

# **Sherborne St John Neighbourhood Plan 2011 – 2029 As Modified November 2023**

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

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**CHEC Planning Ltd**

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## Executive Summary and Conclusion

1. I have determined that the modification of the made Plan in November 2023 is material but is not so significant or substantial as to change the nature of the existing made Plan. This is primarily because the modification builds on existing policies in the made plan and that the Plan does not allocate any new sites for development.
2. The Sherborne St John Neighbourhood Plan, as modified in November 2023 has a clear vision supported by eight objectives.
3. Local Plan Policy SS5 supports the identification of housing sites through Neighbourhood Plans. Sherborne St John lies within a group of 13 settlements with a defined Settlement Policy Boundary, which are required to identify sites for a total of 150 homes between them. The exact split is not defined but Local Plan Policy SS5 does specify that *it will be necessary to identify sites/opportunities to deliver at least 10 homes within and adjacent to each of the settlements with defined Settlement Policy Boundaries.*
4. Basingstoke and Deane Borough Council has confirmed that the housing requirement in the Parish during the plan period has been met by previous development. This neighbourhood plan does not allocate sites for housing and is not required to do so in order to be in general conformity with existing strategic policies.
5. I have recommended modification to some of the policies in the Plan as modified in November 2023. In particular, I have recommended the deletion of SSJ Policy 6 and the deletion of two proposed Local Green Spaces from SSJ Policy 5. My reasons with regard to all suggested modifications are set out in detail below. None of these significantly or substantially alters the intention or nature of the Plan as modified in November 2023.
6. **Whilst I have set out my reasoning under individual policies, my overall conclusion is that, subject to my recommendations, the Plan as modified in November 2023 meets the Basic Conditions. It is appropriate to make the Plan. Subject to my recommendations being accepted, I consider that the Sherborne St John Neighbourhood Plan as modified in November 2023 will provide a strong practical framework against which decisions on development can be made. Therefore, I recommend that Basingstoke and Deane Borough Council makes the Plan with the recommended modifications specified in this report.**
7. As the material modifications do not change the nature of the existing made Plan, and subject to my recommended modifications being accepted, a referendum is not required.

## Introduction

8. On 27 March 2013 Basingstoke and Deane Borough Council (BDBC) approved that the Sherborne St John Neighbourhood Area be designated in accordance with the Neighbourhood Planning (General) Regulations 2012. The area covers the whole of the Parish of Sherborne St John.
9. The Sherborne St John Neighbourhood Plan 2011-2029 was made on 18 May 2017. I had the pleasure of examining that Plan in 2017.
10. The qualifying body is Sherborne St John Parish Council. The Plan has been prepared by a Steering Group on behalf of the Parish Council. The Plan covers the period 2011 to 2029.
11. I was appointed as an independent Examiner for the Sherborne St John Neighbourhood Plan 2011-2029 (as Modified November 2023) in January 2024. 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

12. Local communities with made neighbourhood plans can modify their plans at any time, although they are not required to do so. The nature of any proposed modifications will affect the process that the neighbourhood plan will need to go through when being reviewed.
13. The Neighbourhood Planning (General) and Development Management Procedure (Amendment) Regulations 2017 makes provision for the modification of neighbourhood plans.
14. National Planning Practice Guidance (PPG) Paragraph 106 (Reference ID: 41-106-20190509) explains that there are three types of modification which can be made to a neighbourhood plan and that the process will depend on the degree of change which the modification involves. These are as follows:
  - Minor (non-material) modifications to a neighbourhood plan are those which would not materially affect the policies in the plan.
  - Material modifications which do not change the nature of the plan would require examination but not a referendum.
  - Material modifications which are so significant or substantial as to change the nature of the plan which the modification proposal would modify.

15. The qualifying body and local authority need to state whether they believe the modifications are so significant or substantial as to change the nature of the plan and provide the reasons why. (PPG Paragraph 085 Reference ID: 41-085-20180222).
16. Where material modifications do change the nature of the plan, the local planning authority would publicise and consider the examiner's report in line with the procedure for making a new neighbourhood plan. A decision may be made whether to proceed to referendum so that, if the referendum is successful, the neighbourhood plan becomes part of the development plan. (PPG 085a Reference ID: 41-085a-20180222).
17. Where material modifications do not change the nature of the plan (and the examiner finds that the proposal meets the basic conditions, (or would with further modifications) a referendum is not required. (PPG 085a Reference ID: 41-085a-20180222).
18. Whether modifications change the nature of the plan is a decision for the independent examiner. The examiner will consider the nature of the existing plan, alongside representations and the statements on the matter made by the qualifying body and the local planning authority. (PPG Paragraph: 086 Reference ID: 41-086-20190509).
19. In a *Draft Modification Proposal Statement*, the Parish Council as Qualifying Body concludes that the modification of the Plan is not so significant or substantial as to change the nature of the made Plan.
20. The *Draft Modification Proposal Statement* explains that the modified Plan includes eight new policies. It states that the wording of SSJ Policy 2 remains the same. Parts of SSJ Policy 3 remain the same, whilst the rest has been disseminated to other policies within the modified Plan. (I note that the references to the policy numbering are incorrect as they should be referring to SSJ Policies 1 and 2). The site allocation at land at Cranes Road for up to 18 dwellings has been removed as the site has subsequently been developed. There have been various updates to supporting text.
21. The *Draft Modification Proposal Statement* goes on to state that the new policies either refine the existing policies or build upon policies in the made Plan to facilitate their implementation or address issues that have arisen in national planning policy. In addition, it ensures that the new policies and changes are clear to those who will use the Plan.
22. BDBC has prepared a modification statement in accordance with Regulation 17(e)(ii) of the Neighbourhood Planning (General) Regulations 2012 (as amended). The Council is of the view that the proposals would materially affect the policies in the plan but would not change its nature. *The reasons for this are:*

*1. The proposed changes go beyond correcting errors, which suggest that this is more than a minor (non material) modification;*

*2. Although eight of the policies are new, these policies align with the objectives of the original neighbourhood plan, and cover many of the same topics as the original policies, albeit in a more detailed form. The new policies would support the original Plan's objectives. These included meeting housing needs, retaining the village's distinct identity, conserving and enhancing its historic and rural setting and character, and protecting and enhancing green spaces, habitats and green corridors. Furthermore, Policy 2 of the original plan had already identified key views (now included within new Policy 8) and set policy requirements relating to the conservation of the parish's rural character, the protection of open spaces; the protection of biodiversity and green infrastructure; and the village's landscape setting. These are now the subject of separate, new policies, that 'build upon' the existing policy framework.*

*3. The plan does not involve allocating any new sites for development. The current allocation is carried forward from the made plan and thus no changes are being introduced which would be considered to change the nature of the plan. (BDBC has since clarified that this last sentence is incorrect in that the allocated site has been developed).*

23. I am required to determine whether the modifications change the nature of the existing made Plan. I have taken into consideration the nature of the existing made Plan, alongside representations and the statements on the matters made by the qualifying body and the local planning authority. I have reached the conclusion that the modification of the Plan is material but is not so significant or substantial as to change the nature of the Plan. This is primarily because the modification builds on existing policies in the made Plan and that the Plan does not allocate any new sites for development. I informed the Parish Council of my conclusion. The Parish Council confirmed that it wished to proceed with the examination on this basis.
24. 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.
25. 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.
26. *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).”*
27. 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 under EU Obligations.
28. Subject to the modifications I have recommended in this report, I am content that these requirements have been satisfied.



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

29. 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).
30. BDBC prepared the *Neighbourhood Planning Screening Report – Updated Sherborne St John Plan Strategic Environmental Impact Assessment and Habitats Regulations Assessment Final version after consideration by consultation bodies* in April 2023.
31. The Report explained: *The council adopted the Sherborne St John Neighbourhood Plan in May 2017. Following consultation with the three consultation bodies (Natural England, Historic England and the Environment Agency) it was concluded (in the decision notice dated 21 November 2016) that a Strategic Environmental Assessment (SEA) would not be required and that a Habitats Regulations Assessment (HRA) would not be required. The original Neighbourhood Plan was therefore adopted without an SEA or HRA report.*
32. *The Parish Council is now proposing to update the Plan (with new policies as set out in Section 4). The council is therefore now screening the updated plan to understand whether it would require SEA or HRA.*
33. This report considered whether the modified Plan would require SEA or HRA. As regards SEA it explained that *due to the limited scope of the plan (with the absence of a site allocation), and the policy framework within it (including the protection provided by specific policies), the plan will not result in a significant effect on the environment.*
34. It goes on to conclude that *significant effects on the environment are not likely and hence an SEA is not required.* Natural England and Historic England concurred with this conclusion. BDBC re iterated this conclusion to the Parish Council in a Screening Opinion letter dated 27 April 2023.
35. Based on the screening determination and consultee responses, I consider that it was not necessary for the modified Plan to require a full SEA Assessment. The SEA screening accords with the provisions of the European Directive 2001/42/EC.
36. As regards Habitat Regulation Assessment, the above report concluded that the modified Plan would not need to be subject to an HRA. It states: *There are no European sites within a 10km radius of the Neighbourhood Plan Area, nor is the Plan area within the River Test or Itchen catchment, 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.* Natural England



concluded that no HRA was needed. BDBC re iterated this conclusion to the Parish Council in a Screening Opinion letter dated 27 April 2023.

37. Based on the screening determination and consultee response, I consider that the modified Plan does not require a full HRA under Articles 6 or 7 of the Habitats Directive. I am satisfied that the modified Plan does not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017(7).
38. 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 modified Plan is compatible with EU obligations and does not breach the European Convention on Human Rights obligations.

## Policy Background

39. The *National Planning Policy Framework* (NPPF) (December 2023) sets out the Government's planning policies for England and how these are expected to be applied. The *Planning Practice Guidance* (2014) (PPG) provides Government guidance on planning policy.
40. I have examined the Plan against policies in this revised NPPF, which was published prior to the Regulation 16 consultation period. This gave respondents the opportunity to comment on the revised NPPF. In the interest of fairness, I invited the Parish Council to make any comments it felt necessary with regard to how the Plan has regards to national policy following the publication of the revised NPPF. Their response is published on the BDBC website.
41. The current made Plan was examined against the policies in the NPPF 2012. Even where the original policies have not been modified, it is necessary for the modified Plan, the subject of this examination, to be examined against the new NPPF (December 2023). For clarification, my examination has considered the entirety of the modified Plan and has not been confined to those parts of the Plan which contain modifications to the made Plan. A helpful table has been prepared in *the Draft Modification Proposal Statement* showing the differences between the made plan and the submission modification.
42. 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, beautiful and safe places, 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 protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.*

43. Sherborne St John Parish 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 strategic policies in this Local Plan include policies regarding housing, the environment and the economy.

BDBC is preparing an updated Local Plan. BDBC publicised the emerging draft Local Plan (Regulation 18) for comment during the publicity period between 22 Jan and 4 March 2024. The preparation of the modified neighbourhood plan has been carried out in the context of the current adopted Local Plan.

## **The Neighbourhood Plan Preparation**

44. 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 (as amended).
45. The Parish Council took the decision to modify the made Plan in 2022. The initial consultation process began with a questionnaire in December 2022/January 2023. The drafting of the modified Plan took into account the feedback and suggestions provided by the community through the questionnaire and engagement events as well as evidence base documents.
46. The consultation period on the pre-submission draft of the modified Plan ran from 25 September to 6 November 2023. Consultation included online platforms and an open evening. Letters were sent to know landowners of proposed Local Green Spaces. Copies of the modified Plan were available in the village hall, village store, St Andrews Church and Swan pub. A

questionnaire was prepared for comments on the Plan. Both hard copies of the questionnaire and an online version were available to record comments. Public notices were placed on notice boards across the Parish, and it was publicised in The Villager magazine.

47. I am satisfied that the pre-submission consultation and publicity has met the requirements of Regulation 14 in The Neighbourhood Planning (General) Regulations 2012 (as amended). The consultation and publicity went beyond the requirements, and it is clear that the qualifying body went to considerable lengths to ensure that the local community was able to engage in the production of the modified Plan. I congratulate them on their efforts.
48. BDBC publicised the submission modified Plan for comment during the publicity period between 15 January and 27 February 2024 in line with Regulation 16 in The Neighbourhood Planning (General) Regulations 2012 (as amended). A total of 19 responses were received. I am satisfied that all these responses can be assessed without the need for a public hearing.
49. Some 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. Whilst I have not made reference to all the responses in my report, I have taken them into consideration. 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 website.

## **The Sherborne St John Neighbourhood Plan 2011 – 2029**

### **As Modified November 2023**

50. Background information is provided throughout the Plan and in background evidence-based documents. A clear vision for the Parish has been established and is supported by eight objectives.
51. Policies in a neighbourhood plan can only be for the development and use of land. Where there are community aspirations, (identified as a non-statutory list of actions in a non-Statutory Community Action Plan section), these have been clearly differentiated from policies for the development and use of land.
52. 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 in the NPPF requires plans to contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals.

53. 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).
54. I do refer to 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.
55. 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.
56. Paragraph 49 refers to the majority of residents being aged between 30-34 years old. This is not strictly correct. Rather it appears that the largest cohort of 11.6% is of residents aged 30-34. **I see this as a minor editing matter.**
57. The NPPF was revised shortly before the Regulation 16 consultation period on the submission Plan. There are references to the NPPF (September 2023) throughout the Plan and in the *Sherborne St John Design Guidance and Codes* (November 2023). These need to be changed to the relevant sections of the revised NPPF (December 2023). Whilst this is an onerous task, it is necessary to ensure that the Plan has regard to national policy.
58. **Recommendation: to meet the Basic Conditions, I recommend that all references to the NPPF (September 2023) throughout the Plan and in the *Sherborne St John Design Guidance and Codes* (November 2023) are revised where necessary to refer to the relevant sections of the revised NPPF (19 December 2023).**
59. 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. Where I have not specifically referred to other relevant strategic policy, I have considered all strategic policy in my examination of the Plan.

### **SSJ Policy 1: Settlement Boundaries and Building in the Countryside**

60. Paragraph 82 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, including proposals for community-led*

*development for housing. Local planning authorities should support opportunities to bring forward rural exception sites that will provide affordable housing to meet local needs and consider whether allowing some market housing on these sites would help to facilitate this.*

61. Paragraph 73 in the NPPF explains that local planning authorities should support the development of exception sites for community-led development on sites that would not otherwise be suitable as rural exception sites. Such sites should be adjacent to existing settlements and proportionate in size to them.
62. Paragraph 84 in the NPPF seeks to avoid the development of isolated homes in the countryside unless certain circumstances apply such as an essential need for a rural worker or the re-use of a redundant building.
63. Paragraphs 88 and 89 in the NPPF support a prosperous rural economy.
64. BDLP Policy SS6 is a restrictive policy regarding new housing development in the countryside. BDLP Policies CN2, EP4 and EP5 allow some development in the countryside, such as rural exception sites for affordable housing and rural economic and tourism development (including guest accommodation) in certain circumstances.
65. 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.
66. BDLP Policy SS5 supports the identification of housing sites through Neighbourhood Plans.
67. PPG states: *Although a draft neighbourhood plan or Order is not tested against the policies in an emerging local plan the reasoning and evidence informing the local plan process is likely to be relevant to the consideration of the basic conditions against which a neighbourhood plan is tested. For example, up-to-date housing need evidence is relevant to the question of whether a housing supply policy in a neighbourhood plan or Order contributes to the achievement of sustainable development.*

*Where a neighbourhood plan is brought forward before an up-to-date local plan is in place the qualifying body and the local planning authority should discuss and aim to agree the relationship between policies in:*

*the emerging neighbourhood plan*

*the emerging local plan (or spatial development strategy)*

*the adopted development plan with appropriate regard to national policy and guidance.*

(Extract from Paragraph: 009 Reference ID: 41-009-20190509).

68. Some representations dispute the housing need and promote sites for housing development. These include two sites identified in the emerging draft Local Plan. This neighbourhood plan does not allocate sites for housing and is not required to do so in order to be in general conformity with existing strategic policies. BDBC has confirmed that the housing requirement in the Parish during the Plan period has been met by previous development.
69. It may be that there might, in future, be a need for further growth within the Parish. The Plan acknowledges the need to monitor the progress of the policies and their appropriateness when weighed against any future national and local strategic policies. The Neighbourhood Plan examination process does not require a rigorous examination of borough wide housing land requirements. This is the role of the examination of the emerging Local Plan.
70. In reaching my conclusion on this matter, whilst different circumstances apply in that there are adopted strategic housing policies for this neighbourhood plan period, I consider it relevant to refer to the High Court Judgment of *Gladman Developments Limited v Aylesbury Vale District Council & Winslow Town Council* [2014] EWHC 4323 (Admin) on 18 December 2014.
71. The following is an extract of paragraph 58 of that judgment: *In my judgment, a neighbourhood development plan may include policies dealing with the use and development of land for housing, including policies dealing with the location of a proposed number of new dwellings, even where there is at present no development plan document setting out strategic policies for housing. The examiner was therefore entitled in the present case to conclude that the Neighbourhood Plan satisfied basic condition 8(2) (e) of Schedule 4B to the 1990 Act as it was in conformity with such strategic policies as were contained in development plan documents notwithstanding the fact that the local planning authority had not yet adopted a development plan document containing strategic policies for housing. Further, the examiner was entitled to conclude that condition 8(2) (d) of Schedule 4B to the 1990 Act was satisfied. That condition requires that the making of the neighbourhood development plan “will contribute to the achievement of sustainable development”. The examiner was entitled to conclude that a neighbourhood plan that would provide for an additional 455 dwellings, in locations considered to be consistent with sustainable development, did contribute to the achievement of sustainable development notwithstanding that others wanted more growth and development plan documents in future might provide for additional growth. Similarly, the examiner was entitled to conclude that having regard to national guidance and advice, including the Framework, it was appropriate to make the neighbourhood plan even though there might, in future, be a need for further growth.*



72. Policy SSJ Policy 1 seeks to focus development within the Settlement Policy Boundary. This has been revised from the Settlement Policy Boundary in the Local Plan to include the completed residential development site allocated in the made Plan. There is a presumption against residential development outside the settlement boundary, unless in accordance with paragraph 80 in the NPPF (now paragraph 84 in the December 2023 NPPF), BDLP Policy SS6 or specific provision in the neighbourhood plan.
73. There are two Settlement Policy Boundaries within the Parish identified in the Local Plan. One being the Settlement Policy Boundary around the village and the other being part of the Basingstoke Town Settlement Policy Boundary. SSJ Policy 1 refers to Settlement Policy Boundaries in the singular and plural. In the interest of precision and to be in general conformity with strategic policy, both SSJ Policy 1 and Map 5 should identify the Basingstoke Town Settlement Policy Boundary and paragraphs 100 and 101 should be modified accordingly. The area identified as countryside is outside both of the Settlement Policy Boundaries.
74. As there are other paragraphs in the NPPF apart from paragraph 84 that allow for residential development in the countryside , such as rural exception sites and community led developments, SSJ Policy 1 should allow for consideration of all relevant paragraphs in the NPPF.
75. As there are other policies apart from BDLP Policy SS6 that allow for residential development in the countryside, SSJ Policy 1 should allow for consideration of all relevant policies in the Local Plan.
76. BDBC has noted that there is internal conflict in the Plan between SSJ Policy 1 and SSJ Policy 3 in that SSJ Policy 3 is concerned with ensuring that all types of development protect rural character and sets policy requirements for proposals that comply with SSJ Policy 1. However, SSJ Policy 1 only sets out when residential development would be allowed in the countryside. In the interest of precision, to avoid internal conflict and to be in accordance with strategic policy I have suggested revised wording for SSJ Policy 1 that widens consideration to where any type of development would be allowed in the countryside.
77. SSJ Policy 1 refers to a presumption against housing development in the countryside unless specific provision has been made by this Plan. No such provision has been made by this Plan. Thus, this reference should be deleted.
78. SSJ Policy 1 refers to a previous version of the Design Code, with the final version submitted with the plan for examination being the *Sherborne St John Design Guidance and Codes* (November 2023). In the interest of precision, this final report should be referred to in SSJ Policy 1 and other policies throughout the Plan. I have recommended further modifications to this Design Code which will mean an update to the date of the document. Whilst



I have left it as November 2023 for now, **I see it as being a minor editing matter** for the date of the final report to be included in all relevant policies in this Plan.

79. Subject to the above modifications, seeking to focus new development within the Settlement Policy Boundaries in SSJ Policy 1 is the correct approach to achieving a sustainable pattern of development in order to contribute towards the environmental objective of sustainable development. In addition, allowing some development outside the settlement boundaries where it accords with relevant national and Local Plan policies, ensures that Policy SSJ Policy 1 contributes towards the achievement of sustainable development.
80. Modified SSJ Policy 1 has regard to national policy, contributes towards sustainable development, particularly the environmental objective and is in general conformity with strategic policy. Modified SSJ Policy 1 meets the Basic Conditions.

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

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

**SSJ Policy 1: Settlement Policy Boundaries and Building in the Countryside**

**Development proposals within the defined Settlement Policy Boundaries (as shown on Map 5) will be supported provided they accord with policies within the Development Plan and they have regard to the Sherborne St John Design Guidance and Codes (November 2023).**

**Development proposals located outside of the defined Settlement Policy Boundaries are considered to be located within the countryside. For residential development, apart from the circumstances as set out in the NPPF and the adopted Local Plan 2011-2029 (or successor document), there is a presumption against residential development outside the Settlement Policy Boundaries.**

**Non-residential development proposals outside the Settlement Policy Boundaries will be supported where they accord with national and development plan policies.**

**2) modification to Map 5 to include the part of the Basingstoke Town Settlement Policy Boundary that lies within the Parish.**

**3) modification to paragraphs 100 and 101 to read as follows:**

**100. Map 5 identifies the Settlement Policy Boundary for the village of Sherborne St John and the Basingstoke Town Settlement Policy Boundary, which is partly located within the Parish. Settlement Policy Boundaries distinguish how planning applications are considered if they relate to land inside or outside the Settlement Policy Boundaries.**

**101. Development proposals which are located outside of the Settlement Policy Boundaries are considered to be located in the countryside where more restrictive planning policies apply. This policy is consistent with Policy SS1 of the Local Plan in supporting housing development within the Settlement Policy Boundaries and details how applications should be dealt with outside the Settlement Policy Boundaries.**

### **SSJ Policy 2: Delivering a mix of housing sizes to meet local needs**

82. Paragraph 60 in the NPPF states: *To support the Government’s objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay. The overall aim should be to meet as much of an area’s identified housing need as possible, including with an appropriate mix of housing types for the local community.*
83. BDLP Policy CN3 seeks a housing mix for market housing.
84. SSJ Policy 2 seeks to deliver a mix of dwelling sizes, including smaller dwellings to meet local needs.
85. Paragraph 108 refers to the combined evidence of the Housing Need Survey and Parish Questionnaire. The Housing Need Survey Report identified a shortfall in smaller properties of between one and three bedrooms. In the Parish Questionnaire, a large majority of respondents identified a need for smaller units suitable for first time buyers or for elderly residents to downsize. It should be made clear that this evidence base was for the made neighbourhood plan. **I see this as a minor editing matter.**
86. Reference is made in paragraph 108 to Principle 3.1 in the BDBC Housing SPD (2018) to support SSJ Policy 2. That Principle explains: *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.*

87. SSJ Policy 2 has been carried over from the made Plan. I have not been provided with any robust evidence to clearly indicate that it no longer meets the Basic Conditions. In my opinion, existing background evidence justifies the requirements in SSJ Policy 2 for a mix of size of dwellings to meet the needs of the Parish. A such, SSJ Policy 2 has regard to national policy, contributes towards sustainable development, particularly the social objective and is in general conformity with strategic policy. SSJ Policy 2 meets the Basic Conditions.

### **SSJ Policy 3: The Rural Character of the Parish**

88. The NPPF, in paragraph 180 requires the planning system to contribute to and enhance the natural and local environment.
89. BDLP Policy EM1 states that development proposals must respect, enhance and not be detrimental to the character or visual amenity of the landscape likely to be affected. Development proposals will not be accepted unless they maintain the integrity of existing settlements and prevent coalescence.
90. BDLP Policy EM10 seeks high quality development, which, amongst other matters, should respect the local environment.
91. SSJ Policy 3 seeks to ensure that development is sympathetic to the character and visual amenity of the local landscape, having regard to the features that characterise the Parish and the setting of the village in the wider landscape as defined in the Design Code. The policy refers to a previous version of the Design Code, with the final version submitted with the Plan for examination being the *Sherborne St John Design Guidance and Codes* (November 2023). The character study in the Design Code is a comprehensive assessment of nine different character areas in the Parish. It provides robust evidence to support SSJ Policy 3. In the interest of precision, the final report should be referred to in SSJ Policy 3.
92. Subject to the above modification, SSJ Policy 3 has regard to national policy, contributes towards sustainable development, particularly the environmental objective and is in general conformity with strategic policy. Modified SSJ Policy 3 meets the Basic Conditions.
93. It has been suggested that the last paragraph in SSJ Policy 3 includes reference to development at the edge of Basingstoke, as well as the edge of the village. Should the Parish Council wish to include such a reference, this has no bearings on whether the Plan meets the Basic Conditions.
94. **Recommendation: to meet the Basic Conditions, I recommend SSJ Policy 3 refers to the final report of the *Sherborne St John Design Guidance and Codes*.**

## SSJ Policy 4: Design Code and High-Quality Design

95. Paragraph 131 in the NPPF states: *The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process.*
96. Paragraph 132 in the NPPF states: *Plans should, at the most appropriate level, set out a clear design vision and expectations, so that applicants have as much certainty as possible about what is likely to be acceptable. Design policies should be developed with local communities so they reflect local aspirations, and are grounded in an understanding and evaluation of each area's defining characteristics. Neighbourhood planning groups can play an important role in identifying the special qualities of each area and explaining how this should be reflected in development, both through their own plans and by engaging in the production of design policy, guidance and codes by local planning authorities and developers.*
97. 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. BDLP Policy EM11 seeks to ensure that all development conserves or enhances the quality of the borough's heritage assets in a manner appropriate to their significance.
98. SSJ Policy 4 seeks to ensure high quality design that makes a positive contribution to the character and local distinctiveness of the Parish. In the interest of precision, the policy should include the full title of the design Code: the *Sherborne St John Parish Design Guidance and Codes (November 2023)*. Design guidance is guidance, rather than policy. Design Codes are a set of illustrated design requirements. In the interest of precision, and to avoid internal conflict in the Plan with SSJ Policy 1, SSJ Policy 4 should refer to having regard to the *Sherborne St John Parish Design Guidance and Codes (November 2023)*, as specified in SSJ Policy 1.
99. BDBC has suggested revised wording for the first bullet point in SSJ Policy 4. The Parish Council, in their response to the Regulation 16 representations, has supported this modification, which is as follows: *The use of external materials and architectural detailing of a high quality that complement the existing materials and detailing in the relevant Character Area.* This has no bearing on whether the Plan meets the Basic Conditions. In the interest of completeness, I have incorporated this modification into a revised policy below. **I see this as a minor editing matter.**

100. As regards the *Sherborne St John Parish Design Guidance and Codes (November 2023)*, I have the following comments to make.
101. For a considerable time, it has not been possible to include technical standards for housing construction in neighbourhood plans. A Written Ministerial Statement: *Planning - Local Energy Efficiency Standards Update* (13 December 2023) explains that the Government does not expect plan-makers to set local energy efficiency standards for buildings that go beyond current or planned buildings regulations. *Any planning policies that propose local energy efficiency standards for buildings that go beyond current or planned buildings regulation should be rejected at examination if they do not have a well-reasoned and robustly costed rationale that ensures:*
- That development remains viable, and the impact on housing supply and affordability is considered in accordance with the National Planning Policy Framework.*
- The additional requirement is expressed as a percentage uplift of a dwelling's Target Emissions Rate (TER) calculated using a specified version of the Standard Assessment Procedure (SAP).*
102. I have no robust evidence before me to justify otherwise than in accordance with the Written Ministerial Statement. In this context, DG.2 on page 51 and DG.2 in the Summary Table on page 42 needs to explain that the requirements do not require energy efficiency measures beyond those required in building regulations.
103. Planning guidance is guidance rather than policy. Therefore, in the interest of precision, reference to planning guidance should explain that regard has to be made to the guidance, rather than being expected to follow guidance or be in line with such guidance. It is not for me to re-write the document. References that need to be modified include: DG.8 in the Summary Table on page 43; DG.1, DG.3 DG.5 in the Summary Table on page 42; 3.e on page 46; DG.7 g on page 61; and how applicants, developers and landowners use the guide on page 79.
104. Paragraph 136 in the NPPF makes it clear that it is the Government's intention that all new streets include trees unless in specific cases there are clear justifiable and compelling reasons why this would be inappropriate. Whilst page 45 of the *Sherborne St John Parish Design Guidance and Codes (November 2023)* does refer to developments incorporating trees in streets, I recommend the inclusion of such a requirement in SSJ Policy 4. I have suggested additional wording.
105. Subject to the above modifications to both SSJ Policy 4 and the guidance and codes in the *Sherborne St John Parish Design Guidance and Codes (November 2023)*, SSJ Policy 4 has regard to national policy, contributes towards sustainable development, particularly the environmental objective

and is in general conformity with strategic policy. Modified SSJ Policy 4 meets the Basic Conditions.

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

**1) modification to Policy SSJ Policy 4 to read as follows:**

**Policy 4: Design Guidance and Codes and High-Quality Design**

**The Sherborne St John Parish Design Guidance and Codes (November 2023), Appendix 1, identifies 9 Character Areas as shown on Map 7, and provides design guidance applicable to each character area.**

**In particular proposals should demonstrate how consideration has been given to the following:**

- The use of external materials and architectural detailing of a high quality that complement the existing materials and detailing in the relevant Character Area;**
- Appropriate scale, massing and appearance that is well related to the character of the local area**

**Development proposals will be permitted where they are of a high design quality and where they contribute positively to the character and local distinctiveness of the Parish, having regard to the Sherborne St John Parish Design Guidance and Codes (November 2023) in Appendix 1, and the other policies within the Development Plan.**

**All new development should include tree-lined streets unless in specific cases there are clear justifiable and compelling reasons why this would be inappropriate.**

**2) modification to the Sherborne St John Parish Design Guidance and Codes (November 2023) to explain that requirements do not require energy efficiency measures beyond those required in building regulations.**

**3) modification to the Sherborne St John Parish Design Guidance and Codes (November 2023) to explain that regard should be had to planning guidance documents.**

### **SSJ Policy 5: Local Green Space**

107. The NPPF in paragraphs 105 - 107 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.*

108. 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.
109. I have visited the Parish and seen the LGS identified in SSJ Policy 5. The justification for the designation of the LGS is found in supporting evidence in the *Local Green Space Report* (November 2023). I have no evidence to suggest that these proposed LGS are not capable of enduring beyond the end of the plan period. All these sites are in reasonable proximity to the local community, are local in character and are not extensive tracts of land. I am satisfied that the proposed LGS meet the criteria for designation unless specified below.
110. My comments on each of the proposed LGS sites are set out below.
111. *1: Allotments – Moss Hill, Cranes Road.* These two allotment sites are demonstrably special to the local community because of their tranquillity, beauty, richness of wildlife, informal recreation provision and health and well being of residents.
112. *2: Chute Recreation Ground.* This recreation ground is demonstrably special to the local community because of its informal and formal recreation provision and health and well being of residents. The pavilion and parking area are not local green spaces. Therefore, they should be deleted from the area defined as the LGS on Map 8 and accompanying inset map. This will allow for future improvement of these facilities outside the onerous restrictions of LGS designation.



113. 3: *SSJ Watercress Meadows (near Weybrook)*. These meadows are demonstrably special to the local community because of their informal recreation provision and wildlife.
114. 4: *St Andrews Churchyard and Cemetery*. These two areas are demonstrably special to the local community because of their tranquillity and heritage.
115. 5: *Land to the North of Cranesfield*. From my observations, there are other fields on the edge of the village with similar landscape qualities. I see nothing that distinctively distinguishes the site from these fields to make it demonstrably special. I note that this site forms part of the setting of the Conservation Area, but that is more of an issue of setting and views rather than the qualities of the site itself. I find nothing demonstrably special about this site and thus recommend its deletion as LGS.
116. 6: *Vidlers Field*. From my observations, there are adjoining fields and other fields on the edge of the village with similar landscape qualities. Whilst there is a footpath across the site, I see nothing that distinctively distinguishes the site from these fields to make it demonstrably special. I note that this site forms part of the setting of the Conservation Area, but that is more of an issue of setting and views rather than the qualities of the site itself. I find nothing demonstrably special about this site and thus recommend its deletion as LGS.
117. 7: *The Village Green*. This village green is demonstrably special to the local community because of its informal recreation provision and is used for many Parish events.
118. 8: *Village Pond and SINC wetlands*. This area is demonstrably special to the local community because of its beauty, historical significance and informal recreation provision.
119. Following a Court of Appeal case with regard to the lawfulness of a LGS policy in a neighbourhood plan: (*Lochailort Investments Limited v. Mendip District Council and Norton St Philip Parish Council*, [2020] EWCA Civ 1259), I consider it necessary to delete the last sentence in SSJ Policy 5. This will ensure that there can be absolutely no doubt regarding the lawfulness of the policy. The restrictions on development with regard to LGS designation will continue to apply through the NPPF. This ensures that the policy meets the Basic Conditions.
120. Subject to the above modifications, SSJ Policy 5 has regard to national policy, contributes towards sustainable development, particularly the environmental objective and is in general conformity with strategic policy. Modified SSJ Policy 5 meets the Basic Conditions.
121. **Recommendation: to meet the Basic Conditions, I recommend:**

**1) modification to Policy SSJ Policy 5 to read as follows:**

**Policy 5: Local Green Spaces**

**The following areas identified on Map 8 are designated as Local Green Spaces:**

**Local Green Space 1: Allotments – Moss Hill, Cranes Road**

**Local Green Space 2: Chute Recreation Ground**

**Local Green Space 3: SSJ Watercress Meadows (near Weybrook)**

**Local Green Space 4: St Andrews Churchyard and Cemetery**

**Local Green Space 5: The Village Green**

**Local Green Space 6: Village Pond and SINC wetlands.**

**2). modification to Map 8 and inset maps to delete the pavilion and carpark at Chute Recreation Ground from the LGS site, delete Land North of Cranesfield as LGS and delete Vidlers Field as LGS.**

**SSJ Policy 6: Local Gap**

122. Section 11 in the NPPF seeks to make effective use of land. It recognises that some undeveloped land can perform many functions.
123. PPG states that a policy in a neighbourhood plan *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* (extract Paragraph: 041 Reference ID: 41-041-20140306).
124. PPG states that in deciding whether a neighbourhood plan policy is in general conformity with strategic policies, one of the criteria for consideration is *whether the draft neighbourhood plan policy or development proposal provides an additional level of detail and/or a distinct local approach to that set out in the strategic policy without undermining that policy* (extract Paragraph: 074 Reference ID: 41-074-20140306).
125. BDLP Policy EM1 states that development proposals must respect, enhance and not be detrimental to the character or visual amenity of the landscape likely to be affected. Development proposals will not be accepted unless they maintain the integrity of existing settlements and prevent coalescence.
126. BDLP Policy EM5 seeks to protect and improve the green infrastructure network.

127. BDLP Policy EM2 identifies Strategic Gaps, including land between Basingstoke and Sherborne St John. *Development in gaps will only be permitted where:*
- a) It would not diminish the physical and/or visual separation; and*
  - b) It would not compromise the integrity of the gap either individually or cumulatively with other existing or proposed development; or*
  - c) it is proposed through a Neighbourhood Plan or Neighbourhood Development Order, including Community Right to Build Orders.*
128. SSJ Policy 6 identifies a Local Gap. This almost follows the boundaries of the existing Strategic Gap, with the exceptions of excluding the housing development at Sireburne Close and including a small area to the south of the village Settlement Policy Boundary along Elm Road. The evidence base is found in the *Local Gap Report* (March 2023). That report states that the Local Gap would share the same functions as a Strategic Gap but would have the additional function of conserving the landscape setting of the village.
129. The report goes on to state that the proposed Local Gap *would provide an effective mechanism for (a) conserving the landscape setting of Sherborne St. John, (b) retaining the open nature and sense of separation between the settlements and (c) maintaining the separate identity and local distinctiveness of the village.*
130. SSJ Policy 6 states: *Proposals for development within the Local Gap will only be acceptable provided that they do not:*
- (1) harm the sense of separation between settlements or the physical and visual separation of Sherborne St John from Basingstoke; and*
  - (2) harm the landscape setting of the village or the integrity of the Local Gap, either individually or cumulatively with other existing or proposed development; and*
  - (3) restrict its role in providing opportunities for green infrastructure provision.*
131. Criterion 1 and part of criterion 2 in SSJ Policy 6 are already criteria in BDLP Strategic Gap Policy EM2. Therefore, they do not provide an additional level of detail for this area.
132. The Plan has to be read as a whole. SSJ Policy 1 restricts development in the countryside. SSJ Policy 3 seeks to protect the landscape setting of the village and SSJ Policy 8 seeks to protect Key Views. Thus, the remainder of criterion 2 in SSJ Policy 6 is considered in these other policies.

133. I have no robust evidence to explain why it is necessary for this area to be designated a Local Gap in order to ensure that its role in providing opportunities for green infrastructure provision is not restricted. Although I note the list of opportunities in paragraph 134, I have not been provided with a specific programme of green infrastructure provision for this area or explanation of funding for such provision. No specific networks have been identified for protection or enhancement. SSJ Policy 7 seeks to protect and enhance natural features and enhance biodiversity. SSJ Policy 3 seeks to conserve and, if possible, enhance natural assets. Therefore, if there are opportunities for green infrastructure provision, it is not necessary for there to be a defined Local Gap for their provision.
134. The area of Local Gap identified in SSJ Policy 6 is almost the same as the area of the Strategic Gap. SSJ Policy 6 criteria are either already set out in strategic policy, or, in the case of green infrastructure provision, are covered by other neighbourhood plan policies.
135. I realise the importance of retaining a separate and distinct settlement in perpetuity. I am also aware of the emerging Local Plan proposals to allocate residential sites in parts of the existing Strategic Gap and have noted representations from promoters of sites within the Strategic Gap for development. These are matters for the examination of the emerging Local Plan.
136. As it is not the role of a neighbourhood plan to repeat strategic policy and in the absence of any robust evidence to clearly indicate that a Local Gap designation is necessary to ensure that green infrastructure provision is not restricted, I recommend deletion of SSJ Policy 6 and supporting text. A paragraph based on paragraph 106 in the made Plan can be included, possibly within the Parish Profile section. Objective 2 and paragraph 41 should be modified accordingly.
137. I realise that this recommendation will not be welcome by the local community. Objective 2 is not compromised by the deletion of SSJ Policy 6 as other development plan policies in both the Local Plan and this neighbourhood plan can maintain the visual and physical separation between the village and Basingstoke Town. Thus, the deletion does not significantly or substantially alter the intention or nature of the Plan.
138. **Recommendation: to meet the Basic Conditions, I recommend:**
- 1) the deletion of SSJ Policy 6 and supporting text.**
- 2) the inclusion of the following text in the Parish Profile:**
- The avoidance of coalescence is of utmost importance and proposals for a gap were firmly supported by the Parish. It is one of this Plan's**

objectives that the closing of the gap between Sherborne St John village and Basingstoke town should be avoided. BDLP Policy EM2 seeks to ensure that this erosion is avoided. The area of Strategic Gap referred to in this policy as separating Sherborne St John village from the town is shown as the area shaded green on Map 4.

3) modification to Objective 2 to read as follows:

To retain Sherborne St John as a viable rural village with its own distinct identity by maintaining the visual and physical separation between the village and Basingstoke Town.

4) modification to the third point in paragraph 41 to read as follows:

strong support to maintain and enhance the strategic gap which is contained within Policy EM2 of the current Local Plan (2011-2029) adopted in 2016. The Local Plan is currently being updated and the Neighbourhood Plan policies restrict development outside settlement boundaries.

### SSJ Policy 7: Biodiversity and Ecology

139. The NPPF, in Paragraph 180 requires the planning system to contribute to and enhance the natural and local environment. This includes minimising impacts on biodiversity and providing net gains in biodiversity.
140. The Environment Act 2021 makes provision for achieving a minimum 10% biodiversity net gain to be a condition of receiving planning permission. The requirement for a minimum of 10% biodiversity net gain came into force on 12 February 2024 for major developments and on 2 April 2024 for small sites. As such, paragraph 137 needs updating. **I see this as a minor editing matter.**
141. BDLP Policy EM4 is a policy regarding biodiversity, geodiversity and nature conservation. This is a long complex policy setting criteria to ensure that: *development proposals will only be permitted if significant harm to biodiversity and/ or geodiversity resulting from a development can be avoided or, if that is not possible, adequately mitigated* and where it satisfies a list of criteria. As a last resort, compensatory measures will be secured.
142. BDLP Policy EM5 seeks to protect and improve the green infrastructure network.
143. BDBC Landscape, Biodiversity and Trees Supplementary Planning Document (SPD) (December 2018) provides guidance on how existing green

infrastructure, landscape, biodiversity, and trees should shape development proposals and be considered as part of the planning process.

144. SSJ Policy 7 is concerned with protecting and enhancing natural features and biodiversity. The *Ecology and Wildlife Report* (November 2023) supports this policy. BDBC has suggested modifications to the policy and accompanying text, which have been accepted by the Parish Council. In the interest of precision, where necessary to meet the Basic Conditions, I consider it necessary to make the suggested modifications. In particular, it should be recognised that the *Landscape, Biodiversity and Trees Supplementary Planning Document (SPD) 2018* is not the only source of ecological network mapping information.
145. The last paragraph in SSJ Policy 7 identifies a wildlife corridor. Background evidence clearly indicates that this is not the only wildlife corridor in the Parish. Therefore, in the interest of precision, I have suggested revised wording for this paragraph.
146. Paragraphs 143 and 144 refer to protecting a zone of influence as a buffer to the identified wildlife corridor, but protection of this zone of influence has not been included in SSJ Policy 7. In the interest of precision, these paragraphs should not include such a policy requirement.
147. Subject to the above modifications, SSJ Policy 7 has regard to national policy, contributes towards sustainable development, particularly the environmental objective and is in general conformity with strategic policy. Modified SSJ Policy 7 meets the Basic Conditions.
148. **Recommendation: to meet the Basic Conditions, I recommend:**

**1) modification to SSJ Policy 7 to read as follows:**

**Policy 7: Biodiversity and Ecology**

**All development proposals should protect and enhance natural features of sites and enhance biodiversity. Proposals should have regard to guidance in the Basingstoke and Deane Landscape, Biodiversity and Trees Supplementary Planning Document (SPD) 2018.**

**The extent of any net gain in biodiversity for any development should be in accordance with national policy, taking into consideration guidance in BDBC Achieving Biodiversity Net Gain (or successor document).**

**Ecological network mapping, including mapping featured within the BDBC Landscape, Biodiversity and Trees SPD (2018), should be taken into account when deciding where to place development within a site boundary. This will indicate the best areas for habitat restoration possibilities and be borne in mind when presenting any planning proposal with relation to habitat protection and enhancement.**



**The Neighbourhood Plan identifies a Wildlife Corridor in Map 10. Development proposals that lie within any wildlife corridor, including the Wildlife Corridor in Map 10, must demonstrate how they maintain or improve the functionality of the wildlife corridor in the design of layouts and landscaping schemes.**

**2) the deletion of reference to an indicative zone of influence in paragraphs 143 and 144 as Map 10 and SSJ Policy 7 do not refer to such a zone.**

### **SSJ Policy 8: Landscape and Key views**

149. The NPPF, in Paragraph 180 requires the planning system to contribute to and enhance the natural and local environment.
150. BDLP Policy EM1 is a long detailed policy that primarily seeks to ensure that new development is sympathetic to the character and visual qualities of the landscape.
151. SSJ Policy 8 seeks to protect the visual amenity of 17 identified key views. In the interest of precision, rather than referring to 'important views' the policy should refer to 'identified Key Views'.
152. I have seen the identified Key Views and understand their significance to the local community. The *Sherborne St. John Neighbourhood Plan Description of Key Views* report provides the evidence base for the selection of the Key Views. This report identifies clear criteria for selection. There was a review of views identified in the made Plan; a review of the other potential views that have been identified through the community engagement questionnaire; and field survey work.
153. The report identifies valued characteristics, which contribute positively to the character and sense of place within the Parish. For the purposes of the report, a 'key view' is defined as a view that provides a positive contribution to Sherborne St. John's unique character and sense of place. The Key Views include one or more of the defined valued characteristics.
154. SSJ Policy 8 does not preclude development. In the interest of precision, I have suggested revised wording to ensure that it is the valued characteristics that are protected.
155. The Key Views Map 11 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 locations and directions of the Key Views are clearly identifiable. As photographs of each view are already available in the background



document, I suggest that these are all included in the Plan. **I see the inclusion of these photographs as a minor editing matter.**

156. I realise the Plan has to be read as a whole. However, I am concerned because some of the Key Views are across areas designated as LGS, where restrictions on development are more draconian than those outlined in SSJ Policy 8. Therefore, in the interest of precision, I recommend reference in SSJ Policy 8 to SSJ Policy 5.

157. Subject to the above modifications, SSJ Policy 8 has regard to national policy, contributes towards sustainable development, particularly the environmental objective and is in general conformity with strategic policy. Modified SSJ Policy 8 meets the Basic Conditions.

158. There is a typo in paragraph 148 Key View 16. **I see this as a minor editing matter.**

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

**1) modification to SSJ Policy 8 to read as follows:**

**Policy 8: Key Views**

**The Neighbourhood Plan identifies Key Views 1 – 17 on Map 11.**

**Development proposals should respect visual amenity by protecting the valued characteristics of the Key Views as identified in the Sherborne St. John Neighbourhood Plan Description of Key Views (Scarp) (March 2023).**

**In assessing the visual impact of development, features which may be considered important to assessing visual amenity include:**

- **Landscape setting**
- **Relationship of the village edge with surrounding countryside**
- **Views from the village to the countryside, or views from the countryside towards the village.**

**Development proposals (located within Sherborne St John Parish) which would have a significant adverse visual impact on a valued characteristic identified in a Key View will not be supported.**

**Where Key Views are across sites designated as Local Green Spaces, SSJ Policy 5 applies to those sites.**

**2) modification to the Key Views Map 11, on an ordnance survey base, to clearly identify the precise locations and directions of the Key Views. Inset maps should be included for this purpose.**

### **SSJ Policy 9: Reducing light pollution**

160. NPPF paragraph 191 seeks to limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.
161. BDLP Policy EM12 seeks to ensure that new development does not lead to pollution. Pollution includes light pollution.
162. SSJ Policy 9 seeks to minimise light pollution outside the Basingstoke Town Settlement Boundary. In such a rural area, it is clear that light pollution can be a concern. In the interest of precision, SSJ Policy 9 should make it clear that all of this policy only applies outside the Basingstoke Town Settlement Boundary.
163. Subject to the above modification, SSJ Policy 9 has regard to national policy, contributes towards sustainable development, particularly the environmental objective and is in general conformity with strategic policy. Modified SSJ Policy 9 meets the Basic Conditions.

164. **Recommendation: to meet the Basic Conditions, I recommend modification to SSJ Policy 9 to read as follows:**

**Policy 9: Reducing light pollution outside of the Basingstoke Town Settlement Policy Boundary**

**All development proposals which are located outside of the Basingstoke Town Settlement Policy Boundary shall demonstrate how they have been designed to minimise the occurrence of light pollution.**

**Development proposals outside of the Basingstoke Town Settlement Policy Boundary that include external lighting which requires planning permission must be accompanied by a lighting scheme that has regard to the latest national design guidance published by the Institute of Lighting Professionals. Development proposals should employ energy-efficient forms of lighting which reduce light scatter. Where appropriate, conditions will be imposed that seek to control the times of external illumination.**

### **SSJ Policy 10: Heritage**

165. The Planning (Listed Buildings and Conservation Areas) Act 1990 imposes duties requiring special regard to be had to the desirability: firstly at Section 16(2), of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses; and secondly, at Section 72(1), of preserving or enhancing the character or appearance of a Conservation Area.

166. The NPPF advises at paragraph 205 that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation.
167. Paragraph 209 in the NPPF refers to the need for a balanced judgement in weighing applications that directly or indirectly affect non-designated heritage assets.
168. PPG states:
- There are a number of processes through which non-designated heritage assets may be identified, including the local and neighbourhood plan-making processes and conservation area appraisals and reviews. Irrespective of how they are identified, it is important that the decisions to identify them as non-designated heritage assets are based on sound evidence.*
- Plan-making bodies should make clear and up to date information on non-designated heritage assets accessible to the public to provide greater clarity and certainty for developers and decision-makers. This includes information on the criteria used to select non-designated heritage assets and information about the location of existing assets.*
- (Extract part of Paragraph: 040 Reference ID: 18a-040-20190723).
169. BDLP Policy EM11 seeks to ensure that all development conserves or enhances the quality of the borough's heritage assets in a manner appropriate to their significance.
170. SSJ Policy 10 seeks to preserve or enhance the character or appearance of the Conservation Area and identifies non-designated heritage assets.
171. The Conservation Area map in the BDBC *Conservation Area Appraisal: making a difference Sherborne St John* (April 2004) identifies a number of views that are considered to be important views or vistas. The *Sherborne St John: Conservation Area Review* (March 2023) by Forum Heritage Services is a background document supporting SSJ Policy 10. It identifies a further three additional important views/vistas. From my observations, protection of these additional views/vistas will make a positive contribution to the setting of the Conservation Area.
172. There is some overlap of Key Views identified in SSJ Policy 8 and the views/vistas that make a positive contribution to the setting of the Conservation Area. I see no harm in such an approach.
173. Paragraph 163 refers to Map 11 showing identified views. That map identifies Key Views over the wider Parish. Therefore, such a reference should be deleted from paragraph 163. **I see this as a minor editing matter.**

174. In the interest of precision, the additional three views/vistas, should be identified on accompanying maps to SSJ Policy 10. I recommend the inclusion of inset OS based maps at an appropriate scale that ensures the precise locations and directions of all the views/vistas identified in the two documents, including the additional three, are clearly identifiable.
175. For the same reasons as stated under SSJ Policy 8, cross reference should be made to SSJ Policy 5 with regard to views/vistas across LGS.
176. In the interest of precision, SSJ Policy 10 should refer to the full titles of Documents.
177. The *Sherborne St John: Conservation Area Review* (March 2023) identifies areas of high or moderate importance to the setting of the Conservation Area. There are gaps in the boundary lines. In the interest of precision, I suggest modification to the second paragraph in the 'Conservation Area and its setting' section of SSJ Policy 10. I have suggested wording.
178. The *Sherborne St John: Conservation Area Review* (March 2023) has reviewed the historic buildings of the village and considered whether any buildings in addition to those already identified as Notable Buildings in the *BDBC Conservation Area Appraisal: making a difference Sherborne St John* (April 2004) should also be considered to be Notable Buildings or non-designated heritage assets. The assessment identifies three additional buildings. From the evidence before me and from what I was able to see during my visit to the Parish, I am satisfied that these buildings are worthy of identification as non-designated heritage assets.
179. Paragraph 164 refers to there being a number of non-designated heritage assets in the Parish. Map 12 identifies the additional three buildings. In the interest of precision, SSJ Policy 10 should make it clear that the non-designated heritage assets part of the policy refers to all non-designated heritage assets in the Parish. I have suggested revised wording.
180. Subject to the above modifications, SSJ Policy 10 has regard to national policy, contributes towards sustainable development, particularly the environmental objective and is in general conformity with strategic policy. Modified SSJ Policy 10 meets the Basic Conditions.
181. Paragraph 163 refers to a new important view, whereas it should refer to three additional important views. Paragraph 161 should read 'conserve or enhance' not 'conserve and enhance'. The map numbering does not correspond to the policy references. **I see these as minor editing matters.**
182. **Recommendation: to meet the Basic Conditions, I recommend:**
- 1) modification to SSJ Policy 10 to read as follows:**
- Policy 10: Heritage**

**When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the assets conservation (and the more important the asset, the greater the weight should be).**

**All development proposals within the setting of a heritage asset should demonstrate a good understanding of the significance of the heritage asset and should not harm that significance.**

### **Conservation Area and its setting**

**Development proposals in the Conservation Area (as shown on Map 13), and its setting (as shown on Maps 14 and 15), must preserve or enhance the character or appearance of the area as defined by the Sherborne St John Conservation Area Appraisal (2003) and the Sherborne St John Design Guidance and Codes (November 2023).**

**Development proposals which are within or affect the setting of the Conservation Area must have regard to the Sherborne St John Conservation Area Appraisal (2003) and the sensitivities described in the Sherborne St John: Conservation Area Review (March 2023). In particular, they must demonstrate how they conserve or enhance the character or appearance of the Conservation Area and its setting, including conserving elements identified as contributing positively to the character or appearance of those areas. The setting includes, but is not exclusive to, areas of high and moderate importance as shown on Maps 14 and 15. This includes protecting any views, vistas and open space, identified on Maps 13, 14 and 15, which contribute to the setting of the Conservation Area, as identified within the Sherborne St John Conservation Area Appraisal (2003) and those additional views/vistas identified within the Sherborne St John: Conservation Area Review (March 2023).**

**Where identified views and vistas are across sites designated as Local Green Spaces, SSJ Policy 5 applies to those sites.**

### **Non-designated heritage assets**

**The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.**

**In addition to existing non-designated heritage assets, the Neighbourhood Plan identifies the following buildings, as shown on**

**Map 12 and listed below, as Local Heritage Assets (which are non-designated heritage assets):**

- **Nos 24 and 26 Vyne Road, Sherborne St John, Basingstoke, RG24 9HX**
- **No 9 Vyne Road, Sherborne St John, Basingstoke, RG24 9HX**
- **Weyhill Brook House, (27 Westend), Sherborne St John, Basingstoke, RG24 9LE**

**4) modification to Maps 14 and 15, on an ordnance survey base, to clearly identify the precise locations and directions of the views and vistas. Inset maps should be included for this purpose.**

## **Conclusion**

183. I have found that the modification of the made Plan in November 2023 is material but is not so significant or substantial as to change the nature of the existing made Plan. This is primarily because the modification builds on existing policies in the made Plan and that the Plan does not allocate any new sites for development.
184. **Whilst I have set out my reasoning under individual policies, my overall conclusion is that, subject to my recommendations, the Plan, as modified in November 2023, meets the Basic Conditions. It is appropriate to make the Plan. I recommend that BDBC makes the Plan with the recommended modifications specified in this report.**
185. As the material modifications do not change the nature of the existing made Plan, and subject to my recommended modifications being accepted, a referendum is not required.

## **Minor Modifications**

186. 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, paragraph 52 will need updating. BDBC has suggested a list of minor modifications. Where these are still relevant following my recommendations, I see these as minor editing matters.

**Janet Cheesley**

**Date 11 April 2024**

## Appendix 1 Background Documents

The background documents include:

The National Planning Policy Framework (2023)  
The Planning and Compulsory Purchase Act 2004  
The Localism Act (2011)  
The Neighbourhood Planning (General) Regulations (2012) (as amended)  
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)  
The Conservation of Habitats and Species and Planning (Various Amendments) (England and Wales) Regulations 2018  
Basingstoke and Deane Local Plan (2011 to 2029) (May 2016)  
Basingstoke and Deane Borough Council Housing Supplementary Planning Document (July 2018)  
Basingstoke and Deane Borough Council Landscape, Biodiversity and Trees Supplementary Planning Document (SPD) (December 2018)  
Regulation 16 Representations  
All Supporting Documentation submitted with the Plan  
Examination Correspondence (On the BDBC web site)