



Summary of representations received by Basingstoke and Deane Borough Council made in relation to the Regulation 16 version of the St Mary Bourne Neighbourhood Plan pursuant to Paragraph 9 of Schedule 4B to the 1990 Act

Introduction

1. This document provides a summary of the issues and representations submitted in relation to the submission version (Regulation 16) of the St Mary Bourne Neighbourhood Plan (SMBNP).
2. In accordance with Regulation 16 of the Neighbourhood Planning (General) Regulations, Basingstoke and Deane Borough Council (BDBC) carried out a six week period of public consultation from 5 June 2017 to 17 July 2017 on the submission version of the SMBNP. The consultation documents included the submission version (Regulation 16) of the Plan, Sustainability Appraisal/Strategic Environmental Assessment, a Consultation Statement and a Basic Conditions Statement (which included an Equalities Impact Assessment) and other evidence base documents.
3. The representations submitted during the consultation period have been published on the borough council's website, and can be found by clicking on the following link - <http://basingstoke-consult.limehouse.co.uk/portal>. Paper copies of the representations can be viewed on request at Basingstoke and Deane Borough Council, Civic Offices, London Road, Basingstoke, RG21 4AH.
4. A total of 7 representations were received. These were all from statutory consultees. Set out below is a summary of the issues raised during the consultation. Appendix 1 of this document provides a summary of the representations made by specific consultees. The borough council's comments provided during the consultation have been appended in full below (which includes a summary within the covering letter).

Appendix 1 – Summary of representations made by consultees in relation to the submission version (Regulation 16) of the St Mary Bourne Neighbourhood Plan (NP) (excluding comments from LPA)

Full Name	Organisation Details	Support/ Oppose	Paragraph	Policy	Other	Summary of comments	Respondents suggested modifications
Charlotte Mayall	Southern Water	Support	N/A	N/A	Omission of policy	Southern Water are pleased to note that the majority of their comments have been addressed in the Submission version of the plan. However, they wish to reiterate their comments on the pre-submission version of the Neighbourhood Plan and seek a policy provision to support new infrastructure. This would ensure that the St Mary Bourne Neighbourhood Development Plan (NDP) would be in line with the National Planning Policy Framework (NPPF).	SW propose the following new policy: <i>“New and improved utility infrastructure will be encouraged and supported in order to meet the identified needs of the community.”</i>
Beata Ginn	Highways England	N/A	N/A	N/A	N/A	Highways England have reviewed the document and have no comment.	N/A
Katherine Jones	Thames Water	N/A	N/A	N/A	N/A	Thames Water does not cover the St Mary Bourne area and therefore TW has no comments on the draft document.	N/A

Full Name	Organisation Details	Support/ Oppose	Paragraph	Policy	Other	Summary of comments	Respondents suggested modifications
Rebecca Aziz	Natural England	N/A	N/A	N/A	N/A	NE does not have any specific comments on the neighbourhood plan.	N/A
Robert Lloyd-Sweet	Historic England	Support	N/A	P1	N/A	HE feel there is some opportunity to provide greater clarity in the wording of Policy P1 (Redundant agricultural buildings). HE support the intention of the final clause (bullet point g) of this policy to ensure that the general policy direction does not inadvertently encourage the demolition of buildings that should be considered as either designated or non-designated heritage assets. However, this does not set out the type of positive strategy that is envisaged in the NPPF at paragraph 126 or take the opportunities to ensure that heritage assets are positively integrated in new development as set out at paragraph 131. The wording also appears to muddle the requirement to consider weigh the harm resulting from the loss of a heritage asset (or part of its significance) against the benefits of a scheme.	HE recommend that the final clause could both be framed in a more positive manner to encourage the conversion and retention of redundant agricultural buildings of architectural or historic merit (HE suggest using interest in order to make it clear that these are considered to be heritage assets within the definition set out in the NPPF), whilst the method of assessing the harm to heritage against the public benefit of development should be amended to meet that set out in the NPPF in relation heritage assets. As such HE would suggest bullet point g) is amended to read: <i>“Proposals for the conversion of redundant agricultural buildings of historic or architectural interest that would result in a sustainable use that conserves or enhances their significance will be supported. Development proposals that would result in the loss of or harm to the significance of a building of historic or architectural merit it must clearly demonstrate that the benefits to be provided could not be delivered through sensitive conversion of the building, or through use of an alternative location and that the public benefits will clearly outweigh the harm caused through loss of the building’s significance”</i>
Oliver Rathmill	Environment Agency	Support	N/A	Policy P4	N/A	The EA welcome and support the policy point e) and the specific mention of not building on areas	N/A

Full Name	Organisation Details	Support/ Oppose	Paragraph	Policy	Other	Summary of comments	Respondents suggested modifications
						vulnerable to flooding or on land that would increase flood risk elsewhere.	
Oliver Rathmill	Environment Agency	Support	N/A	Policy P5	N/A	The EA welcome and support policy points c) and d) and the specific mention of the hierarchy of sewage connections and the protection of water quality.	N/A

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Dear David

10 July 2017

Local Planning Authority response to the St Mary Bourne Neighbourhood Plan: Post-Submission Consultation (Regulation 16)

The Local Planning Authority (LPA) fully supports the initiative of St Mary Bourne Parish Council to produce a Neighbourhood Plan (NP). The LPA recognises that a significant amount of work has gone into the development of the NP, especially by the Long Term Planning Group (LTPG), and that extensive community involvement has taken place. The LTPG are commended for all their efforts in order to reach such an advanced stage in the NP making process.

Following the submission of the St Mary Bourne Neighbourhood Plan (SMBNP) on 6 May 2017, the LPA undertook a Legal Compliance Check. The LPA confirmed, via letter to the parish council on 24 May 2017, that it is satisfied that the SMBNP and accompanying documents comply with the statutory requirements as set out in Regulation 15 of the Neighbourhood Planning (General) Regulations 2012 (as amended) and paragraph 6 of Schedule 4B of the Town and Country Planning Act 1990 (as amended).

The following comments on the Submission SMBNP have been provided to assist the Independent Examination of the NP. This response is based on the documents and evidence submitted to the LPA, which includes the Submission SMBNP, Strategic Environmental Assessment Environmental Report, Basic Conditions Statement and Consultation Statement.

The vast majority of the LPA's comments on the Pre-Submission SMBNP have been addressed as a result of amendments made to the submission version. These amendments are welcomed.

As there were a large number of changes to the original Pre-Submission SMBNP after the first Regulation 14 consultation in April/May 2016, an additional pre-submission consultation was undertaken by the parish council at the request of the LPA in November/December 2016. A schedule has been set out below which records how the comments made through the course of the 2 pre-submission consultations have been addressed in the submission version. This also sets out where outstanding issues/concerns remain.

The LPA will be in touch shortly with regards to the examination procedures. If you require further information please contact me by phone on 01256 845536 or by emailing andrew.rushmer@basingstoke.gov.uk.

Yours sincerely

Andrew Rushmer
Senior Planning Policy Officer

Part 1 – How the LPA’s comments on the Pre-Submission draft Plan have been addressed in the Submission Neighbourhood Plan and Remaining Issues.

The table below relates to the LPA comments provided in connection with the first pre-submission Regulation 14 consultation, which was carried out between 15 April – 27 May 2016.

Section/ Policy	Issue	Relevant National Guidance (NPPF and NPPG)	Not met/Partially Met/ Comment
p.10 – Table 3	<p>One of the objectives states that: <i>“Considering that one Rural Exception Site has been allowed in 2016, it is not considered appropriate that further Rural Exception Sites will be allowed for the life of the plan. Affordable housing will be provided through inclusion in commercial residential development”</i>.</p> <p>The LPA is concerned that the objective of seeking to prevent rural exceptions sites is in conflict with paragraph 14 of the NPPF and policy CN2 in the new Local Plan. This is especially pertinent in light of the concerns about affordability issues in relation to housing in the parish as set out in the growth strategy (p.12).</p> <p>In addition, this is an objective as opposed to a policy, and hence cannot be implemented without a specific policy.</p>	<p><i>“54. In rural areas, exercising the duty to cooperate with neighbouring authorities, local planning authorities should be responsive to local circumstances and plan housing development to reflect local needs, particularly for affordable housing, including through rural exception sites where appropriate. Local planning authorities should in particular consider whether allowing some market housing would facilitate the provision of significant additional affordable housing to meet local needs.”</i></p>	<p>Met – the objective in question has been removed and the SMBNP now includes a policy which would allow for rural exception sites for affordable housing to be provided, subject to meeting a range of criteria. This amendment is considered to bring the plan in line with policy CN2 in the ALP, and with the NPPF.</p>
p.11 – Table 5	<p>The LPA is concerned about the following objective:</p> <p><i>“Spread new development across the Parish to reduce traffic hotspots caused by larger developments.”</i></p> <p>This approach could lead to a proliferation of <i>“isolated dwellings”</i>, and consequently an unsustainable pattern of development. This is particularly pertinent as page 12</p>	<p>Paragraph 55 states that:</p> <p><i>“Local planning authorities should avoid isolated homes in the countryside unless there are special circumstances.”</i></p>	<p>Met – This objective has now been removed and the plan’s approach to new housing is now more focused on existing settlements, leading to a more sustainable approach to the location of new development.</p>

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	states that there is currently <i>“an over-reliance on the car which in turn creates traffic and parking issues”</i> .		
Growth Strategy	This section makes various references to the need for “more affordable housing” (in the context of affordability in relative terms). It is not clear to what extent these are references to a need for affordable housing as defined in the NPPF and new Local Plan, or whether it refers to cheaper market housing.	Please see definition of affordable housing in the glossary of the NPPF and new Local Plan. However, this definition is currently in the process of being amended by the government, particularly in relation to the government policy of encouraging starter homes, and hence is likely to be altered in the near future.	Met – the SMBNP has now been amended in order to provide more clarity concerning the different types of housing which is being supported.
SD1 – location of new development	<p>Supporting the redevelopment of brownfield land is consistent with the NPPF. However, the definition of brownfield land in the policy departs from that in the NPPF and new Local Plan, as it includes redundant farmsteads and agricultural buildings within an existing settlement (see NPPF definition).</p> <p>It is noted that the policy definition is limited to sites within settlements, an approach which could reduce potential conflicts by limiting the support for isolated dwellings. However, there are also concerns about the definition of a settlement (which is implicit within the SMBNP), as this also does not appear to be consistent with the definition in the new Local Plan i.e. the SMBNP includes very small clusters of houses.</p> <p>In addition, the definition of brownfield land is different to that used in SD2, which makes no reference to sites being within existing settlements. This discordance between the definitions is likely to lead to difficulties in implementing the Plan.</p>	<p>Definition of previously developed land as set out in the NPPF:</p> <p><i>“Previously developed land: Land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure. This excludes: land that is or has been occupied by agricultural or forestry buildings; land that has been developed for minerals extraction or waste disposal by landfill purposes where provision for restoration has been made through development control procedures; land in built-up areas such as private residential gardens, parks, recreation grounds and allotments; and</i></p>	<p>Met – the terminology has now been clarified in order to make specific reference to ‘redundant agricultural buildings’ as opposed to ‘brownfield land’. This description is both more accurate and consistent with the ALP and NPPF (i.e. the definition of previously developed land).</p> <p>The SMBNP does adopt a more wide-ranging definition of what constitutes a ‘settlement’ vis-à-vis the ALP. However, the LPA acknowledges that the NP is seeking to reflect local circumstances by seeking to provide support for the hamlets within the in</p>

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		<i>land that was previously-developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape in the process of time.</i>	parish, in order to try and sustain those communities.
SD1	<p>Some additional clarification is recommended in terms of what is meant by the “<i>built-up areas of St Mary Bourne</i>”. For example, does this only include the settlement policy boundary as defined on the Local Plan inset maps or is the policy intended to be more permissive?</p> <p>Additional clarification could also be provided in relation to the hamlets, as by their very nature it may be difficult to interpret exactly what constitutes their “<i>built up area</i>” (this problem is much less pronounced in relation to Stoke).</p>		<p>Met – this policy has now been amended, and the wording referred to has been removed from the NP. The Plan also clarifies in paragraph 2 on page 10 that the principle of new housing within the settlement policy boundary of St Mary Bourne is acceptable, in accordance with the ALP.</p> <p>The submission version also specifies that infilling on the basis of the NP is only appropriate in Stoke, as the settlement pattern of this village is conducive to such development, whereas it would not be practical in the hamlets owing to their more dispersed character.</p>
SD1	There could be difficulties encountered in terms of interpreting what would constitute a “redundant farmstead”, and a means of assessing what would fall within that definition could be incorporated into the Plan via one of the	PPG guidance regarding policy writing:	Met – The wording of the policy has now been made more practical to implement, as it specifies

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	<p>relevant policies. Moreover both redundant and farmstead could be difficult to interpret. For example, does redundant imply something more long-standing that simply not in use? In which case how long would a building need to have been out of use? Would the assessment of this issue require consideration of the state of the building(s) and potential for alternative uses? In terms of farmstead, this is usually understood to mean a farm and its buildings, so would it be necessary for the whole farmstead to be redundant, or just part of it?</p>	<p><i>“... 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.”</i></p>	<p>that it applies to redundant agricultural buildings, and clarification has been provided within the supporting text to what is now policy P1 in terms of what would constitute a redundant agricultural building.</p>
SD1	<p>The approach to seeking to encourage new housing in the hamlets is predicated on a different definition of a settlement when compared with policy SS6 in the new Local Plan, as apart from Stoke, the ‘hamlets’ are essentially small clusters of dwellings and agricultural buildings. This accentuates the conflict between SD1 (and SD2) and policy SS6 in the new Local Plan.</p>		<p>Met – the policy is considered to be in general conformity with the ALP, as it does seek to guide new development towards settlements, albeit with a different and more wide-ranging understanding of what would constitute a settlement vis-à-vis the definition with the ALP. However, it is considered that there is some flexibility for the SMBNP to adopt a different stance concerning what would constitute a settlement, as it is a rural parish, and the NPPF does seek to support policies which are responsive to local circumstances and maintain the vitality and viability of rural</p>

Section/ Policy	Issue	Relevant National Guidance (NPPF and NPPG)	Not met/Partially Met/ Comment
			communities (paragraphs 54 – 55).
SD1	<p>Bullet 3: “Where the local drainage and sewage system has the capacity to accommodate new development”</p> <p>(This observation also applies equally in relation to policy SD2).</p> <p>This requirement is potentially unreasonable, as there may be means of providing foul drainage in a manner other than via the sewage system. Furthermore, this policy requirement is more restrictive than the national level guidance set out in the PPG.</p>	<p>Extract from PPG guidance in relation to wastewater:</p> <p><i>“Applications for developments relying on anything other than connection to a public sewage treatment plant should be supported by sufficient information to understand the potential implications for the water environment...Where a connection to a public sewage treatment plant is not feasible (in terms of cost and/or practicality) a package sewage treatment plant can be considered. This could either be adopted in due course by the sewerage company or owned and operated under a <u>new appointment or variation</u>. The package sewage treatment plant should offer treatment so that the final discharge from it meets the standards set by the Environment Agency.”</i></p> <p>http://planningguidance.communities.gov.uk/blog/guidance/water-supply-wastewater-and-water-quality/water-supply-wastewater-and-water-quality-considerations-for-planning-applications/#paragraph_020</p>	<p>Met – This restriction on when development can take place has been removed from the policies supporting the provision of new housing.</p> <p>The approach to drainage issues within the SMBNP has been amended in the Submission version, and has been informed by comments from the Environment Agency. The approach is set out in policy P5, and does allow for other means of foul drainage to be utilised where connecting to the existing sewage network cannot be achieved.</p>

Section/ Policy	Issue	Relevant National Guidance (NPPF and NPPG)	Not met/Partially Met/ Comment
SD1	<p>Bullet 4 <i>“light pollution does not increase as a result of the development”</i>. The LPA is concerned about the practicality of this requirement, as virtually any new development could increase light pollution, especially new housing in rural locations. In addition, this requirement seems more onerous than the NPPF (paragraph 125) as this states “limit” as opposed to “no increase”. More suitable versions of this requirement appear in other policies in the Plan.</p>	<p>Please see relevant section of the NPPF:</p> <p><i>“125. By encouraging good design, planning policies and decisions should limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.”</i></p>	<p>Met – The reference to light pollution within the SMBNP have now been restricted to the design policy, P7, and the wording within that policy is considered to be in accordance with the NPPF (paragraph 125).</p>
SD2 – Reuse of brownfield sites first	<p>In essence this policy appears to largely replicate SD1, though with some apparently significant differences in relation to the definition of brownfield land as referred to above. More specifically, this policy creates confusion as the definition of brownfield land in this policy does not make reference to restrictions of such sites to “within an existing settlement”. It is questioned whether this policy seeks to be more permissive than SD1.</p> <p>It is noted that the Plan’s approach of including redundant farmsteads within the definition of brownfield land has been justified in relation to public consultation and sustainability issues. However, the definition of brownfield land in this policy is in conflict with the NPPF and is inconsistent with SD1, and this is a significant concern.</p> <p>The LPA is concerned that the approach of SD2 could lead to a scale and dispersal of new housing which could lead to harm to the AONB and an unsustainable form of development. It will be important to ensure that the comments of the North Wessex Downs AONB management board are properly considered when deciding whether any amendments are required to this policy.</p>	<p>See reference above to paragraph 55 of the NPPF in terms of preventing isolated new dwellings.</p> <p>In addition, please see the definition of previously developed land as set out in the NPPF, as has been quoted above.</p> <p>In terms of the impact on the AONB, it is important to consider the implications of this policy in relation to paragraph 115 in the NPPF:</p> <p><i>“Great weight should be given to conserving landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to landscape and scenic beauty. The conservation of wildlife and cultural heritage are important considerations in all these areas, and should be</i></p>	<p>Met – The policy framework within the SMBNP has now been rationalised, which has removed the tension between policies SD1 and SD2 in the pre-submission version of the document.</p> <p>In addition, as per the LPA’s previous advice the relevant policy, P1, restricts the locations where redundant agricultural buildings can be redevelopment, and now includes more extensive criteria against which to judge proposals. These additional criteria will help to prevent unsustainable patterns of development and harm to the AONB, and hence these amendments are</p>

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	<p>The policy would also be in conflict with policy SS6 in the new Local Plan as this seeks to restrict new housing in the countryside to sites which are well-related to settlements.</p> <p>The number of units which would be supported by the policy is also higher than that set out in SS6 i.e. 6 units in policy SD2 compared with 4 in SS6. However, given that the basic conditions only require general conformity with the development plan, the LPA has no in principle objection to the number of units set out in the policy, if these were to be provided in locations well related to settlements (subject to the comments elsewhere about the implicit definition of settlements in the SMBNP).</p> <p>In addition, the reference to infilling is also problematic, as it is not clear whether this policy is only allowing infilling on land which would fall within the NPPF definition of previously developed land, as if that is the case then it would exclude development on garden land, which is where much infilling is likely to take place.</p>	<p><i>given great weight in National Parks and the Broads.”</i></p>	<p>considered to lead to a greater degree of conformity with the ALP and NPPF.</p>
SD2	<p>The final bullet of the policy regarding the prevention of subdivision is considered to be imprecisely worded and it would be difficult to apply this requirement when determining planning applications.</p> <p>The lack of clarity in respect of this safeguard accentuates the concerns of the LPA regarding this policy approach.</p>		<p>Met – this requirement/criterion has been removed from the new policy, P1.</p>
Rationale for SD2	<p>It is queried what is meant by “<i>Redundant farm buildings and similar sites</i>”. This reference to similar sites could cause confusion and unwanted outcomes when interpreting the policy.</p>		<p>Met – this wording has been removed from the Submission SMBNP.</p>
H1 – Location	<p>This policy relates to the location of new development. However, it is not clear where new development can be</p>		<p>Met - The policy framework within the SMBNP has now</p>

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of new housing	located on redundant farmsteads. More specifically, do the new dwellings need to be on the site of the redundant buildings (which would presumably be demolished) or can they be located elsewhere provided the redundant buildings are removed? If they can be located elsewhere then presumably guidance is required in order to ensure this is in a suitable location within the wider site.		<p>been rationalised, with the result that policy H1 has now been incorporated into other policies.</p> <p>In addition, the wording of the relevant policy, P1, now focuses on redundant buildings rather than 'farmsteads', which is more precise and should make the policy easier to implement.</p>
H1	<p>The first sentence is not required as this simply refers to the 2 earlier policies,</p> <p>In relation to the first bullet point, which requires a "<i>Local Housing Needs Statement</i>" for affordable housing, under the new Local Plan, policy CN1, all proposals for new housing will need to make provision of affordable housing, either through financial contributions or on-site provision. Requiring a housing needs statement for all affordable housing provision is inconsistent with these requirements. If the requirement only relates to proposals for rural exceptions housing, then the clause should be clarified accordingly. However, that would also arguably be unnecessary, as such a requirement is already set out in new Local Plan policy CN2.</p>		<p>Met - The policy framework within the SMBNP has now been rationalised, with the result that policy H1 has now been incorporated into other policies.</p> <p>The new policy on exception sites, P4, includes a housing need requirement, but the council's Principal Housing Enabling Officer is satisfied with that policy stipulation.</p>
H1	In relation to bullet 2, which requires a Traffic Impact Assessment to be submitted with applications for new housing, the PPG states that a Transport Assessment can only be required where the proposal would generate significant amounts of traffic. Therefore, it is unlikely that	The government guidance in relation to Traffic Impact Assessments can be accessed via the following link to the PPG:	Met – the requirement for a Traffic Impact Assessment has been removed from the Submission version of the SMBNP.

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	<p>the requirement in the policy could be enforced, given the scale of proposals supported by the Plan.</p> <p>It should also be noted that the new Local Plan contains a policy regarding transport, CN9, and the PC may wish to consider whether any additional requirements are necessary, as this policy appears to already address this issue.</p>	<p>http://planningguidance.communities.gov.uk/blog/guidance/travel-plans-transport-assessments-and-statements-in-decision-taking/transport-assessments-and-statements/</p>	
H1	<p>The LPA has no objection to the inclusion of a requirement in relation to broadband connectivity, as the importance of this issue in rural areas is acknowledged. However, the wording proposed would be difficult to implement, as it is not clear what would constitute enhanced broadband connectivity.</p>		<p>Met – this requirement has been removed from the submission version of the SMBNP.</p>
H1	<p>The final bullet, which states that “<i>where the site in question was in existence at 1 March 2015</i>”; presumably refers to redundant farmsteads as opposed to infilling, but this is not clear. In addition, the site/land will inevitably have existed on 1 March 2015, so reference to the buildings specifically is likely to be more appropriate.</p>		<p>Met - The policy framework within the SMBNP has now been rationalised, with the result that this stipulation is now part of the supporting text for policy P1. The wording has also been amended in order to make it more clear and precise.</p>
H1/Ratio nale	<p>The rationale makes reference to many of the redundant agricultural buildings having no historic merit. However, it is recommended that a clause is incorporated requiring that where redundant buildings do have architectural or historic merit they are retained/converted as opposed to being replaced, unless they are not capable of conversion. This would potentially improve the sustainability credentials of the Plan and help to ensure the policies are not detrimental</p>		<p>Met – the new policy, P1, contains a clause protecting historic buildings (criterion g).</p>

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	to the character of the AONB. In addition, such a clause would help to protect potential non-designated heritage assets.		
H2 – Housing capacity and mix	In relation to the maximum capacity of 6 units, it is recommended that clarification is provided either in the policy or rationale that not all sites will necessarily be suitable for the maximum number of units.		Met – the guidance requested by the LPA has been incorporated within the introductory text above Policy P1.
H2	As currently worded this policy would seem to apply to all housing development, and hence would potentially support infilling of 6 units. It is queried whether this is the intent of the policy.		Met – Policy H2 has been significantly amended in the form of policy P3. The new policy does not include the maximum site capacity clause.
H2	<p>The second bullet does not set out a well-balanced housing mix, and will result in nearly all new dwellings being 3 bedroom units. This creates a degree of conflict with the new Local Plan, policy CN3, which requires a mix of dwellings. This issue may be addressed by the third bullet, but this is not clear from the wording of the policy.</p> <p>In addition, it is recommended that reference is made in the rationale to the evidence which supports the mix proposed.</p> <p>In addition, the reference to being “<i>of a size and scale as to be affordable</i>” is not particularly clear and precise and is likely to be difficult to interpret and implement. The LPA is concerned that this may result in a different definition of affordable housing to that set out within the new Local Plan, and consequently create a conflict between the two documents.</p>		Met – The new policy, P3, sets out a more balanced housing mix, with an emphasis on 2 and 3 bedroom properties, while also allowing some larger units. This reflects the local circumstances pertaining to the parish, as set out within the Submission version of the SMBNP, and is in general conformity with the ALP policy, CN3, and the NPPF (para 54, in terms of responding to local circumstances).

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	<p>The mix would presumably also cover affordable units. However, it is recommended that the size of affordable units is not specified so that this can be negotiated in light of relevant affordable housing need at the time of the application.</p>		<p>The requirements in former policy H2 concerning certain units being 'of a size and scale so as to be affordable' have been removed from the new version of the policy – P3.</p> <p>It may however be advisable to make a minor amendment to the policy in order to specify that it only applies to market housing, which would then allow affordable housing provision to be negotiated on a site by site basis as per policy CN1 of the ALP (paragraph 5.13).</p>
CED1 – Achieving high quality design	<p>This policy makes reference to incorporating the St Mary Bourne Village Design Statement as Appendix 4. It is unclear what weight the village design statement would then hold.</p>		<p>Met – Policy CED1 has now been amended to form policy P7. This policy seeks to distil the guidance set out in the Village Design Statement into a criteria based policy. There is a reference in the supporting text to the development needing to accord with the VDS. A similar requirement was set out in the Whitchurch Neighbourhood Plan, policy GD1, and was</p>

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			not removed by the independent examiner, so it would appear that such clauses are not in breach of the basic conditions.
CED1	<p>It is not clear how the requirement in relation to dispersal of traffic flows (bullet 3) would be met and the LPA is concerned that this clause will be difficult to interpret and implement. The LPA queries whether this clause would implicitly encourage the provision of isolated dwellings and an unsustainable pattern of development.</p> <p>In addition, this clause appears inconsistent, as the first half encourages a sustainable pattern of development, whereas the second half would facilitate the opposite approach.</p>		Met – the equivalent of this policy clause has now been incorporated within the new policy P5 (Environmental Factors), clause f). The wording in the new policy is considered to be in general conformity with policy CN9 in the ALP.
CED1	Point 4 in the policy repeats the requirement in policy H2 in relation to housing mix.		Met – There are no housing mix requirements within the new version of policy CED1 (P5).
CED1	Point 7 makes reference to creating “attractive roads and spaces”, but presumably this means “streets” as opposed to roads, as an attractive road could be interpreted as meaning the surface only.		Met – this wording has been removed from the submission version of the SMBNP.
CED1	Point 15 repeats the earlier policy requirement in terms of light pollution. However, this wording is considered preferable to that used in SD1, as it is more consistent with the NPPF wording referred to above.		Met – The policy framework within the Submission SMBNP has been rationalised, and now only contains one policy criterion concerning light pollution, clause e) within policy P7. The wording of that criterion is considered

Section/ Policy	Issue	Relevant National Guidance (NPPF and NPPG)	Not met/Partially Met/ Comment
			to be in accordance with the NPPF wording in paragraph 125.
CED2 – Environmental Quality	<p>The aspirations of this policy are supported, and are likely to be generally consistent with the goal of facilitating sustainable development as set out in the basic conditions. However, it is considered that the wording should be clarified in places. For example, it is not clear what would constitute a “<i>contribution to sustainability</i>”. In addition, it is questioned whether it is reasonable to apply this requirement to “<i>any new development</i>” as set out in the policy i.e. would it apply to domestic extensions or outbuildings where they require planning permission?</p> <p>The policy is not considered to be sufficiently precisely worded, as the status of the “<i>important principles</i>” is not clear i.e. there is uncertainty concerning whether these are requirements which must be met, or just issues to consider. In addition, it is not clear what these principles would apply to, presumably only small scale solar and bio-digester projects? And not the first part of the policy which relates to a contribution to sustainability being sought in any new development?</p> <p>There is also some imprecision in relation to the wording, for example, the requirement for a Landscape Character Assessment is probably referring to a Landscape and Visual Impact Appraisal, as that is the more common requirement in relation to planning applications, whereas a Landscape Character Assessment is generally a more strategic style document. In addition, concerning the principle in relation to use of recycled materials, it would not be feasible to apply this to all proposals. In addition, it</p>		Met – This policy has been replaced with Policy P6: Small scale renewable energy projects. It is considered that new policy P6 overcomes the concerns regarding the previous versions, as it has been rationalised and is more clearly defined. It is considered that the new policy provides a policy framework which would support sustainable development in a manner which is responsive to the local context.

Section/ Policy	Issue	Relevant National Guidance (NPPF and NPPG)	Not met/Partially Met/ Comment
	<p>is not clear what would constitute an environmentally neutral energy system, and again, it would not be feasible to apply this requirement to all proposals.</p> <p>The policy also contains another requirement in relation to light pollution. There is no objection to the wording proposed, however, the repetition of these requirements across various policies should be addressed as has been referred to above.</p> <p>The final bullet which states that “<i>large-scale solar, wind, bio-digester or other renewable projects will not be allowed</i>” is considered to be very negatively worded and would potentially be removed through the independent examination process. In addition, the terms “<i>small-scale</i>” and “<i>large-scale</i>” are subjective and could cause difficulties when trying to implement this policy.</p>		
CWB1 – supporting and developing the local economy	<p>The principle of supporting light industry on brownfield land, including redundant farmsteads, is supported. However, the wording of this policy would appear to allow light industrial premises to be provided through infilling (as such development is guided towards all sites listed in SD1/2). It is questioned whether this is the parish council's intention. It would also be difficult for light industrial buildings to meet all of the design policies in CED1 (as currently required by the policy).</p>		Met – this policy has been removed from the Submission version of the SMBNP. The live work element has been incorporated into the supporting text of policy P1, while the reference to light industrial has now been removed from the Submission version of the SMBNP.
CWB2 – improving and enhancing	<p>The LPA queries what is meant by the term “loss of community value”? Does this mean the loss of the facility? If not then it is queried how this relates to the “no demonstrable harm” requirement.</p>		Met – this policy has now been removed from the Submission version of the SMBNP.

Section/ Policy	Issue	Relevant National Guidance (NPPF and NPPG)	Not met/Partially Met/ Comment
ng key commun ity assets			
TA1 – improvin g and enhanci ng transpor t and accessib ility.	<p>This policy reads more like a set of aspirations than a development management policy. If it is not intended to be applied to the determination of planning applications then these goals should be set out via an alternative mechanism¹. If it is intended to be applied to planning applications then the wording should be amended so that it reads more like a policy. For example, “development proposals will be permitted which:”</p> <p>In addition, if this text is to form the basis of a policy then it is recommended that some of the criteria are reconsidered in order to make them more practical to apply in relation to planning applications, for example, the requirement not to exacerbate existing traffic hotspots could be problematic as virtually any new development in the parish could increase the amount of traffic passing through the centre of St Mary Bourne. It may also be helpful to provide greater clarification in terms of what constitute a “hotspot”.</p>		Met – this policy has been removed from the submission version of the SMBNP. Non-policy related measures in relation to transport and accessibility issues are set out in the ‘community action’ section of the SMBNP.

¹ For example, in the case of the Overton Neighbourhood Plan the independent examiner created a section called “community action”, which set out community aspirations which were not planning policies.

Part 1B – How the LPA’s comments on the second Pre-Submission draft Plan have been addressed in the Submission Neighbourhood Plan and Remaining Issues.

The table below relates to the LPA comments provided in connection with the second pre-submission consultation on the SMBNP as amended following the initial consultation.

Section/ Policy	Comments	Relevant National Guidance (NPPF and NPPG)	Not met/Partially Met/ Comment
Policy P1 – Redundant Agricultural Buildings	<p>This policy has evolved considerably since the initial Regulation 14 pre-submission consultation. The LPA considers that the policy is now clearly structured and contains a considerable number of safeguards in order to prevent inappropriate development. It is also considered that the policy is broadly in accordance with the goal of supporting sustainable development in rural areas, as per paragraph 55 of the NPPF, and the rural housing strategy contained within the adopted Local Plan (ALP), which supports small scale development provided it responds to local need, is well related to existing settlements and is sympathetic to the character of the area.</p> <p>The LPA recommended that additional justification should be set out explaining the rationale for the policy in terms of why this form of development is appropriate in terms of issues such as the impact on the character of the area.</p>	<p>NPPF, paragraph 55:</p> <p><i>“To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. For example, where there are groups of smaller settlements, development in one village may support services in a village nearby.”</i></p>	<p>Met - Additional clarification, has been included within the supporting text (page 9) explaining the parish council’s reasoning for the policy and providing examples of similar schemes in the neighbourhood area which the parish council consider where successful and set a precedent for this form of development.</p>
Policy P2 – infilling within Stoke	<p>Given the size of Stoke, it is considered that it is appropriate to support limited development within this settlement. It is considered that the policy provides an appropriate level of support for sustainable development in the countryside, as per paragraph 55 of the NPPF and supports small scale development in rural areas in accordance with policy SS6 in the ALP. It is also welcomed that clarification has been provided in terms of the relationship with policy SS6 in the ALP.</p>		<p>No amendments were requested in relation to this policy.</p>

Section/ Policy	Comments	Relevant National Guidance (NPPF and NPPG)	Not met/Partially Met/ Comment
Policy P3 – Housing Mix and Local Connection Pre-emption right	<p>The housing mix policy provides an important opportunity to set out some locally distinctive criteria in relation to this issue. The updated policy is considered to be clear and coherent and is likely to be helpful in terms of ensuring that new development responds to the locally specific housing needs.</p> <p>However, the local connection element of the policy is considered to be vulnerable to being removed at independent examination. The requirements are unclear, for example, in relation to whether it applies to only market or affordable housing, or to both. Therefore, in order for this element of the policy to have a better chance of being retained at a future independent examination, it is recommended that the requirements are clarified to a significant extent. Also, the policy would need to be supported by evidence which would demonstrate that this element is necessary and would not undermine future development (in viability terms).</p> <p>If this element of the policy is also intended to apply to affordable housing, then the wording should be clarified accordingly. However, if this is the case, it should be noted that the council’s housing department do not consider that such requirements are appropriate and that this issue should be addressed instead by the Local Housing Authority allocations policies, which seeks to prioritise those with a local connection. The local connection policies pertaining to affordable housing in relation to the Oakley, Bramley and Whitchurch Neighbourhood Plans were either removed or amended by the independent examiner.</p>	<p>PPG guidance regarding policy writing:</p> <p><i>“... 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.”</i></p>	<p>Not met – The LPA still considers that the local connection pre-emption right element of the policy is not sufficiently clear to form an effective policy or meet the guidance in the PPG concerning policy writing. Consequently, this policy would be difficult to apply with certainty, and it is difficult to see how this requirement could give rise to planning conditions or obligations which comply with the tests set out in the NPPF and PPG.</p> <p>In addition, if the policy is also intended to apply to affordable housing policies, then it should be noted that local connection policies for affordable housing have been removed from the Oakley, Bramley and Whitchurch Neighbourhood Plans, and replaced with wording requiring compliance with the council’s affordable housing Allocations Policy, which prioritises affordable</p>

Section/ Policy	Comments	Relevant National Guidance (NPPF and NPPG)	Not met/Partially Met/ Comment
			housing for those with a local connection.
Policy P4 - Rural exceptions sites	<p>The inclusion of a rural exception site policy responds to the concerns raised by the LPA at Regulation 14 stage regarding the apparently negative approach the previous version of the SMBNP displayed in relation to rural exceptions housing.</p> <p>However, it is recommended that clause d), requiring demonstrable local community support for the proposal, is removed. This was originally added following discussions with the planning policy team, where this clause was highlighted in a policy proposed for inclusion in the Submission North Devon and Torridge Local Plan. However, it is noted that following Examination, that clause is now proposed for removal by the local authority in question:</p> <p>http://consult.torridge.gov.uk/portal/planning/localplan/planmods</p> <p>Therefore, it is considered likely that such a clause would be removed at a future independent examination. This clause could be replaced with some supporting text stressing the need to carry out extensive community engagement in relation to any future rural exceptions housing.</p>		<p>Partially met – Clause d) concerning the need for there to be demonstrable local support has been retained in the policy. It is considered that this clause would be difficult to implement (i.e. it is not clear what sort or level of support would be required).</p> <p>Notwithstanding the above, in practical terms the process of identifying appropriate rural exception sites would in any case involve seeking to identify sites which would have community support, a process which would include engagement with the parish council.</p> <p>However, supporting text has been included as per the LPA's recommendation in the previous comments.</p>
P5 – Environmental Factors	It is considered that this policy is coherent and clearly structured. It is welcomed that the policy takes the opportunity available to address locally specific environmental issues. The LPA suggested some minor		Met – the criteria within policy P5 concerning renewable energy projects have been amended in light

Section/ Policy	Comments	Relevant National Guidance (NPPF and NPPG)	Not met/Partially Met/ Comment
	<p>amendments to the policy wording, for example, the addition of the word significantly in clause f) in relation to highway impacts.</p> <p>The inclusion of clauses allowing for the provision of small-scale renewable energy is welcomed as this supports the goal of contributing towards the achievement of sustainable development. However, it was considered that this may be more appropriate as a separate policy within the overall umbrella of the environment section.</p> <p>It was also recommended that reference to large scale renewable energy projects not being permitted was removed from the policy text, as this didn't accord with the overall structure of the policy. It was also negatively worded, meaning this requirement was considered vulnerable to being deleted through the independent examination process. The policy also clearly refers only to 'small scale' renewable energy projects, and consequently, it would appear that large scale projects are by implication not supported by the policy. In addition, the supporting text clarifies that the lack of support for large scale projects.</p>		<p>of the LPA's recommendations. In addition, as recommended in the LPA comments, the renewable energy clauses have been separated out to form a separate policy. The negative wording around large scale energy projects has also been removed from the policy wording.</p>
Policy P6 – Design Require ments (now P7)	<p>This policy is also now more coherent than was the case with the version contained within the original pre-submission version of the SMBNP, and constitutes a clearly structured criteria based policy. It is welcomed that the policy takes the opportunity available to address locally specific design issues. The supporting text also provides useful background information and will aid with the implementation of the policy.</p>		<p>No amendments were requested in relation to this policy.</p>
Policy P8 -	<p>This is a fairly straight forward policy, which is positively worded. It is welcomed that this policy takes the opportunity available to respond to a locally identified need.</p>		<p>No amendments were requested in relation to this policy.</p>

Section/ Policy	Comments	Relevant National Guidance (NPPF and NPPG)	Not met/Partially Met/ Comment
Allotments			
Community Action	The incorporation of the 'community action' section is considered acceptable and is modelled on amendments made to the Overton Neighbourhood Plan by the independent examiner, who converted various policies to 'community action' sections within the main body of the neighbourhood plan.		No amendments were requested in relation to this section.

Part 2: Additional comments raised in relation to the Submission version of the SMBNP

In addition to the comments set out above, following consultation with specialist consultees the LPA would like to make the following additional comments on the Submission version of the SMBNP.

Policy/section	Comments
Policy P1 – Redundant Agricultural Buildings	The council's Biodiversity Officer has requested that the policy incorporates consideration of protected species which may be using redundant agricultural buildings, in particular bats and barn owls, as these may be roosting and nesting in such buildings.
Environmental Factors	The council's Biodiversity Officer has requested that reference is made within the policy or supporting text to having regard to protecting Sites of Importance for Nature Conservation, as there are 25 of these within the parish.
Policy P6 - Small Scale Renewable Energy	The council's Biodiversity Officer notes that there is a large scale biodigester plant on the edge of St Mary Bourne Parish (part of which is within the parish). This is currently the subject of a planning application - 16/02951/FUL.
Community Action	The council's Biodiversity Officer is very supportive of the proposal to create an Environmental Group.
General	The council's Natural Environment Team have requested that the plan incorporates more reference to the North Wessex Downs Area of Outstanding Natural Beauty and accompanying management plan.
General	The council's Historic Environment Team consider that the NP should make more extensive reference to the Conservation Area, other heritage assets, and the St Mary Bourne Conservation Area Appraisal.

Part 3: Suggested minor amendments to the document

Various minor amendments are recommended in relation to the document in order to make it more accurate and user friendly in places. Examiners have allowed minor amendments to be made to other neighbourhood plans following the examination in order to correct non-material drafting issues, assuming that is permissible in this case, the LPA asks the Examiner to consider the following recommendations.

Policy/section	Comments
Contents Page	Currently there is no contents page, and it is recommended that one is added in order to make the document easier to navigate.
General	It is recommended that paragraph numbers are added in order to make the document easier to navigate.
Policy P1	Each clauses a – f all need to end in ‘; and’, currently only clauses a – c end in this way. Clause g) also needs a full-stop.
p.9	New paragraph after “These set a precedent for such a size of development on former agricultural sites”.
Policy P2	Semi-colon instead of colon at the end of each policy.
Policy P5	Comma after Bourne rivulet in clause a). Insert semi-colon before ‘and’ at the end of clause e) add ‘; and’.
p.13 - 14	There are two paragraphs in the supporting text concerning environmentally friendly design and technologies, it is recommended that these are combined in order to avoid repetition.
Community Action box	The box currently misses out the Flooding section, so the box should be expanded to include this element.