

**Liss Neighbourhood Plan - Pre Submission Consultation
Hampshire County Council Response Schedule – May 2016**

1. To which part of Plan does this representation relate?			2. Do you think the Local Plan meets the Basic Conditions?			
a. Para	b. Policy	c. Site	1. The Plan must comply with the National Planning Policy Framework, March 2012 and Guidance from the Secretary of State.	2. The Plan must contribute to the achievement of sustainable development.	3. The Plan must be in general conformity with the strategic policies contained in the development plan for the local planning authority	4. The Plan does not breach and is otherwise compatible with EU regulations which may or may not include a Strategic Environmental Assessment and a Habitats Regulation Assessment.
	Policy Liss 1 The Settlement Policy Boundary Policy Liss 4 Landscape and views Policy Liss 10 Residential development in the countryside Policy Liss 14 Community and sports facilities		Yes	Yes	Yes	Yes

4. Why does the Neighbourhood Plan not meet the Basic Conditions?

Liss Infant and Junior School is located beyond the Neighbourhood Plan Settlement Policy Boundary, and is therefore considered to form part of the countryside where development is generally not permitted (Policy Liss 1 The Settlement Policy Boundary; Policy Liss 10 - Residential development in the countryside). The school sites also appear to be located above the 75 metre contour line, where no development is considered acceptable due to the potential impact upon landscape and views (Policy Liss 4 Landscape and views). The schools are also considered to be community and sports facilities, where facilities should be retained and enhanced under Policy Liss 14 Community and sports facilities.

As landowner and provider of public services, Hampshire County Council is concerned that the wording of Policies: Liss 1, 4, and 10 do not allow sufficient flexibility to secure future improvements to education facilities during the plan period. This requirement is in compliance with paragraph 72 of the NPPF, which states that the 'government attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities'.

Where central or local government funding is not available, the only way that education improvements can be funded is through developer contributions and through the disposal of surplus land within school sites. The County Council is only able to promote the disposal of surplus school facilities for alternative development where it can be demonstrated under Section 77 of the School Standards and Framework Act (1998) that the land is surplus to the requirements of both the subject school and other LEA schools with the local area, and that the proceeds from the sale of the surplus land is reinvested by the LEA into educational sport and/or recreational facilities.

Section 77 therefore describes a process that is consistent with the intentions of Policy Liss 14 – Community and sports facilities of the Liss Village Neighbourhood Development Plan.

5. What changes are necessary to make the Neighbourhood Plan meet the Basic Conditions?

The County Council therefore strongly encourages that the wording for Policies: Liss 1 The Settlement Policy Boundary, Liss 4 Landscape and views and Liss 10 Residential development in the countryside are amended and/or cross referenced with Policy Liss 14 to allow for the requirements of Section 77 of the School Standards and Framework Act and paragraph 72 of the NPPF to be reflected in the Neighbourhood Plan and in order to be consistent with national policy. A recommended example of how Section 77 has been used in adopted Development Plans can be seen in the Havant Borough Council Core Strategy Policy DM1 Recreation and Open Space as set out below:

“School Standards and Frameworks Act 1998 (Section 77): School and college open spaces and private sports grounds are included in the Open Spaces Plan even though they may not be currently available for public use. However, public use could be allowed via a Community Management Strategy. In accordance with the requirements of S77 of the School Standards and Framework Act 1998, Hampshire County Council may seek the development of playing fields to rationalise its land holdings as a means of financing recreational and educational improvements. Where such compensatory proposals come forward to offset the loss, the council expects the new or enhanced sports or recreational facilities to be made available for public use provided this does not prejudice the educational efficiency of the school.”

6. Speak at Hearing?	No	X	Yes		If Yes, on what grounds?	
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	Policy Liss 3 Local Green Space and informal space Policy Liss 15 Walking and cycling access		Yes	Yes	Yes	Yes

4. Why does the Neighbourhood Plan not meet the Basic Conditions?

The Environmental Map suggests that a 'new desired route' is being proposed through Liss Junior School. Should this be the case, the County Council as landowner and provider of public services is concerned that creating this new route would sever the Junior School from its playing fields and compromise the secure environment of the school site. The County Council therefore objects to the current proposed route on school safety and security grounds.

5. What changes are necessary to make the Neighbourhood Plan meet the Basic Conditions?

The County Council would be minded to overcome its initial objection if the Environmental Map is amended to remove the proposed new route through Liss Junior School and advises that any future proposals are agreed with the County Council in its role as a landowner and provider of public services as part of subsequent iterations of the emerging Liss Neighbourhood Plan.

6. Speak at Hearing?	No	X	Yes		If Yes, on what grounds?	
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	Policy Liss 5		Yes	Yes	Yes	Yes
4. Why does the Neighbourhood Plan not meet the Basic Conditions?						
<p>Hampshire County Council as Lead Local Flood Authority (LLFA) note that Policy Liss 5 Flood Risk states:</p> <p><i>1. Proposals for development must recognise that Liss has areas at risk from flooding, both from the River Rother and associated streams and from surface water run-off and collection. Development will only be permitted if it meets the policies of the local plan on flood risk and sustainable drainage.</i></p> <p><i>2. Where land is allocated for residential development under Policy Liss 7, development will only be permitted if drainage requirements arising from the development are fully met and it is demonstrated that any existing problems from standing water and surface water will be significantly reduced.</i></p> <p>The supporting text to Policy 5 refers to both the East Hampshire Joint Core Strategy and the South Downs Local Plan Preferred Options flood risk management policies (Policies CP25 and SD17 respectively). Both policies require that development does not increase the risk of flooding elsewhere and where possible, will reduce flood risk, an approach consistent with the National Planning Policy Framework.</p>						

5. What changes are necessary to make the Neighbourhood Plan meet the Basic Conditions?

As the Policy Liss 5: Flood Risk first criteria states that 'Development will only be permitted if it meets the policies of the local plan on flood risk and sustainable drainage' It is advised that the second criteria is unnecessary and should be deleted.

6. Speak at Hearing?

No

X

Yes

If Yes, on what grounds?

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	Policy Liss 8		Yes	Yes	Yes	Yes
4. Why does the Neighbourhood Plan not meet the Basic Conditions?						
<p>Hampshire County Council (HCC) encourages and support work on reducing carbon emissions across Hampshire through our current Energy Strategy and also through the shared commitments of Hampshire Climate Local. The Liss Neighbourhood Plan currently makes no reference to sustainability, climate change or energy efficiency. In order to address the requirements of paragraphs 93-98 of the NPPF (Paragraph 45 - Reference ID: 41-045-20140306 - of the NPPG section on Neighbourhood Planning is also relevant), the County Council recommends that the section on Design of Development (Liss 8), p.18 would benefit from an additional bullet point to address the issue of climate change and energy efficiency.</p>						
5. What changes are necessary to make the Neighbourhood Plan meet the Basic Conditions?						
<p>Hampshire County Council recommends the following additional wording:</p> <p><i>'New developments and improvements to existing properties will be planned in ways that reduce greenhouse gas emissions and utilise energy efficiency measures. The use of renewable, decentralised and/or low carbon energy generation technology will be encouraged.'</i></p>						

6. Speak at Hearing?	No	X	Yes		If Yes, on what grounds?	
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	Policy Liss 12					
4. Why does the Neighbourhood Plan not meet the Basic Conditions?						
Hampshire County Council (HCC) encourages and support work on reducing carbon emissions across Hampshire through our current Energy Strategy and also through the shared commitments of Hampshire Climate Local. The Liss Neighbourhood Plan currently makes no reference to sustainability, climate change or energy efficiency. In order to address the requirements of paragraphs 93-98 of the NPPF (Paragraph 45 - Reference ID: 41-045-20140306 - of the NPPG section on Neighbourhood Planning is also relevant), the County Council recommends that the section on 'Self Build Housing (Liss 12) would benefit from an additional bullet point to address the issue of climate change and energy efficiency.						
5. What changes are necessary to make the Neighbourhood Plan meet the Basic Conditions?						
Hampshire County Council recommends the following additional wording:						

'New developments and improvements to existing properties will be planned in ways that reduce greenhouse gas emissions and utilise energy efficiency measures. The use of renewable, decentralised and/or low carbon energy generation technology will be encouraged.'

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	Section 4 – Development Briefs					

4. Why does the Neighbourhood Plan not meet the Basic Conditions?

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Section 4: Development Briefs includes an additional criterion at a relevant point in each of the site specific development briefs to refer to the need for new development to address climate change and energy efficiency.

5. What changes are necessary to make the Neighbourhood Plan meet the Basic Conditions?

Hampshire County Council recommend the following additional wording:

'New developments and improvements to existing properties will be planned in ways that reduce greenhouse gas emissions and utilise energy efficiency measures. The use of renewable, decentralised and/or low carbon energy generation technology will be encouraged.'

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