

# **Bramley Neighbourhood Development Plan 2011-2029**

**Report by Independent Examiner**

**Janet L Cheesley BA (Hons) DipTP MRTPI**

**CHEC Planning Ltd**

**21 October 2016**

<b>Contents</b>	<b>Page</b>
Summary and Conclusion	3
Introduction	4
Legislative Background	4
EU Obligations	5
Policy Background	6
The Neighbourhood Development Plan Preparation	7
The Bramley Neighbourhood Development Plan	8
Housing Policies	11
Policies for Bramley Community-Valued Assets	16
Design Policies	17
Policies for the Rural Environment	21
Policies for Transport	26
Policies for Employment	29
Minor Modifications	30
Referendum & the Bramley Neighbourhood Development Plan Area	30
Appendix 1 Background Documents	32

## Summary and Conclusion

1. The Bramley Neighbourhood Development Plan has a clear vision. Strategic aims and objectives to achieve the vision help to inform the policies in the Plan.
2. I have recommended modification to some of the policies in the Plan. In particular, I have recommended modification to Policy H1 by the deletion of criteria for development if there is not a five year housing land supply, as this does not have regard to national policy and does not contribute towards sustainable development.
3. I have recommended that Policy H2 is modified to refer to affordable homes being prioritised for households with a local connection, as defined by the Basingstoke and Deane Borough Council Housing Allocations Scheme.
4. To avoid internal conflict in the Plan and to have regard to national policy on Local Green Spaces, I have recommended the deletion of the site in Policy CVA1 that are also identified as Local Green Spaces in Policy RE3.
5. I have recommended modification to Policies D1, D2 and RE1 by omitting reference to Design and Access Statements or other written statements. The request for additional information in a Design and Access Statement does not have regard to national policy. The request for other written statements may not be proportionate for small scale development.
6. I have recommended the deletion of Policy RE2. I do not consider the inclusion of the Area of Separation in Policy RE2 provides a practical framework for decision making. The protection of this Area of Separation is essentially established in the Basingstoke and Deane Local Plan Policy EM2.
7. I have found that the Local Green Spaces accord with the criteria for such a designation in the National Planning Policy Framework. I have recommended modification to Policy RE3 to ensure that development on designated Local Green Space will only be permitted in very special circumstances.
8. I have recommended significant modification to Policy RE4, primarily to ensure that it is in general conformity with strategic policy in the Local Plan and to provide a practical framework for decision making.
9. I have recommended modification to other policies in the Plan, primarily in the interest of clarity and precision, to provide a practical framework for decision making.
10. **Whilst I have set out my reasoning under individual policies, my overall conclusion is that, subject to my recommendations, the Plan meets the Basic Conditions. It is appropriate to make the Plan. Subject to my recommendations being accepted, I consider that the Bramley**

**Neighbourhood Development Plan 2011-2029 will provide a strong practical framework against which decisions on development can be made. I am pleased to recommend that the Bramley Neighbourhood Development Plan 2011-2029, as modified by my recommendations, should proceed to Referendum.**

## **Introduction**

11. I was appointed as an independent Examiner for the Bramley Neighbourhood Development Plan 2011-2029 in August 2016.
12. On 22 March 2013 Basingstoke and Deane Borough Council (BDBC) approved that the Bramley Parish Neighbourhood Area be designated in accordance with the Neighbourhood Planning (General) Regulations 2012. The area covers the whole of the parish of Bramley.
13. The qualifying body is Bramley Parish Council. The Plan has been prepared by the Bramley Neighbourhood Development Plan Steering Group. The Plan covers the period 2011 to 2029.

## **Legislative Background**

14. As an independent Examiner, I am required to determine, under Paragraph 8(1) of Schedule 4B to the Town and Country Planning Act 1990, whether:
  - the policies in the Plan relate to the development and use of land for a designated Neighbourhood Area in line with the requirements of Section 38A of the Planning and Compulsory Purchase Act (PCPA) 2004;
  - the Plan meets the requirements of Section 38B of the 2004 PCPA where 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
  - that the Plan has been prepared for an area that has been designated under the Localism Act 2011 and has been developed and submitted for examination by a qualifying body.
15. Subject to the modifications I have recommended in this report, I am content that these requirements have been satisfied.
16. I am obliged to determine whether the Plan complies with the Basic Conditions. The Basic Conditions are:
  - having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the neighbourhood plan;

- the making of the neighbourhood plan contributes to the achievement of sustainable development;
- the making of the neighbourhood plan is in general conformity with the strategic policies contained in the Development Plan for the area of the authority; and
- the making of the neighbourhood plan does not breach, and is otherwise compatible with, EU obligations and human rights requirements.

## EU Obligations

17. A Neighbourhood Plan must be compatible with European Union obligations, as incorporated into UK law, in order to be legally compliant BDBC has prepared a Strategic Environmental Assessment (SEA) and Habitats Regulations Assessment (HRA) Screening Opinion, dated 16 October 2014 within which it has stated that the Plan does not require an assessment for future development under Article 6 or 7 of the Habitats Directive. I note that the statutory consultees agreed with this conclusion. BDBC published the *Neighbourhood Planning Screening Report- Bramley Final version following consideration by consultation bodies* in February 2015.
18. The Screening Opinion concludes: *Given the nature of the development which is likely to be facilitated by the neighbourhood plan, which is predominantly housing sites, the size of which is capped at 50 units, it is considered that the impacts of the plan are likely to be fairly localised, and would not impact on the Thames Basin Heath SPA, or any other European site.* On this basis, I consider that the Plan does not require a full HRA under Articles 6 or 7 of the Habitats Directive.
19. The Screening Opinion concluded that the Plan did require a full Strategic Environmental Assessment as it was considered that significant effects on the environment are likely. I note that the statutory consultees agreed with this conclusion.
20. Directive 2001/42/EC and the Environmental Assessment of Plans and Programmes Regulations 2004 (as amended) (EA Regulations) set out various legal requirements and stages in the production of a Strategic Environmental Assessment (SEA). The legislation requires that the environmental effects of the policies are assessed against a series of environment objectives during their formulation.
21. The SEA process ran in parallel with the preparation of the Plan, beginning with a Scoping Report published in March 2015. A SEA Report was published in May 2015 for consultation alongside the Pre-Submission Draft Plan. A SEA Environmental Report Update was published in June 2016 and accompanied the Submission Plan. The SEA Update considers reasonable

alternatives on the size of individual schemes with regard to alternative policy approaches to housing growth. The three statutory bodies, The Environment Agency, Natural England and Historic England made representations at the submission stage.

22. The Environment Agency and Natural England had no comment to make on the SEA Report. Historic England stated that the SEA Report fails to recognise the potential cumulative effect of several developments of up to 50 dwellings and expressed a *slight unease over Policy H1*, although it did conclude that it considered the Plan *satisfied the basic conditions in respect of the historic environment*.
23. I consider that the SEA has been produced in accordance with the Environmental Assessment of Plans and Programmes Regulations 2004. It outlines the reasons the alternatives were selected, the reasons the rejected options were not taken forward and the reasons for selecting the preferred approach in light of the alternatives.
24. I am satisfied that the Plan is compatible with EU obligations and does not breach the European Convention on Human Rights obligations.

## Policy Background

25. *The National Planning Policy Framework (2012) (NPPF)* sets out the Government's planning policies for England and how these are expected to be applied. *The Planning Practice Guidance (2014) (PPG)* provides Government guidance on planning policy.
26. Bramley Parish is within the local authority area of Basingstoke and Deane Borough Council (BDBC). The development plan for the Bramley Neighbourhood Development Plan Area includes the Basingstoke and Deane Local Plan (BDLP) (2011 to 2029) adopted on 26 May 2016. The Neighbourhood Plan was prepared in the light of the strategic policies and site allocations in this new Local Plan, as well as the policies in the former Basingstoke and Deane Borough Local Plan 1996-2011 (Adopted July 2006). It is only necessary for me to consider the policies in the new Local Plan. The strategic policies in this Local Plan include policies regarding housing, the environment and the economy.

## The Neighbourhood Plan Preparation

27. I am required under The Localism Act 2011 to check the consultation process that has led to the production of the Plan. The requirements are set out in Regulation 14 in The Neighbourhood Planning (General) Regulations 2012.
28. The initial consultation process started in 2013 and sought to engage as wide a range of local people and interested parties as possible in these early stages. This pre-statutory consultation included public meetings on different topics, interview surveys, questionnaires, special drop-in events, and consultation at local community events.
29. The Consultation period on the pre-submission draft of the Plan ran from 29 June 2015 to 19 August 2015. A flyer was prepared explaining the consultation process and a leaflet was prepared summarising the content of the draft Neighbourhood Plan. Copies of the flyer and the feedback form leaflet were posted to every household in Bramley, along with a pre-paid envelope to return completed forms. They were provided, via local businesses, to the people who work in Bramley Parish. Statutory consultees were informed. The Draft Neighbourhood Plan was advertised in the Basingstoke Gazette. Open days were held at the Village Hall where members of the Parish Council and the Neighbourhood Development Plan Steering Group were in attendance.
30. I am satisfied that the pre-submission consultation and publicity has met the requirements of Regulation 14 in The Neighbourhood Planning (General) Regulations 2012. The consultation and publicity went well beyond the requirements and it is clear that the qualifying body went to considerable lengths to ensure that local residents and interested parties were able to engage in the production of the Plan. I congratulate them on their efforts.
31. BDBC publicised the submission Plan for comment during the publicity period between 18 July 2016 and 5 September 2016 in line with Regulation 16 in The Neighbourhood Planning (General) Regulations 2012. A total of 22 representations were received from 13 respondents during the consultation period. I am satisfied that all these responses can be assessed without the need for a public hearing.
32. Some responses suggest additions and amendments to policies. My remit is to determine whether the Plan meets the Basic Conditions. Where I find that policies do meet the Basic Conditions, it is not necessary for me to consider if further suggested additions or amendments are required. Whilst I have not made reference to all the responses in my report, I have taken them into consideration.
33. BDBC received one late response. I have not taken this response into consideration.

## The Bramley Neighbourhood Development Plan 2011-2029

34. It is necessary for Neighbourhood Plans to provide a practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency as stated in the core planning principles in paragraph 17 in the NPPF. I do refer to clarity and precision with regard to a number of recommendations to modifications to the Plan. Where I do so, I have in mind the need to provide a practical framework in accordance with the core principles in the NPPF, thus ensuring that the Plan has regard to national policy in this respect.
35. I have been provided with a detailed evidence base in background supporting documents. This has provided a useful and easily accessible source of background information.
36. For ease of reference, I have used the same headings and policy titles as those in the Plan.

### About Bramley

37. This section includes a short history of Bramley. PPG advises that, where it is relevant, neighbourhood plans need to include enough information about local heritage to guide decisions and put broader strategic heritage policies from the Local Plan into action at a neighbourhood scale.
38. This section refers to statutory listed buildings and locally listed buildings and cross refers to details in Appendix H. Historic England has requested reference to the moated site west of Cufaude Farm, a Scheduled Monument. Whilst inclusion of reference to this site would add to the historical context, and I have no objection to it being included, my remit is to consider whether the Plan meets the Basic Conditions. In this particular instance, Local Plan policies seek to conserve and enhance the historical significance of heritage assets. I consider the historic details in the Neighbourhood Plan to be sufficient to satisfy the requirement of the PPG and thus to have regard to national policy in this respect.
39. Hampshire County Council (HCC), as Education Authority, has made reference to inaccuracies in the Plan with regard to the primary school. It has referred to the fourth bullet point in the Preface which states: *Primary school at breaking point with no further opportunity for expansion.*
40. HCC concerns are as follows: *HCC as the Education Authority request that the Parish Council note that the primary school has places available and can be expanded further by 105 places and so this statement should be removed as it is inaccurate.*

*The second statement that needs to be corrected is on Page 11 (paragraph 2.34) which as currently worded states: “The village school has not been improved to keep pace with the level of development.”*

*HCC as the Education Authority request that the Parish Council note that the school has received significant capital investment in recent years to expand provision and improve facilities and so this statement should be removed as it is inaccurate.*

41. It is clear from the background evidence that the capacity of the primary school is of local concern. Nevertheless, in the interest of precision, I recommend that the Plan is modified to reflect the existing situation as expressed by HCC.
42. **Recommendation: to meet the Basic Conditions, I recommend modification to the Preface and to paragraph 2.34 to reflect the existing primary school situation, as expressed by Hampshire County Council in their representation on the submission Plan.**

### **The Future of Bramley**

43. The Plan sets out a clear vision: *In 2029 Bramley will be an attractive village with a strong historic character, an unspoiled rural setting, excellent and conveniently located community facilities, a range of high quality homes fulfilling local needs, safe and convenient access to transport services and green spaces, and good opportunities for locally based employment.* Strategic aims and objectives to achieve the vision help to inform the policies in the Plan.

### **Policy Context**

44. The Court of Appeal issued a judgment on 11 May 2016 on the Secretary of State’s appeal against a previous High Court judgment of 31 July 2015 upholding a joint application by West Berkshire District Council and Reading Borough Council which challenged the Secretary of State’s Written Ministerial Statement of 28 November 2014 and his subsequent alterations to the Planning Practice Guidance on planning obligations for affordable housing and social infrastructure contributions.
45. As the High Court judgment from which the Order originated has now been overturned, the policies in the Written Ministerial Statement of 28 November 2014 should once again be considered as national planning policy. Extracts from the statement below explain the national policy regarding developer contributions and affordable housing.

*Due to the disproportionate burden of developer contributions on small scale developers, for sites of 10-units or less, and which have a maximum*

*combined gross floor space of 1,000 square metres, affordable housing and tariff style contributions should not be sought. This will also apply to all residential annexes and extensions.*

*For designated rural areas under Section 157 of the Housing Act 1985, which includes National Parks and Areas of Outstanding Natural Beauty, authorities may choose to implement a lower threshold of 5-units or less, beneath which affordable housing and tariff style contributions should not be sought.*

*These changes in national planning policy will not apply to Rural Exception Sites.*

46. I note that Bramley is not designated as a rural area under the Housing Act 1985. Therefore, to have regard to national policy, affordable housing contributions cannot be sought from developments of 10 or less residential units. Paragraphs 4.16 and 5.35 in the Plan refer to BDLP Policy CN1 with regard to affordable housing provision. I note that BDBC considers the national requirements supersede the thresholds established in BDLP Policy CN1.
47. The NPPF states at paragraph 210 that: *Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.* I consider the national policy on planning obligations for affordable housing and social infrastructure contributions to be a material consideration in the determination of planning permission other than in accordance with Policy in the BDLP.
48. It is not necessary to re-iterate national policy in a neighbourhood plan. However, where it is referred to, it needs to be accurate. I recommend modification to Paragraphs 4.02 and 6.03 to refer in full to the definition of the Basic Conditions as set out in paragraph 8 of Schedule 4B of the Town and Country Planning Act 1990 (as amended).
49. **Recommendation: to meet the Basic Conditions;**
- I recommend modification to paragraphs 4.16 and 5.35 to reflect national policy on thresholds for affordable housing provision.**
- I recommend modification to paragraphs 4.02 and 6.03 to refer in full to the definition of the Basic Conditions as set out in paragraph 8 of Schedule 4B of the Town and Country Planning Act 1990 (as amended).**

## **Development Options**

50. BDBC has stated that paragraph 5.05 is inaccurate with regard to whether the strategic allocations in the Local Plan will continue the trend of expansion in Bramley in comparison with Overton and Whitechurch, as the Local Plan

allocates higher levels of housing to those areas. On this basis, in the interests of precision, I recommend deletion of the reference in paragraph 5.05.

51. I have recommended significant modification to Policy H1, which is discussed further under Policy H1. This will have implications for the content of the Development Options.
52. **Recommendation: to meet the Basic Conditions, I recommend modification to paragraph 5.05 by the deletion of *Furthermore the strategic housing allocations contained in the Local Plan 2011-2029 will continue this trend.***

## **Policies for Bramley**

### **Housing Policies**

#### **POLICY H1: NEW HOUSING DEVELOPMENT**

53. BLDP Policy SS1 explains the scale and distribution of new housing in the Borough will be provided. The list of criteria includes:

*Permitting development and redevelopment within the defined Settlement Policy Boundaries, which contribute to social, economic and environmental well-being;*

*Sites outside of defined Settlement Policy Boundaries will be considered to lie in the countryside; and*

*Permitting exception sites located outside of defined Settlement Policy Boundaries where it meets criteria set out in the other policies in the plan or it is essential for the proposal to be located in the countryside.*
54. BLDP Policy SS6 seeks to restrict new housing in the countryside, whilst allowing some flexibility in certain circumstances, such as for the provision of rural exception sites for affordable housing.
55. BDLP Policies SS3.3 and SS3.8 identify strategic allocations within Bramley Parish on land at Razor's Farm and Upper Cufaude Farm. In addition to these strategic allocations, BDLP Policy SS5 requires the Bramley Neighbourhood Plan to identify sites/opportunities for at least 200 homes. These may be in and around the defined Settlement Policy Boundary. I note that planning permission has been granted for a total of 315 dwellings on three sites at Minchens Lane, land at The Street and Strawberry Fields.
56. A representation made by Pro Vision on behalf of Stratfield Saye Estate has questioned whether the site at Minchens Lane has already been considered as a site with planning permission in the borough's housing land supply and as such should not be considered as contributing towards the target for at least 200 new dwellings in BDLP Policy SS5.

57. The Neighbourhood Plan Examination process does not require a rigorous examination of district wide housing land requirements. This was the role of the examination of the Local Plan. Whilst it is not for me to re-examine the housing figures, in these circumstances, I considered it necessary to seek clarification on this matter from BDBC in an email dated 23 September 2016. I received their reply in a letter via email dated 3 October 2016. I have asked for both emails to be made available on the BDBC web page for this Neighbourhood Plan alongside my Examination Report.
58. In their reply, BDBC clearly outlined that the Minchens Lane site can be considered as counting towards the BDLP Policy SS5 requirement for Bramley. I have not summarised their response, as I consider it more appropriate that their letter is read in full to gain a comprehensive understanding of the situation. From the response in the BDBC letter, I am satisfied that the Minchens Lane site, together with the sites at The Street and Strawberry Fields satisfy the requirements of BDLP Policy SS5.
59. Representations have been received promoting housing development on additional sites within the Parish. There is no legislative requirement for Neighbourhood Plans to set their own housing numbers. The Plan does not seek to identify further sites for residential development and there are no adopted strategic policies upon which to base a more significant growth strategy. As I have found that BDLP Policy SS5 is satisfied by existing planning permissions, additional site allocations are not required.
60. It must be acknowledged that at the heart of the NPPF is the presumption in favour of sustainable development. In recognising the purpose of sustainable development, the NPPF emphasises that development means growth. If a five year housing land supply can be demonstrated, this is not in itself a reason to prevent sustainable housing development, especially as in paragraph 47 in the NPPF it is seeking to boost significantly the supply of housing. BDLP Policy SD1 reiterates national policy with regard to the presumption in favour of sustainable development.
61. The NPPF states at paragraph 210 that: *Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.*
62. The NPPF states at paragraph 49 that: *Housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.*
63. The NPPF states at paragraph 14 that for decision making the presumption in favour of sustainable development means:
- where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:*

*any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole;*

*or specific policies in this Framework indicate development should be restricted.*

64. The NPPF does not prescribe the weight to be given to policies in a plan which are considered to be out-of-date, as it is a matter of judgement for the decision maker. Nevertheless, having regard to the NPPF it is clear that the first paragraph of Policy H1 can only ever be an out-of-date policy. I do not consider this would provide a practical framework for decision making. In addition, where there is no five year housing land supply, the test for decision making can only be that in paragraph 14 in the NPPF.
65. Basically, where there is no five year housing land supply, the test in Bramley Parish will be to grant planning permission unless *any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole*. It will not be to grant planning permission, as specified in Policy H1, for *up to a maximum of 50 dwellings for each individual development site immediately adjoining the Bramley Settlement Policy Boundary, providing it can be shown that such proposals will enable local housing need to be met (see Policy H2) and can satisfy other relevant policies in this Neighbourhood Plan and in the Basingstoke and Deane Local Plan*.
66. For the reasons explained above, I do not consider that the first paragraph in Policy H1 has regard to national policy and does not contribute towards sustainable development. Therefore, I recommend the deletion of this paragraph. I realise that this has implications for the accompanying text and the Development Options section. It is not for me to re-write the Plan. In the interest of precision, I recommend that these sections are amended accordingly.
67. I am satisfied that the second paragraph in Policy H1 regarding new housing in the countryside can remain, as it cross refers to the need to accord with Local Plan Policy, although as I have recommended deletion of the first paragraph, it is preferable to refer to sites outside the Settlement Policy Boundary, rather than to sites outside and not immediately adjoining the Settlement Policy Boundary. As modified, this paragraph is in general conformity with strategic policy.
68. BDBC has raised concern that the last paragraph in Policy H1 does not accord with BDBC Green Space Standards, particularly as it does not include reference to equipped play or possible contributions to off-site provision. BDLP Policies CN6 and EM5 specify criteria for requirements for green space arising from development. The adopted standards are found in BDLP Appendix 4.

69. BDBC has stated that the amount of green space likely to be required for 10 dwellings in accordance with their Green Space Standards would have very limited recreational value and that it may be preferable to enhance existing green space instead. On this basis, I see no justification for the 10 or more dwellings threshold in Policy H1.
70. To provide a practical framework for decision making, I consider it necessary to modify the last paragraph in Policy H1 to refer to the BDBC Green Space Standards and to delete reference to a 10 or more dwellings threshold. For the same reason, it is necessary to modify paragraph 6.18.
71. Developer contributions can only be sought where they meet the tests that they are necessary to make the development acceptable in planning terms, directly related to the development, and fairly and reasonably related in scale and kind. These tests are set out as statutory tests in the Community Infrastructure Levy Regulations 2010. To ensure that proportionate contributions are clearly defined, I recommend modification to the last paragraph in Policy H1 to refer to the needs and requirements that are expected to arise from the development. I have suggested wording similar to that in the Infrastructure Policy CN6 in the BDLP.
72. BDBC has referred to discrepancies between paragraph 6.24 in the Plan and paragraph 4.77 in the BDLP. In the interest of precision, I recommend modification to paragraph 6.24 to refer to decisions for small scale development in the countryside being allowed in limited circumstances, where it can be demonstrated that it would meet a local need, as agreed *in consultation with* the Parish Council, rather than where *agreed by* the Parish Council. This will provide a practical framework for decision making.
73. I realise that I have recommended significant modifications to Policy H1. This may have editing implications elsewhere in the Plan which I have not specifically commented upon. I consider such modifications to be minor editing matters.
74. **Recommendation: To meet the Basic Conditions;**
- I recommend modification to Policy H1 to read as follows:**
- New housing development outside the Bramley Settlement Policy Boundary will only be supported if it is in accordance with relevant Local Plan policies for new housing in the countryside. The Bramley Settlement Policy Boundary is shown in Illustration 6a.**
- All new housing developments must make a proportionate contribution to the provision or improvement of local services, facilities and infrastructure, at a rate, scale and pace to meet the needs and requirements that are expected to arise from that development, in order to maintain or improve upon levels of provision in Bramley extant in 2016, including the provision of public green space in accordance with Basingstoke and Deane Borough Council's Green Space Standards.**

**I recommend modification to the text accompanying Policy H1 and text elsewhere in the Plan, particularly in Section 5, to reflect the modification to delete the first paragraph in Policy H1.**

**I recommend modification to paragraph 6.18 to delete reference to the threshold of 10 dwellings or more.**

**I recommend modification to paragraph 6.24 to refer to decisions for small scale development in the countryside being allowed in limited circumstances, where it can be demonstrated that it would meet a local need, as agreed in consultation with the Parish Council.**

## **POLICY H2: PROVISION OF HOUSING TO MEET LOCAL NEEDS**

75. The NPPF seeks to ensure that there is provision of a wide choice of quality homes. BDLP Policy CN3 seeks a range of house types and sizes to address local requirements. The requirement for a balanced mix of housing in Policy H2 has regard to national policy and is in general conformity with strategic policy.
76. The affordable housing local connection criteria in Policy H2 do not correspond to the BDBC Housing Allocation Policy. I have no clear evidence before me to justify departing from the BDBC Housing Allocation Policy, which underpins the strategic housing policy. In the interest of providing a practical framework for decision making, I recommend modification to Policy H2 to accord with the BDBC Housing Allocation Policy. I have suggested modified wording along the lines suggested by BDBC in their representations on the submission Plan, to ensure a practical framework for decision making. Paragraphs 6.33 and 6.35 should be modified accordingly.
77. Subject to the above modifications, Policy H2 meets the Basic Conditions.
78. **Recommendation: to meet the Basic Conditions;**

**I recommend modification to Policy H2 to read as follows:**

**All proposals for new housing development must demonstrate how the types of dwellings provided will help ensure a balanced mix of housing for Bramley, particularly through the provision of dwellings designed for smaller households, including accessible purpose-designed accommodation for older persons, or one or two-bedroom accommodation suitable for younger persons and small families. In all new housing developments providing affordable housing the occupancy of affordable homes will be prioritised for households with a local connection with the parish of Bramley, as defined by the Basingstoke and Deane Borough Council Housing Allocations Scheme and any relevant planning policy guidance.**

**The precise housing mix of new development will be determined on a site-by-site basis, having regard to viability and other relevant factors.**

**I recommend modification to paragraphs 6.33 and 6.35 to accord with Policy H2.**

## **Policies for Bramley Community Valued Assets**

### **POLICY CVA1: BRAMLEY COMMUNITY-VALUED ASSETS**

79. BDLP Policies CN7 and CN8 list criteria against which the loss of essential facilities and services and community, leisure and cultural facilities should be assessed. I consider these to be strategic policies to deliver community and cultural infrastructure and other local facilities. They both have similar criteria, where they refer to the loss of such facilities, or detrimental impact on such facilities being acceptable if the proposal will provide sufficient community benefit to outweigh the loss of the existing facility, meeting evidence of a local need. Policy CVA1 is broadly in conformity with these policies, apart from the community benefit criteria. Although it is not necessary to repeat Local Plan Policy, in order for Policy CVA1 to be in general conformity with these strategic policies, I recommend the inclusion of such a criterion in Policy CVA1. I have suggested suitable wording.
80. Policy CVA1 seeks to protect areas identified as Areas 2, 4, 6, 7, and 8 on the Local Green Space Illustration 6e (Sites L, R, N, S, and T in Table 6A). As mentioned under Policy RE3, paragraph 76 in the NPPF states: *By designating land as Local Green Space local communities will be able to rule out new development other than in very special circumstances.* Paragraph 78 in the NPPF states: *Local policy for managing development within a Local Green Space should be consistent with policy for Green Belts.*
81. The criteria for protection of Local Green Spaces and managing development of those Local Green Spaces are significantly more onerous than those in Policy CVA1. To avoid internal conflict in the Plan, thus providing a practical framework for decision making, and to have regard to national policy on Local Green Spaces, I recommend the deletion of the Local Green Spaces referred to above from Table 6A, and thus from consideration against Policy CVA1.
82. **Recommendation: to meet the Basic Conditions;**

**I recommend modification to Policy CVA1 to read as follows:**

**Development proposals which affect Community-Valued Assets identified in Table 6A, or in the Register of Assets of Community Value held by Basingstoke and Deane Borough Council, must not result in the loss of, or have an adverse effect on, the asset or assets concerned, unless satisfactory alternative facilities are provided; or unless it can be clearly proven that such assets are no longer required;**

or unless they will provide sufficient community benefit to outweigh the loss of the existing facility, meeting evidence of a local need.

**Opportunities will be taken whenever possible to improve or enhance Bramley Community-Valued Assets by the use of appropriate planning agreements, conditions or levies.**

**I recommend the deletion of Sites L, R, N, S and T from Table 6A.**

## **POLICY CVA2: PROVISION OF NEW COMMUNITY FACILITIES**

83. The NPPF seeks to promote the development of additional community facilities. Paragraph 173 in the NPPF seeks to ensure that developments are viable. Whilst I note reference to this in supporting text in paragraph 6.50, in the interest of precision, I recommend that reference to viability is included in Policy CVA2.

84. **Recommendation: to meet the Basic Conditions, I recommend modification to Policy CVA2 to read as follows:**

**When planning permission is granted for development in Bramley, opportunities will be taken to provide facilities and amenities of community value, subject to viability, in accordance with priorities identified in this Neighbourhood Plan or otherwise determined by Bramley Parish Council in consultation with the local community.**

## **Design Policies**

85. The NPPF at paragraph 58 requires neighbourhood plans to include policies that *set out the quality of development that will be expected for the area. Such policies should be based on stated objectives for the future of the area and an understanding and evaluation of its defining characteristics.* Section 7 in the NPPF seeks to deliver high quality design and promote or reinforce local distinctiveness.

86. BDLP Policy EM1 seeks to ensure that new development is sympathetic to the character and visual qualities of the landscape. BDLP Policy EM10 lists criteria to deliver high quality development.

## **POLICY D1: PROTECTING, COMPLEMENTING AND ENHANCING THE HISTORIC CHARACTER AND RURAL SETTING OF BRAMLEY**

87. The Bramley Village Character Assessment is a comprehensive evaluation of the key qualities and characteristics of the defined character areas. This detailed assessment provides a clear understanding and evaluation of the defining characteristics of the area as a basis for the implementation of

Policy D1. Whilst the protection and enhancement of the Character Areas clearly has regard to national policy, I have concerns regarding the practical implementation of this policy.

88. One of the purposes of neighbourhood plans is to set policies for development rather than to make the development process more onerous for developers. Whilst local planning authorities can request local additional information to be submitted with planning applications, PPG states that local planning authorities should take a proportionate approach to the information requested in support of planning applications.
89. Design and Access Statements are only required for certain development proposals as outlined in the Town and Country Planning (Development Management Procedure) (England) Order 2015. In particular, they are not required for extensions to dwellings and some other small scale developments. The required content of Design and Access Statements is specifically outlined in Part 3 of this Order. Therefore, I do not consider the requirement of additional details in a Design and Access Statement, as specified in Policy D1 has regard to national policy.
90. Policy D1 does not specify the scale of development it would apply to. The request for additional information in a Design and Access Statement does not have regard to national policy. The request for other written statements may not be proportionate for small scale development.
91. To have regard to national policy, I recommend modification to Policy D1 by omitting reference to Design and Access Statements or other written statements. I have suggested suitable wording to emphasise where development will be supported. In the interest of precision, paragraph 6.60 should be amended accordingly.
92. Illustration 6c identifies Important Views. I note that Illustration 6c is an overlay on the Bramley Conservation Area Appraisal Map. In the interest of precision, I recommend that Illustration 6c is replaced with an inset OS based map, or maps, at an appropriate scale that ensures the precise important views are clearly identifiable and with a legend attached.
93. I see discrepancy between Illustration 6c and Appendix D as there are more than 6 important views identified in Appendix D. If all the important views in Appendix D are to be considered in Policy D1, then Illustration 6c needs to include them. Likewise, if this is not the case, it needs to be made clear in Policy D1.
94. **Recommendation: to meet the Basic Conditions;**

**I recommend modification to Policy D1 to read as follows:**

**Development in and around Bramley village must protect, complement or enhance the Character Area(s) identified in the Bramley Village Character Assessment within or adjacent to which it is located.**

**Development will be supported where it protects, complements or enhances the relevant Character Area(s) with regard to**

- a) the scale and form of the development,**
- b) the density of the development,**
- c) the materials used in the development,**
- d) important views identified in Appendix D and shown in Illustration 6c, and**
- e) the local historic environment, where relevant.**

**I recommend modification to Paragraph 6.60 to remove reference to Design and Access Statements or other written statements.**

**I recommend that Illustration 6c is replaced with an inset OS based map, or maps, at an appropriate scale that ensures the precise important views are clearly identifiable and with a legend attached.**

**I recommend if all the important views listed in Appendix D are to be considered under Policy D1, these should be identified in the modified Illustration 6c. If this is not the case, it needs to be made clear in Policy D1.**

## **POLICY D2: DESIGN OF NEW DEVELOPMENT**

95. Policy D2 sets out a list of design criteria to be satisfied by all new development wherever possible. This provides a level of flexibility for both large scale and small scale development.
96. Criterion k) requires new development, wherever possible, *to be able to be effectively managed and be safe to use*. The criteria to assess effective management are not defined and I do not consider this provides a practical framework for decision making on land use and development proposals. I recommend modification to criterion k) by deleting reference to management. I have suggested alternative wording with regard to safety, in the interest of precision.
97. For the same reasons as stated under Policy D1, I recommend the deletion of the last sentence with regard to the requirement for Design and Access Statements or other written statements and I recommend modification to paragraph 6.67 to delete such a reference.
98. Subject to my proposed modifications, I consider that Policy D2 meets the Basic Conditions, particularly in that it has regard to Section 7 in the NPPF, where it seeks to deliver high quality design and promote or reinforce local distinctiveness and where it is in general conformity with BDLP Policy EM10.
99. The Ministry of Defence has requested an exemption from Policy D2 for development at the Bramley Training Area and for such an exemption to be explicitly referred to in the Plan. Operational defence requirements are a

material consideration in the consideration of development proposals. Policy D2 includes the caveat 'wherever possible' and I have recommended the deletion of the requirement in Policy D2 for specific additional written statements to justify development. On this basis, I do not consider there is a need for an exception for the Bramley Training Area.

100. **Recommendation: to meet the Basic Conditions;**

**I recommend modification to Policy D2 to read as follows:**

**New development in Bramley must deliver good quality design. In order to achieve this all new development must wherever possible**

- a) Respond to the existing traditional built form in terms of enclosure and definition of streets and spaces;**
- b) Be well integrated with its surroundings by reinforcing existing connections and creating new ones;**
- c) Provide convenient access to community services and facilities;**
- d) Have good access to public transport or otherwise help reduce car dependency;**
- e) Make positive use of the local topography, landscape and water features, trees and plants, wildlife habitats, existing buildings, site orientation and microclimate;**
- f) Provide buildings, landscaping and planting to create well defined streets and attractive green spaces within the development which satisfactorily meet the needs of users;**
- g) Make use of views and landmarks visible from within and from outside the site in order to organize the layout of the development and make it legible for visitors;**
- h) Provide streets which encourage low vehicle speeds and which can function as safe, social spaces;**
- i) Integrate car parking within landscaping so that it does not dominate the street;**
- j) Clearly distinguish between public and private spaces;**
- k) Contribute to the provision of a safe environment**
- l) Provide convenient, well-screened storage space for bins and recycling, and for bicycles;**
- m) Provide a Connectivity Statement explaining how the development will provide for a fibre optic connection.**

**Policy D2 will be applied flexibly when very high quality, innovative designs are proposed.**

**I recommend modification to paragraph 6.67 to delete reference to Design and Access Statements or other written statements.**

## Policies For The Rural Environment

### POLICY RE1: REDUCING FLOOD RISK

101. The NPPF seeks to avoid inappropriate development in areas at risk of flooding by directing development away from areas of high risk. The PPG states that *the aim should be to keep development out of medium and high flood risk areas (Flood Zones 2 and 3) and other areas affected by other sources of flooding where possible*. Sequential tests and exceptions tests and site-specific flood risk assessments may be required for proposed development in these flood zones in accordance with the NPPF and the PPG.
102. BDLP Policy EM7 seeks to apply the sequential approach and encourages the use of sustainable drainage systems. It states: *all planning applications for major development are required to ensure that sustainable drainage systems are used for the management of surface water unless demonstrated to be inappropriate. All new developments in areas at risk of flooding must give priority to the use of sustainable drainage systems*.
103. Policy RE1 seeks to reduce flood risk. However, the need for prospective developers to 'explain' mitigation measures does not provide a practical framework for decision making. In the interest of clarity and to be in general conformity with strategic policy, this should refer to the need to give priority to sustainable drainage systems in accordance with the criteria in BDLP Policy EM7.
104. For the reasons stated under Policy D1, I recommend the deletion of reference to the requirement for Design and Access Statements or other written statements in the last sentence of Policy RE1 and modification to paragraph 6.79 to delete such a reference.
105. Thames Water Utilities Ltd has requested amendments to paragraphs 6.75 and 6.76 to accurately reflect the situation with regard to water supply and sewerage infrastructure. Their concern with paragraph 6.75 is that the last sentence should refer to how improvements will be delivered, rather than funded. In paragraph 6.76 this should only relate to sewerage infrastructure. In the interest of precision, I recommend such modifications to these paragraphs.
106. Subject to my proposed modifications, Policy RE1 meets the Basic Conditions, particularly where it has regard to national policy on reducing flood risk.

107. **Recommendation: to meet the Basic Conditions;**

**I recommend modification to Policy RE1 to read as follows:**

**Planning applications for developments in Bramley which are located within an area at risk from flooding must include mitigation measures, giving priority to the use of sustainable drainage systems**

**a) to ensure that surface water run-off will not be increased and if possible will be reduced, and**

**b) to ensure that the development will not increase the risk of flooding elsewhere.**

**Sustainable Drainage Systems, or other appropriate mitigation measures identified in relevant Flood Risk Assessments, should be satisfactorily integrated into the design and layout of the developments.**

**I recommend modification to the last sentence in paragraph 6.75 to read as follows:**

**Where there is a capacity problem and no improvements are programmed by the water company, then the developer needs to contact the water company to agree what improvements are required and how they will be delivered prior to any occupation of the development.**

**I recommend modification to paragraph 6.76 to read as follows:**

**In view of the timescales sometimes necessary to model the impact of proposed new developments on sewerage infrastructure, developers are advised to contact the sewerage undertaker, Thames Water, as early as possible in the design process.**

**I recommend modification to paragraph 6.79 to delete reference to Design and Access Statements or other written statements.**

## **POLICY RE2: AREA OF SEPARATION**

108. BDLP Policy EM2 identifies a Strategic Gap between Basingstoke/Chineham - Bramley/Sherfield on Loddon. Policy RE2 in the Neighbourhood Plan identifies part of this Strategic Gap as an Area of Separation between Bramley Village and Sherfield on Loddon. It broadly re-iterates the objectives of BDLP Policy EM2, with the addition of specifically seeking to protect the significance of the Bullsdown Iron Age Plateau Fort.

109. I do not consider the inclusion of the Area of Separation in Policy RE2 provides a practical framework for decision making. Policy RE2 seeks to protect only part of the Strategic Gap and the protection of this Area of Separation is essentially established in BDLP Policy EM2. The identification of this area to be protected under essentially the same criteria as the wider Strategic Gap would not provide clarity in decision making.
110. PPG states: *Where it is relevant, neighbourhood plans need to include enough information about local heritage to guide decisions and put broader strategic heritage policies from the Local Plan into action at a neighbourhood scale.*
111. BDLP Policy EM11 seeks to ensure that: *All development must conserve or enhance the quality of the borough's heritage assets in a manner appropriate to their significance.*
112. Reference to the significance of the Bullsdown Iron Age Plateau Fort in Policy RE2 is not specific and it is unclear what this is trying to achieve. By deleting Policy RE2, reference to identifying Bullsdown Iron Age Plateau Fort as a Scheduled Monument can remain in the text of the Plan; possibly in Section 2 'About Bramley'. In my opinion, such a reference would have regard to the guidance in PPG. This would be sufficient to guide decisions and put broader strategic heritage policies from the Local Plan into action. The setting of the Fort is protected by the BDLP Strategic Gap Policy EM2 and the historic significance is protected by BDLP Policy EM11.
113. **Recommendation: to meet the Basic Conditions, I recommend the deletion of Policy RE2 and accompanying text and Illustration 6d. I recommend reference to identifying Bullsdown Iron Age Plateau Fort as a Scheduled Monument is retained elsewhere in the Plan. This could be within Section 2 'About Bramley'.**

### **POLICY RE3: PROTECTION OF LOCAL GREEN SPACE**

114. Paragraph 76 in the NPPF allows for neighbourhood plans to *identify for special protection green areas of particular importance to them. By designating land as Local Green Space local communities will be able to rule out new development other than in very special circumstances.*
115. Paragraph 78 in the NPPF states: *Local policy for managing development within a Local Green Space should be consistent with policy for Green Belts.*
116. Paragraph 77 in the NPPF states that: *The Local Green Space designation will not be appropriate for most green areas or open space. The designation should only be used:*
- where the green space is in reasonably close proximity to the community it serves;*

*where the green area is demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife; and*

*where the green area concerned is local in character and is not an extensive tract of land.*

117. I have spent a considerable amount of time looking at the areas proposed to be designated as Local Green Spaces. It is clear that all of the sites identified in Policy RE3 meet the criteria for designation.
118. The second paragraph in Policy RE3 and accompanying text in paragraphs 6.95 and 6.96 do not have regard to the restriction on ruling out development on Local Green Spaces other than in very special circumstances. To have regard to the NPPF, I recommend modification to Policy RE3 and paragraphs 6.95 and 6.96 in this respect. I have suggested modified wording for Policy RE3 and recommend that paragraphs 6.95 and 6.96 edited accordingly.
119. BDBC has suggested that the Local Green Space maps need to be of a suitable scale for ease and accuracy of identification. In the interest of precision, I recommend that Illustration 6e is replaced with inset OS based maps at an appropriate scale that ensures the precise boundaries of the Local Green Spaces are clearly identifiable.

120. **Recommendation: to meet the Basic Conditions;**

**I recommend modification to Policy RE3 to read as follows:**

**Bramley's strong rural character is derived from key areas of undeveloped open land around and within the village: these areas are shown in [Illustration 6e] and are designated as Local Green Space in this Neighbourhood Plan.**

**Development on designated Local Green Space will only be permitted in very special circumstances.**

**I recommend modification to paragraphs 6.95 and 6.96 to accord with Policy RE3.**

**I recommend that Illustration 6e is replaced with inset OS based maps at an appropriate scale that ensures the precise boundaries of the Local Green Spaces are clearly identifiable.**

## **POLICY RE4: PROTECTION AND ENHANCEMENT OF THE NATURAL ENVIRONMENT**

121. The NPPF seeks to conserve and enhance the natural environment. BDLP Policy EM4 is a policy regarding biodiversity, geodiversity and nature conservation. This is a long complex policy setting criteria to ensure that: *Development proposals will only be permitted if significant harm to biodiversity and/ or geodiversity resulting from a development can be avoided or, if that is not possible, adequately mitigated...* The detailed wording in Policy RE4 is not in general conformity with this BDLP policy, and this does not provide a practical framework for decision making.
122. The first sentence in Policy RE4 identifies the important trees, hedgerows and woodland in the Parish. Whilst there is merit in identifying these important features, this is written as a statement, rather than a policy. In the interest of clarity and to provide a practical framework for decision making, I recommend that the first sentence in Policy RE4 is incorporated into the second paragraph. I recommend that this paragraph is simplified and cross refers to BDLP Policy EM4. I have suggested alternative wording.
123. The last paragraph in Policy RE4 appears to be seeking to provide public access to currently inaccessible important trees, hedgerows and woodland in the Parish via developer contributions. It does not specify within which circumstances this would be sought.
124. Contributions can only be sought where they meet the tests that they are necessary to make the development acceptable in planning terms, directly related to the development, and fairly and reasonably related in scale and kind. These tests are set out as statutory tests in the Community Infrastructure Levy Regulations 2010. In many instances, the requirement for public access may not meet these tests and public access may conflict with the objective of ensuring that there is no significant harm to biodiversity and/ or geodiversity. Therefore, having regard to national policy, I recommend modification to this part of Policy RE4 by seeking to support public access to such sites only where this will not cause significant harm to biodiversity and/or geodiversity. I have suggested suitable wording to ensure that there is no internal conflict within this policy.
125. I am unclear as to how *ecologically balanced maintenance and management of the natural environment* should be interpreted in decision making within the context of Policy RE4. Paragraph 4 in BDLP Policy EM4 sets criteria for opportunities for biodiversity improvement and I have recommended cross reference to that policy. In these circumstances, I recommend the deletion of reference to *ecologically balanced maintenance and management of the natural environment* in Policy RE4, in the interest of providing a practical framework for decision making.
126. Policy RE4 cross refers to Illustration 6f. In the interest of precision, I recommend that Illustration 6f is replaced with an inset OS based map, or

maps, at an appropriate scale that ensures the important trees, woodland and hedgerows are clearly identifiable.

127. **Recommendation: to meet the Basic Conditions;**

**I recommend modification to Policy RE4 to read as follows:**

**Development proposals will only be permitted if, significant harm to biodiversity and/or geodiversity resulting from a development, (including to important trees, hedgerows and woodland identified in Appendix E to this Neighbourhood Plan and [Illustration 6f]), can be avoided or, if that is not possible, adequately mitigated and where the development is in accordance with Basingstoke and Deane Local Plan Policy EM4.**

**New trees and hedgerows planted with new development in the parish must reinforce and reflect local biodiversity.**

**Proposals for public access to areas of important trees, hedgerows and woodland in Bramley will be supported and encouraged where they will not cause significant harm to biodiversity and/or geodiversity.**

**I recommend that Illustration 6f is replaced with an inset OS based map, or maps, at an appropriate scale that ensures the important trees, woodland and hedgerows are clearly identifiable.**

## **Policies For Transport**

### **POLICY T1: IMPROVING THE FOOTPATH AND CYCLE WAY NETWORK**

128. BDLP Policy CN9 seeks to promote a safe, efficient and convenient transport system. Measures include the provision of coherent and direct cycling and walking networks.
129. Policy T1 seeks to improve the network of footpaths and cycle ways. This objective would contribute towards sustainable development, by encouraging the use of sustainable modes of transport. However, the precise wording of Policy T1 does not provide a practical framework for decision making. In particular, 'opportunities will be taken' are not precise and the last sentence is just a statement. I have suggested alternative wording.
130. Paragraph 6.121 requires new developments to make proportionate contributions towards the provision or improvement of the footpath and cycle way network identified in Illustration 6g. It has to be recognised that contributions can only be sought where they meet the tests that they are necessary to make the development acceptable in planning terms, directly related to the development, and fairly and reasonably related in scale and kind. To have regard to national policy, I recommend modification to

paragraph 6.121 to reflect these tests and have recommended the deletion of reference to development near the network from Policy T1.

131. BDBC has raised concern that the National Cycle Route identified on Illustration 6g appears to stop north of Bramley. In the interest of clarity, I recommend modification to this Illustration to indicate that the National Cycle Route continues both north and south of the Parish.
132. Subject to the proposed modifications above, I consider Policy T1 would contribute towards sustainable development, have regard to policy in the NPPF and be in general conformity with strategic policy in the BDLP.
133. **Recommendation: to meet the Basic Conditions;**

**I recommend modification to Policy T1 to read as follows:**

**The development, improvement and extension of the footpath and cycle way network, as identified in Illustration 6g, will be supported and encouraged in order to provide better connectivity within the village, safe routes to school and better access to the countryside and to surrounding destinations.**

**I recommend modification to Illustration 6g to indicate that the National Cycle Route continues both north and south of the Parish.**

**I recommend modification to paragraph 6.121 to reflect that contributions can only be sought where they meet the statutory tests in the Community Infrastructure Levy Regulations 2010.**

## **POLICY T2: IMPROVING ROAD SAFETY IN BRAMLEY**

134. The NPPF at paragraph 32 requires that *all developments that generate significant amounts of movement should be supported by a Transport Statement or Transport Assessment*. PPG states: *Local planning authorities must make a judgement as to whether a development proposal would generate significant amounts of movement on a case by case basis*.
135. BDLP Policy CN9 sets criteria to ensure a safe, efficient and convenient transport system. It states: *development proposals that generate significant amounts of movement must be supported by a Transport Statement or Transport Assessment and will normally be required to provide a Travel Plan*. This policy cross refers to PPG with regard to such a requirement.
136. Paragraphs 6.124 and 6.129 and the first paragraph of Policy T2 seek a Transport Statement or Transport Assessment for all significant new development. Appendix G identifies and evaluates known traffic hazards in the Parish. Paragraph 6.128 states: *For the purposes of Policy T2 significant development is defined as development that involves 10 or more*

*dwelling or 100m<sup>2</sup> or more of floor space.* In the context of this policy, I suspect that the latter part should refer to 'non-residential' floorspace.

137. The busy railway line and the busy C32, together with safe access to the school and the railway crossing barrier are clearly road safety concerns for the local community. I have visited the Parish and understand these concerns.
138. I recognise the need to ensure that new development does not have an adverse impact on highway safety in the vicinity of known traffic hazards. However, having regard to national policy, the requirement for a Transport Statement or Transport Assessment has to be determined on a case by case basis. Therefore, I recommend the deletion of the first paragraph in Policy T2 and associated text.
139. The wording in the second paragraph in Policy T2 does not provide a practical framework for decision making. I have suggested alternative wording to seek to ensure that new development does not have a severe adverse impact on road safety at known traffic hazards. I have specifically referred to 'severe adverse impact' to have regard to criteria in the NPPF and to be in general conformity with BDLP Policy CN9.
140. I have recommended the deletion of the contribution *to improved road safety, in the form of relevant physical works* from the second paragraph in Policy T2. This is a vague statement and such a requirement may not meet the statutory tests in the Community Infrastructure Levy Regulations 2010.
141. I note that Hampshire County Council, as Highway Authority, does not fully support the measures proposed to mitigate identified traffic hazards in Appendix G. To provide a practical framework for decision making, I recommend modification to Appendix G. Preferably the solutions to the traffic hazards should be modified to those that have the support of the Highway Authority, or at least Appendix G should be modified to make it clear where the Highway Authority does not support the solution.
142. Subject to the above modifications, I consider that Policy T2 meets the Basic Conditions.
143. **Recommendation: to meet the Basic Conditions;**

**I recommend modification to Policy T2 to read as follows:**

**Development proposals will not be supported if it is demonstrated that there will be a severe adverse impact on road safety at the known traffic hazards identified in Appendix G that cannot be satisfactorily mitigated.**

**I recommend modifications to Paragraphs 6.124, 6.128 and 6.129 to reflect the modification to Policy T2.**

**I recommend modifications to Appendix G. Preferably the solutions to the traffic hazards should be modified to those that have the support of the Highway Authority, or Appendix G should be modified to make it clear where the Highway Authority does not support the solution.**

## **Policies For Employment**

### **POLICY E1: NEW EMPLOYMENT DEVELOPMENT**

144. The NPPF promotes a strong rural economy. At paragraph 28 it states: *planning policies should support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development.*
145. BDLP Policy EP4 lists criteria for economic uses in the countryside. These include that all development proposals must be well designed and of a use and scale that is appropriate to the site and location.
146. Policy E1 sets criteria for new small businesses and the expansion or diversification of businesses in the Parish. The second criterion with regard to having no adverse impact on the natural or built environment does not provide a clear practical framework for decision making. It appears to be referring to impact on the character and appearance of the surrounding area. In the interest of precision, I have suggested modified wording.
147. The NPPF emphasises that advanced high quality communications infrastructure is essential for sustainable economic growth. There is a recognised need for faster broadband to support local businesses in the Parish. The last paragraph in Policy E1 meets the Basic Conditions, particularly where it has regard to national policy and contributes towards sustainable economic development.
148. **Recommendation: to meet the Basic Conditions;**

**I recommend modification to Policy E1 to read as follows:**

**Proposals for the development of new small businesses and for the expansion or diversification of existing businesses in the parish of Bramley will be encouraged, providing that**

**a) it can be demonstrated that there will be no unacceptable adverse impact resulting from increased traffic, noise, smell, lighting, vibration or other emissions or activities generated by the proposed development; and**

**b) no adverse impact on the character and appearance of the surrounding natural or built environment will result from the proposed**

**development when assessed against other policies in this Neighbourhood Plan or the Basingstoke and Deane Local Plan; and**

**c) where appropriate, opportunities are taken to secure the re-use of vacant or redundant historic buildings as part of the development.**

**Where relevant, development proposals for new employment development must provide a Connectivity Statement setting out how the development will provide for a fibre optic connection to the nearest connection point in the public highway. Wherever possible the development must provide suitable ducting to enable more than one service provider to provide a fibre connection to the development.**

### **Minor Modifications**

149. BDBC has listed general observations and suggestions and has identified minor typing errors. Where I have not already mentioned them, these have no bearing on the Basic Conditions. I see these as editorial matters which can be dealt with as minor amendments to the Plan.
150. BDBC has identified an error in the SEA Report at paragraph 14.8.1 with regard to reference to designated Assets of Community Value and to the names of Community Value policies. I see this as an editorial matter which can be dealt with as a minor amendment.
151. I have identified where I consider modifications to the text are required to conform with suggested modifications to policies. It is not for me to re-write the Plan. If other minor amendments are required as a result of my proposed modifications, I see these as editorial matters which can be dealt with as minor amendments to the Plan.

## **Referendum and the Bramley Neighbourhood Development Plan Area**

152. I am required to make one of the following recommendations:
- the Plan should proceed to Referendum, on the basis that it meets all legal requirements; or
  - the Plan as modified by my recommendations should proceed to Referendum; or
  - the Plan does not proceed to Referendum, on the basis that it does not meet the relevant legal requirements.

153. **I am pleased to recommend that the Bramley Neighbourhood Development Plan 2011-2029 as modified by my recommendations should proceed to Referendum.**
154. I am required to consider whether or not the Referendum Area should extend beyond the Bramley Neighbourhood Development Plan Area. I see no reason to alter or extend the Neighbourhood Development Plan Area for the purpose of holding a referendum.

**Janet Cheesley**

**Date 21 October 2016**

## Appendix 1 Background Documents

The background documents include:

The National Planning Policy Framework (2012)  
The Planning and Compulsory Purchase Act 2004  
The Localism Act (2011)  
The Neighbourhood Planning Regulations (2012)  
The Neighbourhood Planning (General) (Amendment) Regulations (2015)  
The Planning Practice Guidance (2014)  
Basingstoke and Deane Local Plan 2011 to 2029 (adopted May 2016)  
BDBC Compliance Check for the Bramley Neighbourhood Plan (15 July 2016)  
Regulation 16 Representations  
Summary of Regulation 16 Representations  
BDBC comments on the Submission Neighbourhood Plan (5 September 2016)  
Supporting Documentation includes all appendices to the Neighbourhood Plan and specifically includes:  
Bramley Consultation Statement (March 2016)  
Bramley Basic Conditions Statement (May 2016)  
Strategic Environmental Assessment of the Bramley Neighbourhood Plan: Environmental Report (May 2015)  
Strategic Environmental Assessment of the Bramley Neighbourhood Plan: Environmental Report Update (June 2016)  
Email correspondence with BDBC dated 23 September 2016 and 3 October 2016 regarding housing figures.