

## **ES&BG NP Submission Plan**

### **Consultation Statement Appendix H**

#### **Responses to Statutory Consultee Comments on Reg 14 Pre-Submission Draft of the ES&BG NP** (file CS Appendix H Responses to Reg 14 PSC Statutory Consultee Comments.pdf)

This document has two sections:

1. Comments by Local Planning Authority (Basingstoke & Deane Borough Council) and responses/actions taken from these to create the Submission Version of the NP
2. Comments from other Statutory Consultees and response/actions taken from these to create the Submission Version of the NP.

## **Section 1 – Comments by Local Planning Authority (Basingstoke & Deane Borough Council) and responses/actions taken from these to create the Submission Version of the NP**

The text and tables from the LPA response received on 7th October 2022 has been ported into this document and the responses, changes and actions taken to arrive at the submission version of the ES&BG NP written alongside. Members of the ES&BG NP team had a Teams meeting on with members of the B&D BC LPA team to clarify/discuss/agree some points arising from the LPA's response to the consultation.

The covering letter welcomed the draft plan and pointed to a set of suggestions to help arrive at a Submission Plan that would be successful at examination

*The LPA very much welcomes your efforts to bring forward a Neighbourhood Plan and recognises the considerable amount of work which has been involved. The document builds a clear picture of the issues facing Ecchinswell, Sydmonton and Bishops Green over the Plan period and develops a clear vision and a positive policy approach in response to these issues.*

*The comments set out below have been provided to assist the Neighbourhood Plan Steering Group in producing a submission version of the Plan and have been considered by the Portfolio Holder for Planning and Infrastructure in consultation with the local ward councillors. The response is based on the information provided and available at the time of reviewing the consultation material.*

*The LPA has made a number of suggestions that you may wish to consider prior to submission in order to try and ensure that the Plan is successful at examination and will ultimately operate as a strong planning policy framework for the parish. From experience with other Neighbourhood Plans, it is important to address any issues at this stage as no further modifications are possible once the Plan has been submitted.*

*As you will see, this response is organised into two parts. Part 1 considers the draft Neighbourhood Plan against the 'basic conditions' which the examiner will use to assess the Plan, whilst Part 2 provides a more detailed assessment of different parts of the document.*

*The LPA would welcome the opportunity to discuss these comments further and to assist if required.*

The ES&BG NP team and the Parish Council reviewed the LPA response – the overall support for the plan was welcomed and the changes made in recognition of the LPA responses are detailed below

## **Part 1 – Local Planning Authority comments in relation to the ‘basic conditions’**

An independent examiner will assess the Ecchinswell, Sydmonton and Bishops Green Neighbourhood Plan (ESBG NP) against the ‘basic conditions’, which can be summarised as follows:

1. Whether the neighbourhood plan has regard to national planning policy and guidelines
2. Whether the neighbourhood plan contributes to achieving sustainable development
3. Whether the neighbourhood plan is in general conformity with the borough council’s development plan
4. Whether the neighbourhood plan complies with EU and human rights obligations
5. Whether the neighbourhood plan breaches the requirements of the Conservation of Habitats and Species Regulations

These comments consider the draft ESBG NP against each of the ‘basic conditions’ criteria. At the time of submission it will be necessary to provide a Basic Conditions Statement to demonstrate how these have been met.

LPA Comment	ES&BG NP response & action
<p><b>1) Having regard to national policies and advice contained in guidance issued by the Secretary of State</b></p> <p>Planning Practice Guidance (PPG Reference ID: 41-070-20190509) states that:</p> <p>‘Paragraph 13 of the National Planning Policy Framework is clear that neighbourhood plans should support the delivery of strategic policies contained in local plans and spatial development strategies. Qualifying bodies should plan positively to support local development, shaping and directing development in their area that is outside these strategic policies. More specifically paragraph 29 of the National Planning Policy Framework states that neighbourhood plans should not promote less development than set out in the strategic policies for the area, or undermine those strategic policies.’</p> <p>The NP sets out a positive strategy for development in the parish. It allocates two new housing sites and introduces settlement policy boundaries around the parish’s two principal settlements.</p> <p>The adopted Local Plan does not require the plan to allocate sites for development, however the NP sets out a strategy to meet longer term housing needs that have been identified through the Local Plan Update (LPU) evidence base. The draft Settlement Study, as discussed at Economic, Planning and Housing Committee in January 2022 identifies that it would be suitable for both Bishops Green and Ecchinswell to have settlement policy boundaries, and a potential requirement for 15 new homes in Bishops Green over the LPU plan period (to 2039).</p> <p>It should be noted that the draft LPU is still at a very early stage (the proposed requirements have not been agreed by the council, or subject to any public consultation) so there is a risk that these requirements could change. Nonetheless, the NP sets out a positive strategy, and for the purposes of NPPF paragraph 14, the LPA considers that the NP would ‘contain policies and allocations to meet its (the Parish’s) identified housing requirement’.</p> <p>The site allocations are supported by a range of locally-distinctive policies that will help to deliver high quality, sustainable development. The National Planning Practice Guidance (Paragraph: 041 Reference ID: 41-041-20140306) highlights the importance of how policies are worded. It states that policies ‘... should be drafted with sufficient clarity that a decision maker can apply it consistently and with confidence when determining planning applications. It should be concise, precise and supported by appropriate evidence.’</p> <p>The LPA considers that the plan is very well written, is thorough and has a clear structure. However, there are a number of instances where the policy wording should be clarified to make certain that the decision maker is using the policy in the manner intended. These are highlighted in Appendix 1.</p> <p>The LPA also has concerns that the proposed climate change policies go beyond the scope of national policy. The council fully understands the importance of mitigating and adapting to climate change, as illustrated by the Climate Change Declaration made in 2019. However, Policies ESG16 (Zero Carbon Buildings) and ESG17 (Carbon Sinking) are particularly aspirational, and the LPA is concerned that these would not meet this basic condition.</p> <p>It is recognised that this is an area of considerable change, and that some parts of national policy (such as parts of the Planning Practice Guidance) may be considered out of date. However, it is noted that the examiner for the Ashford Hill with Headley Neighbourhood Plan removed reference to residential standards that went beyond Building Regulations on the grounds that the March 2015 Written Ministerial Statement prevented neighbourhood plans from setting local technical standards.</p>	<p>The PC &amp; NP team welcomes the recognition of a positive strategy for development in the parish. This is the result of extensive consultation with the community who want to see a longer term outlook for the parish that addresses local growth and sustainability.</p> <p>The plan period was discussed with the LPA team on 13 October and a way forward agreed.</p> <p>There is good recognition that the ES&amp;BG NP has been prepared with close regard for the evidence and draft policies in work on the B&amp;D BC Local Plan Update and therefore takes a longer term view than the current B&amp;D BC Adopted Local Plan.</p> <p>The ES&amp;BG PC commit to an early review of the ES&amp;BG NP once the B&amp;D BC LPU has advanced to its final stages particularly if the final LPU housing allocation to the parish is increased materially.</p> <p>This discussion/agreement is reflected in changes made to Section 3 of the ES&amp;BG NP notably para 3.10 to 3.12.</p> <p>The points on the clarity of policy wording has been embraced and the Submission version of the plan contains wording that should bring added clarity.</p> <p>The concern that climate-change policy proposals go beyond current standards is noted recognising that this is a fast changing policy area.</p> <p>The proposed ESG17 policy on carbon sequestration had been dropped and some of the text of the ESG16 policy on Zero-Carbon Ready buildings has been amended. It is our understanding that Neighbourhood Plans with similar policies to ESG16 have recently undergone successful examination.</p>

LPA Comment	ES&BG NP response & action
<p><b>2) Contribute to achievement of sustainable development</b></p> <p>With regard to sustainable development, the PPG states that:</p> <p>‘This basic condition is consistent with the planning principle that all plan-making and decision-making should help to achieve sustainable development. A qualifying body should demonstrate how its plan or Order will contribute to improvements in environmental, economic and social conditions or that consideration has been given to how any potential adverse effects arising from the proposals may be prevented, reduced or offset (referred to as mitigation measures).</p> <p>In order to demonstrate that a draft neighbourhood plan or Order contributes to sustainable development, sufficient and proportionate evidence should be presented on how the draft neighbourhood plan or Order guides development to sustainable solutions. There is no legal requirement for a neighbourhood plan to have a sustainability appraisal. However, qualifying bodies may find this a useful approach for demonstrating how their draft plan or order meets the basic condition. Material produced as part of the Sustainability Appraisal of the local plan may be relevant to a neighbourhood plan.’</p> <p>The NP contributes to the achievement of sustainable development through a range of policies that seek to shape the built and natural environment.</p> <p>The Regulation 14 Plan is supported by a Sustainability Appraisal (SA). An SA Scoping Report, published in February 2022 identified seven key SA objectives based around the themes of Biodiversity and Geodiversity, Climate Change, Landscape, Historic Environment, Land, Soil and Water Resources, Community Wellbeing and Transportation.</p> <p>Each of the NP’s shortlisted sites were assessed against these objectives as part of the site selection process to ensure that sustainability considerations had been taken into account. The Plan’s policies have also been assessed against these themes, and the SA concluded that the Plan would have generally positive effects.</p>	<p>The final version of the SA has the same conclusion as that submitted for Regulation 14 Pre-Submission Consultation</p>
<p><b>3) General conformity with the strategic policies of the Development Plan</b></p> <p>In terms of ensuring general conformity with the Development Plan, the PPG (Paragraph: 074 Reference ID: 41-074-20140306) states that:</p> <p>“When considering whether a policy is in general conformity a qualifying body, independent examiner, or local planning authority, should consider the following:</p> <ul style="list-style-type: none"> <li>• whether the neighbourhood plan policy or development proposal supports and upholds the general principle that the strategic policy is concerned with</li> <li>• the degree, if any, of conflict between the draft neighbourhood plan policy or development proposal and the strategic policy</li> <li>• whether the draft neighbourhood plan policy or development proposal provides an additional level of detail and/or a distinct local approach to that set out in the strategic policy without undermining that policy</li> <li>• the rationale for the approach taken in the draft neighbourhood plan or Order and the evidence to justify that approach.” <p>The ESBG NP takes the opportunity to set out locally specific policy requirements in relation to a range of planning issues and the LPA considers that the ESBGNP is in general conformity with the strategic policies of the Development Plan.</p> </li></ul>	<p>No comment</p>

LPA Comment	ES&BG NP response & action
<p><b>4) European obligations and human rights requirements</b></p> <p>Strategic Environmental Assessment</p> <p>The LPA screened the draft ESG NP in December 2021 and determined that a Strategic Environmental Assessment (SEA) (in accordance with the Environmental Assessment of Plans and Programmes Regulations 2004) would be required.</p> <p>The LPA re-screened the need for SEA in August 2022 as the original determination had not taken into account the impact of the Plan upon protected nature conservation sites in the Solent. This was required because part of the parish is within the catchment of the River Test where advice from Natural England indicates that waste water from new overnight accommodation could have significant effects upon those protected habitats.</p> <p>In the LPA's view, this did not change the original conclusion that an SEA was required. The LPA is currently consulting with the Environment Agency, Historic England and Natural England to inform the final determination.</p> <p>Habitats Regulation Assessment</p> <p>The LPA screened the draft ESG NP in December 2021 and determined that a Habitats Regulation Assessment was not required.</p> <p>The LPA re-screened the need for HRA in August 2022 to ensure the screening decision took full account of the impact of the Plan upon protected nature conservation sites in the Solent (as set out above).</p> <p>The draft plan is not proposing to allocate any development sites within the affected area, and the plan includes policies to restrict new residential development in the countryside and protect the natural environment.</p> <p>It was therefore considered that there were not likely to be significant effects on any European sites (or Ramsar sites) flowing from ESG NP. Accordingly, the LPA's provisional conclusion was that an appropriate assessment was still not required.</p> <p>The LPA is currently consulting on this provisional conclusion with the Environment Agency, Historic England and Natural England to inform the final determination.</p> <p>The LPA will provide the Parish Council with a final (updated) screening opinions for SEA and HRA in due course.</p> <p>Equality Impact Assessment and Human rights requirements</p> <p>The LPA has undertaken an equalities impact assessment and found that the draft Plan would have a generally positive impact for a range of protected characteristic groups.</p> <p>The submission neighbourhood plan should be supported by an Equalities Impact Assessment (undertaken by the Neighbourhood Plan Group) which provides an analysis of the equality implications of the potential implementation of policies and what impact this may have on different equality groups. The aim of this process is to determine whether there are any adverse impacts of policies and whether alternative policies may need to be considered.</p> <p>It is also suggested that an assessment is carried out to demonstrate that the Plan would be compatible with human rights obligations.</p>	<p>The final screening report and decision notice for the SEA/HRA rescreening was issued by B&amp;D BC on 6<sup>th</sup> October 2022 and, as anticipated, reconfirmed the need for an SEA but not for an HRA. (see document Supp Ev A that accompanies the submission version of the plan)</p> <p>Accordingly an SEA-SA for the ESG NP has been prepared by AECOM and is published along with the Submission Plan.</p> <p>An assessment of Equality Impact Assessment and Human Rights Obligations has been prepared and is included with the submission version of the plan</p>
<p><b>5) Conservation of Habitats and Species Regulations</b></p> <p>It is considered the proposals would not breach the Conservation of Habitats and Species Regulations.</p>	<p>No comment</p>

## **Part 2: Detailed Assessment of the Ecchinswell, Sydmonton and Bishops Green Neighbourhood Plan and Supporting Documentation**

This section provides a more detailed assessment of the ESBGNP in relation to the 'basic conditions' requirements. This includes an assessment of how the ESBGNP would operate in practice once it is 'made', as it is important to ensure that the ESBGNP can be implemented in a manner which delivers on the objectives of the document. Annex A to this response sets out some additional minor/factual observations.

In most cases, the objective and intent of the policies is supported, but the suggestions are aimed at ensuring that the policies achieve the objective for which they are intended. Rather than review each policy in detail, the comments only address those policies where the LPA has identified specific issues which it thinks need to be addressed.

Section/ Policy	Issue	Relevant National Guidance (NPPF and PPG) and Local Policy	Potential options or actions	Action Taken
General	<p>The Neighbourhood Plan period should align with the adopted Local Plan and only cover the period up to 2029 (as this is the period of time covered by the Local Plan's strategic policies).</p> <p>Although it is recognised that the Plan seeks to meet needs beyond this period, strategic policies have not yet been finalised through the Local Plan Update.</p> <p>It should be noted that the examiner for the Burghclere NP identified that a similar change was necessary to meet the basic conditions.</p>		Revise end date of plan period to 2029.	<p>See above in the response to item 1 (Having regard to national policies and advice contained in guidance issued by the Secretary of State) in Part 1 of this document.</p> <p>Agreement with LPA that obligation to review plan as required when LPU is well advanced enables the plan period for the ES&amp;BG NP to remain as 2021-2039.</p> <p>See sections 3.10 to 3.12 of the main plan document.</p> <p>Circumstances for the Burghclere plan were different because Burghclere had a housing allocation in the ALP</p>
Policy ESG2: Housing Supply to meet local needs	Criterion A – In BP3 the use of the term 'up to' implies that that the identified number of windfall dwellings would be a maximum.	ALP Policy SS1 supports the principle of development in SPBs.	Change to 'approximately'. It is noted that this approximate yield is explained in para 5.15.	Policy amended accordingly
Policy ESG2: Housing Supply to meet local needs	<p>Criterion B - It is unclear what is meant by the term 'affordable to buy in terms of size and facilities' and whether this refers to affordable or market homes. It is noted that both of the site allocations (Policies ESG3 and 4) include specific criteria relating to housing mix, so this criterion in this overarching policy may not be necessary.</p> <p>25% of the affordable housing should be First Homes (not all housing). The council's 'First Homes Interim Policy Statement' is likely to be superseded over the life of the Plan. Suggest policy just refers to the requirement for 25% First Homes.</p>	<a href="http://www.gov.uk">First Homes - GOV.UK (www.gov.uk)</a>	<p>Consider whether Criterion B is required and, if so, whether the tenure can be made clearer.</p> <p>If criterion is to be retained, it should be required that 25% of the affordable housing (not all housing) is First Homes.</p>	Policy and supporting text amended accordingly.

Section/ Policy	Issue	Relevant National Guidance (NPPF and PPG) and Local Policy	Potential options or actions	Action Taken
Policy ESG2: Housing Supply to meet local needs	<p>Clause Di) – Concern how this requirement aligns with emerging national policy. The Written Ministerial Statement on First Homes (May 2021) requires that:</p> <p>‘Local authorities should support the development of these First Homes exception sites, suitable for first-time buyers, unless the need for such homes is already being met within the local authority’s area’.</p> <p>It is recognised that the PPG requires that First Homes exception sites should be ‘proportionate in size to the existing settlement’. If more than one site came forward around a settlement its cumulative impact could be disproportionate. It may therefore be reasonable to restrict development to one FHES around each settlement (rather than one in the whole parish, as currently drafted).</p> <p>It may also be helpful to clarify that FHESs should be adjacent to settlements (as set out in the WMS) and that they cannot come forward in the AONB (as set out in the PPG).</p>	<p>The Written Ministerial Statement on First Homes (May 2021)</p> <p>PPG ID 70-026-20210524</p>	<p>Remove or loosen restriction on number of FHESs in parish.</p> <p>Consider including additional locational requirements.</p>	<p>Policy and supporting text amended accordingly.</p>
Policy ESG3: Housing in Bishops Green (and para 5.21)	<p>Criterion B I - It is suggested that:</p> <ul style="list-style-type: none"> <li>• The policy expresses the types of housing mix in percentages to improve clarity</li> <li>• The policy focuses on the house size (no. of bedrooms), rather than typologies that relate to the type of final occupier which cannot be controlled.</li> <li>• The policy is made clearer about how the housing mix relates to tenure. Suggest it focuses on the market units so the affordable mix can be determined based on needs at the time.</li> </ul>	<p>BDBC Housing SPD PPG ID: 41-041-20140306</p>	<p>Revise policy wording to provide greater clarity about housing mix.</p>	<p>Policy and supporting text in both ESG2 and ESG3 amended accordingly.</p>
Policy ESG3: Housing in Bishops Green	<p>Criterion B II -</p> <ul style="list-style-type: none"> <li>• Should require the provision of safe and convenience for all users (i.e. rather than just the current reference to vehicular access).</li> <li>• Could also explicitly require the provision of replacement hedges (i.e. setback clear of the access visibility splays, etc.).</li> </ul>	<p>ALP Policy CN10 (Transport)</p>	<p>Consider revising policy wording</p>	<p>Policy and supporting text amended accordingly.</p>
Policy ESG3: Housing in Bishops Green	<p>Criterion B III –</p> <ul style="list-style-type: none"> <li>• The provision of a new footway to provide safe and convenient access for the future residents to/from Eagle Road and the other local amenities appears desirable, subject to this being accepted by the Local Highway Authority. Subject to the views of the LHA, the footway could be a requirement of the planning consent rather than a financial contribution (as drafted).</li> <li>• It is unclear whether the ‘Slow the pace’ contribution could be justified, particularly given the scale of the development and the likely extent of impact upon the highway (see also comments on Policy ESG18).</li> </ul>	<p>NPPF Paragraph 57</p>	<p>Revise policy wording</p>	<p>Policy and supporting text amended accordingly.</p>

Section/ Policy	Issue	Relevant National Guidance (NPPF and PPG) and Local Policy	Potential options or actions	Action Taken
Policy ESG3: Housing in Bishops Green	Criterion B VI – Suggest policy includes reference to tree lined streets. It is recognised this is included within the Design Code but it could also benefit from being explicitly stated in the policy.	NPPF para 131- Planning policies and decisions should ensure that new streets are tree-lined	Revise policy wording	Scheme does not involve streets so this does not apply. Extensive landscaping and tree planting are included in the scheme
Para 5.31	This refers to Appendix T which provides a Design Report for the site. This paragraph should explain the purpose of this Design Report and its relationship with the design brief required by criterion C.  Unless the document is to be given particular status, it is considered that Appendix T could be an evidence base document (demonstrating what could be achieved on the site) rather than an appendix to the plan.	PPG ID: 41-041-20140306	Consider status of site promoter's design report	Supporting text amended accordingly.  Now in Supporting Evidence
Sketch plan (page 35)	It is unclear if the sketch is consistent with the policy and supporting text as it is unclear if the site could accommodate the required number of dwellings and the required parking and waste facilities.  It is suggested that it may be more appropriate to have a 'higher-level' diagram here. This would identify the general location of the principal land uses, accesses, pedestrian and cycle link, buffers, landscaping etc.  This would also provide greater scope for the more detailed design matters to be satisfactory addressed closer to the planning application stage.		Revise supporting sketch.	New sketch inserted
Policy ESG4: Housing in Ecchinswell	Criterion B I – <ul style="list-style-type: none"> <li>• The policy could express the types of housing mix in percentages to improve clarity</li> <li>• The policy focuses on the house size, rather than typologies that relate to the type of final occupier which cannot be controlled.</li> </ul>	PPG ID: 41-041-20140306	Revise policy wording	Housing mix is now covered in revised wording of ESG2. ESG4 amended accordingly.
Policy ESG4: Housing in Ecchinswell	Criterion B II – It is unclear how the scheme is expected to make efficient use of the site, given the yield is set out in the policy.		Suggest criterion is deleted.	Policy amended accordingly.
Policy ESG4: Housing in Ecchinswell	Criterion B III - Should provide safe and convenient access for all users (rather than just vehicular).		Revise policy wording	Policy and supporting text amended accordingly.

Section/ Policy	Issue	Relevant National Guidance (NPPF and PPG) and Local Policy	Potential options or actions	Action Taken
Policy ESG4: Housing in Ecchinswell (paras 5.39 and 5.40)	<p>Criterion B IV – It is unclear whether ‘consideration of a green path’ is a requirement for it to be delivered as part of the development, or not. A requirement would need to meet the tests for planning obligations, as set out in NPPF para 57.</p> <p>Para 5.39 – Further information regarding the deliverability of the green path is likely to be needed. Detail on the specifics of the path such as the connections, width, management would also be useful.</p> <p>Concern about the suitability of taking a financial contribution towards ‘Slow the Pace’ measures, particularly given the scale of development (see also comments on Policy ESG18).</p>	NPPF para 57	Revise policy wording	Policy and supporting text amended accordingly.
Policy ESG4: Housing in Ecchinswell (para 5.34)	There is reference to the homes being ‘affordable to buy’. It is presumed that this means small market homes rather than discounted market sales affordable housing. First Homes could not be required on a development of market homes.		Revise supporting text.	Policy and supporting text amended accordingly.
Para 5.43	This refers to Appendix U which provides a Design Report for the site. This paragraph should explain the purpose of this Design Report and its relationship with the design brief required by criterion C.		Revise supporting text.	Supporting text amended accordingly. Design Report Now in Supporting Evidence.
Sketch plan (page 39)	It is unclear as to whether this is consistent with this policy and the supporting text. Suggest it would be more appropriate to provide a higher-level site layout that would then provide greater scope for the more detailed design matters to be satisfactory addressed closer to the planning application stage.		Revise supporting plan	New sketch inserted
ESBG5: Design Quality	<p>The design codes may need to be applied to developments which don't involve new or altered buildings, but that still have an impact on the landscape character of an area (for example a solar farm).</p> <p>Policy should not require the use of the checklist, as there are other ways to demonstrate compliance with the Design Code. The policy could require high quality design that is in keeping with the locally distinctive character of the area and in accordance with the Design Code. The supporting text could signpost that the checklist is the most appropriate way of doing this.</p> <p>Would question whether the second bullet point unnecessarily duplicates the requirement to comply with the Design Code in the introductory text.</p>		Revise policy wording.	<p>Policy and supporting text amended accordingly.</p> <p>Design Guidance and Codes Document also amended accordingly</p>

Section/ Policy	Issue	Relevant National Guidance (NPPF and PPG) and Local Policy	Potential options or actions	Action Taken
ESBG7: Community Engagement in Design	<p>It is considered that it could be clearer for applicants if policies ESBG5 and ESBG7 were combined as these policies both relate to design, and the Building for a Healthy Life Assessment would be best included in the Design and Access Statement (as part of describing the design of the scheme).</p> <p>In relation to criterion A, 'engagement with the community' may not be appropriate for all scales of development (such as a small extension). This could be limited to 'development proposals which are likely to generate public interest, and particularly with regard to design issues'.</p>		Revise policy wording. Consider merging policies ESBG5 and ESBG7	<p>Policy and supporting text amended accordingly.</p> <p>ESBG7 has been retained as a separate policy given the importance seen in engaging the community on these matters.</p>
ESBG9: Support for Homeworking	<p>Residential development/extensions to facilitate home working should only be within residential curtilages regardless of whether the sites are in the settlement or the countryside.</p> <p>The policy could explicitly support the provision of facilities to allow 'Work Near Home', as supported by para 5.64.</p>		Revise policy wording.	Policy and supporting text amended accordingly.
ESBG10: Broadband and mobile communications	<p>Criterion A – It is reasonable to require the developer to provide suitable ducting (to facilitate a connection) but not to make the connection itself which is a commercial matter.</p>		Suggest policy criterion is amended to remove requirement for the connection to be installed.	Policy and supporting text amended accordingly.
ESBG11: Community Facilities	<p>Criterion A - It is recognised that the open areas (Ecchinswell recreation ground, Digweeds and Access Land) have community value, however it is not clear how the requirements of Part B would be applied to them (and whether they should be included in this policy).</p> <p>The recreation ground and Digweeds are also Local Green Spaces – which could result in a policy tension, as the LGS policy is less permissive.</p>		Suggest the open areas are removed from this policy.	Policy and supporting text amended accordingly. ESBG 14 applies to these open areas.

Section/ Policy	Issue	Relevant National Guidance (NPPF and PPG) and Local Policy	Potential options or actions	Action Taken
ESBG12: Green Infrastructure Network and Recovery	<p>The general principle of connecting habitats to the green infrastructure network is supported. It is recognised that the Parish Council has worked with the Hampshire Biodiversity Information Centre (HBIC) to identify important habitats (Appendix L).</p> <p>It would be helpful if the NP was explicit that 'the network' (as addressed by the policy) was all of the habitats shown on the map and the green corridors between them (ie everything on the map).</p> <p>The evidence base should explain how the green corridors have been identified in terms of their sizes/widths and locations.</p> <p>In relation to Criterion B, requirement should be to '<u>maintain or</u> improve the functionality of the network'. The BNG should be calculated in accordance with the relevant Defra metric, which may change over the life of the Plan.</p> <p>Criterion C. The mitigation hierarchy would need to be applied on all sites, but the metric and net gain plan is only required for developments over 0.1ha.</p>		Revise policy wording	<p>The corridors are schematic and the edges of the green lines are not intended to depict the hard edge of a corridor.</p> <p>Supporting text now includes reference to the Cambridge Nature Network map (a Govt pilot).</p> <p>Policy and supporting text amended accordingly.</p>
ESBG13: Valued Landscapes and key Views	<p>Criterion B – It would be clearer if this criterion just related to the key views as the policy tests for development in the AONB are already set out in criterion A.</p> <p>It is not necessary to refer to the AONB as a valued landscape as NPPF para 176 gives the AONB specific protection (and there is scope for confusion as the Local Plan Update is considering identifying separate valued landscapes in the borough).</p>		Revise policy wording	Policy and supporting text amended accordingly.

Section/ Policy	Issue	Relevant National Guidance (NPPF and PPG) and Local Policy	Potential options or actions	Action Taken
ESBG14: Local Green Spaces	<p>The areas of land identified as LGS are justified in Appendix S and would appear to meet the criteria set out in national policy.</p> <p>It should be noted that the Ashford Hill NP examiner amended the wording of the proposed LGS policy:</p> <p>99. Following a Court of Appeal case with regard to the lawfulness of a LGS policy in a neighbourhood plan: (<i>Lochailort Investments Limited v. Mendip District Council and Norton St Philip Parish Council</i>, [2020] EWCA Civ 1259), I consider it necessary to modify this policy by simply listing the LGS sites. This will ensure that there can be absolutely no doubt regarding the lawfulness of the policy. The restrictions on development with regard to LGS designation will continue to apply through the NPPF. This will ensure that policies for managing development within a LGS are consistent with those for Green Belts. This ensures that the policy meets the Basic Conditions.</p> <p>It is therefore suggested that the first sentence of criterion B is deleted to be consistent with this approach.</p>		Suggest deletion of first sentence of criterion B.	Policy and supporting text amended accordingly.
ESBG16: Zero Carbon buildings	<p>The LPA supports the principle of including measures to mitigate climate change (and the principle of zero carbon buildings), however it is noted that the NP policy goes beyond what national planning policy currently allows. There is some inconsistency in how Local Plan inspectors have addressed this issue, but the council is not aware of such policies being permitted in neighbourhood plans. Furthermore, the Written Ministerial Statement 2015 explicitly prevents neighbourhood plans setting local standards.</p> <p>It is agreed that the principles set out in criterion A are relevant for minimising energy use. However, it is suggested that the standards identified in criterion B should be expressed as a recommendation (or a standard to be encouraged) rather than a policy requirement. As a consequence of this, criteria C, D and E would not be required.</p>	<p>Written Ministerial Statement of 25 March 2015</p> <p>PPG ID: 6-012-20190315</p>	Revise policy to set out general principles and a recommended standard.	<p>See above in the response to item 1 (Having regard to national policies and advice contained in guidance issued by the Secretary of State) in Part 1 of this document.</p> <p>Policy is retained as it is our understanding that Neighbourhood Plans with similar policies to ESBG16 have recently undergone successful examination.</p> <p>Policy and supporting text have been amended.</p>

Section/ Policy	Issue	Relevant National Guidance (NPPF and PPG) and Local Policy	Potential options or actions	Action Taken
ESBG17: Carbon 'Sinking' (Sequestration)	<p>While sequestration would reduce development's whole life carbon emissions, there are concerns about the reasonableness of the approach and how it would comply with national policy.</p> <p>Notwithstanding the above, should you decide to retain the policy, it would be helpful for the supporting text to explain the standard required from the Woodland Carbon Code.</p> <p>Further explanation should also be provided in relation to how the requirement fits with the Public Open Space requirements. It is also not clear how the financial contribution (in criterion B) would be calculated, where the contribution would be spent, and how it would meet the requirements of a planning obligation as set out in NPPF para 57.</p>	NPPF para 57 (requirements for planning obligations)	Delete policy or revise policy wording	Policy has been removed
ESBG18: Encouraging Active and Sustainable Travel	<p>The Local Highway Authority (LHA) would normally determine when a development proposal would be likely to have a material impact on the safe and efficient operation of the highway, and when improvement/ mitigation is necessary. The proposed approach should be discussed with the LHA.</p> <p>There are concerns about whether it would be suitable for Section 106 to fund the 'Slow the Pace' measures, and it is considered that this could best be funded through the parish's portion of CIL. It is uncertain whether the contribution would be justified (given the relatively low scale of development), how it would be calculated, and the deliverability of the proposed schemes, and whether it would meet the requirements for a planning obligation as set out in NPPF para 57.</p> <p>Many of these proposals in the table on page 68 would be dependent upon securing the approval and actions by Hampshire CC (as the LHA) including any associated statutory processes, and possibly West Berkshire Council with respect to the A339 to the north. For example, it is understood that any changes to the existing speed limits within the parish would need to be progressed by Hampshire County Council including the associated statutory processes for amending the existing Road Traffic Orders, etc.</p> <p>This table also suggests the proposed designation of various "Quiet Lanes." However, it is understood that this would need to be agreed with HCC in the first instance, and that such a designation would need to accord with the relevant statutory processes (e.g. Quiet Lanes and Home Zones (England) Regulations, etc.).</p> <p>Criterion E – Cycle parking is required for all new dwellings as per the Parking SPD July 2018.</p>	NPPF para 57 NPPF para 113	Consider revising policy wording. Parts of the policy relating to 'Slow the Pace' could be moved into Chapter 6 to be implemented through the neighbourhood portion of CIL.	<p>Policy and supporting text amended accordingly.</p> <p>Some components moved from land-use policies to Section 6 as projects to be driven by the PC and/or community.</p>

<b>B&amp;D BC LPA Comments on Appendices</b>		<b>Action Taken</b>
General	<p>Consider which documents are appendices (to be published and adopted as part of the Plan) and which are evidence base documents that support and explain the proposed plan policies.</p> <p>It is recognised that it is important for the Design Code to be an appendix.</p> <p>The SEA should be a standalone document that is submitted alongside the Plan.</p>	<p>The set of documents making up the ES&amp;BG NP have been split between Primary Documents, Appendices to these Documents and supporting Evidence</p>
Appendix C	<p>Some of the maps make it slightly difficult for the reader to orientate themselves as the base map has limited labels in terms of roads and settlement names etc (for example, the movement plans).</p> <p>If the Plan is 'made' in its current form, care will be required to ensure that the Green Infrastructure Network is accurately translated to the council's GIS system, so it is identified for all relevant planning applications.</p> <p>The maps in the Plan should also be high quality.</p> <p>BDBC can assist with the preparation of maps is required.</p>	<p>Labels on the maps have been amended/augmented to help readability/usage.</p> <p>The maps in the plan document are of moderate resolution to ensure the overall document size is not too big for easy transmission/review. Appendix C by design has high resolution maps that are best viewed on a large monitor or printed on large sized paper.</p>

B&D BC LPA Comments on Appendices		Action Taken
Appendix D	<p>The Design Code is considered to be a good analysis of the character of the Neighbourhood Plan area and contains helpful Specific Design Principles.</p> <p><u>Section 4: Design Codes.</u> Suggest that the Area Wide Design Principles and the Specific Design Principles as applied to the Character Areas are each given their own reference using letters and numbers. This will greatly help the LPA and consultees such as the Parish Council refer to individual principles when applying them to a development proposal.</p> <p><u>Design Code 03: Building Typology (page 67)</u></p> <ul style="list-style-type: none"> <li>• Area Wide Design Principles first BP1 could be reworded to say:</li> <li>• 'New development should positively respond to the type, scale and form of existing buildings which define the character of the LLCA within which it is located and of immediately adjoining buildings'.</li> <li>• Area Wide Design Principles 4th bullet which starts "Detached and semi-detached houses are the dominant type of building..." could be deleted as this point about having regard to the type of building in the area is already covered by bullet 1.</li> <li>• Area Wide Design Principles 5th bullet starting "Independent two-storey..." could perhaps be deleted since this is a description of character and is not a design principle and, in any event, is covered by the bullet which follows it.</li> <li>• Area Wide Design Principles last two bullets starting "Development should..." and "Future development...". These principles address questions regarding the uses of buildings and meeting various needs. So should these bullets be deleted and these issues addressed elsewhere in the Plan?</li> </ul> <p><u>Design Code 06: Parking and Utilities (page 74)</u> Area Wide Design Principles first bullet. Delete 'minimum' as applied to the local planning authority standards.</p> <p><u>Design Code 08: Sustainability - Built Form (pages 77-78)</u> Area Wide Design Principles. It is recognised that the energy efficient technologies and measures listed here are only given as examples as what could be encouraged as appropriate to the circumstance and they are not necessarily required for all developments. It is suggested that the optional nature of these measures is emphasised within the context of how development can meet the requirements for sustainable construction and management in accordance with national and local requirements.</p>	<p>The Design Guidance and Codes document has been amended accordingly and per policy ESG5 is published as a separate document to be used in conjunction with the Plan</p>
Appendix J	<p>Introduction – consider the definition of Green Infrastructure in the NPPF which refers to blue spaces, economic benefits and linking to climate change.</p> <p><u>NPPF Glossary</u> Green infrastructure: A network of multi-functional green and blue spaces and other natural features, urban and rural, which is capable of delivering a wide range of environmental, economic, health and wellbeing benefits for nature, climate, local and wider communities and prosperity.</p>	<p>Amended accordingly</p>

Minor changes suggested to Neighbourhood Plan		
General comment	General point, as this is a development plan document (with considerable decision-making status) it would be stronger if the policies stated where development will be permitted rather than supported/resisted.	Policies & supporting text amended accordingly
Appendices	Suggest some of the reports are evidence base documents. Suggest retained appendices are listed on the contents page.	The set of documents making up the ES&BG NP have been split between Primary Documents, Appendices to these Documents and supporting Evidence
Introduction; Heritage Section	There should be reference to non-designated heritage assets. For example, the following sentence could be included:  Non-designated heritage assets may also be identified during the planning process. These are buildings, monuments, sites, archaeological remains, places, areas or landscapes identified as having a degree of significance meriting consideration in planning decisions but which are not designated heritage assets.	Text revised accordingly
Para 2.21	Para. 2.21 refers to the A339 as being a 'trunk road north of the parish.' However, it is understood that the A339 extending from Basingstoke towards Newbury was previously detrunked. Therefore, this section of the A339 is no longer a 'trunk road' such that it is simply a 'principal road' (A road) which is managed by HCC within Hampshire and WBC from the county border towards Newbury, etc.  <a href="#">The A339 Trunk Road (West Berkshire/Hampshire County Boundary at Knights Bridge, near Bishops Green to south of the A30 Blackdam Roundabout)(Detrunking) Order 2003</a> <a href="#">The A339 Trunk Road (B4640 Swan Roundabout to West Berkshire/Hampshire County Boundary) (Detrunking) Order 2003</a>	Text revised accordingly
2.30	Provide reference for, 'recent testing gave good results...'	Included
Policy ESBG2	The extra-homes allocated... (unclear what is meant by extra)	Text amended
Policy ESBG2/ESBG3/ESBG4	Suggest use of word 'Approximately' (in relation to capacity) rather than 'About'.	Text amended
Policy ESBG2	Para 5.13 refers to protection under paragraph 14 of the NPPF. The reader might need help understanding what this means.	Addition made to text
Policy ESBG3	In the interests of clarity, it may be advisable to update the references to a 'pedestrian path' and an 'improved footpath' (para. 5.27) to 'new footway.'	Text amended
Policy ESBG4	The policy refers to the 'U2' Ecchinswell Road. The <a href="#">HCC website</a> indicates the road forms part of the 'C155', therefore it is recommended that this is updated accordingly throughout the plan (including the road network diagram on page 68).	Corrected throughout the plan documentation
Policy ESBG7	Building for a Healthy Life (typo).	Text amended
Policy ESBG12	The council could ask HBIC to undertake surveys of any land that they might be considering for habitat improvement, including St Lawrence's Churchyard which has the meadow saxifrage.	Noted

<b>Minor changes suggested to Neighbourhood Plan</b>		
5.68	Refer to 'NERC Act Section 41 Priority Habitats' rather than BAP habitats	Text amended
Policy ESG18	Para 5.93 – In the interests of clarity, rather than the existing reference to 'Hampshire CC Transport & Roads' perhaps it is more precise to refer to HCC as the Local Highway Authority (i.e. for the parish and the rest of Hampshire).	Text amended
Maps	In some places the maps are insert maps, in others they're inset maps. It is difficult to identify where the inset maps are located on the main policies map.	Text amended
Maps	For policies which do have maps such as ESG13 and ESG14, it may be worth considering if the maps are more useful viewed alongside the policy.	Approach has been to group all the policies maps together as noted in the index to the plan
Appendix J	Para 3.5 SINC's designated by Hampshire SINC Partnership not HCC.	Text amended
Appendix K	LNRSs developed at county scale (not local authority)	Text amended
Appendix P	Page 1- XX needs to be replaced with a date or removed.	Text amended

## Section 2 Comments from other Statutory Consultees and response/actions taken from these to create the Submission Version of the NP.

Only 5 of the other Statutory Consultees commented on the Regulation 14 Pre-Submission Plan. Most either recommend following published advice in relation to developments or see no concerns. Southern Water and Thames Water ask for some policy modifications which have been taken up in the plan insofar as NPPF Planning Practice Guidance suggests.

Consultee	Comment	Response
National Grid	Only mentions that a 400kV line crosses the parish and requests consultation for any development near their assets	Noted by Parish Council
Southern Water	<p>Request policy additions in line with NPPF §153:</p> <p>ESBG3            B The scheme will be supported provided:            vii) It meets optional Building Regulations water efficiency standards of 110 l/p/d or lower. Rainwater harvesting and/or greywater recycling will also be encouraged.            viii) Appropriate measures are taken to protect groundwater sources.</p> <p>ESBG4            B The scheme will be supported provided:            vii) It meets optional Building Regulations water efficiency standards of 110 l/p/d or lower. Rainwater harvesting and/or greywater recycling will also be encouraged.</p> <p>Also want us to add a general policy to ensure consistency with the NPPF §28 and facilitate sustainable development.</p> <p>They propose an additional policy as follows:            New and improved utility infrastructure will be encouraged and supported in order to meet the identified needs of the community subject to other policies in the plan</p>	<p>Policies that duplicate elements of the NPPF are not required in a Neighbourhood Plan</p> <p>The need for appropriate utility infrastructure is made clear in the Plan.</p>

Consultee	Comment	Response
Thames Water	<p>No concerns over capacity for the proposed sites</p> <p>Want to see policy additions</p> <p>1) Proposed New Water/Wastewater Infrastructure Text</p> <p>“Where appropriate, planning permission for developments which result in the need for off-site upgrades, will be subject to conditions to ensure the occupation is aligned with the delivery of necessary infrastructure upgrades.”</p> <p>“The Local Planning Authority will seek to ensure that there is adequate water and wastewater infrastructure to serve all new developments. Developers are encouraged to contact the water/waste water company as early as possible to discuss their development proposals and intended delivery programme to assist with identifying any potential water and wastewater network reinforcement requirements. Where there is a capacity constraint the Local Planning Authority will, where appropriate, apply phasing conditions to any approval to ensure that any necessary infrastructure upgrades are delivered ahead of the occupation of the relevant phase of development.”</p> <p>2) Surface Water Drainage</p> <p>“It is the responsibility of a developer to make proper provision for surface water drainage to ground, water courses or surface water sewer. It must not be allowed to drain to the foul sewer, as this is the major contributor to sewer flooding.”</p>	<p>These are matters more related to planning permission processes and handled within B&amp;D BC <a href="#">Planning Procedures</a> and/or the management of an actual application for detailed planning permission.</p>
National Highways	No comment as only nearby asset is A34	Noted
Historic England	No comment – refer us to advice on their website	Noted

