



Basingstoke and Deane

Basingstoke and Deane Borough Council

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Julian Crawley
Sherborne St John Neighbourhood Plan Group

12 February 2016

Dear Julian

Informal comments on draft Neighbourhood Plan

Thank you for letting me review a copy of your draft Neighbourhood Plan, prior to undertaking Regulation 14 consultation.

The Local Planning Authority very much welcomes your efforts to bring forward a Neighbourhood Plan, and recognises that considerable work and extensive public consultation has gone into it.

As there has only been a short period of time to review the draft documents (Neighbourhood Plan document (Rev 7) and evidence base summary (Rev 6)), these comments principally focus on the proposed policies and site allocation. Although I have liaised with officers from other council departments, due to the tight timescales their responses have been necessarily brief. These are informal comments at officer-level and I hope you find them helpful. I would be very happy to meet with you and discuss any of these matters further should you wish.

As you will see, this response is organised into two parts. Part 1 considers the draft Neighbourhood Plan against the 'basic conditions' which the examiner will use to assess the Plan, whilst Part 2 provides a more detailed assessment of different parts of the document.

Overall, the document is very clearly written and structured, and it is helpful that each policy includes cross references to the plan objectives and relevant evidence base documents. I note that the baseline document summarises and 'sign posts' the original studies, but these do not seem to be available online at this time. I would strongly suggest that all these resources are made available in full when you undertake consultation (ideally on the internet). In particular, it will be important to provide information to justify and explain the site allocation at Cranes Road, and show how you have assessed alternatives. I have made a number of suggestions that I consider would help the Plan through examination and make it a more robust Development Management tool.

I hope that you will have the opportunity to review these comments, and I would suggest that there may be some benefit to making changes to your draft Plan prior to undertaking wider Regulation 14 consultation. In any case, the Local Planning Authority will respond to your Plan in a more formal capacity when this takes place and the comments provided here are done so without prejudice to that process.

On a related matter, if you have not already done so, I would urge you to establish a clear scheme of delegation to set out who can make decisions about the Plan on behalf of the Parish Council (who are the qualifying body), and to make information about this structure publicly available. I would suggest this should be published alongside the consultation material on your website.

I hope that the comments provided are of use to you. If you require further information or clarification please do not hesitate to contact me on 01256 845464 or by emailing matt.melville@basingstoke.gov.uk. Please note, however, that I am not in the office in the week commencing 15 February.

Yours sincerely

Matt Melville
Principal Planning Officer

CC: Richard Morgan, Chairman, SSJ PC

Part 1 – Local Planning Authority comments in relation to the ‘basic conditions’

An Independent Examiner will assess the Sherborne St John NP against the ‘basic conditions’, which can be summarised as follows:

- 1 whether the neighbourhood plan has regard to national planning policy and guidelines;
- 2 whether the neighbourhood plan contributes to achieving sustainable development;
- 3 whether the neighbourhood plan is in general conformity with the borough council’s development plan; and
- 4 whether the neighbourhood plan complies with EU and human rights obligations.

These comments focus on considering the neighbourhood plans against each of the ‘basic conditions’ criteria. At the time of submission it will be necessary to provide a Basic Conditions S

1. Having regard to national planning policy and guidelines

The National Planning Practice Guide (PPG, ID: 41-041-20140306) sets out the requirements in relation to the wording of neighbourhood plan policies. In particular, it states that they:

‘... should be drafted with sufficient clarity that a decision maker can apply it consistently and with confidence when determining planning applications. It should be concise, precise and supported by appropriate evidence.’

It is considered that the wording and structure of the policies in the Plan would benefit from greater clarity and precision. Further guidance on these issues and how they can be addressed, is set out in Part 2 below.

The document should also ‘plan positively’. Whilst I note you have allocated a site for development, the wording of parts of the Plan (Policy 3 in particular) should be reconsidered to provide a more positive stance.

The PPG requires that the neighbourhood plan is supported by an appropriate evidence base. The policies in the Plan signpost the relevant evidence base documents, but these are not currently available. Part 2 of this document signposts where additional evidence may be required to strengthen the proposed approach,

2. Contribution towards achieving sustainable development

The NPPG (Ref ID – 41-072-20140306) states that:

‘A qualifying body must demonstrate how its plan or Order will contribute to improvements in environmental, economic and social conditions or that consideration has been given to how any potential adverse effects arising from

the proposals may be prevented, reduced or offset (referred to as mitigation measures).

'In order to demonstrate that a draft neighbourhood plan or Order contributes to sustainable development, sufficient and proportionate evidence should be presented on how the draft neighbourhood plan or Order guides development to sustainable solutions.'

It is noted that the Plan was screened and it was determined that an SEA was not required. Appendix 12 is helpful in demonstrating how the policies would comply with the Local Plan's SA objectives. However this could be strengthened if the impact was quantified (strongly positive (++)), positive (+), neutral (=), negative (-), strongly negative (--)) and possibly also colour-coded. It may also be helpful to identify some monitoring criteria to measure the performance of these policies going forward.

One element of sustainable development is to demonstrate that the most appropriate site has been identified when considering relevant environmental, social and economic factors. It is therefore important that in explaining the site selection process you also provide the technical information to demonstrate how the sites were assessed.

3. General conformity with the strategic policies of the Development Plan

As you are aware, the Local Plan is at a transitional stage, and I welcome your attempts to demonstrate how your approach would be in conformity with the adopted and emerging Development Plan Documents. At this stage, the Plan needs to conform with the saved policies but upon adoption of the Plan these will be replaced, so you need to be mindful of this changing position. It is, however, worth being aware on the progress of the Local Plan, and if necessary updating your document at a later date accordingly.

4. European obligations and Human Rights requirements

Following a "screening" assessment by the borough council it has been determined that neither a Strategic Environmental Assessment nor a Habitats Regulation Assessment are required.

No detailed assessment appears to have been made in relation to human rights legislation (Human Rights Act 1998). This should be covered in the basic conditions statement. The LPA would encourage you to consider if an equalities impact assessment of the draft neighbourhood plan is appropriate to assess the positive and negative impacts on groups with protected characteristics. The LPA can provide further advice in this regard.

PART 2: DETAILED ASSESSMENT OF THE SHERBORNE ST JOHN NEIGHBOURHOOD PLAN AND SUPPORTING DOCUMENTATION

This section provides a more detailed assessment of the SSJ NP and supporting documents in relation to the 'basic conditions' requirements. This includes an assessment of how the SSJ NP would operate in practice once it is 'made'.

Section/ Policy	Issue	Relevant National Guidance (NPPF and NPPG)	Potential options/actions
General comment	It would be helpful if the paragraphs were numbered. This would help respondents reference their comments.		Include paragraph numbers.
2.8 (page 12)	<p>Section 2.8 covers monitoring and review and highlights the identification of 'policies in the Plan that are not functioning as efficiently as they could'.</p> <p>It is suggested that monitoring indicators are identified for each of the policies in the Plan to assist with this.</p>		Include monitoring indicators for each policy.
3.0 (page 16) Demography	<p>The section on demography is important to explain and justify the proposed housing number.</p> <p>It might be helpful to add information about the scale of need on the existing housing register for SSJ (rather than just the number of likely new additions). It might also be helpful to qualify that the 'future shrinking local population' is as a consequence of the ageing population and declining household sizes and limited anticipated new stock (presumably this statement is based upon Hampshire's Small Area Population Forecast?), rather than a reflection of low likely demand (as context, the Council's housing target has to take account of net migration into the borough as well as natural change). Was there a certain development size necessary to make the provision of the shop viable? I note that your local population</p>		<p>Reconsider emphasis given to shrinking local population, and consider whether there is further evidence available to support the scale of the housing allocation.</p> <p>It would be helpful to provide footnotes linking to data sources (for example, the demographic modelling).</p>

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	<p>information has nonetheless been balanced against more strategic considerations to inform your proposed housing number.</p>		
<p>3.0 (page 16) Environmental Constraints</p>	<p>The section on environmental constraints could be broken into sub-categories (landscape, biodiversity, heritage etc) for greater clarity.</p> <p>Whilst heritage constraints are referred to here, the significance of the Vyne, and the Conservation Area (with a reference to the key findings of the Conservation Area appraisal) and other heritage assets could be explained more fully.</p>		<p>Consider restructuring to improve clarity and provide further detail regarding heritage assets.</p>
<p>3.0 (page 16) Environmental Constraints</p>	<p>It is not clear the extent to which the Wildlife Map would be a development management tool.</p> <p>The Council's Green Infrastructure Strategy could be used to help to inform the map at a strategic level. There is an opportunity for the identification of wildlife areas to result in the identification of green corridors that could be protected and enhanced through the Development Management process if the necessary 'hooks' are provided through policy. As part of this work it may also be necessary to identify habitats outside the Parish boundary.</p> <p>Ideally this work would be done in advance of the Plan so that green corridors could be identified in the Plan itself. However, in the absence of this, a policy could provide a 'hook' to assess future proposals when the evidence base exists. Such a requirement would tie in to Objective 3, and could be included in Policy 3.</p>		<p>Provide additional detail about status and use of wildlife map, and consider whether this could tie in with a policy approach.</p>

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Maps (pages 18-19)	<p>It is not possible to read the key on Maps 2 and 3.</p> <p>Maps could show footpaths and identify significant viewpoints, if they were clearly explained and evidenced.</p>		<p>Improve clarity of keys, and consider showing additional information.</p>
Vision and Objectives	<p>The Plan's vision and objectives are clearly set out and there is a clear link between them and with the subsequent policies.</p> <p>However, whilst the 'wishes of the community' have informed your Plan, future planning applications would need to be considered against material planning considerations – and would be determined on the strength of those considerations rather than weight of popular opinion. I would suggest that reference to the 'wishes of the community' could be reworded in both the vision and objective 1.</p> <p>Objective 3 could refer to 'establish, <i>enhance</i> and maintain green corridors'.</p>		<p>Consider revision to vision and objectives 1 and 3</p>
SSJ Policy 1	<p>The policy, as currently worded, does not provide enough clarity on how the decision maker is meant to respond to the policy.</p> <ul style="list-style-type: none"> a 'In the village' – It is unclear what this means. Does this policy only apply to development within the Settlement Policy Boundary (built-up area) of Sherborne St John, and if so, why? b It is unclear whether the reference to a 'mix of homes' refers to a mix of unit sizes, or a mix of dwelling types (houses/flats), a mix of tenures, or all of these. This 	<p>NPPG Reference ID: 41-041-20140306</p>	<p>Suggest that clarification of the policy is necessary.</p> <p>Consider identifying a proportion (or a range of proportions) for 2 and 3-bed dwellings.</p> <p>Change 'Preference will be given to...'; to 'Development proposals will only be permitted where...' (or similar).</p>

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	<p>should be clarified.</p> <ul style="list-style-type: none"> c The terminology 'preference will be given to', would be difficult to use when assessing a planning application. d 'Where the majority of dwellings have two or three bedrooms'. Does this imply that a scheme would be acceptable if 51% of the properties were sized accordingly? How does this apply where there is a net gain of two dwellings? Are these market properties only? It would be helpful if the summary of the Housing Needs Review (Baseline Report 11) was bolstered with more detail about how the study supports the need for smaller dwellings. e The second paragraph of the policy does not deliver a clear message about affordable housing. Is the purpose of this to ensure that the on-site affordable housing units are 2/3 bed, or is it asking for affordable housing to be delivered on site in preference to taking a financial contribution in lieu (which the Local Plan proposes on smaller sites)? The latter approach may result in single affordable housing units, which can cause management difficulties for Registered Providers. 		<p>Suggest that policy only steers market dwellings, and that affordable housing size mix is left to the Council to negotiate on a site-by-site basis on the requirements of the housing register at that time.</p>
<p>SSJ Policy 2 introductory text (page 25)</p>	<p>'To ensure this erosion is avoided <i>wherever possible</i>'.</p> <p>Suggest removal of 'wherever possible' as this weakens policy approach.</p>		<p>Revise wording.</p>
<p>SSJ Policy 2</p>	<p>Suggest that further clarity is added to this policy.</p> <ul style="list-style-type: none"> a The phraseology 'will not be supported' is not appropriate for a Development Management policy 		<p>Change 'will not be supported' to 'Development will only be permitted where...'</p>

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	<p>(see alternative suggestion).</p> <ul style="list-style-type: none"> b What is important about the ‘distinct area of countryside’? c What type of proposal would cause ‘erosion’? Is it development that would diminish the physical and/or visual separation? d Where is the distinct area? A specific area should be mapped and justified (the council’s landscape studies can assist with this). <p>If the Local Plan Inspector accepts Policy EM2 (Strategic Gaps), will this policy add anything extra and is it still required?</p>		<p>Outline what proposals the policy applies to.</p> <p>Map the area that the policy applies to.</p>
SSJ Policy 3	<p>This policy covers a number of distinct topic areas, and would benefit from a clearer structure. If a key element of the Parish’s character is its heritage significance, you may wish to consider how that might be covered here too (if it would add something to the existing policy framework). Could local views be identified and evidenced, and ‘protected’ (in a pragmatic, flexible way) by policy too?</p> <p><u>Para 1:</u></p> <ul style="list-style-type: none"> a ‘Seek to ensure’ provides uncertainty and should be revisited. b Wording ‘at least’ is not necessary. c What are the Parish’s ‘natural assets’? Are there others which aren’t specified elsewhere in this policy or the supporting text? This could possibly be made clearer. 	<p>Local Greenspace: NPPF para 76 and 77</p>	<p>Consider splitting policy into a number of topic based policies or sub-policies (and/or numbering separate criteria).</p> <p>Start policy with, ‘Development will be permitted where...’, and change emphasis of policy to make it more positive.</p> <p>Review specific wording as indicated in the comments.</p>

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	<p><u>Para 2:</u></p> <p>d Could this policy be a ‘hook’ to identify and allocate Local Green Spaces (as you have identified in part 5 of your evidence base document – though I would suggest that some of these would not qualify as Local Green Spaces by reason of their size and use – re NPPF para 77)? If so, the policy should explain how development proposals on such sites should be considered (note approach in Oakley and Deane Neighbourhood Plan).</p> <p><u>Para 3:</u></p> <p>e Does this partly repeat para 1?</p> <p>f This section should be turned around to be phrased more positively.</p> <p>g Expand ‘integrity of important habitats’ to also refer to ‘network of habitats’ to provide a hook for future green infrastructure work.</p> <p>h Remove the word ‘excessive’ from light or noise pollution as this has no basis in government policy.</p> <p><u>Para 4:</u></p> <p>i The criterion could be broadened to relate to the form of development (loose character, gaps between dwellings etc?)</p> <p>j Care that this bullet point does not provide a conflict with Policy 2. Could start criterion, ‘Where</p>		

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	development is acceptable in all other respects...’.		
SSJ Policy 4 – Site allocation – General comments about site selection	<p>As explained in Part 1, it is necessary to demonstrate that the Plan is proposing to allocate the most appropriate and sustainable site.</p> <p>I note that the earlier sections of the Plan refer to the extensive community consultation that has taken place, but in Appendix 11 it is not clear whether this site was considered as part of the consultation in March 2015, and if so, what the outcome was.</p> <p>It will be important to ensure all the site assessment proformas are available to demonstrate that alternatives have been appropriately considered, and that the Plan would deliver the most sustainable strategy. This (and, I would suggest, a covering report) should clearly demonstrate how technical issues as well as local views have informed the site selection process.</p>		<p>Ensure that the evidence base, including public consultation and technical studies which have led to the allocation of land at Cranes Road are made available and are referred to appropriately in the plan.</p>
SSJ Policy 4 – Site allocation – General comments about site at Cranes Road	<p>In having regard to national policy and delivering sustainable development, it is necessary to demonstrate that the potential impacts of development on the site have been understood and can be mitigated. In making these comments, I have seen your Planning Aid site pro-forma (which provides a high level overview of the site), and the more detailed heritage assessment prepared by Sigma Planning for Historic England as part of the SEA screening,</p> <p><u>Historic Environment</u> One of the greatest potential impacts from development on this site could be upon the historic environment. Whilst the Plan</p>		<p>Consider whether further evidence is required to support site allocation.</p>

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	<p>refers to this site as an ‘infill’ that would consolidate the village, the council’s Conservation Area appraisal identifies the different historical origins and characters of Sherborne St John and West End, with the implication that the perceived physical separation of the settlements is a desirable feature. You may wish to expand the Sigma assessment to consider this matter, and to address the other issues identified by Historic England in their letter dated 9 December 2015.</p> <p><u>Landscape</u> It could also be helpful to do further work to consider the impact of the development in landscape terms, in particular the impact of closing the ‘gap between the A340 and Sherborne St John village. The visual prominence of the development is likely to be increased by the level of the site relative to the A340 and the western end of Cranes Road.</p> <p>In the absence of any natural boundaries to the south, it would also be helpful to justify the size and extent of the site and to explain how the southern extent of the site has been determined. This may be related to having a strong justification for your housing number.</p> <p><u>Indicative site plan</u> I would also strongly suggest that the ‘indicative site layout’ should not be included within the Plan. This is too detailed for a document of this nature and there are a number of concerns with the plan as it is shown. Detailed discussions regarding such issues as layout and boundary treatments should be considered through the planning application process</p> <p><u>Site capacity</u></p>		

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	<p>There are related concerns about whether 18 dwellings could be accommodated on the site in an acceptable manner. The council could undertake an estimate of site capacity if that would assist.</p> <p><u>Access</u> It may be helpful to do some preliminary work to demonstrate that a safe access can be formed into the site, in a location that would be acceptable in all other respects. It is noted that the less vegetated part of the boundary with Cranes Road is close to a corner in the road, and close to the junction with Cranesfield. I note that on a prior approval application for change of use application on the adjacent barn (behind 2 Cranes Road, Ref, 13/02410/GPDAG), the Highways Officer raised concerns about visibility at the access (though I note this is closer to the corner and this junction).</p>		
<p>SSJ Policy 4 Introductory text map (page 27)</p>	<p>The current map has no key and does not show the site's boundaries in sufficient detail. A more detailed plan is required.</p> <p>This should also clarify whether the new site would result in a change to the village's Settlement Policy Boundary.</p>		<p>Revise plan and consider whether the SPB is to be amended</p>
<p>SSJ Policy 4 Introductory text (page 28, bp2)</p>	<p>Bullet point 2. It would not be reasonable to <i>require</i> the village shop to be transferred to the Parish Council upon completion.</p>		<p>Set out that the transfer of the shop is an aspiration.</p>
<p>SSJ Policy 4 Introductory text (page 28)</p>	<p>It is not clear how the reduction in affordable housing required has been calculated or how it is justified. A reduced affordable housing requirement would not be in accordance with the strategic policy of the development plan.</p>		<p>It is recommended that the policy requirement should be set at 40% (as per the Local Plan). If this cannot be achieved as part of any subsequent planning application (taking into account</p>

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			the infrastructure requirements of the policy), a lower level could be negotiated through the Section 106 agreement based upon an open book viability assessment.
SSJ Policy 4:	<p>It is recommended that this policy is broken into separate parts to provide greater clarity.</p> <p><u>Para 1:</u></p> <ul style="list-style-type: none"> a It is not necessary to describe the site location in the policy. This will be shown on the relevant map. b It is not considered appropriate to cross-refer to the layout plan, particularly given the concerns raised elsewhere. The layout of the development should be informed by the opportunities and constraints of the site that you identify through criteria in the policy. <p><u>Para 2:</u></p> <ul style="list-style-type: none"> c The proposed mix of homes is very specific. It is not clear from the Housing Needs Statement how such a precise mix is supported by evidence. Perhaps it would be better to identify a proportion of 2/3 bed market dwellings that should cross reference to the housing mix requirement set in SSJ Policy 1? <p><u>Para 3:</u></p> <ul style="list-style-type: none"> d Unnecessary to state number of units given % requirement. Suggest removing. 		<p>Suggest restructuring policy along the following lines:</p> <p>‘The site will deliver a high quality development that will:</p> <ul style="list-style-type: none"> (a)... (b)...’ <p>Consider rewording the policy in light of issues raised,</p>

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	<p><u>Para 4:</u></p> <ul style="list-style-type: none"> e Unclear why the shop is referred to as an ‘option’. Should be a requirement unless developer demonstrates that it is not deliverable or viable as part of the planning application. f Is the shop floor area gross or net? (typically 30% difference). g Clarify requirements of a ‘community shop’. You may wish to state that the shop should provide local shopping facilities, or ‘predominantly convenience floorspace’, to ensure that the end use provides a local benefit to residents. <p><u>Para 5:</u></p> <ul style="list-style-type: none"> h Generally the Council’s standards would not require on-site Public Open Space for a development of this size. Consideration should be given to the functionality and future maintenance of this space. BDBC officers in the Public Open Space team may be able to advise whether there is a particular shortfall against the Council’s per capita standard in the local area. <p><u>Paras 6 and 7:</u></p> <ul style="list-style-type: none"> i It is helpful that these paragraphs secure the key elements of mitigation identified in the Sigma heritage assessment. j Consider including criteria to require strong landscaping on the southern boundary. k Suggest include reference to ‘character and 		

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	<p>appearance' of the conservation area.</p> <ul style="list-style-type: none"> l Splitting these paras into separate criteria will assist the assessment of proposals through the development management process. m Are any nature conservation measures required or proposed? 		
SSJ Policy 4, Map 5 (page 29)	Consider removing the map in light of the comments outlined above.		Consider removing the map in light of the comments outlined above
Community Action Plan (page 30)	Footpath works would normally be the responsibility of Hampshire County Council, as the Local Highway Authority, rather than BDBC.		Update text as suitable.