

## **Decision Statement for the Rowlands Castle Neighbourhood Plan 2022-2033**

### **1. Introduction**

- 1.1. Under the Town and Country Planning Act 1990 (as amended), East Hampshire District Council 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, and that the submission Rowlands Castle Neighbourhood Development Plan has been altered as a result. The Neighbourhood Development Plan, as modified, may now proceed to referendum.

### **2. Background**

- 2.1. The Rowlands Castle Neighbourhood Development Plan area is coterminous with the Rowlands Castle Parish Council boundary. It should be noted that part of Rowlands Castle parish lies within the South Downs National Park Authority and consequently it is necessary for the Park Authority to also comply with the statutory processes of neighbourhood plan making. Accordingly, the neighbourhood area was designated by East Hampshire District Council Local Planning Authority on 26<sup>th</sup> April 2017 and South Downs National Park Local Planning Authority on 24 April 2017.
- 2.2. Given the built up part of the parish lies within East Hampshire District, it is East Hampshire that has acted as the lead authority and consequently organised the submission consultation and appointed the examiner in consultation with the park authority.
- 2.3. The Rowlands Castle Neighbourhood Development Plan was submitted to East Hampshire Planning Authority, in February 2023 the plan was publicised and representations were invited. The publicity period ended on 27 March 2023.
- 2.4. Andrew Ashcroft was appointed by East Hampshire District Council with the consent of South Downs National Park Authority and Rowlands Castle Parish Council, to undertake the examination of the Rowlands Castle Neighbourhood Development Plan and to prepare a report of the independent examination.
- 2.5. The examiner's report concludes that subject to making the modifications recommended by the examiner, the Plan meets the basic conditions set out in the legislation and should proceed to a Neighbourhood Planning referendum.
- 2.6. Having considered each of the recommendations made by the examiner's report and the reasons for them, EHDC has decided in consultation with South Downs National Park Authority and Rowlands Castle Parish Council, to agree the modifications to the draft plan referred to in Table 1 below, to ensure that the draft plan meets the basic conditions set out in legislation.

### 3. 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 Planning and Compulsory Purchase 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, East Hampshire District Council in consultation with South Downs National Park and Rowlands Castle Parish Council, has decided to accept all of the Examiner's modifications to the draft plan.
- 3.3. Table 1 below outlines the alterations made to the submission 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**

| Examiners reference<br>(submission version of<br>Neighbourhood Plan) | Proposed Modification<br>(changes to Policies in bold; change to text and<br>maps in <i>italics</i> )   | Proposed Decision  |
|--|---|--|
| At the end of para 1.8   | add: <i>'The Plan period is 2022 to 2033.'</i>  | Agree with the modification for the reasons set out in the Examiner's Report.  |
| Page 11<br>Policy 1 Gaps between<br>settlements                      | <p><b>Replace the second part of the policy with:</b></p> <p><b>'Proposals for built development within the defined Gap will only be supported where they would not compromise the integrity of the Gap, and the visual and physical separation of Rowlands Castle and Havant, either individually or cumulatively with other existing or proposed development.'</b></p> <p><i>Reproduce Map 2 to a larger scale and delete the</i></p> | Agree with the modifications for the reasons set out in the Examiner's Report. |

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| <p>Map 2</p> <p>Page 11: Policy Objectives</p>                       | <p><i>proposed Gap to the east of the railway line.</i></p> <p>In the Policy Objectives replace the first bullet point with: <i>'To provide a clear break between the settlements of Rowlands Castle and Havant. This will maintain a 'sense of place' for residents of, and visitors to, the two settlements. When passing between the two settlements there should be a recognisable structure to the settlements, establishing in travellers' minds that they have left one settlement before they arrive in another.</i></p> <p><i>The 'Rowlands Castle Neighbourhood Development Plan: Gaps between Settlements Evidence Paper' includes views which collectively show the visual separation and clear break between the settlements of Rowlands Castle and Havant. As a result of the examination of the Plan the Gap is identified to the west of the railway line but not to the east.'</i></p> <p>Delete: <i>'The Evidence Paper shows that to meet this Policy Objective, the 'Gap' retains areas designated as SINCs, Ancient and Semi-natural Woodland, Priority Habitat Deciduous Woodland (England), and Woodland Grant Schemes.'</i></p> |                   |

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|  | <p>Delete: <i>the final bullet point.</i></p> <p>Delete para : <i>‘The ‘Rowlands Castle Neighbourhood Development Plan: Gaps between Settlements Evidence Paper’ also shows that to meet the Policy Objective to protect important landscape and ecological features, the ‘Gap’ retains areas designated as SINCs, Ancient and Semi-natural Woodland, Priority Habitat Deciduous Woodland (England), and Woodland Grant Schemes.’</i></p>                               |   |
| <p>Page 15<br/>Policy 2 Landscape Character</p>                      | <p><b>Replace the opening element of the first part of the policy with: ‘Development proposals should, where appropriate, demonstrate how their design has been informed by the Local Landscape Character Assessment and Settlement Character Assessment.’</b></p> <p><b>In part 1a of the policy delete ‘those’</b></p> <p><b>After part 1a add: ‘and’</b></p> <p><b>Replace the second part of the policy with: ‘Development proposals should be designed and</b></p> | <p>Agree with the modifications for the reasons set out in the Examiner’s Report.</p> |

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|  | <p><b>configured to respond positively to the locally significant views listed in Table 1. Development proposals which would be likely to affect any of the locally significant views listed in Table 1 should assess their impact on the view(s) and show in sufficient detail how the proposal would alter the view. In these circumstances development proposals should incorporate a landscape-led approach to mitigate any harmful any impacts on landscape character.</b></p> <p><b>Development proposals which would have an unacceptable impact on a locally significant view will not be supported.'</b></p> <p>Add an additional objective to read: <i>'To safeguard the special characteristics of the South Downs National Park which occupies the northern part of the parish.'</i></p> <p>At the end of the first paragraph of supporting text after the policy objectives add: <i>'The second part of Policy 2 comments on the relationship between development proposals and a series of significant views. Details of the key features for each view are provided in the Rowlands Castle Neighbourhood</i></p> |                   |

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| Page 17  | <p><i>Development Plan: Locally Significant Views Report (August 2020).</i></p> <p><i>Correct the inconsistencies between the descriptions and the photographs for Views B1-3</i></p>  |  |
| Page 23<br>Policy 3 Local Green Spaces and<br>Protected Open Spaces  | <p><b>Replace the LGS element of the policy with:</b><br/><b>‘The Plan designates the Local Green Spaces listed below and shown on Maps 7, 8 and 9’</b></p> <p><b>Development proposals for local green spaces will only be supported in very special circumstances.’</b></p> <p><b>In the Protected Open Spaces element of the policy replace the second sentence with:</b><br/><b>‘Development proposals for protected Open Space will only be supported where it can be demonstrated that the Space concerned is surplus to requirements, or the loss resulting from the proposed development would be replaced by equivalent or improved open space in an equally-suitable location.’</b></p> <p>In the Objectives replace the second and third bullet</p> | Agree with the modifications for the reasons set out in the Examiner’s Report. |

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|  | <p>points with:</p> <p><i>'The Plan distinguishes between local green spaces and protected open spaces. The highest category of open space encouraged by national policy is the former. The Plan designates Local Green Spaces to provide extra protection other than in very special circumstances. The tables below identify the way in which the Local Green Spaces comply with the criteria in paragraph 102 of the National Planning Policy Framework (2021). Largely because of their more prominent locations, the local green spaces are of importance to the Rowlands Castle community.</i></p> <p><i>The Protected Open Spaces are open spaces which do not meet the exacting standards for designation as Local Green Space. Nevertheless, they play an important part in the attractive environment of the neighbourhood area. They are particularly important to the residents who live close to the spaces concerned. As they are not a local interpretation of a national issue, they are not described in the Plan in the level of detail as the local green spaces. There are details about the Protected Open Spaces in the Evidence paper.'</i></p> |                   |

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| <p>Page 31<br/>Policy 4 Non-designated heritage<br/>assets</p>       | <p><b>Delete the first part of the policy</b></p> <p><b>Replace the second part of the policy with:<br/>‘The Plan identifies a series of non-designated<br/>heritage assets. They are listed in Table 2.</b></p> <p><b>The effect of a development proposal on the<br/>significance of a non-designated heritage asset<br/>should be taken into account in determining<br/>planning applications. In weighing applications<br/>that directly or indirectly affect the non-<br/>designated heritage assets identified in this<br/>policy, a balanced judgement will be required<br/>having regard to the scale of any harm or loss<br/>and the significance of the heritage asset.’</b></p> <p><i>At the end of first paragraph of text (after the<br/>objectives) add the deleted first part of the policy.</i></p> | <p>Agree with the modifications for the<br/>reasons set out in the Examiner’s Report.</p> |
| <p>Page 41<br/>Policy 5 Design and Local<br/>Character</p>           | <p><b>In the first part of the policy replace ‘will be<br/>supported.....of design’ with ‘should’</b></p> <p><b>In 1ii replace ‘are’ with ‘be’</b></p> <p><b>In the second part of the policy replace ‘The</b></p>  | <p>Agree with the modifications for the<br/>reasons set out in the Examiner’s Report.</p> |



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|  | development proposals’ with ‘Development proposals’   |  |
| Page 43<br>Policy 6 Over 55s’ housing  | <p>Replace the policy with:</p> <p><b>‘Development proposals within the Rowlands Castle Settlement Policy Boundary, as shown in Map 15, that accommodate the needs of people over the age of 55 will be supported.</b></p> <p><b>Development proposals which are within walking distance of the main village facilities around the Green will be particularly supported.’</b></p>                           | Agree with the modifications for the reasons set out in the Examiner’s Report. |
| Page 45<br>Policy 7 Rowlands Castle Village Centre – non residential development | <p>Replace the first two parts of the policy with:</p> <p><b>‘Development proposals within the defined village centre (on Map 16) should contribute to its vitality and viability.</b></p> <p><b>Development proposals in the defined village centre which would provide replacement or new facilities and services or retail uses that meet the needs of the village community will be supported.’</b></p> | Agree with the modifications for the reasons set out in the Examiner’s Report. |

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|  | <p><i>Revise the proposed Village Centre boundary by deleting the properties to the west of The Fountain Inn.</i></p> <p><i>Replace the final paragraph of the Policy Objective with:</i></p> <p><i>‘The Use Classes Order allows certain changes of use within the same class. They are known as permitted development rights. In some cases, certain conditions need to be met. This national approach has particular significance for the village centre and its a wide range of retail, commercial and community uses. The following uses are likely to be complementary to its character, vibrance and vitality:</i></p> <ul style="list-style-type: none"> <li><i>• Use Class E Commercial Business and Service;</i></li> <li><i>• Use Class F1 Learning and non-residential institutions; and</i></li> <li><i>• Sui generis Public House/Wine bar/drinking establishment.’</i></li> </ul> |  |
| Page 47<br>Policy 8 Parking  | <b>In the first part of the policy replace ‘Development proposing’ with ‘Development proposals for’</b>  | Agree with the modifications for the reasons set out in the Examiner’s Report. |

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|   | <p>In the second part of the policy replace ‘encouraged provided’ with ‘supported where’</p> <p>In the fourth part of the policy replace ‘the design’ with ‘their design’</p>   |   |
| <p>Page 49<br/>Policy 9 Flood Risk and<br/>Groundwater Management</p> | <p><b>Replace the opening element of the policy with: ‘Development proposals should take account of groundwater source protection zones I and II which create a risk of flooding. As appropriate to their scale, nature and location, development proposals in these areas should respond positively to the following principles:’</b></p> <p><b>Replace the first criterion with: ‘Drainage requirements arising from the development itself and/or in combination with other development are fully met.’</b></p> <p><b>In the third criterion replace ‘adverse’ with ‘unacceptable’</b></p> | <p>Agree with the modifications for the reasons set out in the Examiner’s Report.</p> |
| <p>Page 51<br/>Policy 10 Community and</p>                            | <p><b>Replace the policy with: ‘The Plan identifies a series of important</b></p>   | <p>Agree with the modifications for the reasons set out in the Examiner’s Report.</p> |

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| Sporting Facilities  | <p><b>community and recreation and sports facilities and Churches in Table 3.</b></p> <p><b>Development proposals for improvements to the identified facilities will be supported where amenity, design and other environmental considerations are met.</b></p> <p><b>Development proposals which would involve the change of use to a non-community use or loss of the facilities listed in Table 3 will only be supported where the site or facility is surplus to the requirements of the community, or is no longer viable, or where a replacement facility will be made in a location which is well-related and accessible to the local community.'</b></p> <p><b>In table 3 add: '(and also designated as a Local Green Space)' after 'Recreation Ground'.</b></p> |   |
| Page 53<br>Policy 11 Walking Cycling and<br>horse-riding access      | <p><b>Replace the second part of the policy with: 'Works which would deliver new and improved links to strategic routes such as the Shipwrights Way, Monarchs Way, Staunton Way, Sussex Border Path and E9 (the European long-distance</b></p>   | <p>Agree with the modifications for the reasons set out in the Examiner's Report.</p> |

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|  | <p>path) will be supported.'</p> <p><b>Replace the third part of the policy with: 'As appropriate to their scale, nature and location developments proposals should protect and, where practicable, enhance the existing local network of rights of way (including footpaths and bridleways) as shown on Maps 17 and 18.'</b></p> |                          |
| <p>Para 7.80<br/>Other Matters – General</p>                         | <p><i>Modification of general text (where necessary) to achieve consistency with the modified policies and to accommodate any administrative and technical changes.</i></p>   | <p>Agreed and noted.</p> |
|  |   |                          |