



## **Basingstoke and Deane Local Planning Authority**

### **Burghclere Parish Neighbourhood Plan 2016 – 2029**

#### **REGULATION 18 DECISION STATEMENT (proceeding to referendum)**

##### **1. Introduction**

- 1.1 In accordance with the Town and Country Planning Act 1990 (as amended), the borough council has a statutory duty to assist communities in the preparation of neighbourhood plans and to progress their neighbourhood plans through examination, referendum and to 'make' the Plan.
- 1.2 In accordance with Regulation 18 of the Neighbourhood Planning (General) Regulations 2012 Basingstoke and Deane Borough Council (BDBC) has produced this 'Decision Statement' in relation to the Burghclere Parish Neighbourhood Plan (BUR NP). This statement confirms that the modifications proposed in the Examiner's Report on the BUR NP have been accepted by the borough council and the Plan has been consequently amended. The Plan can now proceed to referendum.
- 1.3 The Examiner's Report and submission BUR NP, including supporting documents, can be viewed on the council's website at:

<https://www.basingstoke.gov.uk/BURNP>

Hard copies of the documents can also be viewed at the borough council offices (Basingstoke and Deane Borough Council, Civic Offices, London Road, Basingstoke, RG21 4AH).

##### **2. Background**

- 2.1 On 26 February 2018 BDBC designated the Burghclere Neighbourhood Area for the purpose of preparing a Neighbourhood Plan. The plan area covers the parish of Burghclere and lies solely within the Basingstoke and Deane Local Planning Authority Area.
- 2.2 Burghclere Parish Council (BUR PC), the qualifying body, submitted the draft BUR NP and supporting documents to BDBC on 8 November 2019.
- 2.3 Following submission of the BUR NP, BDBC publicised the Plan and supporting documents and invited representations during the consultation period which ran from 6 December 2019 for 7 weeks, ending on 24 January 2020.
- 2.4 BDBC, with the consent of BUR PC, appointed an independent examiner, Janet Cheesley to review the Plan and assess whether it should proceed to referendum.

- 2.5 The Examiner's Report was received on 23 March 2020 and recommended that, subject to a number of proposed modifications, the Plan should proceed to referendum. The modifications are required to ensure that the Plan meets the basic conditions set out in the legislation (Para 8(2) Schedule 4B Town and Country Planning Act 1990). The examiner also recommended that the area for the referendum should be based on the designated neighbourhood area which the Plan relates to.
- 2.6 In accordance with the legislation (Schedule 4B paragraph 12 Town and Country Planning Act 1990), the Local Planning Authority must decide what action to take in response to the examiner's recommendations, what modifications to make to the Plan and whether the Plan should proceed to referendum.
- 2.7 If the Local Planning Authority is satisfied that the Plan can proceed to referendum, it is also required to consider whether the Referendum Area should be extended beyond the Burghclere Neighbourhood Area (Schedule 4B paragraph 12(8) Town and Country Planning Act 1990).

### **3. Local Planning Authority Decision**

3.1 Having considered the Examiner's Report the Local Planning Authority confirms that:

- The Examiner's recommended modifications are accepted and agreed. The modifications have been agreed and are supported by the Local Planning Authority in the interests of ensuring that the BUR NP meets the basic conditions, improving precision for accurate interpretation of the Plan, and making necessary minor edits to the Plan.
- The BUR NP, incorporating all the recommended modifications and consequential modifications<sup>1</sup>, should proceed to referendum as the Plan:
  - meets the basic conditions in paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990 (as amended);
  - is compatible with Convention Rights (the European Convention on Human Rights) and complies with the Human Rights Act 1998;
  - is compliant with the provision made by or under sections 38A and 38B of the Planning and Compulsory Purchase Act 2004.
- The recommended modifications will not have significant environmental effects. A Strategic Environmental Assessment was required for the BUR NP.
- It agrees with the Examiner's recommendation to proceed to a referendum based on the Burghclere Neighbourhood Area as approved by the council.

3.2 This decision has been made in accordance with the relevant legislation, guidance and advice and in response to the recommendations made in the Examiner's Report.

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<sup>1</sup> Modifications in order to correct errors/inaccuracies resulting from the amendments made in light of the Examiner's Report.

- 3.3 Due to the current COVID-19 pandemic, the referendum on the neighbourhood plan will be postponed until at least 6 May 2021 in line with the Local Government and Police and Crime Commissioner (Coronavirus) (Postponement of Elections and Referendums) (England and Wales) Regulations 2020. The BUR NP will become part of the borough's Development Plan for the area as soon as it receives support at the referendum. Due to the current postponement of referendums, where the local planning authority has issued a decision statement (as set out under Regulation 25 of the Neighbourhood Planning (General) Regulations 2012) detailing its intention to send a neighbourhood plan to referendum, the Local Government and Police and Crime Commissioner (Coronavirus) (Postponement of Elections and Referendums) (England and Wales) Regulations 2020 has set out that a plan can be given significant weight in decision-making, so far as the plan is material to the application.
- 3.4 Not less than 28 days before the date of the referendum the borough council must publish on their website and make available an information statement and specified documents (which will include the BUR NP, as revised in light of the Examiners recommendations). These documents will be made available during the referendum period for inspection including at the council's Civic Offices.

## Schedule of Modifications to the Burghclere Neighbourhood Plan

### Appendix 1: Modifications in line with the Examiner's recommendations and in consent with Burghclere Parish Council (changes ordered as per Examiner's report)

Change Reference	Policy/Paragraph	Page in Submission Neighbourhood Plan	Description of Modification	Explanation of modification
BUR NP 1	Policy B1	18	<p>Delete last paragraph of policy text:</p> <p><del>'Development proposals outside of the defined settlement boundary will only be supported if they are appropriate forms of development within rural areas suited to a countryside location or a location within the North Wessex Downs AONB and they accord with policies of the development plan relating to the historic environment, heritage assets, landscape character and the natural environment.'</del></p> <p>Replace with:</p> <p><u>'Outside the Settlement Boundary is considered to be countryside where other development plan policies and national policies apply.'</u></p>	To meet the basic conditions.
BUR NP 2	Policy B1	18	Include map identifying the original Settlement policy Boundary and the new Settlement Boundary.	To meet the basic conditions.
BUR NP 3	General	N/A	On all maps where the Settlement Boundary is defined throughout the Plan, amend the Settlement Boundary to the new Settlement Boundary as defined under Policy B1.	To meet the basic conditions.

Change Reference	Policy/Paragraph	Page in Submission Neighbourhood Plan	Description of Modification	Explanation of modification
BUR NP 4	Policy B2, clause iii)	19	<p>Replace text in criterion iii) to read as follows:</p> <p><del>‘The remaining un-developed land within the gross site area is set out as a combination of formal and informal recreation space and incorporates a Local Equipped Area for Play (LEAP) that is accessible to children from the village;’</del></p> <p><u>‘the provision of informal and formal recreation space to the Basingstoke and Deane Borough Council’s adopted standards including a Local Equipped Area for Play (LEAP), if there is a proven need, which is accessible to children from the village;’</u></p>	To meet the basic conditions.
BUR NP 5	Policy B2, clause iv)	19	Delete criterion iv).	To meet the basic conditions.
BUR NP 6	Policy B2, clause vi)	19	<p>Modify text in criterion vi) as follows:</p> <p>Mature trees and hedgerows forming the site boundary are retained unless their removal is essential, <del>with a landscape belt to the southern and western boundary to attenuate background noise from the A34 and the minimum required to facilitate an efficient development layout;</del></p>	To meet the basic conditions.
BUR NP 7	Policy B2, clause viii)	19	<p>Modify text in criterion viii) as follows:</p> <p>A biodiversity strategy is prepared in accordance with the development plan, <del>including a sustainable drainage scheme, which together delivers</del> a ‘net gain’</p>	To meet the basic conditions.

Change Reference	Policy/Paragraph	Page in Submission Neighbourhood Plan	Description of Modification	Explanation of modification
			in overall biodiversity value on site <u>and a drainage strategy is prepared and agreed with the Lead Local Flood Authority;</u>	
BUR NP 8	Policy B2	19	Delete the last paragraph.	
BUR NP 9	Paragraphs 5.14 and 5.15.	20-21	Modify the text in each paragraph to indicate that the preparation of a design brief and community involvement in that brief is encouraged prior to any planning application as opposed to being a requirement.	To meet the basic conditions.
BUR NP 10	Paragraph 5.16	21	Modify the text in order for the desire for Community Land Trust involvement to be included as supporting text.	To meet the basic conditions.
BUR NP 11	Paragraph 5.20	21	Replace the first sentence of paragraph 5.20 to read as follows:  <del>“In addition, if within the same 3 year period planning permission for the development has been obtained, but no progress has been made to secure the operation of the Business Hub then consideration will be given to how this use may be secured.”</del>  <u>“If no progress is being made to secure the operation of the Business Hub then consideration will be given to how this use may be secured.”</u>	To meet the basic conditions.
BUR NP 12	Policy B2		Include an inset OS base map at an appropriate scale that ensure the precise boundaries of the allocated site are clearly identifiable.	

Change Reference	Policy/Paragraph	Page in Submission Neighbourhood Plan	Description of Modification	Explanation of modification
BUR NP 13	Policy B3	22	Delete policy.	To meet the basic conditions.
BUR NP 14	Paragraphs 5.19, 3.9, 3.10, 5.23, 5.25 and Plan D	21, 13 and 23 respectively	<p>Delete paragraph 5.19, the final sentence of paragraph 3.9:</p> <p><i>“It is acknowledged that Basingstoke and Deane already calculates its five-year housing supply with a 20% buffer due to recent under delivery in the Borough, in order to provide the Neighbourhood Plan with longevity and to avoid an early review should Basingstoke and Deane fail to meet the housing delivery test (76% as at November 2018 which is below the required 95% set out in paragraph 75 of the NPPF), it was agreed that the Neighbourhood Plan should allocate an additional quantum of housing to that required by policy SS5, it also includes flexibility to accommodate future housing growth should this be necessary.”</i></p> <p>paragraph 3.10, the end of paragraph 5.23:</p> <p><i>“and the identification of the broad location for reserving land for additional housing supply, but only if that becomes necessary”,</i></p> <p>paragraph 5.25 and Plan D in relation to the deletion of Policy B3.</p>	To meet the basic conditions.
BUR NP 15	General	Various	Modify the end of the Plan period to 2029.	To meet the basic conditions.
BUR NP 16	Policy B4	24	Modify the first part of the policy text as follows:	To meet the basic conditions.

Change Reference	Policy/Paragraph	Page in Submission Neighbourhood Plan	Description of Modification	Explanation of modification
			<p><del>“Where planning permission is required, development proposals on residential garden land within the Settlement Boundary will be supported subject to the following criteria:”</del></p> <p>Delete the last paragraph:</p> <p><del>“Visually prominent extensions of residential garden land into the open countryside will be resisted unless it supports development essential for agricultural, forestry or countryside recreation or is deemed to harm the character and appearance of the open countryside or result in visual intrusion.”</del></p>	
BUR NP 17	Paragraph 5.26.	24	<p>Delete the second sentence in paragraph 5.26.</p> <p><del>“This policy sets out the Plan’s approach to potential development on residential garden land. It seeks to establish an appropriate balance between promoting sustainable development on the one hand while safeguarding the character and appearance of Burghclere village and maintaining residential amenity on the other.”</del></p>	The meet the basic conditions.
BUR NP 18	Policy B5	25	<p>Modify the text in Policy B5 as follows:</p> <p>“Proposals for residential development will be expected to provide a mix of dwelling types and sizes to address the nature of local needs and contribute to the objective of creating a mixed and balanced community. To achieve this objective, new residential development will seek to include in their housing mix, a majority of 2 and 3 bed dwellings.</p>	To meet the basic conditions.



Change Reference	Policy/Paragraph	Page in Submission Neighbourhood Plan	Description of Modification	Explanation of modification
			<p>In addition to the provisions of relevant Local Plan policies, the 40% affordable housing element for new residential development should seek to include a tenure suitable for first time buyers, those looking to rent their first home and downsizers.</p> <p>The Parish Council is very supportive of community-led development. This may involve schemes involving housing, small business units and other appropriate community uses. The Neighbourhood Plan encourages schemes to give full consideration to deliver some of the affordable housing element through a Community Led Housing model, for which an appropriate lettings policy will be agreed with the Borough Council.”</p>	
BUR NP 19	Policy B5, paragraph 5.33	26	Incorporate the last paragraph in Policy B5 (the paragraph deleted in change reference BUR NP 18 above) into paragraph 5.33.	To meet the basic conditions.
BUR NP 20	Policy B6 and paragraphs 5.34 – 5.36.	26-27	Delete Policy B6 and accompanying supporting text in paragraphs 5.34 – 5.36.	To meet the basic conditions.
BUR NP 21	Policy B7	27	<p>Modify the text of Policy B7 to read as follows:</p> <p>Proposals for development will be supported, provided they are of high quality and positively contribute to the character and distinctiveness of the Parish, <u>having regard to guidance in the Burghclere NP – Design Statement (Appendix 1 in this Plan).</u></p> <p>Development proposals, including alterations and extensions, will be supported, provided they are</p>	To meet the basic conditions.

Change Reference	Policy/Paragraph	Page in Submission Neighbourhood Plan	Description of Modification	Explanation of modification
			<p>visually attractive and have full regard to the distinctive character of the Parish and existing design features such as:</p> <ul style="list-style-type: none"> <li>i. the common use of hip roof forms and the retention of chimney-stacks where decorative or operational, and the use of these as important features on new large expanses of roof;</li> <li>ii. the common use of brick, tile hanging, and natural slate in building materials;</li> <li>iii. the weather-boarded elevations of traditional farm buildings and the occasional use of thatch on older buildings contributing to the diverse character of the area;</li> <li>iv. the important role broad-leaved trees and native hedges play in defining the overall character of the area.</li> </ul> <p>Within Burghclere village, <u>as identified on Map [xx] in the Burghclere NP – Design Statement</u>, in addition to the principles set out above, development proposals will be <u>supported where they required to demonstrate their response to the Neighbourhood Plan Design Statement</u> and therefore be design led and have full regard to the following:</p> <ul style="list-style-type: none"> <li>v. the importance of defining the essential character of the village with dwellings set back from the main road;</li> <li>vi. the importance of the <u>setting group value</u> of heritage assets, other buildings and structures, open</li> </ul>	

Change Reference	Policy/Paragraph	Page in Submission Neighbourhood Plan	Description of Modification	Explanation of modification
			<p>spaces, mature trees and tall hedges to defining the village centre in front of the Portal Hall and Church of Ascension at the junction of Church Lane and Harts Lane;</p> <p>vii. the importance of trees and hedges along the frontage boundaries of most plots in softening the streetscape, requiring landscaping and access proposals of schemes to avoid, or minimise the loss of existing vegetation, or to provide new trees and tall hedges if currently absent;</p> <p>viii. the importance of unobstructed views from the village to the surrounding countryside in creating a rural ambience;</p> <p>ix. the importance of wooded areas in creating a feeling of seclusion and intimacy.</p> <p>Proposals within the North Wessex Downs AONB should also have regard to the <u>criteria in Development Policies of the AONB Management Plan.</u></p>	
BUR NP 22	Burghclere NP – Design Statement		<p>Delete Appendix 1 of the Design Statement.</p> <p>Include a map defining the boundary of Burghclere Village for the purposes of this Design Statement.</p>	To meet the basic conditions.
BUR NP 23	General		Include the modified Burghclere NP – Design Statement as Appendix 1 in this Plan.	To meet the basic conditions.

Change Reference	Policy/Paragraph	Page in Submission Neighbourhood Plan	Description of Modification	Explanation of modification
BUR NP 24	Policy B8	28	<p>Modify the text in Policy B8 to read as follows:</p> <p>“Proposals for <u>all</u> development must be well designed, <u>and where appropriate</u> contribute to health and wellbeing <del>and mitigate the effects of, and adapt to, climate change</del>. Where appropriate, the design of proposals should <u>have regard to</u> <del>be informed by</del> the 10 characteristics of ‘well designed places’ set out in the National Design Guide.</p> <p><u>Non-residential P</u>roposals will be expected to make the fullest contribution to minimising carbon dioxide emissions in accordance with the energy hierarchy and make efficient use of natural resources (including water), by making the most of natural systems to reduce vulnerability to climate change impacts over the lifetime of the development.</p> <p><del>Planning applications must demonstrate through a written statement how the delivery of sustainable design standards is integral to the development. As a minimum, development will be expected, subject to viability, to achieve the standards required by the National Model Design Code including space standards or any subsequent national requirements.”</del></p>	To meet the basic conditions.
BUR NP 25	Paragraph 5.41		Delete paragraph 5.41.	To meet the basic conditions.
BUR NP 26	Policy B9 / Policies Maps		Identify the location of the Local Heritage Assets listed in Policy B9 on the Policies Maps.	To meet the basic conditions.

Change Reference	Policy/Paragraph	Page in Submission Neighbourhood Plan	Description of Modification	Explanation of modification
BUR NP 27	Policy B10	30	<p>Modify the text in Policy B10 to read as follows:</p> <p>“New development will be supported where it is demonstrated that it is sympathetic to the character and visual amenity of the local landscape, and the features that characterise the Parish and the setting of the village in the wider landscape, <u>in accordance with Local Plan Policy EM1.</u></p> <p>Features include the open downland character to the south of the Parish and woodlands, hedges, wildlife corridors including water features, traditional orchards and other natural environment and heritage assets.</p> <p><del>Development proposals must seek to avoid any significant effects on Important Views particularly the long views from the village towards the Clere Scarp including Watership Down, Whitway and the conspicuous landmark of Beacon Hill all within the North Wessex Downs Area of Outstanding Natural Beauty (NWD AONB).”</del></p>	To meet the basic conditions.
BUR NP 28	Policy B11	31	<p>Modify the text in Policy B11 to read as follows:</p> <p>“The Neighbourhood Plan identifies Important Views on Plans [xx] below. Development proposals <u>within Burghclere Parish</u> that are located within or immediately adjoining an Important View will only be supported if it can be demonstrated that the key features of the view can continue to be enjoyed including distant buildings, areas of landscape and</p>	To meet the basic conditions.

Change Reference	Policy/Paragraph	Page in Submission Neighbourhood Plan	Description of Modification	Explanation of modification
			<p>the juxtaposition of the village edge and surrounding countryside.</p> <p><del>Proposals will not be supported which comprise buildings or other structures, the height and/or mass of which will obstruct or undermine an Important View.</del></p> <p><u>Development proposals which would have a significant adverse visual impact on an identified Important View will not be supported.</u></p>	
BUR NP 29	Policy B11	31	Include an inset OS base map(s) at an appropriate scale that ensures the precise locations and directions of the Important Views are clearly identifiable.	To meet the basic conditions.
BUR NP 30	Policy B12	35	<p><del>“The Neighbourhood Plan designates</del> <u>identifies</u> a Green Infrastructure Network, as shown on the Green Infrastructure Maps, for the purposes of promoting access to the countryside and ecological connectivity throughout the parish. The Network comprises Local Green Spaces, informal open spaces, footpaths, woodland, land of biodiversity value including designated environmental and landscape assets, Biodiversity Opportunity Areas, Nature Improvement Areas, or Species and Habitats of Principal Importance.</p> <p>Development proposals that lie in the broad location of the network are required to have full regard to</p>	To meet the basic conditions.

Change Reference	Policy/Paragraph	Page in Submission Neighbourhood Plan	Description of Modification	Explanation of modification
			<p>maintaining and improving the network, including delivering a 'net gain' to general biodiversity assets in the design of their layouts, landscaping schemes and public open space provisions.</p> <p><del>Proposals that will lead to the loss of land lying within the Network and that will undermine its integrity will be resisted.</del> Development proposals that will lead to the extension of the Network will be supported, provided they are consistent with all other relevant policies of the development plan."</p>	
BUR NP 31	Policy B13	40	Include an inset OS base map(s) at an appropriate scale that ensures the precise boundaries of the Local Green Spaces are clearly identifiable.	To meet the basic conditions.
BUR NP 32	Policy B14	42	<p>Delete the last sentence in Policy B14.</p> <p><del>"...A proposal to consider a community led housing scheme on Pinder Trust land that would impact on the Millennium Garden and allotments would take relocation into account."</del></p>	To meet the basic conditions.
BUR NP 33	Policy B15	42	<p>Modify the text in Policy B15 to read as follows:</p> <p>"Proposals to expand an existing tourist attraction will be supported, provided that the scheme has sufficient off-street car parking space; <del>and</del> has regard to the amenities of adjoining residential properties; <u>and is of a scale appropriate to its location.</u>"</p>	To meet the basic conditions.
BUR NP 34	Policy B16	43-44	Delete Policy B16 and accompanying supporting text in paragraphs 5.62 – 5.65.	To meet the basic conditions.

<b>Change Reference</b>	<b>Policy/Paragraph</b>	<b>Page in Submission Neighbourhood Plan</b>	<b>Description of Modification</b>	<b>Explanation of modification</b>
BUR NP 35	Policy B17	44	<p>Modify the text in Policy B17 to incorporate minor correction as follows:</p> <p>In addition to the provisions of relevant Local Plan policies, all new parking should be provided off-street, unless an essential justification can be demonstrated. Proposals to establish <u>a</u> new public car park at a suitable location in the village will be supported.</p>	Minor editing matter.
BUR NP 36	Paragraph 5.67	44	<p>Modify the text in the third line of paragraph 5.67 to incorporate minor correction as follows:</p> <p>“...Policies CN9 and EM10, and <u>replaces</u> the previous 2008 (updated 2012) version...”</p>	Minor editing matter.
BUR NP 37	Introduction	6-8	Update introduction to generally reflect the plan stage where relevant.	Minor editing matter.

Please note that as a result of the Examiner’s recommended modifications, consequential changes also likely to be needed to be made to the Plan in order to avoid factual errors and inaccuracies (Schedule 4B paragraph 12(6) Town and Country Planning Act 1990). Such modifications are not all listed in the Schedule above. Furthermore, other minor changes such as typographical and factual updates are also no listed in the schedule unless referenced in the Examiner’s report. .