



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

### **Old Basing and Lychpit Neighbourhood Development Plan 2015 – 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 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 Old Basing and Lychpit Neighbourhood Development Plan (OB&L NP). This statement confirms that the modifications proposed in the Examiner's Report on the OB&L NP have been accepted by the Council and the Plan has been consequently amended. The Plan can now proceed to referendum.
- 1.3 The Examiner's Report and submission OB&L NP, including supporting documents, can be viewed on the council's website at:

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

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 The parish of Old Basing and Lychpit was designated for the purposes of neighbourhood planning on 2 October 2014. The plan area covers the parish of Old Basing and Lychpit and lies solely within the Basingstoke and Deane Local Planning Authority Area.
- 2.2 Old Basing and Lychpit Parish Council, the qualifying body, submitted the draft OB&L NP and supporting documents to BDBC on 21 September 2017.
- 2.3 Following submission of the OB&L NP, BDBC publicised the Plan and supporting documents and invited representations during the consultation period which ran from 30 October 2017 for 6 weeks.

- 2.4 BDBC, with the consent of OB&L 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 in February 2018 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 s12 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 Old Basing and Lychpit Neighbourhood Area (Schedule 4B s.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:
  - All the Examiner's recommended modifications, as set out in Appendix 1, are accepted and agreed.
  - The OB&L 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; and
    - complies with the provision made by or under 61E(2), 61J and 61L.
  - The recommended modifications will not have significant environmental effects. An Environmental Assessment was not required for the OB&L NP.
  - It agrees with the Examiner's recommendation to proceed to a referendum based on the designated Old Basing and Lychpit 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 Not less than 28 days before the date of the referendum, the council must publish on their website and make available an information statement and specified documents (which will include the OB&L 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 Old Basing and Lychpit Neighbourhood Plan

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

Change Reference	Policy/Paragraph	Page in Submission Neighbourhood Plan	Description of Modification	Explanation of modification
OB&L NP 1	Contents	1	The page numbers on the contents page are not all correct, these should be amended when the document is finalised.	For clarity.
OB&L NP 2	Introduction	4	Revise the first paragraph to reflect the neighbourhood plan start date of 2015.	To meet the basic conditions and to ensure precision.
OB&L NP 3	Section 2.2.2	9	Delete:  <del>'If possible, this should be without expanding St Mary's and Old Basing Infants School, where space for expansion is limited and parking congestion is already problematic.'</del>	To meet the basic conditions. To ensure precision.
OB&L NP 4	Paragraph 2.2.1	9	Paragraph 2.2.1 refers to map 3. It should refer to map 4.	Minor editing and in the interests of precision.
OB&L NP 5	Strategic Gap Map	12	Text should include reference to the strategic gap map.	Minor editing and to provide clarity.
OB&L NP 6	Maps	Various	Maps should be renumbered (so there is not a map 2a).	Minor editing and to provide clarity.
OB&L NP 7	Paragraph 2.2.3	10	Revision of last sentence to reflect the policy requirements for a community centre to be delivered through ALP Policy SS3.9.  Recommended wording:  <del>'It is hoped that the promise of a Community Facility at the strategic site SS3.9 (East of Basingstoke) will help ease this pressure'</del>	To meet basic conditions and for precision.

Change Reference	Policy/Paragraph	Page in Submission Neighbourhood Plan	Description of Modification	Explanation of modification
			<u>Local Plan Policy SS3.9 c) requires the East of Basingstoke site to provide a community centre.</u>	
OB&L NP 8	Section 2.4	15	Modification of section 2.4 to reflect that both strategic site allocations are located within the Basingstoke Settlement Policy Boundary.	To meet basic conditions and for precision.
OB&L NP 9	Section 2.4	15/16	<p>The last two paragraphs of section 2.4 should be deleted.</p> <p>Deletion of:  '<del>In the 2004 Local Plan a Major Development area, east of Basingstoke including SS3.9 and Hodd's Farm were proposed; in the event these were not needed, but remained available for development. In discussions preceding the draft Local Plan 2011, these sites were still considered "available and deliverable" under SHLAA despite doubts about the effects on landscape, wildlife and habitat, and flood risk. Generally, the landscape value is rated as High and the Landscape Capacity for settlement Low signifying that it could not accommodate new development without significant and adverse impact on the landscape character.</del></p> <p><del>The draft Local Plan 2011 called for development of 900 houses in SS3.9, leading to a well-supported and effective campaign against the development "SOLVE" (Save our Loddon Valley Environment), demonstrating the strong local feeling of protection the community have towards</del></p>	For clarity.

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			<del>the preservation and longevity of the Loddon Valley."</del>	
OB&L NP 10	Section 2.4 and 2.5	15/16	Suggestion that section 2.4 and 2.5 should be amalgamated and renamed 'Local Planning Policy'.	Minor editing and to provide clarity to the reader.
OB&L NP 11	Topography	14	Modify paragraphs to refer to the Loddon and Lyde Character Area as being identified as a landscape character area in BDBC's Landscape Character Area Assessment 2001.	Minor editing and for precision.
OB&L NP 12	Topography	14	The BDBC Landscape Capacity Study 2010 should be correctly identified.	Minor editing.
OB&L NP 13	Local Planning Policy	17	<p>Second bullet point down should be edited to accurately reflect the position regarding housing requirements.</p> <p>Recommended wording:</p> <p><u>'In October 2016 and April 2017, the LPA wrote to the Parish Council regarding the outstanding requirements for Policy SS5 of the BDBC Local Plan. The letter confirmed that as of the 1<sup>st</sup> April 2016, 24 dwellings have been granted planning permission at Peacock House, London Road, which is within and adjacent to the defined Old Basing SPB in the period 2011-2016 and that this satisfies the "at least 10 dwellings" policy SS5 requirement subject to land supply considerations and current planning commitments being built out. Progress will continue to be monitored.'</u></p>	To meet the basic conditions and for precision.

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OB&L NP 14	Local Planning Policy	17	Correcting grammatical errors in the third bullet point.	Minor editing and to provide clarity.
OB&L NP 15	Local Planning Policy	17	Remove the table setting out affordable housing thresholds.	To meet basic conditions and for precision.
OB&L NP 16	3.3 Aims and Objectives of the Neighbourhood Plan	19	Modify objective 4 to reflect the amended objective 4 on page 26.	Minor editing.
OB&L NP 17	Objective 8	19 and 37	Objective should be amended, as below:  'To ensure that all new developments have regard to the Village Design Statement (2006) <del>in terms of design and where appropriate designed sympathetically to existing surroundings and</del> <u>contribute positively to local character and distinctiveness.</u> '	To meet the basic conditions and to provide clarity.
OB&L NP 18	Policy OB&L2: Developer Contributions	20	Recommended wording of Policy OB&L 2 as follows:  <del>'When planning permission is granted for development in Old Basing and Lychpit opportunities will be taken to enhance</del> <u>Where appropriate and directly related to new development, enhancement of identified Movement Routes on Proposals Map 4 will be required,</u> in accordance with Appendix 2 and agreed with the Parish Council. <del>Where appropriate and directly related to the development improvements to the identified Movement Routes</del> These will be secured by way of planning conditions, Section 106 contributions	To meet the basic conditions to provide a practical framework for decision making.

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			<u>or Community Infrastructure Levy contributions as appropriate.”</u>	
OB&L NP 19	Paragraph 4.2	20	Delete paragraph.  <del>‘It is also accepted that any new route out of the East of Basingstoke development (SS3.9) will create “pinch Points” on the adjoining roads (Pyotts Hill and A33).’</del>	To meet the basic conditions.
OB&L NP 20	Paragraph 4.6	21	Delete the first sentence of paragraph 4.6:  <del>‘Without these improvements, the resulting traffic congestion will put undue pressure on the traffic infrastructure.’</del>	To meet the basic conditions.
OB&L NP 21	Paragraph 4.7	21	Delete paragraph 4.7:  <del>‘In addition, this will be accompanied by the related problems of air pollution and CO2 emissions. According to transport statistics, new cars on average produce 125 gms/km, whilst older cars produce considerably more than this, with cars dating from 2003 producing an average of 172 gms / km’.</del>	To meet the basic conditions.
OB&L NP 22	Paragraph 4.9	21	Reference which criteria of the ALP policy have been extracted within the text.	Minor editing.
OB&L NP 23	Paragraph 4.10	21	Reference which criteria of the ALP policy have been extracted within the text.	Minor editing.
OB&L NP 24	Paragraph 4.10	21	Part of the sentence should be deleted:	Minor editing.

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			'The Neighbourhood Plan Policy 1 is also supported by the BDBC Local Plan policy SS3.9 (East of Basingstoke)'	
OB&L NP 25	Paragraph 4.12	22	Paragraph 4.12 should be modified to clarify that the improvements are included in the list of community aspirations in Appendix 2.	To meet the basic conditions and in the interests of clarity.
OB&L NP 26	Paragraph 4.12	22	The first bullet point of paragraph 4.12 should be clarified to refer to the fact that the questionnaire was undertaken by Hampshire County Council as landowner of the Swing Swang Lane strategic site.	Minor editing and to provide clarity.
OB&L NP 27	Paragraph 4.13	22	Delete paragraph 4.13: 'As Crown Lane and Hatch Lane are part of Route 23 of the National Cycle Network and are to form part of the Strategic Cycle Route to Basingstoke16, it will be important that any proposed development provides safe footpath and, if possible, cycle path access to these key routes. Without this, new developments at SS3.1 and SS3.9 will be isolated from the footway and cycleway network and will become car-dependent estates.'	To meet the basic conditions.
OB&L NP 28	Paragraph 4.14	22	Paragraph should be amended to read as follows:  'Where improvements are needed, contributions will be sought through S106 agreements, subject to compliance with the Community Infrastructure Levy Regulations 2010 (as amended), or <u>via planning conditions</u> or CIL <u>as appropriate</u> and will	To meet the basic conditions.

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			be used to part-fund these and lever in match funding from other sources <u>where possible.</u> '	
OB&L NP 29	Paragraph 4.17	24	Reference should be made to map 4, not map 3.	Minor editing to aid precision.
OB&L NP 30	Paragraph 4.18	24	Remove reference to 'Highways' in the title of the document within the paragraph.	Minor editing.
OB&L NP 31	Maps 2a, 3 and 5	Various	Maps 2a, 3 and 5 should be modified to all clearly differentiate between the land within the Old Basing and Lychpit Settlement Policy Boundary that is subject to policies in this Plan and the land within this Settlement Policy Boundary that is not.	To meet the basic conditions.
OB&L NP 32	Maps 1, 2a, 3 and 5	Various	Maps 1, 2a, 3 and 5 should be modified to identify the Settlement Policy Boundary for Basingstoke that lies within the Parish including the strategic sites at East of Basingstoke and Swing Swang Lane.	To meet the basic conditions.
OB&L NP 33	Policy OB&L3: Settlement Policy Boundary	26	<p>Policy OB&amp;L3 should be modified to state:</p> <p>‘New housing developments will be focussed within the Settlement Policy Boundaries of Basingstoke and Old Basing &amp; Lychpit, where they lie within the Parish, as shown on proposals Map 5.</p> <p>‘Proposals for development located within the Settlement Policy <del>Boundary</del> <u>Boundaries of Basingstoke and Old Basing &amp; Lychpit, where they lie within the Parish,</u> will be supported provided they accord with relevant other policies in this Neighbourhood Plan and other relevant development plan policies.</p>	To meet the basic conditions and in the interests of precision.

Change Reference	Policy/Paragraph	Page in Submission Neighbourhood Plan	Description of Modification	Explanation of modification
			<p><del>'Subject to the other policies in this neighbourhood plan and the Basingstoke and Deane Local Plan Policy SS6 and permitted development rights Development outside the Settlement Policy Boundaries of Basingstoke and Old Basing &amp; Lychpit shall not normally</del> <u>will only be supported if it is in accordance with relevant other policies in this Neighbourhood Plan and other relevant development plan policies'.</u></p> <p>The only exceptions to this are:</p> <ul style="list-style-type: none"> <li><del>• Site SS3.9 East of Basingstoke approx. 450 dwellings</del></li> <li><del>• Site SS3.1 Swing Swang Lane approx. 100 dwellings</del></li> <li><del>• Any essential utilities infrastructure proposed by service providers where no reasonable alternative location is available.'</del></li> </ul>	
OB&L NP 34	Paragraph 5.5	27	Paragraph does not justify the policy. Should consider moving the paragraph to Section 2.	Minor editing and for improved flow of the document.
OB&L NP 35	Paragraph 5.6	27	<p>The paragraph should be deleted:</p> <p><del>'The value and sensitivity of the landscape, the setting of the village and the distinctive views of the landscape from public vantage points are distinctive qualities of Old Basing and they have all been considered in assessing the suitability of development opportunities.'</del></p>	Minor editing.

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OB&L NP 36	Paragraph 5.10	27	Modification to paragraph 5.10:  'Directing new development to within the Settlement Policy Boundaries therefore will protect the important features of the Loddon Valley. The extent of the Settlement Policy Boundaries is shown in Map 5.'	To meet the basic conditions.
OB&L NP 37	Paragraph 5.11	27	Paragraph does not justify the policy. Should consider moving the paragraph to Section 2.	Minor editing and to improve the flow of text.
OB&L NP 38	Paragraph 5.12	31	Footnote 23 is incorrectly included in paragraph 5.12 and should be deleted.	Minor editing and to improve the accuracy of the document.
OB&L NP 39	Paragraph 5.13	31	The page referencing and footnote referencing in paragraph 5.13 requires updating or deleting.	Minor editing and to read accurately.
OB&L NP 40	Paragraph 5.19	31	Paragraph 5.19 should be deleted:  <del>'Within the existing development proposals, intrusive development, (including buildings, highways and lighting) in areas of major or substantial landscape value or sensitivity or which would clutter distinctive views, will not be welcomed.'</del>	Minor editing.
OB&L NP 41	Paragraph 5.21	33	Paragraph 5.21 should be deleted:  <del>'Basingstoke and Deane Green Infrastructure Strategy aims to "..provide a planned and managed network of Green Infrastructure across Basingstoke and Deane which:</del>	To meet the basic conditions.

Change Reference	Policy/Paragraph	Page in Submission Neighbourhood Plan	Description of Modification	Explanation of modification
			<ul style="list-style-type: none"> <li>• <del>o provides residents with adequate local access to a network of high quality parks, open spaces, green links and corridors;</del></li> <li>• <del>o protects the health and attractiveness of our natural environment, enhancing those areas which can make a positive contribution to biodiversity; and</del></li> <li>• <del>o allows the natural environment to thrive alongside the built environment” ‘</del></li> </ul>	
OB&L NP 42	Paragraph 5.22	33	<p>Paragraph 5.22 should be deleted:</p> <p><del>‘In line with this strategy, the Neighbourhood Plan seeks to ensure that green infrastructure will be incorporated into new developments.’</del></p>	To meet the basic conditions.
OB&L NP 43	Policy OB&L 6: Protection of Historic Environment	35	<p>Delete last sentence from Policy OB&amp;L6.</p> <p><del>‘The Borough Council is currently undergoing a review of all the current Conservation Area Appraisals in the borough.’</del></p>	To meet the basic conditions in order to provide a practical framework for decision making.
OB&L NP 44	Paragraph 5.3.8	36	The paragraph states there are 65 listed buildings in the Parish. The representation received from Historic England states there are 90. This discrepancy should be looked into and modified if necessary.	Minor editing to ensure factual information is correct.
OB&L NP 45	Paragraph 6.1.7	38	The paragraph states there are 65 listed buildings in the Parish. The representation from Historic England has stated there are 90. This discrepancy should be looked into and modified if necessary.	Minor editing to ensure factual information is correct.

Change Reference	Policy/Paragraph	Page in Submission Neighbourhood Plan	Description of Modification	Explanation of modification
OB&L NP 46	Various	-	The parish council can consider including the further background information about the historic environment suggested by Historic England.	Minor editing.
OB&L NP 47	Policy OB&L 7: Appearance of Development	37	<p>Policy to be modified to read:</p> <p><del>'All new developments will be required should have regard to guidance as set out within the Old Basing and Lychpit Village Design Statement 2006, to recognise and integrate the distinctive local character of the parish, including the special character and appearance of the conservation area, and sensitively contribute to creating dwellings buildings of high architectural quality and design commensurate with their location as set out within the Old Basing and Lychpit Village Design Statement.</del></p> <p><u>New development should have sympathetic regard to the scale Particular importance will be attached to sympathetic respect for existing neighbouring development where the existing development is of sufficient quality, for example, scale, siting, roof lines, materials, fenestration and colour palette (both materials and finish/colour) of neighbouring buildings where this is required to create a high quality streetscene which respects the character of the area.'</u></p>	To meet the basic conditions.
OB&L NP 48	Paragraph 6.1.1	37	Modify to explain that the quote is only part of BDLP Policy EM10.	To meet the basic conditions and to improve clarity to the reader.

Change Reference	Policy/Paragraph	Page in Submission Neighbourhood Plan	Description of Modification	Explanation of modification
OB&L NP 49	Paragraph 6.2.11	40	Update paragraph to include updated data from the council's 2015 SHMA.	Minor editing.
OB&L NP 50	Policy ON&L 8: Housing Mix	38	Modification of policy to read as follows: <u>'All proposals for ten dwellings or more new housing development should must demonstrate how the they meet the requirement to increase the proportion of smaller homes in the Neighbourhood Area. Unless viability, housing needs or other material considerations show a robust justification for a different mix, at least 40% of dwellings in new developments should have two bedrooms or less types of dwellings provided will help to ensure a balanced mix of housing for the Parish, particularly through the provision of dwellings designed for smaller households.'</u>	To meet the basic conditions and to ensure general conformity with the Local Plan.
OB&L NP 51	Paragraph 6.2.14	40	Paragraph should be deleted: <u>'A recent application to BDBC for Swing Swang Lane (application 17/02846/OUT) as given an indicative housing mix for both market and affordable dwellings shown in the table32 below which indicates a higher percentage mix than policy 8 requires:'</u>	To meet the basic conditions.
OB&L NP 52	Appendix 2	45	Reference should be made in Appendix 2 to working with Stagecoach as bus operator and working with the school with regard to traffic management at drop off times.	Minor editing and to provide more detailed information to the reader.
OB&L NP 53	Appendix 3	46	'These examples are not intended as a blanket prescription. Different areas of the parish exhibit differing styles, and development should respect <u>existing style the locally distinctive character</u> '.	Minor editing.

<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>
OB&L NP 54	Appendix 4	48	Terms that are not relevant to the plan should be deleted from Appendix 4.	Minor editing and to improve accuracy and flow of the glossary.
OB&L NP 55	Appendix 5	50	The list of references is not complete. Further references should be included within the list to: <ul style="list-style-type: none"> <li>• Green Infrastructure Strategy for Basingstoke and Deane 2013-2029;</li> <li>• Strategic Housing Market Assessment March 2014 (or 2015, if updating); and</li> <li>• Neighbourhood Housing Stock Analysis for Basingstoke and Deane Borough Council (March 2009).</li> </ul>	Minor editing and to improve accuracy of the appendix.

Please note that as a result of the Examiner's recommended modifications, consequential changes also need to be made to the Plan in order to avoid factual errors and inaccuracies (Schedule 4B s.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 not listed in the schedule.