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Consultation on Fairford neighbourhood development plan

Dear Sir/Madam,

I refer to the Regulation 16 consultation on the Fairford Neighbourhood Development Plan. As part of the Ministry of Defence (MOD), the Defence Infrastructure Organisation (DIO) is the estate expert for defence, supporting the armed forces to enable military capability by planning, building, maintaining, and servicing infrastructure. DIO made comments at the Regulation 14 stage of the Neighbourhood Plan (NP).

1. Introduction and Purposes

- 1.1 As you will be aware the MOD has significant land interest in the area at RAF Fairford. RAF Fairford is used by the United States Visiting Forces (USVF) as a Forward Operating Location for their strategic bomber aircraft and is occupied under the Status of Forces Agreement (SOFA).
- 1.2 In 2000 major investment was made to improve and upgrade the runway to a level which makes it unique in Europe and capable of accommodating the largest aircraft. RAF Fairford has provided strategic support to many international defence missions in recent years including, Yugoslavia and the Gulf Wars. The base was put on warm care and maintenance in 2010 but since 2014 increasing tension in Eastern Europe has resulted in the Base becoming increasingly active with bomber deployments and since late 2019 a deployment of U2 reconnaissance aircraft operating from the Base.
- 1.3 RAF Fairford is the only US Global Strike Command Forward Operating Location (FOL) for B-52, B-2 and B-1 aircraft in Europe. It is of strategic importance to both USVF and NATO and within the Strategic Planning categorisation it is classed as a "Core –

Strategic" establishment – the highest category. The airfield has the longest Military runway in the UK and as such is unique and capable of handling aircraft no other airfield can. The airfield's unique capabilities have led it to be used for specialist operations from the flight testing of Concord to being a backup landing site for the Space Shuttle.

- 1.4 Since the Regulation 14 consultation of the NP the MOD has acquired additional land to the west of RAF Fairford. This land is within the NP area and was granted planning permission in August 2021 (planning application reference 21/01818/FUL) for the change of use to military airbase. This planning permission has since been brought into use and now forms part of the airbase. Please see attached plan showing the extent of the MOD landholding. Part of this land is also within the Cotswold Waterpark Site of Special Scientific Interest (SSSI).
- 1.5 While only part of the of the site is within the NP area, it is important to recognise, in addition, that operational activities across RAF Fairford could be affected adversely from future developments within the NP area.
- 1.6 For the Fairford NP to be successful at Examination it must meet certain 'basic conditions' as described at paragraph 37 of the National Planning Policy Framework (NPPF). These are:
 - a) having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the order (or neighbourhood plan).*
 - b) having special regard to the desirability of preserving any listed building or its setting or any features of special architectural or historic interest that it possesses, it is appropriate to make the order. This applies only to Orders.*
 - c) having special regard to the desirability of preserving or enhancing the character or appearance of any conservation area, it is appropriate to make the order. This applies only to Orders.*
 - d) the making of the order (or neighbourhood plan) contributes to the achievement of sustainable development.*
 - e) the making of the order (or neighbourhood plan) is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area).*
 - f) the making of the order (or neighbourhood plan) does not breach, and is otherwise compatible with, EU obligations.*
 - g) prescribed conditions are met in relation to the Order (or plan) and prescribed matters have been complied with in connection with the proposal for the order (or neighbourhood plan).*
- 1.7 The NPPF also advises that Neighbourhood Plans should:
 - a) be prepared with the objective of contributing to the achievement of sustainable development;*
 - b) be prepared positively, in a way that is aspirational but deliverable;*
 - c) be shaped by early, proportionate and effective engagement between plan-makers and communities, local organisations, businesses, infrastructure providers and operators and statutory consultees;*
 - d) contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals;*
 - e) be accessible through the use of digital tools to assist public involvement and policy presentation; and*
 - f) serve a clear purpose, avoiding unnecessary duplication of policies that apply to a particular area (including policies in this Framework, where relevant). (NPPF paragraph 16)*

- 1.8 In regard to basic condition a), for defence purposes paragraphs 97 and 187 of the NPPF are relevant.

97. Planning policies and decisions should promote public safety and take into account wider security and defence requirements by...

b) recognising and supporting development required for operational defence and security purposes, and ensuring that operational sites are not affected adversely by the impact of other development proposed in the area.

187. Planning policies and decisions should ensure that new development can be integrated effectively with existing businesses and community facilities (such as places of worship, pubs, music venues and sports clubs). Existing businesses and facilities should not have unreasonable restrictions placed on them as a result of development permitted after they were established. Where the operation of an existing business or community facility could have a significant adverse effect on new development (including changes of use) in its vicinity, the applicant (or 'agent of change') should be required to provide suitable mitigation before the development has been completed.

2. Statutory Safeguarding

- 2.1 It is welcomed that the NP, at paragraph 3.10, acknowledges that designated safeguarding zones form a material consideration within the area covered by the plan. For clarity, it is recommended that this reference is amended to make clear that these safeguarding zones are statutory.
- 2.2 The process and procedure for safeguarding strategic military aerodromes is defined within 'The Town and Country Planning (Safeguarded Aerodromes, Technical Sites and Military Explosives Storage Areas) Direction 2002'. In accordance with the requirements of that Direction, safeguarding plans are prepared and provided to Local Planning Authorities by the Department of Levelling Up, Housing and Communities. These plans communicate the requirement to consult MOD where specific forms of development are proposed and the Direction sets out the Local Planning Authority's obligations with regard to both consultation and what actions are to be taken depending on responses to that consultation.
- 2.3 The area to which the NP would apply is washed over by statutory safeguarding zones drawn to ensure that the operation and capability of both RAF Fairford and RAF Brize Norton is not compromised or otherwise degraded by development. These zones are drawn to ensure various aspects of the protected sites and assets:
- Zones are drawn that trigger consultation on development of various heights to ensure that their effect on the protected airspace above and surrounding an aerodrome is assessed and, if necessary, mitigated. In addition, these zones are used to ensure development does not reduce the capability or otherwise compromise the operation of technical assets such as communications, navigation, or surveillance systems including radar. In addition to permanent physical development within these zones, the use of cranes, piling rigs or other tall plant or equipment to implement development may also be of concern.
 - A zone with a radius of 12.87km (8 miles) is drawn to define the area within which development of certain types might create an environment attractive to those large and or flocking bird species hazardous to aviation safety. Of particular concern within

these areas are developments which comprise of, or include, the creation and modification of refuse tips, waterbodies, sewage disposal works, nature reserves or bird sanctuaries. The specification of green and/or brown roofs, landscaping details, and some forms of drainage including SuDS may also indicate that MOD should be consulted.

- Zones are also drawn around explosives storage areas defining areas where consultation is required. Within these zones MOD may advise that certain uses, building types, or methods of construction are not appropriate.

2.4 With regard to the policies set out within the NP, it is requested that reference is made to a requirement that new development does not compromise the operation or capability of Defence sites and assets. In addition, it may be useful to developers to provide some advice as to the forms of development that might trigger a safeguarding assessment and, potentially, mitigation.

2.5 Policy FNP14 provides guidance for a new low or zero carbon residential development on land identified between Leafield Road and Hatherop Road (north of John Tame Close and St. Mary's Drive). This site falls within statutory safeguarding zones drawn to preserve the operation and capability of both RAF Fairford and RAF Brize Norton. The requirement for safeguarding consultation would be triggered by proposals for development within the designated policy area that:

- exceeds a height of 15.2m above ground level,
- would be clad, finished, or constructed of metallic materials; or
- would include or incorporate a refuse tip, reservoir, sewage disposal works, nature reserve or bird sanctuary. In addition consultation should take place where the development introduces or contains any area of open water, whether permanent or temporary, or SuDS system.

2.6 Policy FNP16 relates to zero carbon development on a parcel of land bounded by waterbodies to the south and east, the A417 to the north and a road to the west. This site falls within statutory safeguarding zones drawn to preserve the operation and capability of both RAF Fairford and RAF Brize Norton. The requirement for safeguarding consultation would be triggered by proposals for development within the designated policy area that:

- exceeds a height of 15.2m above ground level,
- would be clad, finished, or constructed of metallic materials; or
- would include or incorporate a refuse tip, reservoir, sewage disposal works, nature reserve or bird sanctuary. In addition consultation should take place where the development introduces or contains any area of open water, whether permanent or temporary, or SuDS system.

2.7 The area to which the NP would apply falls within an area characterised by bodies of water, many formed as a result of mineral extraction and working. This proliferation of waterbodies contributes to a substantial population of waterfowl and other species which have the potential to be hazardous to aviation safety. This may be relevant to the provisions of Policy FNP4 Managing Flood Risk. It is requested that an additional provision is added that makes clear that where development includes the provision of attenuation or drainage basins, or incorporates any SuDS, there will, due to statutory safeguarding concerns, be a requirement for an assessment of the potential for the development to form an environment attractive to birds and, where necessary, mitigation measures shall be incorporated to minimise the potential of the development to provide such an attractant environment.

3 Operational needs

- 3.1 In CDC's Issues and Options consultation it acknowledged that there will be upscaling at RAF Fairford to accommodate an increase in USAF activities and this is considered a major infrastructure project. The MOD and USAF have already been working with the local authority on some of these projects and will continue to do so. As these projects can be undertaken on a phased basis over the medium term there would be benefits for the NP to acknowledge that there will be additional developments associated with RAF Fairford.
- 3.2 There is an opportunity for the NP to provide principal support for ongoing operational developments at RAF Fairford that are necessary for national and international defence.
- 3.3 It is essential for operational reasons that current and any future defence related activities can be undertaken at the site without any additional restrictions or controls. For example, third party developments within the vicinity of the site have the potential to restrict operations of certain facilities. These developments potentially requiring the implementation of additional engineered safeguards at RAF Fairford that together could constrain the ability to manage any future change and restricting the potential of future development requirements – all to the cost of the public purse and to the detriment of national defence preparedness. In such circumstances this operational defence site could be affected adversely by the impact of development proposed in the area, contrary to paragraphs 97 and 187 of the NPPF.
- 3.4 It is important that RAF Fairford is considered within the NP for two principal reasons. Firstly, ongoing operational defence needs and secondly, to protect operational defence land from being affected adversely from third party development proposed in the area. To ensure that the sites deliver on their defence output there will be times when further developments are required at the site. It is important for national defence that the NP is able to support the principle of such developments.

4 Point of clarification

- 4.1 Paragraph 2.60 of the draft neighbourhood plan refers to RC-105 mission, for completeness this should read RC-135.

5 Summary and conclusion

- 5.1 As discussed above the Town Council may consider it prudent within the NP to include a specific RAF Fairford policy that provides and protects both on-going and future operational defence needs for the site and serves to ensure that any neighbouring development does not adversely impact upon these operations or, in turn, would be affected by the established use.
- 5.2 The policy could include support for proposals associated with defence and military operations at RAF Fairford where they enhance or sustain operational capabilities (subject that any land that is part of the Cotswold SSSI, the benefits of any development clearly outweighing its likely impact on the features of the site that make it a SSSI).
- 5.3 Any policy could also include that for proposed non-military or non-defence related development within or in the areas of RAF Fairford will not be supported where it would

adversely affect military operations or capability. This could include a requirement to ensure any new waterbodies or amendments to existing waterbodies are designed and managed to ensure they do not create habitat attractive to birds and ensure that proposed policies FNP4 and FNP14 are not in conflict with paragraph 97 of the NPPF.

5.4 Upon consideration of these comments we would be pleased to discuss them further with the Town Council.

Yours faithfully

Paul Hinton
Senior Town Planner
Estates

Enc.

1. Plan of MOD landholdings

LOCATION

RAF Fairford



