



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

### **Sherborne St John Neighbourhood Plan 2011 – 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 Sherborne St John Neighbourhood Plan (NP). This statement confirms that the modifications proposed by the Examiner's Report on the Sherborne St John 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 Sherborne St John Neighbourhood Plan, including supporting documents, can be viewed on the council's website at:

<http://www.basingstoke.gov.uk/ssjnp>

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 On 27 March 2013 BDBC designated the Sherborne St John Neighbourhood Area for the purpose of preparing a Neighbourhood Plan. The plan area covers the parish of Sherborne St John and lies solely within the Basingstoke and Deane Local Planning Authority Area.
- 2.2 Sherborne St John Parish Council, the qualifying body, submitted the draft Sherborne St John NP and supporting documents to BDBC in November 2016.
- 2.3 Following submission of the Sherborne St John NP, BDBC publicised the Plan and supporting documents and invited representations during the consultation period which ran from 28 November to 16 January 2016.

- 2.4 BDBC, with the consent of Sherborne St John Parish Council, appointed an independent examiner, Ms Janet Cheesley, to review the Plan and consider whether it should proceed to referendum.
- 2.5 The Examiner's Report was received on 10 February 2017 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 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 Sherborne St John 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 Sherborne St John 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)
  - meets the requirements of paragraph 8(1) of Schedule 4B to the Town and Country Planning Act 1990 (as amended)
  - is compatible with the European Convention on Human Rights and complies with the Human Rights Act 1998
- the recommended modifications will not have significant environmental effects which were not previously assessed through the SEA screening process.
- it agrees with the Examiner's recommendation to proceed to a referendum based on the Sherborne St John Neighbourhood Area as approved by the council on 27 March 2013.

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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.

- 3.2 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.
- 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 Sherborne St John NP, as revised). These documents will be made available during the referendum period for inspection including at the Council's Civic Offices.

## Schedule of Modifications to the Sherborne St John Neighbourhood Plan

### Appendix 1: Modifications in line with the Examiner's recommendations and in consent with Sherborne St John Parish Council

Change Reference	Policy/Paragraph in Submission Neighbourhood Plan	Page in Submission Neighbourhood Plan	Description of Modification	Explanation of modification
SSJNP1	Para 36	11	Modification to accurately reflect the process if the Plan needs to be withdrawn and replaced at a later date.	Minor modification in the interest of precision.
SSJNP2	Para 49	15	Modification to clarify that Local Plan Policy SS5 requires the Neighbourhood Plan to deliver at least 10 homes within and adjacent to the settlement.	To ensure the paragraph accurately reflects Adopted Local Plan Policy SS5 in the interests of precision.
SSJNP3	Para 57	16	Modification to clarify that Local Plan Policy SS5 requires the Neighbourhood Plan to deliver at least 10 homes within and adjacent to the settlement.	To ensure the paragraph accurately reflects Adopted Local Plan Policy SS5 in the interests of precision.
SSJNP4	Paras 105-106 and Policy SSJ2, and Map 4	26-27	Deletion of Policy SSJ2.  Consequential modifications including change to wording of para 106 to reflect deletion of policy.	In order to avoid conflict or duplication with the Adopted Local Plan to meet the basic conditions.
SSJNP5	Policy SSJ3	28	Modification to require additional text at beginning of third paragraph.  <u>Where development is acceptable in all other respects, it</u> Development will be permitted where it:	To prevent the wording inadvertently conflicting with the other policies in the development plan, and to ensure the NP is in general

Change Reference	Policy/Paragraph in Submission Neighbourhood Plan	Page in Submission Neighbourhood Plan	Description of Modification	Explanation of modification
			- Conserves the rural character of the Parish...'	conformity with the strategic policies in the Adopted Local Plan to meet the basic conditions.
SSJNP6	Policy SSJ3	29	Modification to require additional text at beginning of fourth paragraph.  ' <u>Where development is acceptable in all other respects, it</u> Development will be permitted where it takes proper account...'	To prevent the wording inadvertently conflicting with the other policies in the development plan, and to ensure the NP is in general conformity with the strategic policies in the Adopted Local Plan to meet the basic conditions.
SSJNP7	Policy SSJ3	28-29	Modification to final paragraph of Policy SSJ3 to cross refer to a map which identifies important views (rather than stating their locations in the text). The map should be included in the Plan and indicate the position the views are taken from and the area within each view.  'Development should respect visual amenity by protecting important views out of the village or towards the village, <u>as identified on Map [X]</u> <del>including those between the village and Morgaston Wood, between the village and Basing Forest, and south of the village at Elm Road towards the chalk ridge.'</del>	To provide greater precision and to meet the basic conditions

<b>Change Reference</b>	<b>Policy/Paragraph in Submission Neighbourhood Plan</b>	<b>Page in Submission Neighbourhood Plan</b>	<b>Description of Modification</b>	<b>Explanation of modification</b>
SSJNP8	Para 111	29	Modification to clarify that the suggested site capacity is approximate.	To ensure the Plan contributes towards sustainable development whilst at the same time achieving a low-density small-scale of development to meet basic conditions.
SSJNP9	Para 114 (bp1)	30	Modification to clarify that the suggested site capacity is approximate.	To ensure the Plan contributes towards sustainable development whilst at the same time achieving a low-density small-scale of development to meet basic conditions.
SSJNP10	Para 114 (bp2)	31	Modification to clarify that the development is only required to safeguard land for the new shop, rather than deliver the shop itself.	The requirement to deliver a shop would not meet the tests of the Community Infrastructure Levy Regulations 2010 and to meet the basic conditions.

Change Reference	Policy/Paragraph in Submission Neighbourhood Plan	Page in Submission Neighbourhood Plan	Description of Modification	Explanation of modification
SSJNP11	Para 114 (bp3)	31	Modification to the wording to remove reference to providing an area of public open space, as this is not a requirement of the Neighbourhood Plan policy.	In the interests of precision and to meet the basic conditions.
SSJNP12	Policy SSJ4	32	Modification to paragraph 1 to clarify that the suggested site capacity is approximate.  'A residential-led development of between <u>approximately</u> 12 and 18 dwellings will be delivered on...'	To ensure the Plan contributes towards sustainable development whilst at the same time achieving a low-density small-scale of development to meet basic conditions.
SSJNP13	Policy SSJ4	32	Modification to paragraph 1 to include explicit reference to the Settlement Policy Boundary being extended to include the allocated site.  '... will be delivered <del>on land indicated on</del> <u>on land within a revised Settlement Policy Boundary as defined on Map 5 of this Plan</u> '.	In the interest of precision to meet the basic conditions.
SSJNP14	Policy SSJ4	32	Modification to paragraph 3 to clarify that the development is only required to safeguard land for the new shop, rather than deliver the shop itself.  ' <u>The site should provide safeguarded land for Community benefit</u> <del>will be provided by</del> a new shop unit of around 1,230 square feet (net area)	The requirement to deliver a shop would not meet the tests of the Community Infrastructure Levy Regulations 2010 and to meet the basic conditions.

Change Reference	Policy/Paragraph in Submission Neighbourhood Plan	Page in Submission Neighbourhood Plan	Description of Modification	Explanation of modification
			of a format which is suitable to accommodate predominantly convenience floor space'	

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 all listed in the schedule.