

**INDEPENDENT EXAMINATION OF THE
PETERSFIELD NEIGHBOURHOOD PLAN
SUBMISSION DRAFT 18 JANUARY 2015**

INITIAL NOTE FROM EXAMINER

Christopher Lockhart-Mummery QC

Introduction

1. I have been appointed by the South Downs National Park Authority (SDNPA), the local planning authority, and Petersfield Town Council (the Qualifying Body) to conduct the independent examination of the Submission Draft of the Petersfield Neighbourhood Plan (PNP). The purpose of this Note is threefold. First, to state my decision that a hearing will be held for the purpose of receiving oral representations, and to set out the arrangements for such hearing. Second, to raise some initial comments and queries on certain aspects of the PNP. Third, to raise certain comments and queries on some of the duly made representations. The purpose of raising these matters at this stage is to ensure that later stages of the examination, and in particular the hearing, can proceed in an informed and efficient manner.
2. I invite responses (so far as practicable) to the questions below exclusively from the SDNPA and the Qualifying Body. In the interests of full transparency, this Note and any answers to it will be made publically available so that all persons interested can follow the process.

Hearing

3. Paragraph 9(2) of Schedule 4B of the Town and Country Planning Act 1990 provides that an Examiner must cause a hearing to be held for the purpose of receiving oral representations about a particular issue at the hearing in any case where the Examiner

considers that the consideration of oral representations is necessary to ensure adequate examination of the issue or a person has a fair chance to put a case. From my reading thus far of the PNP and the principal supporting documents, I have determined that a hearing is necessary to ensure adequate examination of a number of issues that have arisen. I am also satisfied that it is necessary in order to ensure that certain of the representors have a fair chance to put their case, namely representors R9, R32, R36, R37 and R38. This may also apply to R34, dependent on any response to a query I raise below.

4. Up to 1½ days will be set aside for the hearing, with accompanied site visits (insofar as I consider necessary) during the balance of the second day. The hearing, which is a public hearing, will open at 10 am on 4 June 2015 (and continue as necessary at 10 am on 5 June) at Festival Hall, Heath Road, Petersfield, Hampshire GU31 4EA.
5. Invitations will shortly be extended to the representors listed above. In advance of the hearing, I will set out an agenda and guidance for the conduct of the hearing.

Comments on the PNP

6. I need clarification as to the precise extent of the statutory development plan. The principal element of the development plan, against which general conformity has been assessed, is the Joint Core Strategy 2014. There were, however, saved policies of the East Hampshire District Local Plan: Second Review which were not superseded by the adoption of the JCS. I need to know whether these policies have subsequently been superseded, and if so how.
7. The PNP is commendably clear (page 3) in attempting to distinguish its land use policies (in blue) from its “aspirational” policies (in pink). However, a Neighbourhood Development Plan “is a plan which sets out policies (however

expressed) in relation to the development and use of land...”: Planning and Compulsory Purchase Act 2004, section 38A(2). PPG advises:

“Neighbourhood planning can inspire local people and businesses to consider other ways to improve their neighbourhood than through the development and use of land. They may identify specific action or policies to deliver these improvements. Wider community aspirations than those relating to development and use of land can be included in a neighbourhood plan, but actions dealing with non-land use matters should be clearly identifiable. For example, set out in a companion document or annex”.

This preserves the potential for “aspirational” objectives or policies to form part of the PNP, and some Examiners have accepted this. Having regard to the fact that the PNP will form part of the section 38(6) development plan, I am nonetheless concerned at the intermingling, despite the colour-coded approach. I may recommend that the aspirational material be removed to a companion document or annex. Would there be strong objection to this, and if so why?

8. PNP page 9 – should the reference to “flats” be changed in the light of R25?
9. HP5 “mandates” a phasing policy. My provisional view is that this does not conform to national guidance. Would it not be preferable to link development with the provision of necessary infrastructure (as suggested by R25)?
10. HP6 (affordable housing) is unclear as presently drafted. See R25 and R39. Please could a re-drafted version be supplied?
11. HP1 and HP7 envisage some 15% of the housing provision coming from self or custom build only. Many cogent representations are made relating to the delivery of this provision on this scale, and to the rigidity of the occupational criteria. Would a

preferable approach be to allocate small sites for this purpose, or scatter the provision among allocated sites, as suggested by R35?

12. I am concerned at the highly prescriptive nature of HP8 and HP9. In addition, these policies would appear to be at odds with the ministerial statement dated 25 March 2015 on the new national technical standards, and the Technical Housing Standards dated March 2015.. BEP4 is likewise very prescriptive.
13. I have a number of concerns as to the GAP policies. For example, how is GAP1 related to development, and deliverable? The same goes for GAP2, which also seems to propose obligations on the highway authority. Similar criticism can be made of GAP3 and GAP4. Is GAP6 a land use policy, or a request to the highway authority?
14. I would be most grateful for brief responses to the above points.

Comments/queries on Representations

15. The following comments/queries are raised by reference to the representor number.
16. R9 – please supply a red line location plan showing the land promoted.
17. R11 – can this allocation now be maintained, and if so why?
18. A number of representors question the deliverability of a number of allocation sites, presently in use for other purposes. Example are H9, H10, MU1, MU2 etc. A brief response on such matters would be helpful.

19. R15 – is Southern Water correct in its assumption as to HP1? My understanding is that the design principles and the delivery considerations are intended to be mandatory.
20. R18 – a response to the Environment Agency representation is needed.
21. R28 – a response to the comment on BP1, would there not be merit in simply using the term “employment”?
22. R32 – please supply a location plan of this site.
23. R34 – in relation to HP9, can these parking standards be maintained in the light of the 25 March 2015 policy statement?
24. R35 – is the MPA satisfied by the response at R39?
25. R37 raises contentions as to the legal adequacy of the SEA in relation to the consideration of reasonable alternatives. A brief response would be helpful. If possible, this response might also respond to R43, contending that different options/distributions (southern/eastern focus, or dispersal) should have been tested. Additionally, please supply a location plan showing the intended enlargement of the H1 site.
26. R39 – is it intended to propose specific textual amendments to deal with these points, at this stage?

Christopher Lockhart-Mummery QC

Examiner

23 April 2015.

**INDEPENDENT EXAMINATION OF THE PETERSFIELD NEIGHBOURHOOD PLAN
SUBMISSION DRAFT 18 JANUARY 2015**

**South Downs National Park Authority & Petersfield Town Council response to Initial
Note from the Independent Examiner Christopher Lockhart-Mummery QC**

Introduction

1. The South Downs National Park Authority (SDNPA), the local planning authority, and Petersfield Town Council (the Qualifying Body, QB) appointed Christopher Lockhart-Mummery QC (Examiner) to conduct the independent examination of the Submission Draft of the Petersfield Neighbourhood Plan (PNP).
2. The Examiner published a note in which he stated his decision to hold a hearing and sought a response from the QB and SDNPA on a number of comments and queries.
3. The following responses are numbered to correspond with the examiners original note.

The Examiners questions are set in text boxes and the response by the QB and SDNPA follow each in turn.

Comments on the PNP

6. I need clarification as to the precise extent of the statutory development plan. The principal element of the development plan, against which general conformity has been assessed, is the Joint Core Strategy 2014. There were, however, saved policies of the East Hampshire District Local Plan: Second Review which were not superseded by the adoption of the JCS. I need to know whether these policies have subsequently been superseded, and if so how.

- 6.1 There are a number of East Hampshire District Local Plan: Second Review policies which were not superseded by the adoption of the JCS. These policies have been passed to the

examiner. Further information on the saved policies of the East Hampshire District Local Plan: Second Review can be found on their website

([http://www.easthants.gov.uk/ehdc/formsfordownload.nsf/0/4702D0537A44D62B80257E230040B27C/\\$File/Allocations+Plan+final+for+web.pdf](http://www.easthants.gov.uk/ehdc/formsfordownload.nsf/0/4702D0537A44D62B80257E230040B27C/$File/Allocations+Plan+final+for+web.pdf)), Appendix 15, page 75. A list of the saved policies is attached to this note, Appendix A.

7. The PNP is commendably clear (page 3) in attempting to distinguish its land use policies (in blue) from its “aspirational” policies (in pink). However, a Neighbourhood Development Plan “is a plan which sets out policies (however expressed) in relation to the development and use of land...”: Planning and Compulsory Purchase Act 2004, section 38A(2). PPG advises:

“Neighbourhood planning can inspire local people and businesses to consider other ways to improve their neighbourhood than through the development and use of land. They may identify specific action or policies to deliver these improvements. Wider community aspirations than those relating to development and use of land can be included in a neighbourhood plan, but actions dealing with non-land use matters should be clearly identifiable. For example, set out in a companion document or annex”.

This preserves the potential for “aspirational” objectives or policies to form part of the PNP, and some Examiners have accepted this. Having regard to the fact that the PNP will form part of the section 38(6) development plan, I am nonetheless concerned at the intermingling, despite the colour-coded approach. I may recommend that the aspirational material be removed to a companion document or annex. Would there be strong objection to this, and if so why?

- 7.1 The Planning and Compulsory Purchase Act 2004, section 38A(2) and the PPG advises that actions dealing with non-land use matters should be clearly identifiable. The QB is content that the non-land use matters have been clearly identified as they are set out in pink in the PNP. The QB also suggests that the non-land use matters provide context for a number of land use matters. It is also important to the QB to demonstrate to the wider community that certain non-land use planning matters have been considered and are reflected in the

PNP. However, if the non-land use matters are to be moved to an appendix the QB would request that the aspirational policies remain referenced in the introduction table to each chapter which sets out the chapters objective and supporting policies. For example; on page 36 of the PNP the 'pink' aspirational policies will remain in the objective table, but the full text of the aspirational policies from page 43 and 44 would be removed from the chapter and placed in an appendix.

8. PNP page 9 – should the reference to “flats” be changed in the light of R25?

- 8.1 Representation R25 (East Hampshire District Council) has suggested that the reference to flats at section 3.1 (page 9), bullet point 6 should be amended to read 'dwellings'. The QB and SDNPA agree to this proposed amendment, the revised text is as follows

'The demand for new affordable homes in Petersfield is between 32 and 74 per year. The majority of this demand is for one or two bedroom ~~flats~~ dwellings. We are currently unable to meet this demand. '

9. HP5 “mandates” a phasing policy. My provisional view is that this does not conform to national guidance. Would it not be preferable to link development with the provision of necessary infrastructure (as suggested by R25)?
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- 9.1 The QB and SDNPA have reviewed Housing Policy 5 (HP5) – Phasing of development on page 15 of the PNP. The underlying concern of the community was that development would outstrip the provision of supporting infrastructure. With this in mind it is agreed that the timing of development should be linked to the provision of the necessary infrastructure.

- 9.2 The following replacement policy is proposed:

New Policy: Housing Policy 5 (HP5) – Delivery of infrastructure

- a) New development will contribute towards new infrastructure or improve the capacity of existing infrastructure to mitigate its impact and support future residents and businesses.

- b) Critical service and utility infrastructure will be provided on-site by the developer and utility providers to ensure development is properly serviced.
- c) In addition, a suitable package of supporting infrastructure will be negotiated by the National Park Authority in liaison with Petersfield Town Council and secured through legal agreements to ensure the development is acceptable in planning terms, self-supporting and its impacts are properly mitigated.
- d) On-site infrastructure will be secured through legal agreements based on the needs of each proposal (or group of proposals) and delivered directly by the developer or through financial contributions and/or land. Infrastructure delivery will be integrated with development phasing to ensure timely provision and commuted payments will secure necessary future maintenance.
- e) The design of infrastructure through partnership working with developers and infrastructure providers should reflect the high quality landscape and ensure, where possible, benefits to the economic and social well being of the local community.

Remove last paragraph of supporting text starting 'Policy HP5 therefore mandates

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| <p>10. HP6 (affordable housing) is unclear as presently drafted. See R25 and R39. Please could a re-drafted version be supplied?</p> |
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10.1 In response to the representations raised by East Hampshire District Council (R25) and South Downs National Park Authority (R39) the QB and SDNPA propose to amend the affordable housing policy HP6 at section 3.5.2 on page 16 of the PNP as follows:

Housing Policy 6 (HP6) – Provide affordable housing

- a) Proposals for new residential development that maximise the delivery of affordable housing and provide for the size, type and tenure of homes to meet local needs as set out in this policy will be permitted, provided they comply with other relevant policies. The application of this policy will maintain a focus on affordable housing, but will be sufficiently flexible to take account of viability and changing market conditions over time.

- b) A target of at least 40% of all net dwellings (C3 use class) on schemes of 6 or more units will be provided as affordable homes in perpetuity to meet local needs.
- c) Development of 11 or more net dwellings will provide affordable housing on-site unless in exceptional circumstances when the Planning Authority, at its discretion, may accept an alternative form of delivery in a cascade of forms with first preference for provision on an alternative site in Petersfield, then the provision of serviced land in lieu and then a financial contribution in lieu.
- d) Development of 6 to 10 net dwellings will provide affordable housing on-site where possible. Where on-site provision is not possible in whole or in part, commuted financial payments in lieu will be accepted.
- e) The layout and design of affordable housing will be appropriately integrated into each development so affordable housing is indistinguishable from the equivalent market housing. Affordable housing should be spread carefully through the development, not isolated in specific blocks.
- f) The size (number of bedrooms), type (flat, house, extra care etc.) and tenure (social and affordable rented, intermediate, shared ownership or other) of affordable homes for each proposal will be based on up-to-date evidence of local needs. A suitable mix will be determined through discussions between the applicant and South Downs National Park Authority in liaison with East Hampshire District Council, Petersfield Town Council, and Rural Housing Enablers where applicable.
- g) The eligibility for affordable housing will be administered by EHDC as the Housing Authority. The definition of local need is therefore as laid down by the Hampshire Home Choice service's Allocation Framework. However, priority will be given to people who can demonstrate a local connection to Petersfield in the first instance.

11. HP1 and HP7 envisage some 15% of the housing provision coming from self or custom build only. Many cogent representations are made relating to the delivery of this provision on this scale, and to the rigidity of the occupational criteria. Would a preferable approach be to allocate small sites for this purpose, or scatter the provision among allocated sites, as suggested by R35?

11.1 Why was this policy included?

11.1.1 After initially proposing that a self-build allocation could be included in the plan, the PNP group received universally supportive feedback from the community. One of the community's prime concerns was the affordability and provision of homes for local people. By linking self-build homes to a local connection policy, the PNP has therefore sought to directly address this concern. Self-build homes, by definition, are cheaper to build and restricting the market to local people will also reduce their future value.

11.1.2 The community was also keen to see high quality homes with beautiful architecture. Both these features are more likely to be seen when people build their own homes – self-built homes are very different from the products offered by volume house builders.

11.1.3 The community was also keen to see more energy saving and eco features – which are again a common theme in self-built homes. Finally, there is strong evidence to suggest that self-build homes result in better communities. *“If you build one house, you build yourself a home. If you build 50, you build a community.”¹*

11.2 The local connection is too onerous, and how will it be enforced?

¹ The Self Build Summit for Council Leaders

http://www.local.gov.uk/c/document_library/get_file?uuid=40d9d0d6-f4df-4543-a47f-92fab35b959c&groupId=10180

11.2.1 It is considered that the local connection is not too onerous. The policy sets out that an individual would only need to work or live in Petersfield (or surrounding areas) for 12 months before qualifying. The main intent is to prevent these sites being bought by people from further afield who may price out local residents. New text has been added to the policy to indicate that a review will take place after 5 years.

11.2.2 It is envisaged that the local connection requirements would be enacted as restrictive covenants on the deeds of each plot and thus enforced by the buyer/seller's solicitors as part of their normal business in the same way as an agricultural occupancy.

11.3 It is not viable as there is insufficient demand?

11.3.1 In terms of assessing demand, the QB followed the guidance from the National Custom and Self Build Association (NaCSBA) and:

- Set up a register of interest
- Used data from the NaCSBA national survey from the area
- Obtained local data from plot-search companies

11.3.2 This research showed a demand of up to 130 people actively looking for self-build plots right now. This would appear to demonstrate that 112 dwellings over the course of a 15 year plan was a modest proposal.

11.4 Why was such a large site (site H2) solely allocated as self-build?

11.4.1 Having decided to include a self build policy, the PNP Group looked at how this could be achieved. The option of requiring 5 to 10% self-build on each site was considered. However, the viability analysis (see Annex A of the plan) had already shown that our other policies, in conjunction with CIL, put development in Petersfield at the limit of viability. Another requirement such as self-build would therefore have potentially made development unviable and thus left the plan open to challenge. It was therefore decided to look for a different option.

11.4.2 Whilst the plan was being developed, the 16 acres of land to the north of Buckmore Farm (which forms the large majority of site H2) was for sale as agricultural land with a guide price of £250,000. As the site evaluation process progressed, it became evident that this site was unique in being the only major site which had passed all the evaluation tests (access, proximity to town centre, landscape etc) in line with the visions and concepts of the PNP but had not previously been seriously considered for development. Thus there was no pre-existing interest from a developer, no option for purchase, and the fact that it was on the market at £250,000 demonstrated that it was both available and that the landowner was prepared to accept a value that could enable self-build on this scale.

11.4.3 It was therefore considered that this would be a viable site for self build. Whilst this might not result in the land value rising to that expected for residential development land, it would certainly raise the value of the land above its agricultural value, providing some return to the landowner.

11.4.4 It should be noted that the agent acting on behalf of the majority landowner of site H2 has made a representation during the submission of the PNP. This representation is coded as R28 Gentian Developments. The representation clearly states support for the self build / custom build model proposed for the site. The following statement was made as part of that representation '*Housing Policy 1 (HPI)* - Gentian supports the H2 site allocation involving the proposed allocation of land north of Buckmore Farm is wholly for the purpose of self-build or custom-build homes. Gentian is committed to exploring delivery options for the site with the town and national park authority.'

11.4.5 The other, much smaller part of H2 is owned by Hampshire County Council. Discussions with the Council indicated that, whilst they had concerns over deliverability, they had no other objection in principle. It was also considered that, as a local authority holding public land, the Council should be looking to support the Governments drive for self build and should therefore look favourably on providing low cost homes for local people.

11.5 Who will coordinate the delivery of the supporting infrastructure?

11.5.1 A number of representations contend that site H2 is not deliverable because it would be impossible to coordinate 101 self-builders to deliver the necessary infrastructure (roads, services etc).

11.5.2 The PNP group's vision was never that site H2 would be quickly sold off as individual plots, but that it would be first set out and supporting infrastructure put in place. This is effectively how large developments work as the companies that provide the roads and services are separate specialists from the companies that actually build the houses. Thus it is the intention that an enabling developer makes the site ready for development by individuals and then sells on the plots. This is a viable business model which is widespread in Europe and has also been proven in the UK, with developers such as Igloo pioneering the technique at a scale much larger than is proposed in Petersfield.

11.5.3 To clarify this intent it is proposed to amend the policy (please see end of this this section).

11.5.4 To aid the delivery of the largest self build site (H2) it is proposed that the Petersfield Town Council in liaison with the SDNPA, the landowner and the local community will prepare a design brief for the site, setting out key design principles and matters relating to landscaping, infrastructure, layout etc. This will be completed in 2016 in order not to delay the delivery of the allocation and text relating to this has been added to the supporting preamble to the policy.

11.6 What if it doesn't work?

11.6.1 The QB and SDNPA recognise that this is a new proposal for a neighbourhood plan. Whilst it is well supported by the community and should be successful, this can not be guaranteed. The PNP already notes in the preamble that there would be a 5-year review, but in order to provide greater certainty it is also proposed to reiterate this in the policy. Thus, for those that contest that the plan will deliver the required number of homes within its lifetime, it can

be demonstrated that the allocation will deliver the homes even if the policy support for self-build is itself not successful.

11.7 How will the affordable element be delivered?

11.7.1 A number of comments questioned how the affordable element of this policy would be delivered. The PNP group's view has always been that self-build, when linked to a local connection will delivery lower cost homes for local people – which is the intent of an affordable housing policy.

11.7.2 However, it is clear that delivering 40% affordable housing (as defined by the NPPF) on a self build site would be complex. It is noted that the government has exempted self builders from a number of requirements (Para 144, Planning Policy Guidance) and it is therefore proposed that the requirement for affordable housing is removed.

11.8 The proposed revised policy wording is presented below.

Housing Policy 7 (HP7)

Custom and Self-build Dwellings

Sites H2 and H11, as shown in Table 1, are allocated wholly as self-build sites.

Subject to the application conforming with the appropriate site design brief in Section 12 of this Plan and meeting the requirements set out in other appropriate policies of this Plan as well as those within the East Hampshire District Local Plan: Joint Core Strategy:

a) Planning permission to 'set out' sites H2 and H11 as individual or collections of serviced plots together with the associated supporting infrastructure, will be granted,

b) Planning permission for either individual self-build or custom build dwellings on plots within sites H2 and H11 submitted by an individual, by a builder or a developer acting on behalf of an individual, or by a community group of individuals such as a Community Land Trust, will be considered favourably.

c) Planning permission for a self-build dwelling will only be granted for applicants who:

- a. Demonstrate that they have a local connection (see below) and
- b. Undertake in a section 106 agreement that the occupancy of the property will be restricted to people with a local connection in perpetuity and
- c. Undertake in a section 106 agreement that they will live in the property as their main residence once it is complete and
- d. Undertake in a section 106 agreement that once the development has commenced, they will complete the building of the dwelling within 2 years.

d) Petersfield Town Council will review this policy at 5 year intervals following the adoption of the PNP to determine whether it is delivering new dwellings as intended. If the allocated sites have:

i) been properly prepared

ii) robustly marketed at a fair market rate as individual serviced plots,

but are not being developed at the rate required to deliver the 112 dwellings within the lifetime of the plan, then the Council will consider reallocating these sites, or parts of these sites, as conventional residential developments. The review will also consider the success of otherwise of the related local connections policy.

Continuation of Housing Policy 7 (HP7)

Custom and Self-build Dwellings – Definition of Local Connection

For the purposes of this policy only, a local connection is classed as either being by Residency or by Employment and is defined as follows:

a. **Residency Qualification:**

- Have been resident in Petersfield or a qualifying parish for 12 continuous months at the time of application or
- Have lived in Petersfield or a qualifying parish for 3 out of previous 5 years or
- Have close family (mother, father, brother or sister, adult children or grandparent) who have been resident for 5 continuous years and continue to be resident in Petersfield or a qualifying parish.

b. **Employment Qualification.** An individual will be considered to have a local connection if he/she or his/her partner is in employment which meets all of the following criteria:

- The office or business establishment at which a person is based or from where their work is managed is within Petersfield or a qualifying parish and
- Is in paid employment and
- Works a minimum of 16 hours per week and
- Has been employed for a minimum of 12 continuous months at the time of their application and is currently in employment and
- Has a permanent or fixed term contract or is self-employed.

Qualifying parishes are: Colemore and Priors Dean, Hawkley, Greatham, Liss, Rogate, Harting, Buriton, Stroud, Langrish, East Meon, Steep, Froxfield and Sheet. These parishes are shown in **Error! Reference source not found..**

Policy HP7 conforms with: NPPF paras 50 and 159. JCS Policies CPI0 (Spatial Strategy for Housing), CPI I (Housing Tenure, Type and Mix), CPI3 (Affordable Housing on Residential Development Sites)

12. I am concerned at the highly prescriptive nature of HP8 and HP9. In addition, these policies would appear to be at odds with the ministerial statement dated 25 March 2015 on the new national technical standards, and the Technical Housing Standards dated March 2015. BEP4 is likewise very prescriptive.

12.1 Policies HP8 relates to the size of dwellings and HP9 considered matters of design and layout. BEP4 sets out design standards for shop fronts.

12.2 The supporting text to HP8 makes reference to the government's consultation on new nationwide housing standards. It states that should this policy be introduced then new homes in Petersfield should adhere to these new standards. This is now the case and there is clearly a need to update policy HP8 and the supporting text.

12.3 The QB & SDNPA propose that policy HP8 and the preceding 2 paragraphs be deleted and the following explanatory text inserted.

All new homes built in Petersfield will meet or exceed the national spaces standards as set out in the government's Technical housing standards – nationally described space standard paper or any subsequent revisions there after.

12.4 All subsequent policies within the Housing Chapter will be re-numbered as a result of the deletion of HP8.

12.5 Policy HP9 seeks to ensure that all new homes are built to a high standard of design and layout and uses the Building for Life assessment process to ensure that this happens. Building for Life 12 is a government-endorsed industry standard for well designed homes. It comprises 12 questions and uses a simple traffic light system to assess the positive or negative merits of the scheme.

12.6 The QB and Petersfield residents feel very strongly that the town is a special place, set within the South Downs National Park and that therefore the highest standards of design

should be strived for. However the Examiners concerns are recognised and the following amendments to Policy HP9 are proposed.

All applications for new homes shall include a Building for Life 12 assessment and proposals will be required to score 12 out of 12 'greens' expected to score positively (predominantly green) against the criteria. Only in exceptional circumstances, when all other options have been explored, will a red score be permitted.

12.7 New supporting text is also proposed

Further information on Building for Life 12 is available from www.builtforlifehomes.org.

12.8 BEP4 Shopfronts sets out a series of design principles that should be met. However it should be noted that this policy relates only to the Conservation Area. As such this policy is felt to be appropriate but it is proposed that the title be amended to specifically refer to conservation area (Shopfronts in Conservation Area).

13. I have a number of concerns as to the GAP policies. For example, how is GAP1 related to development, and deliverable? The same goes for GAP2, which also seems to propose obligations on the highway authority. Similar criticism can be made of GAP3 and GAP4. Is GAP6 a land use policy, or a request to the highway authority?

13.1 It is proposed to move GAP2, GAP3 and GAP 4 to an appendix and these policies to be reclassified as aspirational policies.

13.2 It is proposed to re-word the policy GAP1 to emphasise that it relates only to the development site, and is therefore is a valid land use policy. The 'prejudice' sentence from GAP2 has also been transferred to GAP1

Getting Around Policy 1 (GAP1)

Provide pedestrian and cycle access to the Town Centre from new developments

New development shall provide for ease of accessibility for walking and cycling with routes through and within the development where appropriate that will facilitate access to the town centre, schools and adjacent residential areas. Wherever possible, the provision of pedestrian crossings and cycle routes related to a particular development shall be linked up to existing routes.

Development which would prejudice the implementation of these principles will not be permitted.

Where appropriate the design principles set out in Manual for Streets 1&2 with Shared Space street design shall be expected to be applied and wherever possible extended into the nearby areas.

- 13.3 GAP6 relates to the creation of an access to Festival Hall car park off Tor Way. The QB wish to ensure that any development of the site does not prejudice this. However to ensure that GAP6 is considered to be a land use policy the following re-wording is suggested.

Support will be given to a new access to the Festival Hall car park off Tor Way, including associated traffic calming measures to reduce traffic speed in Tor Way and associated adjustments at Moggs Mead. ~~Will be approved subject to the consent of the highway Authority to assist the Festival Hall car park to act as an interceptor car park for the town centre and also enable new development to take place on the north side of Heath Road to reinforce the street frontage and bridge the existing gap created by the west car park entrance. This will enable the adjustment of the cycle route along Tor way to provide direct access to the Festival hall and heather Road.~~

Any development applications for the Festival Hall area will be refused if they prejudice future abilities to achieve these revised access arrangements.

- 13.4 The remainder of the original policy will be moved to the supporting text as follows:

'These improvements will be subject to the consent of the Highway Authority to assist the Festival Hall car park to act as an interceptor car park for the town centre and also enable new development to take place on the north side of Heath Road to reinforce the street frontage and bridge the existing gap created by the west car park entrance. This will enable the adjustment of the cycle route along Tor way to provide direct access to the Festival hall and heather Road.'

Comments/queries on Representations

15. R9 – please supply a red line location plan showing the land promoted.

15.1 A site plan has been included within the representation, a copy of which is attached, Appendix B. If further detail is required this will be provided by the representor.

17. R11 – can this allocation now be maintained, and if so why?

17.1 The QB strongly supports the continued allocation of this land within the PNP. The Frenchmans Road area is currently used as a car park and was identified through public consultation as an area which required regeneration and enhancement. Public feedback identified this area as being appropriate for business and employment uses, with a focus on regenerating the existing light industrial use to more office based use. This could include serviced office provision and a business centre. The close proximity to the train station meant this would be ideal for small business to access the new facilities.

17.2 The Environment Agency representation identifies this site as being within the flood zone further supporting the QB allocation of the land for employment uses rather than residential.

17.3 The inclusion of this site is a reflection of the QB desire to plan for the long term, reflect the views of the community and establish key principles for sites even if their immediate delivery is uncertain.

17.4 A small site of this size (0.10ha) is not fundamental to meeting the required provision of employment land as set out in the East Hampshire Joint Core Strategy.

18. A number of representors question the deliverability of a number of allocation sites, presently in use for other purposes. Example are H9, H10, MU1, MU2 etc. A brief response on such matters would be helpful.

18.1 The sites are considered in turn and a brief explanation in relation to their deliverability has been provided.

H9 – Hampshire County Council Depot off Paddock Way - Hampshire County Council Hampshire County Council Property Services Department have written to the Petersfield Neighbourhood Plan Project group acknowledging that the site (Hampshire County Council. Depot off Paddock Way) could become available within the Petersfield Neighbourhood Plan period. The letter also refers to alternative provision that would be available should the Depot site not be available in the plan period. The letter from Hampshire County Council can be found at Appendix C.

H10 – Community Centre Site - The Trustees of the Petersfield Community Centre submitted a representation to the PNP Pre Submission consultation. This representation makes the following point 'Provided these caveats remain part of the plan and are binding on any development proposals relating to the existing Community Centre site, I can have no reasonable objections to the plan as currently expressed. Indeed the expansion of the current centre, with more rooms for community use and with more car-parking space, has for many years been a long-term objective for the Community Association itself. The proposals in the plan provide a potential route to the achievement of that objective.'

This representation can be found at Appendix D. This clearly demonstrates that the site will be made available should alternative provision be identified.

MU1 – Royal Mail Sorting Office – The nature of the postal service is changing. Should it become available over the period of the plan, the community would support its redevelopment for housing and retail.

MU2 – BT Exchange – Considered by the community to be a significantly under-used premises.

Should it become available over the period of the plan, the community would support its redevelopment for housing and retail.

H6-1 – Infant School South Site – Please see representation R51.

H6-2 – Site corner of Hylton road and Dragon Street – The site has been recently refurbished. It is therefore no longer available. The site was originally proposed for 4 homes which should now be removed from the overall figure for the town centre opportunities.

MU3 – Site West and South of Festival Hall – There was strong support from the community to see something happen on this prominent town centre site. Part of the work of the QB was to identify such key issues and establish the community's aspirations. To not include any consideration of the future of this site would have appeared an anomaly. However, it is well known that there are a number of land owners involved and as such the delivery of the redevelopment of this site could be more complicated. Consequently it is expected to come forward in the later part of the plan period.

MU4 – Site South of Station Road – A planning application (SDNP/15/00011/FUL - Clarendon Yard College Street Petersfield Hampshire) has been considered on this site. As such it is considered to be deliverable.

18.2 In summary it is the belief of the QB and SDNPA that these town centre sites represent development opportunities, but as with most such sites they can be more complicated and take longer to deliver. However, the community through the PNP is keen to establish the principles around the future of these sites for when they do become available, even if this is towards the end of the plan period, particularly where the most appropriate redevelopment is considered to be some form of mixed use proposals.

18.3 In addition to the comments made on the deliverability of each individual site within the town centre, the QB and SDNPA would like to highlight the delivery of housing anticipated

in the PNP. The QB and SDNPA feel this clearly demonstrates that the PNP will conform to the NPPF in that it has identified a supply of specific deliverable sites sufficient to provide five years worth of housing against their housing requirements with an additional buffer of 5%. For the PNP this would result in a total requirement of 245 dwellings (233 homes plus a 5% buffer of 12 homes). This can be demonstrated as follows:

2013 – 2018 (First 5 year PNP period)

Site	Number of homes	Current status
Land at Causeway Farm (H1)	159	Pre Application stage, a revised site plan submitted as agreed by QB, Developer (R37) is attached, Appendix E
Penns Field (H3)	89	Pre Application stage. Previous application refused by SDNPA on design grounds.
Land South of Larcombe Road (H4)	71	Current application for 79 dwellings being considered by SDNPA. The proposal is for the site to be developed comprehensively alongside Land West of Causeway (H7). This may result in this site being completed in the period 2018 – 2023.
Land South East of the Causeway (H5)	71	Permission granted – currently under construction.
Site South of Station Road (MU4)	10	Town centre opportunity.
Total	400 (329 should there be a delay in the delivery of H4)	

2018 – 2023 (Second 5 year PNP period)

The following sites are considered developable:

Site	Number of homes	Current status
Land North of Buckmore Farm and West of Bell Hill (H2)	50	Split 50:50 over the period 2018 - 2028
Land West of Causeway (H7)	64	Linked to the delivery of Land South of Larcombe Road (H4)
Land South of Durford Road (H8)	48	Pre-application discussions are taking place on this site.
Land at Bulmer House site off Rams Hill (H12)	40	Please see R35 for information on delivery.
Land North of Reservoir Lane (H11)	11	
Total	213 (284 should H4 be delivered in this plan period)	

2023 – 2028 (Third 5 year PNP period)

The following sites are considered developable:

Site	Number of homes	Current status
Land North of Buckmore Farm and West of Bell Hill (H2)	51	Split 50:50 over the period 2018 - 2028
Royal Mail Sorting Office	5	

(MU1)		
BT Exchange (MU2)	11	
Infant School South Site (H6-I)	20	
Site West and South of Festival Hall (MU3)	12	
Hampshire County Council Depot off Paddock Way (H9)	42	
Existing Community Centre Site (H10)	10	
Total	151	

- 18.4 It is clearly the expectation of the QB that the plan will be reviewed in due course and that at this point the sites will be reviewed and if required the allocations will be revised.

19. R15 – is Southern Water correct in its assumption as to HP1? My understanding is that the design principles and the delivery considerations are intended to be mandatory.

- 19.1 The design principles and delivery considerations are intended to be mandatory. Housing Policy HP1 (page 12) states that permission will be granted for new residential development on sites provided that the proposals conform to the design principles. Section 12.2 on page 94 clearly states that the layout plans are for illustrative purposes only whilst the design principles and considerations are mandatory. This text can be found in paragraph 4 of section 12.2. However for reasons of clarity, the QB & SDNPA propose to include the suggested text from Southern Water in Policy HP1 and revise the policy as follows:

‘Planning permission will be granted for new residential development on the sites set out in Table 1 and, as detailed in Section 11, provided that the proposals conform to the design principles and delivery considerations set out in Section 12 and meet the requirements set

out in other appropriate policies of this Plan and the East Hampshire District Local Plan: Joint Core Strategy. Note that the site plans set out in Section 12 are illustrative and not mandatory.’

- 19.2 The QB and SDNPA also propose that specific reference be made to additional sewerage infrastructure requirements on the sites listed in Southern Waters representation, throughout Chapter 12.

20. R18 – a response to the Environment Agency representation is needed.
--

- 20.1 The Environment Agency representation identifies a number of sites (H1, Land at Causeway Farm, H3, Penns Field, H4, Land South of Larcombe Road, H7, Land West of the Causeway and B6, Employment Land @ Car Park off Frenchmans Road) where the site layout plans at Chapter 12 (Design Frameworks) allocate land in flood zone 2 and 3. It should be noted that the site layout plans are for illustrative purposes only as per text at paragraph 4 of section 12.2. However, revised site plans (H1, H4 and H7) have been prepared by the QB and are attached to this note (Appendix F) to provide more detail as to the extent of development. These plans now indicate more clearly that no development will occur in flood zone 2 or 3.

21. R28 – a response to the comment on BP1, would there not be merit in simply using the term “employment”?.
--

- 21.2 The QB & SDNPA agree that the term employment should replace business in Policy BP1. The proposed policy wording is as follows:

‘Planning permission will be granted for appropriate new ~~business~~ employment development on the sites set out in Table 12 and as detailed in Section 11, provided the development complies with the design principles set out in Section 12 and meet the requirements of other relevant policies of this Plan and the East Hampshire District Local Plan: Joint Core Strategy. Applications for alternative uses on these sites will not normally be approved except for those Town Centre sites shown in Table 13. ‘

22. R32/R33 – please supply a location plan of this site.

REPRESENTOR TO PROVIDE SITE PLAN

23. R34 – in relation to HP9, can these parking standards be maintained in the light of the 25 March 2015 policy statement?

23.1 Policy HP9 Housing Policy sets out parking standards for Petersfield. The Ministerial Statement of the 25th March relates to the need to ensure there is adequate parking provision both in new residential developments and around town centres. The thrust of the statement was concern about the imposition of maximum parking standards. The Statement states that Local planning authorities should only impose local parking standards for residential and non-residential development where there is clear and compelling justification that it is necessary to manage their local road network.

23.2 It is therefore felt that Policy HP9 which sets minimum rather than maximum parking standards is not in conflict with this Statement.

24. R35 – is the MPA satisfied by the response at R39?

24.1 The Minerals Planning Authority for Petersfield area is SDNPA. SDNPA representation (R39) has set out text to be included in Delivery Considerations in section 12 of the PNP. Following Hampshire County Councils representation (R35) the SDNPA has amended the proposed text to take into account additional points highlighted in R35.

24.2 The following text is proposed to be added after the table to H1(12.4), H4 & H7(12.6), H5(12.7), H8(12.8) and B1 & H2(12.13) Delivery considerations:

Discussion should take place with the SDNPA prior to any specific development proposal to develop the site, to establish what mineral resource information (and the level of information) is required by the Mineral Planning Authority. It is recommended that in the event of a developer taking a development proposal forward which overlays safeguarded minerals resource that a Minerals Assessment Report is produced for the Mineral Planning Authority. It would be most beneficial to the developer if this was submitted to the South Downs National Park Authority prior to submission of any application to allow for early discussions to take place. The report should broadly address key issues including:

- Site setting – Location, access, site description, geology and constraints;
- Planning status in respect of minerals safeguarding
- Policy context (both national and local), Mineral safeguarding Area;
- Constraints upon prior extraction – inter alia previous mineral working, hydrology of area, utilities and market issues (viability and/or quantity of resource present).

24.3 The following text should be included at H4 (12.6), H8 (12.8) and B2(12.4):

Development proposals should ensure that the operation of waste infrastructure in the vicinity of the site is not prejudiced

25. R37 raises contentions as to the legal adequacy of the SEA in relation to the consideration of reasonable alternatives. A brief response would be helpful. If possible, this response might also respond to R43, contending that different options/distributions (southern/eastern focus, or dispersal) should have been tested. Additionally, please supply a location plan showing the intended enlargement of the H1 site.

25.1 Two representations have raised contentions as to the legal adequacy of the SEA prepared to support the Petersfield Neighbourhood Plan, the key points raised are:

- A contradiction between the QB statement of conformity which suggests there is no requirement for the PNP to prepare an SEA and a statement in the SDNPA Pre Submission

comments on the PNP (14 August 2014) which states that 'a legal requirement for this neighbourhood plan (PNP) was to prepare a Strategic Environmental Assessment'

- Concern regarding the reasonable alternatives which have been tested through the SEA process. The SEA has assessed 2000 homes as a reasonable alternative to the proposals in the PNP, concern has been raised as to the reasonableness of this number and representations suggest that a lower number should have been tested as a reasonable alternative.

25.2 In the first instance, attention should be drawn to the development options which were considered for Petersfield under the East Hampshire Joint Core Strategy (June 2014). The SA of that plan published in Aug 2013 sets out the quantum of housing that was assessed for East Hampshire (See chapter 8 of that report). This figure was then broken down for Petersfield (see Table 8.1 of that report). This assessment explored a range of options for the quantum of development appropriate for Petersfield, it dismissed figures of 1,532 (option 2) and 2,477 (option 7) on landscape grounds (see Table 9.1 of that report)².

25.3 Given that the SA for the East Hampshire Joint Core Strategy assessed a range of options for the growth of Petersfield, it was felt appropriate and proportionate for the PNP SEA/SA to test only a limited number of alternatives.

25.4 In initial discussions over the preparation of the PNP, the SDNPA confirmed with the QB that notwithstanding that the Joint Core Strategy had tested multiple amounts of development, an SEA would be required for the PNP due to the sensitive nature of planning in a protected landscape. It was felt that this approach would assist the QB in considering the alternative sites available at the time. The QB initiated the SA/SEA process and carried out a scoping exercise.

25.5 Through the preparation of the SA/SEA testing has taken place on the 'do nothing' option, 700, 768 and 2000 homes. The higher housing figure (2000) was derived from the Navigus

² Given the length of this study a copy has not been attached to this response. A copy of this report can be made available to the Examiner separately if it is felt to be of use.

(2013) and CBA (2013) housing studies which suggested two different numbers for affordable housing demand in the town over the plan period. These were scaled up based on the assumption that affordable housing would comprise 40% of the overall housing delivery, which results in an overall housing figure range of 1,200 to 2,775 dwellings being required to meet the entire need. A midway point of around 2,000 dwellings was hence selected. It was considered that this approach had some logic for a settlement in a National Park as 'The English National Parks and the Broads Circular 2010' clearly states that 'the expectation is that new housing (in National Parks) will be focused on meeting affordable housing requirements'. Therefore the figure of 2000 homes was considered an alternative should Petersfield seek to meet its entire affordable housing need regardless of constraints and on the assumption that affordable housing only came through the development of market sites.

- 25.6 In preparing the PNP the QB presented a number of development options over a weekend in October 2013. The options presented were not intended to present alternative options for spatial distribution of housing for members of the public to choose their preference. They were instead intended to give the community an idea of how development could occur in Petersfield. They were not part of the SA / SEA process. The options weekend highlighted that the wider community supported the vision and objectives of the PNP, and there was support for the draft policies. The community feedback clearly supported a general approach to the development of smaller sites with access to the town centre.
- 25.7 Following the options weekend the QB drew together a list of all potential development sites. This list of 80 sites was passed to the SEA/SA consultants to carry out a high level assessment of all sites. This high level assessment tested all possible sites against a list of agreed criteria. Testing of all the sites available to the QB was considered to be proportionate in relation to testing the reasonable alternatives to the PNP.
- 25.8 Site HI - A revised location plan showing the intended enlargement of site HI (Land at Causeway Farm) can be found at Appendix E. This revised plan has been agreed by the Developer (R37), the QB and SDNPA.

26. R39 – is it intended to propose specific textual amendments to deal with these points, at this stage?

26.1 Yes, the QB & SDNPA has proposed textual amendments to deal with points raised. They are identified throughout. Underlined text – new wording, ~~Strikethrough-text~~ – deleted wording.

PETERSFIELD NEIGHBOURHOOD PLAN
2013 – 2028

Petersfield Neighbourhood Plan Examination

Report to the South Downs National
Park Authority

by

Independent Examiner,
Christopher Lockhart-Mummery QC

JULY 2015

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INTRODUCTION

Preliminary

1. I was appointed in March 2015 as the Independent Examiner for the Petersfield Neighbourhood Plan (PNP). The Plan has been prepared by the Qualifying Body, Petersfield Town Council, with support from (principally) the local planning authority, the South Downs National Park Authority (SDNPA).
2. This Report provides the finding of the Examination, carried out between April and June 2015.
3. The PNP was sponsored by the Petersfield Town Council as Qualifying Body in accordance with the Neighbourhood Plan Regulations 2012. The area of the PNP

comprises the whole of the Parish of Petersfield, as designated by the SDNPA on 13th September 2012.

4. The PNP area is shown on Figure 1 of the PNP.
5. I was appointed by the SDNPA, with the consent of the Petersfield Town Council, to conduct an examination and provide this Report as an Independent Examiner. I am independent of the qualifying body and the local planning authority. I do not have any interest in any land that may be affected by the PNP, and I possess appropriate qualifications and experience.
6. As the Independent Examiner, I must make one of the following recommendations:
 - (a) that the PNP should proceed to Referendum, on the basis that it meets all legal requirements;
 - (b) that the PNP, as modified, should proceed to Referendum;
 - (c) that the PNP does not proceed to Referendum, on the basis that it does not meet the relevant legal requirements.
7. The main documents I have considered are:
 - The PNP
 - The Basic Conditions Statement 18 January 2015
 - The Consultation Statement 18 January 2015 with its appendices.
 - Forming the Plan 18 January 2015.
 - The Sustainability Report December 2014.
 - All the representations made.
 - The East Hampshire District Local Plan: Joint Core Strategy (JCS) 2014.
 - Relevant saved policies of the East Hampshire District Local Plan: Second Review March 2006.

Procedure

8. On 23rd April 2015 I issued an Initial Note, dealing with some procedural matters and raising certain initial comments and concerns. Paragraph 3 referred, in the context of a potential hearing, to paragraph 9(2) of Schedule 4B of the Town and Country Planning Act 1990. It recorded that I had determined that a hearing was necessary to ensure adequate examination of a number of issues that had arisen, and also to ensure that certain of the representors had a fair chance to put their case, namely representors R9, R32/33, R34, R36, R37 and R38.
9. Arrangements were made for the hearing on 4th and 5th June 2015. The proceedings concluded on 4th June, with accompanied site views taking place on 5th June. (I had previously visited the area by myself on 26th May).
10. In response to the queries and comments raised in the Initial Note, I received in May 2015 a Response from the SDNPA and the QB. This Response was extremely helpful, and its contents are substantially reflected in this Report. The Report cross-refers to the Response, which is therefore an attached Annex. Many of the **Modifications** I recommend are set out in the Response, and not repeated in the body of the report.

Plan preparation

11. The Consultation Statement fully describes the evolution of the PNP, and the substantial engagement at all stages with interested parties and the local community as a whole. A Steering Group was formed from representatives of the Town Council, East Hampshire District Council, SDNPA, Petersfield Society and local residents. A Project Group was then established to produce the PNP.
12. The Conclusion to the Consultation Statement states as follows:

“The Consultation Statement sets out how the Petersfield Neighbourhood Plan Steering Group undertook extensive public consultation and engagement activities both prior to the publication of

the draft Petersfield Neighbourhood Development Plan, and during the formal Draft Plan Stage Public Consultation process. The activities to engage and consult local residents, organisations and Consultation Bodies went above and beyond those required by the Regulations and represent good practice in neighbourhood planning”.

I agree with this assessment.

Basic Conditions and other statutory requirements

Preliminary

13. Paragraph 8(1) of Schedule 4B to the Town and Country Planning Act 1990 provides that, in examining a proposed Neighbourhood Plan, the Examiner is to consider the following:
 - “(a) whether the draft Neighbourhood [Plan] meets the Basic Conditions (see sub-paragraph (2)),
 - (b) whether the draft [Plan] complies with the provision made by or under sections 38A and 38B,
 - (d) whether the area for any Referendum should extend beyond the neighbourhood area to which the draft [Plan] relates, and
 - (e) such other matters as may be prescribed”.

14. Paragraph 8(2) of Schedule 4B provides that a Neighbourhood Development Plan meets the Basic Conditions if:
 - “(a) having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make [the Plan],
 - (d) the making of [the Plan] contributes to the achievement of sustainable development,
 - (e) the making of [the Plan] is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area),
 - (f) the making of [the Plan] does not breach, and is otherwise compatible with, EU obligations, and
 - (g) prescribed conditions are met in relation to [the Plan] and prescribed matters have been complied with in connection with the proposal for [the Plan]”.

15. Only one further Basic Condition has been prescribed under paragraph 8(2)(g), as follows:

“The making of the Neighbourhood Development Plan is not likely to have a significant effect on a European site...or a European Off-Shore Marine site...(either alone or in combination with other plans or projects)”.

SEA

16. With reference to Basic Condition (f), the principal relevant EU obligation is under the SEA Directive (2001/42/EC). That has been transposed into UK domestic law through the Environmental Assessment of Plans and Programmes Regulations 2004.
17. Merely because the preparation of a plan is optional, rather than compulsory, that does not avoid the need for an SEA to be prepared. An SEA is required as part of the process of preparing a Neighbourhood Plan, where such plan is likely to have significant effects on the environment. It was determined at an early stage in the evolution of the PNP that a plan proposing significant land use allocations in a National Park was likely to have significant effects on the environment.
18. The section of Planning Practice Guidance (PPG) on Strategic Environmental Assessment and Sustainability Appraisal contains guidance in relation to neighbourhood plans. Paragraph 027 advises that a strategic environmental assessment may be required, for example, where:
- a neighbourhood plan allocates sites for development
 - the neighbourhood area contains sensitive natural or heritage assets that may be affected by the proposals in the plan
 - the neighbourhood plan may have significant environmental effects that have not already been considered and dealt with through a sustainability appraisal of the Local Plan.

Each of the above factors is relevant to the PNP.

Paragraph 038 contains advice as to how the SEA should approach the matter of “reasonable alternatives”. This was the principal criticism made of the adequacy of the SEA.

19. Sustainability Appraisal and SEA was undertaken in relation to the JCS. The assessment explored a range of options for the quantum of residential development appropriate for Petersfield. It dismissed figures of 1,532 dwellings (option 2) and 2,477 dwellings (option 7) as having significantly adverse landscape impacts. The report suggests that while there were some significant landscape impacts at a level of 865 dwellings (option 5), levels below such a figure might be acceptable.
20. At the pre-submission stage of the PNP, the two main “reasonable alternatives” that were assessed were development in accordance with the then PNP, and a “do nothing” option. After consultation, the do nothing option was removed and three main “reasonable alternatives” were assessed: option 1, 700 homes; option 2, 768 homes; option 3, 2,000 homes. This latter figure was derived as a midway point of assessed affordable housing requirements. A “long list” of options for new development was produced, and over 80 sites included. Each of these was assessed in relation to a range of environmental/policy constraints and designated features, as well as against the SA Framework of objectives and decision-making criteria.
21. The principal concerns raised in representations (especially R37) were to the effect that 700 was not a reasonable alternative since it did not comprise the “at least 700” called for by the JCS; 768 was the figure selected in the PNP itself; and 2,000 was never a feasible option.
22. Legal authorities such as R (Friends of the Earth) v. Welsh Ministers [2015] EWHC 776 (Admin) provide guidance on this topic. An appropriate test for a reasonable alternative is one which is viable as capable of meeting the objectives of the Plan.
23. I have referred above to the “long list”. The results of GIS testing (summarised at the beginning of Appendix D) were used to inform the initial High Level Assessment

against the SA Framework. The HLA results were presented in matrix format at Appendix F. An HLA was also undertaken for the Plan's policies, presented in Appendix H.

24. Whilst I can see some merit in the representations that suggested that a level of around 1,000 dwellings should have been specifically identified as a reasonable alternative, it seems to me that throughout the process taken as a whole, including in particular the "long list" assessments, reasonable alternatives were adequately considered. Bearing in mind the SA/SEA undertaken for the JCS, I conclude that the SEA for the PNP meets the legal requirements.

Habitats Assessment

25. The PNP area is not in close proximity to any European designated nature site. It was therefore considered that a Habitat Regulation Assessment (HRA) under the EU Habitats Regulations was not required. Natural England reviewed this assessment and agreed. This statutory requirement is therefore met.

Other statutory requirements

26. In addition to the above requirements, I am also required to consider whether the PNP complies with the provision made by or under sections 38A and 38B of the 2004 Act. A number of provisions have been made by or under those sections, as follows:

- in sections 38A and 38B themselves;
- in Schedule 4B to the 1990 Act (introduced by section 38A(3)); and
- in the 2012 Regulations (made under sections 38A(7) and 38B(4)).

In the remainder of this section I outline briefly what those provisions are, insofar as they relate to the contents of the PNP.

27. First, a Neighbourhood Development Plan is to be a plan that sets out policies for the development and use of land in the whole or part of the area in question. This is a fundamental provision, as a plan that contains only other types of policies may be a

worthwhile and commendable document, but it is not a “neighbourhood development plan” within the terms of the relevant legislation. The PNP contains a number of “aspirational” policies colour-coded (in pink) to be distinguished from the land use policies (shown blue). Paragraph 7 of my Initial Note raised concern at the intermingling of the two concepts, suggesting that the aspirational material be removed to a companion document or annex. This point was dealt with in the Response, and referred to below.

28. The PNP allocates a number of sites for different forms of development/use, in accordance with guidance in the PPG. Shortly after the close of the hearing, the Court of Appeal confirmed that it is lawful for a neighbourhood plan to make land use allocations: R (Larkfleet Homes Limited) v Rutland County Council [2015] EWCA Civ 597.
29. A Neighbourhood Development Plan:
 - Must specify the period for which it is to have effect – the Plan period of 2013-2028 is clearly stated.
 - May not include provisions relating to “excluded development” – the PNP does not include any such provision.
 - May not relate to more than one neighbourhood area – this is complied with.
30. The PNP must not breach any rights under the Human Rights Convention. I am satisfied that this requirement is met.
31. A local planning authority is under a duty under section 11 of the Countryside Act 1968 to ensure that in the exercise of any of its functions relating to land, it must have regard to the desirability of conserving the natural beauty and amenity of the countryside. That is especially relevant here, in the National Park.
32. There is also the duty under section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, to pay special attention to the desirability of preserving the character and appearance of any conservation area when carrying out

any function under the Planning Acts. I have borne this requirement especially in mind.

Policy

33. In carrying out the examination of the PNP, and deciding whether to recommend that it should be submitted to a Referendum, I am required to have regard to national policies and advice contained in guidance issued by the Secretary of State (Basic Condition (a)).
34. The most significant national policies relevant to planning matters are set out in the National Planning Policy Framework (“the NPPF”). This was issued in March 2012.
35. Key paragraphs that refer to plan-making, including neighbourhood plans, are paragraphs 15, 16, 17 and 183. More generally, the NPPF sets out a number of policies relating to a wide range of issues, including in particular transport, housing, design, climate change, the natural environment, and the historic environment. I have had regard to these where appropriate in carrying out my examination.

Guidance

36. PPG was issued in March 2014, and has been updated subsequently. I have borne particularly in mind the advice that a policy in a neighbourhood plan should be clear and unambiguous, concise, precise and supported by appropriate evidence.

Sustainable development

37. In carrying out the examination of the PNP, I am required to consider whether the making of it would contribute to the achievement of sustainable development (Basic Condition (d)). Paragraph 7 of the NPPF states that there are three dimensions to sustainable development: economic, social and environmental.

Development Plan

38. In carrying out the examination of the PNP, I am required to consider whether it is in general conformity with the strategic policies contained in the development plan for the area (Basic Condition (e)). The development plan comprises the JCS 2014 and certain saved policies of the former local plan.

THE PNP

39. **Where modifications are recommended, they are highlighted in bold print, with any proposed new or substituted wording in italics. Many of the modifications are set out in the annexed Response.**
40. Before going further, I would wish to pay tribute to the highly professional nature of the PNP and the energy and dedication of all those who have contributed to it.

Section 1 - Introduction

41. Page 3 sets out the format of the PNP, with Objectives in green, policies in blue, and aspirational policies in pink. I referred at paragraph 27 to my concern as to the aspirational policies. Paragraph 7 of the Response describes the importance of the non-land use matters as providing context. The QB requests that if the aspirational policies are to be moved to an appendix, they remain referenced in the introduction table to each chapter which sets out the chapter's objective and supporting policies. For example: on page 36 of the PNP the "pink" aspirational policies will remain in the objective table, but the full text of the aspirational policies from pages 43 and 44 would be removed from the chapter and placed in an appendix.

I recommend that the PNP be modified by removal of the aspirational policies to an appendix, but with the qualification requested in paragraph 7.1 of the Response

Section 2 – The Vision for Petersfield

42. This section is commendably clear, and I need make no further comment.

Section 3 – Housing

43. Policy CP10 of the JCS requires allocations to provide a minimum of 700 dwellings at Petersfield, identified as one of the most sustainable settlements in the JCS area. Sites are to be identified through, inter alia, neighbourhood plans, and settlement policy boundaries adjusted accordingly. The approach of the PNP, bearing in mind that 700 is expressed as a minimum, is to make an additional allowance of 10% (770), with the currently proposed allocations intended to achieve 768 net new dwellings.
44. I have borne in mind one of the central objectives of the NPPF, to boost significantly the supply of housing (paragraph 47).
45. Paragraph 47 relates, in particular, to the preparation of local plans. But having regard to Basic Conditions (a) and (e), this objective provides relevant guidance to the PNP. I have therefore sought to ensure that the PNP identifies five years' of deliverable (footnote 11) sites, and that housing allocations for the remainder of the plan period are developable having regard to footnote 12. The Response provided extremely useful elaboration on this aspect. Against an initial five year requirement of 245 dwellings, it contended that 329-400 dwellings would be deliverable in this period. In the second five year period, it contended that 213-284 dwellings are developable. In the third five year period it suggested that 151 dwellings are developable.
46. The intended housing provision of the PNP is set out in Housing Policy 1 (HP1), and Table 1. It is my assessment that there is little doubt as to the deliverability of sites H1, H3, H4, H5, H7, H8 and H12.
47. Site H2 (101 units) and site H11 (11 units) are intended for self or custom build only, in accordance with Policy HP7. This form of development is relatively novel and untested. Many cogent representations were made relating to the delivery of 112 dwellings by this means, and to the rigidity of the proposed occupational criteria. Section 11 of the Response provided substantial commentary on these concerns, and

reference should be made to this alongside this Report. It is contended that site H2 would be a viable site for the form of development proposed, the majority landowner supports the allocation, and the minority landowner (Hampshire County Council) has no objection in principle, whilst expressing concerns over deliverability. I deal with policy HP7 below, but my overall assessment is that there must be some doubt as to whether all the 112 units from this source would be delivered in the plan period.

48. Site H6 relates to the Town Centre Redevelopment Opportunities, comprising 62 units. Site H6-2 (site at corner of Hylton Road and Dragon Street) (4 units) is now proposed for deletion. Having considered the representations and seen the sites, I entertain doubts as to the delivery within the plan period of MU1 (Royal Mail sorting Office), MU2 (BT Exchange), and H6-1 (Infant School South Site). These sites total 36 units. Site H9 is the Hampshire County Council Depot off Paddock Way. This site is fully operational, with the County Council stating that it “could become available within the...period subject to Member approval and identification of a suitable alternative location for the existing use”. Whilst an allocation would doubtless provide an economic incentive to make the site available, there must be considerable doubt as to deliverability. Similar considerations relate to site H10 (existing community centre).
49. In conclusion on this aspect, my assessment is that there must be considerable uncertainty as to the delivery of 36 of the H6 sites, 42 units at H9 (Hampshire County Council Depot) and 10 units at H10 (i.e. some 88 units) and similar doubt as to a proportion of the self/custom build sites. It is not possible to be more precise than this, but as matters stand at this stage I conclude that there is a need to consider opportunities for modest further allocations to ensure that the PNP delivers sufficient housing.
50. The substantial need for affordable housing is an additional factor. The intended provision of the PNP was 40% of 768 units, i.e. 307 units. Bearing in mind the doubts as to delivery just expressed, and the proposed modification to the effect that the self/custom build sites will not have an affordable housing requirement, the reduced

delivery of affordable housing is a matter of concern. I bear in mind that one of the claimed benefits of self/custom build sites is that they should provide low cost housing for local people. The extent to which this will be achieved is unproven, and additionally there is a need for social rented accommodation.

Site allocations – Policy HP1

51. Site H1, Land at Causeway Farm, is proposed to be allocated (indicatively) for 159 dwellings. A proposal for some 230 dwellings was recently dismissed on appeal. The present allocation is described in the Design Framework at page 96. A further “agreed plan” indicated an additional area for development. The issue in the examination was whether the land subject to the agreed plan should represent the allocation, or whether the allocation should be extended in accordance with a blue line shown on a plan included in the representations of R37. Attention was drawn to the conclusions of the appeal Inspector, particularly at paragraphs 52, 53 and 55. The Inspector concluded that the PNP proposal would maintain the important aspect of the countryside coming into the town, but that the appeal scheme would cause damage in relation to footpath 37 and various parts of Sussex Road. I note, however, that in paragraph 37 the Inspector did not indicate that the PNP allocation was necessarily the appropriate limit, but “the provision of a sizeable gap is necessary to ensure this important characteristic of Petersfield is maintained”, i.e. the aspect of countryside coming into the town. Having had a detailed site view, it seemed to me that once the decision has been made (as it has) that development should take place in a significant part of the field in question, there is no convincing case that an extension approximately in the location of the blue line would cause material additional impact to that already regarded as acceptable. It seemed to me that testing of suitable design and landscaping in relation, in particular, to footpath 37 would protect these interests, and that a scheme of up to 200 dwellings would prove acceptable.

I therefore recommend that the PNP be modified by indicating “*up to 200*” in Table 1, and appropriate amendments be made to the plan and text at page 96.

52. Site H2 I found to be an appropriate allocation, having regard to the relevant statutory tests. It seemed to me that the impact on the landscape and woodland would be acceptable.
53. I reach the same conclusion in relation to site H3.
54. I reach the same conclusion in relation to site H4.
55. I reach the same conclusion in relation to site H5.
56. Site H6 constitutes the Town Centre Redevelopment Opportunities. I have raised some concerns as to deliverability above, but there is no doubt that in land use terms these sites are appropriate.
57. Site H7 I find to be an appropriate allocation.
58. Site H8 is land south of Durford Road, proposed to be allocated for some 48 dwellings “for an ageing population” (see HP3). The proposal of the owners is to develop a Continuing Care Retirement Community (CCRC) with a range of different types of care accommodation. R38 contended, in essence, that the previously identified ecological constraints on the site were resolvable, that there was a significant unmet need for accommodation of the type proposed, and that the limit on density was unjustified. Conversely, several other representors contended, in essence, that the allocation was unacceptable in principle, as breaching the “town boundary” established by Harrier Way. I find this point unconvincing, since I was shown clear evidence that the eastern boundary of the proposed allocation coincides with the original boundary of the Heath, signified by a substantial tree belt. Subsequent to the debate at the hearing, an agreed text for modifications was produced. I agree that it is appropriate that the agreed modifications be made. The result is that it is agreed that the site has potential to yield over the presently indicated level of 48 units, to an

amount as yet untested. This would have the potential further to reduce the anticipated shortfall discussed at paragraph 48 above.

I therefore recommend that the PNP be modified as follows:

H8, left column, third row:

“Appropriate Density: 15dph”: the reference to ***“15dph”*** should be deleted and ***“N/A”*** should be inserted.

H8, Right column, second row:

“Maximum density should not exceed 28 dph” should be deleted.

H8, Right column, third row:

“Indicative no. of dwellings: 48”, the figure ***“48”*** to be amended to read ***“Minimum of 48 dwellings”***.

Further additional text to be inserted in same row or though footnote: ***“Due to the nature of the development proposed on the site (CCRC) an indicative dwelling number derived from approximate density is not appropriate”***.

HP1, Table: H8:

“H8: 48”: further text: ***“Minimum of 48”*** to be inserted.

H8, Right column, second row: Delete from ***“The low density”*** to ***“ecological constraints have been met”***: Full paragraph now to read:

“The number of dwellings and scale of the full development will be determined through the development management process in consideration of landscape impact on the SDNP and opportunities are taken for the restoration and management of habitats as part of the scheme”.

59. Site H9 is clearly an appropriate allocation, should the site become available.
60. The same conclusion follows in relation to site H10.
61. I find that site H11 is an appropriate allocation.
62. The proposals for site H12, again to provide housing for an ageing population, constitute the redevelopment of previously developed land, and are clearly acceptable.

Potential additional sites (in the sequence of the representor number)

63. R9 promotes land at Causeway South for a care home. It was contended that, even if site H8 had greater capacity, a substantial need for this form of accommodation remained. Page 17 of the Landscape Assessments carried out for the PNP by the SDNPA indicate the medium-high landscape sensitivity of this site. It was contended that development would be highly visible from the countryside (especially Butser Hill) and the highway, and that it would constitute isolated development extending the town further into the countryside, including into a new landscape character area. I agree with these assessments, and do not recommend that this site be allocated.
64. R14 proposes an expansion of site H3 into the new sport/recreation allocation of C11. The proposals for site H10 would require the relocation of the Petersfield Town Juniors FC to site C11, this proposal being supported by the Town Council as landowner of C11. Site H3 is already the remotest purely residential allocation in the PNP. I agree with these objections, and do not recommend that this site be allocated.
65. R31 proposes a small housing allocation within the area of the green space shown as G6/G10. This forms part of a highly attractive series of green spaces passing from the A3 to the heart of the town. It is greatly valued by the local community, and I do not regard this proposal as appropriate.
66. R32 proposes a residential allocation of up to some 20 units (although a lower density was suggested as equally acceptable) to take place primarily on fields to the rear of the existing residential plot at 115 Sussex Road. It was suggested that the existing dwelling be demolished, replaced by a smaller dwelling together with access to the rear land. The main curtilage of this site is designated, along with all other dwellings and their gardens along the Sussex Road frontage, as an Area of Special Housing Character protected by Built Environment Policy 5 (BEP5). This carries forward a

similar policy, Policy H9 of the East Hampshire Local Plan saved policies. The substantial rear land at 115 Sussex Road, and the immediately adjacent modern development at Russell Way, are not so designated. Objection was taken to this proposed allocation partly on the basis of BEP5, but also on the basis of contentions as to the site's landscape sensitivity in local and longer views. In my assessment, the key issue here is less that of impact on the landscape and views, but rather the residential character of the town and especially BEP5. I would regard the formation of a new access to Sussex Road as damaging to the character of the area, and as setting an undesirable precedent in respect of this section of Sussex Road as a whole. On the site view, the suggestion of gaining access from Russell Way was tentatively raised. Such a proposal would not take place on BEP5 land, and might prove acceptable. However, this alternative suggestion is untested, and on present evidence there cannot be any confidence of delivery. For that reason, I do not recommend that the requested modification be made, but bear in mind the potential for a windfall proposal to be seen as complying with BEP5 and other relevant policies.

67. R33 proposes the residential development of a vacant employment site at Paris House, Frenchman's Road. The site is currently the subject of a planning application for 47 dwellings. There is an unresolved issue as to the viability of any proposals for B class use. In Table 12 – Employment Site Allocations, the site is an existing site, not a new allocation. The site appeared to me to be a suitable and sustainable site for residential development, but would be equally so for office development. The PNP and the local community value Petersfield as a town where people can both live and work. In these circumstances, it seems to me that the future of this site is best guided by Business Policy 2 (BP2).
68. R34 relates, in effect, to the car parking area at the corner of High Street/Dragon Street. This site was identified through the work on the East Hampshire SHLAA 2014 as a "large urban potential" site, with a capacity of 30 dwellings. Since the site was already "identified" and taken into account in the formulation of the housing requirement for Petersfield, it was not allocated to avoid double counting. Following discussions during and after the hearing, the QB and the SDNPA have no objection to

the identification of the site within the PNP, but without including the anticipated 18 dwellings within Table 1 as—it is contended—they do not contribute towards the requirement to allocate land. The owner maintains its objection to the “double counting” concerns expressed. I find it unnecessary to resolve this debate. The proposed modification makes it quite clear, in my view, that there could be no objection in principle to the site’s development. Indeed, as a run down, underused town centre site, its development for housing should be actively encouraged. Accordingly, I recommend the following **modification**:

Section 11.2 Town Centre Opportunities, page 81

New Note following the table:

“3. In addition to those sites identified in Table 13, land at Dragon Street/High Street is anticipated to accommodate in the region of 18 dwellings. The site has been previously identified in work undertaken by the SDNPA and East Hants DC. It is shown on the map as site H6-3”.

New site H6-3 to be identified on Figure 8-Town Centre Opportunities

Overall conclusion on HP1

69. My concern as to a potential shortfall identified above is mitigated by the recommended expansion of site H1, the potentially increased yield at site H8, and the potential for further windfalls as indicated above.

I recommend that Table 1 be modified by expressing the indicative number of dwellings for site H1 as *up to 200*, for site H6 as 58, resulting in a total of 805.

70. **I also recommend that the modifications identified in the Response at paragraph 8.1 and paragraph 19.1 be made.**

Policy HP2

71. No modifications are called for in relation to this policy.

Policy HP3

72. No modifications are called for in relation to this policy.

Policy HP4

73. No modifications are called for in relation to this policy.

Policy HP5

74. This seeks to phase housing development into two phases, 2015-2020 and 2021-2028. I expressed concern that this policy did not conform to national guidance, and the Response agreed that the timing of development should be linked to the provision of the necessary infrastructure.

I recommend that the PNP be modified by the deletion of HP5 and its replacement by the text at paragraph 9.2 of the Response.

Policy HP6

75. Policy HP6 relates to the provision of affordable housing. It was not expressed clearly. The Response accordingly proposed a replacement policy.

I recommend that policy HP6 be deleted, and replaced by the text at paragraph 10.1 of the Response.

Policy HP7

76. Policy HP7 relates to Custom and Self-Build Dwellings. I expressed concern (as did others) as to the delivery of this type of housing on this scale, and the rigidity of the occupational criteria. Paragraphs 11.1-11.7 of the Response respond in detail to these concerns. While not allaying entirely my concerns as to delivery, they are persuasive. I note in particular the support of the majority owner of site H2. So far as the occupational criteria are concerned, some contended that they were too strict, some that they were too lax. My conclusion is that they strike a reasonable balance between competing views, and I note in particular the inclusion within a modified policy of a review mechanism which will include review of the occupational criteria. I also note the suggested removal of the affordable housing requirement.
77. **Accordingly, I recommend the deletion of Policy HP7 and its replacement by the text at paragraph 11.8 of the Response.**

Policy HP8

78. Policy HP8 relates to the Size of Dwellings, with very detailed requirements. I expressed concern at the highly prescriptive nature of this policy, and drew attention to the new national policy in relation to technical standards. The Response accepted that there was clearly a need to reconsider this topic.

I recommend, as suggested in the Response, that policy HP8 and the two preceding paragraphs be deleted, and the explanatory text set out at paragraph 12.3 of the Response be inserted (with consequential re-numbering).

Policy HP9

79. Policy HP9 relates to the Quality and layout of housing developments. I also expressed concern as to the prescriptive nature of this policy. The Response agreed to a relaxation in relation to the Building for Life 12 assessment.

I recommend that the modifications indicated at paragraphs 12.6 and 12.7 of the Response be made.

80. The policy also contains requirement for minimum parking spaces within residential developments. I, and a number of representors, expressed concern in this respect. The SDNPA emphasised local concerns that there was not enough parking in the town centre in particular, and that policy HP9 was the appropriate response. Attention was drawn to the potential for relaxation indicated in the last paragraph of the policy. I am not entirely satisfied that this indication sufficiently conforms with national policy, in particular paragraph 39 of the NPPF.

I recommend that policy HP9 be modified by inserting, after the second sentence of the last paragraph, a new sentence: “*Regard will be had to the factors specified in paragraph 39 of the NPPF*”.

Section 4 – The Built Environment

Built Environment Policy 1 (BEP1)

81. The fourth sentence of the policies states that all proposals “must conform to any design guidance or code issued by the...SDNPA...”. I consider that this is both too prescriptive, and potentially uncertain in its scope. I prefer the approach taken in the subsequent policy, BEP2.

I recommend the deletion of “*must conform to*” and the substitution of “*should take account of*”.

Policy BEP4

82. My concern as to the prescriptive nature of this policy was responded to in paragraph 12.8 of the Response.

I recommend that the heading to the policy be: *Shop Fronts in Conservation Area*.

Section 5 – Getting Around

Getting Around Policy 1 (GAP1)

83. I expressed a number of concerns as to the GAP policies, in particular the extent to which they related to development, and were deliverable. The Response responded positively to these concerns. Paragraph 13.2 indicates a re-wording of GAP1.

I recommend that the modifications to GAP1 set out at paragraph 13.2 of the Response be made.

GAP2-4

84. In accordance with the earlier responses in relation to aspirational policies, it is proposed to remove these policies to the appendix, and **I recommend accordingly.**

GAP6

85. This relates to the creation of an access to Festival Hall car park off Tor Way. My concerns as to this policy have been responded to in paragraphs 13.3-13.4 of the Response.

I recommend that the modifications indicated at paragraphs 13.3-13.4 be made.

Section 6 – Community

86. The sole concern here relates to the Infant School at Hylton Road. Table 13 indicates an opportunity for some 20 dwellings to be developed on this site. This raised considerable concern by the education authority and other parties concerned with the school, essentially to the effect that there was no current intention that the present use would cease. This was accepted by the QB. In its representation R51, the PNP team proposed a number of detailed modifications intended to meet this concern. It seems to me that these should meet the concerns expressed.

I recommend that the proposed modifications specified in R51 be made.

Section 7 – Natural Environment

87. The only potential concern here relates to NEP2, and the designation of 13 sites as Local Green Space in accordance with NPPF paragraphs 76-77. Subsequent to the hearing, I was supplied with a spreadsheet indicating how each site complied with national policy. No modification is called for here.

Section 8 – Business

88. Two minor modifications are called for here.

I recommend that line 1 of BP1 be amended by substituting the term “*employment*” for “*business*”. On page 68, the last sentence of text should commence with a reference to BP7.

R11 objected to the new employment allocation at the car park off Frenchman’s Road. The owner proposes residential development on this site, alternatively that it should remain as a car park, contending that it is not available for employment use. It seems to me that the future of this site is likely to be resolved through the development management process, but that meanwhile it would be appropriate for the allocation to be retained.

Section 9 – Retail

89. No modifications are appropriate here (subject to those relating to the Infant School referred to above).

Section 10 – Tourism

90. No modifications are required here.

Section 11 – The Town Masterplan

91. No modifications are required here, beyond those previously indicated. That is to say, modifications in relation to the Infant School, and the deletion of site H6-2 from Table 13.

Section 12 – Design Frameworks

92. Modifications have already been recommended in relation to the Design Frameworks for sites H1 and H8.
93. The only additional matter relates to the representation of Southern Water, R15. Paragraphs 19.1 and 19.2 of the Response respond to their concerns.

I recommend that the modifications indicated in paragraphs 19.1 and 19.2 be made.

Additional matters

Minerals Planning Authority

94. In response to concerns, the Response proposes modifications at paragraphs 24.2-24.3.

I recommend that those modifications be made.

95. R39 indicates a number of further textual amendments being necessary.

I recommend that the necessary textual modifications be made.

I have carefully considered all the written representations. I have concluded that the PNP requires the modifications set out above in order to meet the statutory requirements, but that no further modifications are required.

Summary

96. I have recommended a number of modifications above. Subject to these modifications, the PNP:

- has regard to national policies and advice contained in guidance issued by the Secretary of State;
- contributes to the achievement of sustainable development;
- is in general conformity with the strategic policies of the development plan for the area;
- does not breach, and is compatible with European Union obligations and the European Convention of Human Rights.

Taking the above into account, I find that the PNP meets the Basic Conditions and other statutory requirements.

Referendum

97. I recommend that, subject to the modifications proposed, the **PNP should proceed to a Referendum.**

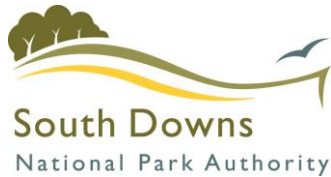
Referendum Area

98. I am required to consider whether the Referendum Area should be extended beyond the PNP Area. I consider the PNP Area to be appropriate and I found no evidence to demonstrate that this is not the case.

I recommend that the PNP should proceed to a Referendum based on the PNP Area as approved by the SDNPA.

Christopher Lockhart-Mummery QC

23 July 2015



I. Introduction

- 1.1 Under the Town and Country Planning Act 1990 (as amended), the South Downs National Park Authority has a statutory duty to assist communities in the preparation of neighbourhood development plans and orders and to take plans through a process of examination and referendum. The Localism Act 2011 (Part 6 chapter 3) sets out the Local Planning Authority's responsibilities under Neighbourhood Planning.
- 1.2 This statement confirms that the modifications proposed by the examiner's report have been accepted, the draft Petersfield Neighbourhood Development Plan has been altered as a result of it; and that this plan may now proceed to referendum.

2.0 Background

- 2.1 The Petersfield Neighbourhood Development Plan relates to the area that was designated by the South Downs National Park Authority as a neighbourhood area on 13 September 2012. This area is coterminous with the Petersfield Town Council boundary that lies within the South Downs National Park Local Planning Authority Area.
- 2.2 Following the submission of the Petersfield Neighbourhood Development Plan to the National Park Authority, the plan was publicised and representations were invited. The publicity period ended on 16 March 2015.
- 2.3 Mr Christopher Lockhart-Mummery QC was appointed by the South Downs National Park Authority with the consent of Petersfield Town Council, to undertake the examination of the Petersfield Neighbourhood Development Plan and to prepare a report of the independent examination.
- 2.4 The examiner's report concludes that subject to making the minor modifications recommended by the examiner, the Plan meets the basic conditions set out in the legislation and should proceed to a Neighbourhood Planning referendum.
- 2.5 Having considered each of the recommendations made by the examiner's report, and the reasons for them, the SDNPA and Petersfield Town Council have decided to make the modifications to the draft plan referred to in Table 1 below, to secure that the draft plan meets the basic conditions set out in legislation.

3.0 Decision

3.1 The Neighbourhood Planning (General) Regulations 2012 requires the local planning authority to outline what action to take in response to the recommendations of an examiner made in a report under paragraph 10 of Schedule 4A to the 1990 Act (as applied by Section 38A of the 2004 Act) in relation to a neighbourhood development plan.

3.2 Having considered each of the recommendations made by the examiner's report, and the reasons for them, South Downs National Park Authority in consultation with Petersfield Town Council has decided to accept the modifications to the draft plan. Table 1 below outlines the alterations made to the draft plan under paragraph 12(6) of Schedule 4B to the 1990 Act (as applied by Section 38A of 2004 Act) in response to each of the Examiner's recommendations.

Table 1.

Proposed modification	Examiners report reference	Proposed decision
Recommend that the PNP be modified by removal of the aspirational policies to an appendix. The aspirational policies will remain referenced in the introduction table to each chapter which sets out the chapter's objective and supporting policies.	Paragraph 41 page 14	Accept modification
Section 3.51, Housing objective 1, page 12, table 1 & section 12.4 Site H1 Design Framework, page 96 Recommend that the PNP be modified by indicating "up to 200" in Table 1 for site H1 (Causeway Farm), and appropriate amendments be made to the plan and text at page 96 (Design Framework and Delivery Considerations table). The modification to the site boundary for Causeway Farm can be seen at Appendix 5 to this report.	Paragraph 43 – 51 pages 15-17	Accept modification
Section 12.8, Site H8 Design Framework, page 100. Recommend that the PNP be modified as follows: Section 12.8: Site H8 Design Framework – Land south of Durford Road H8, left column, third row:	Paragraph 58 page 18-19	Accept modification

<p>“Appropriate Density: 15dph”: the reference to “15dph” should be deleted and “N/A” should be inserted.</p> <p>H8, Right column, second row: “Maximum density should not exceed 28 dph” should be deleted.</p> <p>H8, Right column, third row: “Indicative no. of dwellings: 48”, the figure “48” to be amended to read “Minimum of 48 dwellings”.</p> <p>Further additional text to be inserted in same row or through footnote: “Due to the nature of the development proposed on the site (CCRC) an indicative dwelling number derived from approximate density is not appropriate”.</p> <p>H8, Right column, second row: Delete from “The low density” to “ecological constraints have been met”: Full paragraph now to read: “The number of dwellings and scale of the full development will be determined through the development management process in consideration of landscape impact on the SDNP and opportunities are taken for the restoration and management of habitats as part of the scheme”.</p> <p>Section 3.5.1, Housing objective 1, Page 12 Housing Policy HPI, Table 1, H8 (Land at Durford Road): “H8: 48”: further text: “Minimum of 48” to be inserted.</p>		
<p>Section 11.2 Town Centre Opportunities, page 81</p> <p>New Note following the table: “3. In addition to those sites identified in Table 13, land at Dragon Street/High Street is anticipated to accommodate in the region of 18 dwellings. The site has been previously identified in work undertaken by the SDNPA and East Hants DC. It is shown on the map as site H6-3”.</p> <p>New site H6-3 to be identified on Figure 8-Town Centre Opportunities</p>	<p>Paragraph 68, page 21-22</p>	<p>Accept modification</p>

<p>Section 3.5.1, Housing objective 1, page 12</p> <p>Recommend that Table 1 be modified by expressing the indicative number of dwellings for site H1 as up to 200, for site H6 as 58, resulting in a total of 805.</p>	<p>Paragraph 69, page 22</p>	<p>Accept modification</p>
<p>Section 3.1 (page 9)</p> <p>Recommend that the modifications identified in the Response at paragraph 8.1 and paragraph 19.1 be made.</p> <p>(additional text is underlined, removed text is struck out):</p> <p>Section 3.1 (page 9) of the PNP, bullet point 6 should be amended to read ‘The demand for new affordable homes in Petersfield is between 32 and 74 per year. The majority of this demand is for one or two bedroom flats <u>dwellings</u>. We are currently unable to meet this demand.’</p> <p>Section 3.5.1 Housing objective 1, page 12</p> <p>Propose to include the suggested text from Southern Water in Policy HPI and revise the policy as follows (additional text is underlined):</p> <p>‘Planning permission will be granted for new residential development on the sites set out in Table 1 and, as detailed in Section 11, provided that the proposals conform to the design principles <u>and delivery considerations</u> set out in Section 12 and meet the requirements set out in other appropriate policies of this Plan and the East Hampshire District Local Plan: Joint Core Strategy. Note that the site plans set out in Section 12 are illustrative and not mandatory.’</p>	<p>Paragraph 70, page 22</p>	<p>Accept modification</p>
<p>Policy HP5, page 15</p>	<p>Paragraph 74, page 23</p>	<p>Accept modification</p>

Recommend that the PNP be modified by the deletion of Policy HP5 and its replacement by the text at paragraph 9.2 of the Response.

Revised policy HP5 (additional text is underlined):

Housing Policy 5 (HP5) – Delivery of infrastructure

- a) New development will contribute towards new infrastructure or improve the capacity of existing infrastructure to mitigate its impact and support future residents and businesses.
- b) Critical service and utility infrastructure will be provided on-site by the developer and utility providers to ensure development is properly serviced.
- c) In addition, a suitable package of supporting infrastructure will be negotiated by the National Park Authority in liaison with Petersfield Town Council and secured through legal agreements to ensure the development is acceptable in planning terms, self-supporting and its impacts are properly mitigated.
- d) On-site infrastructure will be secured through legal agreements based on the needs of each proposal (or group of proposals) and delivered directly by the developer or through financial contributions and/or land. Infrastructure delivery will be integrated with development phasing to ensure timely provision and commuted payments will secure necessary future maintenance.
- e) The design of infrastructure through partnership working with developers and infrastructure providers should reflect the high quality landscape and ensure, where

<p><u>possible, benefits to the economic and social well being of the local community.</u></p> <p>Remove last paragraph of supporting text starting ‘Policy HP5 therefore mandates’</p>		
<p>Policy HP6, Page 16</p> <p>Recommend that policy HP6 be deleted, and replaced by the text at paragraph 10.1 of the Response.</p> <p>Revised policy HP6 (additional text is underlined):</p> <p><u>Housing Policy 6 (HP6) – Provide affordable housing</u></p> <p>a) <u>Proposals for new residential development that maximise the delivery of affordable housing and provide for the size, type and tenure of homes to meet local needs as set out in this policy will be permitted, provided they comply with other relevant policies. The application of this policy will maintain a focus on affordable housing, but will be sufficiently flexible to take account of viability and changing market conditions over time.</u></p> <p>b) <u>A target of at least 40% of all net dwellings (C3 use class) on schemes of 6 or more units will be provided as affordable homes in perpetuity to meet local needs.</u></p> <p>c) <u>Development of 11 or more net dwellings will provide affordable housing on-site unless in exceptional circumstances when the Planning Authority, at its discretion, may accept an alternative form of delivery in a cascade of forms with first preference for provision on an</u></p>	<p>Paragraph 75, page 23</p>	<p>Accept modification</p>

<p><u>alternative site in Petersfield, then the provision of serviced land in lieu and then a financial contribution in lieu.</u></p> <p>d) <u>Development of 6 to 10 net dwellings will provide affordable housing on-site where possible. Where on-site provision is not possible in whole or in part, commuted financial payments in lieu will be accepted.</u></p> <p>e) <u>The layout and design of affordable housing will be appropriately integrated into each development so affordable housing is indistinguishable from the equivalent market housing. Affordable housing should be spread carefully through the development, not isolated in specific blocks.</u></p> <p>f) <u>The size (number of bedrooms), type (flat, house, extra care etc.) and tenure (social and affordable rented, intermediate, shared ownership or other) of affordable homes for each proposal will be based on up-to-date evidence of local needs. A suitable mix will be determined through discussions between the applicant and South Downs National Park Authority in liaison with East Hampshire District Council, Petersfield Town Council, and Rural Housing Enablers where applicable.</u></p> <p>g) <u>The eligibility for affordable housing will be administered by EHDC as the Housing Authority. The definition of local need is therefore as laid down by the Hampshire Home Choice service's Allocation Framework. However, priority will be given to people who can demonstrate a local connection to Petersfield in the first instance.</u></p>		
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<p>Policy HP7, page 18</p> <p>Recommend the deletion of Policy HP7 and its replacement by the text at paragraph 11.8 of the Response.</p> <p>Revised policy HP7 (additional text is underlined)::</p> <p><u>Housing Policy 7 (HP7) - Custom and Self-build Dwellings</u></p> <p><u>Sites H2 and H11, as shown in Table 1, are allocated wholly as self-build sites.</u></p> <p><u>Subject to the application conforming with the appropriate site design brief in Section 12 of this Plan and meeting the requirements set out in other appropriate policies of this Plan as well as those within the East Hampshire District Local Plan: Joint Core Strategy:</u></p> <p><u>a) Planning permission to ‘set out’ sites H2 and H11 as individual or collections of serviced plots together with the associated supporting infrastructure, will be granted.</u></p> <p><u>b) Planning permission for either individual self-build or custom build dwellings on plots within sites H2 and H11 submitted by an individual, by a builder or a developer acting on behalf of an individual, or by a community group of individuals such as a Community Land Trust, will be considered favourably.</u></p> <p><u>c) Planning permission for a self-build dwelling will only be granted for applicants who:</u></p> <p>a. <u>Demonstrate that they have a local connection (see below) and</u></p> <p>b. <u>Undertake in a section 106 agreement that the occupancy of the property will be restricted to people with a local connection in perpetuity and</u></p>	<p>Paragraph 76 – 77, page 24</p>	<p>Accept modification</p>
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c. Undertake in a section 106 agreement that they will live in the property as their main residence once it is complete and

d. Undertake in a section 106 agreement that once the development has commenced, they will complete the building of the dwelling within 2 years.

d) Petersfield Town Council will review this policy at 5 year intervals following the adoption of the PNP to determine whether it is delivering new dwellings as intended. If the allocated sites have:

i) been properly prepared

ii) robustly marketed at a fair market rate as individual serviced plots,

but are not being developed at the rate required to deliver the 112 dwellings within the lifetime of the plan, then the Council will consider reallocating these sites, or parts of these sites, as conventional residential developments. The review will also consider the success of otherwise of the related local connections policy.

For the purposes of this policy only, a local connection is classed as either being by Residency or by Employment and is defined as follows:

a. **Residency Qualification:**

- Have been resident in Petersfield or a qualifying parish for 12 continuous months at the time of application or
- Have lived in Petersfield or a qualifying parish for 3 out of previous 5 years or
- Have close family (mother, father, brother or sister, adult children or grandparent) who have been resident for 5 continuous years and continue to be resident in Petersfield or a qualifying parish.

<p>b. Employment Qualification. An individual will be considered to have a local connection if he/she or his/her partner is in employment which meets all of the following criteria:</p> <ul style="list-style-type: none"> • <u>The office or business establishment at which a person is based or from where their work is managed is within Petersfield or a qualifying parish and</u> • <u>Is in paid employment and</u> • <u>Works a minimum of 16 hours per week and</u> • <u>Has been employed for a minimum of 12 continuous months at the time of their application and is currently in employment and</u> • <u>Has a permanent or fixed term contract or is self-employed.</u> <p><u>Qualifying parishes are: Colemore and Priors Dean, Hawkley, Greatham, Liss, Rogate, Harting, Buriton, Stroud, Langrish, East Meon, Steep, Froxfield and Sheet. These parishes are shown in Figure 2.</u></p>		
<p>Policy HP8, page 20</p> <p>Recommend, as suggested in the Response, that policy HP8 and the two preceding paragraphs be deleted, and the explanatory text set out at paragraph 12.3 of the Response be inserted (with consequential re-numbering).</p> <p>Explanatory text to be added (additional text is underlined):</p> <p><u>All new homes built in Petersfield will meet or exceed the national spaces standards as set out in the government's Technical housing standards – nationally described space standard paper or any subsequent revisions thereafter.</u></p>	<p>Paragraph 78, page 24</p>	<p>Accept modification</p>
<p>Policy HP9, page 22</p> <p>Recommend that the modifications indicated at paragraphs 12.6 and 12.7 of the</p>	<p>Paragraph 79, page 24 - 25</p>	<p>Accept modification</p>

<p>Response be made</p> <p>The following modifications are proposed to Policy HP9 – Quality and Layout of housing developments (additional text is underlined, removed text is struck out):</p> <p><u>All applications for new homes</u> shall include a Building for Life 12 assessment and proposals will be required to score 12 out of 12 ‘greens’ <u>expected to score positively (predominantly green)</u> against the criteria. Only in exceptional circumstances, when all other options have been explored, will a red score be permitted.</p>		
<p>Policy HP9, page 22</p> <p>Recommend that policy HP9 be modified by inserting, after the second sentence of the last paragraph, a new sentence: “Regard will be had to the factors specified in paragraph 39 of the NPPF”.</p>	Paragraph 80, page 25	Accept modification
<p>Policy BEP1, page 26</p> <p>Recommend the deletion of “must conform to” and the substitution of “should take account of”.</p>	Paragraph 81, page 25	Accept modifications
<p>Policy BEP4, page 28</p> <p>Recommend that the heading to the policy be: Shop Fronts in Conservation Area.</p>	Paragraph 82, page 25	Accept modification
<p>Policy GAP 1, page 37</p> <p>Recommend that the modifications to GAP1 set out at paragraph 13.2 of the Response be made. (additional text is underlined)</p> <p>Getting Around Policy 1 (GAP1)</p> <p>Provide pedestrian and cycle access to the Town Centre from new developments</p>	Paragraph 83, page 26	Accept modification

<p>New development shall provide for ease of accessibility for walking and cycling with routes <u>through and within the development where appropriate that will facilitate access</u> to the town centre, schools and adjacent residential areas. Wherever possible, the provision of pedestrian crossings and cycle routes related to a particular development shall be linked up to existing routes.</p> <p><u>Development which would prejudice the implementation of these principles will not be permitted.</u></p> <p>Where appropriate the design principles set out in Manual for Streets 1&2 with Shared Space street design shall be expected to be applied and wherever possible extended into the nearby areas.</p>		
<p>Policy GAP 2-4, page 38-40</p> <p>Recommend that the PNP be modified by moving Policy GAP 2-4 to an appendix</p>	<p>Paragraph 84, page 27</p>	<p>Accept modification</p>
<p>Policy GAP 6, page 42</p> <p>Recommend that the modifications indicated at paragraphs 13.3-13.4 of the Response be made</p> <p>The following modifications are proposed to Policy GAP 6 – Create access to Festival Hall Car Park off Tor Way (additional text is underlined, removed text is struck out):</p> <p><u>Support will be given to</u> a new access to the Festival Hall car park off Tor Way, including associated traffic calming measures to reduce traffic speed in Tor Way and associated adjustments at Moggs Mead. Will be approved subject to the consent of the highway Authority to assist the Festival Hall car park to act as an interceptor car park for the town centre and also enable new development to take place on the north side of Heath Road to reinforce the street frontage and bridge the existing gap created by the west car park entrance. This will enable the adjustment of</p>	<p>Paragraph 85, page 26</p>	<p>Accept modification</p>

<p>the cycle route along Tor way to provide direct access to the Festival hall and heather Road.</p> <p>Any development applications for the Festival Hall area will <u>be refused if they prejudice future abilities to achieve</u> these revised access arrangements.</p> <p>The remainder of the original policy will be moved to the supporting text as follows:</p> <p>‘These improvements will be subject to the consent of the Highway Authority to assist the Festival Hall car park to act as an interceptor car park for the town centre and also enable new development to take place on the north side of Heath Road to reinforce the street frontage and bridge the existing gap created by the west car park entrance. This will enable the adjustment of the cycle route along Tor way to provide direct access to the Festival hall and heather Road.’</p>		
<p>Recommend that the proposed modifications specified in Representation 51 (Petersfield Neighbourhood Plan Steering group) be made</p> <p>The following modifications to policy and text in the PNP are proposed (additional text is underlined, removed text is struck out):</p> <p>Policies – Minor Amendments</p> <p>Policy CPI, Page 48 Maintain and enhance existing Community <u>and Education</u> Facilities</p> <p>Policy CP3, Page 49 Overall increase of community <u>and education</u> facility provision.</p> <p>Policy RPI, Page 72</p> <p>I. Petersfield Infant School (RI) (Once the school has relocated to an alternative site) (<u>Should the site no longer be required for education use</u>)</p>	<p>Paragraph 86, page 27</p>	<p>Accept modification</p>

Supporting Text – Minor Amendments

Section 6.3.1, paragraph 5, Page 47

~~However, the infant school is approaching capacity and has no opportunity to expand further. The plan therefore proposes that, should the infant school be unable to meet demand, it should be co-located (as a separate school) on the Herne Junior site. This strategy is supported by Hampshire County Council Education Authority. The plan allocates land around The Petersfield School, Herne Junior and Churcher's College for educational use to allow for expansion of education provision.~~

Section 6.3.1, Table, C4, Page 48

~~The Petersfield Infant School will be encouraged to co-locate to this site if the current site is unable to meet demand during the lifetime of the plan. Reserved to allow for the expansion of education provision.~~

Section 11 - The Town Masterplan, Page 78

~~2a) The infant school's main building, should it become vacant following the school's relocation (see section 6.3.1) is allocated as a retail unit. The infant school's main building, should it be no longer be required for education use, is allocated as a retail unit.~~

~~2c) The remainder of the infant school site is allocated as residential housing along with the small commercial site on the corner of Hylton Road and Dragon Street. 2c) The remainder of the infant school site, should it no longer be required for education use, is allocated as residential housing along with the small commercial site on the corner of Hylton Road and Dragon Street.~~

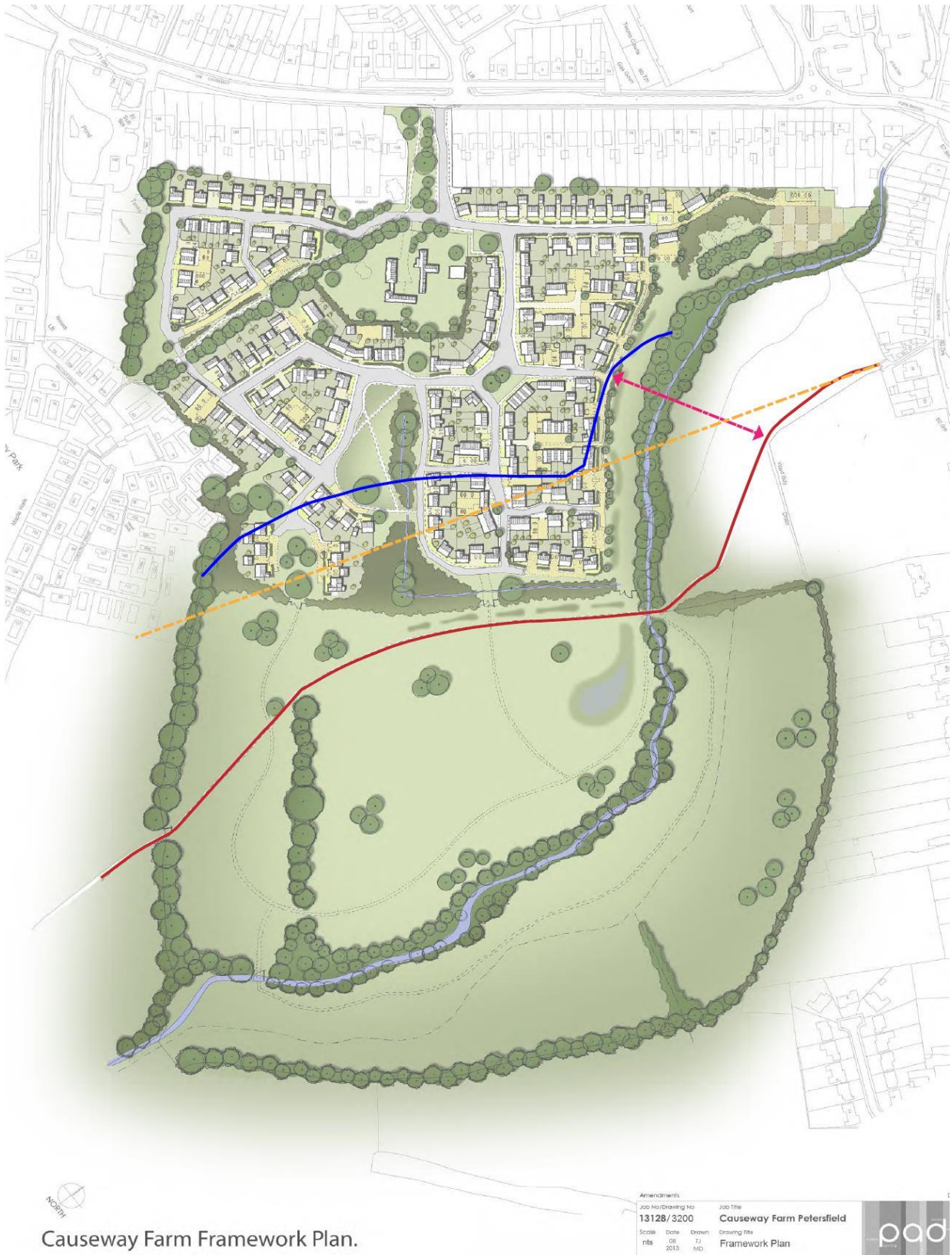
Section 11.5.3, Page 90

~~11.5.3 Infant School and Hylton Road Area 11.5.3 Former Police Station and Hylton Road Area.~~

<p>Section 11.5.3, page 90, second bullet The current infant school has no room to expand further. Thus, if demand exceeds capacity during the lifetime of the plan, the infant school will move to co-locate with the Herne junior school site. If the site of the infant school was no longer required for education use then it could be redeveloped to provide some residential accommodation with the original infant school building being reserved for retail use.</p>		
<p>Section 8.3.1, Page 64 Recommend that line 1 of BPI be amended by substituting the term “employment” for “business”.</p> <p>Section 8.3.3, Page 68 Recommend the last sentence of text should commence with a reference to BP7.</p>	Paragraph 88, page 27	Accept modification
<p>Section 3.5.1, Policy HPI, Page 12 I recommend that the modifications indicated in paragraphs 19.1 and 19.2 of the Response be made.</p> <p>The following modifications are proposed to Policy HPI (additional text is underlined)::</p> <p>‘Planning permission will be granted for new residential development on the sites set out in Table 1 and, as detailed in Section 11, provided that the proposals conform to the design principles <u>and delivery considerations</u> set out in Section 12 and meet the requirements set out in other appropriate policies of this Plan and the East Hampshire District Local Plan: Joint Core Strategy.</p> <p>Note that the site plans set out in Section 12 are illustrative and not mandatory.’</p> <p>Additional text will be added to the Delivery Frameworks for the following sites:</p> <ol style="list-style-type: none"> 1. Land at Causeway Farm, 2. Penns Field, 3. Land South of Larcombe Road, 4. Land South East of the Causeway, 5. Land West of the Causeway, 	Paragraph 93, page 28	Accept modification

<p>6. Land south of Durford Road, 7. Hampshire County Council Depot off Paddock Way, 8. Land North of Reservoir Lane</p> <p>The additional text to be included in the delivery considerations for each of these sites is: Additional local sewerage infrastructure would be required to accommodate development in this location.</p>		
<p>Section 12.3, Pages 96 – 105</p> <p>Recommend that those modifications proposed at paragraph 24.2 and 24.3 of the Response be made.</p> <p>The following text will be included at 12.4 (Site H1 Design Framework – Land at Causeway Farm), 12.6 (Site H4 and H7 Design Framework – Land South of Larcombe Road and West of the Causeway), 12.7 (Site H5 Design Framework – Land South of the Causeway), 12.8 (Site H8 Design Framework – Land South of Durford Road) and 12.13 (Sites B1 and H2 Design Framework – Land North of Buckmore Farm):</p> <p><u>Discussion should take place with the SDNPA prior to any specific development proposal to develop the site, to establish what mineral resource information (and the level of information) is required by the Mineral Planning Authority. It is recommended that in the event of a developer taking a development proposal forward which overlays safeguarded minerals resource that a Minerals Assessment Report is produced for the Mineral Planning Authority. It would be most beneficial to the developer if this was submitted to the South Downs National Park Authority prior to submission of any application to allow for early discussions to take place. The report</u></p>	<p>Paragraph 94, page 29</p>	<p>Accept modification</p>

<p><u>should broadly address key issues including:</u></p> <ul style="list-style-type: none"> • <u>Site setting – Location, access, site description, geology and constraints;</u> • <u>Planning status in respect of minerals safeguarding</u> • <u>Policy context (both national and local), Mineral safeguarding Area;</u> • <u>Constraints upon prior extraction – inter alia previous mineral working, hydrology of area, utilities and market issues (viability and/or quantity of resource present).</u> 		
<p>Section 12.5, page 96</p> <p>R39 (SDNPA Representation) indicates a number of further textual amendments being necessary, I recommend that the necessary textual modifications be made.</p> <p>Following text to be included at section 12.5:</p> <p><u>Discussion should take place with the SDNPA prior to any specific development proposal to develop the site, to establish what mineral resource information (and the level of information) is required by the Mineral Planning Authority</u></p>	Paragraph 95, page 29	Accept modification
<p>Section 12.9, page 101</p> <p>R39 (SDNPA Representation) indicates a number of further textual amendments being necessary, I recommend that the necessary textual modifications be made.</p> <p>Following text to be included at Section 12.9 Delivery considerations:</p> <p><u>Discussion should take place with SDNPA prior to any specific development proposal, to establish how the proposal seeks to address the requirements of Policy 16 in relation to the safeguarded coated roadstone depot.</u></p>	Paragraph 95, page 29	Accept modification



Key

- Development line proposed by the developer and endorsed by the Examiner
- Line of sight from footpath 37 to be maintained in order to allow views to the open countryside.
- Public right of way (footpath 37) to the south of the development