

Crookham Village Parish Neighbourhood Development Plan 2016-2032

**A report to Hart District Council on the Crookham
Village Parish Neighbourhood Development Plan**

**Andrew Ashcroft
Independent Examiner
BA (Hons) M.A. DMS M.R.T.P.I.**

Director – Andrew Ashcroft Planning Limited

Executive Summary

- 1 I was appointed by Hart District Council in September 2019 to carry out the independent examination of the Crookham Village Parish Neighbourhood Development Plan.
- 2 The examination was undertaken by written representations. I visited the neighbourhood plan area on 19 September 2019.
- 3 The Plan includes a range of policies and seeks to bring forward positive and sustainable development in the neighbourhood area. There is a very clear focus on safeguarding local character and providing a context within which development can be accommodated within a proposed Settlement Boundary. It proposes a series of local green spaces. In the round the Plan has successfully identified a range of issues where it can add value to the strategic context in the wider development plan. It has a particular focus on maintaining the rural identity of the neighbourhood area and identifying Local Gaps.
- 4 The Plan has been underpinned by community support and engagement. It is clear that all sections of the community have been actively engaged in its preparation.
- 5 Subject to a series of recommended modifications set out in this report I have concluded that the Crookham Village Neighbourhood Plan meets all the necessary legal requirements and should proceed to referendum.
- 6 I recommend that the referendum should be held within the neighbourhood area.

Andrew Ashcroft
Independent Examiner
16 March 2020

1 Introduction

- 1.1 This report sets out the findings of the independent examination of the Crookham Village Parish Neighbourhood Development Plan 2016-2032 (the 'Plan').
- 1.2 The Plan has been submitted to Hart District Council (HDC) by Crookham Village Parish Council in its capacity as the qualifying body responsible for preparing the neighbourhood plan.
- 1.3 Neighbourhood plans were introduced into the planning process by the Localism Act 2011. They aim to allow local communities to take responsibility for guiding development in their area. This approach was subsequently embedded in the National Planning Policy Framework (NPPF) 2012 and its updates in 2018 and 2019. The NPPF continues to be the principal element of national planning policy.
- 1.4 The role of an independent examiner is clearly defined in the legislation. I have been appointed to examine whether or not the submitted Plan meets the basic conditions and Convention Rights and other statutory requirements. It is not within my remit to examine or to propose an alternative plan, or a potentially more sustainable plan except where this arises as a result of my recommended modifications to ensure that the plan meets the basic conditions and the other relevant requirements.
- 1.5 A neighbourhood plan can be narrow or broad in scope. Any plan can include whatever range of policies it sees as appropriate to its designated neighbourhood area. The submitted plan has been designed to be distinctive in general terms, and to be complementary to the development plan in particular. It has a clear focus on maintaining the identity of the neighbourhood area and ensuring good design standards.
- 1.6 Within the context set out above this report assesses whether the Plan is legally compliant and meets the basic conditions that apply to neighbourhood plans. It also considers the content of the Plan and, where necessary, recommends modifications to its policies and supporting text.
- 1.7 This report also provides a recommendation as to whether the Plan should proceed to referendum. If this is the case and that referendum results in a positive outcome the Plan would then be used to determine planning applications within the Plan area and will sit as part of the wider development plan.

2 The Role of the Independent Examiner

- 2.1 The examiner's role is to ensure that any submitted neighbourhood plan meets the relevant legislative and procedural requirements.
- 2.2 I was appointed by HDC, with the consent of the Parish Council, to conduct the examination of the Plan and to prepare this report. I am independent of both HDC and the Parish Council. I do not have any interest in any land that may be affected by the Plan.
- 2.3 I possess the appropriate qualifications and experience to undertake this role. I am a Director of Andrew Ashcroft Planning Limited. In previous roles, I have over 35 years' experience in various local authorities at either Head of Planning or Service Director level. I am a chartered town planner and have significant experience of undertaking other neighbourhood plan examinations and health checks. I am a member of the Royal Town Planning Institute and the Neighbourhood Planning Independent Examiner Referral Service.

Examination Outcomes

- 2.4 In my role as the independent examiner of the Plan I am required to recommend one of the following outcomes of the examination:
- (a) that the Plan is submitted to a referendum; or
 - (b) that the Plan should proceed to referendum as modified (based on my recommendations); or
 - (c) that the Plan does not proceed to referendum on the basis that it does not meet the necessary legal requirements.
- 2.5 The outcome of the examination is set out in Sections 7 and 8 of this report.

Other examination matters

- 2.6 In examining the Plan I am required to check whether:
- the policies relate to the development and use of land for a designated neighbourhood plan area; and
 - the Plan meets the requirements of Section 38B of the Planning and Compulsory Purchase Act 2004 (the Plan must specify the period to which it has effect, must not include provision about development that is excluded development, and must not relate to more than one neighbourhood area); and
 - the Plan has been prepared for an area that has been designated under Section 61G of the Localism Act and has been developed and submitted for examination by a qualifying body.
- 2.7 I have addressed the matters identified in paragraph 2.6 of this report. I am satisfied that the submitted Plan complies with the three requirements.

3 Procedural Matters

3.1 In undertaking this examination I have considered the following documents:

- the submitted Plan;
- the appendices of the Plan;
- the Basic Conditions Statement;
- the Consultation Statement;
- the HDC SEA/HRA screening determination;
- the Parish Council's responses to my Clarification Note;
- the District Council's responses to my Clarification Note;
- the Parish Council's additional evidence in respect of Policy NE01;
- the representations made to the Plan;
- the representations made to the additional evidence in respect of Policy NE01;
- the Hart District Local Plan and First Alterations 1996-2006 Saved Policies (2009)
- the Planning Inspector's report on the Hart Local Plan (Strategy and Sites) 2032 (10 February 2020);
- the Hart Local Plan (Strategy and Sites) 2032 as reported to the Council's Cabinet on 5 March 2020 and to be considered for adoption at the Full Council on 26 March 2020;
- the National Planning Policy Framework (February 2019);
- Planning Practice Guidance (March 2014 and subsequent updates); and
- relevant Ministerial Statements.

3.2 I visited the neighbourhood area on 19 September 2019. I looked at its overall character and appearance and at those areas affected by policies in the Plan in particular. My visit is covered in more detail in paragraphs 5.9 to 5.16 of this report.

3.3 It is a general rule that neighbourhood plan examinations should be held by written representations only. Having considered all the information before me, including the representations made to the submitted plan, I was satisfied that the Plan could be examined without the need for a public hearing. I advised HDC of this decision once I had received the responses from both HDC and the Parish Council to the clarification note.

3.4 With the agreement of HDC the examination was delayed so that I could take account of the outcome of a recent judicial review of the Council's intention to make the Hook Neighbourhood Plan after its separate examination and referendum. That review was based on the Plan's incorporation of local gaps. It has similarities with the approach of Policy NE01 in the submitted Crookham Village Plan.

3.5 During this same period significant progress was made in relation to the eventual adoption of the emerging Hart Local Plan (Strategy and Sites) 2032. On 10 February 2020 HDC received the Inspector's report on that Plan. HDC announced its intention shortly thereafter to report the Inspector's report to Full Council on 26 March 2020 and to proceed to adopt the Plan. In these circumstances I agreed with HDC that I should

assess the neighbourhood plan against what is anticipated to be the newly-adopted Local Plan for the purposes of the basic conditions.

- 3.6 In this context this report was prepared in advance of the Council's decision to adopt the Local Plan. This approach was taken so that the Council could make a decision on whether or not the neighbourhood plan meets the basic conditions and should proceed to referendum at a Special Cabinet meeting to be held immediately after the Full Council meeting. In doing so I had full access to the consolidated version of the Local Plan (incorporating all the recommended Main Modifications) which was considered at the Council's Cabinet on 5 March and which will be considered thereafter at the Full Council meeting on 26 March 2020. In addition, the District Council had committed not to consider the report on the neighbourhood plan in the event that the Local Plan was not adopted at the meeting on 26 March 2020.
- 3.7 This process will avoid the need for a neighbourhood plan which had been assessed against the Hart Local Plan 1996-2006 for the purposes of the basic conditions to be reviewed almost immediately thereafter once the Hart Local Plan (Strategy and Sites) 2032 had been adopted.

4 Consultation

Consultation Process

- 4.1 Policies in made neighbourhood plans become the basis for local planning and development control decisions. As such the regulations require neighbourhood plans to be supported and underpinned by public consultation.
- 4.2 In accordance with the Neighbourhood Planning (General) Regulations 2012 the Parish Council has prepared a Consultation Statement. This Statement sets out the mechanisms used to engage all concerned in the plan-making process. It also provides specific details about the consultation process that took place on the pre-submission version of the Plan (January to February 2018). The wider Statement is well-developed. It captures the key issues in a proportionate way and is then underpinned by more detailed appendices.
- 4.3 The various appendices are particularly helpful in the way in which they describe the stages of the wider plan-making process. They add life and depth to the Statement. Appendices B-F reproduce certain elements of the consultation materials.
- 4.4 The Statement sets out details of the comprehensive range of consultation events that were carried out throughout the various stages of the Plan. They included:
- the initial drop-in session in the Zebon Centre;
 - the provision of regular updates at Parish Council meetings;
 - the use of stands at local events such as the annual Zebon Copse Residents Association Fete and the annual Horticultural Society Show;
 - regular drop-in sessions at local venues both in the Zebon Community Centre on Zebon Copse and in the Old Village making use of both the WI Hall and the Crookham Street Social Club;
 - posters on the Parish noticeboards as well sandwich boards and countdown boards outside venues;
 - the use of A1 display boards and pull-up banner inside venues;
 - the delivery of leaflets and questionnaires to all households and businesses for both the non-statutory consultations and the Pre-Submission Plan Regulation 14 consultations;
 - the children's Art Competition;
 - the engagement with the local press;
 - the production of articles in Crookham Village Parish News;
 - presentations and Q&A sessions at the Parish Council AGM and the AGM of the Zebon Copse Resident's Association;
 - the use of social media (Facebook); and
 - the development of a dedicated website (www.plan4crookham.org)
- 4.5 The Statement also provides details of the way in which the Parish Council engaged with statutory bodies. It is clear that the process has been proportionate and robust.

- 4.6 Appendix H of the Statement provide specific details on the comments received as part of the consultation process on the pre-submission version of the Plan. It identifies the principal changes that worked their way through into the submission version. This provides a useful analysis of the areas where the Plan has been refined over time.
- 4.7 It is clear that consultation has been an important element of the Plan's production. Advice on the neighbourhood planning process has been made available to the community in a positive and direct way by those responsible for the Plan's preparation.
- 4.8 From all the evidence provided to me as part of the examination, I can see that the Plan has promoted an inclusive approach to seeking the opinions of all concerned throughout the process. HDC has carried out its own assessment that the consultation process has complied with the requirements of the Regulations.

Representations Received

- 4.9 Consultation on the submitted plan was undertaken by HDC for a six-week period that ended on 5 September 2019. This exercise generated comments from a range of organisations as follows:
- Waverley Borough Council
 - SGN
 - Church Crookham Parish Council
 - Odiham Parish Council
 - Crookham Care Village
 - Thames Water
 - Gladman Developments
 - HDC
 - Berkeley Homes (Southern) Limited
 - Natural England
 - Hampshire County Council
 - Historic England
- 4.10 Representations were also received from three local residents
- 4.11 HDC undertook further consultation on the additional information submitted by the Parish Council on the matter of Policy NE01. This consultation exercise generated comments from a range of organisations as follows:
- Church Crookham Parish Council;
 - Natural England;
 - Historic England;
 - Zebon Copse Residents' Association; and
 - Crookham Care Village Limited
- 4.12 Representations were also received from 129 local residents.

- 4.13 I have taken all the various comments into account in examining the Plan in general, and in preparing this report in particular.

5 The Neighbourhood Area and the Development Plan Context

The Neighbourhood Area

- 5.1 The neighbourhood area consists of the parish of Crookham Village. Its population in 2011 was 4037 persons living in 1630 houses. It was designated as a neighbourhood area on 7 August 2014. It is an irregular area located to the immediate west of Fleet. The neighbourhood area is predominantly a rural parish and much of its area is in agricultural use.
- 5.2 The majority of the built development in the neighbourhood area is located along its eastern boundary or within the traditional village of Crookham Village itself. It consists of three principal components. The first is the traditional Crookham Village. It is based around the junction of The Street and Pilcot Road. It is principally a linear settlement. It includes a designated conservation area. It is specifically addressed in Policy BE03 of the Plan. The second is the more modern development of Zebon Copse. It consists of approximately 1170 homes and is located to the south of Crookham Village. It is specifically addressed in Policy BE04 of the Plan. The third is Netherhouse Moor. It is also a modern development and is located in the north east of the neighbourhood area. It is specifically addressed in Policy BE05 of the Plan.
- 5.3 The remainder of the neighbourhood area consists of a very attractive agricultural hinterland. As the Plan describes it lies in the floodplain of the River Hart. It consists of broad, flat, low-lying and rolling valley floor landscape. It is poorly-draining and is bisected by numerous streams and minor tributaries. The River Hart and its flood plain provide a key wildlife corridor and a natural boundary. In a broader context the River Hart valley forms an important ecological corridor linking the Thames Basin Heaths Special Protection Area, the River Hart itself and the Basingstoke Canal SSSI

Development Plan Context

- 5.4 The neighbourhood plan has been prepared and examined within a changing development plan context. When the process started the development plan consisted of the saved policies of the Hart District Local Plan (Replacement) 1996-2006 and First Alterations to the Hart District Local Plan (Replacement) 1996-2006. At that time HDC was in the process of preparing a new local plan. The Hart District Local Plan (Strategy and Sites) 2032 was adopted in March 2020. The Parish Council has handled this potentially challenging set of circumstances in a sensitive fashion. Paragraph 3.1 of the Basic Conditions Statement advises that whilst the policies in the submitted Plan were assessed against the policies in the 2006 Local Plan, they also took account of what was then the emerging Local Plan.
- 5.5 In this context the Parish Council has taken account of the advice in Planning Practice (41-009-20190509) about the relationship between an emerging local plan, an emerging neighbourhood plan and the adopted development plan. This is good practice in general terms. In particular has avoided any future conflict between the newly-adopted Local Plan and the emerging neighbourhood plan.

- 5.6 The following policies in the recently-adopted Local Plan are particularly relevant to the submitted neighbourhood plan:

| | |
|------|--|
| SD1 | Sustainable development |
| SS1 | Spatial Strategy: Scale and Distribution of Growth |
| ED3 | The rural economy |
| NBE1 | Development in the Countryside |
| NBE2 | Landscape |
| NBE5 | Managing Flood Risk |
| NBE6 | Water Quality |
| NBE8 | Historic Environment |

They are all strategic policies for the purposes of neighbourhood planning (as identified in Appendix 4 of Local Plan).

- 5.7 An important part of the Plan is the way in which it produces evidence to support its proposed designation of Local Gaps in Policy NE01. This approach provides the type of detail anticipated by Policy NBE2 Landscape of the Local Plan. Part of that policy requires that development should not lead to the physical or visual coalescence of settlements, or damage their separate identity, either individually or cumulatively with other existing or proposed development. The supporting text to Policy NBE2 of the adopted Local Plan comments that policies to designate specific areas or ‘gaps’ between settlements can be prepared through subsequent development plan documents and neighbourhood plans.
- 5.8 The submitted Plan has been prepared within its wider adopted development plan context. In doing so it has relied on up-to-date information and research that has underpinned existing planning policy documents in the District. This is good practice and reflects key elements in Planning Practice Guidance on this matter. It is clear that the submitted Plan seeks to add value to the strategic planning context and to give a local dimension to the delivery of its policies. This is captured in the Basic Conditions Statement.

Unaccompanied Visit

- 5.9 I visited Crookham Village on 19 September 2019.
- 5.10 I drove into the neighbourhood area from Fleet along Hitches Lane. This gave me an initial impression of its setting and the character. It also highlighted the nature of the existing gap between Fleet and Crookham Village.
- 5.11 I parked in the village centre. Given its compact nature I was able to undertake the majority of the visit on foot and in the pleasant Autumn sunshine. I looked initially at that part of the neighbourhood area around Pilcot Road. I walked down the hill to Dogmersfield so that I could see the relationship between the two villages. In doing so I saw the element of the proposed Local Gap to the immediate north of Pilcot Road. I saw the way that it was bisected by Kiln House and its curtilage.

- 5.12 Thereafter I looked at that part of the village off Hitches Lane. I walked to the rear of the houses on the eastern side of the lane so that I could see the scale and extent of the proposed Local Gap between Crookham Village and Fleet.
- 5.13 I then walked into the village centre. I saw the Kiln Workshops, Village Cars and the Social Club. I also saw an interesting range of vernacular dwellings including Cedar Cottage, The Bawn, Westbrook Cottage and Lavender Cottage. I also saw the closed village shop and the very useful village plan showing many of the buildings that I had just seen.
- 5.14 I then walked along the two footpaths running south from The Street into the countryside and into that element of the proposed Local Gap to the south of the village. I saw the way in which the footpaths were restricted within agricultural fencing. I also saw the natural topography in this part of the neighbourhood area.
- 5.15 I then walked to the eastern extent of the neighbourhood area to the Basingstoke Canal. I looked into the Zebon Copse residential area. I saw that it had a different character to that of the traditional village.
- 5.16 I finished my visit by walking along Crondall Road to the River Hart. I then retraced my steps to Pilcot Road and then drove towards Crondall. In doing so I saw the Exchequer PH and Crookham Wharf.

6 The Neighbourhood Plan and the Basic Conditions

6.1 This section of the report deals with the submitted neighbourhood plan as a whole and the extent to which it meets the basic conditions. The submitted Basic Conditions Statement has helped considerably in the preparation of this section of the report. It is a well-presented and informative document. It is also proportionate to the Plan itself.

6.2 As part of this process I must consider whether the submitted Plan meets the Basic Conditions as set out in paragraph 8(2) of Schedule 4B of the Town and Country Planning Act 1990. To comply with the basic conditions, the Plan must:

- have regard to national policies and advice contained in guidance issued by the Secretary of State;
- contribute to the achievement of sustainable development;
- be in general conformity with the strategic policies of the development plan in the area;
- be compatible with European Union (EU) and European Convention on Human Rights (ECHR) obligations; and
- not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017 (7).

6.3 I assess the Plan against the basic conditions under the following headings.

National Planning Policies and Guidance

6.4 For the purposes of this examination the key elements of national policy relating to planning matters are set out in the National Planning Policy Framework (NPPF) issued in February 2019. This approach is reflected in the submitted Basic Conditions Statement.

6.5 The NPPF sets out a range of core land-use planning issues to underpin both plan-making and decision-taking. The following are of particular relevance to the Crookham Village Parish Neighbourhood Plan:

- a plan led system– in this case the relationship between the neighbourhood plan and the Hart District Local Plan (Strategy and Sites) 2032
- delivering a sufficient supply of homes;
- building a strong, competitive economy;
- recognising the intrinsic character and beauty of the countryside and supporting thriving local communities;
- taking account of the different roles and characters of different areas;
- highlighting the importance of high-quality design and good standards of amenity for all future occupants of land and buildings; and
- conserving heritage assets in a manner appropriate to their significance.

6.6 Neighbourhood plans sit within this wider context both generally, and within the more specific presumption in favour of sustainable development. Paragraph 13 of the NPPF

indicates that neighbourhoods should both develop plans that support the strategic needs set out in local plans and plan positively to support local development that is outside the strategic elements of the development plan.

- 6.7 In addition to the NPPF I have also taken account of other elements of national planning policy including Planning Practice Guidance and ministerial statements.
- 6.8 Having considered all the evidence and representations available as part of the examination I am satisfied that the submitted Plan has had regard to national planning policies and guidance in general terms. It sets out a positive vision for the future of the neighbourhood area. In particular it includes a series of policies on the scale and design of new development. It identifies a settlement boundary, proposes local green spaces and local gaps between Crookham Village and surrounding settlements. The Basic Conditions Statement maps the policies in the Plan against the appropriate sections of the NPPF.
- 6.9 At a more practical level the NPPF indicates that plans should provide a clear framework within which decisions on planning applications can be made and that they should give a clear indication of how a decision-maker should react to a development proposal (paragraph 16d). This was reinforced with the publication of Planning Practice Guidance in March 2014. Paragraph ID:41-041-20140306 indicates that policies in neighbourhood plans should be drafted with sufficient clarity so that a decision-maker can apply them consistently and with confidence when determining planning applications. Policies should also be concise, precise and supported by appropriate evidence.
- 6.10 As submitted the Plan does not fully accord with this range of practical issues. The majority of my recommended modifications in Section 7 relate to matters of clarity and precision. They are designed to ensure that the Plan fully accords with national policy.

Contributing to sustainable development

- 6.11 There are clear overlaps between national policy and the contribution that the submitted Plan makes to achieving sustainable development. Sustainable development has three principal dimensions – economic, social and environmental. It is clear that the submitted Plan has set out to achieve sustainable development in the neighbourhood area. In the economic dimension the Plan includes a policy to define a settlement boundary (Policy SB01). In the social role, it includes a policy on assets of community value (PA05), on local green spaces (Policy NE03) and on other open spaces (Policy NE04). In the environmental dimension the Plan positively seeks to protect its natural, built and historic environment. It has specific policies on design principles (Policies BE02-05)), on conservation areas and heritage assets (Policies PA01-04) and on gaps between settlements/open spaces/biodiversity (NE01-05). The Parish Council has undertaken its own assessment of this matter in the submitted Basic Conditions Statement.

General conformity with the strategic policies in the development plan

- 6.12 I have already commented in detail on the development plan context in Hart District in paragraphs 5.4 to 5.8 of this report. It has been an evolving context within which to prepare a neighbourhood plan.
- 6.13 I consider that the submitted Plan delivers a local dimension to this strategic context. The Basic Conditions Statement helpfully relates the Plan's policies to policies in the development plan. Subject to the recommended modifications in this report I am satisfied that the submitted Plan is in general conformity with the strategic policies in the development plan.

European Legislation and Habitat Regulations

- 6.14 The Neighbourhood Plan General Regulations 2015 require a qualifying body either to submit an environmental report prepared in accordance with the Environmental Assessment of Plans and Programmes Regulations 2004 or a statement of reasons why an environmental report is not required.
- 6.15 In order to comply with this requirement HDC undertook a screening exercise on the need or otherwise for a Strategic Environmental Assessment (SEA) to be prepared for the Plan. The report is thorough and well-constructed. As a result of this process it concluded that the Plan is not likely to have any significant effects on the environment and accordingly would not require SEA. The principal reasons for this conclusion were as follows:
- the Plan does not allocate sites for development; and
 - the policies of the plan when taken as a whole and in combination with other policies in the Hart Local Plan 1996-2006 (Replacement) and First Alterations and proposed policies in the Hart Local Plan 2014-2032 will likely have positive effects.
- 6.16 HDC has produced a separate Habitats Regulations Assessment (HRA) of the Plan. It concludes that the Plan is not considered to have the potential to cause a likely significant adverse effect on a European protected site. Following the adoption of the Local Plan 2032 the HRA was refreshed. It came to the same conclusion.
- 6.17 The HRA report takes account of the following protected European sites:
- Thames Basin Heaths SPA;
 - Thursley, Ash, Pirbright & Cobham Common SPA

In doing so it provides assurance to all concerned that the submitted Plan takes appropriate account of important ecological and biodiversity matters.

- 6.18 Having reviewed the information provided to me as part of the examination, I am satisfied that a proportionate process has been undertaken in accordance with the various regulations. In the absence of any evidence to the contrary, I am entirely satisfied that the submitted Plan is compatible with this aspect of European obligations.

- 6.19 In a similar fashion I am satisfied that the submitted Plan has had regard to the fundamental rights and freedoms guaranteed under the European Convention on Human Rights (ECHR) and that it complies with the Human Rights Act. There is no evidence that has been submitted to me to suggest otherwise. In addition, there has been full and adequate opportunity for all interested parties to take part in the preparation of the Plan and to make their comments known. On the basis of all the evidence available to me, I conclude that the submitted Plan does not breach, nor is in any way incompatible with the ECHR.

Summary

- 6.20 On the basis of my assessment of the Plan in this section of my report I am satisfied that it meets the basic conditions subject to the incorporation of the recommended modifications contained in this report.

7 The Neighbourhood Plan policies

- 7.1 This section of the report comments on the policies in the Plan. In particular, it makes a series of recommended modifications to ensure that they have the necessary precision to meet the basic conditions.
- 7.2 My recommendations focus on the policies themselves given that the basic conditions relate primarily to this aspect of neighbourhood plans. In some cases, I have also recommended changes to the associated supporting text and rationale.
- 7.3 I am satisfied that the content and the form of the Plan is fit for purpose. It is distinctive and proportionate to the Plan area. The wider community and the Parish Council have spent time and energy in identifying the issues and objectives that they wish to be included in their Plan. This sits at the heart of the localism agenda.
- 7.4 The Plan has been designed to reflect Planning Practice Guidance (41-004-20170728) which indicates that neighbourhood plans must address the development and use of land. The Plan includes a Parish Aspiration. It is appropriately-distinguished from the principal land-use policies.
- 7.5 I have addressed the policies in the order that they appear in the submitted Plan. Where necessary I have identified the inter-relationships between the policies. The Parish Aspiration is addressed after the policies.
- 7.6 For clarity this section of the report comments on all policies whether or not I have recommended modifications in order to ensure that the Plan meets the basic conditions.
- 7.7 Where modifications are recommended to policies they are highlighted in bold print. Any associated or free-standing changes to the text of the Plan are set out in italic print.

The initial section of the Plan (Sections 1 and 2)

- 7.8 These initial parts of the Plan set the scene for the range of policies. They do so in a proportionate way. The Plan is presented in a very professional way. It makes a very effective use of well-selected photographs and maps. A very clear distinction is made between its policies and the supporting text. It also highlights the links between the Plan's objectives and its resultant policies.
- 7.9 The wider Plan has been prepared in a very thorough and comprehensive fashion. In particular it supplements the general information in the Plan with a series of well-developed appendices as follows:
- A1 Village Design Statement
 - A2 Flooding
 - A3 Profile of the Community
 - A4 Neighbourhood Demographics Snapshot

- B Listed, Historic and Notable Buildings
- C1 Environmental
- C2 Biodiversity Data
- C3 Landscape Character Assessment
- C4 Additional Views
- C5 Local Green Space Designations
- D Parking
- E Parish Plan 2010
- F Parish Plan 2013 Update
- G Analysis of Community Questionnaire
- H Assessing the Importance of Landscape and Sense of Place

- 7.10 Section 1 – Setting the Scene comments about the development of the Plan. It also provides background information on the wider planning policy context. It includes a very clear map of the designated neighbourhood area and identifies the Plan period. It includes comprehensive information on its built and natural environment.
- 7.11 Section 2 comments about the wider Vision for the Plan. The Vision itself is underpinned by a series of themed objectives.
- 7.12 The remainder of this section of the report addresses each policy in turn in the context set out in paragraphs 7.5 to 7.7 of this report.
- 7.13 In general terms I commend the Parish Council for the clarity of its presentation of the various policies in the Plan. In turn they follow a format where the policy itself is supplemented by a rationale for the approach taken. Thereafter the relevant evidence is listed. This is an excellent approach. In particular it provides clarity that its policies are evidence-based.

Policy SB01 – Settlement Boundaries

- 7.14 This policy establishes a spatial strategy for the Plan. It defines settlement boundaries which reflect the built-up nature of the neighbourhood area itself. The policy element then comments that development proposals within the settlement boundaries will be supported (where they are in accordance with other policies in the development plan). Elsewhere development will be restricted to that which supports a schedule of developments which are essentially rural in nature and countryside based. They include:
- rural exception sites to provide affordable housing;

- agriculturally-based activities or the sustainable diversification of such activities;
- sustainable visitor attractions;
- sustainable leisure activity; and
- the development of local services and community facilities.

7.15 Several developers contend that the approach taken is restrictive and does not have regard to national policy. I have considered these comments very carefully. However, I am satisfied that the policy has regard to national policy and is in general conformity with the strategic policies in the recently-adopted Local Plan. In particular I consider that the policy reinforces the Local Plan's focus on promoting sustainable development within existing settlements. In addition, the schedule of uses which would be supported outside the settlement boundaries is both relevant and distinctive to the neighbourhood area. It is also extensive in its coverage of different activities. The settlement boundaries also clearly respect the character and layout of the existing built development in the neighbourhood area.

7.16 I recommend a series of modifications to the wording used in some of the criteria in the second part of the policy. Whilst they do not impact on the intentions of its approach, they will bring the clarity required for a development plan policy. In addition, I recommend the deletion of the penultimate criterion which supports rural development as specifically mention in the NPPF. I have recommended this approach for two related reasons. The first is that there is no need for a neighbourhood plan to repeat or restate national policy. Secondly, and in any event, several of the types of development mentioned in the NPPF are already addressed in other criteria in the policy.

In the third bullet point add at the beginning 'the development of sensitive adaptations or extensions of'

In the fifth bullet point replace 'a sustainable.... scale development' with 'small scale sustainable leisure activity'

Delete the penultimate criterion.

Policy BE01 – Sustainable Development Principles

7.17 This policy is general in nature. It seeks to ensure that sustainable development principles are applied to all development in the Plan period. It sets out to apply five development principles across the neighbourhood area and to be distinctive to the three Character Areas identified in the Plan.

7.18 I am satisfied that the policy is appropriate and distinctive to the neighbourhood area. In particular the five proposed principles have a clear relationship to its character and appearance.

- 7.19 The Rationale clarifies that this is intended to be a universal policy which applies across the neighbourhood area and to all development. Whilst this is appropriate in principle, it fails to acknowledge that the majority of development will be modest in its nature and is unlikely to trigger the need to take account of all five of the development principles. In this regard I recommend that the opening part of the policy clarifies that the sustainable development principles will apply as appropriate to the nature, scale and location of the proposed development.
- 7.20 I also recommend detailed modifications to the wording used in the various criteria so that they have the clarity required by the NPPF. This is particularly the case with the infrastructure principle where I recommend that 'adequate' is replaced by 'required'. Plainly the former is open to interpretation.

At the beginning of the second sentence add: 'As appropriate to the nature, scale and location of the proposed development'

In the second sentence replace 'will be expected to' with 'should'

In the first bullet point delete 'and satisfy.... below'

In the second bullet point delete '(where appropriate)'

In the fourth bullet point replace 'by encouraging' with 'through'

In the final bullet point replace 'adequate' with 'required'

Policy BE02 – General Design Principles

- 7.21 This policy continues the approach incorporated in Policy BE01. In this case it comments about general design principles for new development. It is designed around the need for developments to comply with a series of design principles. They are extensive in their scale and nature.
- 7.22 As with Policy BE01 I am satisfied that the various criteria are appropriate to the scale and the nature of the neighbourhood area. As with Policy BE01 I recommend that the opening part of the policy clarifies that the general design principles will apply as appropriate to the nature, scale and location of the proposed development. This is an important matter in two respects. The first is that the Plan does not directly propose new development and as such some of the principles may prove to be academic in nature and effect. The second is the number of criteria is such that few if any development proposals would be of a scale and nature to require compliance with the full schedule.
- 7.23 These comments also overlap with the representation made by Berkeley Homes to the Plan. It comments that consented sites such as that in its control, have been established through the granting of planning permission. In the case of the Berkeley site, this includes matters relating to design principles and set out within the submitted

Design and Access Statement at the time of the determination of the application. It comments that the policy should be amended to make it explicitly clear that in circumstances such as that highlighted above the principles set out within the planning permission, including any relevant planning conditions and obligations, should prevail. In this context it asserts that it would be entirely inappropriate for this policy (and others) to be used to inhibit the development of proposals that have previously been robustly considered through the planning system.

- 7.24 This suggested clarity is entirely appropriate. It is not the place of a neighbourhood plan to seek to interfere with extant planning permissions. I recommend a modification to the Rationale to address this matter.
- 7.25 I also recommend detailed modifications to the wording used in the various criteria so that they have the clarity required by the NPPF. This is particularly the case in the fifth bullet point. The reference to the ‘least attractive area of the site’ is unnecessary in the wider context of the need for affordable housing being integrated throughout the site. In any event the differences between elements of any development site would be subjective in nature.

At the beginning of the policy add: ‘As appropriate to the nature, scale and location of the proposed development’

In the opening part of the policy replace ‘statutory, local and neighbourhood plan’ with ‘development plan’

In the first bullet point replace ‘possible’ with ‘practicable’

In the fifth bullet point delete ‘and not isolated.... the site’

In the sixth bullet point add ‘where practicable’ after ‘enhanced’

In the penultimate bullet point replace ‘appropriate’ with ‘practicable’

At the end of the second paragraph in the Rationale add:

‘This policy does not affect extant planning permissions in the neighbourhood area. Any reserved matters applications which arise fall to be determined on the basis of the principles agreed as part of the granting of the relevant outline planning permission’

Policy BE03 – Crookham Village Ward Character Area

- 7.26 This is the first of a series of three policies which provide design principles for each of the built-up character areas in the neighbourhood area. This and the other two policies are significantly underpinned by the excellent Village Design Statement. In the case of the conservation area the policy is also influenced by the Conservation Area Character Appraisal.
- 7.27 The policy sets out a series of appropriate and distinctive criteria for this important and central part of the neighbourhood area. As with earlier policies I recommend that the

opening part of the policy clarifies that the general design principles will apply as appropriate to the nature, scale and location of the proposed development. This is an important matter in two respects. The first is that the NP does not directly propose new development so some of the principles may prove to be academic in nature and effect. The second is the number of criteria is such that few if any development proposals would be of a scale to require compliance with the full schedule

- 7.28 I also recommend detailed modifications to the wording used in the various criteria so that they have the clarity required by the NPPF. This is particularly the case with the final bullet point on light pollution. Some lighting may be required for safety or other reasons and HDC suggest that some additional flexibility is introduced. I agree with that proposition. Otherwise the policy meets the basic conditions. In the round it is a very well-considered policy which sensitively captures the importance of this part of the neighbourhood area.

At the beginning of the policy add: ‘As appropriate to the nature, scale and location of the proposed development’

In the opening part of the policy replace ‘statutory, local and neighbourhood plan’ with ‘development plan’

In the penultimate bullet point replace ‘significant’ with ‘unacceptable’

Replace the final bullet point with: ‘are designed not to increase the level of light pollution within any of the three conservation areas within the neighbourhood area. Proposals for any necessary street lighting or external lighting should be fully justified through an assessment demonstrating the need for the lighting and the measures taken to minimise any impact’

Policy BE04 – Zebon Ward Character Area

- 7.29 This policy continues the approach taken in Policy BE03. In this case its focus is on the Zebon Character Area.
- 7.30 The policy sets out a series of appropriate and distinctive criteria for this distinctive part of the neighbourhood area. As with earlier policies I recommend that the opening part of the policy clarifies that the general design principles will apply as appropriate to the nature, scale and location of the proposed development
- 7.31 I recommend a modification to the criterion so that it simply refers to parking provision in Policy TM01. As submitted the criterion is part policy and part supporting text.

At the beginning of the policy add: ‘As appropriate to the nature, scale and location of the proposed development’

Replace the final criterion with: ‘Complies with the parking requirements included in Policy TM01 of this Plan’

Policy BE05 – Netherhouse Ward Character Area

- 7.32 This policy continues the approach taken in Policy BE03. In this case its focus is on the Netherhouse Ward Character Area.
- 7.33 The policy sets out a series of appropriate and distinctive criteria for this distinctive part of the neighbourhood area. As with earlier policies I recommend that the opening part of the policy clarifies that the general design principles will apply as appropriate to the nature, scale and location of the proposed development.
- 7.34 I recommend a modification to the criterion so that it simply refers to parking provision in Policy TM01. As submitted the criterion is part policy and part supporting text.
- 7.35 I recommend a very detailed modification to the third criterion for clarity purposes.

At the beginning of the policy add: ‘As appropriate to the nature, scale and location of the proposed development’

In the third criterion replace ‘NHM’ with ‘Netherhouse Ward’

Replace the final criterion with: ‘Complies with the parking requirements included in Policy TM01 of this Plan’

Policy BE06 – Prevention of Flooding

- 7.36 This policy seeks to address localised incidents of flooding. As the Rationale comments the most significant flooding issues are concentrated in small, discrete areas. The remainder of the parish is at relatively low risk of flooding.
- 7.37 The policy seeks to ensure that new development avoids increasing the risk of flooding in the neighbourhood area. It sets out a series of principles with which new development should accord.
- 7.38 As submitted the policy takes a prescriptive approach. In particular it comments that development will be resisted on greenfield sites shown to be at risk of flooding. This approach has attracted representations from developers to the extent that it does not have regard to national policy.
- 7.39 I have concluded that as submitted the policy does not have regard to national policy. Paragraphs 155 to 165 of the NPPF comment on this important matter. The approach taken in Policy BE06 does not have regard to either the sequential risk-based approach to the location of development (NPPF 157) or to the exception test (NPPF 159-162).
- 7.40 In response to my clarification note the Parish Council responded positively to my questions and to the representations made by the development industry. It provided a reworked policy together with an update Rationale and evidence base. Subject to a series of minor changes I am satisfied that the revised policy is both appropriate for

the neighbourhood area and meets the basic conditions. In particular it takes the nuanced approach in the NPPF. I recommend accordingly.

Replace the policy with:

‘Development will be supported where it avoids increasing the risk of flooding from any source and will be safe from flooding for the lifetime of the development. Development should take account of the vulnerability to flooding of its users, should not increase flood risk elsewhere (e.g. downstream) and, where possible, should reduce the flood risk overall. As appropriate to their scale, nature and location development proposals should be designed in accordance with the following principles:

- **development in locations, in particular greenfield sites, shown to be at risk of flooding from any source will be considered in accordance with the HDC Strategic Flood Risk Assessment (SFRA) sequential test;**
- **development that increases the risk of flooding from any source, either on- or off-site, should be associated with adequate mitigation;**
- **development in locations immediately adjacent to a river or canal should provide a buffer from development in line with the Hart SFRA and Hart Green Infrastructure Strategy;**
- **the incorporation of Sustainable Drainage Systems will be supported where they adhere to the principles in this policy and will only discharge surface water either at, or less than, greenfield runoff rates (where technically viable), will leave green corridors along watercourses and/or will reduce flood risk; and**
- **developments should, where practicable, incorporate sustainable drainage design features to manage the risk of surface water flooding within their boundary and elsewhere in the parish. Source control measures should, wherever practicable, be natural in their character, design and appearance’**

Replace the Rationale and Evidence Base with the information in Appendix 1 of this report

Policy BE07 – Development of Footpath and Cycleway Network

7.41 This policy comments about proposals which would use effective measures to join up bridleways, footpaths and cycleways into effective networks. It offers particular support to schemes which would:

- create or improve links to essential services;
- develop traffic segregated pedestrian and cycle routes; and/or
- improve the rights of way network

7.42 I recommend a detailed modification to the wording used in the policy. Otherwise it meets the basic conditions.

Replace ‘where effective...made’ with ‘which incorporate effective measures’

Policy PA01 – Crookham Village Conservation Area

- 7.43 This policy refers to the Crookham Village conservation area. It is supported by very helpful explanatory text. It seeks to build on established principles in the conservation area character appraisal.
- 7.44 As with other policies its approach is to define a series of principles which development proposals should respect. It carefully develops national policies into a detailed and bespoke policy in the submitted Plan. The principles are extensive and relate to the linear character of the conservation area, to its various open spaces and to listed and non-listed buildings.
- 7.45 The policy sets out a series of appropriate and distinctive criteria for this important part of the neighbourhood area. As with earlier policies I recommend that the opening part of the policy clarifies that the general design principles will apply as appropriate to the nature, scale and location of the proposed development.
- 7.46 The policy identifies a series of locally-significant buildings. They are described and photographed in Figure 17. It comments that development proposals should not undermine the significance of their contribution. The final criterion comments that proposals to demolish the identified non-designated assets will be resisted.
- 7.47 In general terms I am satisfied that it is appropriate for the Plan to identify non-designated heritage assets. The Parish Council has put considerable time and effort into this matter and its judgements reflect the localism agenda. Nevertheless, the approach taken in the final bullet point of the policy does not have regard to national policy. In this context paragraph 197 of the NPPF comments that:
- ‘The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.’
- 7.48 The prescriptive approach in the submitted policy is at odds with this more nuanced approach. As such I recommend the deletion of this element of the policy.
- 7.49 HDC suggest detailed modifications to certain of the principles in the policy. They seek to ensure that the policy properly takes account of national legislation. I agree that these changes are necessary and I recommend modifications accordingly.
- 7.50 I also recommend detailed modifications to the wording used elsewhere in the policy to provide the clarity required by the NPPF.

At the beginning of the policy add: ‘As appropriate to the nature, scale and location of the proposed development’

In the opening part of the policy replace ‘statutory, local and neighbourhood plan’ with ‘development plan’

Throughout the policy replace ‘shall’ with ‘should’

Replace the third principle with: ‘Development should respect the linear nature of pattern of development in the Conservation Area, following adherence to recognised good examples of traditional building forms and the prevailing grain of development within the area. Where appropriate it should reflect the mix of single and two storey traditional buildings in order to introduce interest and variety into the development in order to reinforce the character and distinctiveness of an area’

Replace the sixth principle with: ‘Development shall respect the significance of heritage assets in the Conservation Area street scene. Particular consideration shall be given to retaining the contribution of buildings and sites to the significance of the conservation area where they frame, punctuate or terminate views though, out of and into the village’

In the seventh principle replace ‘distinct setting that’ with ‘positive contribution that’. Between ‘the’ and ‘Conservation Area’ add ‘setting of the’

In the penultimate principle delete ‘together with.... street scene’

Delete the final principle.

Policy PA02 – Basingstoke Canal Conservation Area

- 7.51 This policy refers to the Basingstoke Canal conservation area. It is supported by very helpful explanatory text. It seeks to build on established principles in the conservation area character appraisal.
- 7.52 As with other policies its approach is to define a series of principles which development proposals should respect. It carefully develops national policies into a detailed and bespoke policy in the submitted Plan. The principles are extensive and relate to the very specific character of the conservation area and to listed and non-listed buildings.
- 7.53 The policy sets out a series of appropriate and distinctive criteria for this important part of the neighbourhood area. As with earlier policies I recommend that the opening part of the policy clarifies that the general design principles will apply as appropriate to the nature, scale and location of the proposed development.
- 7.54 The policy identifies a series of locally significant buildings. They are described and photographed in Figure 17. It comments that development proposals should not undermine the significance of their contribution. The final criterion comments that proposals to demolish the identified non-designated assets will be resisted
- 7.55 In general terms I am satisfied that it is appropriate for the Plan to identify non-designated heritage assets. The Parish Council has put considerable time and effort
- Crookham Village Neighbourhood Plan – Examiner’s Report

into this matter and its judgements reflect the localism agenda. Nevertheless, the approach taken in the final bullet point of the policy does not have regard to national policy. In this context paragraph 197 of the NPPF comments that:

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

- 7.56 The prescriptive approach in the submitted policy is at odds with this more nuanced approach. As such I recommend the deletion of this element of the policy.
- 7.57 HDC suggest detailed modifications to certain of the principles in the policy. They seek to ensure that the policy properly takes account of national legislation. I agree that these changes are necessary and I recommend modifications accordingly.
- 7.58 I also recommend detailed modifications to the wording used elsewhere in the policy to provide the clarity required by the NPPF.

At the beginning of the policy add: ‘As appropriate to the nature, scale and location of the proposed development’

In the opening part of the policy replace ‘statutory, local and neighbourhood plan’ with ‘development plan’

Throughout the policy replace ‘shall’ with ‘should’

Incorporate the fifth, sixth and seventh bullet points as detailed elements of the overarching fourth bullet point rather than as free-standing principles

Delete the final principle.

Policy PA03 - Dogmersfield Conservation Area

- 7.59 This policy refers to the Dogmersfield conservation area. It is supported by very helpful explanatory text. It seeks to build on established principles in the conservation area character appraisal.
- 7.60 As with other policies its approach is to define a series of principles which development proposals should respect. It carefully develops national policies into a detailed and bespoke policy in the submitted Plan. The principles are extensive.
- 7.61 The policy sets out a series of appropriate and distinctive criteria for this important part of the neighbourhood area. As with earlier policies I recommend that the opening part of the policy clarifies that the general design principles will apply as appropriate to the nature, scale and location of the proposed development.

- 7.62 On the one hand the policy approach respects national advice that a neighbourhood plan should only address matters within the defined neighbourhood area. On the other hand neither the policy nor the Rationale acknowledges that the conservation area described in the Plan is the eastern part of the wider conservation area centred on the village of Dogmersfield to its immediate east. This matter is further compounded as the policy simply refers to the 'Dogmersfield Conservation Area' and given that Dogmersfield has its own 'made' neighbourhood plan and which includes a policy on the conservation area.
- 7.63 I sought clarification on this matter from the Parish Council. It provided a comprehensive response which included a detailed comparison of the policy in the 'made' Dogmersfield neighbourhood plan and in this policy in the submitted Plan. In general terms the Parish Council comments that the two policies are compatible. It also suggests that the policy in the submitted Plan could be clarified so that it was clear that it applied only to that part of the Dogmersfield Conservation Area in the Crookham Village neighbourhood area.
- 7.64 I have considered this matter very carefully in general terms, and in particular within the context that it is a procedural issue rather than one of any significant substance. I recommend that the policy and the Rationale comment that the policy only applies to that part of the conservation area in the Crookham Village neighbourhood area. I also recommend that first principle in the submitted policy is replaced by the second and third elements of the policy on the conservation area (Policy DNP2) in the 'made' Dogmersfield neighbourhood plan. Whilst the two Plans largely take an identical approach on the design of new development in the conservation area an identical approach would assist in bringing clarity for development management purposes. This matter will be particularly important given that there is the potential that properties on either side of the parish boundary would otherwise be determined against different design approaches. Plainly a common approach will provide clarity and consistency for HDC as it administers its role as the local planning authority throughout the conservation area.

At the beginning of the policy add: 'As appropriate to the nature, scale and location of the proposed development'

In the opening part of the policy insert:

- **'the element of' between 'within' and 'the'**
- **'that lies within the Crookham Village neighbourhood area' between 'Area' and 'and'**

In the opening part of the policy replace 'statutory, local and neighbourhood plan' with 'development plan'

Throughout the policy replace 'shall' with 'should'

Replace the first principle with the following two principles:

‘Development proposals will be supported where their design reflects:

- **the distinct village character and respond to and reinforce the pattern of development in the Dogmersfield Conservation Area;**
- **the character, appearance and architectural detail of existing buildings and the character and/or appearance of the streetscape in respect of the use of construction materials and finishes for buildings or extensions; and**
- **as appropriate to their locations these finishes should include timber framed structures, local red brick, clay plain roof tiles, natural wood lap above render, and the use of wood or visually similar natural materials for fittings.**

New buildings should be of a density, scale, size, colour, style and proportions to complement the character of the Dogmersfield Conservation Area’

At the beginning of the Rationale add: ‘This policy addresses that part of the Dogmersfield Conservation Area that is within the Crookham Village neighbourhood area. The substantive part of the conservation area is within Dogmersfield Parish to the west. The policy has been designed so that it is consistent with Policy DNP2 of the made Dogmersfield Neighbourhood Plan. This will ensure that the District Council will be able to determine development proposals throughout the conservation area in a clear and consistent fashion’

Policy PA04 – Protection of Historic Assets

7.65 This policy comments about heritage assets. It does so to good effect. It has four related parts as follows:

- supporting restoration and conservation activities;
- supporting the sustainable use and repair of listed buildings; and
- requiring local distinctiveness including buildings and public spaces.

7.66 In this context the first part of the policy is appropriate in its intentions. However, it does not directly relate to the development process. I recommend a modification to remedy this matter. It acknowledges that some conservation/preservation measures may not need planning permission where they are restoring historic features or replacing them on a like-for-like basis. The same issue applies to the third criterion of the policy.

7.67 I also recommend detailed modifications to the wording used elsewhere in the policy to provide the clarity required by the NPPF.

Replace the first paragraph with:

‘Insofar as planning permission is required restoration and conservation proposals that would conserve or where practicable enhance the historic environment in the neighbourhood area will be supported’

Replace the second sentence of the third part of the policy with:

‘Within conservation areas development proposals which respect the built form and linear nature of their built environment will be supported. Where it is practicable to do so development proposals should not involve the net loss of native trees and hedges’

At the end of the third paragraph of the policy replace ‘encouraged’ with ‘supported’

Policy PA05 – Protection of Assets of Community Value

- 7.68 This policy seeks to safeguard and retain Assets of Community Value (ACV). It has two principal parts. The first resists proposals which would result in the loss or significant harm to an ACV. The second offers support to proposals which would provide suitable alternative facilities or where developments are needed to ensure the continued viability and sustainability of any ACV.
- 7.69 I recommend a detailed modification to the wording used in the policy so that it has the necessary clarity required by the NPPF.
- 7.70 Its final part comments about the applicability of the policy to current and any future ACV. I recommend that this issue is repositioned into the Rationale.

In the first part of the policy replace ‘be resisted’ with ‘not be supported’

In the second part of the policy replace ‘affecting’ with ‘which would affect the integrity or the use of an’

Delete the third part of the policy

At the end of the first paragraph in the Rationale add: ‘The policy will apply to any additional Assets of Community Value which may be designated within the Plan period.’

Policy NE01 – Preserving the Gaps between settlements

- 7.71 This is an important policy in the wider Plan. It proposes three Local Gaps to prevent the coalescence of Crookham Village with its surrounding settlements. As the Rationale describes the proposed Local Gaps ‘wrap around the village to separate Fleet from Crookham Village to the north, to prevent the coalescence of Crookham Village to the south with Church Crookham and to give a sense of open spaces to the north’. The proposed Local Gaps are shown on Figure 18.
- 7.72 The policy itself comments that development in the Local Gaps will only be permitted where it does not lead to the physical or visual coalescence of the settlements concerned, or damage their separate identity, whether individually or cumulatively, with other existing or proposed developments. The Rationale adds that acceptable land

uses in the Local Gaps would be agriculture, sports pitches and, in some cases the planting of trees and hedgerows.

- 7.73 As with other elements of the Plan this policy was developed within the context of the transition between the saved elements of the former Local Plan and what is now the recently-adopted Local Plan. The former Local Plan included Local Gaps of a similar scale and nature to those included in the submitted neighbourhood plan (Policy CON21). Together with other similar local gaps between identified settlements elsewhere in the District they had been a central plank of local planning policies for many years.

The background to the policy

- 7.74 I sought advice from the Parish Council on the extent to which it had undertaken a separate or related study on the differences between the proposed Gaps in the neighbourhood area in the Hart Local Plan 2006 and those proposed in the submitted neighbourhood plan. I was advised that:

'The Gaps between Settlements in the Parish as expressed in the submitted version of the neighbourhood plan were designed to conform to the Gaps designated by HDC in the previous Local Plan (Policy CON21) as amended for the extant planning permission for the Land at Netherhouse Copse. It thus conformed to Policy NBE2 in the Draft Local Plan Strategy and Sites, published in June 2018. The Parish Council relied on the supporting evidence in the HDC Emerging Local Plan for this policy together with the evidence provided by the Landscape and Sense of Place consultation conducted in 2016 to justify the proposed Gaps in the Neighbourhood Plan. The Crookham Village Neighbourhood Plan Steering Group conducted a review of the Gaps between Settlements within the Parish put forward in Policy NBE2 and were satisfied that these met the desired objective of preventing physical and visual coalescence between settlements.'

- 7.75 In this evolving context the Parish Council also advised that:

'it had not undertaken a study into the differences between the proposed Gaps and those in the adopted Local Plan as the Parish Council has, through the work of its steering group, taken great pains to ensure that the proposed boundaries for both Gaps between Settlements were identical to those in NBE2 in the Emerging Local Plan'

- 7.76 During the course of the examination of the then emerging Hart Local Plan main modifications proposed the deletion of local gaps and the inclusion of a more general approach towards the potential coalescence of settlements. This is now captured in Policy NBE2 Landscape of the recently-adopted Local Plan. That policy comments in general terms that 'development proposals must respect and wherever possible enhance the special characteristics, value or visual amenity of the District's landscapes'. One of its detailed criteria is that development 'does not lead to the physical or visual coalescence of settlements, or damage their separate identity, either individually or cumulatively with other existing or proposed development'.

7.77 This approach is consolidated in the supporting text to the policy (paragraph 282) which comments:

‘Development in the countryside between settlements can reduce the physical and/or visual separation of settlements. Development that would result in a perception of settlements coalescing, or which would otherwise damage their separate identity, will be refused. Both the individual effects of any proposals and the cumulative effects of existing and proposed development will be taken into account. Policies to designate specific areas or ‘gaps’ between settlements can be prepared through subsequent Development Plan Documents and Neighbourhood Plans’

7.78 In this context the Parish Council submitted additional evidence during the examination to justify its proposed designation of Local Gaps in the Plan. This evidence responded to the evolving context of the Local Plan itself, and to the comments of the Planning Inspector of that Plan who commented that ‘the justification for such designations would need to be robustly evidenced for any future examiner to find them appropriate’. (paragraph 197 of his report).

7.79 The additional evidence was submitted as part of the Parish Council’s response to the clarification note. It was the subject of separate consultation. The outcomes of that additional consultation are summarised in paragraphs 4.11/4.12 of this report.

7.80 The Planning Inspector’s report on this matter was necessarily general. The degree and extent of robust evidence to warrant the designation of local gaps will inevitably vary on a settlement-by-settlement basis. This variation will apply both to new neighbourhood plans and to ‘made’ neighbourhood plans which may be reviewed at some point in the future. The Crookham Village Plan finds itself in a place where it is the first neighbourhood plan addressing this matter in general, and the robust evidence hurdle in particular.

7.81 In summary the additional evidence paper includes the following elements:

- commentary on the local landscape within the proposed Local Gaps;
- details about the proposed Local Gaps themselves;
- evidence from the preparatory work on the recently-adopted Local Plan;
- information from relevant appeals;
- elements of national policy insofar as the Parish Council considers to be relevant to the matter; and
- overlapping issues from the made Dogmersfield Neighbourhood Plan.

7.82 In addition to the information in the additional evidence paper I have also taken account of Appendix C3 – the Landscape Character Assessment of the neighbourhood area. I looked at the proposed Local Gaps carefully when I visited the neighbourhood area. I looked in particular at their scale, their location in the neighbourhood area and the way in which they overlapped with the local topography.

7.83 The policy approach generated comments from the development industry when it was initially submitted. Gladman Developments assert that the (then emerging) Local Plan has inadequately addressed the matter and that Local Gaps should not be used as an

arbitrary tool to prevent sustainable development. Berkeley Homes takes a similar view and comments that the policy should be deleted.

- 7.84 Crookham Care Village Limited also asserted that there was insufficient information to justify the policy. In relation to its promotion of a care village at Cross Farm it also commented that 'Cross Farm should be excluded from any proposed Local Gap as set out in appendix 2 of this representation. This would exclude the area of built form proposed at Cross Farm which is located to the northern part of the Site adjacent the existing built up area of Crookham Village. This will ensure that the care village reads as part of the existing built up area and where good connectivity can result in a mutually beneficial relationship between the new development and the existing services and facilities available within Crookham Village'. HDC refused planning permission for that development proposal. The subsequent appeal was dismissed.
- 7.85 The consultation on the additional evidence generated a significant degree of support from local residents on the proposed designation of Local Gaps. Crookham Care Village Limited reinforced its early comments on the proposed Local Gaps. In particular it commented that a neighbourhood plan should not simply roll forward out of date local plan policies on this important matter.

The proposed Local Gaps

- 7.86 The Plan comments that there are two Local Gaps proposed in the Plan. For the purposes of this report I have referred to three Local Gaps. In my judgement whilst the Crookham Village gap as described in the Plan has an overall purpose within the context of the wider policy approach its two component parts have distinctive functions and landscape considerations. Taking account of all the relevant information I comment on the three separate proposed Local Gaps as follows:

Dogmersfield Gap – Pilcot Farm Area

- 7.87 This proposed Local Gap lies between Dogmersfield in the west and Crookham Village in the east and is bounded by Pilcot Road to the south and a map line approximately 300m to the north of Pilcot Road. As the additional evidence paper comments, it 'is designed to prevent the physical and visual coalescence of the two villages of Dogmersfield and Crookham Village'
- 7.88 The additional evidence also provides a summary of the area covered by the proposed Local Gap included in the separate Landscape Character Assessment as follows:
- 'an intimate, small scale landscape mosaic which includes:
- Open arable and wet floodplain grassland;
 - Horse pasture with wet meadow flora west of Hitches Lane;
 - Pony paddocks (associated with Pilcot Farm); and
 - A good network of mature hedgerows and tree belts'
- 7.89 When I visited the neighbourhood area, I saw the relatively self-contained nature of this proposed Local Gap. In particular I saw the way in which it reflected the distinction between Crookham Village and Dogmersfield. I also saw that it was defined to the

north of Pilcot Lane where there is a greater sense of openness than that which exists to the south of Pilcot Lane with its ribbon development to the immediate west of Crookham village and the more recent development of Knight Close. I also saw the way in which the proposed Local Gap wrapped round each side of the isolated dwelling to the north of Pilcot Road.

- 7.90 I saw that the proposed Local Gap had clearly defined boundaries along its western, southern and eastern edges. However, I saw that its northern boundary cut artificially through open agricultural fields. This may reflect changes in agricultural practices since the original boundary was defined. In its response to the clarification note I sought the Parish Council's comments on this matter. It advised that:

'(It) agrees that the northern boundary of the proposed Local Gap to the north of Pilcot Road is an artificial line which conformed to the Hart designated Local Gap for this area. Redrawing the Local Gap to natural and identifiable features and boundaries would not fundamentally alter the objective of the policy while using a boundary that would have more meaning in the landscape. However, the Parish Council suggests that revisiting the boundaries of this Gap be deferred to the first refresh of the neighbourhood plan'

- 7.91 Whilst I understand the Parish Council's comments about the northern boundary the incorporation of this proposed Local Gap in the submitted Plan would create a situation which would directly conflict with the requirement in the NPPF for a neighbourhood plan to contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals (NPPF paragraph 16 d). This matter is compounded as there is little, if any, clarity on where the northern boundary of any proposed Local Gap in this part of the neighbourhood area would be defined. This uncertainty has not provided me with any opportunity to recommend modifications to the spatial extent of the proposed Local Gap.

- 7.92 In addition I am not satisfied that the Parish Council's suggestion that revisiting the boundaries of this Gap should be deferred to the first refresh of the neighbourhood plan would meet the basic conditions. This is a fundamental matter which needs to be addressed at this point rather than in any review of a neighbourhood plan. Any specifically-defined Gap will need to be considered as part of any review of a made neighbourhood plan. At that time, it could properly be assessed against the basic conditions in the context of an appropriate and up-to-date evidence base in general terms and of clarity on its northern boundary in particular. In these circumstances I recommend the deletion of this proposed Local Gap.

Delete the proposed Local Gap from Figure 18.

Crookham Village Gap – Grove Farm Area

- 7.93 This proposed Local Gap (the northern area on Figure 6 Definitive Maps Supplement above) lies between the existing development of Netherhouse Moor, the Land north of Netherhouse Copse to the north and the Old Village in the south. It is bounded by Hitches Lane to the west and the Basingstoke Canal to the east.

- 7.94 As the additional evidence comments this proposed Local Gap is ‘a mixed rural landscape of arable fields, ancient semi-natural woodland, wet grassland, acid grassland, regenerating scrub and woodland and ancient hedgerow. It also contains the Grade II listed Grove Farm and its associated workshops and farm buildings. This area is important for recreation, biodiversity, its mosaic of habitats and for its distinctive landform. Although adjoining urban Fleet on its eastern boundary, large mature trees provide an effective visual buffer. Mature trees belts along Hitches Lane, Crookham Road, the Basingstoke Canal and the well wooded gardens of Crookham Village enclose the area and add to its attractive character. Three designated footpaths and a network of desire lines cross the area.’
- 7.95 When I visited the neighbourhood area, I saw the very contained nature of this proposed Local Gap. I saw in particular the way in which it reflected the distinction between Crookham Village to the south and Fleet to the east and the north-east. I also saw that it was in agricultural use and largely level in its topography. Given that the distance of approximately 250 metres between the two settlements the scale and the nature of the proposed Local Gap was self-evident. I also saw that its boundaries were clearly-defined.
- 7.96 On the basis of all the information I am satisfied that the Local Gap properly recognises and respects the sensitive nature of the gap between the two settlements. It is underpinned with evidence. In these circumstances its proposed designation meets the basic conditions.

Crookham Village Gap – Cross Farm, Peatmoor Copse and the River Hart floodplain Area

- 7.97 The proposed Local Gap (the southern area shown on Figure 6 Definitive Maps Supplement above) lies between the Old Village to the north and west, the Basingstoke Canal and Zebon Copse to the east and the Basingstoke Canal to the south.
- 7.98 The additional evidence paper makes extensive comments on the proposed Local Gap as follows:

‘(It) is an agricultural landscape with a mosaic of mostly arable open fields, pasture, wet meadow and copses. (It) is the most important compartment in the Parish for perceiving and enjoying the best qualities of the historic village of Crookham Village and its setting, the Crookham Village Conservation Area and its setting of open countryside. The Area has a strong sense of place with attractive rolling landform and extensive views in all directions including towards the settlement. Two footpaths overlook the Old Village from the rising ground of Cross Farm Ridge. Footpath 1 has panoramic views and particularly attractive views of the Old Village from both The Street/ Crondall Road and the Hart Valley. The compartment is tranquil and enclosed by mature trees and woodland with few detractors to the attractive open countryside character.

Attractive views of a series of isolated historic and listed buildings enrich the area’s scenic qualities and are local landmarks. There is a legible relationship of the settlement with the River Hart Valley with its attractive river terrace topography. Distant views of the Hart Downs strengthen the sense of place with its landscape mosaic which

is rich in wildlife and natural beauty. This character inspires well-being amongst those who use the area from the adjoining communities of Church Crookham, Fleet and Crookham Village’

7.99 When I visited the neighbourhood area, I saw that this proposed Local Gap was larger than the other two proposed Gaps. I also saw that it occupied a very distinctive landscape area and that it was defined by a series of natural and landscape features. I saw in particular the way in which it reflected the distinction between Crookham Village to the north, the linear part of the village off Crondall Road to the west and to Zebon Copse to the east. I walked along the two footpaths which run in a southerly direction from The Street. In this context I saw the way in which the proposed Local Gap had been defined (both for the purposes of this Plan and historically). I saw that it would have been impracticable to define a smaller Local Gap. In any event I saw the way in which the Zebon Copse development continued along the eastern boundary of the proposed Local Gap right up to the proposed southern boundary of the Gap.

7.100 In paragraph 7.84 of this report I have already commented about the proposed development of a care village in this part of the neighbourhood area. In his decision letter on the appeal the Planning Inspector commented that:

‘although the proposed development would not cause physical or visual coalescence, it would detract from the separate identity of Crookham Village, contrary to Policy CON 21 of the Local Plan, Policy NBE3(e) of the (emerging Local Plan), and Policy NE01 of the (emerging neighbourhood plan). The extent of harm, limited to an adverse impact on identity, merits moderate weight’ (Paragraph 66: APP/N1730/W/18/3216181).

7.101 On the basis of all the information I am satisfied that the Local Gap properly recognises and respects the sensitive nature of the gap between the two settlements. It is underpinned with evidence. In these circumstances its proposed designation meets the basic conditions.

The proposed policy

7.102 The policy itself is general in nature. It comments that development will only be permitted in the defined Local Gaps where it does not lead to the physical or visual coalescence of the settlements concerned. Whilst this provide a degree of high-level guidance the Rationale then points to a very limited range of ‘acceptable ‘land uses within the proposed Local Gaps. The proposed limited range of acceptable land uses is further reinforced given that both agricultural development and the planting of trees and hedgerows is permitted development. As such the effect of the policy would be extremely onerous.

7.103 In addition this policy fails to acknowledge its overlaps with Policy SB01. The three proposed Local Gaps fall outside the settlement boundary of Crookham Village. As such the second Part of Policy SB01 would apply to development in the proposed Local Gaps. As I commented in paragraph 7.14 of this report that policy provides support for a wide range of activities which would be appropriate in a countryside location taking account of national and local planning policies.

7.104 In order to remedy this internal conflict in the Plan I recommend that Policy NE01 is reconfigured so that it provides an additional layer of control to that already included in Policy SB01. The recommended approach seeks to ensure that any development which may be proposed within the Local Gaps in the context of the approach in Policy SB01 would be determined based on an assessment of the extent to which it would, either individually or cumulatively, lead to the physical or the visual coalescence of the settlements concerned. Plainly such decisions will be a matter of judgement for HDC on a case-by-case basis in the context of Policy NBE2 Landscape of the Local Plan and the specific policies in the neighbourhood plan. I recommend additions to the Rationale to explain the relationship between the two related policies.

7.105 I also recommend that the policy explicitly identifies the proposed Local Gaps. As submitted the Plan does not make a direct relationship between the policy and the Local Gaps as shown on Figure 18. Finally, I recommend detailed modifications to the wording used in the policy so that it has the clarity required by the NPPF.

At the beginning of the policy insert:

‘The Plan designates the following Local Gaps as shown on Figure 18:

- **Crookham Village Gap – Grove Farm Area; and**
- **Crookham Village Gap – Cross Farm, Peatmoor Copse and the River Hart floodplain Area’**

Replace ‘Development in the Gaps between Settlements’ with ‘Proposed development in the identified Local Gaps’

Replace ‘will only be permitted’ with ‘will be supported’

At the beginning of the Rationale add: ‘This policy reflects the sensitivity of the geographic location of Crookham Village and its surrounding settlements. The two identified Local Gaps are located in the countryside and are outside the settlement boundary of Crookham Village itself. In this context this policy has been designed to add distinctive value to the general approach towards the countryside in Policy SB01 of this Plan’

After the first paragraph in the submitted Plan add: The two identified local gaps are Crookham Village Gap – Grove Farm Area and Crookham Village Gap – Cross Farm, Peatmoor Copse and the River Hart floodplain Area. They are shown on Figure 18’

In the second paragraph of the submitted Plan delete the final sentence.

In the third paragraph of the submitted Plan (first sentence) replace ‘The gap’ with ‘The Local Gaps’ and ‘is’ with ‘are’

In the third paragraph of the submitted Plan delete the second and third sentences.

In the third paragraph of the submitted Plan (fourth sentence) replace ‘This is set’ with ‘The policy approach’

In the third paragraph of the submitted Plan (fifth sentence) delete ‘Although this...designation’ and replace ‘the identified...settlements is’ with ‘The identified Local Gaps are’ and ‘its’ with ‘their’

Replace the final paragraph of the Rationale with: ‘The policy approach seeks to ensure that any development which may be proposed within the Local Gaps in the context of the approach in Policy SB01 of this Plan would be determined on an assessment of the extent to which it would, either individually or cumulatively, lead to the physical or the visual coalescence of the settlements concerned. Plainly such decisions will be a matter of judgement for Hart District Council on a case-by case basis and in the context of policies in this Plan and Policy NBE2 Landscape of the Local Plan’

In the Evidence section insert an additional bullet point to read ‘ Supporting Paper for Policy NE01 of the Neighbourhood Plan (Amended Version - 17/10/2019)’

Policy NE02 – Preserving Key Views

7.106 This policy is based around safeguarding key views in the neighbourhood area. They are shown on Figure 19 and in Table 1. The views themselves are classified under four headings as follows:

- panoramic views – displaying a strong sense of place with a high sensitivity to change;
- focal views – with glimpses of the countryside and village setting from roads and lanes;
- feature views – views important for landscape character; and
- eye catchers – views which add to the quality of the countryside and contribute to distinctive landscape character.

7.107 The first part of the policy suggests that the Parish Council will be carrying out specific tasks to protect and enhance the key views. In its response to the clarification note the Parish Council confirmed that the purpose of the policy is to define a series of Key Views within the Parish and to provide guidance on the type of development that would be supported to safeguard these views. It also agreed with my proposition that the policy would be more robust if this guidance could be expressed positively and would comment that any development must respect and safeguard the defined key views through its location, scale, massing and height.

7.108 Berkeley Homes and Gladman Developments consider that the policy should either be deleted as it does not have sufficient clarity to be included within a development plan policy. Berkeley Homes makes specific comments about the potential impact of the policy and some of the identified views in particular on the development of its site at Netherhouse Copse. In its response to the clarification note the Parish Council acknowledges that proposed views 10, 11 and 15 are located within the Berkeley Homes development and therefore cannot be preserved. This point is largely acknowledged in the Rationale of this policy in the submitted Plan.

- 7.109 I have considered the appropriateness of the policy very carefully. I also took the opportunity to look at the various views when I visited the neighbourhood areas. In the round I am satisfied that the selected views are from public viewpoints rather than private views. In addition, I am satisfied that they reflect the character of the parish in general, and its landscape features in particular. Table 1 provides proportionate information about the views concerned. It has been carefully-developed by the Parish Council.
- 7.110 I recommend that proposed views 10, 11 and 15 are deleted from Figure 19 and from Table 1. As the Parish Council acknowledge they fall within the consented Berkeley Homes development and therefore cannot be preserved.
- 7.111 I recommend modifications to the policy itself. They both clarify the nature of the policy and change its format to one which has a positive approach and identifies the way in which new development should respect and take account of the identified views.

Replace the policy with:

‘The Plan identifies a series of key views in Table 1 and as shown on Figure 19.

Development proposals should respect the identified key views and should be designed so that their layout, scale, massing and height does not have an unacceptable impact on the characteristics of any affected key view concerned. Development proposals which would have an unacceptable impact on the character of an identified key view will not be supported’

Delete proposed views 10, 11 and 15 from Figure 19 and from Table 1 (page 83).

In the first paragraph of the Rationale delete the fourth, fifth and sixth sentences and replace with: ‘The various views are principally shown on Figure 19. They are also shown on Figures 13-16 to add value to the other information shown on those figures’

At the end of the Rationale add: ‘Policy NE02 provides a context within which new development should take account of the significance of the various identified viewpoints. It seeks to ensure through careful design, massing and the orientation of buildings that new development can be incorporated within the neighbourhood area whilst respecting the identified views’

Policy NE03 – Local Green Spaces

- 7.112 This policy proposes the designation of three local green spaces (LGSs). They are shown on Figure 20.
- 7.113 The Rationale includes a brief description of the three sites together with photographs. Appendix C5 provides details about the way in which the three proposed LGSs meet the criteria for such designation as included in the NPPF (paragraphs 99-101). It is an excellent analysis. It demonstrates that the policy approach is evidence-based.
- 7.114 The policy takes the matter-of-fact approach as required by the NPPF. However, I recommend that the examples in the policy about potential very special circumstances

should be deleted and repositioned within the Rationale. HDC will be able to take an informed decision on a case-by-case basis if any development is proposed within any of the three proposed LGSs.

In the final part of the policy delete ‘for example....in any other place’

At the end of the second paragraph of the Rationale add: ‘Policy NE03 provides appropriate protection for the three identified green spaces. The policy approach follows the matter-of-fact approach in the NPPF. The District Council will be able to take an informed decision on a case-by-case basis if any development is proposed within any of the three proposed green spaces. Very special circumstances may reflect the scale and nature of the three sites concerned. However, they may include the provision of essential infrastructure where it cannot be provided elsewhere’

Policy NE04 – Protected Open Space

- 7.115 This policy continues the open space theme. In this case it identifies a series of protected open spaces within both the Netherhouse Moor and the Zebon Copse Character Areas. In their different ways the proposed protected spaces are important elements of open space within their respective Character Areas.
- 7.116 Figure 23 helpfully shows the spatial relationship between the proposed LGSs and the protected open spaces.
- 7.117 The policy safeguards the identified open spaces. It indicates that development will only be permitted where one of three circumstances exist. It also safeguards the existing Wildlife Areas in Zebon Copse.
- 7.118 I am satisfied that the policy meets the basic conditions in a general sense. However, I recommend a series of detailed modifications so that it has the clarity required by the NPPF.

In the second paragraph replace ‘permitted’ with ‘supported’

In the first bullet point delete ‘e.g. play equipment’

In the final paragraph delete ‘they shall not.... development’

Policy NE05 – Protecting Biodiversity

- 7.119 This policy seeks to preserve biodiversity in the neighbourhood area. It is a very comprehensive policy. It has three principal elements as follows:
- proposals for development should demonstrate how they would aim to provide a net gain of biodiversity;
 - safeguarding the Thames Basin Heaths SPA; and
 - safeguarding Sites of Importance for Nature Conservation.

7.120 The policy has significant overlaps with national and local policy on this matter. Nevertheless, it provides a sufficient element of local distinctiveness and detail to warrant its retention in the Plan. In this respect it has been heavily underpinned by evidence and local research.

7.121 I am satisfied that the policy meets the basic conditions in general terms. However, the approach in the third element of the policy is rather loosely-drafted. I recommend modifications which more explicitly link it to the development management process. The recommended modification also clarifies the SINC's covered by the policy. As submitted the policy suggests that there is a difference between their wider number and those shown on Figure 28. Nevertheless, its wider intentions remain unchanged.

Replace the third element of the policy with:

'Development proposals should take account of the following Sites of Importance for Nature Conservation (as shown in Figure 28): [List the twelve sites]

Proposals which would have an unacceptable impact on the integrity and biodiversity of any of the sites listed above will not be supported'

Policy TM01 – Parking Standards

7.122 This policy includes several related elements as follows:

- support for electric vehicle charging points;
- off-street parking standards;
- applying those parking standards to extensions/alterations to an existing property; and
- parking standards for commercial premises.

7.123 I am satisfied that the first, third and fourth criteria of the policy are appropriate to the neighbourhood area. In each case I recommend detailed modifications to the wording used so that they have the necessary clarity for a development plan policy.

7.124 In relation to the second criterion of the policy Berkeley Homes contend that the proposed car parking policy for residential development at one parking space per bedroom is insufficiently-evidenced and that, in any event, it is a reaction to pre-existing issues. In the Rationale for the policy the Parish Council points to high levels of car ownership in the neighbourhood area, and the effect which this has on the ability or otherwise of smaller properties to accommodate their own parking requirements. It also highlights the nature of the Zebon Copse and Netherhouse Moor developments.

7.125 I have considered this element of the policy very carefully. On the one hand there are acknowledged parking issues within the neighbourhood area, and in Zebon Copse and Netherhouse Moor in particular. On the other hand, these matters are pre-existing conditions which it would be unreasonable for the Plan to expect new development to address or remedy. In addition, Policy I3 of the recently-adopted Local Plan comments

that development should promote the use of sustainable transport modes prioritising walking and cycling, improve accessibility to services and support the transition to a low-carbon future. It requires new development to provide parking provision to HDC's published standards or to those included in neighbourhood plans. In this context it would be inconsistent for the submitted Plan to propose higher car parking standards which would cut across the sustainability agenda incorporated in the Local Plan. In addition, in my view the evidence provided in the submitted Plan for higher parking standards is not sufficiently compelling to warrant such an approach.

- 7.126 In these circumstances I recommend that the second criterion of the policy is modified so that it refers to HDC published parking standards. I also recommend consequential changes to the Rationale. These changes highlight that the current parking standards are of an interim nature and that any updates to those standards would then apply in the neighbourhood area.

In the first criterion replace 'new developments' with 'they' and 'through the provision.... associated property' with 'through their design and layout in general, and through the provision of electric vehicle charging points appropriate to the layout of the development in particular'

In the second criterion replace 'must make.... sale or rent' with 'should provide appropriate parking provision, in terms of amount, design and layout, in accordance with the Hart District Council's published parking standards at that time'

In the third criterion replace 'are still' with 'continue to be'

In the fourth criterion replace 'which require.... commercial properties' with 'should provide appropriate parking provision, in terms of amount, design and layout, in accordance with the Hart District Council's published parking standards'

In the Rationale delete the first three paragraphs.

At the beginning of the fourth paragraph add: 'The neighbourhood area has a range of housing types. Some larger houses have sufficient capacity to park the vehicles used by their household within their curtilages. Older properties in the village centre were not designed to accommodate current car parking requirements. The more modern developments at Zebon Copse and Netherhouse Moor present a specific set of car parking issues'

In the fourth paragraph replace the penultimate and the final sentences with: 'Policy TM01 requires that any new developments comply with the District Council's published standards. The current published standards are interim in nature (August 2008). The District Council will be preparing a Supplementary Planning Document on this matter. Once it is adopted its parking standards will then be applied in the neighbourhood area. Whilst this approach will not resolve the existing parking issues in the neighbourhood area it should ensure that they do not become more intense. The first criterion of the policy also offers support to sustainable transport initiatives. This approach

consolidates the approach included in Policy I3 of the adopted Local Plan and wider initiatives being pursued by the County Council'

Aspiration TM02 – Reducing Congestion

7.127 The title is clear that this Aspiration is not intended to be a land use policy. It comments about the community's wish to see enhanced community transport and a reduction in traffic congestions. Its aim is laudable.

7.128 Nevertheless, as submitted the Aspiration is partly-written as a policy. I recommend modifications to its format and content to avoid any potential confusion in the Plan period. I also recommend that a different colour for the 'policy' box is used here to differentiate the Aspiration from the land use policies elsewhere in the Plan.

Replace the Aspiration to read:

'The local community will work with relevant organisations to secure:

- *enhanced community transport;*
- *safe cycle and pedestrian facilities; and*
- *measures to enhance road safety and to reduce congestion'*

Other matters

7.129 This report has recommended a series of modifications both to the policies and to the supporting text in the submitted Plan. Where consequential changes to the text are required directly as a result of my recommended modification to the policy concerned, I have highlighted them in this report. However other changes to the general text may be required elsewhere in the Plan as a result of the recommended modifications to the policies. It will be appropriate for HDC and the Parish Council to have the flexibility to make any necessary consequential changes to the general text. I recommend accordingly.

7.130 In the following section of this report I have recommended specific modifications to the Plan to reflect the recent adoption of the Hart Local Plan (Strategy and Sites) 2032. Nevertheless, this general recommended modification would also apply to any other consequential updates arising from the adoption of the Local Plan 2032 that may be required to other parts of the Plan.

Modification of general text (where necessary) to achieve consistency with the modified policies.

References to the Hart Local Plan (Strategy and Sites) 2032

7.131 When the Plan was initially being prepared the recently-adopted Local Plan was an emerging Plan. I recommend modifications to the substantive references to this Plan about the local plan context to take account of the passage of time in general, and the adoption of the Hart Local Plan (Strategy and Sites) 2032 in particular.

- 7.132 Any other consequential updates and modifications would be covered by the general recommended modification in paragraph 7.130 of this report.

Replace the Rationale on pages 13 to 15 of the Plan with:

'This Plan was prepared as the Hart Local Plan (Strategy and Sites) 2032 was being examined. That Plan was adopted in March 2020. The adopted Local Plan acknowledges the sites in the neighbourhood area which already have planning permission. In this context this neighbourhood plan does not identify additional development sites nor does it contemplate specific development proposals. Its focus is on a series of local and environmental matters which are of importance to the local community'

In Section 3 – Policies replace the second, third and fourth paragraphs with:

'In March 2020 Hart District Council adopted the Hart Local Plan (Strategy and Sites) 2032. The policies in this neighbourhood plan are in accordance with the strategic vision, priorities and policies of this local plan. The examination of the neighbourhood plan used the Local Plan 2032 as the development plan for the basis of assessing the neighbourhood plan against the basic conditions'

Detailed matters

- 7.133 HDC has made a series of detailed comments on the initial sections of the Plan. I recommend modifications to the various elements of supporting text insofar they are necessary to ensure that the Plan meets the basic conditions.

Whole document – delete any residual references to the NPPF 2012.

Section 1 Page 9- replace '154' with '16' and in the brackets replace '(NPPF)' with '(2019 NPPF)'

Figure 2 Page 11 – replace 'Existing Settlement Boundaries' with those shown (as proposed) in the Definitive Maps Supplement

Figure 4 Page 19 – show the SSSIs and SINCs on the figure. If necessary, produce the Figure to an appropriate scale to allow these designations to be shown with the clarity required for a development plan document.

Objectives Page 23 – update the three footnotes so that they correspond with the relevant elements of the 2019 NPPF (and to include the relevant paragraph numbers).

Maps

- 7.134 The submitted Plan is very detailed. It includes a series of maps/figures within the main body of the Plan itself. It then includes a separate section of Definitive Maps.
- 7.135 In some cases there are slight differences between the maps/figures within the Plan itself and those within the schedule of Definitive Maps. The definitive maps should be

used as the correct version. For clarity I recommend that the Definitive Maps are incorporated into the main body of the Plan in the event that it is 'made'. Whilst the process that has been followed has worked effectively for the preparation of the Plan it does not bring the clarity required by the NPPF for a development plan.

Incorporate the Definitive Maps into the main body of the Plan.

8 Summary and Conclusions

Summary

- 8.1 The Plan sets out a range of policies to guide and direct development proposals in the period up to 2032. It is distinctive in addressing a specific set of issues that have been identified and refined by the wider community.
- 8.2 Following my independent examination of the Plan I have concluded that the Crookham Village Parish Neighbourhood Development Plan meets the basic conditions for the preparation of a neighbourhood plan subject to a series of recommended modifications.

Conclusion

- 8.3 On the basis of the findings in this report I recommend to Hart District Council that subject to the incorporation of the modifications set out in this report that the Crookham Village Parish Neighbourhood Development Plan should proceed to referendum.

Referendum Area

- 8.4 I am required to consider whether the referendum area should be extended beyond the Plan area. In my view, the neighbourhood area is entirely appropriate for this purpose and no evidence has been submitted to suggest that this is not the case. I therefore recommend that the Plan should proceed to referendum based on the neighbourhood area as originally approved by Hart District Council on 7 August 2014.
- 8.5 I am grateful to everyone who has helped in any way to ensure that this examination has run in a smooth and efficient manner. The Parish Council's detailed responses to the clarification note assisted significantly in the wider process.

Andrew Ashcroft
Independent Examiner
16 March 2020

Appendix 1

Modified Rationale and Evidence for Policy BE06 – Prevention of Flooding Rationale

Within Crookham Village Parish, most significant flooding issues are concentrated in small, discrete areas with the rest of the parish at relatively low risk of flooding. The areas most at risk of flooding lie along the lower reaches of Crondall Road from Brook House down to the land along Zephon Common Lane and Watery Lane. These areas represent the lowest lying land within the parish and accept runoff from the surrounding higher areas both within the parish from Cross Farm and outside the parish from the higher land at Beacon Hill, which runs down through Ewshot Marsh, across Redfields Lane into the parish via Zebon Copse estate and then alongside the aptly named Watery Lane. The Street in Crookham Village also suffers from periodic surface water flooding from the runoff from the higher ground at Cross Farm. These represent the areas where the effects of flooding are likely to be most marked on the receiving environment. For example, old, listed properties such as Brook House on Crondall Road and West View and Grove Cottages on The Street have no foundations nor damp courses and are therefore particularly susceptible to increases in groundwater levels, runoff and floods. Prior to the building of the Zebon Copse estate, Velmead Farm was very marshy in character and acted as a sink for the runoff water from the higher land towards Ewshot and Beacon Hill. This meant that when the Zebon Copse development was planned in the late 1980's, the developer, Martin Grant, built a Sustainable Drainage System (SuDS) consisting of three large balancing ponds supplemented by several smaller drainage areas and a network of new and pre-existing drainage ditches that traversed the entire development. Unfortunately, experience has shown that this early SuDS proved inadequate to deal with the volume of water running off the surrounding high land and has had to be enhanced.

Between 2000 and 2016, the Zebon Copse development experienced four major flooding events with numerous minor incidents. The first major flooding event took place in November 2006 following an extended period of heavy rain and was followed by further significant flooding events in January and February 2007 and again in July 2007. Following this flooding, the SuDS on the estate were enhanced by raising the height of the bank on the main balancing pond on Brandon Road but this still proved insufficient to prevent further flooding on 4 January 2014 after which the bank was further extended and, apart from one instance when the outlet from the pond was partially blocked by a discarded plastic container, no further overflows have been reported. On each occasion, the flooding was not limited to the Zebon Copse development and significant levels of flooding also occurred in Crookham Village, reaching as far as the parish boundary with Dogmersfield. Particular impacts were felt at the western edge of the parish; on the southern side of The Street and along Crondall Road, Stroud Lane and Zephon Common Lane, with subsequent downstream impact to the Dogmersfield conservation area. There is also documentation of extensive flooding on Hitches Lane towards Fleet.

The Parish wishes to take a proactive approach to mitigating and adapting to climate change. Most of the flooding events described in this section have been described as one in a hundred-year events, despite taking place far more regularly than that. Due to climate change, it is anticipated that such events will continue to occur on a regular basis with long-term implications for flood risk, biodiversity and landscapes. The parish wishes to implement a flooding policy to support appropriate measures to ensure the future resilience of each of its

three community areas and implement appropriate infrastructure to help ameliorate the impact of climate change. This policy for flood prevention will also provide an opportunity to avoid increasing the exposure of both new and existing development to the risk of flooding and will also protect blue/green infrastructure⁴ for wildlife and amenity purposes. With regard to surface water drainage, the Parish regards it as being the responsibility of the developer of any future developments within the Parish to make proper provision for drainage to ground, watercourses or surface water sewers.

Footnote: 4 Blue/green infrastructure is defined as the set of ecological services for water quality, flood management, conservation of biodiversity and adaptation to climate change that work by controlling runoff, preventing soil erosion, and recharging aquifers. Natural infrastructure (unsurfaced areas and water bodies) and designed elements (such as SUDS) can help developments avoid flooding and other environmental impacts and support healthy ecosystems.

Evidence

Supporting evidence for this policy can be found in:

- NPPF core planning principles and requirements in Part 14;
 - In particular, according to NPPF paragraph 158: 'The aim of the sequential test is to steer new development to areas with the lowest risk of flooding. Development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding. The strategic flood risk assessment will provide the basis for applying this test. The sequential approach should be used in areas known to be at risk now or in the future from any form of flooding.'
- Hart District Council Local Plan 2016 – 2032 Submission Version policies: NBE6;
- Hart District Council Strategic Flood Risk Assessment July 2016 (https://www.hart.gov.uk/sites/default/files/4_The_Council/Policies_and_published_documents/Planning_policy/SFRA%2012th%20December%20FINAL.pdf);
- In particular, according to Hart's SFRA 2016: table 17.1 key policy recommendations. Recommendation 7: It is recommended that an 8m buffer is left alongside main rivers and 5m buffer along ordinary watercourses.

Hart's SFRA 2016 section 9.5 Planning Considerations (page 64): 'Although the residual risk of a canal embankment breach is low, the consequence on the local area immediately adjacent to the canal, should a breach occur, could be significant. For this reason, the site allocations should consider the risk of canal breach. Development adjacent to the canal embankments should be supported by a breach analysis and appropriate mitigation.'

According to Hart's Green Infrastructure Strategy 2017:

- Page 17: There are opportunities to create green corridors along roads, the railway line, rivers, the canal, footpaths, and also to enhance ecological connectivity through hedgerows

Page 22:

- Access to the rivers and canal for recreation should be promoted;
- The Whitewater and Hart river valleys should also be protected from development, and managed to promote natural flood alleviation.
- Where possible, a green buffer should be retained either side of the Basingstoke Canal and watercourses; an 8-metre buffer for main rivers and 5 metres for other watercourses respectively.

Page 29

- The Hart and Basingstoke Canal and Whitewater Valley are valuable resources but are fragmented in some locations. There are opportunities to increase connectivity enhancing the recreational value of these river corridors.

Page 30

- Regular flooding in a number of locations, including parts of all the main settlements highlights the need for more functional GI features in river catchments, and reinstatement of natural river flood plains where feasible.

Priorities:

- Strategic Green Corridors of SANGs - Can deliver biodiversity, access and flood management – use river corridors as basis for these.
- Secure appropriate investment to respond to SFRA- protect up stream flood plains
- Zebon Copse Residents Association Flooding Reports:
 - o April 2007
 - o July 2007
 - o January 2014
 - FACE IT Press Release 022 dated January 2014;
 - Personal statement made to land at Watery Lane (14/00504/MAJOR) planning appeal by Annette Blackwell re flooding at Zephon Common Lane Appeal document ID23;
 - Photographs of flooding along footpath 1 towards The Street.