

# **Old Basing & Lychpit Neighbourhood Plan 2015 to 2029**

**Report by Independent Examiner to Basingstoke  
and Deane Borough Council**

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## Summary and Conclusion

1. The Old Basing & Lychpit Neighbourhood Plan has a clear vision and sets out precise aims and objectives.
2. I have recommended modification to some of the policies in the Plan, for the reasons set out in detail below. Even though I have recommended a number of modifications, these do not significantly or substantially alter the intention or nature of the Plan.
3. I have recommended that Policy OB&L 3 is modified to refer to both of the Settlement Policy Boundaries within the Plan area and is modified to be in general conformity with strategic policy regarding countryside development.
4. I have recommended that Policy OB&L 7 is modified, primarily to state that new developments should have regard to guidance in the Old Basing & Lychpit Village Design Statement 2006.
5. I have recommended that Policy OB&L 8 is modified, particularly as the proposed thresholds are not supported by robust local evidence.
6. **Whilst I have set out my reasoning under individual policies, my overall conclusion is that, subject to my recommendations, the Plan meets the Basic Conditions. It is appropriate to make the Plan. Subject to my recommendations being accepted, I consider that the Old Basing & Lychpit Neighbourhood Plan will provide a strong practical framework against which decisions on development can be made. I am pleased to recommend that the Old Basing & Lychpit Neighbourhood Plan, as modified by my recommendations, should proceed to Referendum.**

## Introduction

7. On 2 October 2014 Basingstoke and Deane Borough Council (BDBC) approved that the Old Basing & Lychpit Neighbourhood Area be designated in accordance with the Neighbourhood Planning (General) Regulations 2012.
8. The qualifying body is Old Basing & Lychpit Parish Council. The Plan has been prepared by the Old Basing & Lychpit Neighbourhood Plan Team on behalf of the Parish Council. The Plan covers the period 2015 to 2029.
9. I was appointed as an independent Examiner for the Old Basing & Lychpit Neighbourhood Plan in December 2017. I confirm that I am independent from the Parish Council and BDBC. I have no interest in any of the land affected by the Plan and I have appropriate experience to undertake this examination.

## Legislative Background

10. As an independent Examiner, I am required to determine, under Paragraph 8(1) of Schedule 4B to the Town and Country Planning Act 1990, whether:
  - the policies in the Plan relate to the development and use of land for a designated Neighbourhood Area in line with the requirements of Section 38A of the Planning and Compulsory Purchase Act (PCPA) 2004;
  - the Plan meets the requirements of Section 38B of the 2004 PCPA where the plan must specify the period to which it has effect, must not include provision about development that is excluded development, and must not relate to more than one Neighbourhood Area; and
  - that the Plan has been prepared for an area that has been designated under the Localism Act 2011 and has been developed and submitted for examination by a qualifying body.
11. I am satisfied that the Plan meets these legal requirements.
12. I am obliged to determine whether the Plan complies with the Basic Conditions. The Basic Conditions are:
  - having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the neighbourhood plan;
  - the making of the neighbourhood plan contributes to the achievement of sustainable development;
  - the making of the neighbourhood plan is in general conformity with the strategic policies contained in the Development Plan for the area of the authority; and
  - the making of the neighbourhood plan does not breach, and is otherwise compatible with, EU obligations and human rights requirements.
13. Subject to the modifications I have recommended in this report, I am content that these requirements have been satisfied.

## EU Obligations

14. Directive 2001/42/EC and the Environmental Assessment of Plans and Programmes Regulations 2004 (as amended) set out various legal requirements and stages in the production of a Strategic Environmental Assessment (SEA).

15. BDBC produced a *Neighbourhood Planning Screening Report – Old Basing & Lychpit Strategic Environmental Assessment (SEA) and Habitats Regulations Assessment (HRA)* in March 2017. This is the final version following consideration by consultation bodies. It concluded that an Environmental Assessment was not considered to be required to accompany the Neighbourhood Plan.
16. In a Screening Opinion letter dated 9 March 2017, BDBC confirmed to the Parish Council the reasoning being: *following analysis undertaken to assess the effects on the environment resulting from the Old Basing & Lychpit Neighbourhood Plan including from the scale of development and other policies proposed, it is considered significant effects on the environment are not likely and therefore a SEA is considered to not be required.*
17. The statutory consultees concurred with this view, with Historic England sending a second letter on 2 October 2017 withdrawing initial concerns expressed in their first letter dated 6 February 2017.
18. The SEA screening accords with the provisions of the European Directive 2001/42/EC. Based on the Screening Report and consultee response, I consider that it was not necessary for the Plan to require a full SEA Assessment.
19. As regards HRA, there is one European site within a 10km buffer zone of the neighbourhood area, namely the Thames Basin Heath Special Protection Area (SPA). A small part of the Parish is within the 7km buffer zone of the SPA.
20. The Screening Report concluded that the Plan would not need to be subject to HRA. The reason in the Screening Opinion letter states: *given the nature of the development which is likely to be facilitated by the neighbourhood plan, which is small scale residential development in line with policies SS5 and SS6 of the adopted Basingstoke and Deane Local Plan (2011-2029) (ALP), it is considered that the impacts of the plan are likely to be fairly localised, and would not impact on the SPA or any European sites. In addition, policy EM3 (Thames Basin Heaths Special Protection Area) of the ALP provides an additional framework in relation to potential sites within the 5km and 5-7km buffer zones. It is considered that there are not likely to be significant effects on any European sites flowing from the Neighbourhood Plan and therefore a HRA is considered to not be required.* The statutory consultees did not object to this conclusion.
21. Based on the Screening Report and consultee response, I consider that the Plan did not require a full HRA under Articles 6 or 7 of the Habitats Directive.
22. A Neighbourhood Plan must be compatible with European Union obligations, as incorporated into UK law, in order to be legally compliant. I am satisfied that the Plan is compatible with EU obligations and does not breach the European Convention on Human Rights obligations.

## Policy Background

23. *The National Planning Policy Framework (2012) (NPPF) sets out the Government's planning policies for England and how these are expected to be applied. The Planning Practice Guidance (2014) (PPG) provides Government guidance on planning policy.*
24. Paragraph 7 in the NPPF identifies the three dimensions to sustainable development:

*There are three dimensions to sustainable development: economic, social and environmental. These dimensions give rise to the need for the planning system to perform a number of roles:*

*• **an economic role** – contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure;*

*• **a social role** – supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being; and*

*• **an environmental role** – contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy.*

25. Old Basing & Lychpit is within the local authority area of Basingstoke and Deane Borough Council (BDBC). The development plan for the Neighbourhood Development Plan Area includes the Basingstoke and Deane Local Plan (BDLP) (2011 to 2029) adopted on 26 May 2016. The Old Basing & Lychpit Neighbourhood Plan was prepared in the context of this Local Plan. The strategic policies in this Local Plan include policies regarding housing, the environment and the economy.

## The Neighbourhood Plan Preparation

26. I am required under The Localism Act 2011 to check the consultation process that has led to the production of the Plan. The requirements are set out in Regulation 14 in The Neighbourhood Planning (General) Regulations 2012.

27. In March and April 2015 meetings were held across the Parish to explain the possible impacts of the BDBC Local Plan, and to receive comment on it. These comments were analysed and published in April 2015 and used to construct a questionnaire for all residents, groups and businesses during August and September 2015.
28. In May 2016, the emerging neighbourhood plan policies and objectives went on to the local websites inviting public comment from residents. Groups, clubs, landowners and businesses were all advised by email and invited to comment.
29. At each stage of consultation, results and comments were published through posters, flyers, two websites, the parish magazine and the parish newsletter.
30. The Consultation period on the pre-submission draft of the Plan ran from 22 May 2017 to 4 July 2017. Paper copies of the draft Plan were made available at the Parish Council offices, at 2 libraries, and on request. The document could be read on the Parish Council's website and parish magazine Basinga. Responses could be made directly via the website, to the Parish Clerk by email, on Survey Monkey or posted to the Parish Council Offices. A co-ordinated publicity campaign was undertaken. Leaflets were delivered to all households in the Parish explaining the background to the document, where it was available to view and an overview of the policies. A notice and link to the Plan was included on the Parish Council's web site. Posters were displayed; press release issued and notifications were sent to statutory and non-statutory consultees.
31. Historic England has commented through its submission at the Regulation 16 stage that it has no record of being consulted at the Regulation 14 stage. The Consultation Statement lists Historic England as one of the statutory consultees consulted. I have no way of knowing what happened to the notification letter.
32. Historic England did make comment on the SEA screening Opinion on 2 October 2017 following their initial comment on 6 February 2017. In their Regulation 16 response, they do make comment on various matters which I will consider later. They conclude that they consider the Plan satisfies the Basic Conditions. In these particular circumstances, I do not consider that anyone was prejudiced by Historic England not having had the opportunity to respond at the Regulation 14 stage. In an email dated 30 January 2018, The Parish Council explained the situation to me and confirmed that they would have no objection to making the modifications suggested by Historic England. I have asked for the email to be published on the BDBC web page.
33. I am satisfied that the pre-submission consultation and publicity has met the requirements of Regulation 14 in The Neighbourhood Planning (General) Regulations 2012. It is clear that the preparation of the Plan involved considerable community engagement. The consultation and publicity went well beyond the requirements and it is clear that the qualifying body went to

considerable lengths to ensure that local residents and other interested parties were able to engage in the production of the Plan. I congratulate those involved for their considerable efforts.

34. BDBC publicised the submission Plan for comment during the publicity period between 30 October 2017 and 11 December 2017 in line with Regulation 16 in The Neighbourhood Planning (General) Regulations 2012. A total of 10 responses were received during the consultation period, including representations from BDBC. I am satisfied that all these responses can be assessed without the need for a public hearing.
35. Some responses suggest additions and amendments to policies. Having been satisfied that the Plan meets the legal requirements, my remit is to determine whether the Plan meets the Basic Conditions. Where I find that policies do meet the Basic Conditions, it is not necessary for me to consider if further suggested additions or amendments are required. Whilst I have not made reference to all the responses in my report, I have taken them into consideration.

## The Old Basing & Lychpit Neighbourhood Plan 2015 - 2029

### Introduction

36. It is necessary for Neighbourhood Plans to provide a practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency as stated in the core planning principles in paragraph 17 in the NPPF. I do refer to clarity and precision with regard to some recommendations to modifications to the Plan. Where I do so, I have in mind the need to provide a practical framework in accordance with the core principles in the NPPF, thus ensuring that the Plan has regard to national policy in this respect.
37. It is not for me to re-write the Plan. Where I have found editing errors, I have identified them **as minor editing matters** and highlighted these as such. These have no bearing on whether the Plan meets the Basic Conditions.
38. The introduction to the Plan specifies that the Neighbourhood Plan forms part of the development plan for the period 2011 – 2029. As the Neighbourhood Plan specifies a start date of 2015, in the interest of precision, this paragraph needs to be amended accordingly.
39. Section 2 provides a useful background profile to the history and current community of Old Basing and Lychpit. I have been provided with links to the evidence base in Annex 5 in the Plan. I have asked for these links to be placed on the BDBC web site. This has provided a useful and easily accessible source of background information.
40. The last sentence in the first paragraph in section 2.2.2 on page 9 regarding school provision reads as though it is policy, but there is no corresponding

policy in the Plan. In the interest of precision I recommend deletion of this sentence.

41. Paragraph 2.2.1 refers to map 3. This should be map 4. **I see this as a minor editing matter.**
42. BDBC has pointed out that the strategic gap map should be referred to on page 12 and that the maps should be re numbered. **I see these as minor editing matters.**
43. I note from BDBC representations that a community centre is a requirement of BDLP Policy SS3.9. In these circumstances, in the interest of precision, I recommend modification to the last sentence of paragraph 2.2.3 accordingly. I have suggested revised wording.
44. BDBC has pointed out that both the strategic sites referred to in paragraph 2.4 lie within the Basingstoke Settlement Policy Boundary. In the interest of precision, I recommend modification to this paragraph accordingly.
45. The last two paragraphs of section 2.4 do not provide background information on local infrastructure. I suggest they are deleted. The second bullet point in section 2.5 is a repetition of part of section 2.4. I suggest sections 2.4 and 2.5 are amalgamated under 'Local Planning Policy'. **I see these as minor editing matters.**
46. In the Topography Section on page 14, BDBC has suggested referring to the Loddon and Lyde Character Area as being identified as a landscape character area in BDBC's Landscape Character Assessment 2001. In addition, the BDBC Landscape Capacity Study 2010 should be correctly identified. **I see these as minor editing matters.**
47. BDBC has suggested that the second bullet point on page 17 is modified to accurately reflect the position regarding housing requirements. In the interest of precision, I recommend modification to this paragraph as suggested by BDBC.
48. BDBC has identified grammatical errors in the third bullet point on page 17. **I see this as a minor editing matter.**
49. The table at the end of page 17 does not accurately reflect the thresholds for the provision of affordable housing outlined in The Planning Practice Guidance. In the interest of precision, I recommend the deletion of this table.
50. **Recommendation: to meet the Basic Conditions, I recommend:**  
**modification to the first paragraph in the introduction to explain that the neighbourhood plan covers the period 2015 – 2029.**  
**modification by the deletion of the last sentence in the first paragraph in section 2.2.2 on page 9.**

**modification of the last sentence of paragraph 2.2.3 to read as follows: Local Plan Policy SS3.9 c) requires the East of Basingstoke site to provide a community centre.**

**modification to paragraph 2.4 to explain that both strategic sites lie within the Basingstoke Settlement Policy Boundary.**

**modification to the second bullet point on page 17 to read as follows: 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 1st 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.**

**modification by the deletion of the table on page 17.**

51. The Plan has a clear vision: *In 2029, Old Basing & Lychpit will be a sophisticated, vibrant and prosperous area with a green character. It will value its community, and community events, providing people with a supportive and sustainable environment where people can live, work, rest and play. Pedestrians and cyclists will feel safe and traffic will be managed to minimise its impact. There will be a range of jobs locally and housing to support and maximise choices for residents, and excellent public services across education, healthcare and leisure for all residents. The green environment will continue to be protected and cherished as the area is recognised for the quality of its natural and built environment and its distinctiveness from Basingstoke.*
52. Three aims regarding traffic and road safety; the natural environment and landscape; and housing and design; have been identified through community engagement with supporting objectives.
53. Objective 4 on page 26 has been modified at the request of BDBC. Objective 4 on page 19 should thus be similarly modified. **I see this as a minor editing matter.**
54. BDLP Policy EM10 seeks high quality design that positively contributes to local character and distinctiveness. Objective 8, as currently written, could inadvertently seek to replicate poor design in some circumstances. I am sure that this is not the intention of the local community. In the interest of precision and to ensure general conformity with strategic policy, I recommend modification to Objective 8. I have suggested revised wording.
55. **Recommendation: to meet the Basic Conditions, I recommend modification to Objective 8 on pages 19 and 37 to read as follows:**

**To ensure that all new developments have regard to the Village Design Statement (2006) and contribute positively to local character and distinctiveness.**

56. PPG states: *A policy in a neighbourhood plan should be clear and unambiguous. It 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. It should be distinct to reflect and respond to the unique characteristics and planning context of the specific neighbourhood area for which it has been prepared.* (Paragraph: 041 Reference ID: 41-041-20140306).
57. For ease of reference, I have used the same policy titles as those in the Plan. I have briefly explained national policy and summarised main strategic policies relevant to each neighbourhood plan policy. Where I have not specifically referred to other relevant strategic policy, I have considered all strategic policy in my examination of the Plan.

## **Traffic and Road Safety**

### **Policy OB&L 1: Movement Routes**

### **Policy OB&L 2: Developer Contribution**

58. I have considered both these policies together.
59. The NPPF seeks to promote sustainable transport and highlights in paragraph 35 that developments should be located and designed where practical to give priority to pedestrian and cycle movements and have access to high quality public transport facilities.
60. BDLP Policy CN9 seeks to promote a safe, efficient and convenient transport system. Measures include the provision of coherent and direct cycling and walking networks and the mitigation of impact on the local or strategic highway network.
61. Policy OB&L 1 seeks to improve the network of footpaths and cycle ways and ensure new development that would severely impact on movement routes provides appropriate mitigation measures.
62. Policy OB&L 1 contributes towards the achievement of sustainable development, particularly by encouraging the use of sustainable modes of transport. Policy OB&L 1 has regard to national policy and is in general conformity with strategic policy. Policy OB&L 1 meets the Basic Conditions.
63. Paragraph 173 in the NPPF states: *Plans should be deliverable. Therefore, the sites and the scale of development identified in the plan should not be*

*subject to such a scale of obligations and policy burdens that their ability to be delivered viably is threatened.*

64. BDLP Policy CN6 seeks new development to provide and contribute towards infrastructure to meet the needs and requirements that are expected to arise from that development.
65. I am conscious that any policy in this Plan should not undermine strategic policy for the two strategic sites located within the Parish. I have been provided with a copy of the East of Basingstoke and Redlands Development Brief SPD adopted in July 2017 for that strategic site. I note that at the time of my examination of this Plan there is an outline planning application awaiting determination for the strategic site at Swing Swang Lane.
66. Policy OB&L 2 seeks developer contributions towards identified movement routes in accordance with a list of projects in Appendix 2. The precise wording does not provide a practical framework for decision making. In particular, 'opportunities will be taken' is not precise in this context. I have suggested alternative wording. In addition, as contributions may be sought via the Community Infrastructure Levy (CIL), reference should be made to possible CIL contributions. Although I understand that none of the projects identified in Appendix 2 is on the CIL Regulation 123 list, this may alter during the lifetime of this Plan.
67. Subject to the proposed modification suggested above, Policy OB&L 2 has regard to national policy, contributes towards the achievement of sustainable development and is in general conformity with strategic policy. Modified Policy OB&L 2 meets the Basic Conditions.
68. Supporting paragraph 4.2, the first sentence of supporting paragraph 4.6 and supporting paragraph 4.7 are not justified by any background evidence. In these circumstances, in the interest of providing a practical framework for decision making, I recommend the deletion of these sections of text. As an editing matter, 'however' at the beginning of the second sentence in paragraph 4.6 should be deleted.
69. As paragraphs 4.9 and 4.10 quote extracts from BDLP Policies, it would be helpful to reference which parts of the policies have been extracted. In addition, it is not accurate to state at the beginning of paragraph 4.10 that 'the Neighbourhood Plan Policy 1 is also supported by the BDBC Local Plan Policy SS3.9'. Therefore, I suggest this part of the sentence is deleted. **I see these as minor editing matters.**
70. Paragraph 4.12 lists the community aspirations/CIL monies projects identified in Appendix 2. In the interest of clarity, I recommend that reference is made to Appendix 2 in paragraph 4.12.
71. BDBC has stated that the first bullet point of paragraph 4.12 should be clarified to refer to the questionnaire undertaken by Hampshire County

Council as landowner of the Swing Swang Lane strategic site. **I see this as a minor editing matter.**

72. Paragraph 4.13 refers to safe footpath and cycle path access to identified key routes. My concern is that this paragraph contradicts Policy OB&L 1. In the interest of precision, I recommend the deletion of this paragraph.
73. Paragraph 4.14 contradicts Policy OB&L 2. It does not mention contributions by way of planning conditions and includes match funding, which is a community aspiration. To provide a practical framework for decision making, I recommend modification to this paragraph. I have suggested suitable wording.
74. Paragraph 4.17 should refer to map 4, not map 3. Paragraph 4.18 should remove 'highways' from the title of the document. **I see these as minor editing matters.**
75. **Recommendation: to meet the Basic Conditions;**

**I recommend modification to Policy OB&L 2 to read as follows:**

**Where appropriate and directly related to new development, enhancement of identified Movement Routes on Proposals Map 4 will be required, in accordance with Appendix 2 and agreed with the Parish Council. These will be secured by way of planning conditions, Section 106 contributions or Community Infrastructure Levy contributions as appropriate.**

**I recommend the deletion of paragraph 4.2.**

**I recommend the deletion of the first sentence in paragraph 4.6.**

**I recommend the deletion of paragraph 4.7.**

**I recommend paragraph 4.12 is modified to clarify that the list of improvements is that identified in Appendix 2.**

**I recommend the deletion of paragraph 4.13.**

**I recommend modification to paragraph 4.14 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 via planning conditions or CIL as appropriate and will be used to part-fund these and lever in match funding from other sources where possible.**

## Natural Environment and Landscape

### Policy OB&L 3 - Settlement Policy Boundary

76. Various maps throughout the Plan identify the Old Basing & Lychpit Settlement Policy Boundary. Part of this Settlement Policy Boundary lies within the adjacent parish. This Plan cannot include policy for a neighbouring parish and I am sure that is not the intention. Nevertheless, in the interest of precision, I recommend that the relevant maps are annotated to clearly differentiate between the land within the Old Basing & Lychpit Settlement Policy Boundary that is subject to policies in this Plan and the land within this Settlement Policy Boundary that is not. This is already shown on map 1. Maps 2a, 3 and 5 should have similar annotations.
77. Various maps throughout the Plan identify the Old Basing & Lychpit Settlement Policy Boundary but omit the part of the Settlement Policy Boundary for Basingstoke that lies within the Parish. Maps 1, 2a, 3 and 5 should identify the Settlement Policy Boundary for Basingstoke that lies within the Parish. Similarly, Policy OB&L 3 refers to the Settlement Policy Boundary for Old Basing & Lychpit and does not mention land within the Settlement Policy Boundary for Basingstoke that lies within the Parish. The Settlement Policy Boundary for Basingstoke was extended via the BDLP to include both strategic sites at Swing Swang Lane and at land East of Basingstoke. As Policy OB&L 3 currently reads, the land within the Basingstoke Settlement Policy Boundary that lies within the Parish is classified as countryside. I am sure this is not the intention of the local community.
78. BDLP Policy SS1 seeks to permit development within all defined Settlement Policy Boundaries, subject to criteria. It states that all land outside these boundaries is countryside.
79. BDLP Policy SS6 is a restrictive policy regarding new housing development in the countryside. BDLP Policies CN2, EP4 and EP5 allow some development in the countryside, such as rural exception sites for affordable housing and rural economic and tourism development in certain circumstances.
80. BDLP Policy SS5 supports the identification of housing sites through Neighbourhood Plans. Old Basing lies within a group of 13 settlements with a defined Settlement Policy Boundary which are required to identify sites for a total of 150 homes between them. The exact split is not defined but BDLP Policy SS5 does specify that *it will be necessary to identify sites/opportunities to deliver at least 10 homes within and adjacent to each of the settlements with defined Settlement Policy Boundaries.*
81. As mentioned under my recommended modification to the second bullet point on page 17 of the Plan, BDBC has confirmed that land granted planning permission within the Old Basing & Lychpit Settlement Policy Boundary, but that lies outside the Parish, satisfies the BDLP Policy SS5

requirement subject to land supply considerations and current planning commitments being built out.

82. This Neighbourhood Plan does not allocate sites for housing development, but instead focusses new housing development within the Old Basing & Lychpit Settlement Policy Boundary. The restrictions on development in the countryside are not in general conformity with strategic policy, particularly as they do not take into consideration development allowed under BDLP Policies CN2, EP4 and EP5.
83. To be in general conformity with strategic policy, I recommend that Policy OB&L 3 is modified to refer to the relevant Settlement Policy Boundaries within the Plan area and is modified to be in general conformity with strategic policy regarding countryside development. I have suggested revised wording, which includes revision suggested by BDBC. Paragraph 5.10 should be modified accordingly.
84. Representations on behalf of Gladman Developments Ltd have expressed concern that Policy OB&L 3 should not restrict sustainable development outside the Settlement Policy Boundaries. The revised wording I have suggested does not preclude sustainable development outside the Settlement Policy Boundaries that is in accordance with relevant other policies in this Neighbourhood Plan and other relevant development plan policies.
85. Subject to the modifications recommended above, Policy OB&L 3 has regard to national policy, contributes towards sustainable development and is in general conformity with strategic policy. Policy OB&L 3, as modified, meets the Basic Conditions.
86. Paragraphs 5.5 and 5.11 are not evidence to justify Policy OB&L 3. It may be more relevant to include them in Section 2. **I see this as a minor editing matter.**
87. As the Plan does not allocate land for development, I do not see the relevance of paragraph 5.6. Therefore, I suggest this paragraph is deleted. **I see this as a minor editing matter.**
88. **Recommendation: to meet the Basic Conditions;**
- I recommend that maps 2a, 3 and 5 are modified to all clearly differentiate between the land within the Old Basing & Lychpit Settlement Policy Boundary that is subject to policies in this Plan and the land within this Settlement Policy Boundary that is not.**
- I recommend that maps 1, 2a, 3 and 5 are modified to identify the Settlement Policy Boundary for Basingstoke that lies within the Parish.**
- I recommend Policy OB&L 3 is modified to read as follows:**

**New housing developments will be focussed within the Settlement Policy Boundaries of Basingstoke and Old Basing & Lychpit, where they lie within the Parish, as shown on proposals Map 5.**

**Proposals for development located within the Settlement Policy Boundaries of Basingstoke and Old Basing & Lychpit, where they lie within the Parish, will be supported provided they accord with relevant other policies in this Neighbourhood Plan and other relevant development plan policies.**

**Development outside the Settlement Policy Boundaries of Basingstoke and Old Basing & Lychpit will only be supported if it is in accordance with relevant other policies in this Neighbourhood Plan and other relevant development plan policies.**

**I recommend modification to paragraph 5.10 to read as follows:**

**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.**

#### **Policy OB&L 4– Protection of Iconic views**

89. The NPPF, in Paragraph 109, requires the planning system to contribute to and enhance the natural and local environment. This includes protecting and enhancing valued landscapes.
90. BDLP Policy EM1 seeks to ensure that new development is sympathetic to the character and visual qualities of the landscape.
91. A large part of the Parish lies within the Loddon Valley. I have visited the Parish and seen across the valley from the iconic viewpoints identified on map 6.
92. Policy OB&L 4 seeks to protect the landscape setting and identified iconic views. The evidence to justify this approach relies on the BDBC Landscape Capacity Study 2010. The area is characterised as having important linear views down the valley. From the evidence and my site visit, it is clear that this is a valued landscape. The background evidence justifies the approach to landscape protection in Policy OB&L 4. In this regard, Policy OB&L 4 has regard to national policy, contributes towards the environmental role of sustainable development and is in general conformity with strategic policy. Policy OB&L 4 meets the Basic Conditions.
93. Footnote 23 is incorrectly included in paragraph 5.12 and thus should be deleted. The page referencing in paragraph 5.13 is not correct and neither is the footnote referencing. **I see these as minor editing matters.**

94. Paragraph 5.19 is not evidence for Policy OB&L 4, as there are no development proposals in the Plan. Therefore, I suggest this paragraph is deleted. **I see this as a minor editing matter.**

### **Policy OB&L 5 – Protection and enhancement of Local Green Spaces**

95. Paragraph 76 in the NPPF allows for neighbourhood plans to *identify for special protection green areas of particular importance to them. By designating land as Local Green Space local communities will be able to rule out new development other than in very special circumstances.*
96. Paragraph 78 in the NPPF states: *Local policy for managing development within a Local Green Space should be consistent with policy for Green Belts.*
97. Paragraph 77 in the NPPF states that: *The Local Green Space designation will not be appropriate for most green areas or open space. The designation should only be used:*
- where the green space is in reasonably close proximity to the community it serves;*
- where the green area is demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife; and*
- where the green area concerned is local in character and is not an extensive tract of land.*
98. Whilst the BDLP does not specifically refer to Local Green Space (LGS), Policy EM5 seeks to protect and enhance the quality of public open space and resists the redevelopment of both public and private open space.
99. I have visited the Parish and viewed the proposed Local Green Spaces, albeit that I was not able to access the Basingstoke Canal section; I was able to obtain views of the area.
100. It is clear that both proposed areas of Local Green Space in Policy OB&L 5 meet the criteria for designation. Both are within reasonably close proximity to the community they serve, both are demonstrably special, are local in character and are not extensive tracts of land. In particular, the stretch along the canal has historic significance and Hodds Lane Copse has local recreational value.
101. Policy OB&L 5 has regard to national policy, contributes towards the achievement of sustainable development and is in general conformity with strategic policy.
102. Paragraphs 5.21 and 5.22 refer to green infrastructure and state that the Plan seeks to ensure green infrastructure will be incorporated into new

developments. However, there is no corresponding policy in the Plan. In the interest of precision, I recommend deletion of these paragraphs.

103. **Recommendation: to meet the Basic Conditions, I recommend the deletion of paragraphs 5.21 and 5.22.**

### **Policy OB&L 6 - Protection of Historic Environment**

104. The Planning (Listed Buildings and Conservation Areas) Act 1990 imposes duties requiring special regard to be had to the desirability: firstly at Section 16(2), of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses; and secondly, at Section 72(1), of preserving or enhancing the character or appearance of a Conservation Area.
105. The NPPF advises that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation.
106. As regards non-designated heritage assets, the NPPF states at paragraph 135: *The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that affect directly or indirectly non designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.*
107. BDLP Policy EM11 requires all development to conserve or enhance the quality of heritage assets in a manner appropriate to their significance.
108. Policy OB&L 6 seeks to conserve or enhance designated heritage assets. In addition, consideration of proposals for development that affect non-designated historic assets should take account of the scale of any harm or loss and the significance of the heritage assets. These reflect national and strategic policy.
109. The last sentence in Policy OB&L 6 is a statement rather than policy. In the interest of providing a practical framework for decision making, I recommend the deletion of this sentence. Subject to this modification, Policy OB&L 6 has regard to national policy, contributes towards the environmental role of sustainability and is in general conformity with strategic policy. As modified, Policy OB&L 6 meets the Basic Conditions.
110. Historic England has stated that there are 90 listed buildings, plus two scheduled monuments and one registered Historic Park and Garden in the Parish. Paragraphs 5.3.8 and 6.1.7 in the Plan states that there are 65 listed buildings in the Parish. I suggest that this discrepancy is looked into and that paragraphs 5.3.8 and 6.1.7 are modified if necessary. **I see this as a minor editing matter.**

111. Historic England has suggested various modifications to the text of the Plan. The Parish Council has confirmed that they would have no objection to making the modifications suggested by Historic England in their letter dated 10 December 2017. It is not for me to re-write the Plan and the suggested modifications have no bearing on whether the Plan meets the Basic Conditions. I will leave it up to the Parish Council to decide whether to add further background information about the historic environment.
112. **Recommendation: to meet the Basic Conditions, I recommend the deletion of the last sentence in Policy OB&L 6.**

### **Policy OB&L 7 Appearance Of Development**

113. The NPPF at paragraph 58 requires neighbourhood plans to include policies that set out the quality of development that will be expected for the area. Such policies should be based on stated objectives for the future of the area and an understanding and evaluation of its defining characteristics.
114. BDLP Policy EM10 seeks high quality design based upon a robust design led approach.
115. Policy OB&L 7 requires all new development to recognise the distinctive character of the area, as set out in the Old Basing & Lychpit Village Design Statement 2006 (VDS).
116. The purpose of the VDS *is to guide future developments and changes so that they respect and maintain the character and integrity of the village and its community*. This document was adopted by BDBC on 15th December 2005 as informal planning and design guidance. Such guidance cannot impose design criteria on new development, although it can encourage new developments to have regard to the guidance. In the interest of precision, I recommend modification to the first bullet point in Policy OB&L 7 to reflect the status of this informal guidance. I have suggested modified wording.
117. As not all new development would have an impact on the character and appearance of the conservation area, in the interest of precision, I recommend that the first bullet point in Policy OB&L 7 is modified to include 'where appropriate' after 'conservation area'.
118. As Policy OB&L 7 refers to the appearance of development, in the interest of precision, the word 'dwellings' in the first bullet point should be replaced with 'buildings'.
119. I am concerned that the second bullet point in Policy OB&L 7 does not create a practical framework for decision making as it is unclear how 'existing development of sufficient quality' is to be evaluated. To ensure that the design of new development is only guided by neighbouring buildings where they have a high design quality which contributes towards the character of the area, I recommend modification to this bullet point. I am

sure from the background evidence that this is the intention of the local community. The revised wording suggested by BDBC alleviates my concerns.

120. Subject to the modifications recommended above, Policy OB&L 7 has regard to national policy, contributes towards sustainable development and is in general conformity with strategic policy. Policy OB&L 7, as modified, meets the Basic Conditions.
121. In the interest of precision, paragraph 6.1.1 should make it clear that the quote is only part of BDLP Policy EM10.

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

**I recommend modification to Policy OB&L 7 to read as follows:**

**All new developments should have regard to guidance as set out within the Old Basing & 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 where appropriate, and sensitively contribute to creating buildings of a high architectural quality and design commensurate with their location.**

**New development should have sympathetic regard to the scale, siting, roof lines, materials, fenestration and colour palette of neighbouring buildings where this is required to create a high quality streetscene which respects the character of the area.**

**I recommend that paragraph 6.1.1 is modified to explain that the quote is only part of BDLP Policy EM10.**

**Policy OB&L 8: Housing Mix**

122. The NPPF seeks to ensure that there is provision of a wide choice of quality homes. BDLP Policy CN3 seeks a range of house types and sizes to address local requirements.
123. The BDBC Strategic Housing Market Assessment Update - May 2015 (SHMA) highlights for the Borough that *the vast majority of need arising from the population and household estimates would be for smaller dwelling types, with the majority of households being 1 or 2 person households* (paragraph 6.33). However, it goes on to state that: *it is difficult to translate projections of household sizes and types into projections of the market demand for property types* (paragraph 6.37). It concludes on this matter: *although it is clear that the majority of market household need will be for smaller dwellings (and in particular an acute need for housing solutions for older people), it is important to provide a range of dwellings, given the challenges in matching households to dwellings. It is also important to note that the majority of single person households in the market sector occupy homes with 2 or more*

*bedrooms. This is particularly the case amongst older households* (paragraph 6.41).

124. The SHMA is a public document and I consider this latest SHMA document to be relevant to the examination of the Neighbourhood Plan. It is not in dispute that there is a demand for housing from first time buyers and those wishing to downsize in the Borough. However, whilst I have been selective in my quotes from the SHMA, there is little local evidence before me to quantify in planning policy terms an exact amount of dwellings required to be small dwellings of two bedrooms or less in the Parish. In addition, I note from representations from BDBC that the housing mix for affordable housing development is considered on a case by case basis. For these reasons, I see no clear robust justification for either the arbitrary ten dwelling threshold or the 'at least 40%' two bedroom dwelling threshold in Policy OB&L 8. There is no clear background evidence supporting the policy that leads to these thresholds. In particular, I have not been provided with a local Housing Needs Survey. In these circumstances, Policy OB&L 8 is not in general conformity with strategic policy as it is unclear if the thresholds would satisfy the need to *include a range of house type and size to address local requirements*, as specified in BDLP Policy CN3.
125. Objective 9 in the Plan is: *to provide sufficient dwellings that meet the needs in particular of first time buyers and those wishing to downsize*. I have recommended a modified Policy OB&L 8 that ensures a balanced mix of housing in new developments, particularly through the provision of dwellings designed for smaller households. This proposed modified policy would be in accordance with the intentions of Objective 9.
126. The local community should not be upset by my proposed modification to Policy OB&L 8. Where there is an identified need for dwellings for first time buyers and those wishing to downsize, this modified policy justifies their provision.
127. BDBC has requested that Policy OB&L 8 is not applicable to the two strategic sites. However, as my proposed modified policy is in general conformity with strategic policy, I see no reason now to exclude those sites from this policy requirement as it does not undermine the strategic policy for development of these sites.
128. Modified Policy OB&L 8 has regard to national policy, contributes towards sustainable development, particularly the social role of sustainable development, and is in general conformity with strategic policy. Policy OB&L 8, as modified, meets the Basic Conditions.
129. BDBC has suggested that paragraph 6.2.11 is updated to include more up to date evidence from the BDBC SHMA 2015. This is a sensible suggestion. **I see this as a minor editing matter.**
130. Paragraph 6.2.14 contains details from a planning application for the strategic site at Swing Swang Lane. At the time of my examination of this

Plan, there is no planning permission for that site. Therefore the precise mix of houses on that site has not been formally determined. In these circumstances, I recommend the deletion of paragraph 6.2.14 and accompanying table as they do not provide a practical framework for decision making.

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

**I recommend modification to Policy OB&L 8 to read as follows:**

**All proposals for new housing development must demonstrate how the types of dwellings provided will help ensure a balanced mix of housing for the Parish, particularly through the provision of dwellings designed for smaller households.**

**I recommend the deletion of paragraph 6.2.14 and accompanying table.**

## **Appendices**

132. Appendix 2 is a list of community aspirations/CIL monies projects. BDBC has suggested that reference is made to working with Stagecoach as bus operator and working with the school with regard to traffic management at drop off times. These suggestions are sensible as part of the measures to address traffic management. **I see this as a minor editing matter.**
133. Appendix 3 identifies dwellings of various designs. BDBC has suggested that 'existing style' is replaced with 'the locally distinctive character'. This is a sensible suggestion that would clearly clarify the purpose of the examples. **I see this as a minor editing matter.**
134. Appendix 4 is a Glossary of terms. Many of the terms in this appendix are not found elsewhere in the Plan. It is not for me to rewrite the Plan. I suggest that those terms not relevant are deleted. **I see this as a minor editing matter.**
135. Appendix 5 is a list of references. This list is not complete. It should include the Green Infrastructure Strategy for Basingstoke and Deane 2013-2029 in the footnote on page 26 and the Basingstoke and Deane Borough Council Strategic Housing Market Assessment March 2014 or (2015 if updating) and Neighbourhood Housing Stock Analysis for Basingstoke & Deane Borough Council March 2009 in the footnote on page 40. **I see this as a minor editing matter.**

## **Referendum and the Old Basing & Lychpit Neighbourhood Plan Area**

136. I am required to make one of the following recommendations:
- the Plan should proceed to Referendum, on the basis that it meets all legal requirements; or
  - the Plan as modified by my recommendations should proceed to Referendum; or
  - the Plan does not proceed to Referendum, on the basis that it does not meet the relevant legal requirements.
137. **I am pleased to recommend that the Old Basing & Lychpit Neighbourhood Plan, as modified by my recommendations should proceed to Referendum.**
138. I am required to consider whether or not the Referendum Area should extend beyond the Old Basing & Lychpit Neighbourhood Plan Area. I see no reason to alter or extend the Neighbourhood Plan Area for the purpose of holding a referendum.

### **Minor Modifications**

139. The page numbers in the Contents page are not all correct. Footnotes throughout the Plan refer to the BDLP 2011, but it was actually adopted in 2016.
140. The Plan is a well-written document, which is easy to read. Where I have found minor editing errors, I have highlighted and identified them. BDBC has suggested further minor amendments in Annex A to their Regulation 16 representations. If other minor amendments to the Plan or Annexes are required as a result of my proposed modifications, I see these as minor editing matters which can be dealt with as minor modifications to the Plan.

**Janet Cheesley**

**Date 27 February 2018**

## Appendix 1 Background Documents

The background documents include

The National Planning Policy Framework (The Framework) (2012)  
The Planning and Compulsory Purchase Act 2004  
The Localism Act (2011)  
The Neighbourhood Planning Regulations (2012)  
The Neighbourhood Planning (General) (Amendment) Regulations (2015)  
The Planning Practice Guidance (2014)  
Basingstoke and Deane Local Plan 2011 to 2029 (adopted May 2016)  
Regulation 16 Representations  
Regulation 14 Documents  
Neighbourhood Planning Screening Report – Old Basing & Lychpit Strategic  
Environmental Assessment and Habitats Regulations Assessment (March  
2017)  
Documents listed in Appendix 5 in the Neighbourhood Plan  
Old Basing & Lychpit Neighbourhood Plan 2015-2029 Basic Conditions  
Statement (September 2017)  
Old Basing & Lychpit Neighbourhood Plan 2015-2029 Consultation  
Statement (June 2017)