

# BECKLEY AND STOWOOD NEIGHBOURHOOD PLAN STEERING GROUP RESPONSES TO THE EXAMINER'S CLARIFICATION NOTE

29<sup>th</sup> March 2023

*(Examiner's questions in purple, quotes in blue)*

## 1. General Policies

### Policy DS2

*I can see the comment in Policy DS2 about its application. Otherwise, has the Plan been designed and submitted so that the other general policies would apply within the strategic site?*

In the Beckley and Stowood Neighbourhood Plan the policies apply to the whole Neighbourhood Plan designated area – the parish of Beckley and Stowood. The only exceptions to this are specifically stated within the policies. The exceptions include the mitigation policies for the strategic development site of Land north of Bayswater Brook [LnBB] and the following policies. The policies on the Settlement Boundary VB1 and VB2, Parking DS2 and the Design Guide DG1 specifically exclude LnBB and this is defined within the policies. Policy DS4 Dwelling Size excludes LnBB in parts i) and ii) as these refer to the Green Belt and parking policies respectively.

#### *POLICY VB1. SETTLEMENT BOUNDARY*

#### *POLICY VB2. RESIDENTIAL DEVELOPMENT OUTSIDE THE SETTLEMENT BOUNDARY*

These two policies do not apply to the strategic development site Land north of Bayswater Brook [LnBB]. The first is focused on the Conservation Area of Beckley Village within the Green Belt. The second VB2, also applies to land in the Green Belt within the parish. The policy wording specifically excludes Lower and Wick Farms and the LnBB development as it has been removed from the Green Belt.

#### *POLICY E1. BIODIVERSITY*

This policy applies to the whole parish and is in harmony with national policy and the policies in the SODC Local Plan 2035.

#### *POLICY H1. PRESERVATION OF HERITAGE*

This policy applies to the whole parish. Both within LnBB and across the whole parish there are important heritage assets, listed buildings and the conservation area.

#### *POLICY DS1. IMPORTANT VIEWS*

This policy applies to the whole parish. The parish has very important views both towards and away from the limestone ridge where Beckley village is situated, both to the north from Beckley village to and from Otmoor and the south to and from Stowood.

#### *POLICY DS3. FLOOD RISK AND DEVELOPMENT*

This policy applies to the whole parish. There is considerable flood risk in the LnBB and according to reports by the developers the flooding of the Bayswater Brook is from water runoff, from the fields running down the hill into the Brook.

#### *POLICY DS4. DWELLING SIZE*

- i) specifically applies to land in the Green Belt, so excludes LnBB
- ii) refers to policy DS2 where LnBB is excluded
- iii) and iv) apply to the whole parish and the Beckley Design Guide.

#### *POLICY DG1. DESIGN GUIDE*

The Design Guide has specific parts of the policy applying 1. To the Conservation Area 2. To the whole parish and 3. Specifically outside the strategic development site of LnBB as these would not be appropriate.

#### *POLICY DG2. NIGHT SKY / LIGHTING*

This is an important policy not only affecting climate change and energy waste and it is noted that the Parish Council declared an environment and climate emergency, which this in part helps to address. Lighting at night is polluting and the ambient lighting from Oxford affects many residents outside the city. Lighting at night also detrimentally affects wildlife, as well as human sleep patterns. It applies to the whole parish.

#### *POLICY CC1. NEW CONSTRUCTION AND ENERGY EFFICIENCY*

This applies to the whole parish.

#### *POLICY CC2. LOW CARBON TRANSPORT SOLUTIONS*

This policy applies to the whole parish, but is particularly important to the strategic site, which is to be a low car development and which must deliver low carbon transport solutions.

## **2. Policy VB1**

*I saw the challenges which the format of built development in the parish presents in terms of defining a settlement boundary. I have drawn the Parish Council's attention to a specific representation on this matter later in this note.*

### *Policy VB2*

*Does the policy add any parish-level value to national and local policies on the Green Belt? In the round could this policy be incorporated into Policy VB1 which would then establish a spatial strategy for the neighbourhood area?*

The policies defining the settlement boundary and where there can be development in line with NPPF 149 e) have been deliberately kept separate to give greater clarification of where new development is appropriate and where it is not. Separate policies defining the settlement boundary and the rationale for its boundaries and development within the Green Belt outside the settlement boundary help to avoid the unintended consequences of amalgamating the policies.

Policy VB2 certainly does add considerable detail at parish level to national Green Belt policies. Having separate policies for the Settlement Boundary and what can be developed outside it gives much clearer guidance and granularity to developers on what can be built within and outside the Settlement Boundary. Concern has been expressed in consultations with parishioners that new houses have been built which are not in sympathy or keeping of their surroundings. The policy specifically addresses this – *“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.”* The policy is in harmony with Local Plan policies - Policy STRAT6: Green Belt; but other Local Plan policies do not cover the particular design aspects in the policy., although is in harmony with DES2 Local Character.

As national policy makes clear, development in the Green Belt is inappropriate other than in specific circumstances, as defined in NPPF paragraphs 149 and 150, or where very special circumstances exist.

Policy VB1 defines the settlement boundary for Beckley village, where national and local plan policy (e.g., NPPF para 149/150 and local plan policies STRAT6 and H16) establishes that limited infilling is appropriate. However, the wider ‘village’ (as opposed to the part of the village within the settlement boundary) is also subject to the exceptions in NPPF paragraph 149. Those built parts of the Plan area have expressly been excluded from the settlement boundary for the reasons set out in the Plan at Section 5.1.

Therefore, limited infilling may in theory be appropriate in those locations even if they are outside the settlement boundary, but for other reasons (e.g. the quality and character of the landscape, density of surrounding development, impact on the character of the area, heritage considerations, the sustainability and accessibility of those locations etc) development may not be supportable, other than where very special circumstances exist.

Green Belt policy (i.e., paragraph 149 e) in particular) does not distinguish between ‘within settlement boundary’ and ‘outside settlement boundary but within village’ locations, hence the need to clearly define the differences between the two locations with separate but related policies – policies VB1 and VB2.

Amalgamating the two policies could reduce the clarity of the two separate policies for developers and could also lead to unintended consequences of a diluted policies and non-compliance particularly with design elements.

### 3. Policy H1 – Preservation of Heritage

*Does the policy add any parish-level value to national and local policies on heritage assets?*

This policy was developed incorporating recommendations from Historic England in the first Regulation 14 consultation (Appendix 3.3. of the Consultation Statement) and further recommendations from Oxfordshire County Council in the second Regulation 14 consultation.

The policy adds local significance and details to national and local policies on heritage in this part of the policy – “enhanced for their historic significance and their important contribution to local distinctiveness, character and sense of place”. It goes on to include “non-designated historic assets” with an example and proposed action on this. Neither national or local policies appear to include this.

### 4. Policy DS1 – Protecting Important Views

*Viewpoint 6 affects the area of the strategic allocation at Bayswater Brook and the approach taken in the policy does not take account of the strategic allocation in the adopted Local Plan.*

*Please can the Parish Council elaborate on its approach to this matter and the extent to which the incorporation of viewpoint 6 in the policy would be in general conformity with Policy STRAT 13 of the Local Plan?*

At its highest point behind Stowood the Neighbourhood Area is 141 metres [463 feet] above sea level; at its lowest some 70 metres [230 feet] at the Bayswater Brook, Wick Farm and 60 metres [197 feet] at Otmoor. (See Evidence Base A - 2.2. LANDSCAPE AND GEOGRAPHY)

The limestone ridge where Stowood and Beckley village is situated affords very important views both to and from the ridge that the Neighbourhood Plan seeks to protect and is also an important aspect of the openness of the Green Belt. See the LnBB developer’s Topology map<sup>1</sup>

With regard to View 6 this is a view from Stowood at approximately 140 metres (400+ feet) above sea level, across Oxford towards Didcot. The strategic development site of Land north of Bayswater Brook will be built on land next to Bayswater Brook which is at approximately 70 metres (230 ft) above sea level, rising to approximately 80 metres. The topology of the landscape rises very steeply behind the site. The development of Land north of Bayswater Brook will not be able to be seen from Stowood or anywhere along the limestone ridge due

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<sup>1</sup>

[https://data.southoxon.gov.uk/ccm/support/dynamic\\_serve.jsp?ID=1949772853&CODE=BF11A15DA4AA5CD28431347F7482DC6F](https://data.southoxon.gov.uk/ccm/support/dynamic_serve.jsp?ID=1949772853&CODE=BF11A15DA4AA5CD28431347F7482DC6F)

to the height difference of the site and Stowood and the fact that the land slopes very steeply northwards from the Bayswater Brook. The existing developments of Barton and Barton Park cannot be seen from Stowood or from along the limestone ridge, due to the height difference and topology.

So, Viewpoint 6 does not affect the area of the strategic allocation at Bayswater Brook and the approach taken in the policy does take account of the strategic allocation in the adopted Local Plan as well as wishing to protect important views.

The photographs of View 6 and all the views are shown in Evidence Base 2 -2.11, where there is also another map showing the extent of the views (copied below). It can be seen in the photograph below that neither Barton nor Barton Park can be seen from Stowood View 6. The reason this view is so important is the view across Oxford to Didcot, where a tower can just be seen.



**View 6. From Stowood to Didcot**



## VIEWS FROM BECKLEY

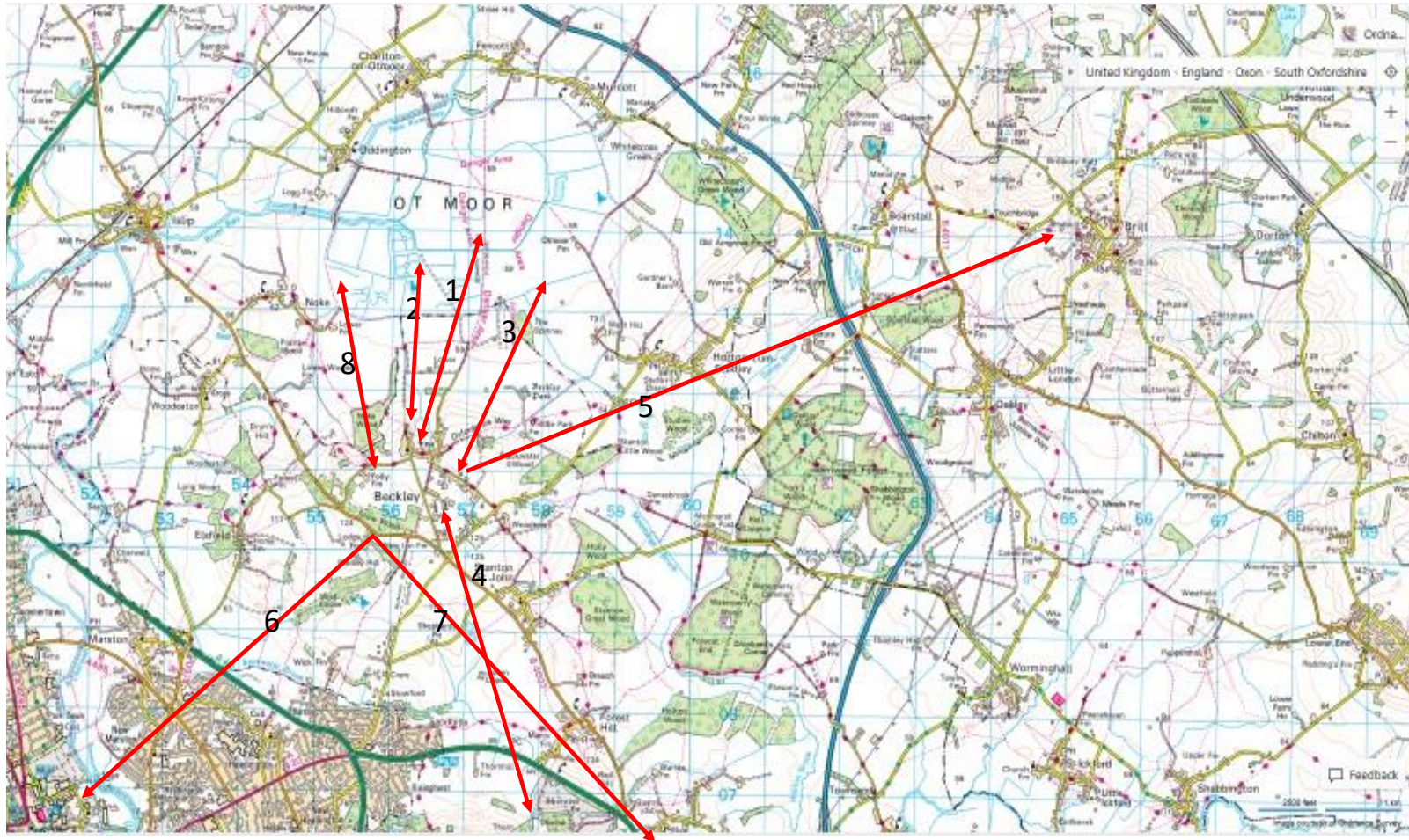


Figure 2.11.1.1. Amended 4.23 Beckley village stands on a limestone ridge rising to 140 metres - overlooking the surrounding countryside – Otmoor to the north, Brill to the north, north east, the Stokenchurch cutting on M40 to the south east, Shotover to the south, south east and Didcot to the south west. (Evidence Base 2 -2.11- The numbers correspond to photographs of the views in this chapter.)

It has been recognised in the Local Plan 2035 and to some extent by the developers of Land north of Bayswater Brook that important views must be protected. However, it has been very concerning that the developers have focused on preserving views from Oxford, the Oxford View Cone, but little thought has been given to the existing views from the surrounding parishes. This approach from the developers is not in sympathy with the Local Plan policies highlighted below, whereas View 6 is in harmony with these Local Plan policies.

Policy STRAT6: Green Belt has two parts which affect this view and views in general -

*2. 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. The boundaries of the reviewed Green Belt are identified on the changes to the Green Belt boundary maps (see Appendix 4)*

*4. Where land has been removed from the Green Belt, new development should be carefully designed to minimise visual impact.*

Policy STRAT13: Land North of Bayswater Brook

Similarly, the parts of Policy STRAT 13

*3. The proposed development at Land North of Bayswater Brook ..... Proposals will be required 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 ....***

*viii) **minimises visual impacts on the surrounding countryside***

Several responses have been received both to SODC through the Regulation 16 consultation (see response 6) and direct to the Neighbourhood Plan Steering Group regarding the Views. It was felt that some of the Views should be protected and regarded as important looking both ways i.e., to and from Beckley village and other vantage points. We agreed and this was our original intention, but was missed in error. Therefore, we would like to correct this.

For Views 1,2,3,4, and 8 the importance of the views we agreed and protection of them should be amended to show to and from Beckley, as highlighted **in green below** -

View 1. Beckley High Street to **and from** the north across Otmoor

View 2. From Church Street and the bridleway which continues it north across Otmoor **and from Otmoor towards Church Street**. There are also similar important views from the churchyard across Otmoor

View 3. From the Woodperry Road north across Otmoor **and from Otmoor towards the Woodperry Road**

View 4. From Shotover towards **and away from** Beckley north west to the communications mast and Stowood and from Stowood (B4027) to Shotover

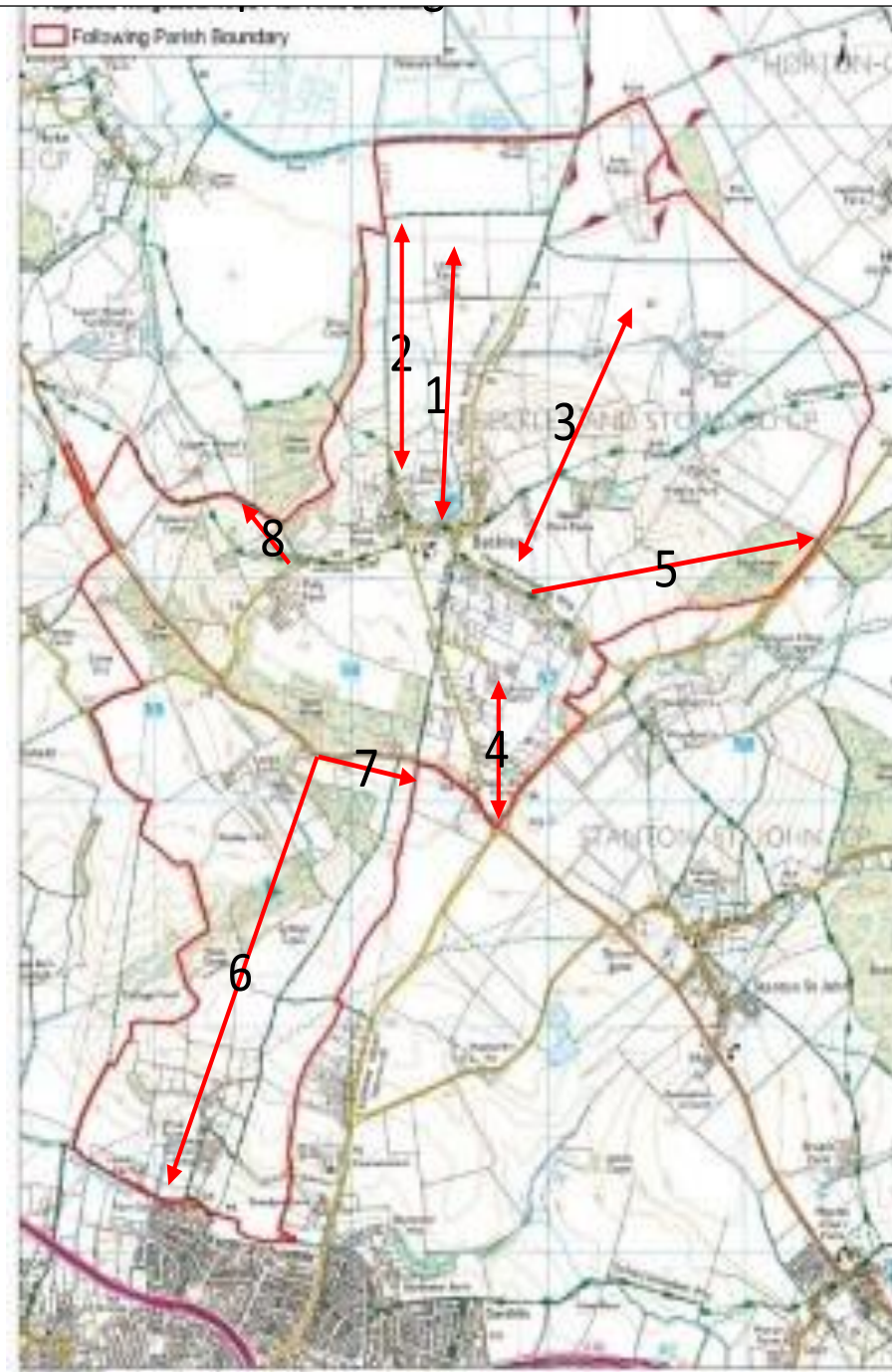
View 7. From Stowood south east to the M40 Stokenchurch cutting



View 8. From Common Road north west across Otmoor **and back**. There are also similar important views from the churchyard across Otmoor.

This has been amended in Figure 2.11.1.1 above and in the smaller view map within the Parish amended and shown below.

**FIG 2.11.1.2. (Amended 4.23) BECKLEY AND STOWOOD VIEWS MAP  
CONFINED TO THE PARISH BOUNDARIES**





## 5. Policy DG1- Beckley Design Guide

*In general terms this is a good policy which seeks to produce a positive local response to Section 12 of the NPPF. However, is the policy considered to be the design guide, or is to be read in conjunction with the information contained in the supporting documents?*

The Beckley Design Guide was developed in consultation with our parishioners and the Policy itself is intended to be used as a stand-alone Design Guide. It does not refer to a more detailed guide elsewhere.

## 6. Mitigation Policies

*I understand the reasoning behind the mitigation policies. National policy is clear that neighbourhood plans can be prepared to add value to the strategic approach taken in a local plan. Nevertheless, should this part of the Plan make it clear that the policies have been designed to supplement Policy STRAT13 of the adopted Local Plan and to follow the approach in paragraph 13 of the NPPF?*

It is and always has been the intention of the Neighbourhood Planning Group to add value and local detail to the SODC Local Plan policies and to STRAT 13 in particular. In the Basic Conditions Statement the relationship between the national and local policies and our Neighbourhood Plan policies has been analysed in detail. We would be pleased to add clarification on this point – new suggested wording is given below in green should it be of assistance in clarifying this matter.

## **“6. MITIGATION POLICIES FOR THE STRATEGIC DEVELOPMENT SITE “LAND NORTH OF BAYSWATER BROOK “**

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. *“There are considerable concerns from local parishioners about this development. NPPF 13 allows Neighbourhood Plans to shape and direct development outside the strategic policies of the SODC Local Plan 2025 – see below.*

*NPPF 13. The application of the presumption has implications for the way communities engage in neighbourhood planning. 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.*

*The aim of these mitigation policies is to add important detail and local knowledge to shape the strategic development of Land north of Bayswater Brook to help to address some of the considerable concerns of parishioners, some living in the middle of the development.”*

*6.1. On a related matter, is it appropriate for a neighbourhood plan to comment in the first paragraph of Section 6 of the Plan that ‘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' given that the Local Plan has been examined and is now adopted?*

Perhaps it would be more appropriate and accurate to rephrase this statement thus –

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~~ **has caused considerable concern** and ~~with it is hoped~~ the strengthening of Government regulations for protecting the Green Belt ~~and in the planning white paper (August '20) will discourage more development in the Green Belt which is that Green Belt is~~ **will add further protection for Green Belt land.**

*6.2. To what extent has the Parish Council assessed the added value which the various mitigation policies would bring to the approach already taken in Policy STRAT13 of the Local Plan and the supporting text at paragraphs 3.106 to 3.117? In several cases the policies read as statements of fact and/or the application of normal planning processes rather than as land use policies. It would be helpful if the Parish Council commented on a policy-by-policy basis.*

The three recent planning applications for the strategic development of Land north of Bayswater Brook [LnBB] have greatly heightened concern in the local population of the possible harmful effects from this development. This has strengthened the need for the proposed mitigation policies.

#### 6.2.1. POLICY CI 1 COMMUNITY INVOLVEMENT

Community Involvement with the developers of LnBB has been poor. There have been exhibitions of the plans and webinars which gave little opportunity to residents to speak or ask questions. Meetings with the residents of Wick Farm (in Beckley and Stowood Parish) has left them feeling very threatened, powerless, bullied and in some cases confused. Although the Parish Council requested an invitation to these meetings with Wick Farm residents the developers did not invite them or even inform them of details so they could attend. The planning applications have clearly shown that concerns have not been addressed. There have also been serious omissions in the planning applications which directly affect the wellbeing of local residents.

Setting up a Community Liaison Committee as described in the Plan would ensure that the developers were aware of any potential problems with the local communities and having a senior manager on the committee would enable swift action to be carried out to sort out problems. There is a fear amongst local residents that their concerns will just be ignored.

The Strategic Environmental Assessment comments on this policy at page 49, and states -

*"The main impact [of this policy] would be a social benefit: the developers having a better understanding of the needs and wishes of local residents, and residents feeling less powerless*

*in terms of development happening within their parish. Indirectly, it could also help to protect all of the other factors, although it is unlikely to lead to significant environmental enhancements.”*

This must be a sensible and cost-effective way to progress.

#### 6.2.2. POLICY GB 1. DEFINITION A NEW GREEN BELT BOUNDARY

It is a requirement both of STRAT 13 and NPPF that any new Green Belt boundary should be “permanent and defensible”. Policy STRAT13 includes the following criteria –

*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;*

There is no natural boundary that complies with these stipulations, as with the former Green Belt boundary, which was the Bayswater Brook.

This requirement does not appear to have been addressed in the masterplan and outline planning application. Hedgerow plants such as hawthorn are not permanent or defensible and so would not meet the Local and national policy requirements. Even a line of English oaks, which once would have been very numerous, as all this area was once ancient hunting forest, would not meet the requirements completely.

#### POLICY GB1

*Has the Parish Council sought to assess the extent to which emerging proposals for the strategic site would promote their own landscaping proposals?*

The Parish Council is very aware of the landscaping proposals of LnBB as they formed part of the recent planning application and masterplan. The landscaping proposals <sup>2</sup>, <sup>3</sup>are extensive, but very urban, rather than enhancing the countryside. However, they do not include proposals for a permanent, defensible Green Belt boundary. This is important as there are continuing threats to the existing Green Belt, which are of great concern to parishioners and local parishes. Christ Church has already stated that they wish to develop more Green Belt land to the north of LnBB. Oxford City Council in their latest Local Plan consultation plan to create 14,000 new jobs in the centre of Oxford, but provide only 714 new homes, exporting their unmet housing need to neighbouring District Councils.

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<sup>2</sup> LnBB Landscape map

[https://data.southoxon.gov.uk/ccm/support/dynamic\\_serve.jsp?ID=1949116343&CODE=4764552469D8D6FD0140F0ACCA2D3BAB](https://data.southoxon.gov.uk/ccm/support/dynamic_serve.jsp?ID=1949116343&CODE=4764552469D8D6FD0140F0ACCA2D3BAB)

<sup>3</sup> Wick Farm Landscape proposals

[https://data.southoxon.gov.uk/ccm/support/dynamic\\_serve.jsp?ID=1949116332&CODE=4764552469D8D6FD7AA1E20E06932CA3](https://data.southoxon.gov.uk/ccm/support/dynamic_serve.jsp?ID=1949116332&CODE=4764552469D8D6FD7AA1E20E06932CA3)

As a result there is a clear need for policy GB1 to be retained in the form proposed, because it will add value to policy STRAT13 in a way that is both specific to the Plan area and important to the community in the parish.

*Is there a risk that the application of the policy would result in an artificial and unnatural boundary to the strategic site?*

The new Green Belt boundary has already been defined and is on the SODC policies map.<sup>4</sup> A line of oak trees would be following this boundary. It will look very natural as oak trees are indigenous to the area. There are already some oak trees in the hedgerows, and a line of oak trees is likely to enhance the area and development site and make it look more rural. Traditionally Oak trees have been used to demarcate important boundaries (such as the edges of estates, hunting areas, parishes etc) so this would be a continuation of that tradition.

*Has the policy been tested for its potential impact on commercial viability of the strategic site?*

There has been a financial viability study on the LnBB development for the Local Plan. This is mentioned in Evidence Base 2- Section 5.3.1. At the stage when this viability assessment was carried out the transport infrastructure included a 'Link Road' running through the LnBB site from the Elsfield Road on the west through the site across miles of Green Belt countryside to the A40 between Forest Hill and Sandhills. Even then Christ Church said the development was financially viable - *"we have consulted with the landowner of this site who is intending bring forward the development on their own land and will therefore benefit from the profit of the development which our appraisals show to be £52.5 million. This demonstrates that SSG – Bayswater Brook is deliverable and the land-owner must be held to their undertaking to deliver a policy compliant scheme"*<sup>5</sup>

There is a requirement in national planning policy and in the Local Plan to have a new Green Boundary that is 'permanent and defensible' and this should have been costed by the developers and included in the financial appraisal. The Neighbourhood Plan Group does not have access to the developers' detailed costs for LnBB. The expense of planting of a line of oak trees is minuscule compared with transport infrastructure costs both at the outset of the Local Planning process and now with more recent transport infrastructure proposals set out in recent planning applications. Please see the Schematic Map below of the proposed transport infrastructure scheme for alleviation of the additional traffic caused by the LnBB development of a 'Link Road' as a comparator. This required purchase of the land and construction of a dual carriageway 'Link Road'.

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<sup>4</sup> <http://maps.southoxon.gov.uk/gis/?cat=appl&ref=6>

<sup>5</sup>

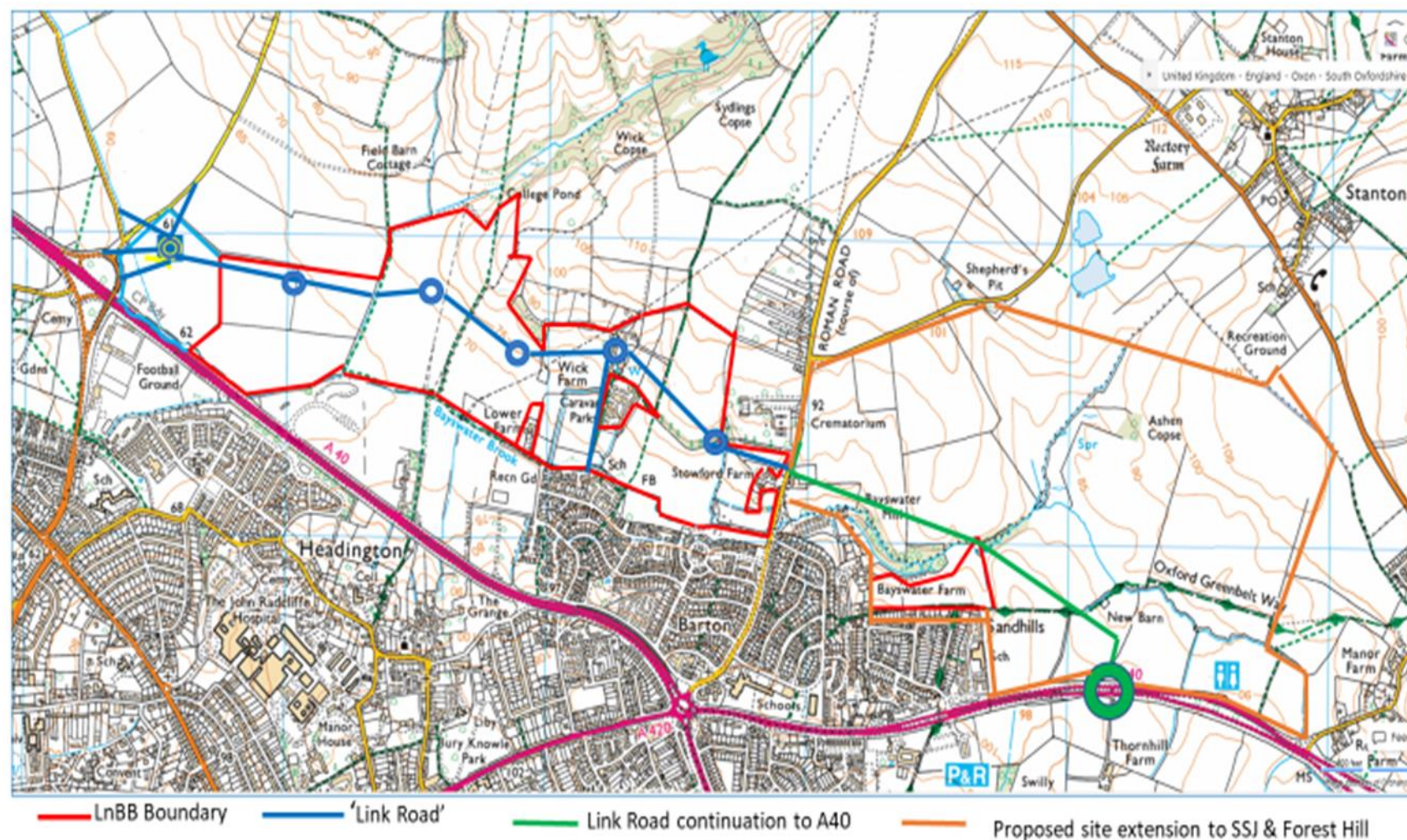
[https://data.southoxon.gov.uk/ccm/support/dynamic\\_serve.jsp?ID=1283204542&CODE=B79D8153BC48355D9AB3657AF388C4AB](https://data.southoxon.gov.uk/ccm/support/dynamic_serve.jsp?ID=1283204542&CODE=B79D8153BC48355D9AB3657AF388C4AB)



The new Green Belt boundary is approximately 2.4 km long, north of the LnBB development. The length of the new Green Belt boundary in Beckley and Stowood Parish is approximately 1 km. There are already established forest trees at some points along the new boundary already, such as the eastern-most track near the Crematorium and would need no further trees. Other parts of the new Green Belt boundary are just strands of barbed wire, which could not possibly be regarded as permanent or defensible. Our policy GB1 requires oak saplings to be planted every 10 m which would mean a maximum of 240 trees along the whole length of the new Green Belt boundary less anywhere where established forest trees already grow.

The cost of a pot grown oak tree starts from approximately £10, so the outlay is relatively small in relation to other development costs and the costs of the landscaping and planting proposed by the developers in their planning application. The cost will be approximately £2.5-£4,000, which is a tiny proportion of the development costs of the LnBB site.

# SCHEMATIC MAP OF PROPOSED DEVELOPMENT LAND NORTH OF BAYSWATER BROOK



### 6.2.3. POLICY TA 1. TRANSPORT ASSESSMENT AND TRAVEL PLAN

Although there have been no questions from the Examiner about this and the following Mitigation Policies some responders have commented on them, so our detailed comments have been included here by policy.

The recent planning applications for LnBB have highlighted the need for this policy, as the transport assessment submitted does not meet the standards outlined in the policy. The modelling was not evidence based and the forecasts not credible. The Parish Council submitted a detailed response on the planning application for roads, junctions etc to SODC.

### 6.2.4. CM 1 PROVISION OF CONSTRUCTION MANAGEMENT PLANS

The recent planning applications have also highlighted and reinforced the need for this policy. The noise report was incomplete and inadequate. It did not include the SSSI Sydlings Copse and College Pond, nor did it include the Crematorium adjacent to LnBB, but in the next parish. There will be considerable noise nuisance to the existing parishioners at Wick and Lower Farms, but no mitigation policies were proposed. There was no vibration assessment.

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

The recent planning applications contained a 'Health Assessment'. This was incomplete, did not contain the basic information contained in the WHO template and was inadequate. It did not even acknowledge that existing residents would have their health compromised by the development and did not suggest any way of addressing the considerable health issues.

The National Institute for Health and Care Excellence (NICE) provides national guidance and advice to improve health and social care. NICE is an executive non-departmental public body, sponsored by the Department of Health and Social Care. Its guidance should be seen as a minimum standard and its guidance on public health and lifestyles should be implemented by local government as appropriate.

The SEA comments – *["The NICE guidelines are available at https://www.nice.org.uk/guidance/ng90/chapter/Recommendations. This policy aims to ensure that the new development encourages walking and cycling by, for instance, giving priority to pedestrians and cyclists when developing or maintaining streets; ensuring adequate lighting and lack of obstruction etc. This goes beyond the policies of the SODC Local Plan, and would further help to support walking and cycling \(thus improving health\) and decrease car use."](https://www.nice.org.uk/guidance/ng90/chapter/Recommendations)*

#### 6.2.6. POLICY PC. 1. MAINTENANCE OF ACCESS AND SEPARATION OF EXISTING FOOTPATHS AND BRIDLEWAYS

Again, the planning applications for LnBB show the importance of this policy. Among other proposals the main 'eastern gateway' – the main road into LnBB from the east from the Bayswater Road, shares this main gateway road with an important bridleway and footpath. This compromises the safety of pedestrians, horse riders and cyclists. No traffic lights or pedestrian crossings were shown to provide more safety. An extract from the planning application Indicative Master Plan <sup>6</sup> is shown in Figure 6.2.6. below.

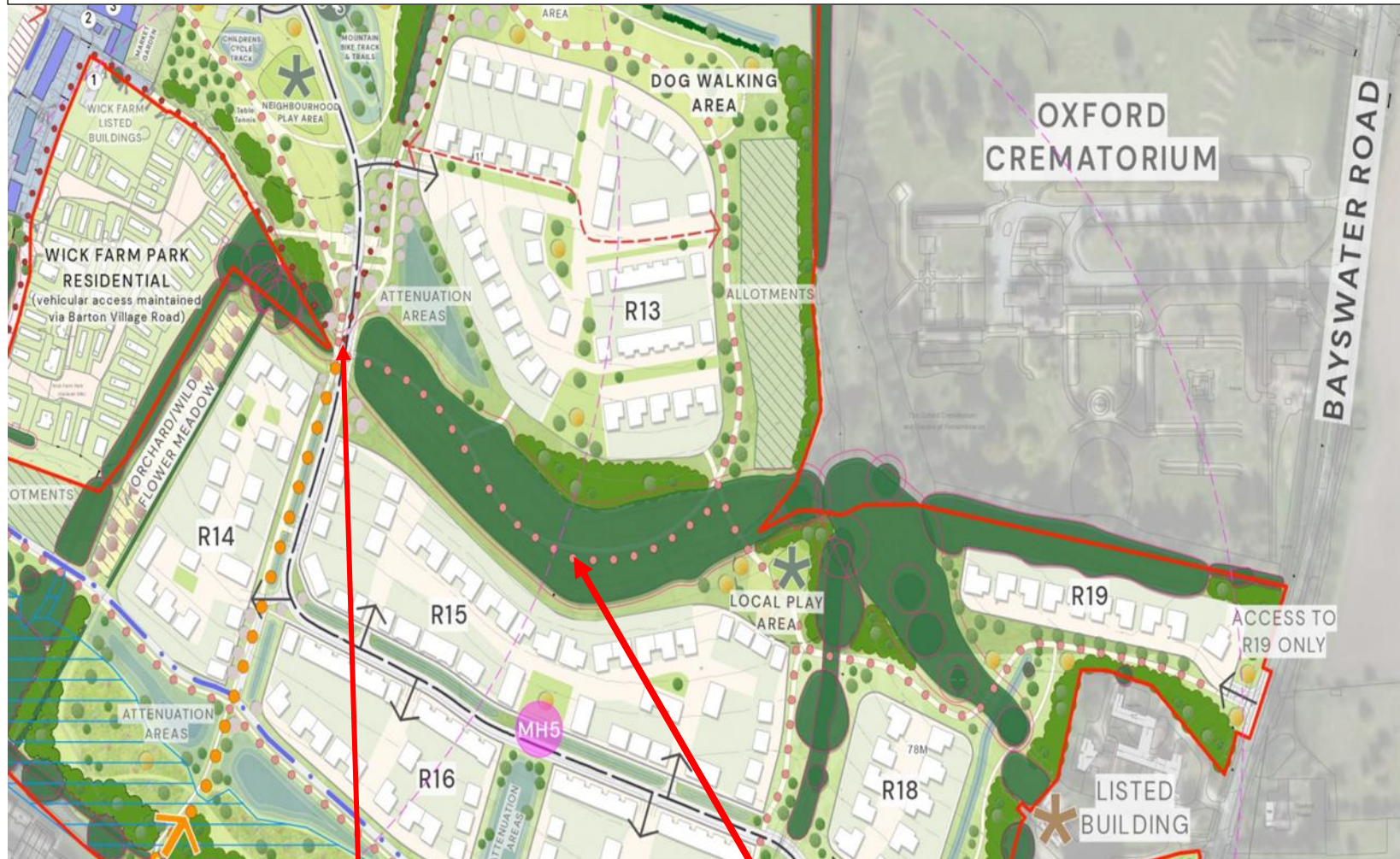
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<sup>6</sup>

[https://data.southoxon.gov.uk/ccm/support/dynamic\\_serve.jsp?ID=1949772822&CODE=BF11A15DA4AA5CD29FDBBD46F3BC2506](https://data.southoxon.gov.uk/ccm/support/dynamic_serve.jsp?ID=1949772822&CODE=BF11A15DA4AA5CD29FDBBD46F3BC2506)



**Figure 6.2.6. EXTRACT FROM LNBB PLANS SHOWING MAIN EASTERN GATEWAY ROAD AND CROSSING AND USE OF BRIDLEWAY AS A ROAD**



Road crosses bridleway –  
unsafe needs traffic lights

Proposed 'Year Round pedestrian and  
cycle route' would mean felling some  
trees in the wood

#### 6.2.7. POLICY B 1. PROVISION OF PUBLIC TRANSPORT

There is inadequate provision of buses in the proposals in the planning application. If the LnBB development is to be 'low car' as the Inspector stated then there is a need for adequate provision of buses to all centres of work and shops.

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

The Local Plan STRAT 13 policy states –

*viii) appropriate air quality mitigation measures to minimise impacts on the Oxford AQMA as demonstrated through an appropriate Air Quality Screening Assessment*

Coupled with the lack of an adequate Health Assessment and the fact that the health of existing residents is likely to decline as a result of the LnBB development (Strategic Environmental Assessment) it is very important to improve air quality.

The National Institute for Health and Care Excellence (NICE) provides national guidance and advice to improve health and social care. NICE is an executive non-departmental public body, sponsored by the Department of Health and Social Care. Its guidance should be seen as a minimum standard and its guidance on public health and lifestyles should be implemented by local government as appropriate

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

There has been considerable concern from statutory consultees, major stakeholders and local residents about the vulnerability of the SSSI Sydlings Copse and College Pond. Yet despite the requirements in the Local Plan consultees and statutory consultees e.g., Natural England are not content with the information supplied for safeguarding the SSSI. Please see Natural England's response –

[https://data.southoxon.gov.uk/ccm/support/dynamic\\_serve.jsp?ID=1949116456&CODE=6CBD8630D9429E248DE5B349D557F8F1](https://data.southoxon.gov.uk/ccm/support/dynamic_serve.jsp?ID=1949116456&CODE=6CBD8630D9429E248DE5B349D557F8F1)

and BBOWT's response –

[https://data.southoxon.gov.uk/ccm/support/dynamic\\_serve.jsp?ID=1949116528&CODE=3373977CA8F9C483CCE71D88058D8982](https://data.southoxon.gov.uk/ccm/support/dynamic_serve.jsp?ID=1949116528&CODE=3373977CA8F9C483CCE71D88058D8982)

There is considerable need for this policy to protect the SSSI.

The SSSI was not included in the noise assessment as it should have been and there was no vibration assessment provided in the planning applications.

#### 6.2.9. POLICY SSSI 2. IMPLEMENTATION OF PROTECTION ZONE FROM ROADS

The concerns expressed in the comments upon the policy above also apply.

#### 6.2.10. POLICY SSSI 3. LANDSCAPE AND RECREATIONAL ENHANCEMENTS

The concerns expressed in the comments upon the policies above also apply.

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

The Inspector showed the importance of screening Wick Farm from the LnBB development by including this policy -

*STRAT 13 3. ii) includes a landscape buffer between the development and Wick Farm, as well as incorporating high quality design to preserve or enhance listed buildings and their settings, both within and surrounding the site, in accordance with Policy ENV7;*

This policy is very important and provides more screening in addition to a 'landscape buffer' with preservation of existing trees and hedgerows and planting additional ones. It is needed as the Wick Farm mobile home Park is very exposed and the homes have thinner walls with less insulation than a brick built home. Mobile homes are also only one storey and are much lower than brick-built houses.

It was very concerning, particularly to the residents of Wick Farm that not only was there no screening provided between them and the LnBB development, but no 'landscape buffer' either. The planning application for the listed buildings and curtilage of Wick Farm builds right up to the boundary of Wick Farm Park with no landscape buffer or additional planting to form a screen.<sup>7</sup>

The Parish Council in their response showed where a buffer and additional planting was needed and this is shown in Figure 6.2.9. below –

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[https://data.southoxon.gov.uk/ccm/support/dynamic\\_serve.jsp?ID=1949837114&CODE=C78D2A6C195F3BC042E1CD6CA71A78FD](https://data.southoxon.gov.uk/ccm/support/dynamic_serve.jsp?ID=1949837114&CODE=C78D2A6C195F3BC042E1CD6CA71A78FD)



**Figure 6.2.9. Extract from Wick Farm Lister Building Application showing where landscape buffers and planting are required to protect Wick Farm from the LnBB development**



#### 6.2.12. POLICY LV 2. MAINTAINING PRIVACY AND AVOIDING OVERLOOKING - BUILDING HEIGHTS

As discussed in the point above residents of Wick Farm mobile home Park have single storey homes and those in Lower Farm are one or two storeys. The topology of the land rises steeply from the Bayswater Brook at 70 m above sea level to the SSSI at approximately 100m. As well as the need for a landscape buffer, maintaining the existing hedgerows and trees and planting more the existing residents also should not be overlooked and have a need to maintain privacy.

In their planning application the developers propose building heights of 4 storeys 15 metres<sup>8</sup> above ground level near Lower Farm. This would be overlooking and overbearing particularly as these buildings would be north of Lower Farm at an elevated position.

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[https://data.southoxon.gov.uk/ccm/support/dynamic\\_serve.jsp?ID=1949772817&CODE=BF11A15DA4AA5CD28634FCDB06CF1372](https://data.southoxon.gov.uk/ccm/support/dynamic_serve.jsp?ID=1949772817&CODE=BF11A15DA4AA5CD28634FCDB06CF1372)



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

While it is unlikely that the 'Link Road' as a traffic alleviation scheme will be resurrected, no alternative scheme has been approved. Approval of an adequate alternative may take some time, as the proposals in the planning application are very unlikely to allow both local traffic and national traffic on the ring road, a major trunk route, to flow.

Having landscaped roadways with trees is a very important design need for a development site that was once Green Belt countryside. The Landscape Framework masterplan<sup>9</sup> for the development shows some trees along the main roadway, but insufficient landscaping.

Wick Farm residents have reported serious flooding of the mobile home Park and some gardens from water runoff down the hill. This needs to be remedied with Sustainable Urban Drainage Systems. The planning application has also shown that the Bayswater Brook is polluted<sup>10</sup>, but this has not been investigated and no remedial action has been proposed.

#### 6.2.14. POLICY LV 4. AVOIDING HARD URBAN EDGES

The Building Heights Plan<sup>11</sup> show hard edges of up to 4 storeys 15 metres adjacent to Lower Farm. This does not give a soft edge to the development and detracts from the visual image and countryside setting as set out in STRAT 13 –

*viii) minimises visual impacts on the surrounding countryside;*

#### 6.2.15. POLICY LV 5. DESIGN IN SYMPATHY WITH LANDSCAPE AND SURROUNDINGS

This policy also adds important detail to Local Plan and STRAT 13 policies -

*viii) minimises visual impacts on the surrounding countryside;*

The Landscape Framework masterplan does not show sympathetic landscape design.

#### 6.2.16. POLICY HAP 1. AIR QUALITY ASSESSMENT AND MITIGATION

Air quality is an important issue both the wildlife and current and future residents. STRAT 13 policies include -

*viii) appropriate air quality mitigation measures to minimise impacts on the Oxford AQMA as demonstrated through an appropriate Air Quality Screening Assessment; and  
ix) low carbon development and renewable energy in accordance with STRAT4.*

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<sup>9</sup>

[https://data.southoxon.gov.uk/ccm/support/dynamic\\_serve.jsp?ID=1949772806&CODE=BF11A15DA4AA5CD24751C8C5FF150783](https://data.southoxon.gov.uk/ccm/support/dynamic_serve.jsp?ID=1949772806&CODE=BF11A15DA4AA5CD24751C8C5FF150783)

<sup>10</sup>

[https://data.southoxon.gov.uk/ccm/support/dynamic\\_serve.jsp?ID=1949772518&CODE=0A18C9D7028AEA0B5EA1C5F03D6B6200](https://data.southoxon.gov.uk/ccm/support/dynamic_serve.jsp?ID=1949772518&CODE=0A18C9D7028AEA0B5EA1C5F03D6B6200) – see section on water quality

<sup>11</sup>

[https://data.southoxon.gov.uk/ccm/support/dynamic\\_serve.jsp?ID=1949772817&CODE=BF11A15DA4AA5CD28634FCDB06CF1372](https://data.southoxon.gov.uk/ccm/support/dynamic_serve.jsp?ID=1949772817&CODE=BF11A15DA4AA5CD28634FCDB06CF1372)

The current health status of existing nearby residents is concerning and likely to deteriorate as a result of the LnBB development (Strategic Environment Assessment). It is therefore very important to use all current evidence and expertise from NICE and others to improve this situation both outside and indoors – HAP2.

#### 6.2.17. POLICY HAP 2. INDOOR AIR QUALITY

Please see the comments above.

## 7. REPRESENTATIONS

### 7.1. JPPC on Behalf of Mr and Mrs Smith of Sandy Acre

The evidence for the Settlement Boundary is substantial. What is not mentioned is that this site Sandy Acre is the subject of a planning appeal to retain a bungalow that was replaced by a house under NPPF 149 d).

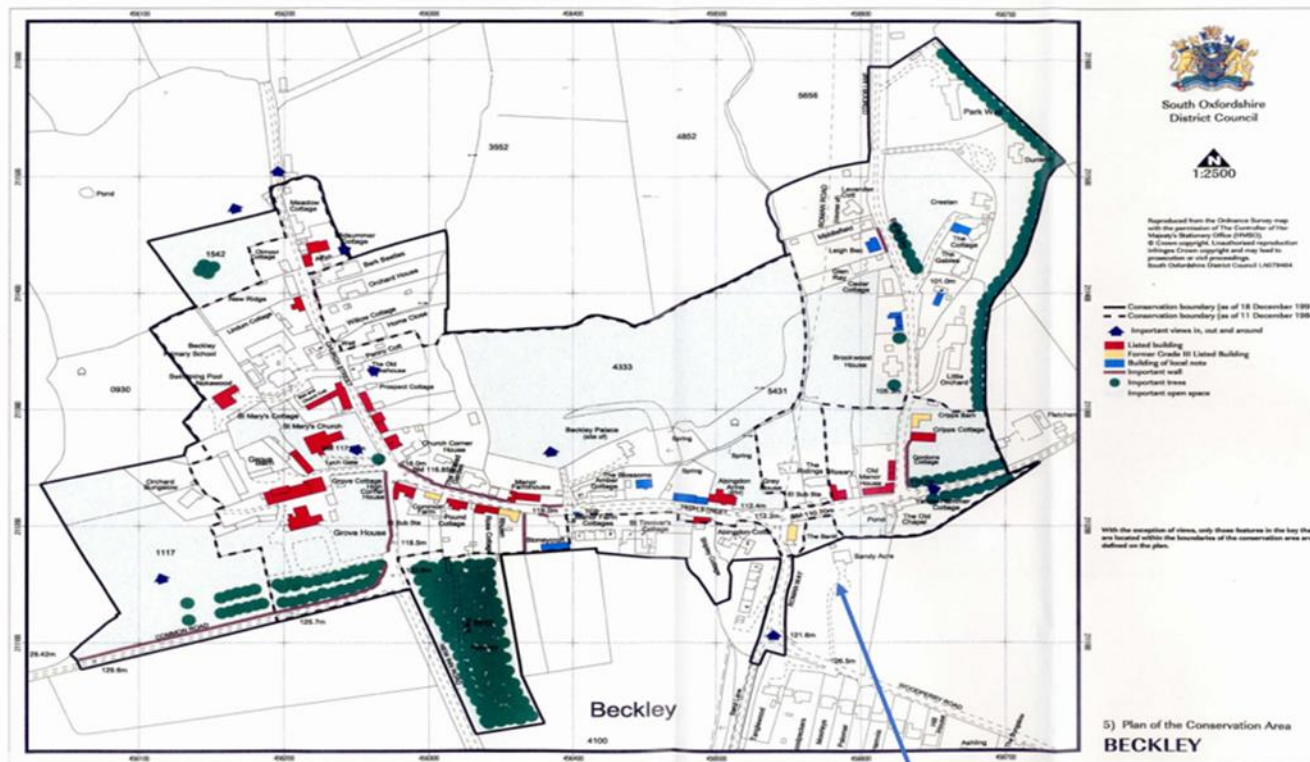
#### 7.1.1. LOCATION AND POSITION

Beckley village is built on a limestone ridge at approximately 125 m (410 ft) above sea level. This affords important views to and from the High Street, Woodperry Road and other parts of Beckley, across the Green Belt countryside, which the emerging Neighbourhood Plan seeks to protect. Any invasion of the openness of the Green Belt would be detrimental to local residents and the preservation of the Green Belt countryside.

The oldest part of Beckley village is a Conservation Area. (See Fig 7.1.1.1.) Sandy Acre is immediately adjacent to the Beckley Conservation Area and affects it visually. Sandy Acre can be seen from many parts of it including the High Street, Roman Way and the local community owned pub The Abingdon Arms.

What is not apparent from maps or the response is that Sandy Acre is in a very elevated position approximately 10 metres above the nearest houses and our local pub the Abingdon Arms. (See Figure 7.1.1.2 and 3) The bungalow at Sandy Acre is on the northern edge of the plot very close to the boundary of the site. It is overlooking and over bearing to nearby houses and compromises their privacy.

**Figure 7.1.1.1. Beckley Conservation Area**



**Figure 1. Beckley Conservation Area**

Sandy Acre





**7.1.1.2 & 3 Sandy Acre Bungalow – Overlooking the High Street and Conservation Area above an adjacent house**

Bungalow at Sandy Acre high above the High Street - very visible, overlooking nearby houses. Can be seen from the Conservation Area





### 7.1.2. PLANNING POLICY CONSIDERATIONS AND HISTORY

A number of planning applications have been refused for Sandy Acre and the reason has been that it lies outside the 'Settlement Boundary/village/Beckley, is within the Green Belt and would spoil the visual amenity of the location/village. Those that have been granted more recently are under NPPF 149 d) as a replacement.

- Planning permission was refused in 1964 for a school on the Sandy Acre site as development on this site would be *“detrimental to the visual amenities of the locality”* - P64/M0538
- Planning permission was granted in 1965 for a detached bungalow and access P65/M0365. The reasons to –
  - Preserve the amenities of the locality
  - To secure proper planning of the locality
  - To ensure conditions of proper and safe convenience in relation to the public highway.
- Planning permission was refused in 1987 – for a Bungalow and garage. P87/N0500/O as it was in the Green Belt, outside the confines of Beckley and would be detrimental to the rural character and visual amenity of the locality.
- Planning permission was refused in December 2018 to Mr and Mrs Smith for - Erection of a replacement dwellinghouse to provide four-bedroom family home with detached garage - P18/S2776/FUL. The reason for the refusal was that the site was in the Green Belt and it would be inappropriate development. .... *the additional volume created by the new dwelling and detached garage building would result in development which would be materially larger than that existing. This would be harmful to both the openness and visual amenity of the Oxford green belt. There are no very special circumstances to outweigh this harm. As such this proposal is contrary to policy CSEN2 of the South Oxfordshire Core Strategy, saved policy GB4 of the South Oxfordshire Local Plan and to advice set down in the NPPF*”. The officer’s report on P18/S2776/FUL states at 6.5 that  
*“The site is outside any of the district’s towns and villages and as such. It is on the edge of the village in a large plot and is not within the built-up limits, the proposal should be considered under the criteria in policy H12 of the SOLP. “*
- Whilst the Local Plan has been adopted since that decision, the national and local policy position with regard to the built limits of settlements has not changed materially.

- In 2019 the owners applied for a certificate of lawful development for - Erection of single storey side and rear extensions to dwellinghouse and erection of detached garage - P19/S0604/LDP which was granted.
- In 2019 another application was made for - Demolition of existing dwellinghouse and erection of replacement dwellinghouse to provide family home with detached garage with parking, amenity space, landscaping, and associated works (As amplified by Great Crested Newt Habitat Assessment December 2019 - P19/S2951/FUL Planning permission was granted to replace the existing bungalow with a new house under NPPF 149 d) (point 6.4 and 6.5 officer's report) which make it clear that it was not viewed as being within the settlement and was a replacement.
- Similarly planning permission was also granted under NPPF 149 to replace an existing garage with a new one. It is regrettable that the replacement garage grew into a second house. This is not compliant with NPPF 149. SODC imposed the condition to demolish the existing bungalow when the new house had been built. This was in compliance with NPPF 149 and Local Plan policies and supported by Beckley and Stowood Parish Council.
- The reasons cited for imposing conditions to demolish the existing bungalow - *That the building specified in the application to be demolished shall be demolished within 3 months of the first occupation of either of the two dwellings hereby permitted. Reason: To ensure that the development does not result in the addition of a third dwelling on the site to protect and to protect the Green Belt from inappropriate development and harm to its openness and to ensure adequate levels of parking and amenity in accordance with policies STRAT6, DES5 and TRANS5 of the South Oxfordshire Local Plan 2035*  
Policy STRAT6: Green Belt - this supports the NPPF on the Green Belt
- SODC Planning Officer's Decision Notice P22/S2193/FUL October '22–  
*"The retention of the bungalow, which is required to be demolished by conditions attached to planning permissions for the erection of dwellings on the site, would consolidate the built-up appearance of the site eroding its openness and character and the contribution it makes to the wider openness of the Green Belt contrary to Policy STRAT6 of the South Oxfordshire Local Plan 2035 and the NPPF."*

NPPF [National Planning Policy Framework] para 144. *If it is necessary to restrict development in a village primarily because of **the important contribution which the open character of the village makes to the openness of the Green Belt**, the village should be included in the Green Belt. If, however, the character of the village needs to be protected for other reasons, other means should be used, such as conservation area or normal development management policies, and the village should be excluded from the Green Belt.*

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

In conclusion Sandy Acre has been viewed for many decades as being outside the village/Beckley/the Settlement boundary and contrary to the responder's view there is very robust evidence to back this up in the Neighbourhood Plan. Neighbours have concerns that it

–

- Spoils important views that are to be protected
- Adversely affects the openness of the Green Belt
- Adversely affects the Conservation Area and overlooks it and can be seen from it
- Is over bearing and overlooking of nearby houses and compromises their privacy

As national policy makes clear, development in the Green Belt is inappropriate other than in specific circumstances, as defined in NPPF paragraphs 149 and 150, or where very special circumstances exist.

In addition, it does not qualify for infilling as defined in NPPF 149 –

1. It is outside the Settlement Boundary (as defined by the Beckley and Stowood Neighbourhood Plan) and the built-up limits of the village (as defined by the SODC Planning Officers where the original planning permission was granted under NPPF 144).
2. Sandy Acre is not positioned in 'an otherwise continuous built-up frontage' nor is it 'closely surrounded by buildings' –

The Sandy Acre site is one of the very few buildings on the north side of the Woodperry Road the next building being the village hall approximately 370 m (1,216 ft) away with agricultural fields next to the site to the east. To the south there is Woodperry Road, to the west another road, Roman Way and one house which is on a much lower level than Sandy Acre and to the north the village pond! Sandy Acre is not '*closely surrounded by buildings*' or part of an '*an otherwise continuous built-up frontage*'.

3. Infilling would apply to new buildings not existing ones.
4. Planning permission would be unlikely to be granted for a new bungalow or building in its present position – on the northern edge of the site overlooking and overbearing the Conservation Area and nearby houses and buildings.

## **7.2. Pegasus for Dorchester Residential and Christ Church developers of Land north of Bayswater Brook**

As the Examiner has stated - *“National policy is clear that neighbourhood plans can be prepared to add value to the strategic approach taken in a local plan. Nevertheless, should this part of the Plan make it clear that the policies have been designed to supplement Policy STRAT13 of the adopted Local Plan and to follow the approach in paragraph 13 of the NPPF?”*

The Neighbourhood Plan certainly does not seek to oppose the SODC Local Plan 2035 or the STRAT 13 policy, but rather to add a level of granularity and to mitigate some aspects of the Land north of Bayswater Brook development that are potentially harmful to Beckley and Stowood parishioners and the parish. Neither the Parish Council, nor local residents, particularly those that will be surrounded by the strategic development, has the view that the policies are an “unnecessary amount of detail”, but positive to support sustainable development and help the development to work for local residents.

### **7.2.1. Kings Chambers comments**

The question may be posed do the developers support Neighbourhood Planning, which is Government Policy, where the local community has a say in how their parish develops or does it outrightly oppose any local say from parishioners as an “unnecessary amount of detail”?

4. If the mitigation policies in the Neighbourhood Plan merely repeat existing policies in the SODC Local Plan and STRAT 13 why are the developers so exercised about them and describe them as “unnecessary amount of detail”?

Contrary to what is stated there are no policies on – “Financial Viability of Land North of Bayswater Brook” and many of the policies in the Local Plan and STRAT 13 to which the Neighbourhood Plan policies add granularity and detail have not been addressed by the developers in their planning applications and are missing -

- The Green Belt and Loss of Important Landscape and Countryside
- Compensatory Improvements for The Green Belt
- Transport Infrastructure
- Current Road Congestion Around LnBB and Commuting Patterns
- Impact of Connecting Oxford and Oxford City Bus Gates
- Car Ownership & Low Car Schemes
- Protection of the SSSI - Sydlings Copse and College Pond

5. The planning applications appeared to contain no plans/inadequate information for a number of Local Plan and STRAT 13 policies and some have been commented upon by statutory consultees –

It is very concerning that no plans appear to have been put forward for a 'permanent and defensible Green Belt boundary, as required: that bridlepaths can be used as roadways with little consideration for safety; that NICE guidelines to improve public health are a nuisance and that existing local residents are not allowed to have privacy and can be overlooked.

6. Please see earlier detailed comments on the mitigation policies.

7,8,9, It appears the developers do not support Neighbourhood Plans or their part in the planning process or the opportunity for local communities to have a say in how their area develops. This is obviously inconvenient, especially as the current Levelling Up bill reinforces the importance of Neighbourhood Plans.

The comments from the Executive Director of Pegasus appear to repeat those made by the barrister at Kings Chambers, but without the legal threats.

It goes on to say - *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.* That is exactly what the Neighbourhood Plan is doing.

It is clear that along with the barrister's comments the developers do not support Neighbourhood Planning and the important position it serves in giving local communities a say in how their parish/area develops.

#### **Detailed comments on the NP Reg 16**

As with the previous consultation responses (Regulation 14) Pegasus tries to rewrite the Neighbourhood Plan. It is not clear to what purpose or if they have any experience of Neighbourhood Plan writing, apart from opposing them.

#### **Core Objectives (Page 23)**

**Objective 6 Encouraging Housing Mix** – a survey was carried out amongst parishioners and reported in the Consultation Report. There was no demand for affordable housing. There is already provision of social housing in Beckley village and the provision of affordable housing in the LnBB development.

#### **Objective 7.**

Are the developers suggesting that there are no negative aspects to the development at LnBB that need to be addressed? If so, it emphasises the need for Community Involvement as set out in policy CI1. It appears that in trying to rewrite the Neighbourhood Plan in their own words they are not acknowledging the significant concerns of local residents who will have to live with the consequences and are fighting the Neighbourhood Plan instead of attempting to address the sound and legitimate concerns of local residents that the Plan is trying to address.



**Policy E1. Biodiversity (Page 50)** – *“Matters are being addressed in the preparation of the planning application”* – Please see the comments on the SSSI policies. The information required by the Local Plan STRAT 13 in respect of the SSSI has not been provided and Natural England is not satisfied.

Pegasus has sought to rewrite the Neighbourhood Plan to suit its purposes and it is difficult to pull out any serious comments about the proposed policies. It is merely a destructive exercise, showing they do not support Neighbourhood Planning or local communities having their say. They also state many times that factually correct information should be deleted presumably as it is inconvenient, giving no reason or evidence. They say among many other things that the Mitigation Policies for LnBB repeat the Local Plan STRAT 13 policies and are not needed and then disagree with themselves and say the policies undermine the Local Plan. The mitigation policies cannot be both things at the same time. In practice the mitigation policies have been drafted in order to add value to the strategic approach taken in the local plan and they do not (in the opinion of the authors) constrain the delivery of the LnBB site.

**Policy VB2** – the suggested changes to the policy text would duplicate national policy and render the policy unnecessary, therefore the suggested change is not accepted (see comments above in relation to the examiner’s question about policy VB2).

**Policy H1** – the definition of heritage conservation in the NPPF is *“The process of maintaining and managing change to a heritage asset in a way that sustains and, where appropriate, enhances its significance”*. The introductory paragraph to policy H1 reflects this.

**Policy DS1** – The suggested change would simply repeat the Local Plan policy thus adding nothing that is not already in adopted policy.

**Policy DG1** – There is no need to refer to the District or national design guides in this policy, because those other guides are already adopted and must be referred to by applicants anyway, regardless of the Neighbourhood Plan.

**1. Community Involvement (Page 77)** – We disagree, there has been little Community Involvement. There have been exhibitions and webinars where most of the communication was one way and there was little opportunity to ask questions.

### **7.3. SODC Responses**

**7.3.1. General comment on figure and table labelling** – each figure, map and table has been given a sequential number corresponding with the Section number.

**7.3.2. Map of Beckley and Stowood Neighbourhood Plan Area – The Whole Parish** – This map was produced by SODC for our Neighbourhood Plan.

7.3.3. Objective 7 - 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 is untrue there are many detrimental effects that the mitigation policies try to help address. Please see the considerable number of responses to the recent planning applications for LnBB.<sup>12, 13, 14</sup>

7.3.4. General comments on Policies VB 1. And VB 2 - Please see the detailed response in Section 1.

7.3.5. Figure VB 1. - Policy Map – Beckley Settlement - Sandy Acre is not within the Settlement Boundary for a number of very important reasons. Please see the comments in Section 7.1. above for a very detailed review. The planning permission granted was under NPPF 149 d) a replacement building for an existing building in the Green Belt and not within a village/settlement boundary.

7.3.6. Policy E 1. Biodiversity - the suggested deletion of text from the second paragraph appears to be logical and would make the policy more concise should the examiner wish to amend the policy.

The suggested change to the final paragraph also appears to be sensible provided it does not result in a loss of detail.

7.3.7. Policy H 1. Preservation of Heritage - The first suggested change (to the first paragraph) is sensible but would probably benefit from reference to appeals as well as applications, or instead to refer to “development proposals”.

The response to the comments by Pegasus (see above) are relevant to the second change suggested by SODC. It does not appear that the change would add anything to the policy as it would repeat what is already in the NPPF.

7.3.8. Policy DS 1. Important Views - Pages 4-10 of Evidence Base 2 provide background justification for the importance of the views and vistas. Therefore, we believe that the views are justified as being special to the community.

The suggested change to the view numbering / naming could assist in providing clarity if the examiner considers it would be helpful to do so.

Please see section 1 View 6 for detailed comments.

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<sup>12</sup> <https://data.southoxon.gov.uk/ccm/support/Main.jsp?MODULE=ApplicationDetails&REF=P22/S4618/O>

<sup>13</sup> <https://data.southoxon.gov.uk/ccm/support/Main.jsp?MODULE=ApplicationDetails&REF=P22/S4550/LB>

<sup>14</sup> <https://data.southoxon.gov.uk/ccm/support/Main.jsp?MODULE=ApplicationDetails&REF=P22/S4596/FUL>

[Fig 2.11.1.2 Beckley and Stowood Views Map Confined to the Parish Boundaries](#) – The base map used was provided by SODC

[7.3.9. Policy DS 2. Parking](#) - We prefer to keep this policy as it is. The OCC Parking standards are not appropriate for Beckley village for the reasons stated, particularly the fact there is no public transport and no alternative to using cars.

[7.3.10. Policy DS 3. Flood Risk and Development](#) – The suggested changes and Local Plan policies do not take into account flash flooding from water runoff seen down Otmoor Lane. The first two paragraphs in the policy add local granularity to the requirements in a way that is not reflected in the Local Plan policies quoted and therefore the preference is to retain them in the policy. Certainly, strengthening of the references to SuDS could be included in the policy if it is felt this would add value to the policy.

[7.3.11. Policy DS 4. Dwelling Size](#) – This policy is not an exact replica of the Local Plan policy H20 as it contains reference to policies DS2 and DG1.

[7.3.12. Policy DG 1. Beckley Design Guide](#) – this is Beckley and Stowood's Design Policy and does not refer to any other document. It is a stand-alone document. It was developed with the local community.

The policy is detailed as are SODC's own design guide and Design Policies in other Neighbourhood Plans are also necessarily detailed and therefore relatively long to include all the design criteria. We do not wish to shorten or change the policy as this would detract from it and may make it ambiguous and misunderstood by developers. The Neighbourhood Plan team wish the Design Policy – the Beckley Design Guide to be retained in its current very useful form.

The Policy DG1. is the Design Policy for Beckley and Stowood Parish and is not for Oxford City. The SODC Local Plan policies do not refer to the City of Oxford Local Plan. A three-storey policy for the parish is discussed in detail in section 6.5.2. Maintaining Privacy and Avoiding Overlooking. Some of the policy comparisons are copied below, but there is more detail in Section 6.5.2. of the Neighbourhood Plan. –

This policy is supported by NPPF - Conserving and enhancing the natural environment - 174, Achieving well-designed places - 130

The Local Plan **Policy DES1: Delivering High Quality Development** includes  
*vii) takes into account landform, layout, building orientation, massing and landscaping;*  
*xiii) respects the local context working with and complementing the scale, height, density, grain, massing, type, and details of the surrounding area;*

The policy ENV1: Landscape and Countryside further protects landscapes, trees, hedgerows etc as shown above and *2. viii) important views and visually sensitive skylines;*

The heights of existing housing in the Barton estate are confined to three storeys and it is the same on the Barton Park estate apart from the commercial centre adjacent to the A40 ring

road. Houses along the Bayswater Road are generally two storeys. The homes at Wick Farm mobile home park are one storey and the farm house is two storeys with additional rooms built into the tiled roof.

In Appendix 2. Updated Management Plan South Oxfordshire Landscape Assessment 2017 Lepus Report recommendations include - Minimising the impact of tall buildings and conserving hedgerows.

This policy is in conformity with national policies - NPPF 126, 127, 130, 131, 134, 174 and SODC Local Plan policies - SODC Design Guide, DES 1 (particularly 1 vii), 1 xiii), 1 xv), DES 2.

**7.3.13. Policy DG 2. Night Sky/Lighting** – as discussed in the previous Reg 14 consultation we want to encourage downward lighting and less/low external lighting on all properties whether planning permission is required or not. Planning permission is rarely sought for external lighting and amending the policy to say only when planning permission is required is likely to make the policy ineffective. The Neighbourhood Planning team along with our community and environmental groups want to encourage reduction of external lighting, which affects wildlife, human sleep patterns and wastes energy. We want to encourage low lighting instead.

**7.3.14. 5.7. Community Aspiration – Compliance** – Beckley and Stowood Neighbourhood Plan Group is an active member of the Oxfordshire Neighbourhood Plan Alliance (ONPA). ONPA has voiced concern to SODC about a number of cases where made Neighbourhood Plan policies appear to have been ignored or disregarded. One recent example is the granting of planning permission for a solar farm in the Green Belt at Nineveh Farm, Nuneham Courtney - P20/S4360/FUL – see South Oxfordshire District Council – Planning Committee – 15 December 2021 Officer’s Report 2.2.<sup>15</sup> which was contrary to the Baldon’s Neighbourhood Plan policies. Another example was the subject of a complaint by ONPA members to SODC. A planning application in Watlington P20/S2311/FUL was approved without going to the Planning Committee despite objections from the local Parish Council and non-compliance with local Neighbourhood Plan policies. Neighbourhood Plan policies have been disregarded/not considered by SODC and the Neighbourhood Plan Steering Groups are a sub-committee of the Parish Council and not always represented on the Parish Council who consider planning applications.

**7.3.15. General Comment on mitigation policies** – These policies do not duplicate policies in the Local Plan, but have added detail and local knowledge to Local Plan policies.

**7.3.16. Policy C 1 Community Involvement** – The NPPF supports and encourages this sort of approach.

**7.3.17. Mitigation Policy GB 1. Definition of a new Green Belt Boundary** – It is a requirement of STRAT 13 and the NPPF to establish a permanent defensible Green Belt boundary, but there

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<sup>15</sup>

[https://data.southoxon.gov.uk/ccm/support/dynamic\\_serve.jsp?ID=1955958791&CODE=3E258C6266DC51DE88C869FCDCCF9CAE](https://data.southoxon.gov.uk/ccm/support/dynamic_serve.jsp?ID=1955958791&CODE=3E258C6266DC51DE88C869FCDCCF9CAE)



are no natural geographical features for this. The planning application for LnBB does not appear to include any proposals for such a permanent defensible barrier. Please see the detailed comments in section 6 above on this matter.

7.3.18 For observations in response to the remainder of the SODC comments on the mitigation policies, please see detailed responses on the mitigation policy points in Section 6 above.

**8. DIRECT RESPONSE** – There has been a direct response to the Neighbourhood Planning team from a resident in Beckley to the Regulation 16 consultation. He was concerned about Figure 5.1.5. SETTLEMENT BOUNDARY – AERIAL VIEW SHOWING GARDENS OF GROVE HOUSE AND ANOTHER ALONG NEW INN ROAD page 33. The aerial view shows labelling of private drives of houses as being part of the ‘High Street’



**Figure 5.1.5. SETTLEMENT BOUNDARY – AERIAL VIEW SHOWING GARDENS OF GROVE HOUSE AND ANOTHER ALONG NEW INN ROAD**

It is proposed to remove the part of the aerial view outlined in red to remove the incorrect labelling.

