

Binfield Heath Neighbourhood Development Plan

Examiner's Clarification Note

This Note sets out my initial comments on the submitted Plan. It also sets out areas where it would be helpful to have some further clarification. For the avoidance of any doubt, matters of clarification are entirely normal at this early stage of the examination process.

Initial Comments

The Plan provides a clear vision for the neighbourhood area.

The presentation of the Plan is good. The difference between the policies and the supporting text is clear. The Plan makes good use of various high-quality maps and photographs

The Plan is helpfully accompanied by a series of appendices which, in several cases, underpin the relevant policies. In the round, the Parish Council has chosen to address issues which are distinctive to the parish and has produced a Plan based on appropriate evidence.

Points for Clarification

I have read the submitted documents and the representations made to the Plan. I have also visited the neighbourhood area. I am now able to raise issues for clarification with the Parish Council.

The comments made on the points in this Note will be used to assist in the preparation of the examination report and in recommending any modifications that may be necessary to the Plan to ensure that it meets the basic conditions.

I set out specific policy clarification points below in the order in which they appear in the submitted Plan:

Policy BH2

I looked at the existing separation of settlements very carefully during the visit.

The purpose of the policy is clear. Nevertheless, how were the proposed Gaps (as shown on Figure 36) determined?

Is the definition of specific gaps necessary given the character and nature of the parish (and as described effectively in the Plan)?

In addition, could the policy operate equally effectively without the second paragraph?

Policy BH3

I looked carefully at the two proposed Areas of Special Character during the visit.

The description of the two proposed areas in the supporting text and in the landscape-related appendices is very detailed. However, is there a specific justification for their proposed designation as Areas of Special Character?

Please can the Parish Council comment on the added value of such designations beyond those part of the proposed designations which are within the Chiltern Hills Natural Landscape?

There is a high degree of overlap between the two proposed Areas of Special Character and the landscape character areas (throughout in the parish) as described in Section 5 of the

Landscape Character Assessment. Is there a direct relationship between the information in Appendix C (Landscape Character Assessment) and Appendix 5 (Areas of Special Character) of the Plan?

If so, could the policy comment more generally that development proposals should respond positively to the character of the individual areas rather than focus on two of the character areas in Appendix C?

Policy BH4

The policy takes the matter-of-fact approach as set out in the NPPF.

The policy is helpfully underpinned by the details in Appendix F. However, in this context, please can the Parish Council provide information about the size of proposed LGS 3/17/18/20/23/24/30/36.1/36.2/42.

Policy BH5

I looked carefully at a selection of the identified views.

I note that the policy refers to the Landscape Character Assessment (Appendix C). As the District Council suggests, there would be merit in the supporting text being clear on the scope and nature of the views.

It would be helpful to have the Parish Council's comment on the way in which appropriate information is best used in the Plan to justify the approach taken in the policy.

Policy BH7

This is an important policy in the wider context of the Plan

The combination of the policy and the Design Code is a first-class response to Section 12 of the NPPF.

Policy BH9

It would be helpful if the Parish Council explained the intended relationship between the policy and Policy H16 of the Local Plan.

Could the policy simply define the three settlement boundaries and then apply the approach taken in Policy H16 of the Local Plan?

Policy BH12

The final part of the policy does not appear to relate to its earlier elements.

It would be helpful if the Parish Council explained its thinking on the structure of the policy.

Policy BH13

Is the penultimate part of the policy commenting about traffic-calming proposals which are incorporated into development proposals? Otherwise, more general traffic calming measures in the highway undertaken by Oxfordshire County Council are unlikely to need planning permission.

Policy BH14

In general terms, does the policy bring any added value to the approach taken in the Local Plan?

Without prejudice to the response to the previous question, I am minded to recommend modifications to the first and the second parts of the policy so that they will take a proportionate approach and allow the District Council to apply the policy in a practical way through the development management process.

Does the Parish Council wish to comment on this proposition?

Policy BH15

I am minded to recommend that the policy is recast to reflect the District Council's representation.

Does the Parish Council wish to comment on this proposition?

Policy BH16

I am minded to recommend that the policy is recast so that it excludes any references to land outside the parish.

Does the Parish Council wish to comment on this proposition?

Representations

Does the Parish Council wish to comment on any of the representations made to the Plan?

I would find it helpful if the Parish Council commented on the representations made by Coppid Farming Enterprise (Representation 8).

The District Council proposes a series of revisions to certain policies and the supporting text in the Plan (Response 3). Does the Parish Council have any comments on the suggested revisions?

Protocol for responses

I would be grateful for responses to the questions raised by 16 April 2024. Please let me know if this timetable may be challenging to achieve. It is intended to maintain the momentum of the examination.

If certain responses are available before others, I would be happy to receive the information on a piecemeal basis. Irrespective of how the information is assembled, please could it come to me directly from the District Council. In addition, please can all responses make direct reference to the policy or the matter concerned.

Andrew Ashcroft

Independent Examiner

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20 March 2024