

Factual update regarding the Overton Neighbourhood Plan

In accordance with section 5 (3) (b) of the Neighbourhood Planning (Referendum) Regulations 2012 this factual update has been produced in order to correct inaccurate information published in connection with the Overton Neighbourhood Plan referendum by the 'Vote No to Overton Neighbourhood Plan Group'. Some of the arguments put forward in the leaflet published by the campaign group are open to debate, and it is considered beyond the borough council's remit to comment on those points; though this should not be taken as a sign that the borough council either agrees or disagrees with the statements made. However, it is considered that some of the material published is factually inaccurate and should be clarified.

Density Targets

There are no density targets in national level planning policy and guidance (the National Planning Policy Framework/Planning Practice Guide). There are also no density targets in the new Basingstoke and Deane Borough Council Local Plan 2011 - 2029. There is also no requirement in national level planning policy and guidance, or the new Local Plan, to maximise density levels or requiring that the full extent of an allocated site is developed.

The potential development capacity of various sites based on a density of 31 dwellings per hectare has been referred to. Planning policy requirements and physical constraints will have an impact on the potential capacity of the sites.

Decision making process

It should be clarified that the determination of planning applications is the responsibility of Basingstoke and Deane Borough Council in its role as Local Planning Authority. However, there is a right of appeal to the Planning Inspectorate in the event of the refusal to grant planning permission by the Local Planning Authority. Only in those instances will planning applications be determined by an Inspector.

Oakley and Deane Neighbourhood Plan

Reference is made to a planning application in the Oakley and Deane neighbourhood area where planning permission was granted on appeal for 85 dwellings on a site (Beech Tree Close ref: 14/00963/OUT). Part of this site was allocated in the then draft Oakley and Deane Neighbourhood Plan for 25 dwellings. At the time of the appeal decision the Oakley and Deane Neighbourhood Plan had not been through the referendum process, nor had it been "made" (i.e. adopted by the borough council), therefore, the neighbourhood plan did not carry full weight at the time the appeal was determined.

Bramley Neighbourhood Plan

It is stated that the "*Bramley neighbourhood plan was for 200 homes, but the number agreed has already increased to 320*". It should be clarified that at the time of writing (1 June 2016)

the Bramley Neighbourhood Plan had not been submitted to the borough council. In addition, the draft version of the Bramley Neighbourhood Plan contains different policies to those in the Overton Neighbourhood Plan.

Status of neighbourhood plans

Reference is made to neighbourhood plans being superseded by national and borough policy. This statement is not accurate. The following clarification of the status of neighbourhood plans is taken from national level planning policy guidance (Planning Practice Guide):

“A neighbourhood plan attains the same legal status as the Local Plan once it has been agreed at a referendum and is made (brought into legal force) by the local planning authority. At this point it becomes part of the statutory development plan. Applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise (see section 38(6) of the Planning and Compulsory Purchase Act 2004).”

<http://planningguidance.communities.gov.uk/blog/guidance/neighbourhood-planning/what-is-neighbourhood-planning/what-is-a-neighbourhood-plan-and-what-is-its-relationship-to-a-local-plan/>

However, as per paragraph 49 of the NPPF, policies which relate to housing supply will not be considered up-to-date if the Local Planning Authority cannot demonstrate a 5-year supply of deliverable housing sites. This would include relevant policies in neighbourhood plans. In the event that the borough council cannot demonstrate a 5 year housing land supply, decision taking in respect of planning applications will be heavily influenced by the presumption in favour of sustainable development as set out in paragraph 14 of the NPPF.

Great North Field

It has been stated that the Overton Neighbourhood Plan “can’t stop” the development of the Great North Field site. If “made” (i.e. adopted by the borough council following majority support in the referendum), the Overton Neighbourhood Plan would form part of the development plan for the borough. As such, any future planning application within the Overton neighbourhood planning area would be determined in accordance with the Local Plan, Overton Neighbourhood Plan and any other material considerations relevant at the time the application was determined.

The borough council’s position in relation to Two Gate Lane

Reference has been made to the borough council’s position in relation to the Two Gate Lane site (Site F in the neighbourhood plan – policy SS1). It should be clarified that the borough council is not currently proposing the allocation of the Two Gate Lane site as an alternative location for new housing in the event that the neighbourhood plan does not receive majority support at the referendum.

Opportunity to make objections to planning applications

It has been stated that the Overton Neighbourhood Plan would guarantee that the sites allocated would be developed, with no restriction on the numbers of dwellings. However,

there are planning policy considerations and site constraints (e.g. factors such as highways issues or infrastructure requirements) which would affect the quantum of development which can be achieved on those sites, and could even possibly prevent their development.

Reference has also been made to a lack of potential to raise objections in respect of the sites allocated in the neighbourhood plan. However, it should be clarified that the sites allocated in the neighbourhood plan would be subject to planning applications and representations can still be made on those planning applications in the same way as would be the case with any other planning application. Those representations will be taken into account during the decision making process in the same way as is currently the case.

Further information

If there are any queries with any of the information set out above, please contact the Planning Policy Team at Basingstoke and Deane Borough Council on 01256 845536/ local.plan@basingstoke.gov.uk.