

**ECCHINSWELL, SYDMONTON AND BISHOPS GREEN NEIGHBOURHOOD PLAN  
REGULATION 14 ANALYSIS STATUTORY BODIES/LANDOWNERS: OCTOBER 2022**

**1. Introduction**

1.1 This note summarises the representations made by the statutory bodies and by developers/landowners on the Pre-Submission version of the Ecchinswell, Sydmonton and Bishops Green Neighbourhood Plan ('the Plan') during its recent 'Regulation 14' consultation from 26 August to 7 October 2022. It concludes by recommending main modifications to the ESBGNP so that it may be submitted to the local planning authority, Basingstoke and Deane Borough Council (BDBG), to arrange for its examination and referendum. This remains subject to the same analysis being undertaken for representations made by the local community.

1.2 The report will be published by the 'qualifying body' (QB), the ESBG Parish Council, and it will be appended to the Consultation Statement that will accompany the submitted neighbourhood plan, in line with the Neighbourhood Planning (General) Regulations 2012 (as amended).

**2. Representations**

2.1 Representations have been received from:

1. Basingstoke and Deane Borough Council
2. Historic England
3. National Grid
4. Thames Water
5. Southern Water
6. National Highways
7. Oneill Homer on behalf of landowners for land at Bishops Green (BGI) and land at Ecchinswell (EX)
8. Turley on behalf of Hathor Property who control land north of Bishops Green at Woodside View (BGB)
9. Boyer on behalf of Sedas Strategic Land who control land at Bishops Green Farmhouse (BGF)

2.2 Natural England, Environment Agency, West Berkshire Council, North Wessex Downs AONB and Hampshire County Council were consulted but made no comments. **It is therefore recommended that these bodies are encouraged to submit comments as quickly as possible, particularly the latter.**

2.3 Historic England provide their generic neighbourhood planning advice. National Grid provides mapping indicating electrical assets in the south of the parish, none of which affect any proposed development sites. National Highways have no comments in terms of the potential impact to the safe and efficient operation of the strategic road network. **No changes necessary**

2.4 Thames Water confirm they do not envisage any waste water infrastructure concerns related to the proposed site allocations and supply a calculation for each site to this effect. They request the addition of policies in the plan regarding new water/waste water infrastructure and surface water drainage. However, it is noted that Policy EM6 Water Quality and Policy CN6: Infrastructure of the Basingstoke and Deane Local Plan deal with these matters. Specifically, paragraph 5.55 requires developers to demonstrate that existing, planned and/or committed infrastructure is sufficient to accommodate new proposals. **No change necessary.**

2.5 Southern Water, the statutory water supplier, confirm the parish lies in an area of 'serious water stress' and propose an addition to allocation polices ESBG3 and ESBG4 to include a water energy efficiency standard of 110 litres per person per day. This requirement is already contained in Policy EM9: Sustainable Water Use. **No change necessary.**

### 3. Analysis

3.1 The representations, notably those of Basingstoke and Deane Borough Council, include suggested minor modifications to the text of the plan document, as well as those of more consequence. Minor editing and policy clarification will be dealt with separately as a matter of course. This note focuses only on those of greater substance as all those others can be addressed in finalising the submission documentation.

3.2 BDBC supports the positive strategy taken by the Plan in advance of the Local Plan Update (LPU) and in relation to most of its policies and in some cases suggested that they are more consistently worded. They raise three points of substance with regards to the Plan and its content:

- ***The Neighbourhood Plan should align with the Plan Period of the adopted Local Plan (2029)***

3.3 BDBC suggest amending the Plan period from 2039 to 2029. They cite the Burghclere NP examination but, we understand that recommendation was made under different circumstances, and where the Parish had a (§66) housing number defined in the policy SS5 of the adopted Local Plan, whereas ES&BG Parish does not. Following further discussion with B&DBC on this matter, both parties acknowledged that the Local Plan Update (LPU) is at its formative stages but that the Plan should have regard to 'reasoning and evidence' underpinning the emerging Local plan strategy.

3.4 In this regard, agreement has been reached between B&DBC and the QB, that the Plan Period should remain as 2021 – 2039 (given the indicative housing number relates to that

plan period), but that the QB would commit to an early review should the indicative housing number increase as a result of further work on the LPU. **It is therefore recommended that the Plan Period remains as 2021 – 2039 but Section 3 of the Plan explains the approach taken including a commitment to an early review should the housing requirement increase.**

- ***Concern that the climate change policies go beyond the scope of national policy***

3.5 B&DBC supports the principle of the policy ESG16 but incorrectly suggests that policy goes beyond what national policy currently allows but acknowledge there is inconsistency in how Local Plan Inspectors **and** Neighbourhood Plan examiners address this issue. B&DBC also quote the ‘infamous’ Written Ministerial Statement of 2015 and suggests the policy should be revised to set out general principles and a recommended (performance) standard (our emphasis).

3.6 In assessing the planning policy space on this matter, the Parish Council established that the Local Plan adopted in 2016 is out of date.

- Only making a passing reference in the supporting text to Policy EM10 of the importance of designing buildings to minimise energy consumption by prioritising ‘passive’ solutions as further described in the Housing and Sustainability SPD (page 87).
- EM10 was developed prior to Government committing the UK in law to ‘net zero’ by 2050 as per the Climate Change Act 2008 (as amended) and was therefore prepared under an outdated legal framework;
- Policy EM10 will require homes to be retrofitted to a later date, while in the shorter term increasing the risk of fuel poverty;
- The Tyndall Centre for Climate Research Carbon Budget Tool confirms that for B&DBC to make its fair contribution to delivering the Paris Agreement’s commitment, an immediate and rapid programme of decarbonisation is needed. At 2017 CO2 emission levels in the borough will exceed the recommended carbon budget available until 2050 in 7 years from 2020 (by 2027);
- If the borough is to achieve its [Horizon 2050](#) goals, new homes built now need to be zero carbon ready, as advised to Gov’t by the Climate Change Committee in their Sixth Carbon Budget Report.

3.7 It was therefore clear that the ESG NP needed to act to fill the policy space if it was to demonstrate that its policies contributed to the achievement of sustainable development, particularly ensuring that any new homes built now meet the needs of present and future generations, had full regard to the NPPF, and expressed the community’s wishes within the confines of planning policy. It is of course accepted that a borough-wide approach is urgently required in relation to this matter and the Parish Council hopes that B&DBC will take the opportunity offered through the Local Plan Update to pursue radical measures for the borough as proposed by Policy ESG16, and support other parishes who share their goals. **It is therefore recommended that the policy is retained in its entirety and a fuller**

**explanation of how the policy meets the ‘Basic Conditions’ are include in the Basic Condition Statement.**

3.8 With regard to Policy ESG17 (Carbon Sequestration) B&DBC set out the need for further evidence to justify the policy and suggest the option of deleting the policy. **Given the timescale necessary to prepare the technical evidence B&DBC indicate is necessary, it is recommended the Policy is deleted from the submission version.**

- ***General comments in relation to way housing mix and tenure are described and whether planning obligations tests would be met***

3.9 Throughout their response, B&DBC make several observation that relate to how the housing mix relates to tenure, and whether some of the ‘slow the pace’ measures identified would meet the tests set out in NPPF §57. **It is recommended that the relevant policies are reviewed and where necessary modified to provide the clarity B&DBC considers is necessary. These modifications principally relate to policies are ESG2, 3, 4 and 18**

3.10 Oneill Homer on behalf of landowners for land at Bishops Green and land at Ecchinswell has also confirmed that the land subject to allocation by policies ESG3 and ESG4 remain in single ownership and available for development in accordance with the criteria set out in the policy. **It is therefore recommended that the Parish Council highlights B&DBC’s comments to Oneill Homer on behalf of landowners and seeks their response on this specific matter**

3.11 Turley submitted comments on behalf of Hathor Property in respect of Policy ESG2. These comments are noted, however the response wrongly asserts that the Plan should not be brought forward before an up-to-date local plan is in place given the ‘considerable uncertainty with the overall housing provision and distribution...’. This suggested approach does not reflect Planning Practice Guidance Paragraph: 009 Reference ID: 41-009-20190509 which states that neighbourhood plans “*can be developed before or at the same time as the local planning authority is producing its local plan*”. **This will be addressed as per the recommendation above in paragraph 3.4.**

3.12 Turley, like the QB, also acknowledge that the Plan may need to adapt to a changing context, as discussed above in paragraph 3.3, and suggest it should increase the housing number to create greater flexibility. Some flexibility is already built in to the plan, and the level of ‘flexibility’ they suggest would run counter to the position agreed with B&DBC and the most recent assessment of its status as a category 4 ‘small village. More fundamentally however, it would run counter to the level of housing growth considered acceptable by the community, who ultimately will judge the Plan should it successfully proceed to referendum; which in turn will regain the primacy of the ‘Plan Led System’. **No modifications necessary as the plan is considered to be underpinned by an ‘appropriate’ strategy supported by B&DBC.**

3.13 Turley also make extensive comments on the Draft Sustainability Appraisal Report in respect of site BGB and its comparison with BGI. The draft Site Assessment Report seeks to demonstrate the “*proportionate, robust evidence that has been used to support the choices*

*made and the approach taken*” (as per §072 Ref ID: 41-072-20190509). **Given the SA process is iterative, the representation should be passed to AECOM for their consideration in their Final SA Report, along with any additional local evidence which has come to light. In addition, the Site Assessment Report should be reviewed to improve clarity (should it be needed) of the choices made.**

3.14 Turley also make comments in relation to ESBG12 Green Infrastructure Network and Nature Recovery which appear to misunderstand the purpose of the policy and particularly Clause B and D. The policy does not make the network inalienable, it expects development to maintain, extend and improve the functionality and integrity of the network. **It is therefore recommended that the supporting text clarifies that the ‘green corridors’ are schematically defined as per best practice from the Government’s Nature Recovery pilot projects and not land allocations with defined boundaries.**

3.15 Boyer submitted comments on behalf of Sedas Strategic Land who are promoting land at Bishops Green Farmhouse (site BGF) for approximately 27 dwellings, along with various promotional and technical documents. They support the principle of defining settlement boundaries through ESBG1 but appear to have misread the policy maps which in Bishops Green apply normal convention and include the area of built development of ESBG3 within the boundary. The inclusion of the nitrates clause in ESBG1 follows the recommended approach at the recent examination of the East Woodhay NP. **No Change necessary**

3.16. Like Turley, Boyer also suggest policy ESBG2 should include additional housing (in this case a total of approximately 50 dwellings over the plan period) to create a greater housing mix, facilitate more affordable homes and deliver wider infrastructure and community benefits and other benefits related to the Draft SA Report. They offer site BGF to make up this amount in addition to ESBG3 (BGI). This overall number would however significantly exceed the indicative housing number (by over 300%) **and undermine the approach agreed between the QB and B&DBC (as per paragraph 3.4 above)**

3.17. They make several observations on other policies. In respect of ESBG4, their comments on the deliverability of the ‘green path’ are addressed in paragraph 3.9 above. They broadly support policies ESBG5, ESBG9, ESBG12, ESBG18 and recommend some minor changes to wording, some of which will be dealt as a matter of course as a result of other recommendations. In respect of Policy ESBG16, the response to this is covered in paragraphs 3.5 to 3.7 above. **Address any incidental changes as appropriate in the submission version and pass their comments to AECOM for their consideration in the final SA Report.**

#### **4. Other Comments & Analysis**

4.1 Basingstoke and Deane have requested that the QB prepare an Equalities Impact Assessment and demonstrate that the Plan would be compatible with human rights obligations. The Steering Group has produced a ‘proportionate’ Equalities Impact Assessment that will accompany the Submission version of the Plan.

4.2 They have also requested high resolution versions of the policy maps. These will be provided in a separate Policy Booklet for onscreen viewing.

## **5. Summary**

5.1 The majority of the statutory consultee and landowner representations that have been received support the intention of the Plan. It is considered that only minor modifications will be necessary to improve the clarity and application of the policies of the plan, with the exception of the recommendation to delete Policy ESBG17 and renumber ESBG18 accordingly. Once the proposed modifications from this report are made, and improvements to supporting evidence made, it is recommended that Neighbourhood Plan can proceed to submission without further consultation.

5.2 The Steering group should also complete their schedule of comments from the community and append this report and the response to the community comments to the Consultation Statement.