

# **Wootton St. Lawrence Neighbourhood Plan 2016 - 2029**

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

**Janet L Cheesley BA (Hons) DipTP MRTPI**

**CHEC Planning Ltd**

**21 August 2019**

| <b>Contents</b>   | <b>Page</b> |
|---|-------------|
| Summary and Conclusion  | 3           |
| Introduction  | 3           |
| Legislative Background  | 4           |
| EU Obligations, SEA and HRA                                   | 5           |
| Policy Background   | 6           |
| The Neighbourhood Plan Preparation                            | 7           |
| The Wootton St. Lawrence Neighbourhood Plan                   | 8           |
| Policy WSL1 Local Gap   | 10          |
| Policy WSL2 Local Green Space                                 | 12          |
| Policy WSL3 Public Rights of Way                              | 14          |
| Policy WSL4 Light Pollution                                   | 15          |
| Policy WSL5 New Dwellings                                     | 17          |
| Policy WSL6 Replacement or Extension of Dwellings             | 21          |
| Policy WSL7 Detached buildings in the Gardens of Dwellings    | 23          |
| Policy WSL8 Residential Garden Extensions                     | 24          |
| Policy WSL9 Valued Facilities                                 | 24          |
| Policy WSL10 Provision of Community Facilities                | 26          |
| Policy WSL11 Employment Sites                                 | 26          |
| Referendum & the Wootton St. Lawrence Neighbourhood Plan Area | 28          |
| Appendix 1 Background Documents                               | 30          |

## Summary and Conclusion

1. The Local Plan allocates a 290 hectare site, Manydown, for approximately 3,400 dwellings and social and physical infrastructure. A large part of this allocated site lies within Wootton St. Lawrence Parish.
2. This Neighbourhood Plan does not allocate any sites for housing development. Outside the Manydown site, new dwellings are restricted in accordance with Local Plan policy for development in the rural areas or the infilling of a restricted gap.
3. I am satisfied that the proposed Local Gap designation in Policy WSL1 meets the Basic Conditions.
4. I have recommended modification to some of the policies in the Plan, for the reasons set out in detail below. In particular, I have recommended the deletion of the allotments from the Local Green Space designation.
5. I have recommended the deletion of Policy WSL8. This policy does not meet the Basic Conditions. If I were to suggest modifications, it would add no local policy detail above that specified in strategic policy.
6. Even though I have recommended a number of modifications to the Plan, these do not significantly or substantially alter the intention or nature of the Plan.
7. **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 Wootton St. Lawrence Neighbourhood Plan will provide a strong practical framework against which decisions on development can be made. I am pleased to recommend that the Wootton St. Lawrence Neighbourhood Plan, as modified by my recommendations, should proceed to Referendum.**

## Introduction

8. On 20 February 2014 Basingstoke and Deane Borough Council (BDBC) approved that the Wootton St. Lawrence Neighbourhood Area be designated in accordance with the Neighbourhood Planning (General) Regulations 2012. The Area covers the whole of the Parish of Wootton St. Lawrence.
9. The qualifying body is Wootton St. Lawrence Parish Council. The Plan has been prepared by the Wootton St. Lawrence Neighbourhood Plan Working Group on behalf of the Parish Council. The Plan covers the period 2016 to 2029.

10. I was appointed as an independent Examiner for the Wootton St. Lawrence Neighbourhood Plan in June 2019. 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. As part of my examination, I have visited the Plan area.

## Legislative Background

11. 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.
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. *The Conservation of Habitats and Species and Planning (Various Amendments) (England and Wales) Regulations 2018* came into force on 28 December 2018. They state:

*Amendment to the Neighbourhood Planning (General) Regulations 2012.*

3.—(1) *The Neighbourhood Planning (General) Regulations 2012(5) are amended as follows.*

(2) *In Schedule 2 (Habitats), for paragraph 1 substitute:*

*“Neighbourhood development plans*

*1. In relation to the examination of neighbourhood development plans the following basic condition is prescribed for the purpose of paragraph 8(2)(g) of Schedule 4B to the 1990 Act(6)—*

*The making of the neighbourhood development plan does not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017(7).”*

14. Since 28 December 2018, a neighbourhood plan is required to be examined against this extra Basic Condition. I will make further reference to this matter below.
15. Subject to the modifications I have recommended in this report, I am content that these legislative requirements have been satisfied.

## **EU Obligations, Strategic Environmental Assessment (SEA) and Habitat Regulation Assessment (HRA)**

16. Directive 2001/42/EC and the Environmental Assessment of Plans and Programmes Regulations 2004 (as amended) (EA Regulations) set out various legal requirements and stages in the production of a Strategic Environmental Assessment (SEA).
17. BDBC produced a *Neighbourhood Planning Screening Report – Wootton St. Lawrence Strategic Environmental Assessment (SEA) and Habitats Regulations Assessment (HRA)* in October 2017. This is the final version following consideration by consultation bodies. It concluded that an SEA was not considered to be required to accompany the Neighbourhood Plan. The statutory consultees concurred with this view.
18. In a Screening Opinion letter dated 10 October 2017, BDBC confirmed to the Parish Council the reasoning being: *following analysis undertaken to assess the effects on the environment resulting from the Wootton St. Lawrence 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.*
19. 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.

20. As regards HRA, the Screening Report concluded that the Plan would not need to be subject to HRA. It states: *There are no European sites within a 10km radius of the Neighbourhood Plan Area, so it is considered that there is no reasonable basis upon which to suppose that there is any prospect of an impact on a European site.* The statutory consultees did not object to this conclusion.
21. Based on the screening determination and consultee response, I consider that the Plan does not require a full HRA under Articles 6 or 7 of the Habitats Directive. I am satisfied that the Plan does not breach the requirements of Chapter 8 of Part 6 of *the Conservation of Habitats and Species Regulations 2017(7)*.
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 (NPPF)* (2019) sets out the Government's planning policies for England and how these are expected to be applied. The *Planning Practice Guidance* (2014 and updates) (PPG) provides Government guidance on planning policy.
24. At the heart of the NPPF is the presumption in favour of sustainable development. Paragraph 8 sets out the three overarching objectives which are interdependent and need to be pursued in mutually supportive ways. The three overarching objectives are:
  - a) *an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;*
  - b) *a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and*
  - c) *an environmental objective – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.*

25. The Basic Conditions Statement that supports the Plan has considered how the Plan has regard to national policy against the NPPF of July 2018. However, the NPPF has been further updated in February 2019. As the updates were minor clarifications to the July 2018 version, I do not consider that anyone has been prejudiced by this approach.
26. Wootton St. Lawrence is within the local authority area of Basingstoke and Deane Borough Council (BDBC). The development plan for the Neighbourhood Plan Area includes the Basingstoke and Deane Local Plan (BDLP) (2011 to 2029) adopted on 26 May 2016. The Wootton St. Lawrence 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**

27. 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.
28. The initial consultation process included evidence gathering between September 2014 and 2016. There was significant and continuous consultation with the community. Throughout the process, the community was kept informed of the Plan's progress through reports in the Ramsdell Parish magazine, Wootton St Lawrence's village email and leaflet drop, Charter Alley Facebook page, reports from the Working Group at every Parish Council meeting and, since October 2016, through a dedicated Neighbourhood Plan web site.
29. Initially, a questionnaire was sent to every household in autumn 2014. This was followed by letters to local businesses and community groups operating within the Plan area. Following the analysis of the initial consultations undertaken in 2014, Open Forums were held in September 2015 in each of the two main settlements within the Plan Area.
30. Two events focussing on the Issues and Options identified from former consultation were held in October 2016 in Ramsdell and Wootton St. Lawrence. In May 2017 letters were sent to land and facilities owners in respect of draft policies on Local Green Space and Community Valued Assets (the latter renamed Valued Facilities).
31. The Consultation period on the pre-submission draft of the Plan ran from 13 January 2018 to 28 February 2018. At the start of the Regulation 14 consultation period two launch events were held. The consultation period was publicised through a number of channels to encourage maximum participation and inclusion. This included household leaflet drops, large banners and 20 poster boards displayed around the Parish. It was also

advertised in the Ramsdell Parish magazine and, copy used for an email and leaflet drop for Wootton St Lawrence, as well as being flagged on the Facebook page for Charter Alley and on the Parish Council's website.

32. I am satisfied that the pre-submission consultation and publicity has met the requirements of Regulation 14 in The Neighbourhood Planning (General) Regulations 2012. 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. To keep up the momentum over such a length of time takes an enormous amount of dedicated voluntary work. I congratulate those involved on their considerable efforts.
33. BDBC publicised the submission Plan for comment during the publicity period between 12 June 2019 and 31 July 2019 in line with Regulation 16 in The Neighbourhood Planning (General) Regulations 2012. A total of 12 responses were received. I am satisfied that all these responses can be assessed without the need for a public hearing.
34. I gave the Parish Council the opportunity to comment on the Regulation 16 representations. I have taken their comments into consideration. Their comments have been placed on the BDBC web site.
35. Some Regulation 16 consultation responses suggest additions and amendments to policies. 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, even if the Parish Council has stated that it is happy to include some of the suggested modifications. Whilst I have not made reference to all the responses in my report, I have taken them into consideration.

## **The Wootton St. Lawrence Neighbourhood Plan**

### **2016 - 2029**

#### **Background To The Neighbourhood Plan**

36. Background information in the Section 'About the Parish' provides an overview of the Plan area, including its landscape, heritage, housing mix and local facilities. As such, this provides a useful and clear background to the Parish.
37. Paragraph 16 in the NPPF requires plans to be prepared positively, in a way that is aspirational but deliverable; and serve a clear purpose, avoiding unnecessary duplication of policies that apply to a particular area. In addition, paragraph 16 requires plans to contain policies that are clearly

written and unambiguous, so it is evident how a decision maker should react to development proposals.

38. 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).
39. 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 for clear and unambiguous policies, thus ensuring that the Plan has regard to national policy in this respect.
40. Policies in a neighbourhood plan can only be for the development and use of land. Where there are community aspirations (identified as Other Actions and Projects in this Plan), these have to be clearly differentiated from policies for the development and use of land.
41. 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.
42. Paragraph 1.4 and the Glossary at the end of the Plan summarise the Basic Conditions. Whilst it is not necessary for a neighbourhood plan to include such a summary, as it does so, it should make reference to the new Basic Condition: *The making of the neighbourhood development plan does not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017(7).* **I see this as a minor editing matter.**
43. From the representations, I understand that Catern Crossroads is no longer classified as a Scheduled Ancient Monument. Therefore, it should be removed from Figure 4. **I see this as a minor editing matter.**
44. Reference is made at several points within the document to the number of houses to be provided on the Manydown Site Allocation as “3250 homes” and “some 3400 homes”, these should be corrected to “approximately 3400 homes”. **I see this as a minor editing matter.**
45. The Vision Statement for the Plan is:
  - *To help in determining future development within the villages and hamlets of the Parish*
  - *To improve community facilities throughout the Parish*

- *To make proposals for control of volume and speed of traffic throughout the Parish.*
46. The Vision Statement is supported by an Overarching Objective: *To maintain the rural character and identity of Wootton St Lawrence Parish, preserving and enhancing our valued landscapes, listed buildings and conservation area as well as building a stronger sense of community.* Further objectives underpin the policies in the Plan.
  47. The objectives listed in paragraph 2.3.2 do not all correspond with the wording of the objectives listed with the individual policies. All the objectives should be the same as those listed in paragraph 2.3.2. **I see this as a minor editing matter.**
  48. 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 where relevant to each neighbourhood plan policy. I have tried not to repeat myself. Where I have not specifically referred to other relevant strategic policy, I have considered all strategic policy in my examination of the Plan.

### **Policy WSL1 Local Gap**

49. The NPPF seeks the creation of high quality places. Paragraph 127 emphasises the need to ensure that development establishes or maintains a strong sense of place and is sympathetic to local character.
50. Paragraph 96 in the NPPF emphasises the importance of access to a network of high quality open spaces and opportunities for sport and physical activity to the health and well-being of communities.
51. BDLP Policy EM1 seeks to ensure that new development is sympathetic to the character and visual qualities of the landscape.
52. BDLP Policy SS3.10 allocates a 290 hectare site, Manydown, for approximately 3,400 dwellings and social and physical infrastructure. A large part of this allocated site lies within Wootton St. Lawrence Parish. The allocation includes the provision of a Country Park between the development site and the village of Wootton St. Lawrence. BDLP Policy SS3.10 specifically requires the retention of the separate identity and character of Wootton St. Lawrence and restricts coalescence between the new development and this village.
53. Policy WSL1 proposes a Local Gap that would encompass part of the Country Park and extend to include land on the eastern side of the village between the proposed Country Park and the village and land on the western side of the lane on the southern approach to the village. During my visit to the Parish I was able to see the extent of the proposed Local Gap.

54. There has been objection to the restriction of the use of the Country Park within the Local Gap for informal recreation purposes. I have been referred to the *Manydown Development Brief Supplementary Planning Document* (December 2016) and the outline planning application for the Manydown site currently awaiting determination (Ref: 17/00818/OUT). In particular, I refer to the Land Use Parameter Plan (Ref: 5556/OPA/002/P) and the Illustrative Country Park Layout (Landscape Strategy MSD3r - Rev July 2018) submitted as part of the Manydown outline planning application.
55. The proposed Local Gap only encompasses part of the proposed Country Park, enabling formal recreational uses and for any associated built development to be focused elsewhere within the Country Park. It would not undermine the delivery of the strategic housing allocation at Manydown or prevent the delivery of the Country Park.
56. The supporting document: *Assessment of the Landscape Setting of Wootton St. Lawrence village to identify the extent of land for inclusion in a Local Gap*, provides a comprehensive assessment of the area to justify the designation. Representations on behalf of landowners and BDBC have objected to the extent of the proposed Local Gap beyond the Country Park, particularly citing that the land identified in Area 3 in this Assessment (to the east of the village) is not essential for preventing coalescence and delivering the aims of the policy.
57. Whilst BDLP Policy EM2 identifies strategic gaps, there are no strategic criteria for the designation of a Local Gap. As far as the local community is concerned, the main purpose of the proposed Local Gap is both to ensure separation with the built up area of the proposed Manydown development and to retain the landscape setting of Wootton St. Lawrence. It is not a strategic gap and I see no reason why the landscape setting of Wootton St. Lawrence cannot be a consideration. As such, the inclusion of Areas 1 and 3 beyond the Country Park identified in the Assessment, meet the purposes for designation as a Local Gap as clearly specified by the local community. In the interest of precision, I suggest the inclusion of reference to the landscape setting in Policy WSL1.
58. As Areas 1 and 3 are agricultural land, in the interest of precision, I recommend modification to the first criterion in Policy WSL1, to specify that the use of land for informal recreation purposes only relates to the Country Park. Modified Policy WSL1 has regard to national policy, contributes towards sustainable development, particularly the environmental objective, and is in general conformity with strategic policy. Modified Policy WSL1 meets the Basic Conditions.
59. **Recommendation: to meet the Basic Conditions, I recommend modification to Policy WSL1 to read as follows:**
- Policy WSL1: Local Gap**

**Proposals for development within the Local Gap will be acceptable provided:**

- 1. within the Country Park it relates to the use of the land for informal recreation purposes**
- 2. it would not diminish the physical and/or visual separation of the village from the Manydown development area or harm Wootton St. Lawrence's landscape setting**
- 3. it would not compromise the integrity of the Local Gap, either individually or cumulatively with other existing or proposed development.**

### **Policy WSL2 Local Green Space**

60. The NPPF in paragraphs 99- 101 states: *the designation of land as Local Green Space through local and neighbourhood plans allows communities to identify and protect green areas of particular importance to them. Designating land as Local Green Space should be consistent with the local planning of sustainable development and complement investment in sufficient homes, jobs and other essential services. Local Green Spaces should only be designated when a plan is prepared or updated, and be capable of enduring beyond the end of the plan period.*

*The Local Green Space designation should only be used where the green space is:*

- a) in reasonably close proximity to the community it serves;*
- b) 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*
- c) local in character and is not an extensive tract of land.*

*Policies for managing development within a Local Green Space should be consistent with those for Green Belts.*

61. 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.
62. I have visited the Parish and viewed the proposed Local Green Spaces. The Ramsdell recreation ground meets the criteria for designation as a LGS. However, parts of the site are identified as Valued Facilities in Policy WSL9.
63. Policy WSL9 allows development of Valued Facilities where they would result in improvements to that facility and/or assist in ensuring its continued

availability. This would be in accordance with the local community's objective to preserve and enhance existing open community spaces and buildings. My concern is that this may well conflict with the restrictions on development in a LGS.

64. The table in Figure 12 accompanying Policy WSL9 identifies the whole recreation ground and cricket pavilion as a Valued Facility, but the accompanying map in Figure 9 only identifies the tennis court with the cricket pavilion and the children's play area as Valued Facilities. I assume that it is only these latter two areas that are designated as Valued Facilities.
65. Development on LGS has to be consistent with Green Belt policy. Development in the Green Belt is inappropriate unless it meets a specified exception. One exception, in paragraph 145 in the NPPF, is *the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it.*
66. If a development proposal on a LGS is not be an exception as outlined in the NPPF, then it is considered to be inappropriate development which can only be permitted in very special circumstances. It cannot be assumed, as referred to under Policy WSL9, that proposals resulting in improvements to an existing Valued Facility located in LGS will constitute the very special circumstances required by Policy WSL2.
67. To ensure that the community objectives are met, with regard to preserving and enhancing existing open community spaces and buildings, I recommend the deletion of the tennis court and cricket pavilion together with the children's play area from the Ramsdell Recreation Ground LGS designation. They can be retained as Valued Facilities in Policy WSL9.
68. The Wootton St. Lawrence Recreation Ground meets the criteria for designation as a LGS. The table accompanying Policy WSL9 in Figure 12 identifies the whole recreation ground as a Valued Facility, but the accompanying map in Figure 8 only identifies the church as a Valued Facility. I have assumed that the recreation ground is not identified as a Valued Facility. It is difficult to read the maps provided, but it does appear that there is an overlap between the recreation ground and the churchyard. In the interest of precision, the LGS boundary should clearly indicate that it only covers the recreation ground.
69. West Heath Allotments are currently not being used. I note that this area is held in trust for allotments. Nevertheless, the fact that they are not being used extensively has led me to conclude that they are not demonstrably special to a local community. Thus, I do not consider that the allotments meet the criteria for designation as a LGS.
70. The LGS map(s) needs to be of a suitable scale for ease and accuracy of identification. In the interest of precision, I recommend the inclusion of inset

OS based maps at an appropriate scale that ensures the precise boundaries of the LGS are clearly identifiable.

71. **Recommendation: to meet the Basic Conditions, I recommend:**
- 1) **The deletion of the tennis court with the cricket pavilion and the children's play area from the Ramsdell Recreation Ground LGS designated site;**
  - 2) **the inclusion of inset OS based map(s) at an appropriate scale that ensure the precise boundaries of the Local Green Spaces are clearly identifiable in accordance with the boundaries suggested above;**
  - 3) **modification to Policy WSL2 to read as follows**  
**Policy WSL 2: Local Green Space**  
**Ramsdell and Wootton St. Lawrence recreation grounds as identified on inset maps [x] are designated as Local Green Space where new development will only be permitted in very special circumstances.**
  - 4) **modification to paragraphs 4.4.2 in the light of the above.**
  - 5) **the deletion of the last two sentences of paragraph 4.4.3.**

### **Policy WSL3 Public Rights of Way**

72. At paragraph 98, the NPPF seeks to protect and enhance public rights of way and access.
73. 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.
74. The allocation of Manydown in BDLP Policy SS3.10 includes the need for the Country Park to be accessible to existing nearby residents.
75. Policy WSL3 seeks to ensure that the Country Park is integrated into the wider public rights of way. In addition, the existing footpaths and bridleways in the Plan area should be protected.
76. The Country Park provides an opportunity for an expansion of the existing public rights of way. It is clear that the local community wishes to ensure that the Country Park provides the opportunity for existing local residents to have access to the countryside.
77. The Parish Council will not receive Community Infrastructure Levy (CIL) contributions from the development of Manydown as this site has been zero

rated in the BDBC CIL Charging Schedule. However, developer contributions can be sought via planning obligations. Such contributions can only be sought where they meet the tests that they are necessary to make the development acceptable in planning terms, directly related to the development, and fairly and reasonably related in scale and kind. These tests are set out as statutory tests in the Community Infrastructure Levy Regulations 2010 and paragraph 56 in the NPPF.

78. PPG (Paragraph: 002 Reference ID: 10-002-20190509) explains *the role for viability assessment is primarily at the plan making stage. Viability assessment should not compromise sustainable development but should be used to ensure that policies are realistic, and that the total cumulative cost of all relevant policies will not undermine deliverability of the plan.*
79. My concern is that Policy WSL3 requires the provision of improved ‘way’ marking within the countryside surrounding the Country Park, outside the development area. This may well be on land not under the control of the landowners and developers of Manydown. This could undermine the delivery of the Country Park. I am sure this is not the intention of the local community. Therefore, I recommend the deletion of this requirement from Policy WSL3.
80. Policy WSL3 as modified above has regard to national policy, contributes towards sustainable development and is in general conformity with strategic policy. Modified Policy WSL3 meets the Basic Conditions.
81. **Recommendation: to meet the Basic Conditions, I recommend modification to Policy WSL3 to read as follows:**

**Policy WSL3: Public Rights of Way**

**Proposals for Manydown Country Park shall demonstrate how it will be integrated into the wider public rights of way network of the Plan Area. This shall include ‘way’ marking and public rights of way information/education displays within the Country Park.**

**Development proposals within the Plan Area must safeguard the character, use and amenity of existing footpaths and bridleways.**

**Policy WSL4 Light Pollution**

82. Paragraph 180 in the NPPF seeks to limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.
83. BDLP Policy EM12 seeks to ensure that new development should not result in pollution, (including light pollution), which is detrimental to the quality of life, or pose unacceptable risks to health or the natural environment.

84. Policy WSL4 seeks to minimise light pollution. It refers to the need for external lighting schemes to be prepared in accordance with The Institute of Lighting Engineers Guidance Notes for the Reduction of Obtrusive Light 2005. My understanding is that the latest guidance is contained in the *Guidance Notes for the Reduction of Obtrusive Light* (2011) produced by the Institute of Lighting Professionals. Therefore, Policy WSL4 should refer to this latest guidance.
85. The 2011 document recommends local planning authorities should specify environmental zones for exterior lighting control in their development plans. Environmental Zone E1 refers to intrinsically dark areas and specifies Areas of Outstanding Natural Beauty. Environmental Zone E2 refers to low district brightness areas and examples in this category include village locations.
86. Whilst I see the relevance of lighting guidance to the Parish, that document is guidance, rather than policy. As such, in the interest of precision, I recommend modification to Policy WLS4 to refer to having 'regard to' the guidance, rather than for development proposals to be in accordance with the guidance. Paragraph 4.6.5 should be similarly revised, but I see the revision of this paragraph **as a minor editing matter**.
87. Subject to the modification suggested above, Policy WSL4 has regard to national policy, contributes towards sustainable development and is in general conformity with strategic policy. Modified Policy WSL4 meets the Basic Conditions.
88. **Recommendation: to meet the Basic Conditions, I recommend modification to Policy WSL4 to read as follows:**

**Policy WSL4: Light Pollution**

**Outside the Manydown site allocation, development proposals that include external lighting must be accompanied by a lighting scheme that has regard to the latest national design guidance\*. Permission will only be granted where the submitted lighting scheme demonstrates that the following criteria can be achieved:**

- 1. there is no adverse impact on neighbouring uses or the wider landscape;**
- 2. will not have any adverse impacts on the habitats of protected species;**
- 3. light levels are the minimum required for essential security and working purposes; and**
- 4. the potential for glare and spillage is kept to a minimum.**

**Where appropriate, conditions will be imposed that will seek to control the times of external illumination.**

**Where the proposal is for new or extended buildings, the submitted details should demonstrate that they have been designed to avoid unnecessary light spillage from internal lighting.**

***\*Current guidance is The Institute of Lighting Professionals ‘Guidance Notes for the Reduction of Obtrusive Light’ (2011).***

### **Policy WSL5 New Dwellings**

89. Paragraph 77 in the NPPF states: *in rural areas, planning policies and decisions should be responsive to local circumstances and support housing developments that reflect local needs.*
90. Paragraph 79 in the NPPF seeks to avoid the development of isolated homes in the countryside unless there is an essential need for a rural worker; would represent the optimal viable use of a heritage asset; re-use redundant or disused buildings; subdivide an existing dwelling; or have a design of exceptional quality.
91. Paragraph 59 in the NPPF states that the needs of groups with specific housing requirements need to be addressed, to support the Government’s objective of significantly boosting the supply of homes.
92. Part of the Plan area lies within the North Wessex Downs Area of Outstanding Natural Beauty (AONB). Paragraph 172 in the NPPF explains that great weight should be given to conserving and enhancing landscape and scenic beauty in AONB, which has the highest status of protection in relation to these issues. The scale and extent of development within these designated areas should be limited.
93. 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. None of the settlements in the Parish have defined Settlement Policy Boundaries.
94. BDLP Policy SS6 is a restrictive policy regarding new housing development in the countryside. In particular, SS6 e) allows: *small scale residential proposals of a scale and types that meet a local agreed need provided that:*  
*It is well related to the existing settlement and would not result in an isolated form of development; and*  
*The development will respect the qualities of the local landscape and be sympathetic to its character and visual quality; and*  
*The development will respect and relate to the character, form and appearance of surrounding development, and respect the amenities of the residents of neighbouring properties.*

95. Small scale is defined as four dwellings or fewer (net) for the purposes of BDLP Policy SS6.
96. BDLP Policy CN2 specifies criteria for rural exception sites for affordable housing. BDLP Policy CN3 seeks a range of house types and sizes to address local requirements. BDLP Policy EM10 seeks high quality development.
97. The above policies are relevant to Policies WSL5, WSL6 and WSL7.
98. Policy WSL5 seeks to restrict new dwellings in accordance with criteria in BDLP Policy SS6 or further criteria including infilling in a restricted gap and restricting the size of new dwellings not linked to agriculture or other rural business.
99. The supporting text in paragraph 4.8.1 states that Policy WSL5 specifically relates to any new open market housing unrelated to essential needs of rural businesses. Supporting paragraph 4.8.3 explains that Policy WSL5 does not relate to the proposed Manydown Garden Town allocation in the Local Plan.
100. Firstly, in the interest of precision, it should be made clear in the policy that it does not relate to the proposed Manydown Garden Town allocation in the Local Plan and only relates to market housing unrelated to essential needs of rural businesses. Secondly, to have regard to national policy, it should be clear that the restricted gap policy does not relate to any part of Ramsdell within the AONB, even if there would be very limited opportunity for such development in the AONB.
101. The first criterion in Policy WSL5, where proposals should meet the criteria set out in the whole of BDLP Policy SS6 is necessary. To ensure that Policy WSL5 is in general conformity with strategic policy, I recommend that the second criteria specifically refers to new dwellings being in accordance with BDLP Policy SS6 e) with regard to small scale development proposals. Criterion 1) and 2) of the second part of Policy WSL5 add nothing to existing criteria in BDLP Policy SS6 e). Therefore, I recommend their deletion.
102. Appendix 3.1 in the BDBC *Housing Supplementary Planning Document* (SPD) (July 2018) sets out information about the size and structure of the population and household structures and outlines what impact this may have on the sizes of housing required in the future in the Borough. It concludes: *based on this evidence, there is a need for development to focus on the provision of two and three-bed properties, with a particular requirement for two bedroom houses. Two and three bed properties should generally comprise at least half of the new dwellings delivered as part of new development (subject to the other considerations of CN3). Although there is a continuing need for family homes, dwellings with four or more dwellings should only be provided as part of a range of dwellings to provide mixed and sustainable communities.*
103. Principle 3.1 in the SPD states:

*In order to deliver balanced and sustainable communities, the council will seek a range of dwelling types and sizes that meet the requirements of Local Plan Policy CN3 and made Neighbourhood Plan policies, having regard to the location and accessibility of the development, and the character and context of the site and surrounding area.*

*The evidence highlights a borough-wide need for small family homes and homes suitable for older people wishing to downsize. Development should therefore principally focus upon a mix of two and three bedroom dwellings (particularly houses), with only a limited requirement for homes with four bedrooms or more, which should normally comprise no more than 30% of the market homes in the development.*

*The mix and type of housing shall be justified as part of any submission.*

104. The Housing SPD is a public document and is relevant to the examination of the Neighbourhood Plan. It is not in dispute that there is a demand for small dwellings within the Parish and that the trend is for existing dwellings to be extended or for large dwellings to be constructed in the Parish. However, whilst I have been selective in my quotes from the SPD, there is little local evidence before me to quantify in planning policy terms the proposed restriction on the size of new dwellings to 100 square metres, or where more than one unit is provided then at least 50% of the new units should not exceed 80 square metres as specified in Policy WSL5. In particular, I have not been provided with a local Housing Needs Survey. In these circumstances, Policy WSL5 is not in general conformity with strategic policy as it is unclear if the specific size thresholds would satisfy the need to *include a range of house type and size to address local requirements*, as specified in BDLP Policy CN3.
105. I have suggested revised wording with regard to the size of dwellings. The local community should not be upset by this proposed modification. Where there is an identified need for small dwellings, this modification justifies their provision.
106. Supporting paragraph 4.8.4 states that new dwellings in restricted gaps would have permitted development rights to extend removed. Paragraph 53 in the NPPF states: *planning conditions should not be used to restrict national permitted development rights unless there is clear justification to do so*. In order to ensure that the development of new dwellings in restricted gaps does not have an adverse effect on the surrounding countryside, there may be instances where it would be appropriate for the removal of permitted development rights, but this will depend on the individual merits of each proposal. Thus, I recommend the deletion of this reference in paragraph 4.8.4.
107. Subject to the modifications I have suggested above, Policy WSL5 has regard to national policy, contributes towards sustainable development and

is in general conformity with strategic policy. Modified Policy WSL5 meets the Basic Conditions.

108. Historic England has suggested an addition to Policy WSL5 regarding the setting of heritage assets. Heritage assets have protection under national policy. The development plan must be read as a whole. BDLP Policy EM11 seeks to conserve or enhance the quality of heritage assets. Whilst such an addition as suggested by Historic England would be in accordance with the Basic Conditions, by cross referring to BDLP Policy SS6, new dwellings must respect and relate to the character of an area, which includes the setting of any heritage asset. Therefore, in order to meet the Basic Conditions, I do not consider it necessary to include a specific reference to the settings of heritage assets.

109. **Recommendation: to meet the Basic Conditions, I recommend:**

**1) modification to Policy WSL5 to read as follows:**

**Policy WSL5: New Dwellings**

**New market housing that is unrelated to the essential needs of rural businesses and is outside the Manydown site allocation in the Local Plan will only be permitted in the following circumstances:**

**1. Where the proposed dwelling(s) meet the criteria set out in Policy SS6 of the Local Plan. or**

**2. The infilling of a restricted gap within the settlements of Wootton St Lawrence, West Heath, Charter Alley, and Ramsdell (outside the North Wessex Downs Area of Outstanding Natural Beauty), subject to:**

**a) the gap being within an otherwise continuous built up frontage to the public highway used by vehicular traffic**

**b) the gap is not exceeding a width of 30 metres when measured between the buildings on either side.**

**c) the proposal otherwise meeting the criteria set out in criterion e) in Policy SS6 of the Local Plan.**

**All proposals for market housing that are unrelated to the essential needs of rural businesses and are outside the Manydown site allocation in the Local Plan must demonstrate how the types of dwellings provided will help meet the housing needs of the Parish, particularly through the provision of dwellings designed for smaller households, as sought by Principle 3.1 of the Borough Council's Housing Supplementary Planning Document (2018).**

**All proposals for market housing that are unrelated to the essential needs of rural businesses and are outside the Manydown site allocation in the Local Plan should demonstrate that they would not**

**lead to the loss of attractive features on or adjoining the site such as trees, hedges, walls or buildings that contribute to the character of the area.**

**2) modification to paragraph 4.8.4 to delete reference to the removal of permitted development rights.**

### **Policy WSL6 Replacement or Extension of Dwellings**

110. BDLP Policy SS6 allows replacement dwellings and extensions in the countryside providing the size of the proposal is appropriate to the plot and would not be significantly visually intrusive in the landscape.
111. Policy WSL6 seeks to restrict the replacement or extension of a dwelling beyond the criteria specified in BDLP Policy SS6. In addition, Policy WSL6 seeks to restrict ancillary annexe accommodation. There is local concern regarding the loss of small homes and the need to ensure that new extensions respect the host properties and their surroundings. In addition, there is concern that annexes that are capable of being made into separate dwellings can undermine the mix and affordability of dwellings in the Parish. From the background evidence I am satisfied that the restrictions outlined in Policy WSL6 can be justified.
112. My main concern is with the definition of ‘a disproportionate increase in size’. BDBC has suggested additional supporting text to clarify the purpose of this policy with regard to the size of extensions. In the interest of precision, I recommend the inclusion of such supporting text.
113. Whilst going beyond the criteria in BDLP Policy SS6, Policy WSL6 is still in general conformity with this strategic policy. In the interest of precision, Policy WSL6 should specify that it does not relate to the Manydown site and paragraph 4.7.1 amended accordingly. Otherwise, Policy WSL6 has regard to national policy regarding the supply of housing and protection of the landscape and contributes towards sustainable development. Modified Policy WSL6 meets the Basic Conditions. **Amendment to paragraph 4.7.1 is a minor editing matter.**
114. Historic England has suggested an addition to Policy WSL6 regarding heritage assets. Heritage assets have protection under national policy. Whilst such an addition would be in accordance with the Basic Conditions, as I have found that Policy WSL6 meets the Basic Conditions, it is not necessary for me to consider if further suggested additions or amendments are required.
115. **Recommendation: to meet the Basic Conditions, I recommend**  
**1) modification to Policy WSL6 to read as follows:**  
**Policy WSL6: Replacement or extension of dwellings**

**This policy only applies outside the Manydown site allocated in the Local Plan.**

**The replacement or extension of a ‘dwelling’ will be permitted where the proposal accords with the criteria set out in criterion (d) of Policy SS6 of the Basingstoke and Deane Local Plan (2011 – 2029) and provided that:**

- 1. it would not result in a disproportionate increase in size over the existing dwelling**
- 2. it is sympathetic to the appearance and character of the existing dwelling and the surrounding area**
- 3. it would not harm the amenities enjoyed by the occupiers of neighbouring properties by reason of overlooking or overshadowing**
- 4. it does not lead to the loss of attractive features on or adjoining the site such as trees, hedges, walls or buildings that contribute to the character of the locality**

**Ancillary annexe accommodation**

**Where an extension is to provide for a residential annexe it should accord with the above criteria and:**

- a) not be capable of being made into a separate dwelling**
- b) be linked internally to the principal dwelling and be designed in such a way as to easily enable the annexe to be used as an integral part of the main dwelling at a later date. A separate external entrance to the annexe may be acceptable provided it is subsidiary to the entrance to the principal dwelling**
- c) have no boundary demarcation or sub-division of garden areas between the curtilage of the principal dwelling and the annexe.**

**2) the inclusion of the following supporting text:**

**The purpose of Policy WSL6 is not to prevent modest increases in the size of dwellings to allow homes to grow to meet the needs of families, rather to prevent developments which fundamentally alter the scale and character of the dwelling and result in the loss of a smaller, more affordable dwelling.**

## **Policy WSL7 Detached buildings in the Gardens of Dwellings**

116. The NPPF seeks the creation of high quality places. Paragraph 127 emphasises the need to ensure that development establishes or maintains a strong sense of place and is sympathetic to local character.
117. BDLP Policy EM10 seeks high quality development, which, amongst other matters, should respect the local environment and provide a high quality of amenity for neighbours. These policies are relevant to Policies WSL7 and WSL8.
118. Policy WSL7 seeks to ensure that where planning permission is needed, buildings in gardens are suitable in design and scale and are not capable of conversion to self-contained residential accommodation. The concern regarding annexe accommodation as mentioned above under Policy WSL6 and the need to ensure the design and scale of outbuildings are suitable, justify the criteria in Policy WSL7.
119. Paragraph 4.7.1 states that Policy WSL7 does not relate to the Manydown site. In the interest of precision, I recommend that this is made clear within the policy itself. Otherwise, Policy WSL7 has regard to national policy, contributes towards sustainable development and is in general conformity with strategic policy. Modified Policy WSL7 meets the Basic Conditions.
120. **Recommendation: to meet the Basic Conditions, I recommend modification to Policy WSL7 to read as follows:**

### **WSL7: Detached buildings in the gardens of dwellings**

**This policy only applies outside the Manydown site allocated in the Local Plan.**

**Where planning permission is required, proposals for new garages and other incidental buildings in the garden of a dwelling will normally be supported provided they:**

- 1. are not excessive in size and are well related to the dwelling they serve**
- 2. do not constitute a dominant feature, having regard to the scale of the existing dwelling nor detract from the rural character or appearance of the locality**
- 3. would not harm the amenities enjoyed by the occupiers of neighbouring properties by reason of overlooking or overshadowing**
- 4. are only for purposes incidental to the residential use of the existing dwelling and**
- 5. are not readily capable of subsequent conversion to separate, self-contained, residential accommodation.**

## Policy WSL8 Residential Garden Extensions

121. The NPPF, in Paragraph 170 requires the planning system to contribute to and enhance the natural and local environment; including protecting and enhancing valued landscapes.
122. BDBC Policy EM1 seeks to protect and enhance the character and visual amenity of the landscape. This is a detailed policy which lists eight criteria against which development proposals are considered. In addition, it refers to the need to accord with national policy with regard to the AONB.
123. Policy WSL8 lists two criteria for the change of use of agricultural land to domestic garden, which are broadly included in BDBC Policy EM1. Nevertheless, by not including all the criteria in BDBC Policy EM1 and by not including reference to the AONB, Policy WSL8 would not be in general conformity with this strategic policy as it would be more permissive to the encroachment of back gardens into the countryside. I am sure this is not the intention of the local community as it is clear from the supporting text to Policy WSL8 that the purpose of the policy is to restrict such development.
124. If I were to suggest modification to Policy WSL8 to reflect the intention of the policy explained in the supporting text, I would simply be re-iterating BDBC Policy EM1. As the NPPF advises avoiding unnecessary duplication of policies that apply to a particular area, I recommend the deletion of Policy WSL8 and supporting text.
125. **Recommendation: to meet the Basic Conditions, I recommend the deletion of Policy WSL8 and supporting text, including paragraph 4.9.5.**

## Policy WSL9 Valued Facilities

126. Paragraph 92 in the NPPF states that to provide the social, recreational and cultural facilities and services the community needs, planning policies and decisions should, amongst other matters, guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs.
127. BDLP Policies CN7 and CN8 list criteria against which the loss of essential facilities and services, community, leisure and cultural facilities should be assessed.
128. Policy WSL9 seeks improvements to Valued Facilities and resists their loss. The criteria are in general conformity with strategic policy in BDLP Policy CN8 and have regard to national policy. The stance in Policy WSL9 of ensuring the protection of community facilities and guarding against their unnecessary loss contributes towards the social role of sustainable development.

129. I have seen the proposed Valued Facilities during my visit to the Parish. Whilst I understand that the allotments at West Heath are held in trust, due to their lack of use, I cannot see how they can be designated as LGS. The criteria the local community has set for the definition of a Valued Facility is different. Paragraph 4.11.2 explains that they are considered important to maintaining a good quality of life within the Parish and ensuring it remains a sustainable community into the future. As such, even though currently underused, the allotments meet the local criteria for designation as a Valued Facility.
130. I have explained under Policy WSL2 my concerns regarding duplicate designations of both Valued Facility and LGS and I have identified some discrepancies between the table in Figure 12 and the Valued Facilities Maps in Figures 8 and 9.
131. It is not for me to re-write the Plan. The Valued Facilities map(s) needs to be of a suitable scale for ease and accuracy of identification. In the interest of precision, I recommend the inclusion of inset OS based maps at an appropriate scale that ensures the precise boundaries of the Valued Facilities are clearly identifiable. In addition, in the interest of precision, the Table in Figure 12 needs to be modified to exclude the recreation ground at Ramsdell. The recreation ground and equipped children's play area at Wootton St. Lawrence should similarly be excluded from this table. The allotments at West Heath should be included. Paragraph 4.11.3 regarding dual designations should be deleted.
132. Subject to the above suggested modification to the accompanying text and maps, Policy WSL9 has regard to national policy, contributes towards sustainable development and is in general conformity with strategic policy. Subject to these modifications, Policy WSL9 meets the Basic Conditions.
133. Paragraph 4.11.2 refers to Policy WSL10, where it should be referring to Policy WSL9. **I see this as a minor editing matter.**
134. **Recommendation: to meet the Basic Conditions, I recommend:**
- 1) the inclusion of inset OS based map(s) at an appropriate scale that ensure the precise boundaries of the Valued Facilities are clearly identifiable;**
  - 2) modification to the Table in Figure 12 to exclude the recreation ground at Ramsdell. The recreation ground and equipped children's play area at Wootton St. Lawrence should similarly be excluded from this table and the West Heath allotments should be included; and**
  - 3) the deletion of paragraph 4.11.3.**

## **Policy WSL10 Provision of Community Facilities**

135. Paragraph 92 in the NPPF states that to provide the social, recreational and cultural facilities and services the community needs, planning policies and decisions should, amongst other matters, plan positively for the provision of community facilities.
136. BDLP Policies CN7 and CN8 list criteria against which the provision of essential facilities and services, community, leisure and cultural facilities should be assessed.
137. Policy WSL10 promotes new or improved day nurseries, church and village halls where there is a clearly demonstrated need and subject to a list of criteria. The criteria include the need for a building to be of a scale and design that is in keeping with its surroundings. I consider this ensures the protection of the countryside and AONB.
138. Representations suggest the exclusion of Manydown from the requirements of Policy WSL10. As the policy specifically refers to new community facilities being well related to Ramsdell or Wootton St Lawrence, in the interest of precision, I recommend that Policy WSL10 specifies that it does not relate to the Manydown site. I have suggested revised wording.
139. Modified Policy WSL10 has regard to national policy for the provision of community facilities, contributes towards the social objective of sustainable development and is in general conformity with strategic policy. Modified Policy WSL10 meets the Basic Conditions.
140. Paragraph 4.11.5 refers to Policy WSL11, where it should be referring to Policy WSL10. **I see this as a minor editing matter.**
141. **Recommendation: to meet the Basic Conditions, I recommend modification to Policy WSL10 to read as follows:**

### **Policy WSL10: Provision of Community Facilities**

**Where there is a clearly demonstrated need, new, replacement and relocated day nurseries, church and village halls will be permitted provided:**

- 1. that there are appropriate levels of parking provided**
- 2. where it is a replacement or relocated facility, it should be at least equivalent to the capacity and quality as the existing facility**
- 3. it does not adversely affect the amenities enjoyed by any nearby residential properties**
- 4. it is well related in both visual and accessibility terms to either Ramsdell or Wootton St Lawrence and**

**5. the building is of a scale and design that is in keeping with its surroundings.**

**This policy does not apply to the Manydown site allocated in the Local Plan.**

### **Policy WSL11 Employment Sites**

- 142. Paragraph 83 in the NPPF supports a prosperous rural economy.
- 143. BDLP Policy EP4 supports the rural economy and lists criteria whereby development proposals for economic uses will be permitted.
- 144. Policy WSL11 encourages economic growth in appropriate locations, particularly where the amenities of nearby residents are not harmed. As such, Policy WSL11 has regard to national policy, contributes towards sustainable development, particularly the economic objective, and is in general conformity with strategic policy. Policy WSL11 meets the Basic Conditions.
- 145. Representations suggest the exclusion of Manydown from the requirements of Policy WSL11. I see no reason for such exclusion.
- 146. Paragraph 4.13.2 refers to Policy WSL12, where it should be referring to Policy WSL11. **I see this as a minor editing matter.**
- 147. There is repetition within Policy WSL11 and 'it' should be replaced with 'they' in the first sentence. The policy should read as set out below. **I see this as a minor editing matter.**

### **Policy WSL11 Employment Sites**

**Where new or extended employment uses are proposed, they will be permitted where they:**

- 1. accord with all relevant development plan policies, including the criteria set out in Local Plan Policy EP4, and**
- 2. would not adversely impact on the amenities enjoyed by nearby residential properties.**

### **Other Actions and Projects**

- 148. As mentioned under Policy WSL3, developer contributions can only be sought where they meet the tests that they are necessary to make the development acceptable in planning terms, directly related to the development, and fairly and reasonably related in scale and kind. The Parish Council will not receive CIL contributions from the development of

Manydown as the site has been zero rated in the BDBC CIL Charging Schedule.

149. It should be made clear in this section that where they meet the tests, the identified actions and projects will be funded through a Section 106 agreement. This has regard to national policy on developer contributions.

150. Paragraph 5.3 may need updating. **I see this as a minor editing matter.**

151. **Recommendation: to meet the Basic Conditions, I recommend:**

**1) modification of paragraph 5.2 to read as follows:**

**Some of the issues raised relate to the impacts that will, inevitably, arise from the Manydown Garden Town development. Where they meet the tests in the Community Infrastructure Levy Regulations (2010), the Parish Council will be seeking relevant financial contributions through an agreement under the provisions of Section 106 of the Town and Country Planning Act 1990 that the Borough Council will be securing from developers.**

## **Referendum and the Wootton St. Lawrence Neighbourhood Plan Area**

152. 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.

153. **I am pleased to recommend that the Wootton St. Lawrence Neighbourhood Plan 2016 - 2029 as modified by my recommendations should proceed to Referendum.**

154. I am required to consider whether or not the Referendum Area should extend beyond the Wootton St. Lawrence Neighbourhood Plan Area. I see no reason to alter or extend the Neighbourhood Plan Area for the purpose of holding a referendum.

## Minor Modifications

155. The Plan is a well-written document, which is easy to read. Where I have found errors, I have identified them above. It is not for me to re-write the Plan. If other minor amendments 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. In particular the *Foreword* will need updating and the *Stages in Preparing the Neighbourhood Plan* and the *Next Steps* at paragraphs 1.10 to 1.12.

**Janet Cheesley**

**Date 21 August 2019**

## Appendix 1 Background Documents

The background documents include:

The National Planning Policy Framework (The Framework) (2019)  
The Planning and Compulsory Purchase Act 2004  
The Localism Act (2011)  
The Neighbourhood Planning (General) Regulations (2012)  
The Neighbourhood Planning (General) (Amendment) Regulations (2015)  
The Neighbourhood Planning (General) and Development Management Procedure (Amendment) Regulations (2016)  
The Neighbourhood Planning (General) and Development Management Procedure (Amendment) Regulations (2017)  
The Neighbourhood Planning Act (2017)  
The Planning Practice Guidance (2014)  
Regulation 16 Representations  
The Basingstoke and Deane Local Plan (2011 to 2029)  
The BDBC Housing Supplementary Planning Document (July 2018)  
Wootton St Lawrence Neighbourhood Plan Evidence Base including –  
Assessment of the Landscape Setting of Wootton St. Lawrence village to identify the extent of land for inclusion in a Local Gap  
Manydown Development Brief Supplementary Planning Document (December 2016)  
The North Wessex Downs Area of Outstanding Natural Beauty Management Plan 2009 - 2014