring that investment plans of water and sewerage/wastewater companies align with development needs. The introduction to this section also sets out that “*Adequate water and wastewater infrastructure is needed to support sustainable development*” (Paragraph: 001, Reference ID: 34-001-20140306).

Thames Water therefore recommends that developers engage with them at the earliest opportunity (in line with paragraph 26 of the revised NPPF) to establish the following:

- The developments demand for water supply infrastructure;
- The developments demand for Sewage/Wastewater Treatment and network infrastructure both on and off site and can it be met; and
- The surface water drainage requirements and flood risk of the development both on and off site and can it be met.

Thames Water offer a free Pre-Planning service which confirms if capacity exists to serve the development or if upgrades are required for potable water, waste water and surface water requirements. Details on Thames Water’s free pre planning service are available at: <https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Water-and-wastewater-capacity>

In light of the above comments and Government guidance we agree that the Neighbourhood Plan should include a specific reference to the key issue of the provision of wastewater/sewerage and water supply infrastructure to service development proposed in a policy. This is necessary because it will not be possible to identify all of the water/sewerage infrastructure required over the plan period due to the way water companies are regulated and plan in 5 year periods (Asset Management Plans or AMPs). We recommend that the Neighbourhood Plan include the following policy/supporting text:

“Where appropriate, planning permission for developments which result in the need for off-site upgrades, will be subject to conditions to ensure the occupation is aligned with the delivery of necessary infrastructure upgrades.”

“The Local Planning Authority will seek to ensure that there is adequate water and wastewater infrastructure to serve all new developments. Developers are encouraged to contact the water/waste water company as early as possible to discuss their development proposals and intended delivery programme to assist with identifying any potential water and wastewater network reinforcement requirements. Where there is a capacity constraint the Local Planning Authority will, where appropriate, apply phasing conditions to any approval to ensure that any necessary infrastructure upgrades are delivered ahead of the occupation of the relevant phase of development.”

Water Efficiency/Sustainable Design

The Environment Agency has designated the Thames Water region to be “seriously water stressed” which reflects the extent to which available water resources are used. Future pressures on water resources will continue to increase and key factors are population growth and climate change.

Water conservation and climate change is a vitally important issue to the water industry. Not only is it expected to have an impact on the availability of raw water for treatment but also the demand from customers for potable (drinking) water. Therefore, Thames Water support the mains water consumption target of 110 litres per head per day (105 litres per head per day plus an allowance of 5 litres per head per day for gardens) as set out in the NPPG (Paragraph: 014 Reference ID: 56-014-20150327) and support the inclusion of this requirement in the Policy.

Thames Water promote water efficiency and have a number of water efficiency campaigns which aim to encourage their customers to save water at local levels. Further details are available on the our website via the following link:
<https://www.thameswater.co.uk/Be-water-smart>

It is our understanding that the water efficiency standards of 105 litres per person per day is only applied through the building regulations where there is a planning condition requiring this standard (as set out at paragraph 2.8 of Part G2 of the Building Regulations). As the Thames Water area is defined as water stressed it is considered that such a condition should be attached as standard to all planning approvals for new residential development in order to help ensure that the standard is effectively delivered through the building regulations.

Within Part G of Building Regulations, the 110 litres/person/day level can be achieved through either the ‘Calculation Method’ or the ‘Fittings Approach’ (Table 2.2). The Fittings Approach provides clear flow-rate and volume performance metrics for each water using device / fitting in new dwellings. Thames Water considers the Fittings Approach, as outlined in Table 2.2 of Part G, increases the confidence that water efficient devices will be installed in the new dwelling. Insight from our smart water metering programme shows that household built to the 110 litres/person/day level using the Calculation Method, did not achieve the intended water performance levels.

Proposed policy text:

“Development must be designed to be water efficient and reduce water consumption. Refurbishments and other non-domestic development will be expected to meet BREEAM water-efficiency credits. Residential development must not exceed a maximum water use of 105 litres per head per day (excluding the allowance of up to 5 litres for external water consumption) using the ‘Fittings Approach’ in Table 2.2 of Part G of Building Regulations. Planning conditions will be applied to new residential development to ensure that the water efficiency standards are met.”

Comments in Relation to Flood Risk and Sustainable Drainage Systems

The National Planning Practice Guidance (NPPG) states that a sequential approach should be used by local planning authorities in areas known to be at risk from forms of flooding other than from river and sea, which includes "Flooding from Sewers".

Flood risk sustainability objectives and policies should also make reference to ‘sewer flooding’ and an acceptance that flooding can occur away from the flood plain as a result of

development where off site sewerage infrastructure and capacity is not in place ahead of development.

With regard to surface water drainage it is the responsibility of the developer to make proper provision for drainage to ground, watercourses or surface water sewer. It is important to reduce the quantity of surface water entering the sewerage system in order to maximise the capacity for foul sewage to reduce the risk of sewer flooding.

Limiting the opportunity for surface water entering the foul and combined sewer networks is of critical importance to Thames Water. Thames Water have advocated an approach to SuDS that limits as far as possible the volume of and rate at which surface water enters the public sewer system. By doing this, SuDS have the potential to play an important role in helping to ensure the sewerage network has the capacity to cater for population growth and the effects of climate change.

SuDS not only help to mitigate flooding, they can also help to: improve water quality; provide opportunities for water efficiency; provide enhanced landscape and visual features; support wildlife; and provide amenity and recreational benefits.

With regard to surface water drainage, Thames Water request that the following paragraph should be included in the Neighbourhood Plan "***It is the responsibility of a developer to make proper provision for surface water drainage to ground, water courses or surface water sewer. It must not be allowed to drain to the foul sewer, as this is the major contributor to sewer flooding.***"

Site Allocations

There are no new site allocations for us to comment upon. The level of information contained in the draft Neighbourhood Plan does not enable Thames Water to make an assessment of the impact the proposed development will have on the waste water/sewerage network infrastructure and sewage treatment works. To enable us to provide more specific comments we require details of the type and scale of development together with the anticipated phasing.

We recommend Developers contact Thames Water to discuss their development proposals by using our pre app service via the following link: <https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Water-and-wastewater-capacity>

It should be noted that in the event of an upgrade to our sewerage network assets being required, up to three years lead in time is usual to enable for the planning and delivery of the upgrade. As a developer has the automatic right to connect to our sewer network under the Water Industry Act we may also request a drainage planning condition if a network upgrade is required to ensure the infrastructure is in place ahead of occupation of the development. This will avoid adverse environmental impacts such as sewer flooding and / or water pollution.

We recommend developers attach the information we provide to their planning applications so that the Council and the wider public are assured wastewater and water supply matters for the development are being addressed.

We trust the above is satisfactory, but please do not hesitate to contact [REDACTED] on the above number if you have any queries.

Yours faithfully,

A large black rectangular redaction box covering the signature area.


Thames Water Property Town Planner

Response 9

Respondent Details

[REDACTED]	
[REDACTED]	[REDACTED]

Q1. Are you completing this form as an:

Agent

Your comments

Q2. You can provide your comments on the Beckley and Stowood Neighbourhood Plan below. When commenting, you should bear in mind that the examiner will mainly assess the plan against the 'basic conditions', which are set out in the Basic Conditions Statement. If you are commenting on a specific section or a supporting document, please make this clear. After this publicity period consultation, the opportunity for further comments will be only at the request of the examiner. If you wish to provide evidence and any supporting documents to support or justify your comments, there is a facility to upload your documents below.

Response received via email. Please see below and attachments

Pegasus Group have been instructed by our clients Dorchester Residential Management Group and Christ Church Oxford to submit representations to the Reg 16 Beckley and Stowood Neighbourhood Plan consultation.

We have a significant number of objections and comments please see the completed Comment Form.

We consider that the NP does not meet the basic conditions, it does not have sufficient regard to national or local policy. As currently drafted with 19 policies, supposedly included to mitigate the development of the allocated site a LNBB, the NP is not considered to be in general conformity. It is obvious from the start of the documentation that the authors of the NP object to the allocation of LNBB, and instead of supporting the allocation, the NP includes an unnecessary amount of detail which seeks to undermine the delivery of the LNBB. Many of the points raised are in principle already covered by the policies in the adopted Local Plan and the validation requirements for the preparation of a planning application.

We request that the examiner for the Neighbourhood Plan holds a public hearing and attach Counsel's legal opinion on this matter.

I would be appreciate it if you could acknowledge receipt of this email and our representations.

Q3. You can upload supporting evidence here.

- File: 202203~1.PDF - [REDACTED]
- File: BECKLE~1.PDF [REDACTED]
- File: FURTHER~1.PDF [REDACTED]

Public examination

Q6. Most neighbourhood plans are examined without the need for a public hearing. If you think the neighbourhood plan requires a public hearing, you can state this below, but the examiner will make the final decision. Please indicate below whether you think there should be a public hearing on the Beckley and Stowood Neighbourhood Plan:

Yes, I request a public examination

Public examination

Q7. Please state your specific reasons for requesting a public hearing below:

Please refer to attachments.

Your details and future contact preferences

Q8. After the publicity period ends, your response will be sent to an independent examiner to consider. As the neighbourhood planning process includes an independent examination of the plan, your name, postal address and email (where applicable) are required for your comments to be considered by the examiner. The opportunity for further comments at this stage would only be at the specific request of the examiner. All personal data will be held securely by the council and examiner in line with the Data Protection Act 2018. Comments submitted by individuals will be published on our website alongside their name. No other contact details will be published. Comments submitted by businesses, organisations or agents will be published in full, excluding identifying information of any individual employees. Further information on how we store personal data is provided in our privacy statement.

Title	-
Name	[REDACTED]
Job title (if relevant)	Executive Director
Organisation (if relevant)	Pegasus Group
Organisation representing (if relevant)	Dorchester Residential Management Group and Christ Church Oxford
Address line 1	Querns Business Centre
Address line 2	Whitworth Road
Address line 3	-
Postal town	Cirencester
Postcode	GL7 1RT
Telephone number	[REDACTED]
Email address	[REDACTED]@pegasusgroup.co.uk

Would you like to be notified of South Oxfordshire District Council's decision to 'make' (formally adopt) the plan?

[REDACTED]

SHF/P19-0856

2nd March 2023

Planning Policy,
South Oxfordshire District Council
Freepost SOUTH AND VALE CONSULTATIONS

By email only planning.policy@southandvale.gov.uk

Dear Sir

Beckley And Stowood Neighbourhood Plan – Submission Version Regulation 16 Public Consultation December 2022

Pegasus Group have been instructed by our clients Dorchester Residential Management Group and Christ Church Oxford to submit representations to the Reg 16 Beckley and Stowood Neighbourhood Plan consultation.

We have a significant number of objections and comments please see the completed Comment Form.

We consider that the NP does not meet the basic conditions, it does not have sufficient regard to national or local policy. As currently drafted with 19 policies, supposedly included to mitigate the development of the allocated site a LNBB, the NP is not considered to be in general conformity. It is obvious from the start of the documentation that the authors of the NP object to the allocation of LNBB, and instead of supporting the allocation, the NP includes an unnecessary amount of detail which seeks to undermine the delivery of the LNBB. Many of the points raised are in principle already covered by the policies in the adopted Local Plan and the validation requirements for the preparation of a planning application.

We request that the examiner for the Neighbourhood Plan holds a public hearing and attach Counsel's legal opinion on this matter.

Yours faithfully

Executive Director

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Pegasus Group is a trading name of Pegasus Planning Group Limited (07277000) registered in England and Wales
Registered Office: Pegasus House, Querns Business Centre, Whitworth Road, Cirencester, Gloucestershire GL7 1RT

Expertly Done.

DESIGN | ECONOMICS | ENVIRONMENT | HERITAGE | LAND & PROPERTY | PLANNING | TRANSPORT & INFRASTRUCTURE



Enc.

Cc



Dorchester Residential Management Group
Christ Church Oxford
South Oxfordshire District Council
Oxfordshire County Council Hughes, [redacted] [@Oxfordshire.gov.uk](mailto:[redacted]@Oxfordshire.gov.uk)
Clerk, Beckley and Stowood Parish Council [@beckley-and-stowood-pc.gov.uk](mailto:[redacted]@beckley-and-stowood-pc.gov.uk)
SODC Councillor Forest Hill and Holton [redacted] [@southoxon.gov.uk](mailto:[redacted]@southoxon.gov.uk)
OCC Councillor [redacted] Sandhills and Rissinghurst
[redacted] [@oxfordshire.gov.uk](mailto:[redacted]@oxfordshire.gov.uk)
SODC Neighbourhood Planning Team [redacted] [@southandvale.gov.uk](mailto:[redacted]@southandvale.gov.uk)

RE: BECKLEY AND STOWOOD NEIGHBOURHOOD PLAN

NOTE ADVISING

1. I would refer to my previous advices in this matter on diverse dates, most particularly in consultation with those instructing me on 23rd February 2023. During which I provided my advice upon the draft Beckley and Stowood Neighbourhood Plan Submission Plan. The PPG¹ usefully summarises the stage which has been reached in the process:
“Where the draft neighbourhood plan or Order submitted to a local planning authority meets the requirements in the legislation, the local planning authority must publicise the neighbourhood plan or Order for a minimum of 6 weeks, invite representations, notify any consultation body referred to in the consultation statement and send the draft neighbourhood plan or Order to independent examination (see regulations 16, 17, 23 and 24 of the Neighbourhood Planning (General) Regulations 2012 (as amended).”
2. That period of 6 weeks ends on 2nd March 2023. Those instructing me have drafted representations in respect of those parts of the draft Neighbourhood Plan (dNP) which purports to control development management issues relating to an allocation within the South Oxfordshire Local Plan, known as STRAT 13, Land North of Bayswater Brook, which is the subject of an undetermined large scale planning application together with further associated planning applications and a Listed Building Consent application.
3. I have been asked to embody the advice I provided in consultation in the form of a note.

¹ Paragraph: 054 Reference ID: 41-054-20140306

4. Section 6 of the dNP is over 40 pages long and seeks to revisit the policy context for the consideration of any planning applications submitted within the area of STRAT13, it professes to comprise “mitigation policies”. The preamble to section 6 makes it very clear that the authors of the document profoundly disagree with the site ever having been allocated in the first place:

“The ‘Land North of Bayswater Brook’ (LnBB) is one of the newer strategic development sites in the Green Belt around Oxford. Six of the seven strategic sites in the SODC Local Plan 2035 were within the Oxford Green Belt, three of which are around Oxford. Their inclusion is not in compliance with the strengthening of Government regulations for protecting the Green Belt and in the planning white paper”.

The dNP then spends the next 40 pages setting out an array of detailed issues that the authors consider need to be revisited most of which includes proposing further policy constraints on the manner in which development of STRAT13 will be delivered. Policy approaches are taken in an array of areas which include the following:

- *The Green Belt and Loss of Important Landscape and Countryside*
- *Compensatory Improvements for The Green Belt*
- *Transport Infrastructure*
- *Financial Viability of Land North of Bayswater Brook*
- *Current Road Congestion Around LnBB and Commuting Patterns*
- *Impact of Connecting Oxford and Oxford City Bus Gates 90*
- *Car Ownership & Low Car Schemes*
- *Concerns about the ‘Link Road’*
- *Protection of the SSSI - Sydlings Copse and College Pond”*

5. The dNP policies include areas which plainly seek to constraint the manner in which the development of STRAT13 can be brought forwards, for example:

- (i) 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;
- (ii) 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;
- (iii) Policy PC1
 - Detailed treatment of footpaths and bridleways but with signal-controlled crossings wherever they cross roads;
- (iv) Policy LR1, SSSI2
 - Meeting NICE guidelines in respect of road design;
 - Nil effect of air pollution from road traffic upon the SSSI (also HAP1)
- (v) 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’
- (vi) 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.
- (vii) Policy LV2
 - A requirement to ensure no overlooking of existing properties & to protect private views of those properties ‘as far as possible’;
- (viii) Policy LV4
 - A requirement for all ‘edges’ of housing areas to be of a low density;
- (ix) Policy HAP2
 - A requirement to ‘reduce’ indoor air pollution. Whilst it is not specified it is presumed to relate to future houses, though it is not at all clear against what base such a reduction might be measured;

6. Other policies replicate requirements of policy elsewhere, for example:

- (i) Policy TA1
 - The requirement for a travel plan and transportation assessment
- (ii) CM1
 - The requirement for construction management plans – but prescribing in detail what should be within them;

- (iii) B1
 - The requirement for integrated public transport
- (iv) LV3
 - A requirement to introduce landscaping in association with any link road and promote drainage by SUDS;

The text of chapter 6 of the dNP however makes it clear beyond doubt that the intention is to impose constraints upon the delivery of housing under policy STRAT13 beyond that which is imposed in the adopted local plan. For example, the text which precedes policy GB1 robustly criticises the consideration of the adopted local plan for not requiring compensatory provision for the exclusion of land from the green belt, and the extensive planting sought by policy GB1 appears to be an attempt to make good that deficit.

7. National Planning Policy Guidance in PPG makes it clear that it is not the purpose of a neighbourhood plan to constrain the delivery of strategic allocations:

*“The resulting draft neighbourhood plan must meet the basic conditions if it is to proceed. National planning policy states that it should support the strategic development needs set out in strategic policies for the area, plan positively to support local development and should not promote less development than set out in the strategic policies (see paragraph 13 and paragraph 29 of the National Planning Policy Framework). **Nor should it be used to constrain the delivery of a strategic site allocated for development in the local plan or spatial development strategy.**²”* (emphasis added)
8. Paragraph 36 of the same chapter of the PPG makes it clear that the role of the neighbourhood plan is to support and not undermine the delivery of strategic allocations:

“A neighbourhood plan must be in general conformity with, and plan positively to support, the strategic policies of the development plan.”

The same theme is set out at the outset of paragraph 4 of the same chapter of PPG:

*“A **neighbourhood plan should support the delivery of strategic policies set out in the local plan** or spatial development strategy and should **shape and direct***

² Paragraph: 044 Reference ID: 41-044-20190509

development that is outside of those strategic policies (as outlined in paragraph 13 of the revised National Planning Policy Framework).” (Emphasis added)

9. NPPF provides at paragraph 29:

“Neighbourhood plans should not promote less development than set out in the strategic policies for the area, or undermine those strategic policies³”

10. Whilst a local plan is examined for the soundness of its policies, a neighbourhood plan undertakes a lighter-touch examination and is assessed in a more broad-brush fashion⁴. It is only a draft neighbourhood plan which meets each of a set of basic conditions that can be put to a referendum and be made. The basic conditions are set out in paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990 as applied to neighbourhood plans by section 38A of the Planning and Compulsory Purchase Act 2004. The relevant basic conditions are:

a. having regard to national policies and advice contained in guidance issued by the Secretary of State is it appropriate to make the neighbourhood plan.

d. does the making of the neighbourhood plan contribute to the achievement of sustainable development.

e. is the making of the neighbourhood plan in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area).

11. Fundamental to the basic conditions is the requirement to be in general conformity with the policies of the development plan. Guidance is given in the PPG on what is meant by ‘general conformity’⁵:

“When considering whether a policy is in general conformity a qualifying body, independent examiner, or local planning authority, should consider the following:

³ Defined in the glossary to NPPF as *“Strategic policies: Policies and site allocations which address strategic priorities in line with the requirements of Section 19 (1B-E) of the Planning and Compulsory Purchase Act 2004.”*

⁴ BDW Trading Ltd (t/a Barratt Homes) v Cheshire West and Chester BC [2014] EWHC 1470 (Admin)

⁵ Paragraph: 074 Reference ID: 41-074-20140306

whether the neighbourhood plan policy or development proposal supports and upholds the general principle that the strategic policy is concerned with

the degree, if any, of conflict between the draft neighbourhood plan policy or development proposal and the strategic policy

whether the draft neighbourhood plan policy or development proposal provides an additional level of detail and/or a distinct local approach to that set out in the strategic policy without undermining that policy

the rationale for the approach taken in the draft neighbourhood plan or Order and the evidence to justify that approach”

12. The court had occasion to consider what is meant by the term ‘in general conformity with’ in *Kebbel Developments v Leeds City Council* [2016] EWHC 2664 (Admin). In that case it was decided that a degree of tension between the NP and the LP did not mean that necessarily it failed this test. In a subsequent case (*Hoare v Vale of White Horse* [2017] JPL 1406), Lang J concluded that the determination of general conformity is a matter of law. However, it did not require that each and every policy or allocation is absolutely in accordance with the LP, but that the NP, when taken as a whole, is in general conformity with the LP.
13. The courts have therefore given the phrase considerable breadth. However, it is not devoid of meaning, and significant tension between the LP and NP can, self-evidently result in this test not being met.
14. A fair reading of the policies and text within chapter 6 of the dNP 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.

15. 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.
16. Whilst some degree of latitude can be afforded to a NP, an overall judgment needs to be formed. In this case – in my view the dNP steps very firmly onto the wrong side of that line.
17. 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.
18. The range of policy requirements taken together set out at paragraph 5 of this note are in my view such as to make the dNP obviously inconsistent with basic requirement (e), and in tension with (a) and (d).
19. Furthermore, the challenge to the making of a dNP is by way of judicial review, to which ordinary administrative law principles apply. One aspect of such a challenge would be whether national policy or guidance has been taken into account as a material consideration (which encompasses whether it has been properly understood). The above extracts from NPPF and PPG makes it clear that

the dNP is not intended to be a means by which the terms of a strategic allocation is to be rewritten with a local's eye; rather the intention is to "support" and not constrain the delivery of strategic policies (including allocations). The terms of this dNP are, with respect the anti-thesis of these objectives.

20. Were the dNP to be 'made' with those objectionable parts of chapter 6 within it then it is highly likely to be quashed by the Courts. More importantly, those parts which seek to 'cut across' STRAT13 should not survive meaningful scrutiny by an examiner, even having regard to the light-touch approach that is to be adopted by neighbourhood plan examiners.
21. It follows that I would advise that robust objection is made by those instructing me to the substantive policy content of chapter 6 of the dNP.
22. I advise. Should anything else arise please do not hesitate to contact me further.

Kings Chambers
Manchester, Birmingham, Leeds


1st March 2023



Comment Form

Beckley and Stowood Neighbourhood Plan - publicity period

Beckley and Stowood Parish Council is working on a neighbourhood plan which has recently been submitted to South Oxfordshire District Council.

Please return this comment form by **11.59pm on Thursday 2 March 2023** to Planning Policy, South Oxfordshire District Council by post to 'Freepost SOUTH AND VALE CONSULTATIONS' (no other address information or stamp is needed) or email planning.policy@southandvale.gov.uk

This form has two parts

Part A – Personal details

Part B – Your comments

Part A

1. Are you completing this form as an: (please tick one box)

- Individual
- Organisation
- Agent

2. As the neighbourhood planning process includes an independent examination of the plan, your name, postal address and email (where applicable) are required for your comments to be considered by the examiner.

Title	[REDACTED]
Name	[REDACTED]
Job title (if relevant)	Executive Director
Organisation (if relevant)	Pegasus Group
Organisation representing (if relevant)	Christ Church and Dorchester Residential Management
Address line 1	Pegasus House,
Address line 2	Pegasus Group,
Address line 3	Querns Business Centre, Whitworth Road,

Postal town	Cirencester, Gloucestershire,
Postcode	GL7 1RT
Telephone number	01285 641717
Email address (where applicable)	██████████@pegasusgroup.co.uk

Part B – Your comments

3. You can provide your comments on the Beckley and Stowood Neighbourhood Plan below. When commenting, you should bear in mind that the examiner will mainly assess the plan against the 'basic conditions', which are set out in the Basic Conditions Statement, one of the supporting documents.

If you are commenting on a specific section or a supporting document, please make this clear.

After this publicity period consultation, the opportunity for further comments will be only at the request of the examiner.

If you wish to provide evidence and any supporting documents to support or justify your comments, please attach these to your response.

Introduction

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 NP should shape and direct development that is outside of those strategic policies (Paragraph 13 of the NPPF) it is within this context that the NP should be prepared.

The subsequent text does refer to correct policies and references to the Core Strategy have now been deleted.

In order to satisfy the basic conditions, the NP should be in general conformity with the strategic policies contained in the development plan for the area, this is explained in the PPG, a qualifying body, independent examiner, or the local planning authority, should consider the following:

- *“whether the neighbourhood plan policy or development proposal supports and upholds the general principle that the strategic policy is concerned with*
- *the degree, if any, of conflict between the draft neighbourhood plan policy or development proposal and the strategic policy*
- *whether the draft neighbourhood plan policy or development proposal provides an additional level of detail and/or a distinct local approach to that set out in the strategic policy without undermining that policy*
- *the rationale for the approach taken in the draft neighbourhood plan or Order and the evidence to justify that approach.”*

Paragraph: 074 Reference ID: 41-074-20140306

The NP 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. The PPG on Neighbourhood Planning is clear that:

“Neighbourhood plans may also contain policies on the contributions expected from development, but these and any other requirements placed on development should accord with relevant strategic policies and not undermine the deliverability of the neighbourhood plan, local plan or spatial development strategy.” Paragraph: 005 Reference ID: 41-005-20190509 (My emphasis)

The PPG Neighbourhood Planning states at Paragraph: 044 Reference ID: 41-044-20190509

“...The resulting draft neighbourhood plan must meet the basic conditions if it is to proceed. National planning policy states that it should support the strategic development needs set out in strategic policies for the area, plan positively to support local development and should not promote less development than set out in the strategic policies (see paragraph 13 and paragraph 29 of the National Planning Policy Framework). Nor should it be used to constrain the delivery of a strategic site allocated for development in the local plan or spatial development strategy.” (my emphasis)

*“A draft neighbourhood plan or Order must be in general conformity with the strategic policies of the development plan in force if it is to meet the **basic condition**. Although a draft neighbourhood plan or Order is not tested against the policies in an emerging local plan the reasoning and evidence informing the local plan process is likely to be relevant to the consideration of the basic conditions against which a neighbourhood plan is tested.”*

Paragraph: 009 Reference ID: 41-009-20190509

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 in particular Section 6 of the NP “*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.

Consequently, an objection is made to the NP, as in our view it fundamentally seeks to undermine the implementation of the adopted Local Plan in respect of Policy STRAT13 LNBB, in doing so it fails to comply with the basic conditions.

It is regrettable that the NP continues to be written in a negative tone towards the strategic allocation when referencing Policy STRAT13 LNBB, it is considered that this unfortunately compromises the integrity of the NP and undermines the delivery of the strategic allocation in the adopted Local Plan. Furthermore, the report of the Reg 14 consultation when responding to the representations that were submitted by Christ Church and Dorchester Residential Management are taken out of context, the submission was a constructive response to the NP reflecting the NPPF, PPG and the adopted SODC LP. It is unfortunate that the NP Consultation Statement/Report states on page 31.

“8. It is not for a developer with financial interests in the Neighbourhood Plan area to dictate how the Neighbourhood Plan is written and try to rewrite it. It is to respond and comment on the policies constructively, nor to make incorrect assumptions about communication with LPAs.

11. Again it is not for a developer to try to rewrite a Neighbourhood Plan for its own financial advantage, but to comment constructively on the policies.”

The NP 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 etc 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. The planning application for LNBB was submitted to SODC in December 2022 and is currently subject to formal consultation by SODC.

For the reasons set out below the NP does not satisfy the Basic Conditions as it is not in general conformity with the adopted Local Plan. (PPG Neighbourhood Planning Basic Conditions ref Paragraph: 065 Reference ID: 41-065-20140306)

As far as the NP is concerned the key point is that policies that are included in the NP can provide additional detail and/or a distinct local approach to that set out in the LP without undermining that policy.

To conclude the NP does not meet the basic conditions, it does not have sufficient regard to national or local policy. The NP is not considered to be in general conformity, as currently drafted with 19 policies supposedly included to mitigate the development of the allocated site a LNBB are not justified. It is obvious from the start of the documentation that the authors of the NP object to the allocation of LNBB, and instead of supporting the allocation, the NP includes an unnecessary amount of detail which seeks to undermine the delivery of the LNBB. Many of the points raised are in principle already covered by the policies in the adopted Local Plan and the validation requirements for the preparation of a planning application.

Detailed comments on the NP Reg 16

Introduction

The NP should clearly state that it is prepared in the context of the current adopted South Oxfordshire Local Plan 2035 (adopted December 2020). The only reference to the Local Plan is that the whole parish was covered by the Green Belt until the LP was adopted and removed the southern most part of the parish from the Green Belt ... *"to enable the strategic development site in the Local Plan, LNBB to go ahead."* The point is there is more to the Local Plan than the strategic allocation Policy STRAT13, there are many policies that set out how development will be planned and delivered across the district and consequently provide the framework for the NP.

Section 1.2 What is Neighbourhood Planning? (Page 11)

The title of this section has been amended as we suggested. However, all quotes from the PPG should be accurately referenced, they currently appear as random text.

Page 12 – fourth paragraph should be amended. NP are not adopted, they are "made".

The fourth and fifth paragraphs on page 12 should be deleted and amended to be clear that: Once the Neighbourhood Plan is "made" it becomes part of the development plan. Planning applications are decided in accordance with the development plan unless material considerations indicate otherwise. It is for the decision maker in each case to determine what is a material consideration and what weight to give to it.

Those preparing the Neighbourhood Plan should be under no illusions, as the NP has to be prepared in general conformity with the adopted Local Plan, this is part of the basic conditions which the NP has to satisfy in order that it can proceed and be successful at independent examination.

Section 1.3 How this Plan is Organised (Page 13)

The NP should clearly explain the purpose of the policies and explain that the “Community Aspirations” will not form part of the statutory development plan.

Community Aspirations are included interspersed in separate text boxes throughout the NP, but it is not clear to the reader that these do not form part of the statutory development plan. This should be clearly stated in the introduction to the NP and set out in an appendix or separate document as advised in the PPG Neighbourhood Planning.

The PPG states:

“Wider community aspirations than those relating to the development and use of land, if set out as part of the plan, would need to be clearly identifiable (for example, set out in a companion document or annex), and it should be made clear in the document that they will not form part of the statutory development plan.”

Paragraph: 004 Reference ID: 41-004-20190509

The NP whilst outlining the history of the preparation of the NP, could usefully outline the process – what happens next?

- The Plan will then go to an Independent Examiner.
- The Examiner’s recommendations will then be incorporated into the Plan or revisions may be called for.
- The final version of the Plan will then be put to a local referendum and if more than 50% support the NP will be “made” and becomes part of the development plan.

Section 3 Consultations and Community Engagement

Issues for the Neighbourhood Plan (Page 18)

The basic starting point for the NP, should be clearly expressed under the sub-title “Issues for the Neighbourhood Plan”.

The basic starting point is that the adopted SODC LP removed land from the GB in STRAT13 LNBB and provides the policy framework for the determination of the planning application.

It is considered that the second paragraph should be rephrased to read as follows:

*“The most important issue for the Neighbourhood Plan was preservation of the Green Belt [84%],”
Delete the following words “since there had been a number of threats to build on Wick Farm and other fields south of the B4027”*

Section 4 A Vision for Beckley and Stowood

4. Vision Statement And Core Objectives (Page 20)

The first paragraph refers to two main settlements – but only identifies Beckley.

Second paragraph and first bullet point of the vision should be written in order to be consistent with national and local policy (NPPF para 8 and para 174) i.e.

Delete “preserve” and include –“ to protect and enhance our natural built and historic environment”

Fifth bullet point “New developments should be built to the highest energy conservation standards and retrofitting of existing buildings is encouraged, working towards conserving energy being carbon neutral.” The NP needs to be consistent with national policy and the adopted SODC Local Plan.

Seventh bullet point on page 21/22 should be deleted and redrafted.

“Local residents are greatly concerned about the potential negative effects from the development at Wick Farm as part of the ‘Land North of Bayswater Brook’ strategic A development site in the SODC Local Plan. While nothing could mitigate the destruction of the Green Belt around Oxford and in this Parish, or the great threat to the very important SSSI sites at Sydlings Copse and College Pond, policies have been developed to try to protect, as far as possible to the environment and lives of residents at Wick Farm from the negative aspects this development.”

The views of the local residents should be reported in the Appendix on consultation and engagement. The bullet point should be redrafted in a positive context reflecting the adopted SODC LP. The LNBB is an allocated site and as such is expected to deliver the necessary housing to meet the SODC housing needs and part of the unmet needs of Oxford City. The land was removed from the Green Belt through the LP. This was discussed at length during the local plan examination and all representations considered by the Planning Inspector on behalf of the Secretary of State, as such a planning application has been prepared (the Parish Council will be well aware of the this and the consultation that has taken place to date) in accordance with the policies in the adopted Local Plan and was submitted in December 2022.

Policies in the NP have to be in conformity with the development plan. The PPG on Neighbourhood Planning states:

“A neighbourhood plan must be in general conformity with, and plan positively to support, the strategic policies of the development plan.

Paragraph: O36 Reference ID: 41-036-20190509

“The resulting draft neighbourhood plan must meet the basic conditions if it is to proceed. National planning policy states that it should support the strategic development needs set out in strategic policies for the area, plan positively to support local development and should not promote less development than set out in the strategic policies (see paragraph 13 and paragraph 29 of the

National Planning Policy Framework). Nor should it be used to constrain the delivery of a strategic site allocated for development in the local plan or spatial development strategy.” (My emphasis).

Paragraph: 044 Reference ID: 41-044-20190509 This is still relevant.

Core Objectives (Page 23)

“**Objective 6 Encouraging Housing Mix**” Is not consistent with the SODC LP as there is no reference to affordable housing. Policy H9 of the SODC adopted Local Plan provides the framework for the consideration of affordable housing. Policy STRAT13 states that affordable housing is to be included in the mix of dwellings in accordance with Policy H9.

Objective 7. Reducing the Harm to the Environment and Residents from Development at Land North of Bayswater Brook”. This should be redrafted in a more positive light e.g., reflecting the policies of the adopted SODC LP and in particular the Policy STRAT13 LNBB. The principle of development has already been accepted in the adopted Local Plan and the appropriate policy framework to guide development is in place. **Although the wording has changed but it still refers to negative aspects of the development at LNBB it states Protecting the Environment and Residents from Negative aspects of development LNBB.**

The Strategic Environmental Assessment For The Beckley And Stowood Neighbourhood Plan: Environmental Report prepared for the Neighbourhood Plan (June 2022) at Section 6 (page 34) states that the vision and objectives of the Neighbourhood Plan: “are very critical of development at Land North of Bayswater Brook which would provide homes in the south of the parish.”

NPPF paragraph 16 states that:

...“b) be prepared positively, in a way that is aspirational but deliverable;...

f) serve a clear purpose, avoiding unnecessary duplication of policies that apply to a particular area (including policies in this Framework, where relevant).”

4.5 Sustainable New Development (Page 25)

“As part of this initiative residents wish to promote sustainable new development to the highest standards of energy efficiency to become carbon neutral. This objective also extends to existing houses to encourage them to retrofit and introduce new energy generation such as solar panels and supporting sustainable transport such as cycleways”

It should be noted that the standards of energy efficiency will be those that are consistent with the Local Plan and national policy.

4.7 Protecting the Environment and Residents from negative aspects of development at land north of Bayswater Brook (Page 25)

It is noted that the first sentence has been “moderated” from “greatly opposed” to “considerable concerns” and that the last sentence has been deleted and replaced with the following:

“All the local parishes and communities worked together during the SODC consultations and Examination in Public until the Local Plan was approved. They continue to do so during developer consultations, future planning applications and beyond. Please see Evidence Base 2 3.2.6”

As stated previously in our representations, the NP has to be in general conformity with the adopted SODC LP, LNBB is an allocated site in the adopted LP to meet housing needs. The objections to development have already been heard at the SODC LP examination and policies are in place in the now adopted LP to guide the development. Christ Church and Dorchester Residential Management have engaged with the Parish Council and local community in addition to statutory organisations throughout the preparation of the planning application and as the application was submitted to SODC in December 2022, everyone has the opportunity to comment on the planning application.

Although some changes have been made to the NP to moderate the language used in respect of the allocated site Policy STRAT13, it is evident that there are still tensions to the extent that there are underlying objections to the development of LNBB and what could be considered to be a refusal to acknowledge the policies in the adopted Local Plan including the allocation of the site. It is considered that the text of the NP should be updated to reflect the adopted Local Plan, the site is allocated and will be brought forward and will address the policy framework provided by the LP, this needs to be recognised in the NP, rather than seeking to undermine the delivery of the site. It is considered that these changes are necessary in order to satisfy the basic conditions and in order for the NP to proceed.

This is set out in the PPG:

“National planning policy states that it should support the strategic development needs set out in strategic policies for the area, plan positively to support local development and should not promote less development than set out in the strategic policies (see paragraph 13 and paragraph 29 of the National Planning Policy Framework). Nor should it be used to constrain the delivery of a strategic site allocated for development in the local plan or spatial development strategy.”

PPG Neighbourhood Planning ref Paragraph: 044 Reference ID: 41-044-20190509

The Reg 16 version now includes references to the SEA (no reference or date of document is provided but these references are found in the SEA to support the NP by Levett and Therivel June 2022, Table 0.3 on page 5)

The quotes in the NP are taken out of context and only reference negative points e.g.

Air & climatic factors – “the new homes planned at Land North of Bayswater Brook, and the traffic and congestion they would bring, is likely to worsen air quality overall” The report goes on to say– “However overall air pollution and greenhouse gas emissions in the parish will increase as a result of new development” [Section 3.2]

Whereas what the report actually states is:

Page 5 Table 0.3 for Air and Climatic factors:

“The NP aims to protect and improve air quality in the parish, and minimise carbon emissions. However the new homes planned at Land North of Bayswater Brook, and the traffic and congestion they would bring, is likely to worsen air quality overall. In the longer run, electric vehicles will start to replace petrol/diesel vehicles, leading to improved air quality.”

And Page 18 Section 3.2

“New housing at Land North of Bayswater Brook is likely to be more energy efficient than the parish’s current housing stock; and easy accessibility to Oxford by walking, cycling and bus is likely to mean that the per-person transport emissions of new residents is lower than that of current parish residents. However overall air pollution and greenhouse gas emissions in the parish will increase as a result of new development.”

The text of the NP should be amended.

Similarly, when the NP references Biodiversity quoting from the SEA (page 21 – there are no paragraph numbers in the report) it fails to mention the text underlined below and therefore provides the reader with an unbalanced and selective reference from the SEA.

“Development at Land North of Bayswater Brook could negatively affect Sidling’s Copse SSSI through increased recreational use and reduced air quality: many fens are susceptible to acid deposition, including from vehicle emissions¹⁶ . However, South Oxfordshire Local Plan’s Policy STRAT13 sets some requirements: the development should

- *ensure that there will be no demonstrable negative recreational, hydrological or air quality impacts on the Sydlings Copse and College Pond SSSI;*
- *retain and incorporate existing hedgerows and tree belts, particularly where this assists with the creation of a new Green Belt boundary;*
- *provide a net gain in biodiversity through the protection and enhancement of habitats along the Bayswater Brook, new habitats to the north buffering the Sydlings Copse and College Pond SSSI and offsite biodiversity enhancements;*
- *provide a network of Green Infrastructure that, amongst other things, protects and enhances existing habitats, particularly those associated with Sydlings Copse and College Pond SSSI and the Bayswater Brook.”*

It is important to underline the extensive consultation the applicants have undertaken in preparing the planning application for LNBB – this was outlined in our representations to the Reg 14 reps in September 2022 and included public consultation, Enquiry by Design, Design Review Panels, Meetings with Local Communities. Online discussions with the local planning authority, Oxfordshire County Council, Oxford City Council, statutory consultees such as the Environment Agency, Natural England, Berks, Bucks & Oxon Wildlife Trust (BBOWT).

In accordance with the adopted Local Plan and the Council's Validation checklist all the necessary supporting evidence/assessments/reports have been prepared.

The paragraph on Page 26 following the extract from the SEA should be deleted as this is expressing the concerns of the community in respect of the local plan allocation and planning application for LNBB. These views are inappropriate for inclusion in the NP. Any comments should be made in response to the planning application.

Section 5 NEIGHBOURHOOD DEVELOPMENT PLAN POLICIES (Page 27)

An attempt has been made to cross reference to the SODC adopted LP and the NPPF and there is now no reference to saved policies. There are still some policy references which have not been amended e.g., CRS2 is replaced by EMP10 Development in Rural Areas and EMP11 Tourism.

The underlying tone of the NP is one of negativity towards the development of LNBB.

"Neighbourhood plan should support the delivery of strategic policies set out in the local plan or spatial development strategy and should shape and direct development that is outside of those strategic policies (as outlined in paragraph 13 of the revised National Planning Policy Framework). "Within this broad context, the specific planning topics that a neighbourhood plan covers is for the local community to determine.

Wider community aspirations than those relating to the development and use of land, if set out as part of the plan, would need to be clearly identifiable (for example, set out in a companion document or annex), and it should be made clear in the document that they will not form part of the statutory development plan."

Paragraph: 004 Reference ID: 41-004-20190509

Policy VB 2 RESIDENTIAL DEVELOPMENT OUTSIDE THE SETTLEMENT BOUNDARY (Page 40)

The preceding text to Policy VB2 still refers to SODC Core Strategy policy but acknowledges that this has been replaced by SODC Policy STRAT 5 in which case the NP only needs to reference Policy STRAT 5 and not the Core Strategy – this needs to be amended on page 40.

The preceding paragraphs (no numbers) now include reference to the NPPF para 149 and the policy wording of Policy VB 2 has changed.

Delete the first paragraph and the third paragraph and replace with text below:

"Within its boundaries, development will be restricted to those limited types of development which are deemed appropriate by the NPPF, unless very special circumstances can be demonstrated. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations".

5.2. PRESERVATION OF OUR ENVIRONMENT AND BIODIVERSITY (Page 42)

It is noted that new paragraphs have been included on page 42 to cross reference to the NPPF, Chapter 15 Conserving and enhancing the natural environment however, the reference to paragraph 174 is incorrect as it should read "Protecting and enhancing the natural landscape..."

Page 43 reference is made to the SEA (June 2022) page 21 "*Biodiversity is plummeting... Development at Land North of Bayswater Brook could negatively affect Sidling's Copse SSSI through increased recreational use and reduced air quality: many fens are susceptible to acid deposition, including from vehicle emissions.*"

Again, the NP fails to reference the SODC Policy STRAT13 and the requirements of the Policy.

Page 48 the NP should be consistent with the LP i.e., to 2035 and not set targets beyond to 2050.

Policy E1. Biodiversity (Page 50)

The policy should be prepared to be consistent with SODC LP Policy ENV3 Biodiversity. However, the need for this policy is questioned given the wording of SODC LP.

At the examination of the SODC LP, the Inspector concluded (Paragraph 48),

"Land North of Bayswater Brook will need to protect the integrity of the Sydlings Copse and College Pond SSSI (see Issue 3). But the submitted evidence does not show that the integrity of SSSIs and wildlife designations will be harmed, and there are no grounds for reducing the housing requirement because of the presence of these designations. The potential for development to remove biological material and sever biological corridors is acknowledged, but the plan contains policies to protect biodiversity and it seeks biodiversity net gain (Policies ENV2 and ENV3)."

Matters are being addressed in the preparation of the planning application.

5.3 PRESERVATION OF OUR HERITAGE (Page 51)

Policy H1. Preservation of Heritage (Page 52)

This policy is not compliant with the provisions of the NPPF which allows for a balanced decision to be made in respect of the development proposals affecting designated heritage assets. The NPPF clearly sets out at paragraphs 201–202 that a balanced decision should be made when considering harm to designated heritage assets, considering the level of harm assessed and the public benefits arising from the scheme.

Page 52 – Community Aspiration – Development Of A List Of Non-Designated Assets

This is not an NPPF compliant statement. Paragraph 203 of the NPPF states that with regards to non-designated heritage assets, a balanced judgement will be required having

regard to the scale of any harm or loss and the significance of the asset. It does not state that all non-designated assets have to be preserved. It is also thus important that the significance any potential non-designated asset is assessed and understood prior to the inclusion of the structure on any list– whilst the aspirations are acknowledged, the text should be amended to be NPPF compliant as follows:

“The community will develop a list of non-designated assets for the parish, following a detailed assessment of any structure’s significance ~~to be preserved~~ e.g., the old telephone box in Beckley High Street.”

5.4. DEVELOPMENT CRITERIA (Page 53)

Policy DS 1 Important Views (Page 54)

Policy should be worded so that it is consistent with adopted SODC LP Policy ENV1.

The last paragraph should be redrafted in accordance with Policy ENV 1 Section 2 of the policy which states:

*“South Oxfordshire’s landscape, countryside and rural areas will be protected against harmful development. Development will only be permitted **where it protects and, where possible enhances**, features that contribute to the nature and quality of South Oxfordshire’s landscapes to*
”

5.4.2. Parking (Page 56)

The first paragraph needs to be amended as it refers to SODC Core Strategy which is incorrect policy. This has been amended but refence is still made to the County Council Parking Standards which have “not been through examination”. Reference is made to OCC Cabinet report of Nov 2022 and tables are included.

The Parking Standards were approved by Cabinet in October 2022, and in January 2023 a minor update was approved by Cabinet – hence the most recently adopted County Council parking standards are those adopted in Jan 2023. The parking standards have not been through a public examination process, but it is a technical document that forms part of a suite of transport policy documents which are headed by Oxfordshire County Council’s Local Transport and Connectivity Plan. Table 3 in the NP reflects Table 3 in the Jan 2023 parking standards as does Table 4(b).

Regarding parking standards, this is covered in the SODC Local Plan Policy TRANS5 xiii) which says:

“Proposals for all types of development will, where appropriate:...

xiii) provide parking of vehicles in accordance with Oxfordshire County Council parking standards, unless specific evidence is provided to justify otherwise;”

The adopted Oxfordshire County Council Local Transport and Connectivity Plan sets out, in relation to private car parking (Page 179) that:

“As outlined in our vision, we are seeking to reduce the number of unnecessary private vehicle journeys. Parking policy changes are one way in which this can be achieved, particularly for shorter journeys which residents could walk or cycle...”

We also expect district authorities to set parking standards for residential and non-residential developments that support the LTCP objectives. This includes encouraging car free developments. For instance, in Oxford, all new residential developments in a CPZ will only provide disabled parking provision.”

On 18th October 2022 Oxfordshire County Council’s Cabinet-approved an updated guide for parking standards for new developments, with minor modifications to that document approved in January 2023. Developers are expected to work collaboratively with the Council to help achieved the targets set in the Local Transport and Connectivity Plan which was adopted in July 2022. (see Section 2.8 of the Transport Assessment supporting the planning application for LNBB)

Given the proximity of Beckley and Stowood Parish to Oxford, it is important that the approach to transport, including parking provision for developments, is consistent with County Council policies – given also that parking provision is covered by Local Plan Policy TRANS5 and that its wording allows parking standards to reflect transport policies while allowing flexibility, Policy DS2 is in conflict and unnecessary, and hence should be deleted. The inclusion of LNBB in Policy D2 is simply replicating the Local Plan and County Parking Standards for LNBB – it adds nothing and for that reason should either be deleted or alternatively D2 should indicate in the first paragraph that all residential development should comply with the latest County parking standards, and add detail in respect of areas outside of the LNBB allocation site.

Section 5.4.3 Flood Risk (Page 60)

New text we should comment on:

“As described in Evidence Base 2 – 2.2.2. Water Courses and Flooding, regular flooding occurs in both the north of the parish near Otmoor and in the south at the Bayswater Brook. There are a series of springs from the middle of Beckley village down Church Street, High Street and Otmoor Lane onto Otmoor. Springs at Upper Park Farm flow down the hill to Middle Park Farm and near Beckley Park. Flash flooding also occurs from the top of the limestone ridge down Otmoor Lane and in gardens nearby.

In addition, there is usually a stream down Otmoor Lane from the village pond, even in summer, from springs near and above the pond.

The map on the next page shows some of the springs and the flood risk.

The Bayswater Brook near Wick Farm and Lower Farm floods regularly, mainly from water run-off. This is a danger that this could be greatly exacerbated by the development at the development of Land north of Bayswater Brook"

The NP needs to satisfy the basic conditions and be prepared in accordance with the adopted SODC Local Plan, national policy and advice contained in guidance.

As part of the Environmental Statement supporting the planning application for land North of Bayswater Brook a Hydrology, Flood Risk and Drainage assessment has been prepared. Due to the incorporation of the mitigation measures provided in the ES Section 13.5, no significant residual effects upon hydrology or flood risk are anticipated. Furthermore, there will be no cumulative effects within the local area.

Para 13.9.2 of the ES states; *"A site-specific Flood Risk Assessment (FRA) and Surface Water Drainage Strategy have been prepared by Stantec alongside the ES.*

Para 13.9.3 *"The FRA has been prepared in accordance with the NPPF and accompanying PPG and provides an assessment of flood risk to the development. Mitigation measures are set out to demonstrate future users of the Site and adjacent residents will be adequately protected from flooding and that the proposed development will not increase flood risk elsewhere."*

Para 13.9.7 *"The proposal includes for a new flood defence wall/bund along the southern side of part of the Bayswater Brook. This provides protection from flooding for a number of existing dwellings on Barton Village Road that are identified as being at risk of flooding under existing conditions, thereby providing a Moderate Beneficial impact."*

Para 13.9.8 *"The proposals will significantly enhance the Bayswater Brook and Sydling's Brook watercourses flowing through the Site, through a range of measures including deculverting, river channel enhancements (e.g. introducing two stage channels and meanders), creation of new secondary channels and other water features, all of which will improve the standard and wider biodiversity of the water environment and serve towards achieving targets of the Water Framework Directive for the catchment."*

Para 13.9.9 *"Flood risk and water quality during the operation phase will be managed through the implementation of a Surface Water Drainage Strategy and incorporation of flood mitigation measures outlined in the FRA."*

Para 13.9.10 *"Provided the proposed mitigation measures are adopted, the potential effect of the Development on receptors is assessed to be Negligible."*

Para 13.9.11 *"Further mitigation and embedded mitigation measures have been discussed which will reduce the significance of the development's flood risk and hydrological effects to an such an extent that they can be classified as Insignificant."*

Policy DS4 Dwelling Size (Page 63)

The purpose of this policy is questioned as it largely repeats SODC LP Policy H20

Policy DG1. Beckley Design Guide (Page 65)

It is noted that the Design Guide has its origins in a consultation carried out with residents in 2017.

No reference is made to the SODC and Vale of White Horse Joint Design Guide which was adopted by SODC on 23rd June 2022 and by the Vale of White Horse on 24th June 2022. No reference is made to the National Design Guide (January 2021).

In light of the National Design Guide and the Districts Design Guide, Policy DG1 should be updated.

5.6. CLIMATE CHANGE POLICIES AND COMMUNITY ASPIRATIONS (Page 68)

In order to satisfy the basic conditions, the plan and its policies need to be in general conformity with the adopted Local Plan and consistent with government guidance.

Policy CC1 NEW CONSTRUCTION AND ENERGY EFFICIENCY (Page 70)

The government introduced major Building Regulations changes in June 2022, with new homes in England now needing to produce around 30% less carbon emissions compared to the old regulations.

Ahead of the Standard coming into effect, a technical specification will be consulted on in 2023 by the Department for Levelling Up, Housing and Communities (DLUHC), with the necessary legislation introduced in 2024, ahead of implementation in 2025.

Whilst the *“Energy Saving Trust advocated by SODC recommends a number of renewal energy projects and generating electricity at home from solar power, and the use of ground and air source heat pumps [Evidence Base 2- 2.10]”* such policy requirements should be in compliance with the Local Plan policies e.g., Policy DES10 Carbon Reduction sets energy efficiency standards for new build residential and non-residential developments.

Community Aspirations (Page 71)

According to the PPG neighbourhood planning, *“Wider community aspirations than those relating to the development and use of land, if set out as part of the plan, would need to be clearly identifiable (for example, set out in a companion document or annex), and it should be made clear in the document that they will not form part of the statutory development plan.*

Paragraph: 004 Reference ID: 41-004-20190509”

5.7. COMMUNITY ASPIRATION - COMPLIANCE WITH BECKLEY AND STOWOOD NEIGHBOURHOOD PLAN POLICIES (Page 72)

The final sentence of the paragraph:

"...it is proposed that the Neighbourhood Plan Steering Group should become consultees on planning applications to ensure compliance with made Neighbourhood Plan polices, as required by law."

should be amended. Once the NP is "made" it becomes part of the development plan and as such those who are determining planning applications should have regards to the policies within the plan. The Parish Council is consulted on planning applications within its area, and it can if it so chooses to consult the NP Steering Group.

5.9 Redundant Farm Buildings – Wick Farm (Page 73)

Reference to the previous planning application is irrelevant as the application was withdrawn and so should be removed from the NP.

The second sentence states that *"The application was withdrawn and it is believed that this may have been due to the fact that it was likely to be refused"*.

This is speculation and should be removed from the NP.

Section 6. MITIGATION POLICIES FOR THE STRATEGIC DEVELOPMENT SITE "LAND NORTH OF BAYSWATER BROOK "(Page 75)

It is considered that Section 6 and all the policies relating to LNBB should be deleted. The issues are already addressed by the adopted SODC Local Plan policies, in particular Policy STRAT 13 LNBB. LNBB has been removed from the Green Belt through the Local Plan process – as such it is no longer a Green Belt site. Notwithstanding the above we have made the following comments below.

A Neighbourhood Plan should support the delivery of strategic policies set out in the local plan or spatial development strategy and should shape and direct development that is outside of those strategic policies (paragraph 13 NPPF 2021). Importantly the NP should not undermine strategic policies in the adopted local plan as the NP must be in general conformity with the strategic policies contained in the development plan in order to satisfy the basic conditions.

The third sentence of the first paragraph on page 75 which states that the inclusion of strategic sites which were in the Green Belt *"is not in compliance with the strengthening of Government regulations for protecting the Green Belt and in the planning white paper (August '20) that Green Belt is 'protected land'. More recently in response to HCLG Select Committee's June 2021 report 'The future of the planning system', the Housing Minister in June 2021 said:..."*

This sentence should be deleted. The SODC adopted Local Plan was prepared and examined in line with national government policy at the time e.g., NPPF 2019

- The consideration of LNBB as an allocation in the SODC LP was discussed at length by the Planning Inspector at the examination into the Submitted Local Plan in 2020. The Inspector was appointed by the Secretary of State. Through the preparation of the Local Plan exceptional circumstances were demonstrated to justify changes to the Green Belt boundary. In order to justify exceptional circumstances, which is a very high test, it has to be demonstrated that all reasonable options for meeting the identified need for development were examined, this was assessed through the Examination and the Inspector concluded that the site was able to be removed from the Green Belt.
- Paragraph 46 of the Inspector's report (November 2020) concludes:
"Regarding Green Belt, the assessment below in Issue 2 demonstrates that there is no sound alternative means of reducing the amount of land taken from the Green Belt whilst providing for the housing requirement in sustainable locations near to where the need arises. If the housing requirement were reduced, the ability to provide homes in logical and sustainable locations would be impaired, with severely negative consequences for both the District and neighbouring Oxford, in terms of housing affordability and economic growth and longer journey patterns. At the same time, the analysis of site allocation policies in Issue 3 demonstrates that, owing to the characteristics of the chosen sites and their ability to provide green infrastructure and defensible boundaries, the impact on the Green Belt of their release would be moderate. This report concludes that there are exceptional circumstances for the removal of the land from the Green Belt. The existence of Green Belt does not lead to the conclusion that the housing requirement should be reduced."
- Paragraph 174 concluded:
"Taking all the relevant factors into account, including the extent of Green Belt harm referred to above, the ability of this site to help in addressing Oxford's unmet housing needs, including affordable housing, as discussed in Issues 1 and 6, in a location close to Oxford and its employment opportunities and other facilities, amount to exceptional circumstances that justify the alteration of the Green Belt boundary."
- Reference in the NP to the August 2020 Planning White Paper is irrelevant, this was a consultation on proposals to reform the planning system in England. As such these proposals have not been taken forward by the current government.
- Reference to the HCLG Select Committee's June 2021 report "the future of planning system" and a quote from the Housing Minister in June 2021 is not relevant.
- It should be remembered that the NP has to be prepared in conformity with the strategic policies of the development plan in force if it is to meet the basic conditions – PPG Para 009 Reference ID:41-009-20190509. IN which case the Beckley and Stowood NP should be prepared so that it conforms to the adopted SODC LP 2035 and plan positively to support the strategic policies of the development plan and not try to undermine the delivery of those strategic policies. (Paragraphs 13 and 29 of the NPPF 2021)

The second paragraph on Page 75 regarding the ownership and historic ownership of the LNBB is irrelevant and should be deleted from the NP.

Page 76, the first paragraph below Figure 2.1 should refer to the adopted SODC LP and Policy STRAT13.

1. Community Involvement and Engagement (Page 77)

The Reg 16 version refers to the NPPF paras 39 – 46 regarding re-application engagement. It should be noted that extensive community engagement has already taken place as the planning application is being prepared.

2. The Green Belt (Page 77)

The text under the sub-heading “the Green Belt”, if referring to the purposes of the Green Belt, those relevant should be quoted. As follows from the NPPF. Paragraph 138

“a) to check the unrestricted sprawl of large built-up areas;

c) to assist in safeguarding the countryside from encroachment;

d) to preserve the setting and special character of historic towns; and

e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.”

In preserving the setting and special character of historic towns such as Oxford there is no mention of the villages.

The references to paragraphs 142 and 143 of the NPPF are misleading and should be corrected.

NPPF Paragraph 142 states that *“when drawing up or reviewing Green Belt boundaries, the need to promote sustainable patterns of development should be taken into account...”*

NPPF Paragraph 143 refers to defining Green Belt boundaries. Reference should be made to SODC adopted LP Policy STRAT6. This has been included all be it selective text from the policy (bottom of page 77) and also reference to Policy STRAT13 has been included, but again selective text is quoted. It would be more appropriate to include for reference the whole policy for LNBB in an appendix to the NPP.

3. The Transport Infrastructure (Page 78)

The need for transport infrastructure associated with the development and the assessment of the transport aspects of the development are covered in the Local Plan policies and are matters for the highway authority to assess and advise on in the context of current transport policies which seek to reduce car travel, not only that associated with new development. The points made may reflect the aspirations of many parish residents, but consideration of transport aspects of the LNBB needs to be considered strategically in the context of Oxford, and Oxfordshire County Council’s transport policies.

4. Protection of the SSSI – Sydlings Copse and College Pond (Page 78)

See comments in relation to Section 6.4 (page 95 of the Reg 16 NP)

5. Protection of The Landscape and Important Views (Page 78)

See comments in relation to Section 6.5.1. (page 101 of the Reg 16 NP)

The application has been prepared in accordance with the adopted Local Plan Policy STRAT13.

6. Protection of Heritage and Listed Buildings (Page 78)

7. Health and Air Pollution (Page 78)

The preparation of the planning application has addressed all of the above in accordance with the policies in the adopted SODC Local Plan and the appropriate assessments have been prepared in accordance with the Council's Validation Checklist

6.1 COMMUNITY INVOLVEMENT STRATEGY (Page 78)

Community Engagement is supported, and the preparation of the planning application has had regard to the Council's approach, as referred to above extensive consultation has already taken place as part of the preparation of the planning application for LNBB.

Page 78 new text, the final two paragraphs refer to the consultation on the application for LNBB.

"The developers of Land north of Bayswater Brook have run a number of webinars to inform local communities and residents of their plans. The opportunity to ask questions, particularly difficult ones, was limited. There have also been two public consultations to date. However, submitted responses have not been published and it is not clear whether any consideration has been given to the issues raised or any changes made as a result."

"There was a meeting between Wick Farm residents and the developers. The Parish Council requested an invitation, but were not invited. A copy of the presentations used was also requested, but has not been forthcoming. Some of the Wick Farm residents were left feeling threatened and angry."

This text is disingenuous and emotive, and these paragraphs should be deleted. Again, these paragraphs are expressing opinions on the preparation of the planning application for LNBB and consequently are not appropriate for inclusion in the NP.

Extensive consultation has taken place and a Statement of Community Involvement (SCI) of all the consultation events etc that have taken place has been prepared and submitted

with the application. The report sets out how Christ Church and DRM (the applicant) – beginning in January 2021 – have engaged with stakeholders and local communities in the planning and development of proposals for Land North of Bayswater Brook (Bayswater). Details are provided of the key consultation activities carried out and the feedback that was gathered. The SCI sits alongside a suite of other documents explaining the engagement with technical stakeholders. Details of how all of this engagement activity has fed into the development of the final proposals submitted as part of the planning application are set out in the Design Access Statement.

Page 79 refers to a Community Involvement Strategy and the establishment of a “Community Liaison Committee” to represent all the community groups and in the fourth paragraph on page 79 to “oversee the coordination of public consultation events to be held at critical stages of the development”.

The fifth paragraph states that “is important that before, during and after any planning application(s), during building and after completion of the development, there is formal regular contact with representatives of all the local community groups.”

The consultation programme for the LNBB application prior to submission was prepared by the consultant team. We have previously outlined what has taken place to date. Pre-application discussions have also taken place with SODC and Oxfordshire County Council, Oxford City Council and statutory consultees such as the Environment Agency and Natural England, also other consultees such as Berks, Bucks, Oxon Wildlife Trust (BBOWT). The application was submitted to SODC in December 2022 and the Council are currently consulting all statutory and relevant non-statutory consultees.

Policy CC1 Community Involvement (Page 80)

This policy is considered to be a community aspiration and should not be in the same colour boxes as policies.

The NPPF paragraphs 39 – 46 refers to consultation and whilst “Local planning authorities have a key role to play in encouraging other parties to take maximum advantage of the pre-application stage. They cannot require that a developer engages with them before submitting a planning application, but they should encourage take-up of any pre-application services they offer.”

6.2. THE GREEN BELT AND LOSS OF IMPORTANT LANDSCAPE AND COUNTRYSIDE (Page 81)

The first paragraph on page 81 which refers to any loss of green belt and makes reference to the Inspectors report should be deleted. The NP should refer to the adopted SODC LP. All the evidence to support the removal of LNBB from the GB was provided as the LP was prepared and discussed at the Examination. The Inspector's questions were addressed in

Hearing Statements and the client provided additional evidence appended to the Hearing Statements, since then further work has been undertaken in the preparation of the planning application.

Policy STRAT6

"The Green Belt boundary has been altered to accommodate strategic allocations at STRAT8, STRAT9, STRAT10i, STRAT11, STRAT12, STRAT13 and STRAT14, where the development should deliver compensatory improvements to the environmental quality and accessibility of the remaining Green Belt land, with measures supported by evidence of landscape, biodiversity or recreational needs and opportunities. Where land has been removed from the Green Belt, new development should be carefully designed to minimise visual impact."

Also see Policy STRAT 13

The NP list improvements that could be made to LNBB, however all these points are covered in policies in the adopted Local Plan. It is not a requirement to discuss any improvements with the "Community Liaison Committee".

The last sentence on page 81 should be deleted as it is a matter of fact that through the adopted LP the land has been removed from the GB.

In respect of the boundary of the development, this is addressed in the adopted LP, See Policy STRAT13 iv) *"provides a permanent defensible Green Belt boundary around the allocation and a strong countryside edge;"*

This is addressed in the masterplan and supporting information for the planning application for LNBB.

The second and third paragraphs should be deleted- these are comments on the application and as such are not relevant to be included in the NP. The Mitigation Policy GB1 is not in conformity with the adopted LP and the NPPF.

MITIGATION POLICY GB 1. DEFINITION OF A NEW GREEN BELT BOUNDARY (Page 82)

Essentially the NP needs to be clear on its role and purpose.

The NPPF is clear at paragraph 29 Neighbourhood Plans can shape, direct and help to deliver sustainable development, by influencing local planning decisions as part of the statutory development plan. Neighbourhood Plans should not promote less development than set out in the strategic policies for the area or undermine those strategic policies. Neighbourhood Plans must be in general conformity with the strategic policies contained in any development plan that covers their area.

PPG Neighbourhood Planning

"Neighbourhood planning provides the opportunity for communities to set out a positive vision for how they want their community to develop over the next 10, 15, 20 years in ways that meet identified local need and make sense for local people. They can put in place planning policies that

will help deliver that vision or grant planning permission for the development they want to see.
Paragraph: 003 Reference ID: 41-003-20190509

A neighbourhood plan should support the delivery of strategic policies set out in the local plan or spatial development strategy and should shape and direct development that is outside of those strategic policies (as outlined in paragraph 13 of the revised National Planning Policy Framework). Within this broad context, the specific planning topics that a neighbourhood plan covers is for the local community to determine.

Wider community aspirations than those relating to the development and use of land, if set out as part of the plan, would need to be clearly identifiable (for example, set out in a companion document or annex), and it should be made clear in the document that they will not form part of the statutory development plan”.

Paragraph: 004 Reference ID: 41-004-20190509”

NP Policy GB1 is not considered to be a policy, in terms of monitoring and viability. The issue of the boundary is already addressed in the adopted Local Plan Policy STRAT13 for LNBB (see 3 iv)

The NP policy should be deleted.

6.3. THE TRANSPORT INFRASTRUCTURE (Page 83)

The first paragraph as set out below should be deleted – as essentially this is setting out comments on the planning application.

“Traffic modelling for the SODC Local Plan had confirmed that developments in the Green Belt to the east of Oxford would cause significant problems (TRA 06.5 Evaluation of Transport Impacts – Stage 3 – Development Scenarios and Mitigation Testing, Addendum (updated Scenario 5b results)20 and TRA 06.6 Evaluation of Transport Impacts– Stage 3 5c Addendum (updated on 22 July 2020), but exactly how to solve these problems and how much it would cost had not been progressed. The Transport Infrastructure for Land north of Bayswater Brook remains unresolved and is a considerable cause of concern for the parishioners of Beckley and Stowood and the other neighbouring parishes and communities.”

This section is misleading as it refers to information that was published before the Local Plan Examination – e.g., Oxfordshire County Council evidence, but does not reflect the significant changes in transport policies and approach since that time.

All the evidence to support the planning application has been prepared in the context of current transport policies and based on more detailed transport modelling carried out in consultation with the highway authority and addresses many of these points.

Average car ownership levels are reported, but it is noteworthy that National Census data (2021) indicates that 31.4% of households (or 840 out of 3,093 households) in Barton and Sandhills ward have no cars or vans in household, so it is misleading to say there is at least one vehicle per household in Barton. Even in Beckley and Stowood, the NP indicates that 13 out of 238 households have no cars or vans. It is also notable that section concentrates solely on car ownership and assumes car ownership equals car use, but it fails to take into

account measures the County is proposing to introduce, as set out in its adopted policies, aimed at reducing car usage, particularly in relation to local trips in and around Oxford.

The second, fifth, sixth, seventh, eighth paragraphs on page 84 should be deleted, again this is commentary on the application.

This section reports on the likely traffic generation of developments allocated around Oxford to help meet Oxford's unmet needs, and also on the supposed negative impacts of Connecting Oxford. It is the function of Oxfordshire Council (as highway authority) to assess these elements. The NP makes no reference to the adopted Oxfordshire Local Transport and Connectivity Plan, which sets out a range of policies and strategies relating to transport in Oxfordshire, of which the bus gate on Marston Ferry Road, or rather the use of traffic filters to improve and encourage use of public transport, is only one.

The third paragraph covers one measure proposed in the Central Oxfordshire Travel Plan (i.e. traffic filters) but in doing to considers only the potential redistribution of some traffic to the ring road but fails to consider the intended beneficial effects of the traffic filters which is to encourage active travel and use of public transport rather than use of the car, this forming part of the LTCP strategy to reduce car movements across the County by 1 in 4 movements by 2030 and 1 in 3 movements by 2040

If transport related matters are to be reported in a statutory plan, it is important that it accurately reflects fully the current transport policies as adopted by the highway authority and that the highway authority has been fully consulted on any transport related policies and text, particularly given that the transport policies and strategies are cross-authority ones, i.e., relate not only to the SODC area but Oxford City.

Paragraph 3.114 of the Local Plan does not set out the "traffic alleviation" policies – Policies relating to the STRAT13 site are set out in Policy STRAT13 with transport covered under bullet 2v). The explanatory text at 3.114 sets out that, having first taken into account the mitigating effects of sustainable transport improvements required by the policy any significant residual impacts from the development on the surrounding highway network, including the Headington Roundabout, may give rise to a requirement for improvements to the Headington Roundabout and its approaches (including bus priority measures); or grade separation; or a new link road...

As currently worded 6.3 of the NP does not accurately reflect the Local Plan and its policies. Indeed, it is not necessary in addition to the policies contained in the Local Plan.

MITIGATION POLICY TA 1. TRANSPORT ASSESSMENT AND TRAVEL PLAN (Page 85)

This is already covered by Policies TRANS4 & STRAT13 of the Local Plan and Oxfordshire LTCP Policy 36 – not required. **The SEA for the NP concludes that this mitigation is not required as it is covered by Policy TRANS4 (Page 50 of the SA June 2022).**

It is role of the Highway Authority to agree the scope of the Transport Assessment in consultation with SODC – this is covered by Policy TRANS4 of the Local Plan – not required.

The paragraph below the policy (page 85) refers to the Oxford Crematorium, which is not within Beckley and Stowood NP, (the crematorium is within Stanton St John Parish) in which case it is not relevant to this NP. The Crematorium is a formal consultee on the planning application and is being consulted by SODC on the planning application and can submit any comments they have direct to SODC as the determining authority.

MITIGATION POLICY CM 1. PROVISION OF CONSTRUCTION MANAGEMENT PLANS (Page 86)

This is a normal planning requirement however the Local Plan only covers the need to provide one for major development proposals located within 20m of a water course (Policy ENV4: Watercourses) This would apply to the STRAT13 site A construction management plan is normally secured by a pre-commencement planning condition. A statement is submitted to the planning authority for approval, and must then be strictly adhered to, with any changes needing agreement from the authority. If a CMP is required, this will be discussed with the local planning authority. The Community Liaison Committee does not take on the role of the local planning authority. This policy should be deleted.

It is noted that SODC in response to the Reg 14 consultation considered the Policy was not necessary as the Local Validation Checklist covered the issues.

MITIGATION POLICY TA 2. COMPLIANCE WITH NICE GUIDELINES ON PHYSICAL ACTIVITY AND THE ENVIRONMENT AND HEALTH ASSESSMENT (Page 87)

This is not a specific Local Plan policy requirement, however the principles of the policy requirements of the Local Plan are compatible with the NICE guidelines. This NP policy is superfluous and should be deleted, the adopted SODC LP provides the policy framework and the SODC Validation Checklist for planning applications sets out what reports/assessments are required to support the planning application. For example, as part of the application a Health Impact Assessment (HIA) will be prepared to accord with the adopted Local Plan policy.

Section 6.3.1 Pedestrian Connections (Page 87)

The last paragraph on page 87 states that:

"The latest version of the masterplan for Land north of Bayswater Brook have proposed using some footpaths as cycleways²⁵ which would be inappropriate and potentially unsafe for pedestrians and non-compliant with the movement hierarchy as described above."

This sentence should be deleted as it is expressing views on the masterplan which are more appropriate when responding to the planning application.

MITIGATION POLICY PC. 1. MAINTENANCE OF ACCESS AND SEPARATION OF FOOTPATHS AND BRIDLEWAYS (Page 88)

This is covered in policies TRANS5 1.ii) & STRAT13 3d.

The policy is not required and as drafted could require the provision of inappropriate forms of crossings which would not prioritise pedestrian and cycle movement. The form of pedestrian, cycle and equestrian facilities is a matter for the highway authority. This policy should be deleted.

Whilst the Mitigation Policy PC2 has been deleted the pedestrian and cycle bridge over a40 northern bypass road and safety and crime reduction this has been deleted is still included in Community Aspirations C.1 Provision of Cycleways

The proposed bridge will be adopted by the County Council as highway authority who will be responsible for agreeing all aspects of the bridge design meet adoptable/appropriate standards – policy not required.

Community Aspiration Safety of Underpasses – Given that the subways exist in a constrained urban environment, it may not be possible to implement the BRE recommendations in full, and this should be recognised in the aspiration. Suggest ...the recommendations from “Reducing Crime Hotspots in City Centres” should be implemented where possible to reduce crime and increase safety...

Community Aspiration C 1. Provision of Cycleways – the provision of infrastructure related to the STRAT13 site needs to be fairly and reasonably related to the development – the need for connectivity beyond the site is set out in policy STRAT13 2v) and will be a matter for the highway authority to determine in consultation with SODC. As such this this Community Aspiration should be deleted

This Community Aspiration should be deleted as all but one of these routes is outside the Neighbourhood Plan area.

The PPG on Neighbourhood Planning is clear that:

“Wider community aspirations than those relating to the development and use of land, if set out as part of the plan, need to be clearly identifiable (for example, set out in a companion document or annex), and it should be made clear in the document that they will not form part of the statutory development plan.”

Paragraph: 004 Reference ID: 41-004-20190509

Section 6.3.3. Buses (Page 93)

The first and second paragraphs of the text on page 93 states the NP's opinion on the application to date – this is inappropriate and should be reserved for comments on the planning application. The provision of bus services needs to be considered in the context of wider transport proposals by County for public transport services as set out in the Central Oxfordshire Travel Plan.

MITIGATION POLICY B 1. PROVISION OF PUBLIC TRANSPORT (Page 93)

This policy should be deleted as it is covered by policy STRAT13 2v) a. The provision of public transport is covered in the adopted Local Plan policies. Each development is expected to provide high quality public transport facilities and connections within and adjacent to the site.

The application is accompanied by a Transport Assessment and Travel Plan.

MITIGATION POLICY LR 1. COMPLIANCE WITH NICE GUIDELINES – IMPROVING AIR QUALITY (Page 94)

This policy should be deleted as Policy EP1 Air Quality in the adopted SODC LP covers these points.

The planning application is supported by an ES which includes a chapter on Air Quality.

6.4. PROTECTION OF THE SSSI – SYDLINGS COPSE AND COLLEGE POND (Page 95)

Mitigation Policy SSSI 1. REPORT AND ASSESSMENT REQUIREMENTS FOR THE SSSI SYDLINGS COPSE AND COLLEGE POND should be deleted as *Policy STRAT13: Land North of Bayswater Brook* and *Policy ENV2: Biodiversity – Designated Sites, Priority Habitats and Species* in the adopted SODC LP covers these points.

Under the heading 6.4 the fourth sentence states: *“the risk of damage to this fragile site has already been increased considerably by the development at Barton Park of 885 homes, yet to be completed”* The source of this opinion is not evidenced, as such, it should be removed.

The second paragraph includes a bullet pointed list of further assessments, surveys, and research which the documents states *‘must be agreed with Natural England and will include but not confined to’* the SODC LP does not request these. Furthermore, survey effort has been undertaken in consultation and agreement with the SODC Ecologist and Natural England.

The proposals will be accompanied by an Ecological Impact Assessment, detailing proposed impact avoidance and mitigation measures required to protect Sydlings Copse and College Pond SSSI in line with *Policy STRAT 13: Land North of Bayswater Brook* and *Policy ENV2: Biodiversity – Designated Sites, Priority Habitats and Species*.

Any mitigation required is already covered by the adopted Local Plan Policy STRAT13, it is unnecessary to include a policy in the NP.

The reference to the SEA and the condition of the SSSI as “unfavourable recovering” fails to mention the Policy STRAT13 sets some requirements that the development should address.

Footpaths (Page 96)

Any discussion about footpaths (new routes etc) will be with the County Council as the responsible authority. Footpath B is not within the Neighbourhood Plan area.

Page 97 second paragraph should be deleted as out of date.

“An original proposal from the developers of LnBB, in their first masterplan, was to divert the footpath around the bottom/ west south west of the SSSI as shown in dark orange B1. The developers also proposed a series of new footpaths for exercise and dog walking.”

MITIGATION POLICY SSSI 2. IMPLEMENTATION OF PROTECTION ZONE FROM ROADS (Page 99)

This matter is already covered in Policy STRAT13 in the adopted Local Plan, the policy should be deleted.

MITIGATION POLICY SSSI 3. AGREEMENT OF LANDSCAPE AND RECREATIONAL ENHANCEMENTS (Page 99)

This policy is covered by SODC Policy STRAT13 and therefore should be deleted.

6.5. PROTECTION OF WICK FARM AND LOWER FARM (Page 100)

This paragraph needs to be corrected as the Barn at Wick Farm is not identified by Historic England as being ‘at risk’ and thus reference to this should be removed from the NP. Additionally, the LNBB site (STRAT13) includes the barns used for business, and the listed Well House and barn within its boundaries and covered in Policy STRAT 13 in the adopted Local Plan and thus this needs to be corrected in the NP.

6.5.1. Landscape and Important Views (page 101)

This paragraph refers to Pegasus Hearing Statements for the SODC Local Plan examination, as such all of this text needs to be updated. All of the viewpoints have been agreed with the Council’s Landscape Officer.

The submitted version of LVIA (see December 2022) shows areas of native species –rich woodland buffer planting and strengthening of the habitat along Sydlings Brook.

When quoting the Local Plan Policy – it would be helpful to the reader to indicate which local policy, date of the Plan etc, particularly when only extracts are quoted (blue text on page 101)

The third paragraph on page 102 refers to the two masterplans for LNBB produced to date do not show a landscape buffer or preserve views from Wick Farm and Lower Farm. Reference to the masterplans is not relevant these are comments which are more appropriately made in response to the planning application. In the submitted planning application set back distances have been included.

MITIGATION POLICY LV 1. LANDSCAPING AND MAINTAINING IMPORTANT FOR WICK FARM AND LOWER FARM (Page 105)

These points are already addressed by Policy STRAT13 in the adopted SODC Local Plan

6.5.2. Maintaining Privacy and Avoiding Overlooking (Page 105)

These points about building heights are already addressed by Policy STRAT13 in the adopted SODC Local Plan, consequently the policy Mitigation Policy LV2 should be deleted.

The new paragraph under the heading 6.5.2 in the Reg 16 NP refers to the Secretary of State’s letter of 5th December 2022 – the “Levelling up and Regeneration Bill: Planning and Local Control in England”. The fourth paragraph of the letter clearly refers to the purpose of the letter i.e., to set out the further changes to the planning system alongside the Levelling Up and Regeneration Bill. This is not relevant to the context in which the NP is prepared. The NP has to be prepared in general conformity with the strategic policies of the development plan in force if it is to meet the basic condition.

“A neighbourhood plan must be in general conformity with, and plan positively to support, the strategic policies of the development plan.

Paragraph: 036 Reference ID: 41-036-20190509”

The paragraph, the quote from the letter of 5th December and appendix 25 should be deleted, for the reasons explained earlier that this is not current policy.

Page 106 refers to the current masterplan for LNBB and building heights – these comments are more appropriate in response to the consultation on the planning application and should be deleted.

MITIGATION POLICY – LV 3. SPECIFIC LANDSCAPING AND MITIGATION FOR LOSS OF COUNTRYSIDE (Page 108)

Again, this policy is covered by policies in the SODC adopted Local plan and should therefore be deleted.

MITIGATION POLICY LV 4. AVOIDING HARD URBAN EDGES (Page 108)

Again, as above please see all the consultation that has taken place to date on the preparation of the planning application <https://www.bayswateroxford.co.uk/our-vision/>

This matter is covered by policies in the adopted Local Plan and therefore should be deleted.

MITIGATION POLICY LV 5. DESIGN IN SYMPATHY WITH THE LANDSCAPE AND SURROUNDINGS (Page 108)

This matter is covered by policies in the adopted Local Plan and therefore should be deleted.

6.6. HEALTH AND AIR POLLUTION (Page 109)

MITIGATION POLICY HAP 1. AIR QUALITY ASSESSMENT AND MITIGATION (Page 110)

The first paragraph of the policy repeats the Local Plan Policy EP1 and the second paragraph refers to documents.

The policy adds nothing to the consideration of the strategic site and should therefore be deleted.

MITIGATION POLICY HAP 2. INDOOR AIR QUALITY (Page 111)

The relevant parts of this policy are addressed in SODC Policy EP1 i.e., “*iii) all development proposals should include measures to minimise air pollution at the design stage and incorporate best practice in the design, construction and operation of the development;*” otherwise the matters are covered by Building Regulations.

The Policy should be deleted.

6.7 APPRAISAL OF POICIES (Page 111)

The second paragraph should be deleted, these are comments on the planning application.

The Neighbourhood Plan should be redrafted and confine itself to areas of the Parish beyond the strategic allocation of LNBB which is covered by policies in the adopted Local Plan. Section 6 of the NP should be deleted as it does not support the allocation of LNBB, instead it seeks to undermine the Local Plan allocation and its delivery.

The Parish Council along with local residents have been consulted on the preparation of the planning application and are currently being formally consulted by SODC since the application was submitted in December 2022.

The NP should focus on non-strategic matters in accordance with the NPPF 2021 and the PPG Neighbourhood Plans. An objection is made to the NP as it fundamentally seeks to undermine the delivery of LNBB. The NP should instead focus on the village of Beckley and land that is not included in the strategic allocation at LNBB.

"The resulting draft neighbourhood plan must meet the basic conditions if it is to proceed. National planning policy states that it should support the strategic development needs set out in strategic policies for the area, plan positively to support local development and should not promote less development than set out in the strategic policies (see paragraph 13 and paragraph 29 of the National Planning Policy Framework). Nor should it be used to constrain the delivery of a strategic site allocated for development in the local plan or spatial development strategy."

Paragraph: O44 Reference ID: 41-O44-20190509

THE BASIC CONDITIONS STATEMENT DECEMBER 2022

Our representations are confined to basic condition e)

"e. the making of the order (or neighbourhood plan) is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area."

We have submitted representations to the Reg 14 version of the NP and very little has changed in the latest version which has been submitted to the Council as the Reg 16 version. Whilst references to the correct Local Plan have been amended the fundamental issue is that the NP proposes 19 mitigation policies in respect of a strategic allocation (Policy STRAT13 LNBB) in an adopted South Oxfordshire Local Plan (2020). The opposition to the allocation has been documented and an examination was held into the Local Plan. The Inspector heard all the points made by all parties and concluded that the Local Plan was sound with the inclusion of Policy STRAT13, which in itself is a very detailed policy. Other policies in the Local Plan are also relevant.

A planning application has been prepared for LNBB and has addressed all elements of the policy and the Local Plan etc. This is well documented in the supporting evidence for the application. Extensive consultation has taken place, again, this is set out in detail with the application.

It is considered that the NP does not meet the basic conditions in terms of general conformity with the strategic policies contained in the development plan – for the simple reason that it seeks to undermine the allocation in the adopted Local Plan for LNBB. The 19 “mitigation policies” are not necessary and in some cases duplicate matters that are already addressed in the development plan. The NP is not positively prepared and undermines the delivery of the Local Plan.

This was made clear to the NP Group, not only by our representations, but also those of SODC in response to the Reg 14 Plan.

Extract from SODC’s response to the Reg 14 NP in response to Objective 7 and general comments on Bayswater Brook Strategic Site.

It is important to note that Policy STRAT13 deals with this allocation and sets the requirements for the site / masterplan and highlights where there are to be no demonstrable detrimental negative impacts, which align with the concerns raised in the Beckley & Stowood Neighbourhood Plan.

The NPPF states in paragraph 16 that plans should be prepared positively. There are some references to the neighbourhood plan fighting the development at the Bayswater Brook strategic site. We recommend these are removed and wording amended throughout to show that the policies are not seeking to undermine the delivery of the strategic site, but add additional local detail where appropriate.

It is also noted that in response to the Section on Mitigation Policies for LNBB, SODC stated the following:

Even in the NP Steering Groups explanation of how it sees it has met the basic conditions (pages 7 – 15) the response reflects the Groups opposition to the strategic allocation of LNBB.

4. If appropriate, you can set out below what change(s) you consider necessary to make the plan able to proceed. It would be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

If you wish to provide evidence and any supporting documents to support or justify your comments, please attach these to your response.

Our representations above have set out clearly our objections to the NP in particular to the Mitigation Policies in Section 6 of the NP.

It is considered that the policies that are included in the Beckley and Stowood NP in Section 6 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 the strategic allocation in the adopted SODC Local Plan Policy STRAT13 Land North of Bayswater Brook (LNBB).

Pegasus consider that such policies included in the NP Section 6 of the NP ***"Mitigation Policies for the Strategic Development Site"*** **cannot be justified and should be deleted** 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.

Consequently, **an objection is made to the NP, as in our view it fundamentally seeks to undermine the implementation of the adopted Local Plan in respect of Policy STRAT13 LNBB, in doing so it fails to comply with the basic conditions.**

5. Most neighbourhood plans are examined without the need for a public hearing. If you think the neighbourhood plan requires a public hearing, you can state this below, but the examiner will make the final decision. Please indicate below whether you think there should be a public hearing on the Beckley and Stowood Neighbourhood Plan:

- No, I do not request a public examination
- Yes, I request a public examination
- Don't know

- Poster
- Twitter
- Facebook
- Newsletter
- Word of mouth
- Other (please specify):_____

Thank you for your comments.

Response 10

Respondent Details

[REDACTED]	
[REDACTED]	[REDACTED]

Q1. Are you completing this form as an:
Organisation

Your comments

<p>Q2. You can provide your comments on the Beckley and Stowood Neighbourhood Plan below. When commenting, you should bear in mind that the examiner will mainly assess the plan against the 'basic conditions', which are set out in the Basic Conditions Statement. If you are commenting on a specific section or a supporting document, please make this clear. After this publicity period consultation, the opportunity for further comments will be only at the request of the examiner. If you wish to provide evidence and any supporting documents to support or justify your comments, there is a facility to upload your documents below.</p>
<p>Response received via email. Please see attachment</p>

Q3. You can upload supporting evidence here.
<ul style="list-style-type: none">File: COUNTY~1.PDF - [REDACTED]

Your details and future contact preferences

Q8. After the publicity period ends, your response will be sent to an independent examiner to consider. As the neighbourhood planning process includes an independent examination of the plan, your name, postal address and email (where applicable) are required for your comments to be considered by the examiner. The opportunity for further comments at this stage would only be at the specific request of the examiner. All personal data will be held securely by the council and examiner in line with the Data Protection Act 2018. Comments submitted by individuals will be published on our website alongside their name. No other contact details will be published. Comments submitted by businesses, organisations or agents will be published in full, excluding identifying information of any individual employees. Further information on how we store personal data is provided in our privacy statement.

Title	-
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**OXFORDSHIRE COUNTY COUNCIL'S RESPONSE TO THE FOLLOWING
CONSULTATION:**

District: South Oxfordshire

Consultation: Beckley & Stowood Neighbourhood Plan 2011 – 2035 (Submission Document)

Annexes to the report contain officer advice.

Date: 02 March 2023

ANNEX 1
OFFICER ADVICE

District: South Oxfordshire

Consultation: Beckley & Stowood Neighbourhood Plan 2011 – 2035 (Submission Document)

Team: Strategic Planning

Date: 28/02/2023

Strategic Comments

The County Council note the deletion of several Land north of Bayswater Brook mitigation policies which were advised as inappropriate, as detailed in our response to the pre-submission version of the Neighbourhood Plan in September 2022.

Mitigation Policy CM 1 Provision of Construction Management Plans

However, Mitigation Policy CM 1 Provision of Construction Management Plans has been retained and not deleted as the County Council recommended in our response to the pre-submission version of the Neighbourhood Plan. Our previous comments made on this policy in September 2022, are detailed in italics below:

*Mitigation Policy CM 1 Provision of Construction Management Plans
The location of the Oxford Crematorium is acknowledged and Oxfordshire County Council notes the importance of minimising the disturbance to this facility during construction. Construction and Environmental Management Plans (CEMP) and Construction Traffic Management Plans (CTMP) are often required, to be enforced via condition of any planning permission, therefore this policy is not needed.*

Change requested: deletion of this policy as Construction and Environmental Management Plans (CEMPs) and Construction Traffic Management Plans (CTMPs) can be required via a condition for any planning permission.

Parking

As mentioned in our previous response, new parking standards have now been adopted for Oxfordshire by the County Council. These can be found here: [Transport Development Control \(TDC\) | Oxfordshire County Council](#) Any planning application will be assessed against those parking standards.

Policy DS2 Parking has been amended to exclude the Land north of Bayswater Brook site, noting 'the Land north of Bayswater Brook site should be subject to Oxfordshire County Council's Parking Standards current at the time'.

Response 11

Respondent Details


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Q1. Are you completing this form as an:

Organisation

Your comments

Q2. You can provide your comments on the Beckley and Stowood Neighbourhood Plan below. When commenting, you should bear in mind that the examiner will mainly assess the plan against the 'basic conditions', which are set out in the Basic Conditions Statement. If you are commenting on a specific section or a supporting document, please make this clear. After this publicity period consultation, the opportunity for further comments will be only at the request of the examiner. If you wish to provide evidence and any supporting documents to support or justify your comments, there is a facility to upload your documents below.

Please see attachment.

Q3. You can upload supporting evidence here.

- File: Beckley & Stowood Reg 16 DC Comments.pdf 

Your details and future contact preferences

Q8. After the publicity period ends, your response will be sent to an independent examiner to consider. As the neighbourhood planning process includes an independent examination of the plan, your name, postal address and email (where applicable) are required for your comments to be considered by the examiner. The opportunity for further comments at this stage would only be at the specific request of the examiner. All personal data will be held securely by the council and examiner in line with the Data Protection Act 2018. Comments submitted by individuals will be published on our website alongside their name. No other contact details will be published. Comments submitted by businesses, organisations or agents will be published in full, excluding identifying information of any individual employees. Further information on how we store personal data is provided in our privacy statement.

Title

-

Name



Q8. After the publicity period ends, your response will be sent to an independent examiner to consider. As the neighbourhood planning process includes an independent examination of the plan, your name, postal address and email (where applicable) are required for your comments to be considered by the examiner. The opportunity for further comments at this stage would only be at the specific request of the examiner. All personal data will be held securely by the council and examiner in line with the Data Protection Act 2018. Comments submitted by individuals will be published on our website alongside their name. No other contact details will be published. Comments submitted by businesses, organisations or agents will be published in full, excluding identifying information of any individual employees. Further information on how we store personal data is provided in our privacy statement.

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Policy and Programmes



Listening Learning Leading

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07/03/2023

Beckley and Stowood Neighbourhood Development Plan – Comments under Regulation 16 of the Neighbourhood Planning (General) Regulations 2012 (As Amended)

South Oxfordshire District Council has worked to support Beckley and Stowood Parish Council in the preparation of their neighbourhood plan and compliments them on a comprehensive plan.

In order to fulfil our duty to guide and assist, required by paragraph 3 of Schedule 4B to the Town and Country Planning Act 1990 (as amended), the council commented on the emerging Beckley and Stowood Neighbourhood Development Plan (NDP) during the pre-submission consultations.

We are committed to helping this plan succeed. To achieve this, we offer constructive comments on issues that are considered to require further consideration. To communicate these in a simple and positive manner; we produced a table containing an identification number for each comment, a description of the relevant section/policy of the NDP, our comments and, where possible, a recommendation.

Our comments at this stage are merely a constructive contribution to the process and should not be interpreted as the Council's formal view on whether the draft plan meets the basic conditions.

[Redacted]
Planning Policy Officer (Neighbourhood)

Please note the text in *italics* shows our recommended changes to the text.

Ref.	Section/Policy	Comment/Recommendation
	General comments on plan readability	Several sentences within the supporting text sections of the plan are poorly structured or contain missing or unnecessary punctuation. These should be addressed before the plan is made.
	General comment on policy structure	In policies which contain lists of requirements for developers to meet in order to have their development supported, it is important to specify if all of these requirements need to be met (by using ' <i>and</i> '), or if only a single requirement needs to be met (by using ' <i>or</i> ') to ensure the policy can be applied with sufficient clarity and consistency.
	General comment on maps	<p>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. SODC would be happy to assist with this and would welcome the examiner's recommendation to make updates where appropriate.</p> <p>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.</p>
	General comment on figure and table labelling	The figures, maps, and tables used within the plan do not appear to 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. For example: Map 1: Beckley Settlement Boundary

Ref.	Section/Policy	Comment/Recommendation
	General comment on community aspirations	We recommend rewording several of the community aspirations. At present, the wording used in a number of the aspirations reads as if they are policies and this may create unrealistic expectation. It is important to provide as much clarity as possible in relation to how these community aspirations will be pursued and how they may be achieved.
	1.3 How this plan is organised	During the paragraph on the appendices, it is stated that appendices B contains numbers 12-24, this should be corrected to 12-25. Additionally, it was noted that the front cover of appendices B states that it contains numbers 12-22, this should also be updated.
	Map of Beckley and Stowood Neighbourhood Plan Area – The Whole Parish	This map could 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. Making this amendment would bring this map in line with the Basic Conditions which require a neighbourhood plan to be clear and unambiguous. SODC would be happy to assist with this and would welcome the examiner's recommendation to make updates where appropriate.
	Objective 7	This is fine as an objective; however, Policy STRAT13 deals with this allocation, setting the requirements for the site / masterplan and highlighting where there are to be no demonstrable detrimental negative impacts. This objective and the policies that flow from it should remain in general conformity with STRAT13 and should not seek to duplicate it or introduce inappropriate requirements.
	Figure 5.1.1 to Figure 5.1.6	These maps could be enhanced by adopting a standardised format and utilising clearer labels for identifying the area of the settlement boundary being discussed. Currently it is difficult to identify which specific area is being referred to in each map. Making these amendments would bring

Ref.	Section/Policy	Comment/Recommendation
		<p>these maps in line with the Basic Conditions which require a neighbourhood plan to be clear and unambiguous. SODC would be happy to assist with this and would welcome the examiner's recommendation to make updates where appropriate.</p>
	<p>General comments on Policies VB 1. And VB 2.</p>	<p>We recommend amalgamating these two policies into one to aid understanding. The intention of both policies is to direct development within or outside the settlement boundary. By combining the policies, it would make the intention of the policies clearer and more precise and will make it easier for the reader to understand what is and is not acceptable. The policy wording should also acknowledge the strategic allocation.</p> <p>We suggest merging the two policies with the following wording;</p> <p><i>'The Neighbourhood Plan defines the settlement boundary as set out in Figure VB1 on the Policies Map.</i></p> <p><i>Proposals for limited infill and redevelopment of previously developed land within the defined settlement boundary will be supported provided they accord with the policies within the adopted local plan and the neighbourhood plan.</i></p> <p><i>Development outside the settlement boundary and outside the Bayswater Brooks strategic allocation will only be supported where they are appropriate for a Green Belt location as set out in National Policy and have regard to the principles of sustainable development.</i></p> <p><i>Proposals for inappropriate development will not be supported except in very special circumstances.'</i></p>

Ref.	Section/Policy	Comment/Recommendation
	<p>Policy VB 1. Settlement Boundary</p> <p>The Neighbourhood Plan defines the settlement boundary as set out in Figure VB1. on the Policies Map.</p> <p>The settlement boundary includes parts of the Conservation Area as well as and the area of land containing dwellings on the west side of Roman Road and the south side of Woodperry Road.</p> <p>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.</p>	<p>The opening sentence of this policy clearly directs readers to view the following map outlining the settle boundary.</p> <p>The second sentence provides additional detail on this boundary which is not needed within the policy as this has already been covered in the supporting text and is visible on Figure VB1. It would improve the clarity of this policy if this sentence was removed.</p> <p>We recommend adding a sentence expressing that the redevelopment of previously developed land within the boundary would also be appropriate if it accords with the policies within the neighbourhood plan. This would make this policy more consistent with Policy H16 of the South Oxfordshire Local Plan.</p> <p>The final sentence of this policy could also be shortened as any development will need to accord with strategic and non-strategic policies within the development plan regardless of the policies within this neighbourhood plan.</p>
	<p>Figure VB 1. - Policy Map – Beckley Settlement</p>	<p>Our development management team have noted that the boundary as currently drawn excludes land to the east of Roman Way. An application for two dwellings (P20/S4112/FUL) was approved on 23rd December 2020 and these are currently being built out. Additionally, an extant single dwelling is also located on the land. It is not clear why this site has not been included within the development boundary. We recommend that the boundary is adjusted to include this site.</p>
	<p>Policy VB 2. Residential Development outside the Settlement Boundary</p>	<p>We consider that this policy would be more concise and clear if it were merged with Policy VB1 (see above).</p>

Ref.	Section/Policy	Comment/Recommendation
	<p>Outside the settlement boundary depicted on the Policies Map VB1 proposals for residential development will only be supported if they are for one of the exceptions outlined in the NPPF - national Green Belt policy or 'very special circumstances' exist. As the NPPF 149 (shown above) states the construction of new buildings as inappropriate in the Green Belt, with the list of exceptions shown above.</p> <p>Development proposals outside the settlement boundary which meet one of the Green Belt exceptions should be designed to ensure that they are in keeping with the prevailing character of the area in terms of their impact 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.</p> <p>The southernmost area of the parish including Wick Farm and Lower Farm have been removed from the Green Belt with the adoption of the SODC Local Plan as they are within the strategic development site of Land north of Bayswater Brook and are therefore not included in this policy.</p>	<p>The first part of the policy seeks to deal with the principle of development. This is already clearly defined in national policy. National policy sets out that neighbourhood plans should serve a clear purpose and should not repeat existing policies (paragraph 16 of NPPF).</p> <p>The second section of this policy largely repeats the requirements set out in Policy DG1. Policy DG1 contains more detail and is adequate to cover these issues without the need for them to be repeated here, we recommend this is removed.</p> <p>The final paragraph of the policy is not as clear as it could be and reads better as supporting text than policy wording. As it is important to emphasise that this policy does not cover the LnBB strategic allocation, this should be stipulated at the start of the policy. We recommend this section is modified as follows: <i>'Development outside the settlement boundary and outside the LnBB strategic allocation will only be supported where...'</i></p>

Ref.	Section/Policy	Comment/Recommendation
	<p>Figures 2.9.2 and 2.9.3</p>	<p>These maps could be enhanced by ensuring the base maps used are of a high quality and that they contain an accurate legend. Currently, both maps are difficult to understand and the lack of a legend for Figure 2.9.3 makes it difficult to decipher what is being shown. Making these amendments would bring these maps in line with the Basic Conditions which require a neighbourhood plan to be clear and unambiguous. SODC would be happy to assist with this and would welcome the examiner's recommendation to make updates where appropriate.</p>
	<p>Policy E 1. Biodiversity</p> <p>Development proposals which show a biodiversity net gain and conserve and enhance the environmental and landscape assets in the Plan 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 (including BBOWT reserves) will be strongly supported.</p> <p>Development proposals should demonstrate, through their plans and supporting technical information, how they will deliver a 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.</p>	<p>This is a positive policy which seeks to conserve and enhance the environmental and landscape assets within the NDP designated area.</p> <p>The second paragraph could be made more concise by removing reference to 'their plans and supporting technical information'.</p> <p>The final part of the policy seem to be placing blanket restrictions on large areas of land. In addition, the Treescapes report should not be viewed in isolation as there are other considerations which should be taken into account. To address this issue we recommend the policy should require development to have regard to the findings of the report. The relevant map(s) should be included within the plan itself to enhance the understanding of the policy. Additionally, the Nature Recovery Network has not been adopted and therefore references to it should reflect its status.</p> <p>We recommend that the policy should be reworded as such:</p> <p><i>'Development proposals which show a biodiversity net gain and conserve and enhance the environmental and landscape assets in the Plan area, including areas of designated Ancient Woodland, Sites of Special Scientific Interest, RSPB reserves, Conservation Target Areas,</i></p>

Ref.	Section/Policy	Comment/Recommendation
	<p>In addition, development within the areas of the NRN [Nature Recovery Network] Regeneration Zone, and shown in Oxfordshire Treescape Project Maps shown in Appendix 24. will be supported if they show that they support the aspirations for future additions to wildlife corridors and air quality improvements.</p>	<p><i>Biodiversity Action Plan Priority Habitats and Local Wildlife Sites (including BBOWT reserves) will be strongly supported.</i></p> <p><i>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.</i></p> <p><i>Proposals which encourage additions to wildlife corridors and air quality improvements as identified within the treescape project map will be supported'</i></p>
	<p>Policy H 1. Preservation of Heritage</p> <p>The parish's designated historic heritage assets and their settings, both above and below ground including listed buildings, scheduled monuments and conservation areas will be conserved and enhanced for their historic significance and their important contribution to local distinctiveness, character and sense of place.</p> <p>Proposals for development that affect non-designated historic assets will be considered taking account of the scale of any harm or loss and the significance of the heritage asset as set out in the National Planning Policy Framework (NPPF 2021).</p>	<p>We note this policy is the same as that in made Neighbourhood Plans and is broadly consistent with the NPPF and our local plan policies. There is an opportunity to create a better link between the policy intent and development by including a trigger for when the policy should be applied. We suggest that prefacing the first paragraph with '<i>In the determination of planning applications....</i>' would enhance clarity in the application of the policy and ensure that it serves a purpose when considering development proposals. Additionally, a reference to the NPPF requirement to take a balanced approach to the determination of applications relating to heritage structures would also be welcomed.</p>

Ref.	Section/Policy	Comment/Recommendation
	<p data-bbox="297 236 712 268">Policy DS 1. Important Views</p> <p data-bbox="297 309 896 451">The Neighbourhood Plan identifies the following Important Views on the Map see Figure 2.11.1.2. and photographs in Evidence Base 2 -2.11</p> <ul data-bbox="344 459 913 1098" style="list-style-type: none"> <li data-bbox="344 459 913 564">• Views from the top of the hill at Beckley village looking north, north east and north west towards Otmoor <li data-bbox="344 571 913 676">• Views of the countryside from within Oxford city, notably the green fields around Wick Farm <li data-bbox="344 683 913 788">• Views from the approach roads towards the village northwards over Otmoor and adjacent farmland <li data-bbox="344 794 913 868">• Views from the village towards Shotover <li data-bbox="344 874 913 948">• Views towards Brill and towards Aylesbury from Woodperry Road <li data-bbox="344 954 913 1027">• Views from the north towards the church and Conservation Area <li data-bbox="344 1034 913 1098">• Views from Stowood to Didcot and the Stokenchurch cutting <p data-bbox="297 1139 913 1390">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. Development proposals which would have a significant</p>	<p data-bbox="943 236 1951 378">This policy seeks to preserve important views within the parish, and the last paragraph is clear as to how development proposals can be compliant with the policy. There are, however, several areas that could be improved for clarity.</p> <p data-bbox="943 419 1951 635">It is not clear if the views listed within the policy are the same as those shown in figure 2.11.1.2, or which view in the policy corresponds to which numbered line on the map. The supporting text immediately below this policy, which provides a name for each of the key views listed, would work much better within the policy box itself, replacing the list which is currently there.</p> <p data-bbox="943 676 1951 930">There is currently no justification for why these views are special to the community and why they merit protection. Detailed analysis which describes and assesses the views local value will assist in the understanding of why they should be protected. Additionally, the quality of some of the photos in the evidence base document could be improved to sharpen the focus and enable the importance/value of the identified view to be better perceived.</p> <p data-bbox="943 1010 1951 1264">Viewpoint 6 covers the area of the strategic allocation at Bayswater Brook which is currently an agricultural landscape, but will be subject to change. The wording of this policy is not compatible with the strategic allocation. Therefore, this view should be removed or amended so it doesn't fall across the site. The PPG is clear that a 'neighbourhood plan should support the delivery of strategic policies set out in the Local Plan' and should not undermine the delivery of the strategic site.</p>

Ref.	Section/Policy	Comment/Recommendation
	adverse impact on an identified Important View will not be supported	
	Fig 2.11.1.2 Beckley and Stowood Views Map Confined to the Parish Boundaries	This map could be enhanced by ensuring the base map used is of a high quality. Currently the map is difficult to understand and the lack of detail makes it difficult to decipher what is being shown. Making these amendments would bring these maps in line with the Basic Conditions which require a neighbourhood plan to be clear and unambiguous. SODC would be happy to assist with this and would welcome the examiner's recommendation to make updates where appropriate.
	<p>Policy DS 2. Parking</p> <p>This policy is confined to the parts of Beckley and Stowood parish outside the strategic development site of Land north Bayswater Brook. The Land north of Bayswater Brook site should be subject to Oxfordshire County Council's Parking Standards current at the time.</p> <p>New development and extensions/changes to existing development (e.g., change to House in Multiple Occupation) 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.</p> <p>Parking provision should:</p> <ul style="list-style-type: none"> • Wherever practicable be provided off-road. 	<p>All of Beckley and Stowood parish is covered by Oxfordshire County Council's Parking Standards. The first paragraph should be amended to account for this or removed. Please refer to the 'Oxfordshire County Council Standards' which is the appropriate standards that should be applied instead of the 'Development Plan'.</p> <p>The second bullet may be overly onerous. It may not be possible to predict what parking provision will be required for the future or the full life of the development.</p>

Ref.	Section/Policy	Comment/Recommendation
	<ul style="list-style-type: none"> • Be sufficient for the full life of the development and should avoid the increase in on street parking or use of existing car parks in the future. <p>Minimise the impact of the private car on the street scene and reflect the character and appearance of the immediate locality as set out in the Character Assessments at Appendices 12 and 13</p>	
	<p>Policy DS 3. Flood Risk and Development</p> <ol style="list-style-type: none"> 1. 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 within the Neighbourhood Plan Area for Beckley and Stowood will not be increased, and that opportunities to reduce flood risk, for example, through the use of sustainable drainage systems, are exploited, where possible. 2. Where new development will result in the generation of additional foul sewerage, developers should ensure that they demonstrate how an appropriate foul drainage 	<p>The mention of sustainable drainage systems is welcomed. However, with the exception of part 3, this policy replicates the requirements within the Local Plan policies INF4 and EP4 which seek to ensure that there is sufficient water and drainage infrastructure to support any development and to reduce the risk of flooding.</p> <p>Policy INF4 requires that development proposals must demonstrate that there is adequate water supply, surface water, foul drainage and sewerage treatment capacity to serve the whole development and that it would not lead to problems to existing users.</p> <p>Policy EP4 places a requirement for development proposals within Flood Zones 2 and 3 to be accompanied by a site-specific Flood Risk assessment. The policy also requires the same for development proposals in Flood Zone 1 if it meets the criteria set.</p> <p>Points 1 and 2 therefore duplicate existing policy without adding additional detail, and our recommendation is that these points should be removed. The final point could then be incorporated into the design policy and this policy could then be deleted.</p>

Ref.	Section/Policy	Comment/Recommendation
	<p>strategy can be delivered, and then ensure that it is delivered, given that some of the parish is not on mains drainage.</p> <ul style="list-style-type: none"> • Proposals which minimise the use of paved and hard standing areas and utilise porous driveways and planting instead to reduce the risk of flooding and run off will be supported. 	<p>If this policy is kept with the duplications removed, the reference to SuDS could be further strengthened by being more specific about the quality and functionality of the SuDS - multi-function SuDs have the potential to deliver many other benefits to the surrounding communities. This would be in line with Policy EP4 in the South Oxfordshire Local Plan which says that SuDs ‘should seek to enhance water quality and biodiversity in line with the Water Framework Directive’.</p> <p>Additionally, the formatting of this policy is different from the others in the plan as it has a unique number at the start of each paragraph. If this policy is kept, we recommend removing the numbers from this policy, or adding them to all other policies, to make the plan more consistent and improve readability.</p>
	<p>Policy DS 4. Dwelling Size</p> <p>Extensions to dwellings or the erection and extension of ancillary buildings within the curtilage of a dwelling, will be permitted provided that:</p> <ul style="list-style-type: none"> i. within the Green Belt the extension or the alteration of a building does not result in disproportionate additions over and above the size of the original* building; ii. adequate and satisfactory parking is provided. Development should have regard to the Beckley and Stowood Neighbourhood Plan Policy DS2. Parking; and 	<p>This policy is almost an exact replica to Policy H20 in Local Plan 2035. Outside of the addition of a desire for smaller homes, the only alterations from this policy are the removal of reference to OCC parking standards, which has been replaced with reference to NP policy on parking, and the addition of a reference to the NP design guide.</p> <p>For clarity and ease of implementation, the term ‘smaller homes’ should be more clearly defined by expressing what size dwellings this actually relates to – ie 1 bed, 2 bed? Without these specifications, the reference to smaller homes in this policy may be difficult to implement in practice.</p> <p>As this policy largely duplicates Policy H20 of the SOFC Local Plan 2035, we recommend the policy is reworded to retain just the support for smaller homes with all other elements removed.</p>

Ref.	Section/Policy	Comment/Recommendation
	<p>iii. sufficient amenity areas are provided for the extended dwelling. Development should have regard to the advice within the South Oxfordshire Design Guide and the Beckley and Stowood Neighbourhood Plan Design Guide DG 1.</p> <p>iv. Given the need identified in the community consultations for smaller houses, planning applications for smaller houses will be supported.</p> <p>3. *'Original' means the volume as existing on July 1st 194 , or if constructed after that date, as originally built. Garages and outbuildings will not be included in this calculation.</p>	
	<p>Policy DG 1. Beckley Design Guide</p> <p>Applications for development should have regard to the guidance contained in the Beckley and Stowood Design Guide.</p> <p>In addition, all 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 as</p>	<p>It is not clear what the Beckley and Stowood Design Guide is or its relationship with the policy. Is the work referenced in the supporting text and contained within the appendix and evidence base intended to inform the policy, or to work alongside it? Currently it is unclear if the policy alone should be considered the design guide, or if it is to be read in conjunction with the information located in these supporting documents. A possible solution to this would be to reframe this policy as 'Design Principles' as opposed to a design guide. Alternatively, the information contained within the appendix and evidence base could be moved into the supporting text to make its association with the policy clearer.</p>

Ref.	Section/Policy	Comment/Recommendation
	<p>described in the character assessments at Appendices 12-15 and the Conservation Area appraisal for Beckley, including:</p> <p>For the Conservation Area -</p> <ul style="list-style-type: none"> • In the Conservation Area materials such as limestone rubble with quoins, in other areas of the parish also brick, rendered blockwork or timber cladding, wooden lintels and either wooden window casements or high-quality double-glazed units. • Roofs should be pitched and generally of tile, slate or thatch. • Solar panels which mimic roof tiles or have minimal visual impact <p>Within the whole parish new development should respect the character and qualities of the village, in particular focussing on the following:</p> <ul style="list-style-type: none"> • Buildings should be compatible with the size and character of their neighbours and in the Conservation Area they should generally be built of natural stone. • Power cables shall wherever possible be located underground in order to minimise the visual impacts associated with new development. 	<p>This policy is quite lengthy and could be shortened to be made more concise. Some of the wording currently within the policy reads better as supporting text such as ‘Gardens are a very important feature in Beckley ...’ and ‘Grass verges on the road frontage of dwellings are an important feature...’</p> <p>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.</p> <p>The reference to the Bayswater Brook allocation in the final section incorrectly refers to it as the ‘Boundary Brook’, this should be amended.</p>

Ref.	Section/Policy	Comment/Recommendation
	<ul style="list-style-type: none"> • Building heights should be in keeping with that of the surrounding buildings and should not rise beyond three storeys, to protect the character and privacy of other residents. • 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 development which is sympathetic to the existing building. • Porches and canopies should be in keeping with the general appearance and architecture of the dwelling. • External landscaping proposals should respect the character of the village and the landscape of the immediate surroundings. • Open fencing, railings and hedging that allows the enjoyment of public views towards the open countryside will be encouraged. • Traditional pitched roofs are more representative of the local vernacular and will be encouraged 	

Ref.	Section/Policy	Comment/Recommendation
	<p>whereas flat roofs are not in keeping with other houses in the Parish and will be discouraged.</p> <ul style="list-style-type: none"> • Dishes and aerials should generally be kept away from the principal elevations and not visible on any silhouette elevations. • Large box-type dormer windows will generally be discouraged. • Where possible, 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 more aesthetically pleasing designs such as panels without frames, and ones that blend into the roofing colour and design where appropriate. <p>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.</p> <p>The following design policies apply outside the strategic site Land North of Boundary Brook –</p>	

Ref.	Section/Policy	Comment/Recommendation
	<ul style="list-style-type: none"> • Gardens are a very important feature in Beckley and provision of a garden in proportion to the house size is an important criterion to the character of the village. • Grass verges on the road frontage of dwellings are an important feature of the village and should be protected, because they contribute positively to the character of the village. <p>The separation between dwellings should be maintained as it is an important characteristic of the village. New buildings should avoid significantly impairing important gaps between existing buildings where they provide glimpsed views towards the open countryside.</p>	
	<p>Policy DG 2. Night Sky/Lighting</p> <ul style="list-style-type: none"> • 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. 	<p>Not all external lighting requires planning permission. We therefore recommend adding '<i>Where planning permission is required...</i>'</p>
	<p>Policy CC 1. New Construction and Energy Efficiency</p>	<p>We are pleased to see a policy on this topic, especially as it aligns with South Oxfordshire District Council's corporate objectives. The reference</p>

Ref.	Section/Policy	Comment/Recommendation
	<p>New dwellings should be built to the highest standards in terms of energy and materials efficiency to meet the standards in policy DES10, or subsequent standards as they emerge in Local or National Policy. The provision of the following sustainability features, where appropriate. will be supported:</p> <ul style="list-style-type: none"> • Alignment of dwellings - south facing where possible to give passive solar heating and to maximise solar roof panels. • Maintenance - ensure minimum maintenance in all design features. • High level of energy generation on site utilising solar panels, ground source and air source heat pumps as appropriate. • High level of insulation. • Sustainable water systems including drainage (driveways) and storage. <p>Developers shall be encouraged to provide electric vehicle charging points for all new dwellings.</p>	<p>to policy DES10 of the South Oxfordshire Local Plan could be made clearer by making specific reference that it is the aforementioned document where this policy is located, as opposed to within the neighbourhood plan itself.</p>
	<p>5.7. Community Aspiration - Compliance with Beckley and Stowood Neighbourhood Plan Policies</p> <ul style="list-style-type: none"> • Monitoring by the Oxfordshire Neighbourhood Plan Alliance has 	<p>The law requires planning applications to be determined in accordance with relevant policies in the development plan (which includes made neighbourhood plans) unless material considerations indicate otherwise.</p>

Ref.	Section/Policy	Comment/Recommendation
	<p>shown that the policies of made Neighbourhood Plans in SODC which have legal weight, have in some instances been ignored by SODC Planning Officers. This has resulted in planning permission being granted which is not in compliance with local made Neighbourhood Plans.</p>	<p>The council strongly disputes the suggestion that it has failed to give appropriate weight to neighbourhood plan policies. We believe this statement is inaccurate and should be deleted.</p>
	<p>Community Aspiration - Monitoring Compliance of the Neighbourhood Plan</p> <p>The Beckley and Stowood Neighbourhood Plan steering group wish to be consultees on all planning applications within the parish, along with the Parish Council, to monitor adherence and compliance to the Neighbourhood Plan.</p>	<p>The Parish Council (PC) is the qualifying body responsible for the preparation, monitoring and any future review of the neighbourhood plan. The steering group act as a subcommittee of the parish council. If the steering group wishes to continue to be involved, this needs to be agreed with the PC. The PC, when consulted on planning applications, can work with the steering group if it chooses to keep it in place.</p> <p>We recommend this section is amended to reflect the correct statutory position.</p>
	<p>General Comment on mitigation policies</p>	<p>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.</p> <p>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.</p>

Ref.	Section/Policy	Comment/Recommendation
		<p data-bbox="938 237 1957 376">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.</p> <p data-bbox="938 424 1968 783">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).</p> <p data-bbox="938 828 1968 1043">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.</p> <p data-bbox="938 1088 1968 1228">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.</p> <p data-bbox="938 1273 1957 1375">It is also incorrectly stated in this section that the LNBB site is within the Green Belt. Comments on the acceptability of its removal from the Green Belt should be deleted as this has already happened.</p>

Ref.	Section/Policy	Comment/Recommendation
		<p>It is important to note that the Bayswater Brook allocation has been through examination and found sound. The site is currently subject to a planning application which will deal with many of the points that are raised in the mitigation policies.</p>
	<p>Figure 2.1 – Page 76</p>	<p>This map could be enhanced by ensuring the legend used contains all of the layers shown on the map. Currently, the parish boundary and the boundary of the STRAT 13 allocation are shown on the map but not on the legend. Making these amendments would bring these maps in line with the Basic Conditions which require a neighbourhood plan to be clear and unambiguous. SODC would be happy to assist with this and would welcome the examiner’s recommendation to make updates where appropriate.</p>
	<p>Policy C 1 Community Involvement</p> <p>In bringing forward proposals for the development of the Land North of Bayswater Brook strategic allocation site the developers should have regard to the Community Involvement Strategy outlined in this Neighbourhood Plan.</p>	<p>It is a laudable objective to want to improve communication and for the community to have more of a say in the development as it progresses; however, some aspects of the strategy go above and beyond what is legally required.</p> <p>The main subject of the strategy is the establishment of a community liaison committee. This is not a land use issue and therefore it would be outside the scope of a neighbourhood plan. This approach is reliant on the voluntary buy in of the developers and therefore should be informed by evidence of the developer’s support for it. Without this support, it is not clear how this could be achieved.</p>
	<p>Mitigation Policy GB 1. Definition of a new Green Belt Boundary</p> <p>A line of English Oak Quercus robur saplings, pot grown, at least 1.8m high will be planted every 10m along the new Green</p>	<p>It will not be possible to apply this policy to the whole site as parts of the allocated site at Bayswater Brook falls outside the designated neighbourhood plan area.</p> <p>The policy introduces a prescriptive requirement for Oak saplings to be planted every 10 metres along the Green Belt boundary. It is not clear</p>

Ref.	Section/Policy	Comment/Recommendation
	<p>Belt boundary and will be actively maintained for at least 5 years</p>	<p>what evidence there is that this is an appropriate or the most suitable method to achieve the required aim, or whether it has been tested for viability purposes.</p> <p>We recommend amending with the following wording;</p> <p><i>‘To help develop a permanent boundary to the green belt in line with STRAT13, it is encouraged that a line of English Oak Quercus Robur is planted. When planted they should be at least 1.8 metres high and pot grown to ensure a boundary can be established quickly.’</i></p> <p>The supporting text also advises that the boundary is agreed with the community liaison committee. This requirement is outside the scope of a neighbourhood plan and the text should be amended to encourage discussion on this matter with the committee if one is created.</p> <p>Additionally, in the supporting text it is stated that “it is important that the boundary is as permanent as possible, and defensible so it cannot be changed.” We recommend this is changed to: <i>‘it is important that the boundary is defined clearly, using physical features that are readily recognisable and likely to be permanent’</i> to align with National Planning Policy.</p>
	<p>Mitigation Policy TA 1. Transport Assessment and Travel Plan</p> <p>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</p>	<p>It will not be possible to apply this policy to the whole site as parts of the allocated site at Bayswater Brook falls outside the designated neighbourhood plan area.</p> <p>The mitigation policy replicates wording within the adopted Local Plan, specifically that found in the supporting text, as well as the body of, Policy TRANS4 and point v) in Policy STRAT13, without adding any extra detail. This is in conflict with para 16 of the NPPF which states that</p>

Ref.	Section/Policy	Comment/Recommendation
	<p>car modes, and measures to discourage carbased 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.</p>	<p>plans should 'serve a clear purpose, avoiding unnecessary duplication of policies.' It is therefore recommended that this policy is deleted.</p> <p>The reference in the supporting text for this policy to the alleviation methods in the Local Plan omits the relevant text attached to points 2 and 3 which explain that these may be required having first considered the mitigating effects of the sustainable transport improvements required by the policy. This is unclear as currently written and should be removed to avoid confusion.</p> <p>The requirement for the Community Liaison Committee to have input into the Transport Assessment and Travel Plan is outside the scope of a neighbourhood plan and the text should be amended to encourage discussion on this matter with the committee if one is created.</p>
	<p>Mitigation Policy CM 1. Provision of Construction Management Plans</p> <p>A Construction Management Plan should be provided as part of the supporting information accompanying any planning application.</p> <p>This plan should include, but not be confined to –</p> <ul style="list-style-type: none"> • Noise management – pile driving and other disturbing construction activity should be kept to a minimum. Pile driving in particular at the Barton Park site can be heard in Stowood and for many miles. Hours 	<p>It will not be possible to apply this policy to the whole site as parts of the allocated site at Bayswater Brook falls outside the designated neighbourhood plan area.</p> <p>The policy should be reworded to distinguish between the supporting text and the relevant land use matters. The comments in the policy relating to Barton Park are not relevant and should not be included within the policy. The requirement for the Community Liaison Committee to have input into the Construction Management Plan is outside the scope of a neighbourhood plan and the text should be amended to encourage discussion on this matter with the committee if one is created.</p> <p>The examiner of the Benson Neighbourhood Plan commented on a policy which imposed a requirement as to what documents must be submitted. The examiner in that case commented: "This policy imposes</p>

Ref.	Section/Policy	Comment/Recommendation
	<p>of permitted operation should be agreed with local residents via the Community Liaison Committee. Noise can be harmful to health. It must be ensured that local residents are not harmed by any noise from construction, can continue to enjoy their gardens and that shift workers and other residents do not have sleep disturbed.</p> <ul style="list-style-type: none"> • Vibration – this is not only harmful to buildings, but also to local residents. Vibration will arise from pile driving and from construction vehicle movement. It must be ensured that vibration and disturbance is kept to a minimum and a schedule must be agreed with the Community Liaison Committee. • Dust and Airbourne Pollutants Management – construction dust can be hazardous to health and cause serious lung and eye disease. Dust and air pollution must be monitored to ensure levels do not become hazardous. • Trees and hedgerows should be preserved and protected during construction and afterwards, from damage, dust and pollutants. 	<p>a requirement as to what documents must be submitted with a planning application. That is not something that a neighbourhood plan policy can do. The documents which must accompany planning application will be set out in the District Council’s Local Validation Checklist.”</p>

Ref.	Section/Policy	Comment/Recommendation
	<p>Mitigation Policy TA 2. Compliance with NICE Guidelines on Physical Activity and the Environment and Health Assessment</p> <p>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.</p>	<p>It is not clear what the scope of a health, mobility, active travel and physical activity assessment is intended to be. Policy STRAT4 of the adopted Local Plan requires strategic development proposals to undertake a health impact assessment. This policy would be more effective if it sought to influence what should be included within the Health Impact Assessment.</p>
	<p>Mitigation Policy PC. 1 Maintenance of Access and Separation of Footpaths and Bridleways</p> <p>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 i.e. bypass or ‘Link Roads’ should</p>	<p>It will not be possible to apply this policy to the whole site as parts of the allocated site at Bayswater Brook falls outside the designated neighbourhood plan area.</p> <p>The first sentence regarding the maintenance of the footpaths is outside the scope of neighbourhood planning. In addition, stating that all existing footpaths and bridleways must be kept open and accessible gives the impression that the policy would prohibit any diversion. During implementation of the development, some paths may need to be temporarily re-routed for safety reasons. A policy preventing this would not be appropriate and would be overly restrictive. The second sentence appears to be missing some words and lacks clarity.</p> <p>The outcome of the type of crossings required will be determined through additional evidence and assessments as part of the planning application process. Without such evidence or assessment, this policy should not determine the types of crossings that should be delivered.</p>

Ref.	Section/Policy	Comment/Recommendation
	<p>be by protected pedestrian crossings e.g., light controlled.</p>	
	<p>Mitigation Policy B 1. Provision of Public Transport</p> <p>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</p>	<p>The intent of the policy to ensure that public transport is integrated with the new development and provide connections to key employment centres is already addressed within STRAT 13. Paragraph 16 of the NPPF states that plans should ‘serve a clear purpose, avoiding unnecessary duplication of policies.’</p> <p>Additionally, the evidence for the statement in the supporting text that the development does not include sufficient bus routes is not clear.</p>
	<p>Mitigation Policy LR 1. Compliance with NICE Guidelines – Improving Air Quality</p> <p>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 -</p> <ul style="list-style-type: none"> • Minimising the exposure of vulnerable groups to air pollution by not siting buildings (such as 	<p>It will not be possible to apply this policy to the whole site as parts of the allocated site at Bayswater Brook falls outside the designated neighbourhood plan area.</p> <p>The NICE guidelines have not been examined, as such the policy cannot require development to be compliant with them. We recommend an amendment to the policy wording so that development ‘<i>has regard to the NICE guidelines</i>’.</p>

Ref.	Section/Policy	Comment/Recommendation
	<p>schools, nurseries and care homes) in areas where pollution levels will be high.</p> <ul style="list-style-type: none"> • Siting living accommodation away from roadsides. • Avoiding the creation of street and building configurations (such as deep street canyons) that encourage pollution to build up where people spend time. • Including landscape features such as trees and vegetation in open spaces or as 'green' walls or roofs where this does not restrict ventilation. • Including information in the plan about how structures such as buildings and other physical barriers will affect the distribution of air pollutants 	
	<p>Mitigation Policy SSSI 1. Report and Assessment Requirements for the SSSI Sydlings Copse and College Pond</p> <p>The development should be informed by a detailed assessment of the effect of the development on the SSSI including</p> <ul style="list-style-type: none"> • The need for buffer zones • A study of visitor numbers to the SSSI to determine the risk. • The likely recreational pressure 	<p>The evidence base to the adopted Local Plan includes an ecological assessment from AECOM which sets out what the site needs to do to mitigate effects on the SSSI and we would expect these particular points to be addressed through masterplanning and the planning application process.</p> <p>Policy STRAT13 of the adopted Local Plan requires the SSSI to be protected. It sets out;</p> <p>“Proposals to develop land North of Bayswater Brook will be expected to deliver:</p>

Ref.	Section/Policy	Comment/Recommendation
	<ul style="list-style-type: none"> • Mitigation policies on potential damage from domestic cats • A detailed hydrology survey • A reliable high-quality ecology report • Research pre and post construction on pollutant levels from vehicle emissions as well as particulate matter from tyres etc which are likely to be high from any 'Link Road' with HGVs. • A full Ecological Impact Assessment the methodology stipulated by Natural England and to their satisfaction 	<p>vii) a development than ensures that there will be no demonstrable negative recreational, hydrological or air quality impacts on the Sydlings Copse and College Pond SSSI.”</p> <p>It also states that the masterplan should plan for;</p> <p>“x) a net gain in biodiversity through the protection and enhancement of habitats along the Bayswater Brook, new habitats to the north buffering the Sydlings Copse and College Pond SSSI and offsite Biodiversity enhancements.</p> <p>xi) provides a network of green infrastructure that;</p> <p>b. protects and enhances existing habitats, particularly those associated with Sydlings Copse and College Pond SSSI and the Bayswater Brook”</p> <p>There is a process to be undertaken before determining if specific mitigation approaches would be the most appropriate. This process would include collecting new evidence and consulting with key stakeholders to help understand and inform the issues and potential solutions to overcome these issues. The impact on the SSSI was discussed during the Local Plan examination and the Inspector was satisfied that the site could be delivered. An Environmental Statement has since been completed as part of the planning application process for the development which addresses these concerns. We recommend that this policy should be deleted.</p>
	<p>Figure SSSI 2. Suggested Footpath Changes to Protect SSSI Sydlings Copse and College Pond</p>	<p>This map could be enhanced by ensuring there is a legend which lists all of the layers shown on the map. Currently, it is difficult to identify what is being shown on the map. Making these amendments would bring these maps in line with the Basic Conditions which require a neighbourhood plan to be clear and unambiguous. SODC would be happy to assist with</p>

Ref.	Section/Policy	Comment/Recommendation
		this and would welcome the examiner's recommendation to make updates where appropriate.
	<p>Mitigation Policy SSSI 2. Implementation of Protection Zone from Roads</p> <p>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 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.</p>	<p>Policy STRAT13 of the adopted Local Plan requires the air quality of the SSSI to be protected. It sets out;</p> <p>"Proposals to develop land North of Bayswater Brook will be expected to deliver:</p> <p>vii) a development than ensures that there will be no demonstrable negative recreational, hydrological or air quality impacts on the Sydlings Copse and College Pond SSSI."</p> <p>The evidence base to the Local Plan includes an ecological assessment from AECOM which sets out what the site needs to do to mitigate effects on the SSSI and we expect these particular points are addressed as part of the masterplanning for the site and the planning application process.</p> <p>This policy largely duplicates policy STRAT13, whilst placing an additional burden on the developer. It is unclear whether the policy has been tested for viability. In addition, the impact on the SSSI was discussed during the Local Plan examination and Inspector was satisfied that the site could be delivered, and any outstanding issues could be resolved through the planning application process. We recommend that this policy should be deleted.</p>
	<p>Mitigation Policy SSSI 3. Agreement of Landscape and Recreational Enhancements</p> <p>A buffer zone of at least 200m is required to protect the fragile SSSI - Sydlings</p>	<p>It is not clear what the justification for the 200m buffer zone is and where this prescriptive figure came from. Additionally, the planning application process will identify whether any further information is required and will resolve outstanding issues. We recommend that this policy should be deleted.</p>

Ref.	Section/Policy	Comment/Recommendation
	<p>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.</p>	<p>The policy should not set the expectation that the design and planting will need to be agreed with the Community Liaison Committee. This requirement is outside the scope of a neighbourhood plan and the text should be amended to encourage discussion on this matter with the committee if one is created.</p>
	<p>Mitigation Policy LV 1. Landscaping and Maintaining Important for Wick Farm and Lower Farm</p> <p>The landscape buffer between Wick Farm and the LnBB development must –</p> <ul style="list-style-type: none"> • Maintain existing trees and hedgerows around Wick Farm and Lower Farm • 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. 	<p>This policy largely duplicates Policy STRAT13 which states development:</p> <p>‘v) retains and incorporates existing hedgerows and tree belts viii) minimises visual impacts on the surrounding countryside’</p> <p>It is not reasonable for the policy to require that all existing trees and hedgerows are maintained - they may be circumstances where their removal is justified if of low quality - and this would be assessed in accordance with policies DES1, STRAT13 and ENV1 and BS 5837 (2012) – Trees in Relation to Design, Demolition and Construction. This bullet point should be reworded to allow for these circumstances.</p> <p>Additionally, the second bullet point includes the requirement that the strategic site is hidden from view, which is not practical and goes above and beyond what is required within the strategic allocation. STRAT13</p>

Ref.	Section/Policy	Comment/Recommendation
		<p>requires that the development includes a landscape buffer between the development and Wick Farm, and the acceptability of this will be assessed against STRAT13 and other relevant policies, but it is not realistic to expect that the development is hidden. We recommend this part of the policy is deleted.</p>
	<p>Mitigation Policy – LV 2. Maintaining Privacy and Avoiding Overlooking - Building Heights</p> <p>Building heights should not extend above three storeys to ensure that: -</p> <ul style="list-style-type: none"> • Residents of Wick Farm and Lower Farm are not overlooked by the new development and can maintain their privacy • Their views are protected as far as possible • When viewed from the south (Oxford) or north east (Stowood or Stanton St John) or west (Elsfield) visual impact is minimised on the surrounding countryside • It takes into account landform, layout and landscaping • It respects the local context and complements the scale, height and details of the surrounding area 	<p>It will not be possible to apply this policy to the whole site as parts of the allocated site at Bayswater Brook falls outside the designated neighbourhood plan area.</p> <p>The adopted Local Plan ensures that low density housing will be delivered to the north and west of the site to help mitigate the impact on the landscape. Paragraph 3.107 of adopted Local plan states;</p> <p>“The sensitive areas located to the west and north of the site are not included within the allocation, as they are considered to be of particular significance to Oxford’s historic setting. 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”</p> <p>STRAT 13 also states that proposals will need to minimise the visual impacts of the surrounding countryside. The loss of view from an existing dwelling is not a material planning consideration. The Neighbourhood Plan should not set the expectation that these will be preserved.</p> <p>The requirement that building heights should not exceed 3 stories 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 will be assessed via the</p>

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		<p>LVIA, DAS and the relevant sections of Policy STRAT13 in relation to this site.</p> <p>It is recommended that this policy is deleted as the adopted Local Plan makes provision for the housing densities to the north and west of the site to take into account the impact on the landscape.</p>
	<p>Mitigation Policy – LV 3. Specific landscaping and mitigation for loss of countryside</p> <p>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.</p> <p>The landscaping should include Sustainable Urban Drainage Systems where appropriate, to help reduce flooding and maintain water quality in adjacent waterbodies.</p> <p>The strategy should include provision for access by walking, horse riding and cycling.</p>	<p>It will not be possible to apply this policy to the whole site as parts of the allocated site at Bayswater Brook falls outside the designated neighbourhood plan area.</p> <p>This policy seeks to mitigate the loss of countryside by requiring a comprehensive landscape strategy. STRAT4 of the adopted local plan requires that proposals for strategic development should be accompanied by a landscape and visual impact assessment.</p> <p>STRAT13 of the Local Plan also states the following;</p> <p>‘Proposals will be expected to deliver a masterplan that has been informed by detailed landscape, visual, heritage and ecological impact assessments and demonstrates an appropriate scale, layout and form that:</p> <ul style="list-style-type: none"> iv) provides a permanent defensible Green Belt boundary around the allocation and a strong countryside edge; v) retains and incorporates existing hedgerows and tree belts, particularly where this assists with the creation of a new Green Belt boundary; vii) respects and avoids harm to Oxford’s historic setting; viii) minimises visual impacts on the surrounding countryside; ix) provides a network of green infrastructure’

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		<p>Paragraph 16 of the NPPF states that plans should ‘serve a clear purpose, avoiding unnecessary duplication of policies.’ The neighbourhood plan policy seeks to do what is already set out in STRAT4 and STRAT13 and is therefore duplicating and not adding any locally specific detail. It is therefore recommended that this policy is deleted.</p>
	<p>Mitigation Policy LV 4. Avoiding Hard Urban Edges</p> <p>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.</p>	<p>It will not be possible to apply this policy to the whole site as parts of the allocated site at Bayswater Brook falls outside the designated neighbourhood plan area.</p> <p>This policy seeks to mitigate the visual impact arising from the development on the adjacent countryside and the Green Belt. This policy largely duplicates requirements found within STRAT13 which ensures that the masterplan will be planned to mitigate the impact of the development on the countryside.</p> <p>Points iv), v), viii) and ix) of STRAT13 require the development to; provide a permanent defensible green belt boundary around the allocation and a strong countryside edge, retains and incorporates existing hedgerows and tree belts particularly where this assist with the creation of a new Green Belt boundary, minimises visual impacts on the surrounding countryside, and reduce densities towards the northern landscape buffer and will be lower close to Sydlings Copse and College Pond SSSI.</p> <p>The neighbourhood plan policy does not provide any additional detail than what is set out in STRAT13. Paragraph 16 of the NPPF states that plans should ‘serve a clear purpose, avoiding unnecessary duplication of policies.’ It is therefore recommended that this policy is deleted.</p>

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	<p>Mitigation Policy LV 5. Design in sympathy with the landscape and surroundings</p> <p>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.</p>	<p>It will not be possible to apply this policy to the whole site as parts of the allocated site at Bayswater Brook falls outside the designated neighbourhood plan area.</p> <p>Furthermore, the requirement to maintain and enhance goes above and beyond Local Plan policy ENV1. Policy ENV1 requires maintain and where possible enhance, the policy should be amended to be in line with the Local Plan policy.</p>
	<p>Mitigation Policy HAP 1. Air Quality Assessment and Mitigation</p> <p>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</p> <p>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 guidelines [NG70]</p>	<p>It will not be possible to apply this policy to the whole site as parts of the allocated site at Bayswater Brook falls outside the designated neighbourhood plan area.</p> <p>The area covered by an AQMA is decided through a different process and cannot be amended as part of a neighbourhood plan policy. This requirement should be deleted.</p> <p>STRAT 4 and STRAT13 of the Adopted Local Plan ensures that an Air Quality Screening Assessment will need to be undertaken and appropriate air quality mitigation is delivered for the strategic development at Bayswater Brook.</p> <p>It is important that a list of relevant issues and mitigation are identified through a robust process. In our opinion the Air Quality Screening Assessment is the correct process. We recommend the wording of Policy HAP1 is amended to align more closely with Policies STRAT4 & STRAT13 and identify the local considerations the Air Quality Screening Assessment should consider.</p>

Ref.	Section/Policy	Comment/Recommendation
	<p>Published: 30 June 2017 and any updates and reviews to minimise disease and improve local health profiles.</p>	<p>The final part of the policy is more suited to supporting text, furthermore the NICE guidelines have not been examined as such the policy cannot require development to be compliant with them. We recommend an amendment to the policy wording so that development <i>'has regard to the NICE guidelines'</i>.</p>
	<p>Mitigation Policy HAP 2. Indoor Air Quality</p> <p>Indoor air quality is an important component of health, and severe disease can develop from poor air quality both outdoor and indoors. Some people such as those with existing lung, heart and skin diseases are particularly vulnerable, as are pregnant women, babies and the elderly.</p> <p>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.</p> <ul style="list-style-type: none"> • Building materials should be specified that only emit a low level of formaldehyde and VOCs (volatile organic compounds). • Heating systems should be specified that minimise indoor exposure to particulate matter. 	<p>It will not be possible to apply this policy to the whole site as parts of the allocated site at Bayswater Brook falls outside the designated neighbourhood plan area.</p> <p>The initial part of the policy is more suited to supporting text. Furthermore the NICE guidelines have not been examined as such the policy cannot require development to be compliant with them. We recommend an amendment to the policy wording so that development <i>'has regard to the NICE guidelines'</i>.</p>

Ref.	Section/Policy	Comment/Recommendation
	<ul style="list-style-type: none"><li data-bbox="344 240 909 309">• Designs should include provision for removing indoor air pollutants.<li data-bbox="344 320 909 489">• Ventilation systems should be designed to reduce or avoid exposure to outdoor air pollution and ensure there is permanent, effective ventilation	