

Berinsfield Neighbourhood Development Plan 2024-2035

**A report to South Oxfordshire District Council
on the Berinsfield Neighbourhood
Development Plan**

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Executive Summary

- 1 I was appointed by South Oxfordshire District Council in September 2024 to carry out the independent examination of the Berinsfield Neighbourhood Development Plan.
- 2 The examination was undertaken by written representations. I visited the neighbourhood area on 26 September 2024.
- 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 its community facilities and preparing policies to supplement the approach taken in the Local Plan for the delivery of the Berinsfield Garden Village.
- 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 Berinsfield 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
6 December 2024

1 Introduction

- 1.1 This report sets out the findings of the independent examination of the Berinsfield Neighbourhood Development Plan 2024-2035 (the 'Plan').
- 1.2 The Plan has been submitted to South Oxfordshire District Council (SODC) by Berinsfield Parish Council (BPC) 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 be complementary to the development plan. It has a clear focus on maintaining the character and appearance of the neighbourhood area and safeguarding its community facilities.
- 1.6 Within the context set out above, this report assesses whether the Plan is legally compliant and meets the basic conditions that apply to neighbourhood plans. It also considers the content of the Plan and, where necessary, recommends changes to its policies and supporting text.
- 1.7 This report also provides a recommendation as to whether the Plan should proceed to referendum. If this is the case and that referendum results in a positive outcome the Plan would then be used to determine planning applications within the Plan area and will sit as part of the wider development plan.

2 The Role of the Independent Examiner

- 2.1 The examiner's role is to ensure that any submitted neighbourhood plan meets the relevant legislative and procedural requirements.
- 2.2 I was appointed by SODC, with the consent of BPC, to conduct the examination of the Plan and to prepare this report. I am independent of both SODC and BPC. I do not have any interest in any land that may be affected by the Plan.
- 2.3 I possess the appropriate qualifications and experience to undertake this role. I am a Director of Andrew Ashcroft Planning Limited. In previous roles, I have 41 years' experience in various local authorities at either Head of Planning or Service Director level and more recently as an independent examiner. I 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 is submitted 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 Basic Conditions Statement;
- the Consultation Statement;
- the SODC SEA/HRA screening report (May 2024);
- BPC's responses to the Clarification Note;
- the representations made to the Plan;
- the adopted South Oxfordshire Local Plan 2035;
- the Inspector's report on the Local Plan;
- the emerging South Oxfordshire and Vale of White Horse Joint Local Plan;
- the National Planning Policy Framework (December 2023);
- Planning Practice Guidance; and
- relevant Ministerial Statements.

3.2 I visited the neighbourhood area on 26 September 2024. I looked at its overall character and appearance and at those areas affected by policies in the Plan in particular. My visit is covered in more detail in paragraphs 5.9 to 5.15 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 made to the submitted plan, I am satisfied that the Plan could be examined without the need for a public hearing.

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 accordance with the Neighbourhood Planning (General) Regulations 2012 BPC 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 September to November 2023). It captures the key issues in a proportionate way and is then underpinned by more detailed appendices.
- 4.3 The Statement helpfully sets out the way in which the early stages of Plan preparation (NP1) shifted into a later stage (NP2) once the Local Plan was adopted in late 2020. Paragraphs 7-10 of the Statement advise as follows:
- ‘With NP2, BPC sought to plan for the consequences arising from the anticipated adoption of the Local Plan 2035 (adopted in December 2020). The Local Plan contains proposals releasing 132 hectares of land from the Oxford Green Belt at Berinsfield for the creation of a ‘Berinsfield Garden Village’ (BGV) of 1,700 new homes and 5Ha of new employment land.*
- As those proposals were evolving and after the Local Plan was adopted BPC explored with SODC and its new BGV team whether or not NP2 may play a role in bridging the gap between the allocation policy and planning applications aligned to a BGV Masterplan.*
- During those discussions both the BGV team and the main land promoter, Ptarmigan Ltd, carried out extensive engagement activities to inform the BGV Masterplan. BPC therefore decided there was a high risk of ‘consultation fatigue’ within the community if it chose to carry out additional engagement on NP2.*
- Instead, it took informal soundings from local people and organisations to decide if NP2 should look to exert a significant role in the BGV initiative or should only bring forward those proposals in NP1 that were positively examined. BPC has strong, longstanding relationships with the other key public and private stakeholder organisations in what is a tight knit village – taking soundings in this way is therefore effective.’*
- 4.4 I am satisfied that this two-stage approach has been both effective and pragmatic.
- 4.5 Appendix C 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 submission 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.
- 4.7 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. SODC has carried out its own assessment that the consultation process has complied with the requirements of the Regulations.

Representations Received

- 4.8 Consultation on the submitted plan was undertaken by SODC and ended on 12 September 2024. This exercise generated comments from the following organisations:
- Oxford Wet n Wild Limited
 - Countryside Properties
 - Ptarmigan Planning 4 Limited
 - Historic England
 - Natural England
 - Oxfordshire County Council
 - South Oxfordshire District Council
- 4.9 Comments were also received from a resident.
- 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 Berinsfield. In 2021 the population of the village was 2771 persons. It is situated about eight miles south of Oxford, and six miles to the north of Wallingford and to the immediate east of the A4074 Oxford to Reading Road. It was developed from 1960. Previously, it a WW2 airfield (RAF Mount Farm) which was sold to Bullingdon Rural District Council in 1957. I was designated as a neighbourhood area in 23 October 2013.
- 5.2 The housing styles reflect the rapid development of Berinsfield in the 1960's when 278 homes were initially constructed (200 as council houses and 78 as privately-owned). It now has 1,094 homes, most of which are either of either terrace or of semi-detached design.
- 5.3 The village has a vibrant range of retail and community services in Wimplestraw Road and Fane Drive which acts a service hub to the area. In addition, the village is supported by a wide range of clubs and societies (including football, boxing, gymnastics, and water sports) and the social facilities offered by the Berinsfield Community Association, the library, The Berin Centre, the youth club, the Church, and Abbey Sports Centre.

Development Plan Context

- 5.4 The South Oxfordshire Local Plan was adopted in December 2020. It sets out the basis for future development in the District up to 2035. The following policies are particularly relevant to the Berinsfield Plan:

Policy STRAT1	The Overall Strategy
Policy STRAT10	Berinsfield Garden Village
Policy STRAT10i	Land at Berinsfield Garden Village
Policy STRAT10ii	Berinsfield Local Green Space
Policy H4	Housing in the Larger Villages
Policy H16	Infill Development
Policy EMP10	Development in Rural Areas
Policy ENV1	Landscape and Countryside
Policy ENV3	Biodiversity
Policy ENV4	Watercourses
Policy ENV6	Historic Environment
Policy ENV7	Listed Buildings
Policy ENV8	Conservation Areas
Policy DES1	Delivering High Quality Development
Policy CF4	Existing Open Space, Sport, and Recreation Facilities

- 5.5 The Basic Conditions Statement assesses the key policies in the Local Plan and how they relate to policies in the submitted Plan. This is good practice. It provides

confidence to all concerned that the submitted Plan sits within its local planning policy context.

- 5.6 Berinsfield is identified as Larger Villages in the adopted Local Plan (Appendix 7).
- 5.7 The Local Plan provides a very clear context for development in the parish in the Plan period. In combination, Policies STRAT 10, 10i and 10ii. comment that land within the strategic allocation at Berinsfield Garden Village will be developed to provide around 1,700 new homes within the plan period, at least 5 hectares of additional employment land and supporting services and facilities. The policies advises that the number of new homes should demonstrably support the regeneration of Berinsfield and the delivery of the necessary social infrastructure. Plainly this development will bring forward significant change in the Plan period.
- 5.8 SODC is now at an advanced stage in the preparation of a Joint Local Plan (JLP) with the Vale of White Horse District Council. The consultation exercise on the Regulation 19 version of the Plan ended on 12 November 2024. In process terms, these timings have allowed the submitted neighbourhood plan directly to take account of the up-to-date local planning context. Indeed, the submitted neighbourhood plan has been prepared within its wider development plan context. In doing so it has relied on up-to-date information and research that has underpinned previous and existing planning policy documents in the District. This is good practice and reflects key elements in Planning Practice Guidance on this matter.

Unaccompanied Visit

- 5.9 I visited the neighbourhood area on 26 September 2024.
- 5.10 I drove into the village from the A4074 to the west. This gave me an initial impression of its character, and the context of its wider setting to the south of Oxford and its proximity to Dorchester, Benson, and Wallingford.
- 5.11 I looked initially at the range of retail and community facilities along Wimblestraw Road and Fane Drive. Their importance to the local community was self-evident.
- 5.12 I then walked into Recreation Ground in the centre of the parish. It was interesting to see the way in which the residential areas readily connected top this important green space at the heart of the community.
- 5.13 I took the opportunity to walk to the north along Roman Road and then out into the countryside. This part of the visit highlighted the very sharp edge between the village and the surrounding countryside.
- 5.14 I then looked at the industrial buildings on the northern edge of the village, and then continued south along Fane Road to the cemetery.

- 5.15 I finished the visit by walking generally through the village and observing the house types.

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 Berinsfield Neighbourhood Plan:

- a plan led system – in this case the relationship between the neighbourhood plan and the adopted South Oxfordshire Local Plan;
- 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 sets out a positive vision for the future of the neighbourhood area. There is a very clear focus on safeguarding its community facilities and preparing policies to supplement the approach taken in the Local Plan for the delivery of the Berinsfield Garden Village. 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 policies for brownfield land (Policy 6), local shops and services (Policy 14), and employment uses (Policy 20). In the social dimension, it includes policies on community facilities (Policies 15-19), affordable housing and housing mix (Policies 1 and 2), and the Roman Road (Policy 11). In the environmental dimension, the Plan positively seeks to protect its natural, built, and historic environment. It has specific policies on biodiversity (Policy 4), and on renewable energy (Policy 5), and on water (Policy 7). BPC 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 South 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 modification 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 SODC undertook a screening exercise (May 2024) on the need or otherwise for a Strategic Environmental Assessment (SEA) to be prepared for the Plan. The report 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. 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 Plan area. The wider community and BPC 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. The submitted Plan has addressed the very interesting context provided for the parish by the allocation of land for the development of the Berinsfield Garden Village (BGV) in the adopted Local Plan (Policies STRAT10/10i/10ii). The scale of development is of a strategic scale and well beyond that faced by most other town and parish councils in the District in preparing their neighbourhood plans. It is to BPC's credit that the Plan has been prepared and submitted.
- 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 1-3)

- 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 very clear distinction is made between its policies and the supporting text. It also has a clear structure
- 7.9 The Foreword and the Introduction comment about the background to neighbourhood planning. They comment about how the Plan has been prepared and how it will be used. The Introduction defines the Plan period. I recommend that it also includes a map of the neighbourhood area (as used in the Basic Conditions Statement).

At the end of 2.1 add: 'The neighbourhood area is shown on [insert map/figure number]'

Insert the map in the Plan.

- 7.10 The Introduction also 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 3 includes a vision and a series of objectives for the wider Plan. The vision is:
A rural neighbourhood on the move – from WWII airfield to dynamic garden village community planning for sustained economic growth with new homes and more jobs'
- 7.12 Section 3 also advises that the Plan's policies have been grouped under seven themes aligned to its goals and objectives. This is visually displayed in the comprehensive table at the end of paragraph 3.6.
- 7.13 The remainder of this section of the report addresses each policy in turn in the context set out in paragraphs 7.5 to 7.7 of this report

The overlaps between of Policies STRAT10/10i/10ii of the Local Plan and specific policies in the submitted Plan
- 7.14 Policies STRAT10/10i/10ii are part of a package of strategic policies in the Local Plan. They set out the way in which the allocated BGV will be developed.
- 7.15 Different local plans address strategic sites in different ways. In this case, the Local Plan policy comments in considerable detail about:
- the Garden Village principles which the development of the strategic site should address (STRAT10 2);
 - what is expected of the development (STRAT10i 2);
 - the need for development to be shaped by a masterplan (STRAT 10i 3); and
 - the designation of land in the centre of Berinsfield as Local Green Space (STRAT10ii)
- 7.16 The supporting text of the policies is equally comprehensive. It comments on a series of matters including environmental, design, housing mix and community/educational facilities.
- 7.17 Policies 1,2,4,18 and 19 of the submitted Plan overlap with, and seek to add value to, these strategic policies in the Local Plan. In these circumstances I consider in general terms the extent to which the submitted policies are in general conformity with the strategic policies in the Local Plan and provide additional detail based on appropriate evidence and information.
- 7.18 Plainly the relationship between local plans and neighbourhood plans on the development of strategic sites will reflect local circumstances and protocols. There will be circumstances where a neighbourhood plan can provide local input and detail to help shape a strategic policy and/or assist in its delivery and the decision on the type of community facilities to be delivered. Such an approach is supported in national planning policy and has been pursued successfully in other neighbourhood plans. In other cases, the strategic policy will include a significant level of detail which provide more limited scope for a neighbourhood plan to add further local value.

7.19 I have considered this matter very carefully and have taken account of the details in the Plan, the comments in the representations, and BPC's responses to the clarification note. In assessing the extent to which the various overlap policies meet the basic conditions, I will apply the following principles:

- the extent to which the relevant policy will assist in the delivery of BGV as anticipated in the adopted Local Plan;
- the extent to which the relevant policy aligns with ambitions of SODC and the developer of the BGV; and
- the extent to which the relevant policy provides clarity on its ambitions whilst retaining sufficient flexibility to accommodate the complicated nature of the development concerned, and its delivery throughout the Plan period.

7.20 I will not repeat this general commentary in my assessment of the overlap policies. Nevertheless, I comment on the three principles (where relevant) on a policy-by-policy basis. I have also taken account of BPC's comments in its response to the clarification note on the importance which it gives to the concept of 'one village'. I also acknowledge the technical, practical, and organisational issues associated with the development of the BGV which will more than double the number of homes in the existing community. Plainly the challenges for those preparing the neighbourhood plan have been very different to those more usually associated with a more modest extension of an existing settlement or those associated with the delivery of a new community.

BERIN1 Affordable Housing

7.21 This policy sets a housing mix agreed that reflects the discussion and outcome of the examination of the Local Plan.

7.22 The policy has two related elements. The first comments generally that development proposals with a net gain of ten or more dwellings (Use Class C3) or where the site has an area of 0.5 hectares or more should deliver 40% affordable housing. The second part comments about the required tenure of affordable housing (including a requirement for First Homes).

7.23 Ptarmigan Planning 4 Ltd (PP4) refers me to the Local Plan Inspector's report and the flexibility which exists in the adopted Plan to secure a package of new homes which reflects the circumstances found in the parish. It suggests revisions to the policy. In doing so, it highlights that the submitted policy is general to the parish, rather than specific to the allocated BGV.

7.24 The context to this representation is paragraph 134 of the Local Plan Inspector's report comments as follows:

'The Council's concerns about the unbalanced tenure mix have raised questions about whether the plan should make an exception to the requirement in Policy H9: Affordable Housing to seek 40% affordable housing (see Issue 6). However, there is a large need for affordable housing in the District which Policy H9 seeks to address, and it is appropriate for all the strategic site allocations including STRAT10 to contribute towards meeting this need. MM14 instead allows for evidence-based variations in the

tenure mix within the definition of affordable housing. This would allow for lower levels of social rented housing than sought on all other sites by Policy H9, and is consistent with MM27 which exempts Berinsfield from the tenure mix requirements of Policy H9. Para 134 Inspector's report.'

7.25 These conclusions translate into the following policies in the Local Plan:

- STRAT 10ii 2iii - affordable housing provision in accordance with Policy H9 and a mix informed by robust local evidence that seeks to address existing local need as well as rebalance the mix of housing tenures across the Garden Village;
- Policy H9 (1) - the Council will seek affordable housing contributions at 40% affordable housing on all sites with a net gain of 10 or more dwellings (Use Class C3); and
- Policy H9 (2) iii) - the Council will expect a tenure mix of 40% affordable rented, 35% social rented and 25% other affordable routes to home ownership except for land at Berinsfield Garden Village (see specific tenure considerations in Policy STRAT10i);

7.26 I sought BPC's comments on the way in which the submitted policy is in general conformity with Policy STRAT10i and the specific circumstances which will apply to the development of the Berinsfield Garden Village. In its response to the clarification note, BPC advised about its broader ambitions for the Plan, and the way in which the Plan expressed the community's views on important issues.

7.27 I have considered this matter very carefully both generally and in the context of the three principles set out in paragraph 7.19 of this report. On the balance of the evidence, I recommend modifications to the policy to allow the flexibility on housing mix and tenure as set out in the adopted Local Plan. As submitted the details of the policy may affect the delivery of the BGV, and in their prescriptive format, do not bring the necessary flexibility which will be necessary to ensure the full and proper deliver of the Garden Village. The recommended modification responds to the representation from PP4 and makes a distinction between any housing development which may come forward within the BGV site and elsewhere in the parish. I also recommend that paragraph 4.7 is modified so that it is consistent with the modified policy.

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

Replace the policy with:

'Development proposals with a net gain of ten or more dwellings (Use Class C3) or where the site has an area of 0.5 hectares or more should deliver 40% affordable housing. Any proposed alternative levels of affordable housing should be supported by robust information (including the impact on commercial viability where appropriate).

Except for the allocated Garden Village Site as allocated in the Local Plan, the affordable housing tenure should be as follows:

- **Social Rent: approximately 35%**
- **Affordable Rent: approximately 25%**
- **First Homes: approximately 25%**
- **Other routes to affordable home ownership: approximately 15%**

Replace paragraph 4.7 with: 'Policy BERIN1 has been designed to be in general conformity with Policy STRAT10i of the Local Plan. In addition, it responds to the specific circumstances which will apply to the development of the Berinsfield Garden Village. The policy provides the flexibility on housing mix and tenure as set out in the adopted Local Plan and is designed to allow the full and proper the delivery of the Garden Village. The policy also has the necessary flexibility for the scale of the BGV and the time which its development will take.'

BERIN2 Housing Mix and Design

- 7.29 This policy establishes key principles of the mix and design of new homes in the parish. The supporting text advises that Berinsfield is unusual in being a new, relatively large, post-war settlement built in the Oxford Green Belt on open countryside. It has a heavy concentration of ex-Council housing and all the hallmarks of a planned entity of its time (shops, services and community facilities positioned around a large central green, a series of cul-de-sacs served off a circular distributor road and separate industrial sites on the village edges).
- 7.30 The policy has been carefully considered. It has a flexible and non-prescriptive approach which will do much to assist in the successful development of the BGV. In general terms it has regard to Section 5 of the NPPF.
- 7.31 PP4 suggests that the reference to extra care housing in part C of the policy should apply where such provision is suitable. I recommend that the first sentence of part C is modified so that the provision of smaller dwellings and extra care housing should be delivered where it is practicable to do so. Plainly the delivery of these house types will be 'suitable' for an ageing population.
- 7.32 PP4 also comments about the purpose of paragraph 4.10 (strategic housing delivery) of the Plan and BPC commented in its response to the clarification note. I have considered the issue carefully. I am not convinced that the paragraph adds anything either to the submitted Plan or to its relationship with the Local Plan. On this basis I recommend that it is deleted.
- 7.33 Otherwise the policy meets the basic conditions. It will contribute to the delivery of each of the three dimensions of sustainable development.

Replace the opening sentence of the part C of the policy with: 'Wherever practicable, the need for housing which caters to the needs of an ageing population should be met by smaller dwellings and extra-care housing.'

Delete paragraph 4.10

BERIN3 Self-Build and Custom Homes

- 7.32 The supporting text advises that the adopted Local Plan recognises the important advantages that can arise from self-build and custom-build housing. Its Policy H12 sets out SODC's support for proposals that deliver self-build and custom-build projects
- 7.33 The submitted policy supports the development of self-build and custom homes.
- 7.34 The policy has regard to Section 5 of the NPPF. I am satisfied that it meets the basic conditions. It will contribute to the delivery of each of the three dimensions of sustainable development.

BERIN4 Biodiversity

- 7.35 The supporting text advises that it is an objective of the Plan both to protect and where possible, enhance biodiversity within the Plan area. It also comments that whilst some of this can be achieved through efforts divorced from new development, new housing and employment represent opportunities to pursue these goals on development sites and, with proper justification, on other land.
- 7.36 The policy comments that development proposals should ensure that existing wildlife habitats are safeguarded, and retain and enhance hedgerows, waterways, and scrubland. It also advises that, where practicable, development proposals should seek to deliver a minimum biodiversity net gain of 20% and measured by a recognised biodiversity accounting metric against a baseline ecological survey detailing wildlife habitats, including trees and hedgerows, and their conditions.
- 7.37 PP4 objects to the 20% biodiversity net gain requirement in the policy. It advises that it beyond the 10% required in national legislation and that the viability of the BGV proposal in the adopted Local Plan was not tested at a 20% biodiversity net gain requirement. In its response to the clarification note, BPC advised that it had relied on the information which had underpinned Policy NH2 in the emerging JLP.
- 7.38 In this context I looked in detail at the Topic Paper: Justification for a Higher Biodiversity Net Gain (October 2024) of the emerging JLP. I note that it concludes that:
- 'The requirement in Policy NH2 (Nature Recovery) of the Joint Local Plan for development to deliver at least a 20% BNG is justified and can be implemented in South and Vale on the basis of the local need for a higher percentage, local opportunities for a higher percentage and the financial viability of a higher percentage, as summarised in this topic paper.'*
- 7.39 I have considered this matter carefully. On the one hand, BPC has reasonably taken the same approach as that in the emerging JLP. On the other hand, that approach has yet to be tested. In addition, the scale of the BGV proposal is such that there will be potential significant implications for the delivery of the higher level of biodiversity net gain as proposed in the submitted policy. On the balance of the evidence I recommend that the references in the policy to biodiversity net gain are deleted. At this point, the suggested 20% level has not been independently tested for soundness. Furthermore, there is no need for a neighbourhood plan to restate the national requirement for a

10% biodiversity net gain. I also recommend consequential modifications to the supporting text.

- 7.40 In coming to this judgement I have noted that the Policy E2 of the recent review of the East Hagbourne Plan comments about potential higher levels of biodiversity net gain. However, the strategic housing delivery circumstances in Berinsfield are very different to those in East Hagbourne. In addition, Policy E2 of the EH Plan comments more generally that, where practicable, development proposals should seek to deliver a minimum biodiversity net gain of 20% rather than requiring that level of net gain.
- 7.41 Otherwise, the policy meets the basic conditions. It will contribute to the delivery of the social and environmental dimensions of sustainable development.

Replace the policy with: ‘Wherever practicable, development proposals should ensure that existing wildlife habitats are safeguarded, and retain and enhance hedgerows, waterways, and scrubland.’

Replace paragraph 5.4 with: ‘The policy complements the provisions of the Environment Act 2021 which sets out how the national requirements for biodiversity net gain will be delivered.’

BERIN5 Community-led Renewable Energy Generation

- 7.42 The policy comments that individual and community renewable energy projects will be supported provided they have regard to good quality design and are appropriately located. It also advises that renewable energy projects which have an element of local ownership, which deliver significant local benefit, or which have educational facilities will be particularly encouraged.
- 7.43 In general terms, I am satisfied that the policy has regard to Section 14 of the NPPF. Nevertheless, I recommend that the wording of the final sentence of the policy is modified so that it has the clarity required by the NPPF and to allow SODC to be able to apply it through the development management process. Otherwise, the policy meets the basic conditions. It will contribute to the delivery of the social and environmental dimensions of sustainable development.

In the final sentence replace ‘encouraged’ with ‘supported’

BERIN6 Brownfield Land

- 7.44 The supporting text comments that whilst the strategic allocation in the Local Plan identifies significant growth to the east of the settlement, there are several sites in and around the built-up area of Berinsfield which are previously developed land. The Plan comments that it seeks to prioritise redevelopment of brownfield sites over removing more greenfield land from the greenbelt.
- 7.45 The policy comments that the development of previously developed land within the parish will be supported in locations inside and adjacent to the built-up area, and where the proposal is in accordance with the garden village principles and green belt policies where relevant.

- 7.46 I sought BPC's comment on the extent to which the policy brings any added value beyond national and local planning policies. BPC acknowledged that no added value would result. However, it highlighted that it is a symbolic policy which has a high level of community support. It also contended that the policy would not interfere with the local application of the development management system.
- 7.47 I have considered this approach carefully. On the balance of the evidence, I am satisfied that the policy meets the basic conditions. As BPC comments, the policy is particularly important given the nature of the existing parish, and in the context of the scale and nature of the strategic growth identified for the parish in the adopted Local Plan. It will contribute to the delivery of the social and environmental dimensions of sustainable development.

BERIN7 Water

- 7.48 The supporting text advises that much of Berinsfield's older housing and commercial property stock was built at a time when rain water from guttering was allowed to discharge into the sewers together with foul waste water. The Plan advises that the amount of water, both clean rain water and foul sewage, cannot be accommodated in a combined system especially during heavy downpours resulting in flooding as frequently seen in Berinsfield.
- 7.49 The policy comments that all new housing development proposals must demonstrate that there are or will be adequate water supply and water treatment facilities in place to serve the whole development. For phased development proposals, the policy advises that each phase must demonstrate sufficient water supply and water treatment capacity.
- 7.50 In general I am satisfied that the policy has regard to Sections 14 and 15 of the NPPF. Nevertheless, I recommend that the wording of the policy is modified so that it has the clarity required by the NPPF and to allow SODC to be able to apply it through the development management process. However, its overall focus remains unaffected by the recommended modification.
- 7.51 Otherwise the policy meets the basic conditions. It will contribute to the delivery of the social and environmental dimensions of sustainable development.

Replace the policy with:

'A. All new housing development proposals should demonstrate that there are, or will be, adequate water supply and water treatment facilities in place to serve the whole development. Where development proposals are phased, each phase should demonstrate sufficient water supply and water treatment capacity.'

B. Any development proposal should demonstrate that it meets or exceeds appropriate standards of sewerage, drainage provision and flood alleviation to minimise unacceptable impacts on immediate neighbours, the local environment, and the wider community of Berinsfield.'

BERIN8 Light Pollution

- 7.52 The supporting text comments that light pollution and the inappropriate or excessive use of artificial light can become a public health issue. In addition, it advises that light pollution can also damage the character of the area, adversely affects nocturnal wildlife especially bats.
- 7.53 The policy comments that proposals for new lighting systems, including neon and industrial lighting, on new and existing developments (residential, recreational, retail, car parks or employment sites) should avoid upward light spill and should mitigate the impacts of light pollution affecting residential areas.
- 7.54 The policy has regard to Sections 12 and 15 of the NPPF. I am satisfied that it meets the basic conditions. It will contribute to the delivery of the social and environmental dimensions of sustainable development.

BERIN9 Crime Prevention & Reduction

- 7.55 The supporting text advises that the community expects that all new development will be designed in such a way that creates places that are safe for all to use and enjoy. The Plan advises that it fully endorses the approach taken by the adopted Local Plan 2035, which promotes the 'secured by design' principles to ensure that the development is designed to reduce the opportunity for crime, as well as the fear of crime itself.
- 7.56 The policy comments that, wherever possible, new developments and improvements to existing buildings and spaces should incorporate the principles of 'Secured by Design' and achieve Secured by Design accreditation to ensure that a safe and sustainable community is maintained.
- 7.57 The policy has regard to Sections 8 and 12 of the NPPF. Nevertheless, I recommend that the wording of the policy is modified so that it has the clarity required by the NPPF and to allow SODC to be able to apply it through the development management process. The recommended modification incorporates a proportionate element to acknowledge that the policy will have different implications for individual proposals.
- 7.58 Otherwise, the policy meets the basic conditions. It will contribute to the delivery of the social and environmental dimensions of sustainable development.

Replace the policy with: 'As appropriate to their scale, nature, and location, and where it is practicable to do so, new developments and improvements to existing buildings and spaces should incorporate the principles of Secured by Design and achieve 'Secured by Design' accreditation to ensure that a safe and sustainable community is maintained.'

BERIN10 Traffic

- 7.59 The supporting text comments that the Plan's objectives include creating greater opportunity to walk or cycle to work and to access public transport in safety. It advises that Oxfordshire County Council has already approved a 40mph speed restriction on the local section of the A4074 and several other roads around the village and the

Parish Council has recently approved a 20mph speed limit on roads within the current settlement. Finally, it advises that the Local Plan contains a suite of transport policies that deal with a range of issues including promoting sustainable transport (TRANS2), safeguarding land for strategic schemes (TRANS3) and the requirements for transport assessments, transport statements, and travel plans (TRANS4).

- 7.60 The policy comments that all new housing developments must, as appropriate and practical, provide safe pedestrian access to link up with existing or proposed footpaths or cycle routes to ensure that residents can walk or cycle safely to village facilities or beyond.
- 7.61 The policy has regard to Section 9 of the NPPF. Nevertheless, I recommend that the wording of the policy is modified so that it has the clarity required by the NPPF and uses language more appropriate to a neighbourhood plan. Otherwise, the policy meets the basic conditions. It will contribute to the delivery of the social and environmental dimensions of sustainable development.

Replace ‘must’ with ‘should’

BERIN11 Roman Road

- 7.62 The supporting text advises that well-marked paths and alleyways are found throughout the village, together with the old Roman Road bridleway route, running north-south from Grenoble Road, Oxford via the Baldons through to Dorchester. It also comments that there is also a way-marked footpath, running from the field next to the allotments, through Mount Farm leading to Burcot Lane.
- 7.63 The policy comments that proposals to install a hard surface sustainable travel track along parts of or the entirety of the Roman Road bridle path from Berinsfield Garden Village to Oxford will be supported.
- 7.64 I sought information from BPC about the extent to which any such proposals are programmed and whether it is appropriate for the Plan to comment about proposals which would affect land outside the parish. BPC accepted these points and suggested a revision to the policy. I am satisfied that the revision meets the basic conditions, and I recommend accordingly. The modified policy will contribute to the delivery of the social and environmental dimensions of sustainable development.

Replace the policy with: ‘Proposals to install a hard-surface sustainable travel track along that part of the Roman Way bridlepath within Berinsfield as part of the Garden Village masterplan will be supported.’

BERIN12 Parking

- 7.65 The supporting text comments that due to the high-density design of Berinsfield, there are parking problems throughout the village and that parking has overflowed from garages into front gardens and onto roads and pavements, creating further traffic problems. The text also advises that parking opposite road junctions takes place.
- 7.66 The policy comments that proposals for new residential development that gives rise to the need for additional parking will only be supported where adequate parking

provision is made in line with or exceeding the Oxfordshire County Council parking standards and includes provision for electric vehicle charging infrastructure. It also advises that schemes which propose to create additional off-road parking for existing dwellings within the village will be supported.

- 7.67 Plainly this is a locally-distinctive policy. It highlights that car ownership rates are now different to those which existed when Berinsfield was developed.
- 7.68 I sought BPC's comment on the extent to which the policy brought any added value beyond national and local planning policies. BPC acknowledged that no added value would result. However, it highlighted that it is a symbolic policy which has a high level of community support. It also contended that the policy would not interfere with the local application of the development management system.
- 7.69 I have considered the policy carefully. On the balance of the evidence, I am satisfied that the general thrust of the policy meets the basic conditions. As BPC comments, it is particularly important given the nature of the existing parish, and in the context of the scale and nature of the strategic growth identified for the parish in the adopted Local Plan. Nevertheless, I recommend that Parts A and C of the policy are recast to bring the clarity required by the NPPF. The modified policy elements simply require the application of the County Council's parking standards. The recast Part A does not include any reference to electric vehicle charging infrastructure as this matter is now addressed national in the Building Regulations.
- 7.70 Otherwise, the policy meets the basic conditions. It will contribute to the delivery of the social and environmental dimensions of sustainable development.

Replace Part A of the policy with: 'Proposals for new residential development should incorporate parking provision in accordance with Oxfordshire County Council parking standards.'

Replace Part C of the policy with: 'Proposals for commercial buildings/sites should also provide parking provision in accordance with the Oxfordshire County Council parking standards.'

BERIN13 Health Facilities

- 7.71 The supporting text advises that 23% of Berinsfield residents are aged over 60 and 496 people have long-term health or disability issues. As such the Plan highlights that health care is an important local issue. The Plan advises that the Health Centre and dispensary in Berinsfield provide a valued service to patients from Berinsfield as well as the surrounding rural area, and that there is also an NHS dental practice. However, it comments that residents currently need to travel to one of the nearby towns to visit an optician. The policy therefore supports the retention of, improvements to and expansion of existing healthcare facilities, alongside provision of new facilities, in the village.
- 7.72 The policy comments that the provision of new healthcare facilities within the Parish will be supported. It also advises that proposals to set up an optician service in the Garden Village on either a permanent or part-time basis will also be encouraged.

- 7.73 The policy takes a positive approach to these matters and has regard to Section 8 of the NPPF. Nevertheless, I recommend a modification to the wording used to bring the clarity required by the NPPF.
- 7.74 PP4 suggests that the supporting text is modified so that it would allow for the repositioning of the healthcare facilities in the existing village into the BGV site. Whilst this approach may have merit, it would conflict with the commentary in paragraph 7.3 about BPC's concerns about a separate chemist with a dispensary could affect the viability of existing medical facilities.
- 7.75 I have considered this tension carefully. On the one hand, the broader issue about the integration of the BGV into Berinsfield and the wider delivery of medical services to the wider community is an important consideration. However, on the other hand, it is not the role of the planning system to prevent commercial competition between private business, or to prevent an additional business seeking to provide services to a growing population. In these circumstances I recommend that paragraph 7.2 is modified so that it more fully addresses these issues. I also recommend a modification to the wording of the policy to bring the clarity required by the NPPF. The use of 'encouraged' has little significance in planning policy terms.
- 7.76 Otherwise, the policy meets the basic conditions. It will contribute to the delivery of the social and environmental dimensions of sustainable development.

Replace 'encouraged' with 'supported'

Replace paragraph 7.2 with: 'The existing Health Centre and dispensary provides a valued service to patients from Berinsfield and the surrounding rural area. There is also an NHS dental practice. However, residents currently need to travel to one the nearby towns to visit an optician. The policy therefore supports the retention of, improvements to and expansion of existing healthcare facilities, alongside provision of new facilities, in the neighbourhood area. Development proposals which would directly or indirectly result in the loss, removal, or degradation of existing healthcare facilities will not be considered appropriate by the local community.'

BERIN14 Local Shops & Services

- 7.77 The supporting text provides a useful context for the policy. It comments that Berinsfield currently has a range of shops, including a Co-operative store, a smaller general store, hairdressers, and a Post Office which provides a variety of general supplies and stationery.
- 7.78 It continues by advising that the strategic allocation for BGV will place pressure on the existing services and facilities. It also advises that the 2023 Community Survey highlighted the need for an urgent improvement to the existing shops plus some new ones, a new supermarket, a hotel, petrol station, cafés, and/or restaurants.
- 7.79 The policy comments that proposals for improved or additional retail and leisure services and facilities within the parish will be supported where they meet three criteria.

- 7.80 The policy has regard to Sections 6 and 8 of the NPPF. I am satisfied that it meets the basic conditions. It will contribute to the delivery of each of the three dimensions of sustainable development.

BERIN15 Communications Infrastructure

- 7.81 The Plan advises that the provision of good telecommunications is particularly important in rural areas and to support rural enterprise and home-working. It comments that fibre-optic connections are the most robust and future-proof method of delivering high performance connectivity and this should be the aim for all new developments. Finally, it advises that a connectivity statement should demonstrate how any proposal takes communications connectivity into account.
- 7.81 The policy comments that proposals which seek the expansion of electronics communication networks and high-speed broadband along with improvements to connectivity will be supported.
- 7.82 The policy has regard to Section 10 of the NPPF. I am satisfied that it meets the basic conditions. It will contribute to the delivery of each of the three dimensions of sustainable development.

BERIN16 Allotments

- 7.83 The supporting text advises that the village currently has a small allotment site providing 24 plots for rent. It also comments that the planned substantial increase in size of the village will generate an increased demand for plots and it is important that some provision for expansion of this site is made.
- 7.84 The policy comments that proposals to provide extra space for allotments will be supported. It also advises that to ensure that allotment provision is made as accessible as possible, the inclusion of raised beds is encouraged in new proposals.
- 7.85 The policy has regard to Section 8 of the NPPF. Nevertheless, I recommend that the wording of the policy is modified so that it has the clarity required by the NPPF and uses language more appropriate to a neighbourhood plan. Otherwise, the policy meets the basic conditions. It will contribute to the delivery of the social and environmental dimensions of sustainable development. In addition, it will respond positively to the needs of people with limited mobility and accessibility.

Replace the second sentence of the policy with: ‘Wherever practicable’ new allotments should include raised beds.’

BERIN17 Cemetery

- 7.86 The supporting text comments about the time taken to achieve the current cemetery.
- 7.87 The policy comments that proposals for the development of a burial ground, including any necessary, permanent ancillary structures for the management of the burial arrangements, will be supported, provided they are located and designed to respect the character of the local landscape.

- 7.88 The policy has regard to Section 8 of the NPPF. I am satisfied that it meets the basic conditions. It will contribute to the delivery of contribute to the delivery of the social and environmental dimensions of sustainable development.

BERIN18 Sports & Recreational Facilities

- 7.89 The supporting text advises that Berinsfield is better placed than some villages in the area with a broad range of indoor and outdoor sporting activities available to residents including football, boxing, gymnastics, swimming, and water sports and seeks to both support and encourage their further development. It comments that as the village transitions into a garden village there will be an increased need to offer space and facilities, both indoor and outdoor for additional sport and recreation. It advises that this may include but is not limited to rugby, cricket, tennis, basketball, bowls, plus walking and cycling routes. Finally, it comments that BPC will work positively with partners to actively promote and support the village's sports and community facilities.
- 7.90 The resulting policy is very comprehensive. It has three related sections as follows:
- Part A – Supporting proposals which seek to improve the buildings, facilities and associated infrastructure of existing sport and recreational sites;
 - Part B - Proposals to replace or redevelop the Abbey Sports Centre; and
 - Part C - Proposals to redevelop or expand existing recreational facilities at the pavilion, boxing club, gymnasium, or water sports lakes
- 7.91 In general terms the policy takes a very positive approach towards sport and recreational facilities and the context for the parish provided in the Local Plan. It has regard to Section 8 of the NPPF.
- 7.92 Whilst I am satisfied that the thrust of Part A of the policy meets the basic conditions, I recommend that its wording is recast so that it has the clarity required by the NPPF and can be implemented by SODC through the development management process.
- 7.93 PP4 suggests that the details in Part B of the policy on the facilities to be provided in proposals to replace or to redevelop the Abbey Sport Centre are removed. I agree with its comment in general terms. As submitted the policy approach is prescriptive and may prevent otherwise acceptable developments from coming forward. I recommend that the commentary about the inclusion of an improved swimming pool and deliver better access to a wider range of sports and leisure services is repositioned into the supporting text. In any event, such comments in a land use policy are largely unnecessary as it would be inappropriate for the current services not to be improved in general terms, and given the planned growth for the village.

Replace Part A with: 'Development proposals which would improve the buildings, facilities and associated infrastructure of existing sport and recreational sites will be supported. Proposals which would provide greater employment or tourism benefits and/or they would improve access to sport, recreation and or exercise for all ages will be particularly supported. Proposals to change the use of part of a sports or recreational facility will be supported, provided it can be demonstrated that the facility concerned is surplus to

requirements or that the facility can be relocated within the parish and that the change of use will not undermine the overall viability and importance of the facility.'

Replace Part B with: 'Proposals to replace or redevelop the Abbey Sports Centre, as shown on the Policies Map, to serve the new Garden Village will be supported.'

End of 7.11 add: 'Part B of the policy offers support for proposals to replace or redevelop the Abbey Sports Centre, as shown on the Policies Map, to serve the new Garden Village. The community expects that the replacement or redeveloped facilities will include an improved swimming pool and deliver better access to a wider range of sports and leisure services.'

BERIN19 Community & Education Facilities

- 7.94 This policy continues the approach taken in the previous policy. It is another comprehensive policy. Its first part identifies a series of community facilities. The second part comments about the provision of new facilities to support the development of the Garden Village.
- 7.95 I am satisfied that the facilities identified in the first part of the policy have been appropriately assessed. In addition, I am satisfied that the approach taken has regard to Section 8 of the NPPF.
- 7.96 I note the comments made by the County Council about the nature of the policy and that some of the facilities which it owns may have the ability to be relocated into the Garden Village. However, I am satisfied that the structure of the policy anticipates such a scenario, and advises that proposals to change the use of all or part of an identified facility will be supported, provided it can be demonstrated that either the facility is surplus to requirements or that the change of use will not undermine the overall viability and importance of the facility. Plainly the future delivery and use of community facilities in the parish will become clearer over time as the format of development on the BGV site emerges.
- 7.97 The second part of the policy takes an equally-positive approach. I am satisfied that it is in general conformity with the strategic policies in the development plan (including the details in Policy STRAT 10i). I note the comments made by the BGV team at SODC. Its suggested policy would be an appropriate way of addressing the matter. However, I am not persuaded that such a modification is necessary to ensure that the Plan meets the basic conditions. The policy will supplement the approach taken in Policy STRAT10i of the Local Plan and help to ensure a full and proper coordination of community facilities in the wider neighbourhood area. It also relates well to the three principles which I included in paragraph 7.19 of this report. Finally, it is consistent with BPC's approach towards a 'One Village' approach to development in the Plan period.
- 7.98 In this broader context, I recommend that part B of the policy is modified so that it has the clarity required by the NPPF and acknowledges that there will be an inevitable overlap between new and existing community facilities, whilst providing a

comprehensive approach to delivery and avoiding having two distinct parts of the village each being served by its own facilities.

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

Replace Part B of the policy with:

‘Proposals for new community facilities, including primary school provision, to be delivered as part of the comprehensive masterplan for the strategic allocation STRAT10i Land at Berinsfield Garden Village should respond positively to the following principles:

- **they will be accessible to the village population as a whole and, in combination with existing facilities, meet the needs of the population of the village;**
- **they can be accessed by all village residents in a safe and convenient way that does not rely solely on making car journeys; and**
- **they will ensure a comprehensive approach and avoid two distinct parts of the village each being served by its own facilities.’**

BERIN20 Employment Uses

- 7.100 The supporting text comments that Berinsfield is within the Science Vale, an area identified for economic growth which is well on the way to becoming a global hotspot for enterprise and innovation. It also advises that the community will look at ways to increase or enhance employment opportunities within the parish by supporting existing businesses to grow and creating opportunities for new businesses, local tourism and 'work from home' schemes to emerge.

- 7.101 There are three related elements of the policy as follows:

- proposals for the development or regeneration of the industrial units on the Deacon's Estate, will be supported where they provide improved local employment facilities or and contribute positively reflect towards the garden village principles;
- proposals which support the area's tourism industry and recreation-based rural diversification will be encouraged and initiatives which generate local employment opportunities will be supported that are also in accordance with the development plan; and
- proposals within the built-up area that include for employment land for uses by local businesses, charitable organisations and employers will be supported where they demonstrate that they will result in additional jobs for local people. Proposals that incorporate a mix of employment and educational uses including provision for apprenticeships and skills training will be supported.

- 7.102 This is a good policy which has regard to Section 6 of the NPPF. I recommend modifications to the wording of Part A to remedy typographic issues. Otherwise, I am

satisfied that it meets the basic conditions. It will contribute to the delivery of contribute to the delivery of each of the three dimensions of sustainable development.

Replace Part A of the policy with:

‘Proposals for the development or regeneration of the industrial units on the Deacon’s Estate, as shown on the Policies Map, will be supported where they provide improved local employment facilities or contribute positively towards the Garden Village principles.’

Other matters – General

- 7.103 This report has recommended a series of modifications both to the policies and to the 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. It will be appropriate for SODC and the BPC 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.

Other matters – Specific

- 7.104 SODC has made a series of comments on the Plan. Where they relate to individual policies, I have addressed them earlier in this report.
- 7.105 SODC has also made a series of comments on other general issues. They are mainly factual corrections and updates. I have found them very helpful during the examination process. I recommend the following modifications to bring the clarity required by the NPPF. The numbers used below relate to those in the SODC representation.

Revise the Plan to incorporate the SODC points 1-6, and 9.

- 7.106 SODC also raise a series of other matters. In some cases, the comments are made by specialist teams within the Council. Their incorporation into the Plan would extend its coverage and addresses such issues in greater detail and 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 BPC.

8 Summary and Conclusions

Summary

- 8.1 The Plan sets out a range of policies to guide and direct development proposals in the period up to 2035. It is distinctive in addressing a specific set of issues that have been identified and refined by the wider community.
- 8.2 Following the independent examination of the Plan, I have concluded that the Berinsfield 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 South Oxfordshire District Council that subject to the incorporation of the modifications set out in this report that the Berinsfield Neighbourhood Development Plan should proceed to referendum.

Referendum Area

- 8.4 I am required to consider whether the referendum area should be extended beyond the Plan 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 originally approved by South Oxfordshire District Council on 23 October 2013.
- 8.5 I am grateful to everyone who has helped during the examination process. BPC's responses to the clarification note were both timely and comprehensive.

Andrew Ashcroft
Independent Examiner
6 December 2024