



## Liss Neighbourhood Development Plan Decision Statement: August 2017

### 1. 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 Liss Neighbourhood Development Plan has been altered as a result of it; and that this plan may now proceed to referendum.

### 2. Background

- 2.1 The Liss Neighbourhood Development Plan relates to the area that was designated by the South Downs National Park Authority as a neighbourhood area on 14 August 2014. This area corresponds with the Liss Parish Council boundary that lies within the South Downs National Park Local Planning Authority Area.
- 2.2 Following the submission of the Liss Neighbourhood Development Plan to the National Park Authority, the plan was publicised and representations were invited. The publicity period ended on 10 February 2017.
- 2.3 Robert Bryan MRTPI was appointed by the South Downs National Park Authority with the consent of Liss Parish Council, to undertake the examination of the Liss Neighbourhood Development Plan and to prepare a report of the independent examination.
- 2.4 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.

### 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 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 Liss Parish 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. The reasons set out have in some cases been paraphrased from the Examiners report for conciseness. This statement should be read alongside the Examiners report.

- 3.3 If the Authority is satisfied that, subject to the modifications being made, the Neighbourhood Plan meets the legal requirements and basic conditions then it can proceed to referendum.

Table 1

Recommended Modification to the Liss NDP	Examiners Report Reference & Justification	Proposed Decision
<b>General modifications</b>		
<p>Improve the resolution of policies map 1 (submitted plan numbering)</p> <p>Show the symbols identified in the key to map, part 2 on the map itself.</p> <p>Reorder the policies maps such that number 1 becomes 3 and vice-versa</p>	<p>The policies map is difficult to read due to the poor quality of digital mapping.</p> <p>Some of the symbols on the map key do not appear on the Policies map</p> <p>Policies map 3 has the most comprehensive information, whilst map one has the least information, in the interests of presentation the order of these maps should be swapped</p>	<p>Accept modification</p>
<p>Introduce a glossary explaining technical terms including abbreviations</p> <p>Introduce a key to development brief maps explaining the symbols</p>	<p>The Plan would benefit from a list of abbreviations and glossary explaining main technical terms. The NPPF glossary is a good reference</p>	<p>Accept modification</p>
<b>Introduction</b>		
<p>Insert in paragraph 1.15 “How to use this Plan” in the first sentence after “Joint Core Strategy”, “and saved policies from the East Hampshire Local Plan, second review”</p>	<p>The saved policies from the East Hampshire Local Plan, second review form part of the Development plan and should be referred to in ‘How to use the Plan’</p>	<p>Accept modification</p>
<p>Insert a new paragraph after 1.15 in the How to Use this Plan” section as follows: “Policy 15 in the Hampshire Minerals and Waste Plan 2013 can be relevant as it is concerned to protect mineral resources from surface development which could sterilize future access to those minerals”</p>	<p>A cross-reference to policy 15 in the Hampshire Minerals Plan and the requirement to safeguard mineral resources from needless sterilization</p>	<p>Accept modification</p>

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	from non-minerals development is necessary	
<b>Vision and Objectives</b>		
In paragraph 2.2, second sentence ahead of “corridors”, insert “wildlife”	Factual amendment to text	Accept modification
<b>Policy Liss 1. The Settlement Policy Boundary</b>		
In paragraph 3.8 Insert a new third sentence as follows; “Core Strategy policies CP2 “Spatial Strategy”, CP6 “Rural Economy and Enterprise” and CP19 “Development in the Countryside” direct development to sustainable locations and allows certain change of use proposals outside the settlement boundary.	The section ‘Relationship to other Policies’ omits to reference the relevant Core Strategy policies which direct development to sustainable locations and allow certain change of use proposals outside the settlement boundary	Accept modification
In point 1 of the policy add to the end of the sentence “and this plan”	Factual amendment to text	Accept modification
In point 2, last sentence Amend “Policy Liss 10” to “Policy Liss 11 and add at the end of the sentence “or Liss 12”	Correcting text error	Accept modification
<b>Policy Liss 2. Protected Gaps</b>		
Amend the policy as follows; In the policy item 1. after “policies map”, insert “Part 2”.  Delete the bracket containing “f)” and change criteria g), h) and i) to 1), 2) and 3) respectively.	Factual amendment to text  Factual amendment to text as policy criteria f, g, h and i are not identifying gaps, but describing the requirements of development in identified gaps	Accept modification  Accept modification
<b>Policy Liss 3. Local Green Space and informal open space</b>		
In paragraph 3.14 add a final sentence as follows; “A description of the green spaces is included in Appendix 1 which highlights their attributes and serves as a justification for their designation.”	There should be a short justification as to why each allocated green space justifies this designation	Accept modification

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<p>Add a justification for the designation of each green space. Utilise the table “Local Green Space Reasons for Determination” from the supporting document “Protected Views and Local Green Space”, November 2016 to Appendix I A and add new succinct justifications where necessary based on the NPPF criteria in paragraph 77.</p>	<p>There should be a short justification as to why each allocated green space justifies this designation</p>	<p>Accept modification</p>
<p>Add a new second sentence to paragraph 3.15 as follows; “This effectively establishes in paragraph 78 that the policy approach to their protection should be consistent with green belt policy which is elucidated in detail in the NPPF”</p>	<p>Provide clarification in supporting text of the status applied to designated Local Green Spaces</p>	<p>Accept modification</p>
<p>Policy Liss 3. Local Green Spaces is amended as follows:</p> <p>1. Local Green Spaces shown on the <del>Open Spaces Policies Map Part 3</del> will be protected and enhanced for their biodiversity and, where appropriate, for public access and <del>informal</del> recreational use. Development <del>proposals</del> that would have an <del>unacceptable adverse</del> <u>intrusive</u> impact on <u>the character and openness of these spaces</u> <del>Local Green Spaces</del> will not be permitted <u>unless it can be demonstrated it is ancillary and of benefit to the green space other than in or very special circumstances can be demonstrated to allow development such as essential services that cannot be provided elsewhere.</u></p> <p><u>Improvements to recreation facilities will be regarded as acceptable subject to compliance with design policies and their benefit outweighs any impact on the openness of such areas.</u></p> <p>2. Other informal open space and connections to local open spaces must be provided to support allocated residential development, normally through suitable on-site provision. Provision must be in advance of developments being occupied and must be accessible to <u>all including</u> people with disabilities.</p> <p>3. Development <u>of green space used for formal recreation facilities may be acceptable if equivalent recreation green space can be provided in an acceptable</u></p>	<p>Minor amendments to policy wording to reflect the National Planning Policy Framework</p> <p>In the interests of clarity I consider all these areas should be designated as green space but the policy needs to allow for appropriate alterations to recreation facilities in order that these spaces can fulfil their potential.</p> <p>Factual amendment to text to include all people as well as those with disabilities</p> <p>It is possible that some recreation space could be lost if there were suitable equivalent replacement facilities offered. Green space by virtue of its designation</p>	<p>Accept modification</p>

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<p><del>location proposals that would adversely impact on informal open spaces and connecting networks must demonstrate that the impact can be mitigated or suitable alternative provision can be made.</del></p>	<p>and NPPF definition is inherently valuable in environmental terms and therefore irreplaceable as opposed to recreation space, which is often manicured grass with less environmental value. This point can be reworded to apply just to space used for formal recreation uses</p>	
<p>In the Policies Map part 3 give all the green spaces the same colour</p>	<p>It is unclear how the policy applies to open spaces, which are not green space... In the interests of clarity I consider all these areas should be designated as green space</p>	<p>Accept modification</p>
<p><b>Policy Liss 4. Landscape and Views</b></p>		
<p>Insert at the end of the first sentence in paragraph. 3.18, “in accordance with the statutory purposes.”</p>	<p>There is a need to stress the importance of protecting the landscape character based on national park purposes</p>	<p>Accept modification</p>
<p>Policy Liss 4. Landscape and Views should be amended as follows:</p> <ol style="list-style-type: none"> <li>1. Development must reflect the principles of the Liss Landscape Character Assessment and the Village Design Statement.</li> <li>2. Development that increases the prominence of the settlement within the landscape will not be permitted. In particular, development will not be permitted above the 75m contour unless it is demonstrated <del>that it will not impinge on the wider landscape and can be hidden within existing tree cover. Development close to Andlers Ash Road will be permitted provided it is low rise and is appropriately landscaped.</del> <u>that it will not be prominent in the landscape either due to the landform or screening by buildings or trees.</u></li> </ol>	<p>The circumstances by which development may be acceptable above the 75-metre contour need to be explained in the policy with more</p>	<p>Accept modification</p>

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<p>3. Development will not be permitted <del>that is visually prominent from the viewpoints listed in Appendix 2 and shown on the Policies Map</del> unless it is sympathetic to the landscape character of the area and respects natural features. In particular development should not be intrusive into the views identified on the policies map, Part 1 in Appendix 2</p>	<p>Point 3 of the policy needs to make wider reference to protecting the landscape character in the national park as well as that, which is prominent from the identified viewpoints.</p>	
<p><b>Policy Liss 5. Biodiversity</b></p>		
<p>In the second sentence of paragraph 3.22, after ‘There are’ insert ‘‘Sites of importance for Nature Conservation (a local designation) (SINCS).’’</p>	<p>The term SINCS should be explained.</p>	<p>Accept modification</p>
<p>Identify the SINCS and sunken lanes on Policies map 3.</p>	<p>It would be beneficial to show the location of SINC’s and sunken lanes on the Policies map 3</p>	<p>Accept modification</p>
<p>Delete paragraph 3.24 and replace with the following paragraphs;                      ‘‘The East Hants. Local Plan Joint Core Strategy Policy CP 21 relating to ‘‘Biodiversity’’ requires that development should maintain, enhance and protect district wide biodiversity, in particular the nature conservation designations and other sites referred to above.                       The policies in this plan supplement these policies by requiring proactive measures to maintain and improve biodiversity in new development.’’</p>	<p>The supporting text in paragraph 3.24 implies the emerging SDNPA Local Plan is adopted policy when it is not. This should be remedied by reference to the adopted development plan policy</p>	<p>Accept modification</p>
<p>Delete paragraph 3.25 and replace with the following;                      ‘‘Development proposals resulting in a net increase in residential units within 400m of the boundary of the Wealden Heaths Phase II SPA will be required to undertake a project-specific Habitats Regulations Assessment (HRA). Development proposals resulting in a net increase in residential units within 5km of the boundary of the Wealden Heaths Phase II SPA will be required to submit a screening opinion to the Authority for a project-specific Habitat Regulations Assessment (HRA) which, in consultation with Natural England, will determine whether a likely significant effect on the integrity of the site will result. Likely significant effects will be assessed</p>	<p>The strategic policies in the Joint Core Strategy provide a clear yet flexible approach to protecting designated sites. It provides more clarity to reference these in supporting text rather than partially reproduce them in this Plan in the manner submitted.</p>	<p>Accept modification</p>

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through the HRA and any requirement for mitigation identified.”		
<p>Insert a new paragraph after 3.25 as follows;</p> <p>“It is important that new development seeks to protect and improve biodiversity and provide informal open space and improved footpaths to help absorb extra pressures on the SPA from recreational activities such as dog walking.”</p>	<p>The strategic policies in the Joint Core Strategy provide a clear yet flexible approach to protecting designated sites. It provides more clarity to reference these in supporting text rather than partially reproduce them in this Plan in the manner submitted.</p>	<p>Accept modification</p>
<p>Insert a new second sentence in “Relationship to other policies” as follows;</p> <p>“Liss Village Design Statement 2014 is adopted supplementary planning guidance and is concerned to protect biodiversity and ensure that appropriate design measures are employed to mitigate the impact of development. The “Liss Landscape Character Assessment”, 2006, provides a reference to the landscape attributes of the area and identifies “development issues” and is effective planning guidance.”</p>	<p>The supporting text should reflect the importance status of the Liss Village Design Statement and Liss Landscape Character Assessment. I note the Village Design Statement refers to the river and the riverside railway walk and this should emphasise their importance and enable sufficient policy protection.</p>	<p>Accept modification</p>
<p>Delete point 6 from the policy</p>	<p>Policy 6 singles out the River Rother and the Riverside Railway walk which appears to give them elevated status to the other SINCS in the plan area which is confusing. I note the Village Design Statement refers to the river and the walk and this should emphasise their importance and enable sufficient policy protection.</p>	<p>Accept modification</p>
<p><b>Policy Liss 6. Flood Risk</b></p>		
<p>In paragraph 3.27 alter “Policy Liss 7”to “Policy Liss 8”.</p>	<p>Factual amendments to text</p>	<p>Accept modification</p>
<p>In paragraph 3.28 delete “both” and ”and the South Downs Local Plan.”</p>	<p>The reference to the SDNPA Local Plan in the supporting text appears to give it</p>	<p>Accept modification</p>

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	adopted policy status, which it does not have	
<p>In point 2 of the policy change “Liss 7”to “Liss 8”.</p> <p>After “arising from development” insert “itself or in combination with other development,”</p>	<p>Factual amendment to text</p> <p>The Hampshire &amp; Isle of Wight Wildlife Trust make a worthwhile point that the flooding implications of the combined effects of development may need to be taken into account in accordance with policy guidance</p>	<p>Accept modifications</p>
<p><b>Policy Liss 7. Local Housing Needs</b></p>		
<p>Insert a new paragraph after paragraph 3.32 as follows;</p> <p>“The affordable housing is directed to provide only for the housing needs of the local area in accordance with government advice in the “English National Parks and the Broads: UK Government Vision and Circular 2010”. In accordance with the Joint Core Strategy, paragraph 6.38 people expressing a need to live in the Plan area will need to show that they:</p> <p>a. are unable to afford open market housing which is for rent or sale within the settlement; and</p> <p>b. are closely connected or have previously been closely connected to the settlement through work or residence; or</p> <p>c. have immediate family (parents, grandparents, adult children or siblings) who live in the settlement; or</p> <p>d. need to move to a particular settlement where failure to meet that need would cause hardship to themselves or to others; or</p> <p>e. have a real need to live in the settlement to support or be supported by a member of family ordinarily resident in the settlement</p>	<p>There is a need to provide a clear explanation of the term local connection with respect to the provision of affordable housing in order to properly explain the mechanics of the policy</p>	<p>Accept modification</p>
<p>In point 1 of the policy amend “Liss 7” to “Liss 8”.</p>	<p>Factual amendment to text</p>	<p>Accept modification</p>



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<p>Amend point 3 of the policy as follows “Proposals for market housing of 5 or more dwellings should demonstrate that evidence of local need for older persons housing is reflected in the type and mix of homes proposed.”</p>	<p>Point 3 of the policy refers to the need for market housing to make a “substantial contribution” to meeting the demand for older homeowners. This not precise enough for effective implementation of the policy requirement. Housing proposals should demonstrate that evidence of local need for older people’s housing is reflected in the type of homes proposed.</p>	<p>Accept modification</p>
<p><b>Policy Liss 8 The Allocation of Land for Housing</b></p>		
<p>The assessment of this Policy is relatively complex and lengthy, full justification for modifications can be found in the Examiners report paragraphs 118 – 199. Paragraphs 118 to 199 deal with a number of issues which have been raised in individual written representations. The Examiner considers and provides commentary in these paragraphs on the following matters:</p> <ul style="list-style-type: none"> <li>- Concern regarding windfall sites</li> <li>- Concern regarding the Strategic Housing Market Assessment</li> <li>- Concern regarding the ability to meet affordable housing targets</li> <li>- Concern regarding the deliverability of allocated sites</li> <li>- Concern the housing target cannot be met</li> <li>- The site selection process used by the Qualifying Body (Liss NDP team)</li> <li>- Representations regarding the Hatch Lane site and site selection</li> </ul> <p>There are four modifications proposed in relation to this particular policy, the majority of commentary in paragraphs 118 – 199 deals with the matters above but suggests only minor modifications in relation to concerns that the housing target cannot be met, these modifications are set out below.</p>		
<p>In point 2 delete “conform to” and replace with “take account of”, after</p>	<p>A less prescriptive reference to the development briefs is required</p>	<p>Accept modification</p>
<p>“Section 4” insert “, the minimum indicative number of dwellings specified below”</p>	<p>It is necessary to make the indicative number of dwellings a minimum to</p>	<p>Accept modification</p>

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	ensure the overall delivery of the housing requirement (minimum 150 dwellings)	
<p>In the table insert at the head of the second column, “Minimum Indicative no. of dwellings” Increase the number of dwellings on the following sites as follows;</p> <p>Land at Andlers Ash Rd. central 38</p> <p>Land at Andlers Ash Rd. south 38</p>	<p>The NPPF requires a buffer of 5% or 20% in the case of persistent non-delivery as monitored through the later stages of the Plan period. SDNPA confirmed at the hearing the figure of 5% should be adhered to which can be achieved with a relatively small increase on certain sites. I consider it is necessary to factor in the 5% figure allowing for a further 6 dwellings</p>	<p>Accept modification</p>
<p>On policies map part 2 “Site proposals”, the “potential vehicular access point” and “proposed pedestrian access point” icons are difficult to read on the map and need to be more legible.</p>	<p>There is a need to improve policies map 2 to show the vehicular and pedestrian access points more legibly</p>	<p>Accept modification</p>
<p><b>Policy Liss 9. The Design of Development</b></p>		
<p>Policy Liss 9. The design of development should be modified as follows:</p> <p>1. Development must meet the highest standards of design and make a positive contribution to the character of Liss. Proposals must respect and enhance the diverse built character of the village and its high-quality countryside setting. Innovative and contemporary designs must be complementary to their context.</p> <p>2. Development proposals will only be permitted if they demonstrate they have taken account of the guidelines in the Liss Village Design Statement 2014 and any design guidance or code issued by the South Downs National Park Authority. <del>Development in accordance with the development briefs set out in Section 4 of this plan should take account of additional guidance at the beginning of that section on the allocated sites shall take into account the guidance in the development briefs set</del></p>	<p>The reference in point 1 of the policy to “diverse” could be interpreted as respecting existing design which is not considered as valued and representative of the character of the area</p> <p>It is too prescriptive to require that development be “in accordance” with the development briefs. The NPPF in paragraph 59 states that planning authorities should seek to avoid being too prescriptive and concentrate on guidance to reinforce local distinctiveness</p>	<p>Accept modification</p>

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<p>out in Section 4 of this Plan.</p> <p>3. In <del>using the support of the</del> Village Design Statement to determine proposals for <del>planning permission, account will be taken</del> the following criteria will be taken into account where appropriate of:</p> <ul style="list-style-type: none"> <li>a) The context of the site in relation to topography, landscape, setting, character, local distinctiveness and building types</li> <li>b) A density and scale that is appropriate to its context</li> <li>c) A layout that demonstrates how buildings, spaces and parking spaces relate to each other to create a practical coherent and legible structure</li> <li>d) Parking provision: a hierarchy of linked routes and space that are permeable, relate to local facilities and which provide parking provision that makes a positive contribution to the setting of buildings.</li> <li>e) The creation of a sense of place through massing and built form and sensitivity in respect of edge treatment, entrances, enclosures, active frontages, heights, detailing and rooflines</li> <li>f) Landscape design and green infrastructure that contributes to a sustainable sense of place, such as wild areas for outdoor play, shelters, biodiversity buffers and wildlife corridors, and which softens the impact of the built form.</li> <li>g) Materials and detailing relating to the design and context of development, including walls, roofs, openings, paved surfaces, signage and external lighting.</li> <li>h) Sustainable principles such as the curtilage storage of waste and recyclable material, cycle storage, homeworking and the durability and adaptability of buildings over time.</li> <li>i) Development forms and layouts that help reduce greenhouse gas emissions and utilise energy efficiency measures and the use of renewable de-centralised and low carbon energy generation.</li> </ul> <p>4. <del>The Village Design Statement, 2014 is adopted as supplementary planning guidance to this plan. Extensions to dwellings, residential annexes, residential care</del></p>	<p>In point 3 of the policy the reference to “in using the Village Design Statement’ is confusing as it appears to give extra status to certain parts of the Design Statement and adds extra nuances to that advice</p> <p>I do not consider there is a need for point 4 to establish the Design Statement as supplementary planning guidance to the plan</p>	

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<p><u>institutions (C 2)<sup>1</sup> and detached buildings in residential curtilages shall be</u></p> <ol style="list-style-type: none"> <li>1) <u>in character with the host dwelling and subservient in scale taking into account any previous extensions or outbuildings added after the original dwelling was constructed; and</u></li> <li>2) <u>Detached curtilage buildings shall be sited in manner which minimizes landscape intrusion; and</u></li> </ol> <p><u>Proposals shall not be detrimental to the amenities of neighbours as a result of scale, siting massing impact or overlooking.</u></p>	<p>In draft policy 11 Residential Development in the Countryside there is a criteria seeking to control the scale of extensions to provide self-contained residential annexes. This is better framed as part of a generic policy on residential extensions as extensions to provide annexes are no different in terms of design than other extensions. In the interests of clarity, I propose an extra criteria relating to extensions based on existing policies and that proposed as part of policy 11.</p>	
<p>Insert the following new second sentence in paragraph 3.42 of the supporting text “Relationship to other policies” as follows; “The saved policy H16 of the East Hants Local Plan second review provides certain threshold sizes for permissible extensions”</p>	<p>Saved Policy H16 of the 2006 East Hampshire Local Plan is a useful reference point for assessing the scale of extensions and needs referencing in the supporting text</p>	<p>Accept modification</p>
<p><b>Policy Liss 10. The Historic Environment</b></p>		
<p>In point 1 of the policy alter the last sentence as follows: “Development relating to shop fronts in the Liss Village Conservation Area must reflect the traditional local character and distinctiveness of shop front design.</p>	<p>The reference in point 1 of the policy refers to the retail area, which is not defined and, therefore, has potential for confusion. The reference to the variety of shop fronts also creates confusion as it could be interpreted as requiring the need to copy modern shop fronts, which are not in character with the conservation area</p>	<p>Accept modification</p>

<sup>1</sup> C2 of the Town and Country Planning Use Classes order 1987(as amended)

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<p>Add to paragraph 3.44 of the supporting text after “Liss Village Design Statement” insert “which also refers to buildings of local historic interest. The conservation areas are appraised in two leaflets produced by East Hants. District Council.”</p>	<p>To provide clarification in terms of the reference to the Village Design Statement in supporting text</p>	<p>Accept modification</p>
<p><b>Policy Liss 11. Residential Development in the Countryside</b></p>		
<p>In the title to the supporting text and the policy insert the following at the end of the title; “(outside of the settlement boundary)”.</p>	<p>The title of the policy needs to clarify that this relates to development outside the settlement boundary</p>	<p>Accept modification</p>
<p>Delete para.3.47 and insert the following paragraphs as a replacement;</p> <p>“Development plan policies restrict residential development outside the settlement boundary, across the national park, to replacement dwellings and cases where dwellings which are required to support rural based activities. Conversions to retirement and nursing homes are also allowed in some circumstances. Where need can be proven affordable housing is allowed on “exception sites”.</p> <p>Proposals will be considered in relation to development plan policies as explained below in “Relationship to other policies”.</p>	<p>The supporting text requires amendment to explain the development plan policies and provide a contextual reference for other plan policies.</p>	<p>Accept modification</p>
<p>Alter the supporting text as follows;</p> <p>Add to the end of paragraph 3.48 the following;</p> <p>“The policy below seeks to add to development plan policy and control the use of residential annexes in the countryside so that they remain linked to their host dwelling and do not become separate independent dwellings in the future. Other requirements relate to the need to provide appropriate parking accommodation and the amenities of adjacent residents are protected.’</p>	<p>The supporting text requires amendment to explain the development plan policies and provide a contextual reference for other plan policies.</p>	<p>Accept modification</p>
<p>In “Relationship to other policies” amend the last sentence as follows.</p> <p>“Draft policy SD22 of the South Downs Local Plan sets restraint policies in the countryside for all development, draft policy SD5 protects landscape and SD45 prescribes the circumstances for appropriate replacement dwellings and extensions.</p>	<p>The supporting text requires amendment to explain the development plan policies and provide a contextual reference for other plan policies.</p>	<p>Accept modification</p>

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<p>A range of other policies seek to protect the landscape and biodiversity of the countryside.”</p>		
<p>Policy Liss 11. Residential Development in the Countryside should be amended as follows:</p> <p>Policy Liss 11. Residential Development in the countryside Annexes (outside of the settlement boundary)</p> <p><del>1. In accordance with the development plan residential development within the countryside will only be permitted for replacement dwellings and extensions.</del></p> <p><del>2. In particular, in areas of low density housing within the countryside of Liss, infilling development within the grounds of houses, or development on sub-divided plots will not be permitted.</del></p> <p><del>3. Proposals for residential annexes providing self-contained accommodation to a dwelling in the countryside either as extensions, adaptations or detached buildings in the countryside outside the settlement boundary will be permitted if they are:</del></p> <p><del>a) extensions or adaptations to the main dwelling; of a scale which is subservient and in character with the host dwelling and in accordance with Policy Liss 9; and</del></p> <p><del>b) their scale is significantly less than the main building;</del></p> <p><del>c) their occupation and use is ancillary to the main dwelling and that use is secured by an appropriate occupancy condition or agreement; and</del></p> <p><del>d) when that use ceases or the occupancy condition is removed the use of the annex reverts to being part of the accommodation of the main dwelling; and</del></p> <p><del>e) adequate parking and amenity space is provided. Provided with parking to meet the requirements of the Highways Authority and there is no detrimental impact on the amenities of adjoining residents as a result of overdevelopment or overlooking</del></p>	<p>The title of the policy needs to clarify that this relates to development outside the settlement boundary</p> <p>The policy in point 1 seeks to restrict residential development in the countryside to replacement dwellings and extensions. This is contrary to the development plan policies (CP19 of the Joint Core Strategy and saved policy, H14 of the East Hants. Local Plan) which, allow dwellings in exceptional cases of proven need for a rural location such as dwellings for agriculture, forestry or certain rural enterprises. Saved policies H9 and H16 of the East Hants. Local Plan also allows replacement dwellings in certain circumstances. SDNPA also correctly point out that the policy, as drafted, effectively forbids affordable housing on rural exception sites, which is contrary to policy CP14 of the Joint Core Strategy and advice in the NPPF, para.54. This part of the policy is therefore contrary to development plan policies and basic conditions. It should be deleted</p> <p>Point 2 of the policy does not add to the existing development plan policies and creates confusion because areas of low</p>	<p>Accept deletion and accept new policy criteria</p>

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	<p>density housing are not defined. Furthermore, it doesn't cover areas outside the "grounds" of houses where clearly new dwellings are generally restricted. This aspect of the policy should be deleted</p> <p>Point 3 of the policy, relating to annexes, is in general conformity with national and development plan policies to restrain development in the countryside and protect landscape character. However, some of the detail of the policy is unnecessary or imprecise and requires amendment.</p> <p>The criterion 3 a) requires an annexe to be an extension or adaptation of a dwelling. I consider this criterion is contrary to basic conditions as there is no evidence to distinguish annexes of appropriate scale and design from extensions and should be removed</p> <p>Criterion b) if read literally relates only to extensions and detached curtilage buildings providing self-contained accommodation. The policy on residential annexes can cross-refer to this modified policy.</p> <p>I raised a concern with Criterion e). There should be reference to the need to conform to highway authority parking guidelines</p>	

Recommended Modification to the Liss NDP	Examiners Report Reference & Justification	Proposed Decision
<b>Policy Liss 12. Retirement and Nursing Homes</b>		
<p>Insert as a new second sentence in paragraph 3.51, the following;</p> <p>“This policy relates to institutionalized care for the elderly as described in Class C2 of the Town and Country Planning (Use Classes) Order, 1987, as amended.</p>	<p>It is necessary to make it clear that this policy relates to institutional care for the elderly as described in Class C2 of the Town and Country Planning (Use Classes) Order, 1987, as amended.</p>	<p>Accept modification</p>
<p>Policy Liss 12. Retirement and Nursing Homes should be amended as follows:</p> <p>1. <del>Development for retirement or nursing homes for the elderly, including extensions to existing provision will only be permitted if new-build or change of use involving residential care or nursing homes within Class C2 of the Town and Country Planning (use Classes) Order 1987 (or subsequent amendment) will be permitted within the settlement boundary if it is compliant with other development plan policies and provided:</del></p> <p>a. it is accessible to facilities such as shops, medical services, places of worship, public open space and other community facilities; <u>and</u></p> <p>b. it is accessible to staff and visitors by public transport, walking or cycling; <u>and</u></p> <p>c. it is located where residents can enjoy a visually interesting outlook; <u>and</u></p> <p>d. the site has level access to a garden or sitting out area; <u>and</u></p> <p>e. it does not detract from the character and landscape of the area; <u>and</u></p> <p>f. the design and construction of the development provides for wheelchair access; <u>and</u></p> <p>g. incorporates measures to optimise energy efficiency.</p> <p>2. <del>Also, outside of settlement policy boundaries development for retirement or nursing homes will only be permitted where it involves the change of use and conversion of existing large detached buildings. Outside the settlement policy boundary change of use of dwellings will be permitted where it conforms with other development plan policies and the criteria listed above in point 1.</del></p>	<p>The policy includes restrictions on extensions to existing facilities. I cannot accept there is any evidential basis for subjecting extensions to the same criteria as new proposals and it is illogical that existing facilities, which are not accessible to services etc., should not be allowed to extend, in principle. The reference to extensions should be deleted.</p> <p>It was agreed at the hearing there is a need to define more closely the type of “existing large detached buildings” referred to in point 2 of the policy more closely. This is in order to preclude conversion of buildings, which may be derelict, of insubstantial construction or incapable of conversion without effectively a new build or where change</p>	<p>Accept modification</p>



Recommended Modification to the Liss NDP	Examiners Report Reference & Justification	Proposed Decision
	of use could impact on landscape character	
<b>Policy Liss 13. Business Provision</b>		
<p>Delete Policy Liss 13 but retain the supporting text as modified below.</p> <p>In paragraph 3.55 delete the first sentence and replace with the following: “This Plan supports the development plan policies which encourage business development in appropriate locations.”</p> <p>Amend the title ‘relationship to other policies” to “Relevant Development Plan policies”.</p> <p>In paragraph 3.56 insert a new third sentence as follows; “Policy CP6 Rural Economy and enterprise allows in principle farm diversification, change of use to business uses, extensions to existing premises and certain proposals which promote the enjoyment and understanding of the national park.</p>	<p>This policy is essentially an interpretation of Core Strategy policy CP6 “Rural Economy and Enterprise”. This is confusing because it does not contain all the nuances and caveats within the Core Strategy. The policy is therefore contrary to basic conditions.</p>	<p>Accept modification</p>
<b>Policy Liss 14. Community and Sports Facilities</b>		
<p>The Policies map part 3 requires improved resolution to make it easier to decipher the colour coding and referencing of sites.</p>	<p>The Policies Map part 3 is of poor colour resolution and the referencing of sites in the key is incomplete.</p>	<p>Accept modification</p>
<p>Delete point 4 from the policy and insert it as a new paragraph after paragraph 3.60 in the supporting text.</p> <p>Delete point 3 from the policy and include it in “Relationship to other policies”.</p> <p>Delete “All new residential development” and replace with the addition at the start of the first sentence in point 3</p> <p>“Policy CPI8 requires that development on allocated sites”.</p>	<p>Point 4 is not a policy but rather an aspiration as to how CIL money may be spent. This should therefore be in the supporting text.</p> <p>The requirement in point 3 is a repetition of the Core Strategy Policy CPI8 and is therefore unnecessary. It creates confusion as it does not contain</p>	<p>Accept modification</p>

Recommended Modification to the Liss NDP	Examiners Report Reference & Justification	Proposed Decision
	the equivalent detail as policy CPI8 and should be removed	
Put all the references to Playing Fields and Open Spaces, Amenity Land and Informal Open spaces and the named allotments in appropriate categories in Appendix I.	Policy Liss 14 should simply refer to community facilities other than playing field and open spaces as Liss 3 adequately covers these. Appendices 1 and 4 should be amended to reflect this.	Accept modification
<b>Policy Liss 15. Walking and Cycling</b>		
<p>Policy Liss 15. Walking and cycling should be amended as follows:</p> <p>Policy Liss 15. Walking and Cycling access</p> <ol style="list-style-type: none"> <li>1. The network of green corridors, public right of ways, quiet roads and sunken lanes shown on the Policies Map will be maintained and improved for the convenience and safety of users, for their ecological, landscape and recreational value and to enhance connections across the village. New and improved links to promote routes such as the Shipwrights Way will be encouraged.</li> <li>2. Development proposals that would have an unacceptable adverse impact on the use and amenity value of this network will not be permitted.</li> <li><del>3. Development should contribute to the development of the network by adding well signed walking and cycling routes in and around the village, separated from roads where possible.</del></li> <li>4. Residential development proposals will only be permitted if it is demonstrated that, wherever possible, and provided it is justified in terms of the <u>National Planning Policy Framework advice on planning obligations</u>, they have sought to incorporate:             <ol style="list-style-type: none"> <li>a. <u>signed</u> attractive and safe footpath links to the nearest point on the public right of way network or local footway networks.</li> <li>b. <u>signed</u> cycle routes which contribute to connections to the village centre and the railway station.</li> <li>c. <u>footpaths and cycle routes shall be separated from roads wherever possible</u></li> </ol> </li> </ol>	<p>Point 3 refers generally to “development” but given the plan policies, residential development is the only type of development with the capacity, whereby footpath and cycle route improvements may be justified. The advice in the NPPF paragraph 204 that planning obligations should be “fairly and reasonably</p> <p>Regarding point 4 of the policy, it is unreasonable to require all developments to contribute to signage. The policy has not got a defined threshold for when it applies and I therefore recommend adding a reference to the government advice on planning obligations in the policy related in scale and kind to the development.</p>	Accept modification

Recommended Modification to the Liss NDP	Examiners Report Reference & Justification	Proposed Decision
	Point 3 of the Policy is deleted but the reference to footpaths and cycle paths being separate from roads should remain.	
<b>Policy Liss 16. Parking</b>		
In paragraph 3.67 first sentence “vehicles” should be “vehicular”.	Factual amendment to text	Accept modification
<b>Policy Liss 17. The Village Centre</b>		
In paragraph 3.69 renumber policy 7 to 9; policy 8 to 10; policy 19 to 16 and policy 22 to 18.	In paragraph 3.69 the references to the other policies are numbered wrongly.	Accept modification
Alter point 1 of the policy as follows: “Development within the village centre must contribute to the vitality and viability of the centre, as defined on the policies map, in accordance with its role as a local centre and policy CP8 of the East Hants Joint Core Strategy.”	The policy should reflect the role of this local centre as established in policy CP8 of the Joint Core Strategy  The policy needs to highlight on which policy map the centre is defined.	Accept modification
Delete point 3 of the policy.	Point 3 of the policy refers to all development, which is unreasonable. The requirements of this point are more appropriately reflected in point 4, which makes a general reference to design policies.	Accept modification
<b>Policy Liss 18. Shop Fronts</b>		
In paragraph 3.73 alter policy Liss 7 to 9 .  In point 2 of the policy alter policy Liss 8 to 9.  In point 3 of the policy alter policy Liss 9 to 10.	In supporting text and Policy 18 references to the other policies are numbered wrongly.	Accept modification
<b>Policy 19. Development Briefs</b>		

Recommended Modification to the Liss NDP	Examiners Report Reference & Justification	Proposed Decision
<p>Alter point 1 in the policy as follows;</p> <p>“Development of housing sites allocated in policy Liss 8 shall take into account the guidance in the Development Briefs set out in Section 4 and the supplementary briefs in Appendix 5 of this Plan.</p>	<p>The policy is too prescriptive in requiring development to be “in accordance and “conform” to the briefs. These are absolute terms and it would be more appropriate to us the term “take into account” in order to conform with the NPPF paragraph 59</p>	<p>Accept modification</p>
<p>Delete points 2 and 3 from the policy.</p> <p>Insert the text of points 2 and 3 as extra final paragraphs in the supporting text. In point 2, delete “conforms to” insert “takes into account”.</p>	<p>There is potential confusion in points 1 and 2, which does not state the extra briefs are in appendix 5.</p> <p>Point 2 in the policy repeats the requirement in point 1 and contains matters relating to the process of securing the requirements of the brief should be stated in the supporting text.</p> <p>Point 3 relates to the process of monitoring which should be in the supporting text.</p>	<p>Accept modification</p>
<p>In paragraph 3.17 delete the last two sentences and replace with the following;</p> <p>“For the Inwood Road site a brief prepared in 2009 is still relevant and has been included as a supplement to a further new brief but it should be noted that some of the national and local policies referenced in it have been superseded. However, this brief is still relevant and should be taken into account with the advice on this site in section 4. In order to meet concerns about landscape and views an additional brief has been prepared at Brows Farm site on landscape, design and layout.</p>	<p>There is a need to mention that the 2009 brief for Inwood Road contains reference to some policies, which have been, superseded both at national and local level.</p>	<p>Accept modification</p>
<p><b>Policy Liss 20. Infrastructure and Developer Contributions</b></p>		
<p>In the first sentence of paragraph 3.78, alter Policy Liss 7 to 8.</p>	<p>In supporting text references to the other policies are numbered wrongly.</p>	<p>Accept modification</p>

Recommended Modification to the Liss NDP	Examiners Report Reference & Justification	Proposed Decision
Delete points 1,2,3, and 5 of the policy	This policy is in large part repeating the provisions of policy CP 32 in the joint Core Strategy, which covers the need for developers to provide for the improvements to infrastructure in proportion to the demands, made on it by the development. It is not necessary and is potentially confusing to repeat these provisions as a policy in this Plan. However, the Plan does make a useful reference to the relevant development plan policy in the supporting text	Accept modification
<b>Development Briefs</b>		
<p><u>Inwood Road</u></p> <p>Alter point g. under “Layout and Design” as follows;</p> <p>“g. External lighting should be avoided but where necessary should be sited and designed to minimise light pollution in the national park.”</p> <p>Alter point e. of “Landscape and open space” insert a new first sentence to point e. as follows;</p> <p>“A project level Habitat Regulation Assessment screening exercise shall be carried out and appropriate mitigation provided to avoid likely significant effects on the Wealden Heaths phase 2 Special Protection Area (SPA).”</p>	<p>Modification made to better reflect the Policy approach set out in the South Downs Local Plan</p> <p>Development briefs should include a reference to the need for a project level HRA screening and that appropriate mitigation will be sought to avoid significant effects on the SPA</p>	Accept modification
<p><u>Andlers Ash Central and South</u></p> <p>Alter point d. Under “Layout and design”,</p> <p>“the amount will be based on the terms of the most recent assessment of household profile, market demand and housing need,”</p> <p>In point g. delete “single-storey”, insert “lower”.</p>	<p>Modification to policy to ensure the most up to date evidence is applied to quantify the proportion of housing for the elderly</p>	Accept modification

Recommended Modification to the Liss NDP	Examiners Report Reference & Justification	Proposed Decision
<p>Alter point h. of Landscape, open space and biodiversity, by adding the following as a new first sentence as follows;</p> <p>“A project level Habitation Regulation Assessment screening exercise shall be carried out and appropriate mitigation provided to avoid likely significant effects on the Wealden Heaths phase 2 Special Protection Area (SPA)”</p> <p>Introduce a key to the indicative plan to explain the access options. Show the location of the link to Liss Junior and Infant School.</p> <p>In “Layout and Design” delete point e.</p>	<p>I agree with the Cala Homes (Thames) Ltd. suggestion that in point g. in “Layout and Design” it would be more flexible if the word “lower” were substituted for “single-storey” to allow the option for more creative design to minimize visual intrusion. This flexibility is in accordance with paragraph 59 of the NPPF.</p> <p>Development briefs should include a reference to the need for a project level HRA screening and that appropriate mitigation will be sought to avoid significant effects on the SPA</p> <p>Provide clarification as to access and footpaths arrangements described in the Development Brief</p> <p>In Layout and Design points a. and e. are repetitive</p>	
<p><u>Upper Green and land formerly part of the Grange</u></p> <p>In the “Upper Green” section after Upper Green insert “(site 4)”</p> <p>In the “Land formerly part of the Grange” section after, “The site” insert “(site 4a)”</p> <p>Plot the TPO trees on the indicative plan and alter the first sentence in “Landscape and open space” as follows;</p> <p>“Development must respect the TPO trees which are shown on the indicative plan.</p>	<p>Provide clarification relating to the site names and site references on the indicative plan</p> <p>Provide clarification as to the location of Tree Preservation Orders in close</p>	<p>Accept modification</p>

Recommended Modification to the Liss NDP	Examiners Report Reference & Justification	Proposed Decision
<p>It is important that the site is screened from the countryside to the south west of the site.”</p> <p>Alter point e. in “Landscape and open space” by adding the following as a new first sentence as follows;</p> <p>“A project level Habitation Regulation Assessment screening exercise shall be carried out and appropriate mitigation provided to avoid likely significant effects on the Wealden Heaths phase 2 Special Protection Area (SPA)”</p> <p>Include the existing access to the Grange in the site boundary as coloured pink and edged red.</p> <p>Include the following in the briefs for both of these sites, the following;</p> <p>“Prior extraction of mineral resources may be required before planning permission is granted unless it can be demonstrated that the sterilization of mineral resources will not occur; or it can be demonstrated that it would be inappropriate to extract mineral resources in that location, with regards to other policies in the Plan; or the development would not pose a serious hindrance to mineral development in the vicinity; or the merits of the development outweigh the safeguarding of the mineral”</p>	<p>proximity to the site and ensure the existing tree line is protected</p> <p>Development briefs should include a reference to the need for a project level HRA screening and that appropriate mitigation will be sought to avoid significant effects on the SPA</p> <p>At the hearing it was agreed that the site boundary should be extended to include the full width of the existing access to ensure that adequate access to Farnham Road could be achieved for both sites.</p> <p>SDNPA have asked that mineral safeguarding information be included in these briefs</p>	
<p><u>Land next to Brows Farm</u></p> <p>In point d. of the “Key principles of development” insert “listed” before “church”.</p>	<p>It is important to respond to Historic England’s concerns that the development does not impact negatively on the setting</p>	<p>Accept modification</p>

Recommended Modification to the Liss NDP	Examiners Report Reference & Justification	Proposed Decision
<p>Add to the end of point d. “and the setting of the church should be enhanced.”</p> <p>Alter point h. in “Landscape and open space” by adding the following as a new first sentence as follows;</p> <p>“A project level Habitation Regulation Assessment screening exercise shall be carried out and appropriate mitigation provided to avoid likely significant effects on the Wealden Heaths phase 2 Special Protection Area (SPA)”</p>	<p>of the listed Church of St. Mary. The brief needs to emphasise the need to seek to minimize the impact and enhance the setting of the church.</p> <p>Development briefs should include a reference to the need for a project level HRA screening and that appropriate mitigation will be sought to avoid significant effects on the SPA</p>	