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20 February 2023

Planning Policy Team  
Basingstoke & Dean Borough Council  
Civic Offices, London Road  
Basingstoke RG21 4AH

**By email only**

Dear Sirs,

**RE: Burghclere Neighbourhood Plan Review**

Thank you for consulting The British Horse Society (BHS) on this Review.

The Society is the largest and most influential equestrian charity and membership organisation in the UK, working to protect and promote the interests of horses and their riders, carriage-drivers, owners and those who work in the equestrian community. We therefore particularly welcome the references within the Submission Plan and the accompanying Design Code to the extensive network of footpaths and bridleways and the consequent popularity of this rural part of Hampshire with walkers, cyclists and horse riders.

There is growing recognition within local and national planning policy of how public rights of way (RoW) can contribute to a range of strategic social and economic priorities, including:

- **Health and wellbeing** – RoW provide opportunities for exercise and contact with nature that are open to all and free at the point of use
- **Active travel** – traffic-free routes to local schools, amenities, places of work
- **Road safety** – more off-road routes for vulnerable road users
- **Accessible green infrastructure** – RoW function as linear greenspace, enabling people to enjoy the wider countryside and landscape without disrupting nature conservation and other land management priorities
- **Tourism and business** – e.g. walkers, riders and cyclists frequenting village cafés, farm shops and other local businesses

It is also the case that a well-maintained, connected and attractive rights of way network can contribute substantially to the quality and cohesion of a neighbourhood. People generally have a greater level of engagement with their surroundings and their community when out on foot, horseback or on a bike than in a car.

However, only 22% of the RoW network in Hampshire is available to horse riders and cyclists, making these groups particularly dependent on local roads to link between off-road bridleways and byways. These roads are becoming increasingly challenging and hazardous due to the number, speed and size of vehicles, combined with damage to road surfaces and verges from use by wider, heavier vehicles than the roads were constructed for.

We recommend therefore that greater emphasis should be given within the Neighbourhood Plan to the protection and improvement of the local RoW network, for the benefit of ALL non-motorised users, by inserting the following within the **Objectives** at section 5.1, under either **Design Heritage and Landscape** or **Environment** (p. 19):

- *To secure an attractive and well-connected traffic-free network of public rights of way for horse-riding and cycling as well as for walking, providing an amenity for local residents that also contributes to environmental protection (through reducing car use), local business and tourism.*

This could be achieved by upgrading footpaths to bridleways wherever possible, thus improving the traffic-free network for all.

This is supported within **National Planning Policy Framework** which requires (para 100) that "Planning policies and decisions should protect and enhance public rights of way and access." Also within **Department for Environment Circular 1/09**, (section 7.2) "The effect of development on a public right of way is a material consideration in the determination of applications for planning permission and local planning authorities should ensure that the potential consequences are taken into account whenever such applications are considered."

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]



By email only to: [local.plan@basingstoke.gov.uk](mailto:local.plan@basingstoke.gov.uk)

Our ref: PL00619362

Your ref: Burghclere Neighbourhood Plan

Main: 020 7973 3700



Date: 21/02/2023

Dear Sir or Madam

### **Burghclere Neighbourhood Plan Regulation 16 Consultation**

Thank you for inviting Historic England to comment on the Regulation 16 Submission version of this Neighbourhood Plan.

We do not consider it necessary for Historic England to provide detailed comments at this time. We would refer you to previous comments submitted at Regulation 14 stage, and for any further information to our detailed advice on successfully incorporating historic environment considerations into a neighbourhood plan, which can be found here: <https://historicengland.org.uk/advice/planning/plan-making/improve-your-neighbourhood/>

We would be grateful if you would notify us on [eastplanningpolicy@historicengland.org.uk](mailto:eastplanningpolicy@historicengland.org.uk) if and when the Neighbourhood Plan is made by the council. To avoid any doubt, this letter does not reflect our obligation to provide further advice on or, potentially, object to specific proposals which may subsequently arise as a result of the proposed plan, where we consider these would have an adverse effect on the historic environment.

Yours sincerely





# Basingstoke and Deane Borough Council

## Representation form for the Burghclere Neighbourhood Plan

Burghclere Parish Council has submitted their Neighbourhood Plan Modification Proposal to the Local Planning Authority (Basingstoke and Deane Borough Council) who are now consulting on the plan. The plan sets out a vision for the future of the parish and planning policies which will be used to determine planning applications locally. The consultation runs from **Monday the 9th of January through until 5pm on Monday the 20th February 2023.**

Representations should be submitted by no later than **5pm on Monday 20th February** online at [www.basingstoke.gov.uk/BURNP](http://www.basingstoke.gov.uk/BURNP). Representations can also be made by returning this form or writing to Basingstoke and Deane Borough Council.

**by post to:** Planning Policy Team, Civic Offices, London Road, Basingstoke RG21 4AH

**by email to:** [local.plan@basingstoke.gov.uk](mailto:local.plan@basingstoke.gov.uk)

**This form has two parts:**  
Part A – personal details  
Part B – your representation(s) – please identify which part of the document your comment relates to by completing the appropriate box. Additionally, please complete a separate form for each representation.

### PART A

**Personal details** (If an agent is appointed, please complete only the Title, Name and Organisation boxes below but complete the full contact details of the agent in 2)

Title	
First name	
Last name	
Job title (where relevant)	
Organisation (where relevant)	
Address	
Postcode	
Telephone number	
Email address	
Preferred method of contact	Email <input type="checkbox"/> Post <input type="checkbox"/>

### Agent's details (if applicable)

Title	Mrs
First name	Hollie
Last name	Sturgess
Job title (where relevant)	Senior Town Planner
Organisation (where relevant)	Master Land and Planning
Who are you representing?	[Redacted]
Address	[Redacted]
Postcode	[Redacted]
Telephone number	[Redacted]
Email address	[Redacted]
Preferred method of contact	Email <input checked="" type="checkbox"/> Post <input type="checkbox"/>

**Are you responding as:**

- |                                       |                                     |                                |                          |        |
|---------------------------------------|-------------------------------------|--------------------------------|--------------------------|--------|
| An individual                         | <input type="checkbox"/>            | A town or parish council       | <input type="checkbox"/> | Page 6 |
| A district/borough council            | <input type="checkbox"/>            | A borough councillor/MP        | <input type="checkbox"/> |        |
| On behalf of an organisation          | <input type="checkbox"/>            | On behalf of a community group | <input type="checkbox"/> |        |
| A landowner/developer/agent/architect | <input checked="" type="checkbox"/> | Other                          | <input type="checkbox"/> |        |

**PART B**

**PLEASE USE A SEPARATE SHEET FOR EACH REPRESENTATION**

**1. Which part of the Burghclere Neighbourhood Plan Modification Proposal does your representation relate to?**

- a. Paragraph  b. Policy  c. Other

**2. Do you support or oppose that part of the Burghclere Neighbourhood Plan Modification Proposal?**

- Support  Oppose

**Please provide comments on the part of the neighbourhood plan that you refer to in Q1.**

Please remember that the examiner will test whether the neighbourhood plan meets the basic conditions and other relevant legal requirements. Your representation(s) should therefore aim to address whether or not the neighbourhood plan meets the basic conditions.

Please see accompanying letter.

**Please state any improvements or modifications that you feel should be made to the neighbourhood plan.**

Page 7

Continue on a separate sheet if necessary

The majority of neighbourhood plan examinations are expected to be through written representations. However, should the examiner decide there is a need for a public hearing, please state below whether you would like to participate.

**3.** If a public hearing is necessary would you like to participate?

a. No, I do not wish to participate at the examination public hearing

b. Yes, I wish to participate at the examination public hearing

**4.** If a public hearing is required please outline why you consider that your participation is necessary. Please note the examiner will determine the most appropriate procedure.

Attendance would be appropriate as the matters presented in our reps may need to be tested by questioning.

Continue on a separate sheet if necessary

## Data Protection Statement

In complying with the General Data Protection Regulation (GDPR), Basingstoke and Deane Borough Council confirms that it will process personal data gathered from this form only for the purposes relating to the consultation. It is intended to publish responses to the Burghclere Neighbourhood Plan consultation on the council's website. This will include publication of names of respondents and company names (where appropriate). Please ensure you do not include any personal information in Part B of the document. Copies of all consultation responses, including Part A, will be available to view at the council offices, and photocopies can be made of these representations on request.

Personal information will also be shared with the appointed examiner, who may wish to contact you to discuss your comments and concerns, prior to the examination of the neighbourhood plan.

Please indicate below if you wish to be kept informed of the progress of the Burghclere Neighbourhood Plan and if you are happy for us to contact you.

**a. If you wish to be notified of the Examiner's Report please tick box**

**b. If you wish to be notified of the 'Made' Neighbourhood Plan please tick box**



Basingstoke and Deane Borough Council is the data controller for the personal information you provide on this form. You can contact the council by phone on 01256 844844, via email to [customer.service@basingstoke.gov.uk](mailto:customer.service@basingstoke.gov.uk) or by writing to us at Civic Offices, London Road, Basingstoke RG21 4AH. The council's Data Protection Officer can be contacted at [dpo@basingstoke.gov.uk](mailto:dpo@basingstoke.gov.uk)

We will process personal data provided on this form only for the purposes relating to this consultation. A summary of consultation responses may be reported to the relevant council Committee and published on the council's website.

As a public authority the council is subject to the provisions of the Freedom of Information Act (FOIA) and Environmental Information Regulations (EIR). This means we may be required to disclose information provided as part of this consultation if it is requested. Personal data will not be disclosed under FOIA or EIR.

- we will share your information with the appointed examiner for the purpose of examining the neighbourhood plan.
- we will not disclose any information to other organisations unless we are required by law to do so
- your personal details will only be held as long as is needed for this consultation and in accordance with our retention policy

For further details on how your information is used; how we maintain the security of your information and your rights, including how to access information we hold on you and how to complain if you have any concerns about how your personal details are processed, please visit [www.basingstoke.gov.uk](http://www.basingstoke.gov.uk) or email [dpo@basingstoke.gov.uk](mailto:dpo@basingstoke.gov.uk)





Planning Policy Team  
Basingstoke and Deane Borough Council  
Civic Offices  
London Road  
Basingstoke  
Hampshire  
RG21 4AH

By email to [local.plan@basingstoke.gov.uk](mailto:local.plan@basingstoke.gov.uk)

20 February 2023

Dear Sirs

**BURGHCLERE NEIGHBOURHOOD PLAN REVIEW (BNPR) MODIFICATION PROPOSAL REG.16**

As a preliminary matter and further to our Reg.14 representations, we would like to highlight that the Consultation Statement (CS) is incorrect at page 11. Master Land & Planning has no instructions from Falcon Developments concerning this matter.

The Parish Council has not engaged with the detail of our response, we therefore continue to rely upon the Reg.14 representations which are appended to this letter. However, we raise the following additional points.

- Neighbourhood planning bodies are encouraged to plan to meet their housing requirement (defined in Policy SS5 for the period to 2029), and where possible to exceed it. The BNPR retains the existing SS5 housing figure, relies on rolling forward the plan period, and also rolls forward the pre-existing strategy under Policies B1 and B2, which does not rely on up-to-date evidence as highlighted further below. There is no new modified housing figure enshrined in the plan policies and policies to deliver alternative levels of growth. This is confirmed by the 'Modification Proposal Statement December 2022 Rev B' at pages 5 to 7 which make no reference to any modification proposed in respect of implementing paragraphs 66 and 67 of the NPPF.
- There remains a total failure of the BNPR to recognise the continued failure of the LPA to significantly boost the supply of housing within the existing Adopted Local Plan period, which the BNPR continues to align with. The BNPR has not been prepared in a manner to ensure that its policies are not overridden by the wider LPA housing supply issues and a new local plan, as is sought by the PPG 41-009-20190509.

MASTERLP.CO.UK

ADDRESS: UNIT 7 OAKRIDGE OFFICE PARK, WHADDON, WILTSHIRE, SP5 3HT  
PHONE: 01722 580 550 | COMPANY NUMBER: 13665608 | VAT: 394065184

- No five year housing land supply has been demonstrated within the past five LPA annual monitoring report periods. The figure claimed by the Council currently stands at 4.5 years.
- The Policy SS1 target of 15,300 dwellings will not be delivered by 2029.
- The LHN of 880dpa is greater and affordability ratios are worsening, thereby additional land must be released in the plan period to 2029.
- Notwithstanding bullet point 1 above, the PPG confirms that where neighbourhood plans contain policies relevant to housing supply, these policies should take account of latest and up-to-date evidence of housing need. Also the PPG at 41-104-20190509 confirms an indicative housing requirement should be tested at Examination. The publication of the 27<sup>th</sup> April 2022 letter pre-dates the Council's decision to publish a new LDS and delay the Local Plan Update Reg.18 until Autumn 2023. The 27<sup>th</sup> September 2022 Cabinet Report at Section 4 (enclosed) explains the impacts in relation to a continued failure of supply. The decision to re-examine the Borough housing requirement supersedes any previous work undertaken to define a 'Settlement Study' that did not progress beyond a draft without statutory consultation.
- The Consultation Statement at 3.26 references the Landscape Institute Technical Guidance Note 02/21. There is no evidence prepared in connection with the BNPR that accords with the methodology within TGN 02/21.

I trust that these representations are taken into account by the BNPR Examiner.

If there are hearing sessions associated with the Examination of the BNPR then Master Land & Planning Ltd request to attend.

[REDACTED]

[REDACTED]

[REDACTED]

Enc

Reg.14 Representations

Basingstoke & Deane Borough Council Cabinet Report 27<sup>th</sup> September 2022 and minutes



Burghclere Parish Council  
Parish Clerk  
Portal Hall  
Church Lane  
Burghclere  
RG20 9HX

By email to [clerk@burghclerepc.com](mailto:clerk@burghclerepc.com)

17 November 2022

Our reference: MLP22037

Dear Councillors

**BURGHCLERE NEIGHBOURHOOD PLAN REVIEW (BNPR) MODIFICATION PROPOSAL 2011-2029 REGULATION 14 CONSULTATION**

Thank you for the opportunity to make representations to the above consultation on your Burghclere Neighbourhood Plan Review (BNPR).

These representations are provided in consideration of the ability of the BNPR to fulfil the Basic Conditions established by paragraph 8(2) of Schedule 4b of the Town and Country Planning Act 1990 (as amended) and supported by the Neighbourhood Plan chapter of the PPG<sup>1</sup>.

For ease, the representations are made by reference to document, paragraph and policy.

**BNPR Draft Modification Proposal**

*Para 3.3*

The modification is a welcomed opportunity to factually correct bullet point 3 to align with Policy SS5 that states it is *“necessary to identify sites/opportunities to deliver at least 10 homes within and adjacent to each of the settlements with defined Settlement Policy Boundaries.”* (emphasis added with recommended correction)

*Para 3.XX ‘Neighbourhood Planning and the parish indicative housing number’*

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<sup>1</sup> Section 41

The Reg.14 consultation is unsupported by publication of the correspondence with the Borough Council in April 2022 concerning potential emerging housing requirements and whether the indicative housing requirement should change in the light of a lack of 5 year housing land supply.

The BNPR is being prepared in the context of a demonstrable lack of housing land supply in the Borough. The Borough planning policies, including the housing aspirations in SS5, are out-of-date and ineffective in meeting housing needs. Emerging requirements are not advanced to be afforded weight and the Borough have recently agreed to delay the Local Development Scheme in September 2022. In that decision the Borough acknowledged *"ongoing reduction in supply moving forwards, with a number of allocations from the adopted Local Plan now complete, it will become increasingly difficult to restore the position without new deliverable land being brought into the supply."*

Neighbourhood plans therefore provide a plan-led solution towards boosting supply in the short term including when a plan is reviewed without change to its plan period. The PPG confirms that *"allocating sites and producing housing policies demonstrates that the neighbourhood plan is planning positively for new homes"* which in turn *"also contributes to the local authorities' housing land supply"*. The BNPR is being reviewed without any substantive modification to your policies on policies and allocations, including modifications to bring the BNPR in-line with the NPPF and PPG. While this is your prerogative, the BNPR makes no greater contribution to addressing Borough supply above those loose ambitions in Policy SS5, despite the fact that Policies SS1, SS5 and SS6 are out-of-date, ineffective and inconsistent with national policy.

#### *Policy B1*

The modified third paragraph narrows the circumstances when new homes may be permitted outside the settlement boundary. For instance, no reference is made to paragraph 72 of the NPPF nor to the national First Home exception site policy. The original wording captured national and higher-level eventualities.

To reference *"or successor policy"* is ambiguous as a review of the Local Plan may not define a successor to Policy SS6.

The modifications depart from the approach of the Independent Examiner Report at paragraphs 67 and 68 and there is no clear justification for the changes in the manner drafted.

#### *Paragraph 5.XX*

Please see representations concerning Policy B8.

### *Paragraph 5.7*

Please see representations concerning Policy B8.

### *Paragraph 5.8*

The housing requirement within the Local Plan 2011-2029 was not evidenced and made in accordance with the NPPF 2021. The “*aspiration*” and “*ambition*” figures in Policy SS5 should not be confused with a housing requirement defined under paragraphs 66 or paragraph 67 of the NPPF.

### *Policy B2*

The PPG at 41-099-20190509 requires “*In updating the neighbourhood plan, it will be important to ensure that sites identified for years 1-5 are deliverable in line with paragraph 67 [should be read as paragraph 68] of the National Planning Policy Framework.*” The BNPR is not accompanied by any evidence that the allocated site is deliverable as part of the review.

### *Paragraph 5.10*

A neighbourhood plan should provide an additional level or layer of detail to national policy and the LPA’s policies as per paragraph 16 of the NPPF. It is not the role of a neighbourhood plan to conclude on the operation of planning judgement in relation to such policies, such as NPPF paragraph 14. Such commentary throughout the plan should be deleted.

### *Policy B5*

A ‘Design Code’ (DC) must meet the requirements of PPG reference 26-008-20191001, the National Design Guide (NDG) and the National Model Design Code (NMDC). DCs are a set of illustrated design requirements that provide specific, detailed parameters for the physical development of a site or area. The graphic and written components of the code should build upon a design vision, such as a masterplan or other design and development framework for a site or area. Their content should also be informed by the 10 characteristics of good places that are identified to be of relevance.

The Burghclere DC definitions at Sections 1, 2 and 3 do not explain a purpose and a document that accords with aforementioned framework. The format of the DC departs considerably from the NMDC (and its accompanying Coding Process document) with insufficient regard to the 10 characteristics of good places. Instead, the key design principles underpinning Section 5 of the DC derive from the Borough’s Design & Sustainability SPD of 2018, pre-dating the NDG and NMDC.

Section 2A of the NMDC explains the purpose of identifying area types when preparing DCs so *"These are areas of character that will be used to set common parameters in the code."* The character areas should then be assessed using a standard worksheet and subject to consultation on the analysis and how this character may change. The Burghclere DC has not defined methodology for consistent assessment and evaluation meaning the character areas may not be robust. There is no evidence on how the character assessment and DC has engaged the local community.

Pages 44-46 of the DC define 'Fingers of Countryside' within the Character Assessment that concludes *"and should be recognised and protected."* National policy and guidance do not advocate the use of DCs to create additional layers of protection and constraint.

The NMDC is clear as to the purpose of DCs and defines the actions within the scoping and baseline analysis informed only by existing character and constraints. Where character areas may follow these are developed in a Design Vision limited to built-form – see Figure 10 of the NMDC. Landscape character identification is an entirely separate process from a DC and the representations to Policy B8 are relevant to the justification of 'Fingers of Countryside'.

In conclusion, there is no justification for any modification to Policy B5 in the manner presented and the proposals are inconsistent with national policy.

#### *Policy B6*

The PPG at 6-009-20150327 expects the setting of local requirements for a building's sustainability to do so *"in a way consistent with the government's zero carbon buildings policy and adopt nationally described standards. Local requirements should form part of a Local Plan following engagement with appropriate partners, and will need to be based on robust and credible evidence and pay careful attention to viability."*

While plan-makers may set energy efficiency standards which go beyond national Building Regulations standards, the BNPR modifications are not aligned to any recognised standard and are unsupported by any evidence that such changes are viable. The references to local toolkits developed by other local planning authorities does not justify a similar approach elsewhere.

#### *Policy B8*

The revision to the policy title should not be confused with equating the local landscape, as a whole, equating to a valued landscape in the meaning of paragraph 174(a) of the NPPF. The BNPR is unsupported by any evidence to demonstrate the landscape (outside of the AONB) meets that threshold.

The modifications have no regard to the Basingstoke and Deane Landscape Character Assessment of May 2021 that post-dates the made Neighbourhood Plan evidence-base and represents the most up-to-date assessment.

The second paragraph of Policy B8 is proposed to be modified to define a '*setting of Burghclere village*' by reference to '*fingers of countryside*', by reference to the DC. As has been described above, the use of a DC to identify such a constraint layer is beyond its remit. The BNPR is unsupported by any landscape evidence to define '*fingers of countryside*' and is not justified by any landscape evidence and thereafter properly defined on a proposals map. As explained previously, the use of a Design Code is a wholly inappropriate tool by which to define and introduce such constraints, contrary to the paragraphs 128 and 129 of the NPPF, the National Design Guide, the National Model Design Code and the PPG.

### **BNPR Modification Proposal Statement**

The above representations also relate to the relevant sections of the Modification Proposal Statement.

### **Burghclere Design Code**

The DC is not a Design Code in the meaning of national guidance and the Parish Council are directed to the National Design Guide and the National Model Design Code.

Yours faithfully

[Redacted signature]

[Redacted name]



## Local Plan Update

### Cllr Ganesh, Cabinet Member for Planning and Infrastructure

<b>Report to</b>	Cabinet
<b>Ward(s):</b>	All
<b>Key Decision:</b>	Yes
<b>Papers relied on:</b>	National Planning Policy Framework (2021) Planning Practice Guidance

#### Foreword – Cllr Ganesh, Cabinet Member for Planning and Infrastructure

*The Council has been working towards updating its Local Plan to ensure a Plan led approach to growth and change in the borough which meets the needs of our residents and visitors in a way that responds to the climate change agenda, ensures that communities are beautiful and sustainable, and that our environment is protected and enhanced, supporting the ecological emergency declaration.*

*Whilst we have been working proactively to move forward with the development of the Plan, there are significant and sustained concerns held by a range of stakeholders about the level of future growth in the area and the use of the standard method to identify the borough's housing need. It is important to keep the plan process going but in a way that responds to local concerns and local circumstances, as well as national policy and guidance. At the current time it has become clear that it would not be appropriate to undertake a consultation on a draft Plan at this stage whilst such significant concerns around the housing numbers remain.*

#### Recommendation:

##### That Cabinet:

- **Take appropriate steps to communicate with the new Secretary of State to advocate a move away from the standard method for calculating housing need;**
- **Continues to carry out work to identify whether there is a sound alternative to the standard method, and work to establish whether the housing requirement should be less than the housing need figure based on constraints within the borough, and in advance of consultation on a draft Plan (Regulation 18);**
- **Notes the update to the timetable for the Local Plan Update and resulting updates to the Local Development Scheme;**
- **Endorses taking a positive approach to development proposals which contribute to delivering the well-being of the area and meet policy objectives,**



## Background, corporate objectives and priorities

The considerations outlined in this report support the delivery of each of the Council Plan (2020-2024) priorities, namely planning for the future, protecting and enhancing our environment, and strengthening communities. More directly, it supports the following priorities:

- *Supporting local communities;*
- *Improving air quality;*
- *Improving river and landscape quality;*
- *Promoting more sustainable and better transport options and connections;*
- *Shaping high quality sustainable communities;*
- *Well-designed, well-built homes; and*
- *Supporting jobs and business growth.*

## Glossary of terms

Term	Definition
ALP	Adopted Local Plan
DLUHC	Department for Levelling Up, Housing and Communities
LPA	Local Planning Authority
LPU	Local Plan Update
NPPF	National Planning Policy Framework
PPG	Planning Practice Guidance
Housing Need figure	The unconstrained number of homes needed in an area. Assessing housing need is the first step in the process of deciding how many homes need to be planned for in a Local Plan.
Housing Requirement figure	The housing number used in a Local Plan which reflects the extent to which the identified housing need can be met over the plan period in light of local circumstances, including constraints.
Housing Numbers	In this report the use of the term housing numbers includes a reference to both housing need and housing requirement

## Main considerations

### 1. Executive Summary

- 1.1 The council took the decision in November 2019 to update its adopted Local Plan which became five years old in May 2021. The decision was taken to ensure an up to date planning framework for the borough which would guide future growth and change. Initial stages of Plan making have been completed since that time,

including: an Issues and Options consultation, compiling a robust evidence base and also the development of a draft updated policy framework and spatial strategy. Page 18

- 1.2 As the Plan has progressed, significant concerns have been expressed by a range of stakeholders, including Councillors, MPs and the local community, over suitable housing numbers for the borough, a fundamental element of any Local Plan. The level of concern was demonstrated by council motions in October 2021 and March 2022, which strongly rejected the use of the nationally set standard method to calculate housing need. The ongoing high number of new homes built in the borough, coupled with continuing high future housing need figures resulting from the application of the standard method (currently 880 new homes per year) has led to concerns over the resulting impacts on the borough, for example on the environment, the climate emergency, infrastructure, water supply and sewage. These concerns have been echoed at EPH Committee.
- 1.3 There has also been growing uncertainty at the national level over the government's future direction on housing growth, which has led to a number of other local authorities revisiting the suitability of their own evolving plans. The new Prime Minister has indicated support for a move away from top down national housing need figures, although no details of potential changes have yet been made available.
- 1.4 Ensuring suitable housing numbers for the borough is imperative to meeting the aims and objectives of the council which include ensuring that local housing need, including affordable housing need, is met. However, these needs should be met in an appropriate and sustainable way which is not to the detriment of the borough's communities and environment. As such, it is considered necessary to take more time at this stage of plan making, and prior to any consultation on a draft Plan (Regulation 18), to consider the way forward and relook at housing numbers for the borough, reflecting upon local circumstances and also more up to date information including the outputs of the 2021 Census.

## **2. Background**

- 2.1 In light of the decision to update the adopted Local Plan in 2019, work has progressed on developing an updated Plan to ensure that it remains fit for purpose, reflects current national planning policy and guidance, delivers local priorities and meets future needs. The decision to update the Plan took into account the significant benefits of having an up to date local planning framework and a plan led approach to change. For the borough, this includes supporting the climate change agenda and the delivery of the Climate Change and Air Quality Strategy; introducing a strengthened policy framework to improve design quality; meeting the borough's housing, employment and infrastructure needs in a sustainable way which protects the borough's environmental and heritage assets; and ensuring a plan led approach to future change, including through the restoration of a five year supply of deliverable housing sites. Through the review process to date, it has become clear that whilst some policies remain relevant and up to date, the majority need to be updated to both reflect new national policy and guidance and local objectives. A number of new policies have also been proposed. Whilst the national planning system is changing, it remains appropriate to continue progressing the Plan, to ensure the council is in the best position to achieve an up to date plan (and be able to react to any changes to national policy and guidance that may occur).

2.2 Good progress has been made on updating the Plan, with key workstreams including the preparation of a robust evidence base; the development of a spatial strategy and identification of sites; and the review of the current policy framework to ensure it is up to date, robust and maximises opportunities to deliver the council's aims and objectives. The council's Economy, Planning and Housing Committee has received and debated a number of reports related to the Plan over the last two years, shaping its evolution, supported by a more technical Members Advisory Panel. A number of the initial non-statutory stages of plan making have been completed, including an Issues and Options consultation in 2020. A series of meetings and ongoing dialogue with a wide variety of stakeholders has also taken place as the Plan has evolved.

2.3 However, concerns around the housing need figure calculated by using the standard method for the borough have continued to grow as the Plan making process has progressed. This concern has been expressed by a range of stakeholders including residents, community groups and parish councils, and also local councillors and MPs. This has impacted on the work of EPH Committee which itself has listened to and expressed similar concerns. A Council motion was agreed in October 2021 which stated the following:

*'As the process of revising the Basingstoke & Deane Local Plan has commenced, it is becoming clear that many local people, and indeed councillors, are very concerned that yet again another vast number of new dwellings is being proposed for our Borough.*

*Basingstoke has played an enormous part in delivering housing to this country. From the sixties onward, we have seen estates appearing all over the town and surrounding settlements, swallowing up farms and villages. It is accepted that growth has to happen and houses have to be built, but this Borough simply can't continue to roll over to central demand. We have been at the vanguard of house delivery for long enough. It is time to assess our Borough, time to take seriously its future with regard to environment, biodiversity, climate emergency, roads infrastructure, water supply and sewage.*

*The EPH Committee's rejection of the proposed 17,820 units over the next plan period was both wise and welcome. The request now is that all councillors join in this resolve. In order to send the strongest possible message to government the motion proposed is that "this Council rejects 17,820 units as the housing figure in the Local Plan Review.'*

2.4 The Cabinet formally considered this motion in March 2022 and resolved to continue to prepare the LPU for Regulation 18 consultation on the basis of the standard housing method but to also fully explore an exceptional circumstances case to inform housing numbers for future stages of the LPU process. Work continued on this basis.

2.5 A further Council motion was agreed in March 2022, as follows:

*'Basingstoke and Deane Borough Council has agreed a motion by which it rejected the figure of 17,820 units in the Local Plan Update which had been calculated using the "Standard Method".'*

*The Standard Method uses data which is 13 years out of date whereas up to date data from the 2021 Census is becoming available. This amounts to "exceptional circumstances" which would justify use of an alternative to the Standard Method. It is essential to identify a more robust and credible lower figure than that currently proposed.*

*This can only be done without delay by using the Chelmer Housing Projection Model incorporating up to date 2021 Census figures without pausing the progress of the Local Plan Update.*

*The Council resolves to request that Cabinet explores this model, informed by legal advice, to ensure that the emerging local plan meets the legal tests of compliance and soundness when these tests are applied independently at the Examination in Public in 2024 and subsequently by the Secretary of State.'*

- 2.6 Concerns reflected in the motion have continued to be expressed locally with many stakeholders attending meetings and expressing views on the matter, including the local MP. Growing uncertainty at a national level has increased concerns, fuelled by political changes at central government level and the publication of initial census data in summer 2022. This has resulted in an increasing number of other local authorities pausing their statutory plan making duties in light of current uncertainties over the exact form and timing of any future changes. This includes a number of neighbouring authorities who have, in a similar way to BDBC, expressed their ongoing concerns about the standard method simply reinforcing past trends and also how the high levels of housing pressure have reshaped communities and adversely impacted upon quality of life through the disproportionate levels of growth being experienced. It should be noted however, that every local authority has its own unique circumstances which will lead to and justify different actions being taken. For example, some authorities have progressed Plans with housing need figures that differ from the current standard method because their Plans were submitted in advance of the introduction of this approach.

### **3. Key Issues**

#### Nature of concerns

- 3.1 As reflected in the council motions, concerns particularly involve the use of the national standard method for conducting a local housing need assessment as a basis for Plan making and its applicability to the borough. The standard method was introduced in July 2018 with the requirement to use this method included in the National Planning Policy Framework (NPPF, revised July 2021). It states that the method should be used '*...unless exceptional circumstances justify an alternative approach which also reflects current and future demographic trends and market signals*'. The method, which includes inputs of population projections and housing affordability, currently leads to a housing need figure of 880 homes a year.
- 3.2 More specific concerns that have been expressed include the on-going high levels of delivery that result from the standard method and its impact, the out of date nature

of the inputs that should be included and also the suitability of the affordability Page 21  
adjustment. These are each addressed briefly in turn below:

- Continuing high housing delivery: the borough has accommodated high rates of housing delivery for a significant period of time. Over 16,000 new homes were delivered between 2001/02 and 2020/21, which is considerably higher than the regional and national average. In 10 of the last 20 years (2001/02 to 2020/21), Basingstoke and Deane built more homes as a percentage of its housing stock than the upper quartile for all local authorities. These past high rates of housing delivery have led to high levels of in-migration which have in turn led to high rates of projected new households in the household projections. The trend-based nature of the household projections therefore mean that in making a positive significant contribution to helping meet national housing needs in the past, the borough has a higher need to meet in the future. The standard method approach ensures that past trends of development are replicated in the future.

There are general concerns expressed by stakeholders about the impact that high rates of development have on the physical environment, local communities and infrastructure. There are particular concerns over the impacts of ongoing high delivery on the borough's local communities including rural towns and villages, the local valued environment including the landscape, biodiversity and the water environment, and also local infrastructure and its ability to continue to accommodate growth at such a fast rate.

- Out of Date inputs: In February 2019 the government made it a specific requirement to use the 2014-based household projections within the standard method (PPG 2a-015). The government considered that this was necessary to ensure that historic under-delivery was reflected and that this was consistent with the government's objective of significantly boosting the supply of homes. However, it is clearly the case that the most up to date data is not being used in establishing future housing needs.

The data from the 2021 Census has now started to be released, enabling the council to examine the suitability of the 2014-based household projections and also consider whether there are any exceptional circumstances to justify deviating from the 2014-based position. Also, with the government aware that the 2014-based household projections are out of date, the provision of up-to-date data may result in a change to the standard method in the future, adding to the current position of uncertainty on the national scene.

- Affordability Ratio Adjustment: the affordability adjustment in the standard method approach further raises housing figures across the South East where house building levels remain high. In the case of BDBC, it lifts the standard method figure by almost a third above the housing need indicated by the 2014-based household projections. Local affordability data demonstrates that greater levels of house building have not acted to stabilise or reduce house prices. In fact, the new homes built in the Borough are more expensive than existing homes and affordability has continued to worsen despite the borough recently delivering far in excess of its current housing requirement. There is therefore concern that the application of the adjustment locally is not suitable and is not leading to the intended results.

- 3.3 It is apparent that a number of alternative approaches are being worked up by interested parties, although these have not yet been seen by or discussed with the LPA. These include the use of alternative housing models such as the Chelmer Model, the use of different population projections and also births, deaths and migration data, and the removal of the affordability ratio adjustment. Such approaches could give a variety of outputs (ranging from 300 homes per year to 750 homes per year), depending on the approach used. With a decision to give further consideration to a suitable approach, more detailed assessment of the approaches can be made, taking into account both local circumstances and national policy.

### Council's approach

- 3.4 Following the Cabinet resolution in March, officers have progressed work to further consider housing numbers for the borough and further work will be required. Workstreams include the following:

- Exploring alternative approaches being worked up by stakeholders to consider their suitability in relation to both local circumstances and planning policy, and ensure the council is moving forward with a robust and legally compliant Plan.
- Expert technical consultants Stantec have been commissioned to undertake analysis and suitable modelling work based upon the 2021 census releases to date. This will help to inform the robustness of any alternative approach using up to date information and also enable the council to fully explore the exceptional circumstances position, as set out in paragraph 61 of the NPPF.
- Exploring the extent to which the housing need figure would be impacted upon by local constraints to produce a suitable housing requirement position for the Plan. NPPF paragraph 11(b) states that strategic policies should, as a minimum, provide for objectively assessed needs for housing and other uses, as well as any needs that cannot be met within neighbouring areas, unless:
  - (i) the application of policies in the NPPF that protect areas or assets of particular importance provides a strong reason for restricting the overall scale, type or distribution of development in the plan area. (Footnote 7 states that the NPPF policies that are relevant are those relating to habitats sites and/or Sites of Special Scientific Interest, Green Belt, an Area of Outstanding Natural Beauty, a National Park or Heritage Coast, irreplaceable habitats (e.g. ancient woodland), designated heritage assets and areas at risk of flooding or coastal change.)
  - (ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies of the NPPF taken as a whole.

Consideration has been given to specific and notable local constraints including:

- Environmental designations such as the North Wessex Downs Area of Outstanding Natural Beauty (AONB) which covers 32% of the borough, designated Sites of Special Scientific Interest (there are 19 in the Borough) and ancient woodlands, which are numerous.

- The land use planning consultation zones surrounding AWE Aldermaston and AWE Burghfield which require development at Tadley to be managed in the interests of public safety.
- Impact of development on water quality, including the need to demonstrate that development is nutrient neutral where increased wastewater treatment could have adverse impacts on protected habitats.
- Water supply with the borough being under water stress and the potential for there to be a lack of sufficient water for the plan period to meet needs.
- The ability of social infrastructure such as education, health and community facilities, to be available to meet the needs of residents successfully given past and ongoing high growth levels.

#### **4. Housing Land Supply Position**

- 4.1 The council is currently unable to demonstrate a 5-year housing land supply and therefore the application of the presumption in favour of sustainable development results in the so-called 'tilted balance' being engaged. This position has primarily resulted from the lack of delivery on two larger strategic allocations in the adopted Local Plan. The spatial strategy for the LPU will need to ensure that a suitable variety of sites are allocated, including smaller sites which can deliver quickly, to maintain an ongoing supply of homes. Whilst the council continues to take a positive approach to land supply and there are approved permissions for more than the current 5 year requirement, when taking into account national policy and guidance on what can be included within 5 year land supply calculations, a robust supply cannot be demonstrated.
- 4.2 The lack of a 5 year supply has led to planning permission being granted for a number of developments which have been unsupported by local communities, most notably around rural towns and villages, undermining made Neighbourhood Plans and putting pressure on local infrastructure. Restoring a healthy 5 year land supply position was one of the reasons behind progressing with a LPU, to ensure an ongoing supply of deliverable sites.
- 4.3 At 1 April 2021 the council could demonstrate a supply of 4.5 years when assessed against the current standard method figure of 880 homes per annum. This reflects a shortfall of approximately 500 homes. This position is currently being updated to 1 April 2022 base date, through the completion of the annual housing monitoring process. Although the work has not yet concluded, it appears at this stage that the council will continue to be unable to demonstrate a robust land supply position based on current levels of supply. It is worthy of note that national guidance suggests that a 10% buffer is required to ensure a robust position, amounting to a shortfall of approximately 720 homes. This number may increase if the borough's standard method housing figure also increases (updated twice a year), for example as a result of worsening housing affordability. Given the ongoing reduction in supply moving forwards, with a number of allocations from the adopted Local Plan now complete, it will become increasingly difficult to restore the position without new deliverable land being brought into the supply.
- 4.4 Any lack of progress on the LPU and the allocation of deliverable land is likely to impact negatively on the land supply position. The council will therefore need to take a positive approach to suitable development proposals, working with developers through the planning system to facilitate the delivery of schemes. This is in line with

the NPPF which requires LPAs to approach decisions on proposed developments positively. Under the current planning system, it is only through taking a positive approach to suitable proposals, and subject to sufficient sites coming forward, that the land supply position can be restored. It should be noted though that such developments will only be able to be assessed against policies in the current adopted Local Plan and national policy. An updated LPU is required to both set the housing requirement for the borough, ensure, with some certainty, an ongoing and longer-term pipeline of deliverable sites and provide up to date development management policies.

- 4.5 On this basis, this report seeks to acknowledge that while the further work on overall housing numbers is proposed to be undertaken, officers continue to work proactively with promoters of sustainable sites that can come forward and be delivered in the early years of the new LPU. This approach recognises that delays in preparing the LPU has wider impacts on the work needed for bringing forward sites.

## **5. Impact on Local Plan timetable**

- 5.1 The current Local Development Scheme (LDS), which outlines a timetable for the update of the Local Plan, indicates that consultation is due to take place on a draft Plan (Regulation 18) this Autumn/Winter. Following a review of consultation outcomes, the process would progress to further consultation on an updated Plan in Autumn/Winter 2023. Following an examination in public and independent assessment of the Plan by the Planning Inspectorate, the Plan is currently timetabled for adoption in Autumn 2024.
- 5.2 The decision to give further consideration to housing numbers before statutory consultation is undertaken will have an impact on the timetable for producing and adopting the Plan. It is difficult at this stage to outline with certainty when consultation on a draft Plan will suitably take place. However, at this stage, and to ensure transparency for stakeholders, the following updated timetable is proposed for the LDS. This will continue to be reviewed as further work progresses. With further demographic data related to the census due to be released in summer 2023, it may take longer than outlined below to establish robust housing numbers. This may then need to be considered further through the commissioning of further evidence base studies. The updated timetable is a clear indication that the authority will not be able to meet the governments deadline for an up to date local plan by December 2023.

Consultation on draft Plan (Regulation 18)	Autumn 2023
Publication of Submission Draft Local Plan (Regulation 19)	Autumn 2024
Submission (Regulation 22)	Winter 2024
Examination and Main Modifications	Spring 2025
Adoption	Autumn 2025

## **6 Options Analysis**

- 6.1 The council could continue to progress with consultation on the developing draft LPU this Autumn, using the standard method approach to assessing housing need in line with the March Cabinet decision and seeking to demonstrate that local



constraints mean that a lower housing requirement figure is justified and sound (as well as exploring a possible exceptional circumstances case). However, for the reasons set out in the report it is now considered appropriate to take more time to fully consider suitable housing need and requirement figures for the borough, particularly in light of uncertainty at a national level regarding future approaches to setting housing figures, and also the availability of new up to date data which may be able to be used to inform future decisions. It is noted that there are a number of significant risks to this approach and these are set out in section 9. Page 25

## **Corporate implications**

### **7 Legal**

- 7.1 In accordance with [regulation 10A of The Town and Country Planning \(Local Planning\) \(England\) Regulations 2012 \(as amended\)](#) local planning authorities must complete a review of their local plan every five years from their adoption date to ensure that policies remain relevant and effectively address the needs of the local community.
- 7.2 The National Planning Policy Framework and the Planning Practice Guidance require the standard method to be used to calculate the housing need figure, in the absence of exceptional circumstances. The Council should therefore use the standard method to calculate housing need in relation to the local plan update unless exceptions circumstances can be demonstrated to justify an alternative approach.
- 7.3 The housing requirement figure, being the housing figure to be included in the local plan update, should be calculated having regard to the constraints within the Borough as set out in paragraph 11(b) and footnote 7 of the National Planning Policy Framework.
- 7.4 Failure to have an up-to-date Plan would be in breach of the Regulations and could also result in measures being applied by the Government to the Council in respect of its planning functions.
- 7.5 Any Plan that is submitted for Independent Examination will be assessed as to whether they have been prepared in accordance with the legal and procedural requirements, and whether they are 'sound' as set out in paragraph 35 of the NPPF. This includes a requirement for the plan to be consistent with national policy, which would include the requirement to use the standard method unless there are exceptional circumstances to justify an alternative approach.

### **8 Financial**

- 8.1 Changes to the overall LPU timetable will impact upon the agreed budget for the project. This will be managed through the council's budgetary process. If additional resources are required due to the scale of work needed this would need to be identified during the council's budget monitoring and annual MTFS review and budget setting processes.
- 8.2 Also, in the continued absence of a five-year housing land supply and given the revised LPU timetable, it is likely that there will be more housing led planning applications submitted which will fall to be assessed against the adopted (and out of date) Local Plan and national policy and guidance. There are financial implications

for the council if relevant applications are refused that lead to appeals which require resourcing to support the reasons for refusal and which could also result in an award of costs if the council refuse planning permission on grounds found to be unreasonable.

## 9 Risk management

### Overall risk

- 9.1 There are general risks associated with the authority not having an up to date Local Plan, and it has been made clear that every authority in England should have an updated Local Plan by December 2023. Where this is not the case authorities are at risk of measures being applied. Officers have met with the Department of Levelling Up, Housing and Communities (DLUHC) on a number of occasions to discuss the process of plan making locally and the fact that the nationally set deadline for an up to date plan will not be met. Support has also been provided by the Planning Advisory Services (PAS). There is a risk of some reputational damage (and a potential impact on future support) if the council does not proceed with plan making in a timely manner, in addition to a risk of intervention.

### Failure to Meet Soundness Tests

- 9.2 The NPPF contains specific requirements with regard to the standard method for assessing local housing need. It is important to note that one of the ‘tests of soundness’ against which Local Plans are judged at examination, is that plans are ‘consistent with national policy’.
- 9.3 The NPPF states, under paragraph 61: *To determine the minimum number of homes needed, strategic policies should be informed by a local housing need assessment, conducted using the standard method in national planning guidance – unless exceptional circumstances justify an alternative approach which also reflects current and future demographic trends and market signals. In addition to the local housing need figure, any needs that cannot be met within neighbouring areas should also be taken into account in establishing the amount of housing to be planned for.* (underlining added)
- 9.4 Planning Practice Guidance reinforces this position stating that there is ‘a clear expectation that the standard method will be used and that any other method will be used only in exceptional circumstances’. It goes on to state that the standard method is not mandatory but if it is felt that circumstances warrant an alternative approach ‘authorities can expect this to be scrutinised more closely at examination’ and that there is an expectation that the standard method will be used and that any other method will be used only in exceptional circumstances.
- ‘Where an alternative approach results in a lower housing need figure than that identified using the standard method, the strategic policy-making authority will need to demonstrate, using robust evidence, that the figure is based on realistic assumptions of demographic growth and that there are exceptional local circumstances that justify deviating from the standard method. This will be tested at examination.*
- Any method which relies on using household projections more recently published than the 2014-based household projections will not be considered to be following the*

*standard method as set out in paragraph [now 61] of the National Planning Framework. As explained above, it is not considered that these projections provide an appropriate basis for use in the standard method’.*

- 9.5 There is therefore a very significant risk that any deviation from the standard method which results in a lower figure (whether it be through the use of different inputs to the method, the failure to apply certain parts of the method, or the use of alternative models) will be found unsound through the LPU process and could lead to abortive work and additional costs for the council. The policy and guidance strongly highlight the importance of demonstrating exceptional circumstances and there is a risk that the council will be unable to progress with a technically robust and sufficiently exceptional case to justify an alternative approach which is in line with relevant policy and guidance. As far as the council is aware, no other authorities in similar circumstances have proven such a case to date. Further work is required to consider this in more detail, for example the census work highlighted elsewhere in this report. Legal advice received by the Council highlights the risks involved in progressing a Local Plan which deviates from the standard method, particularly on the basis of a lower number. It is therefore crucial that the council develops an approach which is sound and fully applies relevant policy and guidance.
- 9.6 There is a further risk that if the council progresses with a Plan based on a lower housing need figure and/or a lower requirement based on local constraints, at the examination stage the appointed Local Plan Inspector may require significant changes to ensure soundness. Such late changes would require Main Modifications to the Plan, involving further consultation and assessment, further resource expenditure, and may lead to a Plan with reduced Member and local involvement and support. Alternatively, the Inspector may simply find the Plan unsound, resulting in the process having to start again. This would elongate even further the period when the council does not have a sound Plan and the time over which some of the council’s wider objectives, such as tackling climate change, cannot be progressed from a Local Plan perspective.

#### Lack of Plan Led Development

- 9.7 As outlined in section 4, the council is currently unable to demonstrate a 5-year housing land supply and therefore the application of the presumption in favour of sustainable development means that the so-called ‘tilted balance’ is engaged. One of the reasons behind reviewing the adopted plan was to restore the 5 year land supply position on an on-going basis. Having an up to date adopted plan provides the borough with a spatial strategy to deliver an on-going supply of housing sites over the short and longer term, guiding development to the right locations at the right time. In the absence of an up to date Plan, there is a risk that sites will come forward for development in locations that Members and local communities do not support. Any change to the overall timetable for the LPU is likely to negatively impact upon the 5-year supply position given the lack of new allocations to provide the required additional supply.
- 9.8 There is a risk that site promoters who are currently engaging with the LPU process to progress sites for future development, may now choose to take forward sites in advance of the LPU, without an up to date policy framework to ensure compliant development that meets the council’s aims regarding environmental impacts, climate change and infrastructure provision, amongst others. There is also the real risk that other additional (and not previously shortlisted) sites may now be taken forward by

landowners and developers through the development management process. Page 28 also worth noting that sites that come forward in the shorter term, either through local decisions or appeals, may be progressed or fully built out before the LPU is well advanced. Any such completions will not be able to be counted in the Local Plan housing trajectory or as future supply. They will, in effect, be lost from a monitoring perspective, and therefore additional new sites may need to be identified through the Local Plan as a result, to ensure the future housing requirement is met.

### New Planning System

9.9 Central Government published the Levelling Up and Regeneration Bill in May 2022 which outlined a number of significant changes to the planning system, including strengthening the role of Local Plans and refining their focus and process for review. Government is strongly encouraging LPAs to continue with Plan making and it is noted that transitional arrangements will be put in place. These arrangements are unclear at this time but the borough can best stand in a positive light if work continues on the LPU, even if there are further changes as it progresses. Being a proactive borough working on a draft plan, and progressing notwithstanding uncertainty, should place it in a better position when any transitional arrangements come into effect. Changes to the LPU timetable may result in the Plan not being sufficiently advanced to respond to changes as they arise and there is a risk that the Plan making process in the borough will be required to re-start in light of new procedures, rather than continue under transitional arrangements.

9.10 It should also be noted that any change to the timetable will impact upon the borough's wider ambitions, most notably in relation to climate change but also design and environmental protection.

### Meeting Needs

9.11 The housing requirement set out in a Local Plan needs to be tested to ensure it will meet the needs of the local area. This includes the completion of evidence base studies such as a Housing Market Assessment. Any change to the number will require an update to published evidence base studies, with associated resource implications. There is a risk that the pursuit of a lower housing figure could restrict the ability of the Plan to meet all of the area's needs, including affordable housing, and ensure future development viability taking into account other policy expectations.

## **10 Equalities**

10.1 A full EIA for the whole draft Local Plan Update will be completed by independent consultants as part of the Sustainability Appraisal process. The EIA will be reviewed at each stage of the LPU process to consider the implications of proposals on the protected characteristics and vulnerable groups.

## **11 Consultation and communication**

11.1 In due course, a draft Local Plan Update will be published for consultation in line with the relevant legislation (Regulation 18). This will be a statutory consultation, following the guidelines set out in the council's adopted Statement of Community Involvement (SCI). It will enable all stakeholders to comment on the draft proposals

and help to shape the Plan's evolution. Further statutory consultation will also place prior to adoption, subject to changes to the Planning system at a national level. Page 29

## 12 Climate change

12.1 An aim of the LPU is to provide a robust framework to ensure that new development minimises greenhouse gas emissions and supports adaptation to climate change. This is critical to ensuring that the council delivers on its commitments in the Climate Emergency declaration. Mitigating climate change and adapting to its impacts is a golden thread running through the evolving Plan, from achieving high quality sustainable design, prioritising travel by sustainable and active transport modes, to protecting the borough's natural assets. Any change to the timetable could impact on the delivery of the Climate Change Strategy. However, development has a negative carbon impact, as a result of emissions in the construction phase and additional on-going emissions through growth in the borough. Any reduction on the housing requirement is likely to have a positive impact in this regard.

## 13 HR

13.1 There are no human resource issues arising from this report.

## 14 Summary and reason for the decision

14.1 The council is committed to ensuring that an up to date Plan is put in place to guide change and ensure future needs are met in the most sustainable way. However, the Plan needs to respond to local circumstances and concerns, and reflect the specific issues faced by the borough. Sustained concerns over continuing high house building have been expressed and full consideration needs to be given to whether there are exceptional circumstances that would justify any alternative assessment of housing need to the standard method required under national policy, and whether there are constraints that would justify not meeting local housing need in full in the LPU. It is considered that this work should be completed prior to any consultation on a draft Plan. With so much uncertainty at a national level the council needs to ensure it is doing all it can to develop the right Plan for the borough.

## 15 Alternative options considered

15.1 This is considered in section 6 of the report.

<b>Date: 27 September 2022</b> <b>Decision taken by: Cabinet</b>
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<b>Lead officer</b>	Ruth Ormella, Head of Planning, Sustainability and Infrastructure
<b>Report author</b>	Joanne Brombley, Planning Policy Manager Email: <a href="mailto:joanne.brombley@basingstoke.gov.uk">joanne.brombley@basingstoke.gov.uk</a> Tel: 01256 845410 or Ext 2410
<b>Version</b>	Final
<b>Dated</b>	September 2022

<b>Status</b>	Open	Page 30
<b>Confidentiality</b>	It is considered that information contained within this report (and appendices) do not contain exempt information under the meaning of Schedule 12A of the Local Government Act 1972, as amended, and therefore can be made public.	

**Decisions taken by the Cabinet on Tuesday, 27 September 2022**

Agenda Item No	Topic	Decision	Reasons	Alternative Options
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**Part A – Items considered in public**

A6	Local Plan Update	<ol style="list-style-type: none"> <li>1. Agree to take appropriate steps to communicate with the new Secretary of State to advocate a move away from the standard method for calculating housing need;</li> <li>2. Agree to continue to carry out work to identify whether there is a sound alternative to the standard method, and work to establish whether the housing requirement should be less than the housing need figure based on constraints within the borough, and in advance of consultation on a draft Plan (Regulation 18);</li> <li>3. Note the update to the timetable for the Local Plan Update and resulting updates to the Local Development Scheme;</li> <li>4. Endorse taking a positive approach to development proposals which contribute to</li> </ol>	<p>To allow further work to ensure that an up-to-date Plan is put in place to guide change and ensure future needs are met in the most sustainable way and which responds to local circumstances and concerns. To allow further work to consider whether there are exceptional circumstances that would justify any alternative assessment of housing need to the standard method.</p>	<p>To continue to progress with consultation on the developing draft Local Plan Update using the standard method approach to assessing housing need.</p>
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Decisions taken by the Cabinet on Tuesday, 27 September 2022

Agenda Item No	Topic	Decision	Reasons	Alternative Options
		delivering the well-being of the area and meet policy objectives, working with developers through the planning system to deliver suitable and sustainable schemes and work towards the five year housing land supply.		



Our Ref: MV/ 15B901605



20 February 2023

Basingstoke and Deane Borough Council

[local.plan@basingstoke.gov.uk](mailto:local.plan@basingstoke.gov.uk)

**via email only**

Dear Sir / Madam

**Burghclere Neighbourhood Plan - Regulation 16 Consultation**

**January – February 2023**

**Representations on behalf of National Grid**

National Grid has appointed Avison Young to review and respond to Neighbourhood Plan consultations on its behalf. We are instructed by our client to submit the following representation with regard to the current consultation on the above document.

**About National Grid**

National Grid Electricity Transmission plc (NGET) owns and maintains the electricity transmission system in England and Wales. The energy is then distributed to the electricity distribution network operators across England, Wales and Scotland.

National Grid Gas plc (NGG) owns and operates the high-pressure gas transmission system across the UK. In the UK, gas leaves the transmission system and enters the UK's four gas distribution networks where pressure is reduced for public use.

National Grid Ventures (NGV) is separate from National Grid's core regulated businesses. NGV develop, operate and invest in energy projects, technologies, and partnerships to help accelerate the development of a clean energy future for consumers across the UK, Europe and the United States.

**Proposed development sites crossed or in close proximity to National Grid assets:**

An assessment has been carried out with respect to National Grid's electricity and gas transmission assets which include high voltage electricity assets and high-pressure gas pipelines.

National Grid has identified that no assets are currently affected by proposed allocations within the Neighbourhood Plan area.

National Grid provides information in relation to its assets at the website below.

- [www2.nationalgrid.com/uk/services/land-and-development/planning-authority/shape-files/](http://www2.nationalgrid.com/uk/services/land-and-development/planning-authority/shape-files/)

Please also see attached information outlining guidance on development close to National Grid infrastructure.

**Distribution Networks**

Information regarding the electricity distribution network is available at the website below:  
[www.energynetworks.org.uk](http://www.energynetworks.org.uk)

Information regarding the gas distribution network is available by contacting:  
[plantprotection@cadentgas.com](mailto:plantprotection@cadentgas.com)

**Further Advice**

Please remember to consult National Grid on any Neighbourhood Plan Documents or site-specific proposals that could affect our assets. We would be grateful if you could add our details shown below to your consultation database, if not already included:

**Matt Verlander, Director**

[nationalgrid.uk@avisonyoung.com](mailto:nationalgrid.uk@avisonyoung.com)

Avison Young  
Central Square South  
Orchard Street  
Newcastle upon Tyne  
NE1 3AZ

**Spencer Jefferies, Town Planner**

[box.landandacquisitions@nationalgrid.com](mailto:box.landandacquisitions@nationalgrid.com)

National Grid  
National Grid House  
Warwick Technology Park  
Gallows Hill  
Warwick, CV34 6DA

If you require any further information in respect of this letter, then please contact us.



**For and on behalf of Avison Young**

National Grid is able to provide advice and guidance to the Council concerning their networks and encourages high quality and well-planned development in the vicinity of its assets.

#### Electricity assets

Developers of sites crossed or in close proximity to National Grid assets should be aware that it is National Grid policy to retain existing overhead lines in-situ, though it recognises that there may be exceptional circumstances that would justify the request where, for example, the proposal is of regional or national importance.

National Grid's '*Guidelines for Development near pylons and high voltage overhead power lines*' promote the successful development of sites crossed by existing overhead lines and the creation of well-designed places. The guidelines demonstrate that a creative design approach can minimise the impact of overhead lines whilst promoting a quality environment. The guidelines can be downloaded here: <https://www.nationalgridet.com/document/130626/download>

The statutory safety clearances between overhead lines, the ground, and built structures must not be infringed. Where changes are proposed to ground levels beneath an existing line then it is important that changes in ground levels do not result in safety clearances being infringed. National Grid can, on request, provide to developers detailed line profile drawings that detail the height of conductors, above ordnance datum, at a specific site.

National Grid's statutory safety clearances are detailed in their '*Guidelines when working near National Grid Electricity Transmission assets*', which can be downloaded here: [www.nationalgridet.com/network-and-assets/working-near-our-assets](http://www.nationalgridet.com/network-and-assets/working-near-our-assets)

#### Gas assets

High-Pressure Gas Pipelines form an essential part of the national gas transmission system and National Grid's approach is always to seek to leave their existing transmission pipelines in situ. Contact should be made with the Health and Safety Executive (HSE) in respect of sites affected by High-Pressure Gas Pipelines.

National Grid have land rights for each asset which prevents the erection of permanent/ temporary buildings, or structures, changes to existing ground levels, storage of materials etc. Additionally, written permission will be required before any works commence within the National Grid's 12.2m building proximity distance, and a deed of consent is required for any crossing of the easement.

National Grid's '*Guidelines when working near National Grid Gas assets*' can be downloaded here: [www.nationalgridgas.com/land-and-assets/working-near-our-assets](http://www.nationalgridgas.com/land-and-assets/working-near-our-assets)

#### How to contact National Grid

If you require any further information in relation to the above and/or if you would like to check if National Grid's transmission networks may be affected by a proposed development, please visit the website: <https://lsbud.co.uk/>

For local planning policy queries, please contact: [nationalgrid.uk@avisonyoung.com](mailto:nationalgrid.uk@avisonyoung.com)

From: [REDACTED]  
Sent: 17 February 2023 17:41  
To: Local Plan  
Cc: Planning SE; Patrick Blake; Spatial Planning  
Subject: FORMAL RESPONSE@2023 02 17: #18931 Notification of Publicity of the Burghclere Neighbourhood Plan Review

Follow Up Flag: Follow up  
Flag Status: Flagged

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## FAO: Local Plan Team

**Our Reference: #18931**

## Re: Notification of Publicity of the Burghclere Neighbourhood Plan Review

Thank you for inviting National Highways to comment on the above consultation.

National Highways has been appointed by the Secretary of State for Transport as strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the strategic road network (SRN). The SRN is a critical national asset and as such Highways England works to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity.

We will therefore be concerned with proposals that have the potential to impact the safe and efficient operation of the SRN, in this case the A34.

We have reviewed the above consultation and have no comments.

Regards

**Mrs Beata Ginn**  
**Assistant Spatial Planner (Area 3)**

[REDACTED]  
[REDACTED]  
**Web:** <https://nationalhighways.co.uk/our-roads/planning-and-the-strategic-road-network-in-england/>

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From: Local Plan <[Local.plan@basingstoke.gov.uk](mailto:Local.plan@basingstoke.gov.uk)>  
Sent: 09 January 2023 12:22  
To: Local Plan <[Local.plan@basingstoke.gov.uk](mailto:Local.plan@basingstoke.gov.uk)>  
Subject: #18931 Notification of Publicity of the Burghclere Neighbourhood Plan Review



**National  
Trust**

15 February 2023

Page 37

Planning Policy Team  
Basingstoke and Deane Borough Council  
Civic Offices  
London Road  
Basingstoke, Hampshire  
RG21 4AH

Dear Planning Policy Team,

### **Burghclere Neighbourhood Plan Publication Consultation (Regulation 16)**

The National Trust are the owners and custodians of Sandham Memorial Chapel located within the village of Burghclere, home to a series of large-scale murals, by acclaimed war artist Stanley Spencer in honour of the 'forgotten dead' of the First World War. The significance of the chapel and its contents was recognised in 1984 when the building received a Grade I listing.

The National Trust welcomes and supports the introduction of the Burghclere Design Code which aims to raise the design standards of future proposals coming forward within the Parish. In particular, we welcome Design Principle AW HQB1.1 which restricts proposals to no more than two storeys in height, as this reflects the rural context and setting of the village.

Policy B2 allocates Land off Harts Lane / Winchester Road for 15 dwellings. This site is located approximately 150 metres west of Sandham Memorial Chapel. It should be noted, that national planning policy within the NPPF (2021), paragraph 200, prevents *'any harm to, or loss of, the significance of a designated heritage asset (... from development within its setting), with substantial harm to or loss of assets of the highest significance to be wholly exceptional.* The setting of the Sandham Memorial Chapel must therefore be protected from harm from any future development within the Parish.

A couple of typos have been identified within the Design Code that refers to Sandham Memorial Chapel being Grade II listed, these appear on page 25 and 27. Please can the text be amended to reflect the chapels significance as a Grade I listed building.

National Trust  
London and South East  
Scotney Castle hub  
Lamberhurst  
Tunbridge Wells  
Kent TN3 8JN  
[www.nationaltrust.org.uk](http://www.nationaltrust.org.uk)

Chair of Regional Advisory Group for  
London and South East: Bernard Donoghue OBE  
Director for London and South East: Nicola Briggs

Registered office:  
Heelis, Kemble Drive, Swindon  
Wiltshire SN2 2NA

Registered charity number 205846

Yours sincerely,

Katy Wiseman MRTPI  
Assistant Planning Adviser

Cont/d

2

Date: 20 February 2023  
Our ref: 417547  
Your ref: Burghclere Neighbourhood Plan

Page 39

NATURAL  
ENGLAND

Planning Policy Team  
Basingstoke & Deane Borough Council

Hornbeam House  
Crewe Business Park  
Electra Way  
Crewe  
Cheshire  
CW1 6GJ

**BY EMAIL ONLY**

[local.plan@basingstoke.gov.uk](mailto:local.plan@basingstoke.gov.uk)

T 0300 060 3900

Dear Sir/Madam

**Burghclere Neighbourhood Plan - Publicity of the Burghclere Neighbourhood Plan Review (Regulation 16)**

Thank you for your consultation on the above dated 09 January 2023.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

Natural England is a statutory consultee in neighbourhood planning and must be consulted on draft neighbourhood development plans by the Parish/Town Councils or Neighbourhood Forums where they consider our interests would be affected by the proposals made.

**Natural England does not have any specific comments on the Burghclere Neighbourhood Plan.**

For any further consultations on your plan, please contact: [consultations@naturalengland.org.uk](mailto:consultations@naturalengland.org.uk).

Yours sincerely

[Redacted signature block]

From: ONR Land Use Planning <ONR-Land.Use-Planning@onr.gov.uk>  
Sent: 13 January 2023 16:17  
To: Local Plan  
Subject: ONR Land Use Planning - Application Burghclere Neighbourhood Plan Review

Categories: Purple Category

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Dear Sir/Madam,

Thank you for your email.

Please note that ONR's land use planning processes published at <http://www.onr.org.uk/land-use-planning.htm> may apply to some of the developments within the Burghclere Neighbourhood Plan Review.

If you are a Local Authority or neighbourhood with areas that are within an ONR consultation zone please be aware that in order for ONR to have no objections to such developments we will require:

- confirmation from relevant Council emergency planners that developments can be accommodated within any emergency plan required under the Radiation (Emergency Preparedness and Public Information) Regulations 2019; and
- that the developments do not pose an external hazard to the site.

Kind regards,

[Redacted signature]

-----Original Message-----

From: Local Plan - Basingstoke and Deane <local.plan@basingstoke.gov.uk >  
To: local.plan@basingstoke.gov.uk;  
Cc:  
Sent: 09/01/2023 12:20  
Subject: Notification of Publicity of the Burghclere Neighbourhood Plan Review



# **Burghclere Neighbourhood Plan Review Submission (Regulation 16)**

**Representations**

**Observations report**

URN	Author	Location	Map Attached
BSGD-C3-BUR16-1	orchard homes		No

**Title: Which part of the ESBG Neighbourhood Plan does your representation relate to?**

**Theme: Which part of the ESBG Neighbourhood Plan does your representation relate to?**

Support Policy B2i) ,

Support Policy B2vii)

Support Policy B2viii)

Objection to Policy B2ii)

Objection to Policy B2vi)

Objection to Policy B6

Objection to Policy B2

**Attachments (1)**

P20.6.12.2 230208Response to NP ModificationsReg16 final.docx

---

BSGD-C3-BUR16-1	orchard homes		No
-----------------	---------------	--	----

**Title: Do you support or oppose that part of the ESBG Neighbourhood Plan?**

**Theme: Do you support or oppose that part of the ESBG Neighbourhood Plan?**

Support elements of Policy B2,

Object to elements of Policy B2

Object to Policy B6

please note the wrong neighbourhood plan is being referred to in the question

**Attachments (1)**

P20.6.12.2 230208Response to NP ModificationsReg16 final.docx

---

BSGD-C3-BUR16-1 orchard homes

No

**Title: Please state any improvements or modifications that you feel should be made to the neighbourhood plan.**

**Theme: Please state any improvements or modifications that you feel should be made to the neighbourhood plan.**

see attached submission

**Attachments (1)**

P20.6.12.2 230208Response to NP ModificationsReg16 final.docx

---

BSGD-C3-BUR16-1 orchard homes

No

**Title: If a public hearing is necessary would you like to participate?**

**Theme: If a public hearing is necessary would you like to participate?**

yes

**Attachments (1)**

P20.6.12.2 230208Response to NP ModificationsReg16 final.docx

---

BSGD-C3-BUR16-1 orchard homes

No

**Title: If a public hearing is required please outline why you consider that your participation is necessary.**

**Theme: If a public hearing is required please outline why you consider that your participation is necessary.**

The Regulation 16 neighbourhood plan raises a number of important issues which affect the delivery of the housing allocation

**Attachments (1)**

P20.6.12.2 230208Response to NP ModificationsReg16 final.docx

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Burghclere Neighbourhood Plan, Modification  
Proposal 2011-2029 December 2022, Regulation  
16 Consultation, Response of Orchard Homes Ltd

Steve Lees MRTPI

February 2023

## Introduction

1.The purpose of this submission is to set out the response of Orchard Homes Ltd to the proposed modifications to the Burghclere Neighbourhood Plan Regulation 16 published for consultation.

## Background

2.Orchard Homes Ltd is the owner of the land at Harts Lane which has been allocated for development in the made Neighbourhood Plan (adopted May 2021), ref Policy B2. Following consultations with the local community and Basingstoke & Deane Borough Council a planning application has been submitted for 17 dwellings, open space and a rural business hub. Orchard Homes is committed to delivering the allocation, but any scheme needs to take account of the site constraints and the implications of the policy requirements on the need to provide a minimum number of homes. The key components of the Policy regarding access, number of dwellings, provision of open space and the business hub are being provided. The provision of pedestrian, cycle and vehicular access off Harts Lane is considered to be an important requirement of the Policy to ensure that the proposed development is connected and integrated with the village and is included within the current application.

3.Orchard Homes Ltd welcomes the opportunity to comment on the draft neighbourhood plan.

## Submission

Policy B2i) the residential scheme delivers at least 15 dwellings

Support.

Policy B2ii)

Objection. Policy B2ii) should be amended to delete the requirement for a single storey building. It should be amended to provide flexibility for different design approaches.

4.Policy B2ii) of the neighbourhood plan refers a single storey B1 flexible workspace. In the light of work undertaken in the preparation of the planning application Orchard Homes is proposing a 2-storey building which it considers results in a more efficient use of land and a better design solution. The requirement for a two-storey building combined with Policy B2vi) would in combination have a significant impact on the delivery of the minimum housing numbers set out in Policy B2i). In informal discussions in the preparation of the current application the Parish Council did not raise objections to the design approach. It is disappointing that the revised version of the neighbourhood plan has not included flexibility within the policy to consider other design approaches. In respect of the current application at the time of the submission of this response no adverse comments had been received from the local planning authority for a two-storey building.

Policy B2vi)

Objection. The wording of policy B2vi) '*which delivers at least a 10% gain in overall biodiversity value on site*' should be amended to be consistent with current national and local planning policy and to provide flexibility to enable off-site provision of net gain to be part of a mitigation strategy.

5.The policy introduces a minimum requirement for the development in respect of the scale of net gain and that it is to be achieved on-site. There does not appear to have been an assessment of the impact of the proposed wording on the requirement in Policy B2i) for 'at least 15 dwellings'. Work undertaken in support of the current planning application indicates that to achieve the proposed policy requirement for at least 10% net gain would have a significant impact on how the site would be developed in terms of numbers and type of

dwellings. The current neighbourhood policy requires that only a net gain is achieved. No detailed justification is presented in support of the minimum requirement with the neighbourhood plan. It would appear to rest on the introduction of a requirement for a 10% gain later in 2023 arising from Environment Act 2021 and interim Guidance published by the Borough Council. There is no detailed justification as to why the net gain must be secured only on-site. The provision of net gain off-site is an accepted practice and may well result in a more robust long-term benefit.

6. The submitted Ecchinswell, Sydmonton and Bishops Green NP, which is in Basingstoke and Deane Borough Council area included a minimum requirement of 10% net gain biodiversity value ref Policy ESG12B. The examiner, in their report of the 6<sup>th</sup> February 2023, had concerns with the policy as drafted and recommended that it be amended to read '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). Ref para 144 of the report. The same approach would be appropriate in respect of Policy B2vi) of the Burghclere NP.

Policy B2vii) Pedestrian and cycling access is provided off Harts Lane

Support.

Policy B2 viii) Vehicle access is made from Harts Lane

Support.

#### *Policy B6 Zero Carbon Buildings*

Objection. Policy B6 should be amended to reflect the stated purpose of the policy as set out in para 3.7 of the Consultation Statement i.e.; to encourage the provision of zero carbon buildings.

7.The revised policy states that 'where possible all development must be zero carbon ready. This approach in effect requires developers to justify why a scheme, which in all other respect regarding energy efficiency complied with Building Regulations, was not zero carbon ready. The policy and supporting text does not provide any guidance as to what factors would be taken into account in determining whether sufficient justification had been provided to demonstrate why zero carbon ready is not proposed. The policy as drafted should be supported by local evidence to justify a departure from national standards and the relevant local plan policy EM10f). The proposed approach has financial implications in terms of the construction costs to achieve the proposed standard. It is not clear if the impact of those costs has been considered alongside other policy requirements of the neighbourhood plan and local plan. Relying upon the direction of travel of national policy with no technical evidence and to rely on guidance produced by authorities elsewhere in the country for the implementation of the policy does not provide the necessary justification.

8.The response to the submissions made to the Regulation 14 consultation in respect of Policy B6 set out in the Consultation Statement December 2022 states that 'The policy simply reinforces and directs applicants to best practice in the application of the 'energy hierarchy' and to 'resource efficiency' to fill a gap in BDBC's existing policy and supplementary guidance'. If that is the purpose of the policy then it should be re-drafted.

9. A similar approach to zero carbon buildings was included within the submitted Ecchinswell, Sydmonton and Bishops Green NP. Policy ESG16 stated that all development should be zero carbon ready. The examiner in their report of the 6<sup>th</sup> February 2023 had a number of concerns and recommended that the policy be amended to read 'All development is encouraged to be zero carbon ready' ref para 183 of the report. The same approach would be appropriate in respect of Policy B6 of the Burghclere NP.





Policy, Planning <Planning.Policy@southernwater.co.uk>  
Sent: 13 February 2023 15:58  
To: Local Plan  
Subject: RE: Notification of Publicity of the Burghclere Neighbourhood Plan Review  
Categories: Purple Category

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Dear Sir/Madam,

Thank you for your email below, notifying Southern Water of the Regulation 16 consultation on the Burghclere Neighbourhood Plan – I confirm we have no further comments to make.

Yours faithfully,



From: Local Plan <Local.plan@basingstoke.gov.uk>  
Sent: 09 January 2023 12:18  
To: Local Plan <Local.plan@basingstoke.gov.uk>  
Subject: Notification of Publicity of the Burghclere Neighbourhood Plan Review

### **Notification of Publicity of the Burghclere Neighbourhood Plan Review (Regulation 16)**

Basingstoke and Deane Borough Council is now in receipt of the final submission version of the Burghclere Neighbourhood Plan (NP) Review along with all accompanying documentation required under the Regulations. The Burghclere NP Review seeks to update the parish's neighbourhood plan which was made in May 2021, and sets out a vision for the neighbourhood area and planning policies which will be used to determine planning applications locally and guide development in the neighbourhood area up until 2029. The Submission Burghclere NP Review is subject to formal public consultation until **5pm on Monday 20th February 2023**.

### **What does the Burghclere Neighbourhood Plan Review consist of and where can it be viewed?**

The Submission Burghclere NP consists of the following:

- Submission Burghclere Neighbourhood Plan and Policy Maps Booklet
- Consultation Statement
- Basic Conditions Statement



Issued via email:  
local.plan@basingstoke.gov.uk

[REDACTED]  
[REDACTED]  
[REDACTED]  
1<sup>st</sup> Floor West  
Clearwater Court  
Vastern Road  
Reading  
RG1 8DB

16 January 2023

## **Basingstoke –Burghclere Neighbourhood Plan 2011-2029 As Modified December 2022**

Dear Sir/Madam,

Thank you for allowing Thames Water to comment on the above.

Thames Water are the statutory sewerage undertaker for the northern part of the Basingstoke & Deane Borough and are hence a “specific consultation body” in accordance with the Town & Country Planning (Local Planning) Regulations 2012. Water supply services are provided by Southern Water. We have the following comments:

### **Infrastructure Development - Comments on Wastewater/Sewerage Infrastructure**

Wastewater/sewerage [and water supply] infrastructure is essential to any development. Failure to ensure that any required upgrades to the infrastructure network are delivered alongside development could result in adverse impacts in the form of internal and external sewer flooding and pollution of land and water courses [and/or low water pressure].

Thames Water seeks to co-operate and maintain a good working relationship with local planning authorities in its area and to provide the support they need with regards to the provision of sewerage/wastewater treatment [and water supply] infrastructure.

A key sustainability objective for the preparation of Local Plans and Neighbourhood Plans should be for new development to be co-ordinated with the infrastructure it demands and to take into account the capacity of existing infrastructure. Paragraph 20 of the revised National Planning Policy Framework (NPPF), 2021, states: “Strategic policies should set out an overall strategy for the pattern, scale and quality of development, and make sufficient provision for... infrastructure for waste management, water supply, wastewater...”

Paragraph 11 states: “Plans and decisions should apply a presumption in favour of sustainable development. For plan-making this means that:

a) all plans should promote a sustainable pattern of development that seeks to: meet the development needs of their area; align growth and infrastructure; improve the environment; mitigate climate change (including by making effective use of land in urban areas) and adapt

to its effects”

Paragraph 28 relates to non-strategic policies and states: “Non-strategic policies should be used by local planning authorities and communities to set out more detailed policies for specific areas, neighbourhoods or types of development. This can include allocating sites, the provision of infrastructure...”

Paragraph 26 of the revised NPPF goes on to state: “Effective and on-going joint working between strategic policy-making authorities and relevant bodies is integral to the production of a positively prepared and justified strategy. In particular, joint working should help to determine where additional infrastructure is necessary....”

The web based National Planning Practice Guidance (NPPG) includes a section on ‘water supply, wastewater and water quality’ and sets out that Local Plans should be the focus for ensuring that investment plans of water and sewerage/wastewater companies align with development needs. The introduction to this section also sets out that “Adequate water and wastewater infrastructure is needed to support sustainable development” (Paragraph: 001, Reference ID: 34-001-20140306).

It is important to consider the net increase in wastewater and water supply demand to serve the development and also any impact that developments may have off site, further down the network. The Neighbourhood Plan should therefore seek to ensure that there is adequate wastewater [and water supply] infrastructure to serve all new developments. Thames Water will work with developers and local authorities to ensure that any necessary infrastructure reinforcement is delivered ahead of the occupation of development. Where there are infrastructure constraints, it is important not to under estimate the time required to deliver necessary infrastructure. For example: local network upgrades take around 18 months and Sewage Treatment & Water Treatment Works upgrades can take 3-5 years.

The provision of water treatment (both wastewater treatment and water supply) is met by Thames Water’s asset plans and from the 1st April 2018 network improvements will be from infrastructure charges per new dwelling.

From 1st April 2018, the way Thames Water and all other water and wastewater companies charge for new connections has changed. The economic regulator Ofwat has published new rules, which set out that charges should reflect: fairness and affordability; environmental protection; stability and predictability; and transparency and customer-focused service.

The changes mean that more of Thames Water’s charges will be fixed and published, rather than provided on application, enabling you to estimate your costs without needing to contact us. The services affected include new water connections, lateral drain connections, water mains and sewers (requisitions), traffic management costs, income offsetting and infrastructure charges.

Thames Water therefore recommends that developers engage with them at the earliest opportunity (in line with paragraph 26 of the revised NPPF) to establish the following:

- The developments demand for Sewage/Wastewater Treatment and network infrastructure both on and off site and can it be met; and
- The surface water drainage requirements and flood risk of the development both on and off site and can it be met.

Thames Water offer a free Pre-Planning service which confirms if capacity exists to serve the development or if upgrades are required for potable water, waste water and surface water requirements. Details on Thames Water's free pre planning service are available at:

<https://www.thameswater.co.uk/developers/larger-scale-developments/planning-your-development/water-and-wastewater-capacity>

In light of the above comments and Government guidance we consider that Neighbourhood Plan should include a specific reference to the key issue of the provision of wastewater/sewerage [and water supply] infrastructure to service development proposed in a policy. This is necessary because it will not be possible to identify all of the water/sewerage infrastructure required over the plan period due to the way water companies are regulated and plan in 5 year periods (Asset Management Plans or AMPs). We recommend the Neighbourhood Plan include the following policy/supporting text:

#### **PROPOSED NEW WATER/WASTEWATER INFRASTRUCTURE TEXT**

***“Where appropriate, planning permission for developments which result in the need for off-site upgrades, will be subject to conditions to ensure the occupation is aligned with the delivery of necessary infrastructure upgrades.”***

***“The Local Planning Authority will seek to ensure that there is adequate water and wastewater infrastructure to serve all new developments. Developers are encouraged to contact the water/waste water company as early as possible to discuss their development proposals and intended delivery programme to assist with identifying any potential water and wastewater network reinforcement requirements. Where there is a capacity constraint the Local Planning Authority will, where appropriate, apply phasing conditions to any approval to ensure that any necessary infrastructure upgrades are delivered ahead of the occupation of the relevant phase of development.”***

#### **Comments in relation to Flood Risk and SUDS**

The National Planning Practice Guidance (NPPG) states that a sequential approach should be used by local planning authorities in areas known to be at risk from forms of flooding other than from river and sea, which includes "Flooding from Sewers".

When reviewing development and flood risk it is important to recognise that water and/or sewerage infrastructure may be required to be developed in flood risk areas. By their very nature water and sewage treatment works are located close or adjacent to rivers (to abstract water for treatment and supply or to discharge treated effluent). It is likely that these existing works will need to be upgraded or extended to provide the increase in treatment capacity required to service new development. Flood risk sustainability objectives should therefore accept that water and sewerage infrastructure development may be necessary in flood risk areas.

Flood risk sustainability objectives should also make reference to 'sewer flooding' and an acceptance that flooding can occur away from the flood plain as a result of development where off site sewerage infrastructure and capacity is not in place ahead of development.

With regard to surface water drainage it is the responsibility of the developer to make proper provision for drainage to ground, watercourses or surface water sewer. It is important to reduce the quantity of surface water entering the sewerage system in order to maximise the capacity for foul sewage to reduce the risk of sewer flooding.

Limiting the opportunity for surface water entering the foul and combined sewer networks is of critical importance to Thames Water. Thames Water have advocated an approach to SuDS that limits as far as possible the volume of and rate at which surface water enters the public sewer system. By doing this, SuDS have the potential to play an important role in helping to ensure the sewerage network has the capacity to cater for population growth and the effects of climate change.

SuDS not only help to mitigate flooding, they can also help to: improve water quality; provide opportunities for water efficiency; provide enhanced landscape and visual features; support wildlife; and provide amenity and recreational benefits.

With regard to surface water drainage, Thames Water request that the following paragraph should be included in the Neighbourhood Plan: ***“It is the responsibility of a developer to make proper provision for surface water drainage to ground, water courses or surface water sewer. It must not be allowed to drain to the foul sewer, as this is the major contributor to sewer flooding.”***

### Site Allocations

The information contained within the Neighbourhood Plan will be of significant value to Thames Water as we prepare for the provision of future wastewater [and water supply] infrastructure.

The attached table provides Thames Water’s site specific comments from desktop assessments on sewerage/waste water network and waste water treatment infrastructure in relation to the proposed sites, but more detailed modelling may be required to refine the requirements.

Early engagement between the developers and Thames Water would be beneficial to understand:

- What drainage requirements are required on and off site
- Clarity on what loading/flow from the development is anticipated

The time to deliver upgrades shouldn’t be underestimated it can take 18months – 3 years from the time of certainty and in some cases it may be appropriate for a suitably worded planning condition to be attached to ensure development doesn’t outpace the upgrades. Developers are encouraged to engage at the earliest opportunity to discuss their development needs via Thames waters pre planning service

<https://www.thameswater.co.uk/developers/larger-scale-developments/planning-your-development/water-and-wastewater-capacity>

We recommend developers attach the information we provide to their planning applications so that the Council and the wider public are assured water and waste matters for the development are being addressed.

Where developers do not engage with Thames Water prior to submitting their application, this will more likely lead to the recommendation that a Grampian condition is attached to any planning permission to resolve any infrastructure issues.

We trust the above is satisfactory, but please do not hesitate to contact David Wilson on the above number if you have any queries.

Yours faithfully,



Site ID	Site Name	Net Gain to System (l/day)	Net Foul Water Increase to System (l/s)	Net Property Equivalent Increase - Waste	Net Increase in Demand (l/day)	Net Increase in Peak Demand (l/s)	Net Property Equivalent Increase - Water	Waste Response
63316	Site Off Harts Lane, Burghclere, Newbury, RG20 9JU	19998	0.23	19	0	0	0	On the information available to date we do not envisage infrastructure concerns regarding wastewater network or wastewater treatment infrastructure capability in relation to this site/s. It is recommended that the Developer and the Local Planning Authority liaise with Thames Water at the earliest opportunity to advise of the developments phasing. Please contact Thames Water Development Planning, either by email Devcon.team@thameswater.co.uk tel: 02035779998 or in writing Thames Water Utilities Ltd, Maple Lodge STW, Denham Way, Rickmansworth, Hertfordshire, WD3 9SQ

[REDACTED]

Sent: Richard Carr [REDACTED]  
10 January 2023 15:23  
To: Local Plan  
Cc: Richard Carr  
Subject: FW: Notification of Publicity of the Burghclere Neighbourhood Plan Review

Categories: Purple Category

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Thank you for consulting Transport for London (TfL). I can confirm that we have no comments to make on the Burghclere Neighbourhood Plan Review

Best wishes  
Richard Carr

[REDACTED]

I work part time and so there may be a short delay in responding to emails

TfL Spatial Planning is committed to equity, diversity and inclusion and we strive to ensure that Londoners are fully represented in the planning process

For more information regarding TfL Spatial Planning, including TfL's *Transport assessment best practice guidance* and pre-application advice please visit: <https://tfl.gov.uk/info-for/urban-planning-and-construction/planning-applications/pre-application-services>

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From: Spatial Planning <SpatialPlanning@tfl.gov.uk>  
Sent: 09 January 2023 14:57  
To: Richard Carr <RichardCarr@tfl.gov.uk>  
Subject: FW: Notification of Publicity of the Burghclere Neighbourhood Plan Review

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From: Local Plan <[Local.plan@basingstoke.gov.uk](mailto:Local.plan@basingstoke.gov.uk)>  
Sent: 09 January 2023 12:23  
To: Local Plan <[Local.plan@basingstoke.gov.uk](mailto:Local.plan@basingstoke.gov.uk)>  
Subject: Notification of Publicity of the Burghclere Neighbourhood Plan Review

### **Notification of Publicity of the Burghclere Neighbourhood Plan Review (Regulation 16)**

Basingstoke and Deane Borough Council is now in receipt of the final submission version of the Burghclere Neighbourhood Plan (NP) Review along with all accompanying documentation required under the Regulations. The Burghclere NP Review seeks to update the parish's neighbourhood plan which was made in May 2021, and sets out a vision for the neighbourhood area and planning policies which will be used to determine planning applications locally and guide development in the neighbourhood area up until 2029.



Sent: 20 February 2023 16:07  
To: Local Plan  
Cc: Planning Policy  
Subject: Notification of Publicity of the Burghclere Neighbourhood Plan Review

Follow Up Flag: Follow up  
Flag Status: Flagged

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Dear Sir/Madam

Thank you for consulting Waverley Borough Council on the Burghclere Neighbourhood Plan Review. Waverley has no comments to make.

Kind regards

[Redacted signature block]

From: Local Plan <[Local.plan@basingstoke.gov.uk](mailto:Local.plan@basingstoke.gov.uk)>  
Sent: 09 January 2023 12:22  
To: Local Plan <[Local.plan@basingstoke.gov.uk](mailto:Local.plan@basingstoke.gov.uk)>  
Subject: Notification of Publicity of the Burghclere Neighbourhood Plan Review

**[\*\* This email originates from an external source \*\*]**

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**What does the Burghclere Neighbourhood Plan Review consist of and where can it be viewed?**

The Submission Burghclere NP consists of the following:

- Submission Burghclere Neighbourhood Plan and Policy Maps Booklet
- Consultation Statement
- Basic Conditions Statement

From: Jessica Wells  
Sent: 17 February 2023 16:22  
To: Richard Carrow  
Cc: Local Plan; Matt Melville  
Subject: LPA comments on the Regulation 16 Burghclere Neighbourhood Plan  
Attachments: LPA Response BURNP Feb 2023.docx; Modification Statement Burghclere.docx

Dear Richard,

Please find attached the Local Planning Authority's comments on the Submission Burghclere Neighbourhood Plan. These comments have been agreed by the Cabinet Member for Planning and Infrastructure. You will note that the format of these comments is based around the table in the LPA's response to the Regulation 14 consultation, but includes an additional column to explain whether our previous comments have been met or not.

In addition, as part of the representation there is also a copy of the Modification Statement.

As previously discussed, once the consultation has closed on Monday the representations will be processed and sent over to yourself and the examiner and soon as possible.

Should you have any questions regarding these comments do not hesitate to get in touch with myself or Matt.

Best wishes,  
Jessica

## Detailed Assessment of the Burghclere Neighbourhood Plan and Supporting Documentation

This provides a detailed assessment of the updated BURNP in relation to the ‘basic conditions’ requirements. This includes an assessment of how the BURNP would operate in practice once it is ‘made’, as it is important to ensure that the BURNP can be implemented in a manner which delivers on the objectives of the document. Annex A to this response sets out some additional minor/factual observations.

In most cases, the objective and intent of the policies is supported, but the suggestions are aimed at ensuring that the policies achieve the objective for which they are intended. Rather than review each policy in detail, the comments only address those policies where the LPA has identified specific issues which it thinks need to be addressed.

Section/ Policy (Reg 14)	Section/ Policy (Reg 16)	Regulation 14 Plan Comment	Relevant National Guidance (NPPF and PPG) and Local Policy	Potential options/actions	Regulation 16 Plan Comment
Foreword		<p>The Local Planning Authority agrees that the proposed modifications would be material but ‘would not change the nature of the plan’, taking into account the advice in PPG para ID: 41-106-20190509.</p> <p>This is because the principal changes (the design code, sustainable construction policy, and green infrastructure policy) build upon and add detail to policies that are already included in the original neighbourhood plan.</p>	PPG para ID: 41-106-20190509.		Met
Policy B1: Burghclere SPB		Policy does not reflect the fact that Policy B3 allows development on gardens outside (but adjacent to) the SPB.		Update for consistency.	Met - Policy B3 has been updated so the comment is not relevant.
Policy B3: Residential Garden Land		In the first paragraph the inclusion of the words ‘and adjacent to’ permits development on gardens adjacent to the Settlement Policy Boundary in certain circumstances. It is not entirely clear why this change has been made.	<p>Local Plan Policies SS1 and SS6</p> <p>NPPF glossary: Previously developed land.</p>	Consider providing further explanation of the proposed change.	Met – the policy has been updated and the words ‘and adjacent to’ have been removed.

Section/ Policy (Reg 14)	Section/ Policy (Reg 16)	Regulation 14 Plan Comment	Relevant National Guidance (NPPF and PPG) and Local Policy	Potential options/actions	Regulation 16 Plan Comment
Development and Para 5.25		<p>The new text in paragraph 5.25 suggests that the policy informs the interpretation of what is the 'built up area' for the purposes of considering the suitability of development on garden land (as described in para 10 of the council's PDL guidance note).</p> <p>However, it is not clear that the policy actually does this (and whether this is related to the change to the policy). As explained in the council's guidance note, this judgement will be based on the number, density and cohesion of properties.</p> <p>It also cannot be implied that because development is supported on garden land adjacent to SPBs, PDL development elsewhere in the parish would be considered unsuitable. It was unclear if this was the intention of the policy.</p> <p>It should also be noted that the structure of Policy B3 means that it would only be applied to proposals for new dwellings within and adjacent to the SPB – rather than proposals for garden land development elsewhere in the Parish which may come forward. It is recognised, however, that the Design Code would still be material.</p>	<p>NPPF para 71: 'Plans should consider the case for setting out policies to resist inappropriate development of residential gardens, for example where development would cause harm to the local area',</p> <p>Para 124(d) states that policies should achieve appropriate densities by taking into account 'the desirability of maintaining an area's prevailing character and setting (including residential gardens'.</p>	<p>Consider whether the policy should be amended to apply to all garden development.</p>	<p>Not Met - It is still not clear whether the policy criteria would apply to all development on residential garden land, or only development in the SPB. The policy sets out criteria to assess proposals in the SPB whereas the supporting text suggests it will help to determine applications in the countryside. This needs to be clarified.</p>
Policy B5: The Burghclere Design Code		<p>The general principle of including a local design code is supported. In paragraph 1 of the policy, it is unclear what is meant by a development proposals 'nature'. This can</p>		<p>Revise policy wording.</p>	<p>Met – suggested changes have been made.</p>

Section/ Policy (Reg 14)	Section/ Policy (Reg 16)	Regulation 14 Plan Comment	Relevant National Guidance (NPPF and PPG) and Local Policy	Potential options/actions	Regulation 16 Plan Comment
		<p>mean many things and so the policy would be more precise if this word was not used.</p> <p>In addition, the policy and/or the supporting text could go further to emphasise the key issues of character and design quality which this policy seeks to address. The Design Code addresses more issues than just location, scale and nature. In particular, the code addresses the character of local buildings, streets and landscapes and it should not be implied by the wording of Policy B5 that these issues within the code are not subject to the policy.</p> <p>It is therefore suggested that Policy B5 could be reworded to say:</p> <p style="padding-left: 40px;">‘Development proposals will be supported where they contribute positively to the character and design quality of the local area in accordance with the Burghclere Design Code in Appendix A’.</p>			
Policy B6: Zero Carbon Buildings		The LPA supports the considerations set out in the policy but is concerned that the requirement for development to be ‘zero carbon ready’ could imply a requirement for fabric efficiency measures in advance of current Building Regulations. This would be contrary to what national planning policy currently permits (as set out in the PPG and WMS).	Written Ministerial Statement of 25 March 2015	Provide greater clarity to support the implementation of the policy.	<p>Not Met – since the Regulation 14 comments were made, minor changes have been made. The original comment regarding fabric efficiency measures still applies.</p> <p>Although it is recognised that the Net Zero Toolkit sets out helpful best practice about how energy use can be minimised through the layout, orientation etc of the building, it also</p>

Section/ Policy (Reg 14)	Section/ Policy (Reg 16)	Regulation 14 Plan Comment	Relevant National Guidance (NPPF and PPG) and Local Policy	Potential options/actions	Regulation 16 Plan Comment
		<p>It is noted that the supporting text does not state that an improved level of fabric efficiency will be required, however it is not clear that development would be able to reach the 'zero carbon ready' standard (as described at the top of p33) without it.</p> <p>In order to provide clarity for the decision maker, it is suggested that the supporting text is explicit that the policy does not set a fabric efficiency standard, or the policy is revised to remove reference to the term 'zero carbon ready' and instead state that 'all development must <u>demonstrate that it would be 'zero carbon ready' by design to</u> minimise the amount of energy needed to...'</p> <p>It should be recognised that there may be some limitations to how some types of development (such as householder applications) could utilise the factors set out in the policy.</p> <p>The policy could also state that the requirements should be demonstrated through the Design and Access Statement or a standalone document.</p>			<p>provides advice about matters such as wall thickness, airtightness and mechanical ventilation.</p> <p>The policy should be clear that 'opportunities to reduce EUI in accordance with the toolkit' only relates to the requirements in para 1 (of the policy) and it is not setting requirements in excess of Building Regulations ( in terms of its fabric efficiency). It is suggested the policy is modified to provide clarity for the decision maker.</p> <p>Met</p> <p>Met</p>
Supporting text for Policy B6		Suggest that Policy EM10 is not referred to as 'out of date'. This has a particular meaning in the context of NPPF para 11. It would be more suitable to state that it does not fully reflect the ambition of national policy or the council's climate emergency declaration.	Local Plan Policy EM10	Suggest change to supporting text.	Met – text has been updated.

Section/ Policy (Reg 14)	Section/ Policy (Reg 16)	Regulation 14 Plan Comment	Relevant National Guidance (NPPF and PPG) and Local Policy	Potential options/actions	Regulation 16 Plan Comment
Policy B8: Valued Local Landscape		<p>Clause ii duplicates Policy B9.</p> <p>Clause ii) that they do not obstruct or have an unacceptable adverse impact on any other Important Views defined in policy B9; and</p>	<p>Policy EM11 – Landscape.</p> <p>NPPF 174 a</p>	Remove criterion	Met
Policy B8: Valued Local Landscape		<p>Clause iii) they minimising light pollution to preserve the dark night skies which contribute to the landscape character of the Parish.</p> <p>Clause iii introduces protection of dark skies in the parish. It would be helpful if the supporting text explained why the parish is an intrinsically dark landscape and the importance of dark skies inside and outside of the AONB. There is also the opportunity to add that preservation of dark skies will help to minimise impact on nocturnal animals.</p>	<p>Policy EM1 – Landscape</p> <p>NPPF 174 a</p>	Revise policy wording.	Met – text has been updated.
Policy B10: Green Infrastructure and Nature Recovery		<p>The general principle of connecting habitats to the green infrastructure network is supported. It is recognised that the Parish Council has worked with the Hampshire Biodiversity Information Centre (HBIC) to identify important habitats and that they have 'validated' the corridor opportunities (as stated in GI note) and consider them 'acceptable in principle' (in para 5.47). It would be helpful if further detail was provided to demonstrate and explain the level of assessment that HBIC has undertaken, and how they have drawn these conclusions.</p>	<p>Local Plan Policy EM4 (Biodiversity, Geodiversity and Nature Conservation)</p> <p>Local Plan Policy EM5 (Green Infrastructure)</p>	Revise policy wording.	<p>Not Met – the LPA would have liked to have seen further evidence to explain and justify the proposed green infrastructure network.</p> <p>Para 3.13 of the Consultation Statement states:</p> <p><i>It is also recommended that the network of 'Green Corridors' on the Green Infrastructure and Nature Recovery are illustrated in a way that continues to define their broad location for schematic purposes but</i></p>


Section/ Policy (Reg 14)	Section/ Policy (Reg 16)	Regulation 14 Plan Comment	Relevant National Guidance (NPPF and PPG) and Local Policy	Potential options/actions	Regulation 16 Plan Comment
		<p>Although the GI report is helpful, the evidence base could be more specific about how each of the green corridors has been identified in terms of their precise sizes/widths and locations - and the justifications for them. This would ideally be explained on a corridor-by-corridor basis.</p> <p>Paragraph 1: The Biodiversity Opportunity Area is an expansive area (as shown on Plan K) rather than a biodiversity site connected by the proposed green corridors. It therefore does not form part of the network in the same way as the designated habitats. It would be helpful to explain what Nature Recovery Areas are?</p> <p>Paragraph 2: maintain <u>or</u> improve, add 'and/or obligation' at end of para in the event the net gain is delivered off-site.</p> <p>Paragraph 3: The mitigation hierarchy would need to be applied on all sites, but the metric and net gain plan is only required for developments over 0.1ha.</p> <p>Paragraph 4: Although the location and alignment of the corridors has been informed by discussions with HBIC, their width/alignment cannot be considered to be precise and any impact would need to be considered on a case-by-case basis. It is therefore considered to be unduly restrictive to prevent the loss of all land lying within the network, and that the principal</p>			<p><i>their edges are illustrative. This acknowledges that applicants will be expected to consider the proximity of applications sites to these corridors in their own ecological assessments and apply the appropriate 'ecological rules of thumb' defined in the Nature Networks Evidence Handbook as necessary. (Reference 2 in the GINR Report)</i></p> <p>There could therefore be a tension between the policy only applying to developments 'within or adjoining the network' and the above statement (and para 5.61) which suggests they might have an influence on development over a wider area. It is suggested the policy is modified to provide clarity for the decision maker.</p> <p>Para 1. Reference to BOA removed from policy para 1 and addressed in the Green Infrastructure and Nature Recovery Report</p> <p>The paragraph also refers to Nature Improvement Areas. It would be helpful to understand where or how these have been defined as they are not shown on Plan L.</p> <p>Para 2. Point 1: Met – text changed.</p>



Section/ Policy (Reg 14)	Section/ Policy (Reg 16)	Regulation 14 Plan Comment	Relevant National Guidance (NPPF and PPG) and Local Policy	Potential options/actions	Regulation 16 Plan Comment
		<p>consideration should be the extent to which any development would fragment the network of sites, taking into account potential mitigation.</p> <p>‘Development proposals that will lead to the loss of land lying with the network or that will undermine its integrity will not be supported.’</p> <p>What is meant by ‘loss of land’? Is the network protected by Policy B10 just the green corridors shown on page 44? The scope of the network should be precisely defined and the policy requirement should be related to each site’s role/function in the network. The network (to be protected) should not include the BOA as this goes beyond policy EM4, and it would not be appropriate to prevent development across the whole, expansive area.</p> <p>The final sentence of para 4 should state, ‘Development proposals that lead to the extension <u>or enhancement</u> of the network through...’</p>			<p>Point 2: Not Met- the comment referred to para 3 where it should read ‘will be secured by a condition and or obligation’, at the end.</p> <p>It is not clear whether it is intended that all schemes will be required to demonstrate BNG, rather than just those within or adjoining the network.</p> <p>3. Met – and see above comment.</p> <p>After the 0.1ha requirement ‘or line with any updated published guidance’ would help to future proof the policy as NE has not yet published official guidance which could be slightly different.</p> <p>4. All the points have been met – wording amended</p>

Appendices		
Section	Regulation 14 Comment	Regulation 16 Comment
Design Code page 1	Does the front page need to say ‘Appendix 1’ or will there be a page in front of page 1 saying that this is Appendix 1?	Met

<p>Design Code, page 3 section 2</p>	<p><u>The Purpose of this Document</u> and section 3 <u>Understanding, Responding to and Applying the Code</u>          This Design Code provides detailed advice on character and design matters to assist with the consideration of development proposals against a much broader range of policy and guidance than just the Design and Sustainability SPD. The Design Code will assist the consideration of development proposals against other design policy and guidance including the NPPF, Policy EM10 of the adopted Local Plan and policies of the Neighbourhood Plan.</p>	<p>Met</p>
<p>Design Code pages 20,26</p>	<p><u>Character Area Maps</u></p> <p>Some of the notations on the character area inset maps are slightly difficult to see where multiple designations lie in the same place and some maps are slightly higher quality than others. As a minor point these maps might be worth reviewing, in particular, part of the key is missing for the map on page 29.</p> <p>Where there are conflicts on the map it is suggested the character area boundary is the key designation and other designations can be slightly offset.</p> <p>See example below:</p>	<p>Met – on page 34 one of the photograph captions has been covered by white space which needs amending:</p> <div data-bbox="1330 675 1727 855" data-label="Image"> </div> <p style="text-align: center;">.1 hard boundary treatments</p> <p>Part of the basemap is visible by the title on page 38, this can be cropped out.</p> <div data-bbox="1361 1002 1585 1098" data-label="Text"> <p style="text-align: center;">BURTON  <b>5. Character Assessment</b>          Burghclere Village Character Area F</p> </div>

	<p><b>aD</b></p>  <p>Large grass verges providing a more spacious feel</p> <p>Row of garages</p> <p>Burghclere Village Character Area Boundary</p> <ul style="list-style-type: none"> <li><span style="display: inline-block; width: 10px; height: 10px; border: 1px solid black; background-color: #8B4513; margin-right: 5px;"></span> C</li> <li><span style="display: inline-block; width: 10px; height: 10px; border: 1px solid black; background-color: #FF8C00; margin-right: 5px;"></span> Listed Buildings</li> <li><span style="display: inline-block; width: 10px; height: 10px; border: 1px solid black; background-color: #FFD700; margin-right: 5px;"></span> Local Heritage Assets</li> <li><span style="display: inline-block; width: 10px; height: 10px; border: 1px solid black; background-color: #90EE90; margin-right: 5px;"></span> Important Open Green Space</li> <li><span style="display: inline-block; width: 10px; height: 10px; border: 1px solid black; background-color: #228B22; margin-right: 5px;"></span> Important trees/tree groups</li> <li><span style="display: inline-block; width: 10px; height: 10px; border: 1px solid black; background-color: #32CD32; margin-right: 5px;"></span> Important hedgerows/boundary hedges</li> <li><span style="display: inline-block; width: 0; height: 0; border-left: 5px solid transparent; border-right: 5px solid transparent; border-bottom: 8px solid black; margin-right: 5px;"></span> Important views/vistas</li> <li><span style="display: inline-block; width: 0; height: 0; border-left: 5px solid transparent; border-right: 5px solid transparent; border-bottom: 5px solid black; margin-right: 5px;"></span> Glimpse views</li> </ul>	
<p>Design Code p47</p>	<p>In case it is not clear to the reader, the introductory text to the Design Principles section could highlight that the coloured boxes are taken from the D&amp;S SPD, and explain the way that the specific local design principles are numbered (highlighting their relationship with the SPD).</p>	<p>Met</p>
<p>Design Code pages 48-63</p>	<p>Suggest that the chapter is renamed Design Principles, and this is how they should be referred to throughout the document.</p>	<p>Met</p>
<p>Design Code</p>	<p>AW CSVP2.1: All new parking should be provided off-street</p> <p>The Parking SPD (2018) says that some on-street parking can be allowed in certain circumstances.</p>	<p>Met</p>

	<p>In the recently examined East Woodhay Neighbourhood Plan Policy TT1 required new development to provide off-street parking. The examiner took the view that some on-street parking can be allowed in certain circumstances. Whilst the character of the parishes is different, the examiner suggested that there may be circumstances, particularly if development includes new road configurations, that on-street parking might be appropriate.</p> <p>Suggest that the phrase 'where possible' is included in light of the above.</p>	
Design Code	OA MD16.1 – perhaps it would be beneficial to phrase this more positively with the types of surfacing that is expected which reflects the character of the area.	Not met but not essential.

#### Annex A: Minor Changes suggested

Minor changes suggested to Neighbourhood Plan (that do not go to the basic conditions)		
Section	Regulation 14 Comment	Regulation 16 Comment
Entire Document		The NPPF is being consulted upon until the 3 March 2023, with a new document expected in 'the Spring'. As a word of caution the consultation <i>may</i> have an impact upon the plan and if the proposed changes are approved, reference to the old NPPF will need to be replaced and paragraph numbers will need to be updated.
Plans	<p>Plan A and B: Consider whether it would be beneficial to have some of the maps re done to reflect those changes may have occurred on the basemap (for example new development) and to reduce blurriness.</p> <p>Plan O and P: These plans are slightly blurry, BDBC can provide higher quality maps if desired.</p>	Not met – mapping support from BDBC is still available if it is needed.
Policy B1	Paragraph 2: In relation to the proposed text: 'provided they are a use that is suited to the village', it is slightly unclear what this phrase is	Not met – no updates in relation to this point have been made.

	adding given proposals must comply with all other development plan policies. To help the decision maker, further clarification could be provided in the supporting text.	
Introductory Wording	<p>Modifications on page 4:</p> <p>‘But since our housing target has been met there is no additional housing allocation identified for Burghclere in the emerging Local Plan Update nor required in this modification to re-engage NPPF paragraph 14 protection’.</p> <p>It may be helpful to clarify that the Local Plan Update is still at an early stage, and the village’s housing requirement may change.</p>	Met in paragraph 3.13 – 3.15.
Objectives (Page 20)	<p>The third bullet under the Design, Heritage and Landscape objective should identify the delivery of high quality design and it is suggested it could state:</p> <p>‘To provide a Design Code specific to the parish that ensures high quality design for development in addition to guidance already available. (Policy B5 &amp; B8)’.</p>	Not met – minor point around wording.
Paragraph 1.12	N/A	Consider including a link to the white paper <a href="#">‘Making space for nature’: a review of England's wildlife sites published today - GOV.UK (www.gov.uk)</a> where the term ‘make space for Nature’ came from.
Paragraph 3.XX (between 3.4 and 3.5)	SPD stands for Supplementary Planning Document.	Met
Paragraph 3.XX (after 3.7)	There will be 12 Neighbourhood Plans made by the end of the consultation period.	Met
Para 5.10	<p>There have already been 6 dwellings at Sandham House that count towards Policy SS5’s requirement. The ‘residual’ housing requirement is therefore less than 10 dwellings.</p> <p>It is therefore suggested that the word ‘residual’ is deleted as 10 dwellings is the village’s full SS5 requirement.</p>	Met

Paragraph 5.23	Paragraph 65 of the NPPF (remove the extra 6).	Met
Policy B3: Residential Garden Land	<p>It is recognised that this is already in the made plan, but it may be helpful if Criteria ii) was amended so the word 'reflect' is replaced with the phrase 'have due regard to' in the criteria "they reflect the scale, mass, design and layout of existing residential dwellings in the surrounding area."</p> <p>This is because, in some cases, the scale, mass, design and layout of existing housing in the surrounding area may not be of a high quality or sufficiently locally distinctive. There should be the flexibility for new development to vary from the character of the surrounding area whilst still being of a high quality in accordance with the Design Code.</p>	Met – there is also a strikethrough that needs removing in criteria i.
Paragraph 5.25	It would be helpful to explain what paragraph 10 of the council's informal guidance covers, as this document may be superseded, and it is critical to the understanding of the para.	Not met
Paragraph 5.26	<p>For clarity it should state:</p> <p style="padding-left: 40px;">In no way does this policy affect the rights of the owners to continue using land within their curtilage <u>of their homes</u> as garden land.</p>	Not met – minor point
Paragraph 5.26	Town and Country Planning (General Permitted Development) Order 2015 (as amended).	Met
Paragraphs 5.32 and 5.33	These paragraphs could be amended so that they emphasise more how the Design Code identifies those elements of local character which development proposals should have regard to. It could be explained how this will assist the consideration of development proposals against relevant design policy and guidance including the NPPF, Policy EM10 of the adopted Local Plan, the Design and Sustainability SPD and policies of the Neighbourhood Plan.	Not Met
Policy B8: Valued Local Landscape	<p>Clause iii) they minimising light pollution to preserve the dark night skies which contribute to the landscape character of the Parish.</p> <p>Should be minimise not minimising.</p>	Met

Policy B10	NA	The policy mainly focuses on habitats with no mention of protected species.
Paragraph 5.45	Habitat creation <u>and enhancement</u>	Not met
Schedule of evidence	Consider why some of the documents are shown as removed from the list, particularly the documents relating to Land off Harts Lane/ Winchester Road as this site does not have planning permission nor has it been built. It is recommended all documents are retained as evidence unless there is good reason for removing them.	Met
Design Code	Page 46 – section 5 is Character Assessment; page 47 is section 6 Design Codes when page 48 goes back to Section 5 design codes. Suggest this is an editing matter.	Met
Green Infrastructure Report p4	Increasing woodland cover <u>in the right locations</u> Final para could refer to BDBC's specific Climate Emergency and Ecological Emergency declarations.	Met
Green Infrastructure Report p5	After Environment Act 2021, the competent authority for Local Nature Recovery Strategies will be Hampshire County Council. Last para: Off-site measures will only be required where on site BNG can't be delivered or not enough on site to get to 10%. In such cases, the location of off-site BNG within strategic areas to 'meet wider nature recovery objectives' is encouraged.	Met
Green Infrastructure Report p6	Citation for Old Burghclere Quarry highlights botanical interest rather than geological.	Not Met on (page 5)
Green Infrastructure Report	Reference documents – whilst the links are handy ensure these links are typed out in full for hard copy documents.	Met



17 January 2023

## Burghclere Neighbourhood Plan Review – Modification Statement

Under section 17 (e) (ii) of The Neighbourhood Planning (General) Regulations 2012 (as amended), the Local Planning Authority (LPA) is required to submit a statement setting out whether or not it considers the proposed modifications to be so significant or substantial they would change the nature of the plan. The LPA is also required to give reasons why this conclusion has been reached.

The Burghclere Neighbourhood Plan was made in May 2021 and the decision to review the plan was taken in December 2021. Since the plan was adopted there have been legislative changes such as the Environment Act 2021, as well as the declaration of an ecological emergency by the borough council.

The Burghclere Neighbourhood Plan includes changes to a number of policies: B1 Burghclere Settlement Policy Boundary; B2 Land of Harts Lane/ Winchester Road; B3 Residential Garden Land Development; B4 House Mix, Tenure and Provision of Smaller Homes; B5 Burghclere Design Code; B6 Net Zero Carbon Buildings; B8 Valued Local Landscape; and B10 Green Infrastructure and Nature Recovery.

A summary of the key changes arising from these changes are listed below:

- A local design code to ensure high quality design.
- A requirement for new homes to be 'net zero ready' by design through landform, layout, building orientation, massing and landscaping. To also minimise resource use and embodied carbon in construction. The policy also requires an Energy Statement to be submitted with applications to demonstrate how this is being met (except for householder applications).
- Identification and protection of 'fingers of the countryside' as a key landscape feature for the setting of Burghclere.
- Protection of dark skies to preserve the landscape character of the parish and protect nocturnal species.
- The identification of a 'Green Infrastructure and Nature Recovery Network', with a policy to enhance the green corridors and protect them from fragmentation.



The Planning Practice Guidance (PPG) sets out 3 types of modification that can apply when a neighbourhood plan is reviewed. These are:

- Minor (non-material) modifications to a neighbourhood plan or order are those which would not materially affect the policies in the plan or permission granted by the order. These may include correcting errors, such as a reference to a supporting document, and would not require examination or a referendum.
- Material modifications which do not change the nature of the plan or order would require examination but not a referendum. This might, for example, entail the addition of a design code that builds on a pre-existing design policy, or the addition of a site or sites which, subject to the decision of the independent examiner, are not so significant or substantial as to change the nature of the plan.
- Material modifications which do change the nature of the plan or order would require examination and a referendum. This might, for example, involve allocating significant new sites for development.

The Local Planning Authority 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 modifications go beyond correcting errors, suggesting it is more than a minor (non material) modification;
2. The modified plan includes the addition of a design code which builds on policy B5. This is not considered so significant or substantial to change the nature of the plan but goes beyond a minor modification;
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.

Therefore, in summary, the LPA considers that the neighbourhood plan should be subject to an independent examination but not a referendum.