

## Hart District Council

### Winchfield Neighbourhood Plan:

#### POST EXAMINATION DECISION STATEMENT

##### The Neighbourhood Planning (General) Regulations 2012 (as amended)

This document is the decision statement required to be prepared under Regulation 18(2) of the Neighbourhood Planning (General) Regulations 2012 (as amended). It sets out the Council's response to each of the recommendations contained within the report to Hart District Council of the Independent Examination of the Winchfield Neighbourhood Development Plan ("the Plan") by Independent Examiner Andrew Ashcroft, which was received by the Council 7 September 2023.

#### 1.0 BACKGROUND

- 1.1 Under the Town and Country Planning Act 1990 (as amended), Hart District Council ("the Council") has a statutory duty to assist communities in the preparation of neighbourhood (development) plans 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 considered and accepted, that the Plan has been altered as a result of it, and that this Plan may now be submitted to local referendum.
- 1.3 The Winchfield Neighbourhood Plan relates to the area that was designated by Hart District Council as a Neighbourhood Area on 8 January 2015. This area is coterminous with the Winchfield Parish boundary and is entirely within the Local Planning Authority area.
- 1.4 Winchfield Parish Council undertook pre-submission consultation on the draft Plan in accordance with Regulation 14 (28 October – 12 December 2022).
- 1.5 Following the submission of the Winchfield Neighbourhood Plan to the Council in March 2023, the Council publicised the draft Plan for a six-week period and representations were invited in accordance with Regulation 16. The publicity period ended on 23 June 2023.

#### 2.0 INDEPENDENT EXAMINATION

- 2.1 The Council appointed Mr Andrew Ashcroft, with the consent of Winchfield Parish Council, to undertake the examination of the Winchfield Neighbourhood Plan and to prepare a report of the independent examination.
- 2.2 The Examiner's report was received on 7 September 2023. The 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. The Examiner also recommended that the referendum area was based on the Neighbourhood Area that was designated by the Council in January 2015.
- 2.3 Having considered each of the recommendations made in the Examiner's report and the reasons for them, the Council has decided to make the modifications to the Winchfield Neighbourhood Plan set out in Table 1 below.  
**The Council is satisfied that subject to those changes/modifications**

**which it considers should be made to the Plan as set out in Table 1 below, that the Plan meets the basic conditions set out in the legislation.**

### **3.0 DECISION AND REASONS**

- 3.1 The Neighbourhood Planning (General) Regulations 2012 (as amended) requires in Regulation 18 for the local planning authority to outline what action to take in response to the recommendations of an Examiner in relation to a neighbourhood plan. These are set out in Table 1 below.
- 3.2 Having considered each of the recommendations in the Examiner's report and the reasons for them, the Council, with the agreement of Winchfield Parish Council, has decided to accept the modifications to the draft Plan. This decision was made at Cabinet on 5 October 2023.
- 3.3 The Council is also required to consider whether to extend the area to which the referendum is to take place under Regulation 18(1e). The Examiner recommended that the Neighbourhood Plan should proceed to a referendum based on the area that was designated by Hart District Council as a Neighbourhood Area. The Council has considered this recommendation and the reasons for it and has decided to accept it. The referendum on the Winchfield Neighbourhood Plan will be based on the designated Winchfield Parish Neighbourhood Area.

**Table 1: Examiner's Recommended Modifications and Amendments**

| Submitted Neighbourhood Plan Policy / Section/Page | Examiner's Report para reference | Recommended Modification                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | HDC Consideration / Justification                                                     |
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| Policy NE1 Landscape Character                     |                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                       |
| Page 33                                            | 7.16                             | <p>Replace the policy with:</p> <p>'Development proposals should respect the key characteristics of the landscape character areas identified and described in the Winchfield Landscape Character Assessment. As appropriate to their scale, nature and location, proposals should:</p> <ul style="list-style-type: none"> <li>a) respect and where practicable reinforce the key characteristics of the parish, having regard to the relevant landscape character area description;</li> <li>b) be designed and sited to harmonise with the existing landscape;</li> <li>c) where necessary provide landscape impact mitigation measures as part of the proposal;</li> <li>d) be designed to be accommodated in the existing landscape without having an unacceptable impact, by reason of height, scale, materials, siting, and location;</li> <li>e) avoid the physical and visual coalescence with the neighbouring settlements of Fleet, Hook, Hartley Wintney and Dogmersfield;</li> </ul> <p>Proposals for new development or change in the use of land outside the defined settlement boundaries of Winchfield Court, Winchfield Hurst and Beauclerk Green should be accompanied by a Landscape and Visual Impact Appraisal that demonstrates how the proposal meets the criteria above.'</p> | <p>Agree with the modifications for the reasons set out in the Examiner's Report.</p> |

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|                                    |      | At the end of paragraph 5.16 add: 'Policy NE1 sets out the Plan's approach to this important matter. The settlement boundaries referenced in the policy are shown in Figures 7.1, 7.2 and 7.3 of this Plan.'                                                                                                                                                                                                                                                                                                                                                                  |                                                                                |
| Policy NE2 Protection of Key Views |      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                |
| Page 34                            | 7.19 | <p>Replace the policy with:</p> <p>'The Plan identifies a series of key views in Figures 5.5 and 5.6. Development proposals should safeguard and respond positively to the key views.</p> <p>Development proposals which would affect the key views should be accompanied by a Landscape and Visual Impact Appraisal that demonstrates how the proposal will respect and, where practicable, reinforce the view(s) concerned.</p> <p>Development proposals which would have an unacceptable impact on the characteristics of identified key views will not be supported.'</p> | Agree with the modifications for the reasons set out in the Examiner's Report. |
| Policy NE3 Brenda Parker Way       |      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                |
| Page 43                            | 7.26 | <p>Replace the first part of the policy with: 'The Brenda Parker Way is shown on Figure 5.8. It is an ancient sunken path.'</p> <p>Delete the second sentence.</p> <p>Replace the third sentence of the policy with: 'Development proposals should safeguard the Brenda Parker Way and its associated tree canopy'</p> <p>Delete the Ancient woodland semi-natural shading and the associated key from Figure 5.8</p>                                                                                                                                                         | Agree with the modifications for the reasons set out in the Examiner's Report. |

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|                                            |      | <p>Include additional supporting text as follows:</p> <p>‘5.28. A world first project is currently underway mapping sunken lanes to analyse and understand their cultural value; the initial findings will be published by Natural England in 2023. This path is, in places, up to five metres wide although at times so sunken that adjacent fields are difficult to see. Land to the west is fenced and land to the east is newly fenced in part. The fence line runs behind the ancient trees that line this path which provides an important wildlife link between woodland habitats. The overhead canopy creates a strong sense of enclosure contributing to the paths ancient look and feel which is distinctive in the parish. Should development proposals come forward on land adjoining the Brenda Parker Way during the Plan period, the safeguarding of the trees, their root structure and the canopies should be addressed in detailed proposals and/or masterplans.</p> <p>5.29. To provide further protection to this important path Winchfield Parish Council is working with Hook Parish Council to safeguard the historical and biodiverse importance of the path and its setting which is defined as a landscape corridor in the Winchfield Landscape Character Assessment (April 2022) and in The Brenda Parker Way Landscape Report (September 2022). For the avoidance of doubt this Plan does not make any formal designations within the Parish of Hook.’</p> |                                                                                |
| Policy NE4 Trees, Woodlands, and Hedgerows |      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                |
| 45                                         | 7.28 | In the first part of the policy replace ‘unless there are wholly exceptional reasons’ with ‘other than in exceptional circumstances’ and ‘be resisted’ with not be supported’                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Agree with the modifications for the reasons set out in the Examiner’s Report. |

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|                                                    |      | Replace the third part of the policy with: 'As appropriate to their scale, nature and location, development proposals should include new tree and hedgerow planting using locally native species.'                                                                                                                                                                                                                                                                |                                                                                |
| Policy NE5 Dark Skies                              |      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                |
| Page 48                                            | 7.30 | <p>Inset a semi colon at the end of a)</p> <p>Replace 'and' at the end of b) with '; and'</p> <p>In c) replace 'adverse' with 'unacceptable'</p> <p>Include an additional part of the policy to read:</p> <p>'As appropriate to their scale, nature and location, development proposals involving the installation of outdoor lighting should be accompanied by a lighting assessment which specifies the way in which the criteria above have been applied.'</p> | Agree with the modifications for the reasons set out in the Examiner's Report. |
| Policy NE6 Biodiversity Protection and Enhancement |      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                |
| Page 49                                            | 7.32 | Replace 'will be supported where they' with 'should'                                                                                                                                                                                                                                                                                                                                                                                                              | Agree with the modifications for the reasons set out in the Examiner's Report. |
| Policy NE7 Energy Efficiency and Generation        |      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                |
| Page 52                                            | 7.34 | Replace 'providing' with 'and where they'                                                                                                                                                                                                                                                                                                                                                                                                                         | Agree with the modifications for the reasons set out in the Examiner's Report. |
| Policy HE1 Designated Heritage Assets              |      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                |

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| Page 65                                                | 7.36 | <p>Replace the second paragraph of the policy with:</p> <p>‘Proposals which lead to substantial harm or total loss of significance to a heritage asset and/or its setting will not be supported. Proposals which lead to less than substantial harm to the significance of the heritage asset and/or its setting will be weighed against the public benefits that might accrue from the development.’</p> | Agree with the modifications for the reasons set out in the Examiner’s Report. |
| Policy HE2 Non-Designated Heritage Assets              |      |                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                                |
| Page 66                                                | 7.40 | <p>Revise the order of the policy so that the submitted third part becomes the first part.</p> <p>In doing so replace its opening element with: ‘The Plan identifies the following non-designated heritage assets:’</p>                                                                                                                                                                                   | Agree with the modifications for the reasons set out in the Examiner’s Report. |
| Policy BE1 New Development                             |      |                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                                |
| Page 77                                                | 7.43 | <p>In the first part of the policy replace ‘are expected to take place’ with ‘will be supported’ (first sentence) and replace ‘permitted’ with ‘supported’ (second sentence)</p> <p>In the third part of the policy replace ‘adversely’ with ‘unacceptably’</p>                                                                                                                                           | Agree with the modifications for the reasons set out in the Examiner’s Report. |
| Policy BE2 Affordable Housing on Rural Exception Sites |      |                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                                |
| Page 79                                                | 7.46 | <p>In the first part of the policy replace ‘outside and in close proximity’ with ‘adjoining or in close proximity’.</p> <p>In the first part of the policy delete ‘where housing...other policies’</p>                                                                                                                                                                                                    | Agree with the modifications for the reasons set out in the Examiner’s Report. |
| Policy BE4 Development Design Considerations           |      |                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                                |
| Page 85                                                | 7.52 | At the end of criterion j) add ‘in accordance with national standards’                                                                                                                                                                                                                                                                                                                                    | Agree with the modifications for the reasons set out                           |

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|                                                                |      |                                                                                                                                                                                                                                                                                                                                                                                                                     | in the Examiner's Report.                                                      |
| <b>Policy BE5 Residential Parking Spaces</b>                   |      |                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                |
| 89                                                             | 7.54 | In the second part of the policy replace 'will be resisted' with 'will not be supported'<br>Replace the third part of the policy with: 'Proposals for the provision of car parking in separate courtyard areas will not be supported. Where car parking cannot be provided within the curtilage of the dwelling concerned, it should be provided within a dedicated and accessible location close to the dwelling.' | Agree with the modifications for the reasons set out in the Examiner's Report. |
| <b>Policy P&amp;C1 Public Rights of Way</b>                    |      |                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                |
| 93                                                             | 7.56 | In the first part of the policy replace 'adversely' with 'unacceptably'                                                                                                                                                                                                                                                                                                                                             | Agree with the modifications for the reasons set out in the Examiner's Report. |
| <b>Policy P&amp;C2 New Business and Employment Development</b> |      |                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                |
| 97                                                             | 7.58 | In the first part of the policy add '(as shown on Figures 7.1.7.2 and 7.3)'<br><br>In the fourth part of the policy replace 'significant adverse' with 'unacceptable'                                                                                                                                                                                                                                               | Agree with the modifications for the reasons set out in the Examiner's Report. |
| <b>Other Matters - General</b>                                 |      |                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                |
|                                                                | 7.63 | Modification of general text (where necessary) to achieve consistency with the modified policies.                                                                                                                                                                                                                                                                                                                   | Agree with the modifications for the reasons set out in the Examiner's Report. |
| <b>Other Matters – Specific</b>                                |      |                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                |

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|  | 7.64 | Reflect agreed changes between HDC and WPC in relation to paragraphs:<br>1.7 – additional cross reference to maps<br>6.38 and 6.41 – text to link to Fig 6.3<br>6.42 – new footer to link to the Evidence Base<br>8.6 – clarification added re Three Castles Path | Agree with the modifications for the reasons set out in the Examiner's Report. |
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