

# **Brize Norton Neighbourhood Development Plan 2020-2031**

**A report to West Oxfordshire District Council  
on the Brize Norton Neighbourhood  
Development Plan**

**Andrew Ashcroft  
Independent Examiner  
BA (Hons) M.A. DMS M.R.T.P.I.**

**Director – Andrew Ashcroft Planning Limited**

## **Executive Summary**

- 1 I was appointed by West Oxfordshire District Council in November 2024 to carry out the independent examination of the Brize Norton Neighbourhood Development Plan.
- 2 The examination was undertaken by written representations. I visited the neighbourhood area on 17 January 2025.
- 3 The Plan includes a range of policies and seeks to bring forward positive and sustainable development in the neighbourhood area. There is a very clear focus on safeguarding the setting of the village and designating a package of Local Green Spaces.
- 4 The Plan has been underpinned by community support and engagement. All sections of the community have been actively engaged in its preparation.
- 5 Subject to a series of recommended modifications set out in this report, I have concluded that the Brize Norton Neighbourhood Plan meets all the necessary legal requirements and should proceed to referendum.
- 6 I recommend that the referendum area should coincide with the neighbourhood area.

**Andrew Ashcroft**  
**Independent Examiner**  
**4 April 2025**

## **1 Introduction**

- 1.1 This report sets out the findings of the independent examination of the Brize Norton Neighbourhood Development Plan 2020-2031 (the 'Plan').
- 1.2 The Plan has been submitted to West Oxfordshire District Council (WODC) by Brize Norton Parish Council (BNPC) in its capacity as the qualifying body responsible for preparing the neighbourhood plan.
- 1.3 Neighbourhood plans were introduced into the planning process by the Localism Act 2011. They aim to allow local communities to take responsibility for guiding development in their area. This approach was subsequently embedded in the National Planning Policy Framework (NPPF) 2012 and its subsequent updates. The NPPF continues to be the principal element of national planning policy.
- 1.4 The role of an independent examiner is clearly defined in the legislation. I have been appointed to examine whether the submitted Plan meets the basic conditions and Convention Rights and other statutory requirements. It is not within my remit to examine or to propose an alternative plan, or a potentially more sustainable plan except where this arises because of my recommended modifications to ensure that the plan meets the basic conditions and the other relevant requirements.
- 1.5 A neighbourhood plan can be narrow or broad in scope. Any plan can include whatever range of policies it sees as appropriate to its designated neighbourhood area. The submitted Plan has been designed to be distinctive in general terms, and to complement to the existing development plan. It has a very clear focus on safeguarding the setting of the village and designating a package of Local Green Spaces.
- 1.6 Within the context set out above, this report assesses whether the Plan is legally compliant and meets the basic conditions that apply to neighbourhood plans. It also considers the content of the Plan and, where necessary, recommends changes to its policies and supporting text.
- 1.7 This report also provides a recommendation as to whether the Plan should proceed to referendum. If this is the case, and that referendum results in a positive outcome, the Plan would then become part of the wider development plan.

## **2 The Role of the Independent Examiner**

- 2.1 The examiner's role is to ensure that any submitted neighbourhood plan meets the relevant legislative and procedural requirements.
- 2.2 I was appointed by WODC, with the consent of BNPC, to conduct the examination of the Plan and to prepare this report. I am independent of both WODC and BNPC. I do not have any interest in any land that may be affected by the Plan.
- 2.3 I possess the appropriate qualifications and experience to undertake this role. I am a Director of Andrew Ashcroft Planning Limited. I have 42 years' experience in various local authorities at either Head of Planning or Service Director level, and more recently as an independent examiner. I have significant experience of undertaking other neighbourhood plan examinations and health checks. I am a member of the Royal Town Planning Institute and the Neighbourhood Planning Independent Examiner Referral Service.

### *Examination Outcomes*

- 2.4 In my role as the independent examiner of the Plan I am required to recommend one of the following outcomes of the examination:
- (a) that the Plan proceeds to a referendum; or
  - (b) that the Plan should proceed to referendum as modified (based on my recommendations); or
  - (c) that the Plan does not proceed to referendum on the basis that it does not meet the necessary legal requirements.
- 2.5 The outcome of the examination is set out in Sections 7 and 8 of this report.

### *Other examination matters*

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

### 3 Procedural Matters

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

- the submitted Plan;
- the various appendices;
- the Basic Conditions Statement;
- the Consultation Statement;
- the SEA/HRA screening report (November 2023);
- BPC's responses to the Clarification Note;
- the representations made to the Plan;
- the planning application on land to the south of Burford Road, Brize Norton (25/00487/OUT);
- the adopted West Oxfordshire Local Plan 2031;
- the National Planning Policy Framework (December 2023 and December 2024);
- Planning Practice Guidance; and
- relevant Ministerial Statements.

3.2 I visited the neighbourhood area on 17 January 2025. I looked at its overall character and appearance and at those areas affected by policies in the Plan in particular. The visit is covered in more detail in Section 5 of this report.

3.3 It is a general rule that neighbourhood plan examinations should be held by written representations only. Having considered all the information before me, including the representations, I am satisfied that the Plan could be examined without the need for a public hearing.

#### *The 2024 update of the NPPF*

3.4 The NPPF was updated on 12 December 2024. Paragraph 239 of the NPPF 2024 sets out transitional arrangements for plan-making. It comments that the policies in the Framework will apply for the purpose of preparing neighbourhood plans from 12 March 2025 unless a neighbourhood plan proposal has been submitted to the local planning authority under Regulation 15 of the Neighbourhood Planning (General) Regulations 2012 (as amended) on or before the 12 March 2025.

3.5 On this basis, the examination of the Plan against the basic condition that it should have regard to national policies and advice contained in guidance issued by the Secretary of State is based on the 2023 version of the NPPF. Plainly the Plan was submitted in 2024 in that context. Where NPPF paragraph numbers are used in this report, they refer to those in the December 2023 version.

3.6 Paragraph 6.2 of this report sets out the full extent of the basic conditions against which a neighbourhood plan is examined.

## 4 Consultation

### *Consultation Process*

- 4.1 Policies in made neighbourhood plans become the basis for local planning and development control decisions. As such the regulations require neighbourhood plans to be supported and underpinned by public consultation.
- 4.2 In this context, BNPC has prepared a Consultation Statement. It sets out the mechanisms used to engage all concerned in the plan-making process. It also provides specific details about the consultation process that took place on the pre-submission version of the Plan (August to September 2023). It captures the key issues in a proportionate way and is then underpinned by more detailed appendices.
- 4.3 Appendix A of the Statement helpfully sets out a summary of the consultation activities. I am satisfied that they are relevant both to the parish and to the matters addressed in the Plan.
- 4.4 The Statement also reproduces material used at some of the consultation events. This gives an added depth to the document.
- 4.5 Appendix B of the Statement provide details on the comments received during the consultation process for the pre-submission version of the Plan. It identifies the principal changes that worked their way through into the submitted version. This process helps to describe the evolution of the Plan.
- 4.6 I am satisfied that consultation has been an important element of the Plan's production. Advice on the neighbourhood planning process has been made available to the community in a positive and direct way by those responsible for the Plan's preparation. From all the evidence provided to me as part of the examination, I am satisfied that the Plan has promoted an inclusive approach to seeking the opinions of all concerned throughout the process. WODC has carried out its own assessment that the consultation process has complied with the requirements of the Regulations.

### *Representations Received*

- 4.7 Consultation on the submitted plan was undertaken by WODC. This exercise generated comments from the following organisations:
- Bloor Homes and Christ Church
  - Harper Crewe Limited
  - Historic England
  - Lone Star Land Graftongate
  - Ministry of Defence
  - Natural England
  - Oxfordshire County Council
  - Thames Water

- West Oxfordshire District Council

4.8 Comments were also received from a resident.

4.9 Additional consultation took place on technical updates to the Plan. This ended on 23 December 2024 and attracted further comments from Historic England and Natural England.

4.10 I have taken account of the various representations in examining the Plan. Where it is appropriate to do so, I make specific reference to the individual representations in Section 7 of this report.

## 5 The Neighbourhood Area and the Development Plan Context

### *The Neighbourhood Area*

- 5.1 The neighbourhood area is the parish of Brize Norton. It was designated as a neighbourhood area on 8 May 2017. In 2011 the population of the village was 938 persons living in 392 households. As the Plan describes, the ongoing development of Brize Meadows will increase the parish's population to around 3100 persons in 2028. The village is situated between the towns of Carterton to the west and Bampton to the south, and the villages of Curbridge to the east and Minster Lovell to the north. Part of the northern boundary of the parish is formed by the A40 (Oxford to Cheltenham Road).
- 5.2 Brize Norton is classified by WODC in the West Oxfordshire Design Guide as a 'linear and dispersed village'. The 'linear' part of the village extends for 1.6 miles from Station Road in the south, Manor Road in the centre and onto Burford Road in the north-west. There are a small number of dwellings located on Carterton Road to the west, Elm Grove to the east, and Minster Road to the north. The 'dispersed' part of the village consists of outlying dwellings and farmhouses outside of the settlement area to the south, north-west, north, and east of the village. A part of RAF Brize Norton, the largest Royal Air Force base in the United Kingdom, also lies within the parish.
- 5.3 The remainder of the parish is attractive countryside.

### *Development Plan Context*

- 5.4 The West Oxfordshire Local Plan was adopted in 2018. It sets out the basis for future development in the District up to 2031. The strategic approach taken by the Plan is that a significant proportion of new homes, jobs and supporting services will be focused within and on the edge of the main service centres of Witney, Carterton, and Chipping Norton. Brize Norton is identified as one of a series of villages in the settlement hierarchy. The Plan advises that villages are suitable for limited development which respects the village character and local distinctiveness and would help to maintain the vitality of these communities.
- 5.5 Policy OS2 of the Plan comments about the way in which development should be in the right places based around the settlement hierarchy in Table 4b. The policy is underpinned a series of general principles which include that all development should:
- be of a proportionate and appropriate scale to its context having regard to the potential cumulative impact of development in the locality;
  - form a logical complement to the existing scale and pattern of development and/or the character of the area; and
  - avoid the coalescence and loss of identity of separate settlements.
- 5.6 The neighbourhood area is within the Carterton sub-area. It has a population of approximately 25,000 people, 16,000 of which live in Carterton, which is now the second largest town in West Oxfordshire. The other settlements in the sub-area include Bampton (a designated rural service centre), Shilton, Alvescot, Filkins, Langford, Clanfield, Kelmscott and Aston. Policy CA5 (Carterton sub-area strategy) comments



about the Plan's intentions for this part of the District and allocates sites for housing development in Carterton. Its series of general principles with which development proposals should comply include:

- maintaining, enhancing, and extending the green buffer on the northern edge of Carterton including between Carterton and Brize Norton village; and
- protection and enhancement of the character and setting of Carterton and the identity of neighbouring villages.

5.7 The Basic Conditions Statement advises that the following other policies in the Local Plan have had a bearing on the production of the submitted Plan:

- Policy OS4: High Quality Design
- Policy OS5: Supporting Infrastructure
- Policy EH2: Landscape character
- Policy EH3: Biodiversity and geodiversity
- Policy EH4: Public realm and green infrastructure
- Policy EH7: Flood risk
- Policy EH11: Listed buildings
- Policy EH12: Traditional Buildings
- Policy EH13: Historic Landscape Character
- Policy E5: Local Services and Community Facilities

5.8 WODC is preparing a new local plan. It will cover the period to 2041. The Plan is being prepared to the following timescale:

- Consultation on preferred policy options (Regulation 18) - May 2025;
- Publication of pre-submission draft Local Plan (Regulation 19) - October 2025;
- Submission for independent examination - March 2026; and
- Examination and adoption – late 2026

The overlap between the emerging Local Plan and the submitted Plan is addressed in some of the representations to the Plan. I address this matter in Section 7 of this report.

#### *Unaccompanied Visit*

5.9 I visited the neighbourhood area on 17 January 2025.

5.10 I drove into the village from the A40 to the north. This gave me an initial impression of its character, and the context of its wider setting in relation to Carterton.

5.11 I looked initially at the village centre in Station Road. I saw the significance of Elderbank Hall, the Humble Bumble café, the Recreation Ground, and the Chequers PH. I also saw the importance of St Britius Church in the local townscape. I looked at the two proposed local green spaces in this part of the village.

5.12 I then walked to the west along Carterton Road. This allowed me to look at the proposed Strategic Buffer Zones and the proposed Local Green Space (SUDS area).

This part of the visit also highlighted the relationship between the village and RAF Brize Norton

- 5.13 I continued walking along Monahan Way. This part of the visit highlighted the relationship between Brize Norton and Carterton. I also saw the Carterton Pavilion and the evolving residential development off Bellenger Way.
- 5.14 I then walked along both Kilkenny Lane and Burford Road. I saw the importance and popularity of the Kilkenny Country Park. I also took the opportunity to look at the proposed Area of Sensitivity to change.
- 5.15 I walked back into the village centre along Burford Road and Manor Road. In doing so I saw several fine historic buildings.
- 5.16 I left the neighbourhood area by driving to Carterton and then to Burford. This part of the visit highlighted the relationship of the neighbourhood area with these larger settlements.

## 6 The Neighbourhood Plan and the Basic Conditions

6.1 This section of the report deals with the submitted neighbourhood plan as a whole and the extent to which it meets the basic conditions. The submitted Basic Conditions Statement has helped considerably in the preparation of this section of the report. It is a well-presented and informative document. It is also proportionate to the Plan itself.

6.2 As part of this process I must consider whether the submitted Plan meets the Basic Conditions as set out in paragraph 8(2) of Schedule 4B of the Town and Country Planning Act 1990. To comply with the basic conditions, the Plan must:

- have regard to national policies and advice contained in guidance issued by the Secretary of State;
- contribute to the achievement of sustainable development;
- be in general conformity with the strategic policies of the development plan in the area;
- not breach, and otherwise be compatible with, the assimilated obligations of EU legislation (as consolidated in the Retained EU Law (Revocation and Reform) Act 2023 (Consequential Amendment) Regulations 2023; and
- not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017 (7).

6.3 I assess the Plan against the basic conditions under the following headings.

### *National Planning Policies and Guidance*

6.4 For the purposes of this examination the key elements of national policy relating to planning matters are set out in the National Planning Policy Framework (NPPF) issued in December 2023.

6.5 The NPPF sets out a range of core land-use planning issues to underpin both plan-making and decision-taking. The following are of relevance to the Brize Norton Neighbourhood Plan:

- a plan-led system – in this case the relationship between the neighbourhood plan and the adopted West Oxfordshire Local Plan 2031;
- delivering a sufficient supply of homes;
- building a strong, competitive economy;
- recognising the intrinsic character and beauty of the countryside and supporting thriving local communities;
- taking account of the different roles and characters of different areas;
- highlighting the importance of high-quality design and good standards of amenity for all future occupants of land and buildings; and
- conserving heritage assets in a manner appropriate to their significance.

6.6 Neighbourhood plans sit within this wider context both generally, and within the more specific presumption in favour of sustainable development. Paragraph 13 of the NPPF

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

- 6.7 In addition to the NPPF I have also taken account of other elements of national planning policy including Planning Practice Guidance and ministerial statements.
- 6.8 Having considered all the evidence and representations available as part of the examination, I am satisfied that the submitted Plan has had regard to national planning policies and guidance in general terms subject to the recommended modifications included in this report. It has a very clear focus on safeguarding the setting of the village and designating a package of Local Green Spaces. The Basic Conditions Statement maps the policies in the Plan against the appropriate sections of the NPPF.
- 6.9 At a more practical level, the NPPF indicates that plans should provide a clear framework within which decisions on planning applications can be made and that they should give a clear indication of how a decision-maker should react to a development proposal (paragraph 16d). This was reinforced with the publication of Planning Practice Guidance. Paragraph ID:41-041-20140306 indicates that policies in neighbourhood plans should be drafted with sufficient clarity so that a decision-maker can apply them consistently and with confidence when determining planning applications. It also advises that policies should also be concise, precise, and supported by appropriate evidence.
- 6.10 As submitted the Plan does not fully accord with this range of practical issues. Most of my recommended modifications in Section 7 relate to matters of clarity and precision. They are designed to ensure that the Plan fully accords with national policy.

*Contributing to sustainable development*

- 6.11 There are clear overlaps between national policy and the contribution that the submitted Plan makes to achieving sustainable development. Sustainable development has three principal dimensions – economic, social, and environmental. I am satisfied that the submitted Plan has set out to achieve sustainable development in the neighbourhood area. In the economic dimension, the Plan includes a policy on sustainable development (Policy SD1). In the social dimension, it includes policies on community facilities (Policy CF1), and local green spaces (Policy ENV1). In the environmental dimension, the Plan positively seeks to protect its natural, built, and historic environment. It has specific policies on landscape character (Policy CLH1), and on village character and design (Policy CLH4). BNPC has undertaken its own assessment of this matter in the submitted Basic Conditions Statement.

*General conformity with the strategic policies in the development plan*

- 6.12 I have already commented in detail on the development plan context in West Oxfordshire in paragraphs 5.4 to 5.8 of this report.
- 6.13 I consider that the submitted Plan delivers a local dimension to this strategic context. The Basic Conditions Statement helpfully relates the Plan's policies to policies in the

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

#### *Strategic Environmental Assessment*

- 6.14 The Neighbourhood Plan General Regulations 2015 require a qualifying body either to submit an environmental report prepared in accordance with the Environmental Assessment of Plans and Programmes Regulations 2004 or a statement of reasons why an environmental report is not required.
- 6.15 In order to comply with this requirement, WODC commissioned a screening exercise on the need or otherwise for a Strategic Environmental Assessment (SEA) to be prepared for the Plan. The report (November 2023) is thorough and well-constructed. As a result of this process, it concluded that the Plan is unlikely to have any significant effects on the environment and would not require a SEA.

#### *Habitats Regulations Assessment*

- 6.16 The screening report also included a separate Habitats Regulations Assessment (HRA) of the Plan. It concludes that the Plan is not likely to have significant environmental effects on a European nature conservation site or undermine their conservation objectives alone or in combination taking account of the precautionary principle. As such Appropriate Assessment is not required.
- 6.17 The HRA report is both thorough and comprehensive. It takes appropriate account of the significance of several protected sites and of the work undertaken on habitats as part of the preparation of the adopted Local Plan. It provides assurance to all concerned that the submitted Plan takes appropriate account of important ecological and biodiversity matters.
- 6.18 Having reviewed the information provided to me as part of the examination, I am satisfied that a proportionate process has been undertaken in accordance with the various regulations. In the absence of any evidence to the contrary, I am entirely satisfied that the submitted Plan is compatible with the appropriate regulations.

#### *Human Rights*

- 6.19 In a similar fashion I am satisfied that the submitted Plan has had regard to the fundamental rights and freedoms guaranteed under the European Convention on Human Rights (ECHR) and that it complies with the Human Rights Act. There is no evidence that has been submitted to me to suggest otherwise. In addition, there has been full and adequate opportunity for all interested parties to take part in the preparation of the Plan and to make their comments known. Based on all the evidence available to me, I conclude that the submitted Plan does not breach, nor is in any way incompatible with the ECHR.

*Summary*

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

## 7 The Neighbourhood Plan policies

- 7.1 This section of the report comments on the policies in the Plan. It makes a series of recommended modifications to ensure that they have the necessary precision to meet the basic conditions.
- 7.2 My recommendations focus on the policies themselves given that the basic conditions relate primarily to this aspect of neighbourhood plans. In some cases, I have also recommended changes to the associated supporting text.
- 7.3 I am satisfied that the content and the form of the Plan is fit for purpose. It is distinctive and proportionate to the neighbourhood area. The wider community and BNPC have spent time and energy in identifying the issues and objectives that they wish to be included in their Plan. This sits at the heart of the localism agenda.
- 7.4 The Plan has been designed to reflect Planning Practice Guidance (Section 41-004-20190509) which indicates that neighbourhood plans must address the development and use of land.
- 7.5 I have addressed the policies in the order that they appear in the submitted plan. Where necessary I have identified the inter-relationships between the policies.
- 7.6 For clarity, this section of the report comments on all policies whether I have recommended modifications to ensure that the Plan meets the basic conditions.
- 7.7 Where modifications are recommended to policies they are highlighted in bold print. Any associated or free-standing changes to the text of the Plan are set out in italic print.

### *The initial section of the Plan (Sections 1-6)*

- 7.8 The initial parts of the Plan set the scene for the range of policies. They do so in a proportionate way. The Plan makes a very clear distinction between its policies and the supporting text.
- 7.9 Sections 1 and 2 comment about the general background to the Plan, how it has been prepared and how it will be used. They define the Plan period and include a map of the neighbourhood area. Section 2 also comments about the way in which the community was engaged in the Plan's preparation. It overlaps with the Consultation Statement.
- 7.10 Section 3 describes keys elements of the neighbourhood area. It does so in a very effective fashion. The Plan's presentation of these issues has been very helpful for examination purposes.
- 7.11 Section 4 comments about the development plan context within which the Plan has been prepared. It advises about the relevant policies in the West Oxfordshire Local Plan 2031, and the contents of the West Oxfordshire Design Guide.
- 7.12 Section 5 advises about the key sustainability challenges faced in the parish. The comprehensive information helps to inform the vision and objectives of the Plan.

7.13 Section 6 includes a vision and a series of objectives for the wider Plan. The vision is:

*‘to support sustainable development that meets the needs of residents now and in the future, while retaining Brize Norton’s separate identity as a rural parish adjacent to, but separate from, the town of Carterton. To protect and where possible enhance our rural environment whilst also acknowledging that RAF Brize Norton will have an ongoing influence over certain elements of our lifestyle.’*

7.14 Section 3 also advises that the Plan’s policies have been grouped under four themes aligned to its vision and objectives as follows:

- Character, Heritage, and Landscape;
- Environment;
- Facilities and Infrastructure; and
- Sustainable Development.

7.15 The connection between the vision and the objectives runs into the details in the Plan which sets out a rationale before each policy

*The timing of the Plan’s submission*

7.16 In their different ways, the representations from Lone Star Land and Graftongate and Harper Crewe HCBB Ltd question the timing of the submission of the Plan given that WODC is actively working on a new Local Plan which will cover the period up to 2041. I have approached this matter within the overall context of the flexibility which the Planning Acts provide for qualifying bodies on neighbourhood plans in general, and on timing of when such plans are submitted for examination. Plainly this is influenced by the capacity and willingness of the qualifying body concerned (here BNPC).

7.17 As part of this process, I have also taken account of the contents of Planning practice guidance (ID:41-009-20190509) which addresses the relationship between an emerging neighbourhood plan (here the Brize Norton Plan), an emerging Local Plan (here the West Oxfordshire Local Plan 2041), and the adopted development plan (the West Oxfordshire Local Plan 2031). As part of this wider assessment I note that the submitted neighbourhood plan has a Plan period of 2020 to 2031 to coincide with the end date of the adopted Local Plan.

7.18 In all the circumstances, I am satisfied that BNPC has taken a balanced approach to this matter. Whilst WODC has published a timetable for the necessary work on the emerging Local Plan is not yet at a point at which it can be given any significant weight. As such, BNPC has prepared a Plan within the context set by the strategic policies in the development plan (and as required by the basic conditions). Nevertheless, given that the submitted Plan has a relatively short Plan period (and which coincides with that of the adopted Local Plan) I have recommended later in that report that its anticipated review process is more closely aligned with the eventual adoption of the Local Plan.



*Other related matters*

- 7.19 In February 2025 Harper Crewe Bloombridge Ltd submitted an outline planning application (25/00487/OUT) for 350 homes, land for a community building, public open space, landscaping, and associated infrastructure on land to the south of Burford Road, Brize Norton. Plainly WODC will determine the planning application in due course.
- 7.20 The application site overlaps with the proposed Area of Area of Sensitivity to change and two of the proposed Key Important Views in the submitted Plan. In addition, the planning application is accompanied by a series of documents including:
- a Landscape and Visual Assessment (and identified viewpoints);
  - an Environmental Statement;
  - a biodiversity net gain self-assessment;
  - an arboricultural impact assessment; and
  - a habitat management and monitoring plan.
- 7.21 Where relevant, I comment about the potential implications of this planning application on a policy-by-policy basis throughout this report.

*Policy CLH1 Landscape Character*

- 7.22 The Plan advises that the intent of this policy is to maintain and enhance the distinctive character and identity of the village in relation to the surrounding landscape and rural setting. The Brize Norton Design Code also considers matters of context and identity in setting out more locally specific guidance as to what is important and how these considerations should be applied to new development.
- 7.23 WODC comment about the potential overlaps between this policy and Policy CLH2 (on Key Local Views). Lone Star Land and Graftongate suggest detailed refinements to the wording used in the policy.
- 7.24 I have considered the policy and the comments received very carefully. I also spent time throughout the visit looking at the different aspects of the landscape in the parish. Based on all the available evidence, I recommend modifications to the policy so that it sets out its various requirements as matters to be addressed by development proposals rather than to comment that proposals will be supported. This acknowledges that other policies will have a bearing on the determination of planning applications. I also recommend that the detailed elements of the policy are identified as principles which development proposals should address.
- 7.25 The relationship between Policies CLH1 and CLH2 is unclear given that the former (and its supporting text) comments about a wider range of views, whereas the latter identifies specific views. I recommend that second detailed element of Policy CLH1 is deleted, together with consequential modifications to the supporting text. This will bring the clarity required by the NPPF. It will also ensure that Policy CLH1 is underpinned by Landscape Character Assessment (Appendix 8), and that Policy CLH2 is underpinned by Landscape Character Assessment Views (Appendix 9). I also recommend consequential modifications to the Policy Intent.

- 7.26 Otherwise the policy meets the basic conditions. It will contribute to the local delivery of the social and the environmental dimensions of sustainable development.

**Replace the policy with:**

**‘Development proposals should respond positively to and, where practicable, enhance the distinctive character and identity of Brize Norton and the surrounding landscape.**

**Where relevant development proposals should address the following principles:**

- **the retention and, where practicable, the enhancement of the key components of the rural landscape character in the parish (referring to the Landscape Character Assessment and Brize Norton Design Code) including the openness of the landscape and its characteristic pattern of hedgerows;**
- **wherever practicable, the retention of man-made and natural boundaries and features, including field boundaries and spaces enclosed by drystone walls, fences, hedgerows, ditches, historic tracks and paths, buildings, and structures representative of the agricultural past of the parish, and their incorporation into development proposals;**
- **the protection of natural assets such as ponds, streams, woodland and individual Veteran and Ancient trees in line with the West Oxfordshire Local Plan and have regard to the Brize Norton Design Code; and**
- **light pollution is minimised in accordance with the Brize Norton Design Code.’**

*Replace the Policy Intent with:*

*‘The intent of this policy is to maintain and enhance the distinctive character and identity of the village in particular relation to the surrounding landscape and rural setting.*

*The Brize Norton Design Code also considers matters of context and identity in setting out locally-specific guidance as to what is important and how these considerations should be applied to new development.’*

**Policy CLH2 Key Local Views**

- 7.27 The Plan comments that Brize Norton is fortunate to have several key views which most distinctly define local character and establish and root its identity in the surrounding landscape. The intent of this policy is to seek protection for the most important views. The Plan comments that the rural identity of the settlement within its agricultural hinterland is particularly evident when viewed from the higher ground south of the A40 and with extensive views of the settlement from the eastern parts of the parish. The areas towards the east of the includes ancient woodlands and biodiversity hotspots. In areas towards the northern boundary the character is more one of dry-stone walls and hedgerows. The supporting text advises that the substantial public rights of way network allows accessibility to the surrounding landscape.

- 7.28 The Plan also advises about the relationship between the wider schedule of views identified in Appendix A of the Landscape Character Assessment and those to which this policy applies. The former are more general views. The latter (a smaller number of key local views) have been selected for specific protection are the focus of this policy.
- 7.29 I looked at a selection of the views during the visit.
- 7.30 WODC comment that:
- 'it is not entirely clear how the 9 key views which have been identified relate to the 34 key views identified at Appendix 09 and cross-referenced in Policy CLH1. Aside from this, revisions to the policy text itself are welcome which now requires development proposals to have regard to the key views identified and for proposals to seek to maintain and enhance these where possible. This approach should also be reflected more strongly in the supporting text.'*
- 7.31 Lone Star Land and Graftongate comment that key views D and E do not have appropriate regard to advice in GLVIA3 as national guidance, as well as lacking justification and so frustrating the achievement of sustainable development, the submitted Plan does not meet the statutory test of basic conditions. It suggests that the views should be reviewed and reconsidered.
- 7.32 Bloor Homes and Christ Church make a series of detailed comments on the views.
- 7.33 I have considered the details of the policy and the selection of the Key Local Views very carefully. On the balance of the evidence, I am satisfied that the explanation in the supporting text about the way in which the Plan has taken the more important views from those identified in the Landscape Character Assessment and highlighted them as Key Local Views in the policy is appropriate. In addition, I am satisfied that the approach taken has regard to Section 15 of the NPPF.
- 7.34 In terms of the details in the various submitted document to support the proposed Key Local Views, I note that the Landscape Character Assessment (Appendix A on Views) was produced in 2019 and is therefore dated. In addition, it offers little guidance on the importance of the views and the extent to which they are worthy of incorporation into a policy of this nature. In this context I note that the Landscape Character Assessment comments more generally that the Carterton Landscape Assessment (2009) recognises that, due to the general topography and sparsely vegetated landscape structure, there is high inter-visibility across the parish, which often makes it difficult to integrate or absorb development, and even to screen it from views. It also recognises that, due to local topography being characterised by gently rolling agricultural land with a general gradient north-south, ranging from 130m AOD along the A40 and 75m AOD to the south of the village, views from the south east of Brize Norton are directed towards an outlying area of high ground, Lew Hill. This rises out of the low-lying vale, forming a characteristic landmark in the surrounding landscape.
- 7.35 The Plan acknowledges that Key Local Views E, F and G are in the Minerals Safeguarding Area. It also comments that as these views are over some distance, it should be feasible to mitigate any adverse impacts on views through screening and

profiling and in addition, once operations have ceased it will be expected that the views will be reinstated. However, in all the circumstances, I am not satisfied that the incorporation of these views in the policy is reasonable. It is inevitable that they will be affected by any activity for the working of minerals. As such I recommend that they are deleted.

- 7.36 I have also considered the appropriateness of Key Local Views D and E. On the one hand they have a pleasing character and appearance. On the other hand, I have concluded that they are general in nature and do not have the specific characteristics which BNPC has sought to achieve in selecting Key Local Views. As such I recommend that they are deleted.
- 7.37 I note that Views H and I are affected by the recently-submitted planning application for land between Kilkenny Lane and Burford Road. That application provides a package of details as summarised in paragraph 7.20 of this report. In these circumstances the evidence about the landscape in this part of the neighbourhood area pulls in different directions. As such, I recommend that Views H and I are deleted from the policy. This issue could be addressed in a review of the Plan once the planning application has been determined.
- 7.38 I looked carefully at the proposed Key Local Views A, B and C. On the balance of the evidence, I am satisfied that they have the specific characteristics to be included in a policy of this nature. As the Plan advises, Key Views B and C overlap with public right of way 143/7a.
- 7.39 In general terms, the policy wording takes a non-prescriptive approach to the way in which development proposals should respond to the identified Key Local Views. Nevertheless, I recommend that it is recast so that it more clearly identifies its approach and explicitly identifies the Key Local Views. I also recommend a consequential recasting of the supporting text (and the relevant maps and photographs) so that it corresponds with the recommended modifications to the policy. Otherwise, the policy meets the basic conditions. It will contribute to the local delivery of the social and the environmental dimensions of sustainable development.

**'Replace the policy with:**

**'The Plan identifies the following Key Local Views:**

- **View A: Station Road (at south entrance to village) looking east.**
- **View B: Public Right of Way 143/5 looking southeast out of village towards Lew Hill.**
- **View C: Public Right of Way 143/7a looking northeast towards Astrop Farm.**

**The location, scale and massing of development proposals should have regard to the identified Key Local Views. Development proposals which would unacceptably detract from the character and attractiveness of a Key Local View will not be supported.'**

Replace the supporting text (pages 41-45) with:

### **‘Policy Rationale**

*Brize Norton is fortunate to have several key views which define local character and establish and root its identity in the surrounding landscape. The rural identity of the settlement within its agricultural hinterland is particularly evident when viewed from the higher ground south of the A40 and with extensive views of the settlement from the eastern parts of the parish. The areas towards the east of the parish include ancient woodlands and biodiversity hotspots. In areas towards the northern boundary the character is more one of dry-stone walls and hedgerows. A substantial public rights of way network is also evident that allows accessibility to a tranquil attractive landscape (Appendix 6, document E).*

*The intent of this policy is to seek protection for the most important views. These key views have been listed A to C in Map 09 below:*

- *View 1 Station Road (at south entrance to village) looking east;*
- *View 2 Public right of way 143/7a looking southeast out of village towards Lew Hill; and*
- *View 3 Public right of way 143/7a looking northeast towards Astrop Farm.*

*Views across the wider landscape referenced in Landscape Character Assessment generally describe the character of the landscape. However, the views do not necessarily relate to views to and from the village. The three key local views are the specific focus of this policy.’*

*Remove Views D-I from Map CLH2*

*On pages 44 and 45 of the Plan remove the photographs of Views D-I.*

### Policy CLH3 Strategic Buffer Zones and Settlement Areas

- 7.40 The Plan advises that the adopted Local Plan takes a general approach on the question of strategic buffer zones with Policy OS2 seeking to ensure that development does not cause coalescence, avoids the loss of identity of separate settlements, and protects or enhances the local landscape and setting of settlements. The supporting text comments that this policy seeks to add Brize Norton-specific detail to the Local Plan policy by identifying two Strategic Buffer Zones and an Area of Sensitivity to change.
- 7.41 The proposed Strategic Buffer Zone A is agricultural land to the west of Station Road at the interface between the historic village of Brize Norton and the RAF base. The proposed Strategic Buffer Zone B is to the north of Carterton Road, and is in a series of uses including the southern area of the Mary Ellis Country Park (area 7), the land designated for two sports pitches (area 9), the land containing the SuDS (area 4) and the land containing the sports fields and pavilion (area 5). The proposed Area of Sensitivity to change is agricultural land to the north of Kilkenny Lane.

## 7.42 WODC comments that:

*'It was previously suggested that these areas are referred to 'areas of sensitivity to change' or something similar, potentially shown as a more general star or circle on the map – rather than having a specifically defined boundary. Whilst the area to the north of Carterton is now referred to as an area of sensitivity to change, it is still defined on the map as a hard boundary and there are also two specific areas (A&B) which are defined as strategic buffer zones.'*

*Whilst the intention of the policy is understood, it is relevant to note that the West Oxfordshire Local Plan 2031 does not seek to delineate any sort of buffer zones on the rural fringe of any of its towns and villages. We therefore have concerns that the specific delineation of an area or areas, primarily for the purpose of keeping that area free from built development will set a precedent for other towns and villages to look to do likewise. Whilst we fully recognise the importance of avoiding harmful coalescence and loss of character/impact on setting, there are other ways in which this policy objective can be achieved.*

*There is also a risk in defining a specific boundary that other areas beyond those boundaries are construed as not being sensitive to change or coalescence. The text of the plan itself acknowledges that there are key areas of the village where coalescence is a relevant consideration and yet those are not delineated on a map.'*

## 7.43 WODC also raises a series of detailed observations on the criteria in the policy.

## 7.44 Lone Star Land and Graftongate comment that the proposed Strategic Buffer Zones:

*'are a constraint of strategic importance and more so being adjacent to the strategic significance of Carterton and RAF Brize Norton. As these 'strategic buffer zones' are beyond any policy or constraint of the adopted Local Plan, Policy CLH3 fails to satisfy the strategic conformity test of the 'basic conditions. Notwithstanding the in-principle objections raised above, concerns are raised that 'strategic buffer zone A', by extending to the south of Brize Norton village, would cover an area beyond that necessary to prevent the east-west coalescence of the village and the airbase. The continuation of 'strategic buffer zone A' in this way would restrict any future growth at the village that would be most in 11 keeping with its linear form – i.e. contiguous with the existing built area along Station Road. For this reason, the southern extension of 'strategic buffer zone A' cannot be considered to contribute to the achievement of sustainable development and should be reduced in area (even if accepted in principle).'*

## 7.45 Bloor Homes and Christ Church make a series of detailed comments on the views which are referenced in the policy.

## 7.46 I looked at the proposed Strategic Buffer Zones and Area of Sensitivity to change carefully during the village. I noted that the two Strategic Buffer Zones reflect the complex relationship which exists between Brize Norton, Carterton, and RAF Brize Norton.

- 7.47 I note that the recently submitted planning application on land between Kilkenny Lane and Burford Road overlaps the proposed Area of Sensitivity to change.
- 7.48 The Policy Rationale restates that the adopted Local Plan adopts a general approach on the question of strategic buffer zones with Policy OS2 seeking to ensure that development does not cause coalescence, avoids the loss of identity of separate settlements, and protects or enhances the local landscape and setting of settlements. In the round it is perfectly appropriate for the submitted Plan to seek to add a parish-based dimension to the strategic approach taken in the Local Plan. As the Plan comments, the Hailey Neighbourhood Plan has addressed the matter in greater detail.
- 7.49 Nevertheless, the approach taken in the submitted Plan includes limited details about the extent to which the general approach taken in the Local Plan is insufficient in the parish, or as justification for the proposed Strategic Buffer Zones and the Area of Sensitivity to change. Based on the limited information in the Landscape Character Assessment on these matters I have concluded that the proposed designations relate primarily to BNPC's intention to retain the separation of Brize Norton rather than to landscape character. I assess the designations in paragraphs 7.50 to 7.52 (the Strategic Buffer Zones) and in paragraphs 7.53 to 7.54 (the Area of Sensitivity to change).

#### *Strategic Buffer Zones*

- 7.50 During the visit I noted that the two Strategic Buffer Zones reflected the complex relationship which exists between Brize Norton, Carterton, and RAF Brize Norton. On the balance of the evidence I have concluded that proposed Strategic Buffer Zones are strategic in nature by virtue both of their scale and their potential implications for future development in the District. This conclusion acknowledges that they may affect the future development of Carterton, which is the second largest settlement in the District, and development proposals at RAF Brize Norton.
- 7.51 Taking account of all the available evidence I am not satisfied that the Plan's approach to Strategic Buffer Zones meets the basic conditions. Neither the Landscape Character Assessment nor the supporting text provide a robust case for such an approach. In all the circumstances, I recommend modifications to the policy so that it takes on a more general nature without defining buffer zones on a map base. This would reinforce the desirability of maintaining the distinctiveness and the separation of the settlements and other built development concerned as highlighted in Policies OS2 and CA5 of the Local Plan without being prescriptive about how this achieved. Such an approach would reinforce the importance of ensuring that Brize Norton, Carterton and RAF Brize Norton do not coalesce. It would also accord with paragraph 8 of the NPPF in promoting sustainable development.
- 7.52 Plainly the revised policy would reinforce the approach taken in the adopted Local Plan which does not identify Strategic Buffer Zones (or any equivalent designations). In these circumstances, WODC would make individual decisions on any planning applications which may have the potential to result in the coalescence of the settlements concerned, and based on all relevant development plan policies.

*Area of Sensitivity to change*

- 7.53 During the visit I noted that the proposed Area of Sensitivity to change reflected to the relationship which exists between Brize Norton and the countryside to the north of Kilkenny Lane
- 7.54 I have considered carefully the Plan's approach to this matter. On the balance of the evidence, I recommend that the Area of Sensitivity to change is deleted from the policy. I have reached this conclusion for four related reasons. The first is that the wider landscape around the village is sensitive to change given the layout of built development in and immediately around the neighbourhood area. This sensitivity would be adequately addressed by the modifications to the policy in terms of maintaining the distinctiveness and the separation of the areas of built development concerned. The second is that the adopted Local Plan does not identify Areas of Sensitivity to change (or any equivalent designations). The third is that the scale and location of the proposed Area of Sensitivity to change is such that it is of strategic significance. It is a significantly larger area than green wedges or areas of separation which often feature in neighbourhood plans to maintain separation between different settlements, or between different elements of the same settlement. The fourth is that the submission of the recent planning application casts a degree of doubt on the identification of an identified Area of Sensitivity to change at Kilkenny Farm.
- 7.55 I also recommend consequential modifications to the supporting text and to the various maps. In all the circumstances I also recommend that the title of the policy is modified so that it has a more general effect and refers to maintaining the distinctive setting of Brize Norton.
- 7.56 I am satisfied that the Plan's approach towards Access improvements and Development proposals within the settlement are locally-distinctive and meet the basic conditions
- 7.57 Otherwise, the policy meets the basic conditions. It will contribute to the local delivery of the social and the environmental dimensions of sustainable development.

**Replace the policy with:**

**'Development proposals should respond positively to the setting and separate identity of the various settlements and built development in the neighbourhood area.**

**The separation of the settlements of Brize Norton and Carterton, and the separation between Brize Norton and RAF Brize Norton, should be particularly respected. Proposals in these parts of the neighbourhood area which would result in the loss of or an unacceptable reduction of their openness and/or the contribution which they make to the separation of the various built-up areas will not be supported.**

**Access improvements which respond positively to the character and scale of area between Brize Norton and the RAF Brize Norton and which would enhance**



**the character of Brize Norton village will be supported where they conserve the open and tranquil character of the landscape.**

**Development proposals within the settlement should safeguard the special qualities of the open space intertwined within the village and its contribution to the character of the village and wider landscape.'**

*Replace the supporting text (pages 46-51) with:*

*'The West Oxfordshire Local Plan 2031 adopts a general approach on the question of strategic buffer zones with Policy OS2 seeking to ensure that development does not cause coalescence, avoids the loss of identity of separate settlements, and protects or enhances the local landscape and setting of settlements. This policy seeks to add local Brize Norton-specific detail to the policy in the Local Plan*

*The focus of the policy is that development proposals should respond positively to the setting and separate identity of the various settlements and built development in the neighbourhood area. The policy advises that the separation of the settlements of Brize Norton and Carterton, and the separation between Brize Norton and RAF Brize Norton, should be particularly respected. In this context, the policy acknowledges that the proximity of Brize Norton both to Carterton and to RAF Brize Norton creates a complex environment which will need to be managed carefully. In doing so the policy acknowledges that Carterton is now the second largest settlement in West Oxfordshire, and the importance of RAF Brize Norton to the country's military capacity.*

*Green spaces between sub-areas*

*The risk and impact of coalescence does not only apply to the gaps between Brize Norton, RAF Brize Norton, and Carterton. The settlement boundary as shown in Appendix 24, identifies the three sub areas of the settlement, which are separated from each other by important areas of open space, in terms of their contribution to village and landscape character, as shown also in the Brize Norton Design Code (Appendix 26). Should these key locations be developed, they would highlight the potential risk of coalescence in the sub areas which in turn may affect the character and identity of the settlement. It is therefore essential the gaps between the sub areas are protected and maintained as a result. It is also essential that policy safeguards special qualities of open spaces intertwined within the village. This is captured in the fourth part of the policy.'*

*Delete the Strategic Buffer Zones and the Area of Sensitivity to change from Map 7.*

*Delete Maps 10 and 11.*

*Delete images A-G associated with Map 11.*

*Replace the policy title with: 'Maintaining the Distinctive Setting of Brize Norton'*

Policy CLH4 Village Character and Design

- 7.58 The Plan advises that the rationale for this policy is derived from the Brize Norton Character Assessment (Appendix 5) and the Brize Norton Design Code (Appendix 26),

and seeks to ensure future development is sympathetic and complementary to local character and design. The Character Assessment explores the history and Brize Norton and the evolution of the built environment. It demonstrates the styles, material, and features within three core character areas which intersect with the main 'built eras' of Brize Norton: pre-1926; 1926-1971; and 1972 to the present. The Character Assessment also explores commonality in character and design across the whole parish.

7.59 The policy takes a very positive approach towards ensuring good design. The combination of the policy, the Character Assessment, and the Design Guide is a very effective local response to Section 12 of the NPPF. In this broader context, I recommend the following modifications to bring the clarity required by the NPPF:

- the recasting of the opening element of the policy to remove the unnecessary reference to other development plan policies
- the incorporation of a proportionate element into the recast opening element of the policy to acknowledge that development proposals will not necessarily affect each of the criteria; and
- to clarify the reference to character areas within the first two criteria.

7.61 WODC raises a series of detailed observations on the policy. BNPC has responded to one of the issues raised by suggesting that the fifth criterion in the policy duplicates other elements of the policy and could be deleted. I agree and recommend accordingly. Otherwise, the policy meets the basic conditions. It will contribute to the local delivery of the social and the environmental dimensions of sustainable development.

**Replace the opening element of the policy with:**

**'Development proposals should be well-designed, safeguard the distinctive character and identity of Brize Norton notably its linear form and historic landscape character, and respond positively to the Brize Norton Character Assessment and Brize Norton Design Code.'**

**As appropriate to their scale, nature and location development proposals will be supported where:'**

**Replace i) with: 'They are complementary to the local vernacular and character, and are appropriate in form, height, layout, materials, design detail and density, to the specific character area in which they are located.'**

**Replace ii) with: 'Where development is located on the boundary between two-character areas, they respond positively to the characteristics of both areas.'**

**Delete criterion v.**

Policy CLH5 Heritage Assets

7.61 This policy set out a positive strategy for the conservation and enjoyment of the historic environment.

7.62 WODC raises a series of detailed observations on the policy.

- 7.63 In general terms the policy takes a positive approach and seeks to relate national policies on this matter to local circumstances and to heritage assets in the parish. It has regard to Section 16 of the NPPF. In this broader context I recommend the following modifications to bring the clarity required by the NPPF:
- the recasting of the second element of the policy to ensure that it can be applied in the development management process;
  - the deletion of the fourth element of the policy; and
  - consequential modifications of the supporting text.
- 7.64 Otherwise the policy meets the basic conditions. It will contribute to the local delivery of the social and the environmental dimensions of sustainable development.

**Replace part ii with: ‘Development proposals in Station Road should be designed to minimise their impact on heritage assets.’**

**Delete part iv**

*Replace the final paragraph of the Policy Rationale with:*

*‘Whilst Policy CLH5 mainly relates to standing buildings, the Plan notes the importance of other heritage assets such as archaeological sites, locally listed buildings, or areas of identified historic landscape character, notably the route of former Roman roads and deserted villages such as Astrop, and Caswell and other heritage assets which need to be conserved and enhanced as set out in NPPF. (Appendix 06 Document B Heritage Assets)*

*Station Road is a busy road that has a detrimental impact on heritage assets. The second part of the Policy CLH5 addresses this matter. Proposals for further development should have regard to the “Traffic in Villages” toolkit developed by Hamilton-Baillie Associates (in conjunction with Dorset AONB Partnership), and the Brize Norton Design Code.’*

Policy ENV1 Local Green Spaces

- 7.65 The Plan comments that a key contributor to the character of Brize Norton is the number of green spaces. It also advises that these green spaces contribute to biodiversity enhancement and are particularly highly valued by residents and into which there is currently public access. The Plan proposes that a number of these spaces are specifically designated as Local Green Spaces to protect the contribution that these spaces make to the Parish’s rural setting and to the health of the community (through opportunities for exercise), and to ensure that they remain open to residents and free from any development that undermines their role.
- 7.66 The policy proposes the designation of four local green spaces (LGSs). The proposed LGSs are assessed against the criteria for such designation in Appendix 27.
- 7.67 I looked at the proposed LGSs during their visit. I noticed their different land uses and sizes.

- 7.68 WODC question the proposed designation of the SUDS area (LGS1) and comment that it is not immediately obvious how this area accords with the criteria for LGS designation. It also advises that Kilkenny Country Park is already identified in the West Oxfordshire Local Plan 2031 and protected by virtue of Policy EH5. I have considered these comments carefully. However, based on my own observations and the contents of Appendix 27, I am satisfied that these two proposed LGSs meet the tests in paragraphs 105 and 106 of the NPPF.
- 7.69 Oxfordshire County Council (OCC) questions the description in the policy about the relationship between the proposed LGSs and highways land, and proposes an alternative form of wording. In general terms, the description is supporting text rather than policy. On the balance of the evidence, I recommend that it is deleted. I am not satisfied that there is a need to include OCC's revised text in the supporting text. Legislation on LGSs is well-established, and it is not the part of any neighbourhood plan to explain the overlap between highways and other legislation.
- 7.70 Based on all the available evidence I am satisfied that the proposed LGSs meet the requirements for such designation in paragraphs 105 and 106 of the NPPF. In addition, the policy wording takes the matter-of-fact approach used in paragraph 107 of the NPPF. With the deletion of the final paragraph, the policy meets the basic conditions. It will contribute to the local delivery of the social and the environmental dimensions of sustainable development.

**Delete the final paragraph of the policy.**

Policy CF1 Community Facilities and Infrastructure

- 7.71 The Plan advises that the intent of this policy is to help ensure that new development makes appropriate contributions to the improvements or enhancement of community infrastructure in Brize Norton to help meet the needs of new and existing residents. It also advises that the policy supports and adds detail to Local Plan policy OS5, which requires all new developments to deliver or contribute towards the timely provision of essential supporting infrastructure, either on site or through a financial contribution. Finally, it advises that WODC has a Supplementary Planning Document (SPD) on Developer Contributions which contains useful information to guide the delivery of the policy.
- 7.72 WODC raises a series of detailed observations on the policy.
- 7.73 In general terms, the policy brings little added value to the general approach taken by WODC to securing community benefits from development proposals. However, on the balance of the evidence, I am satisfied that a modified version of the policy would meet the basic conditions. I have reached this decision for two related reasons. The first is that the Community Assets report (Appendix 19) lists local facilities and infrastructure and sets out planned improvements and indicative costs. The second is that the Community Infrastructure Projects report (Appendix 20) identifies further items/improvement projects which may be suitable for Community Infrastructure Levy funding, should WODC introduce such a levy within the Plan period. Collectively, these

projects would contribute to positively addressing issues such as community facilities, active community, traffic, and village character.

- 7.74 I recommend that the opening element of the policy is applied proportionately. This would have regard to the Community Infrastructure Levy Regulations. I also recommend that the second part of the policy (on the timing of the provision of community facilities) is relocated into the supporting text. This acknowledges that this is a process rather than a land use policy matter. Otherwise, the policy meets the basic conditions. It will contribute to the local delivery of the social and the environmental dimensions of sustainable development.

**Replace the policy with:**

**‘As appropriate to their scale, nature and location development proposals should be supported by appropriate investment in supporting infrastructure both on and off-site.**

**Where the management and maintenance of any community assets is a relevant consideration, developers should propose appropriate long-term stewardship arrangements, the details of which will be secured through a Section 106 agreement or other suitable mechanism.’**

*Between the third and fourth paragraphs of the supporting text under the heading Facilities and Infrastructure add a new paragraph to read: ‘The timing of provision should be carefully considered and for any major development should be clearly set out in an infrastructure delivery/phasing plan.’*

Policy SD1 Sustainable Development

- 7.75 This policy sets out what sustainable development means in the context of Brize Norton and focuses on flooding and water efficiency, landscape, biodiversity, sustainable transport, adaptation to climate change, and traffic.
- 7.76 WODC comments the policy covers a very wide range of issues and whilst all are related to sustainable development in its broadest sense, the topics are quite diverse and perhaps need to be broken down into separate policies or absorbed into other policies already listed. It also makes a series of detailed comments on the policy.
- 7.77 I have considered these comments and the general structure of the policy. On the balance of the evidence, I recommend that the policy retains the various issues whilst referring to them as important matters for contributing to the local delivery of sustainable development whilst acknowledging that not all the matters will apply to each planning application. Within this broad context, the modified policy addresses the following issues to ensure that it will have the clarity required by the NPPF, and can be applied by WODC through the development management process:
- the deletion of the unnecessary references to other policies in the Plan and to the Design Code;

- the inclusion of a proportionate element into the policy. This will acknowledge that the criteria included in the policy will not necessarily apply to every development proposal;
- to provide clarity in point v about the requirements for developers;
- the deletion of criterion vi which is now addressed nationally in the Building Regulations;
- the deletion of criterion vii which is very general and conflicts with Written Ministerial Statement: Planning – Local Energy Efficiency Standards Update (December 2023); and
- the deletion of criterion viii which is addressed in Policy CLH5.

7.78 Otherwise I am satisfied that the policy meets the basic conditions. It will contribute to the local delivery of the social and the environmental dimensions of sustainable development.

**Replace the opening element of the policy with: ‘As appropriate to their scale, nature and location, development proposals should respond positively to the following matters in delivering sustainable development.’**

**In v replace ‘encourage’ with ‘incorporate’**

**Delete vi, vii, and viii**

Implementation and Monitoring

7.79 Section 8 of the Plan addresses implementation and monitoring in a very positive way. Section 8.1 helpfully comments about the implementation of each policy in a tabular format.

7.80 Section 8.2 comments about the way in which the Plan will be monitored and reviewed. It advises about BNPC’s proposals for a twelve-month review, a five-year review, and an end of Plan review. In general terms this is best practice. However, given the anticipated progress of the West Oxfordshire Local Plan 2041, I recommend that the adoption of that Plan is weaved into the monitoring and review schedule

After the twelve-month review section add:

**‘Adoption of the Local Plan 2041 review**

*The adoption of the Local Plan 2041 may alter the strategic planning context in the District. The Parish Council will consider the need for a full or partial review of the neighbourhood plan within six months of the adoption of the Local Plan 2041.’*

Other Matters - General

7.81 This report has recommended a series of modifications both to the policies and to the supporting text in the submitted Plan. Where consequential changes to the text are required directly because of my recommended modification to the policy concerned, I have highlighted them in this report. However other changes to the general text may be required elsewhere in the Plan because of the recommended modifications to the policies. Similarly, changes may be necessary to paragraph numbers in the Plan or to

accommodate other administrative matters. It will be appropriate for WODC and BNPC to have the flexibility to make any necessary consequential changes to the general text. I recommend accordingly.

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

#### Other Matters – Specific

7.82 WODC has made a series of helpful comments on the Plan. I have included them in the recommended modifications on a policy-by-policy basis where they are required to ensure that the Plan meets the basic conditions.

7.83 WODC has also made other comments which relate to the more general parts of the Plan. In most cases, BNPC responded positively to the suggestions in its response to the clarification note. In this context I also recommend modifications to the text of the Plan based on WODC's comments insofar as they are necessary to ensure that the Plan meets the basic conditions. For convenience, I list the relevant parts of the Plan using WODC's reference system in its representation to the Plan:

- *Glossary of Terms*
- *Part 2*
- *Part 3*
- *Part 4*
- *West Oxfordshire Design Guide*
- *Oxfordshire Minerals and Waste Plan*
- *Development Context*
- *Housing Development and Allocations*
- *Sections 5.1.2 and 5.1.3*
- *Section 5.2.3*
- *Section 5.3*
- *Section 6.1 Vision Statement*

7.84 WODC also raise a series of other matters which it considers could be addressed in the Plan. Their incorporation into the Plan would extend its coverage to good effect. Nevertheless, the matters concerned are not necessary to ensure that the Plan meets the basic conditions. Neighbourhood plan legislation has given considerable flexibility to qualifying bodies to include the issues which they see fit to feature in their plans. As such it is beyond my remit to recommend modifications to the Plan so that it is expanded beyond the scope as chosen by BNPC, or presented in a different way.

## 8 Summary and Conclusions

### *Summary*

8.1 The Plan sets out a range of policies to guide and direct development proposals in the period up to 2031. It is distinctive in addressing a specific set of issues that have been identified and refined by the wider community to safeguard the character and setting of the neighbourhood area and to designate a package of Local Green Spaces.

8.2 Following the independent examination of the Plan, I have concluded that the Brize Norton Neighbourhood Development Plan meets the basic conditions for the preparation of a neighbourhood plan subject to a series of recommended modifications.

### *Conclusion*

8.3 On the basis of the findings in this report, I recommend to West Oxfordshire District Council that subject to the incorporation of the modifications set out in this report that the Brize Norton Neighbourhood Development Plan should proceed to referendum.

### *Other Matters*

8.4 I am required to consider whether the referendum area should be extended beyond the neighbourhood area. In my view, the neighbourhood area is entirely appropriate for this purpose and no evidence has been submitted to suggest that this is not the case. I therefore recommend that the Plan should proceed to referendum based on the neighbourhood area as approved on 8 May 2017.

8.5 I am grateful to everyone who has helped in any way to ensure that this examination has run in a smooth way.

**Andrew Ashcroft**  
**Independent Examiner**  
**4 April 2025**