



Defence Infrastructure Organisation

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Your reference: Regulation 16 Consultation
on the Draft Submission Brize Norton
Neighbourhood Plan

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West Oxfordshire District Council
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21st November 2024

Dear West Oxfordshire District Council,

I write to confirm the statutory safeguarding position of the Ministry of Defence (MOD) in relation to West Oxfordshire District Council's submission Brize Norton Neighbourhood Plan (BNNP) Regulation 16 consultation document.

The Brize Norton Neighbourhood Plan (BNNP) sets out a plan for a sustainable future for the parish. It presents objectives and policies that will be used in shaping future development within the Parish.

The Defence Infrastructure Organisation (DIO) Safeguarding Team represents the Ministry of Defence (MOD) as a statutory consultee in the UK planning system to ensure designated zones around key operational defence sites such as aerodromes, explosives storage sites, air weapon ranges, and technical sites are not adversely affected by development outside the MOD estate. **For clarity, this response relates to MOD Safeguarding concerns only and should be read in conjunction with any other submissions that might be provided by other MOD sites or departments.**

Paragraph 101 of the National Planning Policy Framework (December 2023) requires that planning policies and decisions take into account defence requirements by '*ensuring that operational sites are not affected adversely by the impact of other development proposed in the area.*' Statutory consultation of the MOD occurs as a result of the provisions of the Town and Country Planning (Safeguarded aerodromes, technical sites and military explosives storage areas) Direction 2002 (DfT/ODPM Circular 01/2003) and the location data and

criteria set out on safeguarding maps issued to Local Planning Authorities by the Department for Levelling Up, Housing and Communities (DLUHC) in accordance with the provisions of that Direction.

Copies of these relevant plans, in both GIS shapefile and .pdf format are issued to Local Planning Authorities by MHCLG. An assurance review was conducted by the MOD in 2023 which confirmed that, at that time, Local Planning Authorities held the most recent relevant safeguarding data. Any subsequent updates to those plans were then issued by MHCLG. If there is a requirement for replacement data, a request can be made through the above email address.

The review, or drafting, of planning policy provides an opportunity to guide developers and to make them aware of constraints that might be applied to a given development as a result of the requirement to ensure defence capability and operations are not adversely affected by that development.

The area covered by the BNNP will both contain and be washed over by safeguarding zones that are designated to preserve the operation and capability of defence assets and sites including RAF Brize Norton, RAF Fairford and the Central WAM Network.

To illustrate the various issues that might be fundamental to MOD assessments, a brief summary of safeguarding zone types is provided below. Depending on the statutory safeguarding zone within which a site allocation or proposed development falls, different considerations will apply.

- The airspace above and surrounding aerodromes is safeguarded to ensure that development does not form a physical obstruction to the safe operation of aircraft using that aerodrome. The height, massing, and location of development relative to safeguarded aerodromes are factors of particular concern.
- The potential for development to result in the creation of an environment attractive to certain large and/or flocking bird species hazardous to aviation safety within a radius of 12.87km around certain military aerodromes is another key concern as aircraft within this zone are likely to be at critical stages of flight, such as approaching or departing an aerodrome. The potential for development to form an attractive environment may, in some cases, be mitigated through design changes, the use of planting schemes, or by applying management plans which may set out or limit the ways development can be implemented or managed.
- Statutory safeguarding zones are designated around Military explosives storage sites, to ensure that development and land uses will be compatible with MOD capability. Within these zones, where applicable, requirements relating to the siting, design, and construction of buildings, or changes to land use may apply.
- Technical assets that facilitate air traffic management, primarily radar, navigation, and communications systems are safeguarded to limit the impact of new development on their capability and operation. The height, massing, and materials used to finish a development may all be factors in assessing the impact of a given scheme.

Developments that incorporate renewable energy systems may be of particular concern given their potential to provide large expanses of metal at height, for example in the case of a wind turbine or a solar PV system mounted on a roof.

With regard to the Regulation 16 consultation document, the MOD have the following comments:

Policy SD1: Sustainable Development Rationale

The policy text contains an intention that, where appropriate, sustainable development should seek to *'conserve and enhance the landscape, with particular attention to habitat connectivity, green and blue infrastructure networks, landscape and biodiversity designations, priority habitats, and protected species. iv. achieve at least 10% biodiversity net gain (a higher percentage of net gain, based on robust evidencing, would be supported).'*

The introduction to this policy contains text that identifies that *'the RAF base may also play a role in enhancing habitat eg for species such as Brown Hare and ground nesting birds such as Curlew.'*

The MOD notes that the policy makes clear that these intentions should apply *'where appropriate'* but it is requested that to provide a broader representation of MOD interests, and to ensure prospective developments are aware of the implications of developing within an area containing MOD safeguarded zones, the current wording of Policy SD1 is supplemented to make a prospective developer aware that the MOD will seek to ensure that development is designed to minimise the possibility that an attractant environment is created for those large and/or flocking bird species hazardous to aviation safety, and that only those applications for those schemes that would not compromise, restrict, or otherwise degrade the operational capability of safeguarded MOD sites and assets would be supported.

The MOD request that; when drafting policy and guidance which addresses biodiversity, ecology, and Biodiversity Net Gain; West Oxfordshire District Council bear in mind that some forms of environmental improvement or enhancement may not be compatible with aviation safety.

Enhancements that require or result in the introduction of tall structures (whether temporarily or permanently), or where plants or trees are planted may degrade aviation safety, either by introducing physical obstacles to aircraft, or by degrading or compromising the operation and capability of safeguarded technical assets. Where enhancements include ground works that might result in open water (whether temporarily or permanently), the introduction or plant/tree species that bear berries or fruit, or the introduction of tree species that provide dense canopy, and the enhanced site is within 12.87km of an MOD aerodrome, it is possible that bird strike risk can be introduced or exacerbated to the detriment of aviation safety. In summary, where off-site provision is to provide BNG, the locations of both the host development and any other site should both/all be assessed against statutory safeguarding zones and the MOD should be consulted where any element falls within the marked statutory safeguarding zone.

I trust this clearly explains our position on this update. Please do not hesitate to contact me should you wish to consider these points further

Yours sincerely

C Waldron

Chris Waldron
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