

Crookham Village Parish Neighbourhood Development Plan

Examiner's Clarification Note

This Note sets out my initial comments on the submitted Plan. It also sets out areas where it would be helpful to have some further clarification. For the avoidance of any doubt matters of clarification are entirely normal at this early stage of the examination process.

Initial Comments

The Plan provides a distinctive vision for the neighbourhood area.

The presentation of the Plan is very good. The difference between the policies and the supporting text is very clear. The maps are effective and clear. The Plan makes good use of photographs.

The Plan has been thoroughly and comprehensively prepared. It is a major achievement for a relatively small community

Points for Clarification

I have read the submitted documents and the representations made to the Plan. I have also visited the neighbourhood area. I am now in a position to raise issues for clarification with the Parish Council. There are also specific questions for the District Council.

The comments made on the points in this Note will be used to assist in the preparation of my report and in recommending any modifications that may be necessary to the Plan to ensure that it meets the basic conditions.

I set out specific policy clarification points below in the order in which they appear in the submitted Plan.

Questions for the Parish Council

Policy BE01

I can see that this is a general policy which seeks to apply sustainable development principles.

I am minded to take the 'as appropriate' from the second criterion and insert it within the opening element of the policy. This would make the policy applicable to the vast majority of development proposals. For example, as submitted a proposal for employment development would have to provide affordable housing (third criterion) to meet the policy. Such an approach would be unreasonable.

Does the Parish Council have any comments on this proposition?

While CVPC agrees that 'as appropriate' would apply to the majority of the points, it feels that bullet 1 should apply at all times.

CVPC agrees that bullet 3 may be appropriately rephrased to say "In the event that a suitable site can be identified, contribute to the provision of affordable housing for local people by designating it as a rural exception site"

Policies BE03/04/05

In general terms these policies are an excellent response to the design requirements for distinctive parts of the neighbourhood area

Policy BE04

I looked at the Zebon Copse Ward Character Area as part of my visit. I understand the thrust of the final criterion. However, it is part policy and part supporting text. I can see that the Rationale explains the matter further (pages 41 and 42).

I am minded to recommend a modification to the criterion so that it simply refers to parking provision in Policy TM01. Does the Parish Council have any comments on this proposition?

CVPC supports this modification

Policy BE05

I have identical comments and proposition for the final criterion as those raised in relation to Policy BE04.

CVPC supports this modification

Policy BE06

The second paragraph appears to take a prescriptive approach rather than to exercise the NPPF approach on sequential testing.

Please can the Parish Council comment on the way in which this part of the policy was developed?

This policy was added following feedback from statutory consultees in the initial Regulation 14 consultation and has been the subject of a further Regulation 14 consultation. The wording of the new policy is intended to reflect the concerns of local residents and prevent flooding like that which has occurred in previous years. This policy wording was inspired by comparable language in HDC's Local Plan and Neighbourhood Plans from the surrounding area.

The intention was for this policy to be in compliance with the NPPF paragraph 158 which states:

The aim of the sequential test is to steer new development to areas with the lowest risk of flooding. Development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding. The strategic flood risk assessment will provide the basis for applying this test. The sequential approach should be used in areas known to be at risk now or in the future from any form of flooding.

CVPC agrees that the wording of the second paragraph does take a prescriptive approach and feels that this policy should be reworded to conform to NPPF paragraph 158 as well as taking a more positive approach to development in areas prone to flooding. A possible example of this revised wording has been provided as Appendix 1 to this response. The proposed revision also includes some additional evidence which could be used to support this policy.

Policy PA03

The policy reads well in its own rights.

However:

- has the Parish Council considered the relationship of this policy with the policy on the Dogmersfield Conservation Area in the (now made) Dogmersfield Neighbourhood Plan?
- should the policy be explicit that it would apply only to that part of the conservation area in the Crookham Village neighbourhood area?

CVPC agrees that there is some ambiguity with regard to the scope of this policy. Appendix 2 represents our examination of the relationship between Policy PA03 and the policy in the Dogmersfield Neighbourhood Plan for the Dogmersfield Conservation Area. Following our review, CVPC feels that the two policies take a broadly consistent approach allowing for collaborative landscape-level planning by the two parishes in view of the fact that the policy in the Dogmersfield Neighbourhood Plan only covers the part of the Dogmersfield Conservation Area that lies within the boundary of Dogmersfield Parish while policy PA03 only applies to that part of the Dogmersfield Conservation Area that lies within the parish boundary of Crookham Village Parish. CVPC agrees that the wording of policy PA03 should be amended to make this clear – perhaps as follows:

“Development within the element of the Dogmersfield Conservation Area that lies within Crookham Village Parish and its setting, including alterations and extensions to existing buildings, will be supported, provided that it is in accordance with all statutory, Local and Neighbourhood Plan Policies and the following principles:”

Policy PA04

This is a generally well-developed policy. The schedule of property details and photographs is extremely helpful.

However how would the first paragraph be implemented? Am I correct that its purpose to support the activities of landowners/property owners to restore/preserve/conservate heritage assets in the neighbourhood area?

It is correct that the purpose of the first paragraph is to support the activities of landowners/property owners to restore/preserve/conservate heritage assets in the neighbourhood area. CVPC would be grateful for any suggested wording changes to make this point clearer.

Policy PA05

This is a well-considered policy.

However, the final section is more about the clarification of the scope of the policy rather than policy itself. I am minded to reposition it to the supporting text. Does the Parish Council have any comments on this proposition?

CVPC accepts this suggestion

Policy NE01

I can see that the Evidence section of this policy makes reference to the proposed Main Modifications of the emerging Local Plan. Has the Parish Council undertaken any detailed work or collected any evidence to support its proposed designation of the identified Gaps between Settlements?

In addition, has the Parish Council undertaken a separate or related study on the differences between the proposed Gaps in the neighbourhood area in the adopted Local Plan and those proposed in the submitted neighbourhood plan?

From what I could see when I visited the neighbourhood area the northern boundary of the proposed Local Gap to the north of Pilcot Road appeared to be an artificial line. Please can the Parish Council advise on this point. In particular is the proposed boundary that included in the adopted Local Plan?

The Gaps between Settlements in the Parish as expressed in the submitted version of the CVNP were designed to conform to the Gaps designated by HDC in the previous Local Plan (Policy CON21) as amended for the extant planning permission for the Land at Netherhouse Copse. It thus conformed to Policy NBE2 in the Draft Local Plan Strategy and Sites, published in June 2018. CVPC relied on the supporting evidence in the HDC Emerging Local Plan for this policy together with the evidence provided by the Landscape and Sense of Place consultation conducted in 2016 to justify the proposed Gaps in the Neighbourhood Plan. The Crookham Village Neighbourhood Plan Steering Group conducted a review of the Gaps between Settlements within the Parish put forward in Policy NBE2 and were satisfied that these met the desired objective of preventing physical and visual coalescence between settlements.

In answer to the second question, CVPC has not undertaken a study into the differences between the proposed Gaps and those in the adopted Local Plan as CVPC has, through the work of the NPSG, taken great pains to ensure that the proposed boundaries for both Gaps between Settlements were identical to those in NBE2 in the Emerging Local Plan.

The Inspector for the Hart Local Plan has advised that the definition of Gaps between Settlements be delegated to Neighbourhood Plans. CVPC has therefore designated the Gaps between Settlements through Policy NE01 in its Neighbourhood Plan. Recognising that further evidence is required, CVPC have prepared an additional paper at Appendix 3 to justify the designation of the proposed Gaps between Settlements.

CVPC agrees that the northern boundary of the proposed Local Gap to the north of Pilcot Road is an artificial line which conformed to the Hart designated Local Gap for this area. Redrawing the Local Gap to natural and identifiable features and boundaries would not fundamentally alter the objective of the policy while using a boundary that would have more meaning in the landscape. However, CVPC suggests that revisiting the boundaries of this Gap be deferred to the first refresh of the NP.

Policy NE02

I looked at several of the views as part of my visit.

The second part of the policy clearly relates to the development management process. The first part of the policy suggests that the Parish Council will be doing something to protect and enhance the key views. If this is so, should this be a Parish Aspiration rather than a policy?

In general terms am I correct that the policy:

- defines a series of Key Views; and
- provides policy guidance on what type of development will and will not be supported?

If so, could the second part of the policy be expressed positively rather than negatively?

This could then identify that development will be supported where it would respect/safeguard the defined key views through its location, scale, massing and height.

CVPC would like to confirm that the purpose of Policy NE02 is to define a series of Key Views within the Parish and to provide guidance on the type of development that would be supported to safeguard these views. CVPC agrees that it would be better if this guidance could be expressed positively and would accept in accordance with the comments above so that any development must respect / safeguard the defined key views....

CVPC recognises that some of the views can no longer be safeguarded and so proposes to remove Key Views 10, 11 and 15 which lie within the new development at the Land at Netherhouse Copse and so cannot be preserved. Despite this removal, CVPC is hopeful that the developer, Berkley Homes, will recognise the importance of these views and will attempt to preserve them as far as possible within the design of this new development.

Policy NE03

The policy and its supporting information (Appendix C5) are very-well developed.

Policy NE04

The detail on the proposed Open Spaces is commendably comprehensive.

Policy TM01

Does this policy add any practical value to national and local policies?

In particular is the evidence about car ownership levels in the Zebon Copse and Netherhouse Moor parts of the neighbourhood area so compelling as to justify the second and third criteria of the policy?

CVPC strongly believes that this policy is necessary as both of the semi-urban developments of Zebon Copse and Netherhouse Moor suffer from a high degree of on street parking, much of which is partially or fully on the pavements to allow traffic to pass along the narrow winding estate roads. This not only makes life dangerous for pedestrians who have to use the road, but can also present access difficulties for emergency and commercial vehicles.

Although both developments were originally designed for urban life, this was dependant on a level of infrastructure in the form of public transport and easy access to vital local infrastructure that has steadily reduced over the years until now, when it no longer exists. The lack of local facilities means that all adult family members need access to a vehicle, thus exacerbating the lack of parking.

Children now stay at home longer and acquire cars at driving age. This, coupled with a tendency to prefer extensions and garage conversions to moving, has led to a dramatic increase in on street parking. While CVPC recognises the emphasis in the NPPF 2019 towards promoting sustainable forms of transport, unfortunately, the reality in Crookham Village Parish is that the two major developments house a high proportion of commuters who work outside the local area for whom access to a car is essential for travel to work. This has resulted in a very high level of car ownership which has increased significantly in the eight years since the census of 2011, when it was the second highest in the country.

Questions for the District Council

What is the anticipated timescale for the adoption of the Hart District Local Plan?

When is the decision anticipated on the recent appeal for the proposed Crookham Care Village?

Representations

Does the Parish Council wish to comment on any of the representations made to the Plan?

In particular:

- does it wish to comment on the representations made to Policy NE01 in general terms, and the relationship of the policy approach with the Local Plan main modifications in particular?

The representations made appear generic in nature and seek to remove important constraints on the choice of development sites. CVPC believes that these have been adequately rebutted in the points made to your questions in NE01 above.

- does it wish to comment on the representation by Berkeley Homes on the implication of some of the Plan's policies on the extant outline planning permission?

CVPC has designed the Neighbourhood Plan to ensure that all new development within the Parish harmonises with the existing character area in which that development lies. In that way, new development will be sympathetic to adjacent existing development. Where a new development has already received reserved matters approval in advance of the adoption of the Neighbourhood Plan, CVPC recognises that this planning approval must take precedence over any policies in the NP which have been adopted after the reserved matters approval was granted and cannot be used to revoke or modify the terms of a permission already given. Where such reserved matters approval has not yet been obtained, CVPC would like the policies within the adopted NP to be used as guidance in the decision making process by HDC when considering that new reserved matters applications such that all new development is sympathetic to the character of the area within which it lies. CVPC has considered the comments made by Berkeley Homes and cannot see anything in the policies in the NP Submission version that would prevent them from implementing the extant planning permission.

The car parking standards in TM01 seek to deal with reality rather than aspirations to limit the use of cars. CVPC would like to observe that the use of restricted car parking has been attempted locally on the Freelands Farm development and more recently on Edenbrook. In both cases, this has resulted in large numbers of vehicles restricting access to both roads and pavements.

CVPC recognises that some of the Key Views in the NP can no longer be safeguarded and so proposes to remove Key Views 10, 11 and 15 which lie within the new development at the Land at Netherhouse Copse and so cannot be preserved. Despite this removal, CVPC is hopeful that Berkeley Homes will recognise the importance of these views and will attempt to preserve them as far as possible within the design of this new development.

- Does it wish to comment on the District Council's suggested refinements to certain policies?

CVPC has prepared responses to the comments made by HDC to the submission version of the CVNP as Appendix 4. CVPC has considered all the comments and is happy to incorporate all the comments in the final version of the CVNP. Work has already started on the replacement of the extracts from the 2012 NPPF with extracts, where appropriate from the 2019 NPPF and the updating of the Glossary is now complete.

Protocol for responses

I would be grateful for responses and the information requested by 9 October 2019. Please let me know if this timetable may be challenging to achieve. It is intended to maintain the momentum of the examination.

In the event that certain responses are available before others I am happy to receive the information on a piecemeal basis. Irrespective of how the information is assembled please could it all come to me directly from the District Council.

In addition, please can all responses make direct reference to the policy or the matter concerned.

Andrew Ashcroft

Independent Examiner

Crookham Village Parish Neighbourhood Development Plan.

20 September 2019