

LPA Comments on Submission version of the ES&BG Neighbourhood Plan and ES&BG NP team responses.

- In early October 2022, the LPA (B&D BC) provided comments on the Regulation 14 Pre-Submission version of the Ecchinswell, Sydmonton and Bishops Green Neighbourhood Plan and Supporting Documentation. The detailed comments were in a tabular format.
- Appendix Hb of the Consultation Statement that accompanied the Submission Version of the Plan (24 October 2022) included an extended version of these tables to showing how the Regulation 15/16 Submission version of the plan and supporting documents took account of these comments by the LPA.
- This document has the same table further extended to include the LPA comments on the Submission Plan that were received on 16th December 2022 and responses by the ES&BG Neighbourhood Plan Team.
- This document is part of the post-Regulation 16 material being submitted to the Examiner by ES&BG Parish Council via the B&D BC Planning Policy Team.

22nd December 2022

Section/ Policy (Reg 14)	Section/ Policy (Reg 16)	Issue/comment by LPA (Reg 14)	Relevant National Guidance (NPPF and PPG) and Local Policy	Potential options or actions suggested by LPA	Action Taken for Reg 16 Submission	LPA Comment (Reg16)	ES&BG NP Team response to LPA Reg 16 Comment
General	General	<p>The Neighbourhood Plan period should align with the adopted Local Plan and only cover the period up to 2029 (as this is the period of time covered by the Local Plan's strategic policies).</p> <p>Although it is recognised that the Plan seeks to meet needs beyond this period, strategic policies have not yet been finalised through the Local Plan Update.</p> <p>It should be noted that the examiner for the Burghclere NP identified that a similar change was necessary to meet the basic conditions.</p>		Revise end date of plan period to 2029.	<p>See above in the response to item 1 (Having regard to national policies and advice contained in guidance issued by the Secretary of State) in Part 1 of this document.</p> <p>Agreement with LPA that obligation to review plan as required when LPU is well advanced enables the plan period for the ES&BG NP to remain as 2021-2039.</p> <p>See sections 3.10 to 3.12 of the main plan document.</p> <p>Circumstances for the Burghclere plan were different because Burghclere had a housing allocation in the ALP</p>	<p>The Plan has an end date of 2039 to align with what is currently proposed for the Local Plan Update (LPU). Although the LPU housing requirement is not yet finalised, the NP now includes new para 3.12 which states that the parish council 'is committed to an early review should the housing number for the parish increase as the LPU advances'. The LPA is satisfied that this provides sufficient flexibility to ensure needs would be met over the LPU period and</p>	No comment – pleased we are aligned
Policy ESBG2: Housing Supply to meet local needs	Policy ESBG2: Housing Supply to meet local needs	Criterion A – In BP3 the use of the term 'up to' implies that that the identified number of windfall dwellings would be a maximum.	ALP Policy SS1 supports the principle of development in SPBs.	Change to 'approximately'. It is noted that this approximate yield is explained in para 5.15.	Policy amended accordingly	<p>Met</p> <p>It is noted that the plan allocates two sites for a total of 20 dwellings, including 15 dwellings at Bishops Green. This is line with the indicative housing figure requested from and provided by the LPA (in accordance with NPPF para 67), as set out in the letter in Appendix 1. It is also recognised that the PC has made a commitment to reviewing their plan should the LPU requirement increase (para 3.12).</p>	No comment

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Policy ESG2: Housing Supply to meet local needs	Policy ESG2: Housing Supply to meet local needs	<p>Criterion B - It is unclear what is meant by the term 'affordable to buy in terms of size and facilities' and whether this refers to affordable or market homes. It is noted that both of the site allocations (Policies ESG3 and 4) include specific criteria relating to housing mix, so this criterion in this overarching policy may not be necessary.</p> <p>25% of the affordable housing should be First Homes (not all housing). The council's 'First Homes Interim Policy Statement' is likely to be superseded over the life of the Plan. Suggest policy just refers to the requirement for 25% First Homes.</p>	<p>First Homes - GOV.UK (www.gov.uk)</p>	<p>Consider whether Criterion B is required and, if so, whether the tenure can be made clearer.</p> <p>If criterion is to be retained, it should be required that 25% of the affordable housing (not all housing) is First Homes.</p>	<p>Policy and supporting text amended accordingly.</p>	<p>The original comments have been met</p> <p>It is suggested that criterion B should state 'at least 30%' (discount on First Homes), and the policy could be made clearer by removing reference to BDBC's Housing Market Assessment (as this is an evidence base document rather than a policy setting document).</p>	<p>Pleased that original comments resolved</p> <p>Agree to amend as suggested with support of the Examiner.</p>

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Policy ESBG2: Housing Supply to meet local needs	Policy ESBG2: Housing Supply to meet local needs	<p>Clause Di) – Concern how this requirement aligns with emerging national policy. The Written Ministerial Statement on First Homes (May 2021) requires that:</p> <p>'Local authorities should support the development of these First Homes exception sites, suitable for first-time buyers, unless the need for such homes is already being met within the local authority's area'.</p> <p>It is recognised that the PPG requires that First Homes exception sites should be 'proportionate in size to the existing settlement'. If more than one site came forward around a settlement its cumulative impact could be disproportionate. It may therefore be reasonable to restrict development to one FHES around each settlement (rather than one in the whole parish, as currently drafted).</p> <p>It may also be helpful to clarify that FHESs should be adjacent to settlements (as set out in the WMS) and that they cannot come forward in the AONB (as set out in the PPG).</p>	<p>The Written Ministerial Statement on First Homes (May 2021)</p> <p>PPG ID 70-026-20210524</p>	<p>Remove or loosen restriction on number of FHESs in parish.</p> <p>Consider including additional locational requirements.</p>	<p>Policy and supporting text amended accordingly.</p>	<p>Partially Met</p> <p>Although it is in the supporting text, criterion D(iii) could helpfully set out that FHESs will not be permitted in the AONB (as this could be relevant to Ecchinswell).</p> <p>It is also suggested that Criterion D(iii), bullet 2, is amended so it refers to all heritage assets (not just designated ones)</p>	<p>Agree to amend as suggested with support of the Examiner.</p>

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Policy ESG3: Housing in Bishops Green (and para 5.21)	Policy ESG3: Housing in Bishops Green (and para 5.19)	<p>Criterion B I - It is suggested that:</p> <ul style="list-style-type: none"> • The policy expresses the types of housing mix in percentages to improve clarity • The policy focuses on the house size (no. of bedrooms), rather than typologies that relate to the type of final occupier which cannot be controlled. • The policy is made clearer about how the housing mix relates to tenure. Suggest it focuses on the market units so the affordable mix can be determined based on needs at the time. 	BDBC Housing SPD PPG ID: 41-041- 20140306	Revise policy wording to provide greater clarity about housing mix.	Policy and supporting text in both ESG2 and ESG3 amended accordingly.	<p>It is recognised that criterion B I has been amended to address some of the original concerns. However, there are a number of remaining issues (and new issues arising from those changes):</p> <ul style="list-style-type: none"> - It is not clear how the mix of dwellings relates to the housing mix requirements newly introduced in Policy ESG2. - There are concerns about the use of 'typologies'. These are not explained in the supporting text. - The policy is not clear whether particular proportions of each housing typology are required. - Are the homes 'suitable as first homes', actually intended to be first homes (affordable homes) as defined in national policy? 	<p>For the Submission Plan, ESG2/3 were reworked such that ESG2 formed an overall direction for housing mix in line with the needs expressed by residents and national/local policy.</p> <p>ESG3 was designed to the needs identified for the settlement that encompass a range of smaller market homes of different capacities. (Reg 14 comments indicated we could not use the "type of occupier")</p> <p>The 1-2 bed homes are indeed intended to be "First Homes" and ESG2 would indicate these to comprise >25% of the total.</p> <p>The expectation is that each of the 4 types should make up at least 20% of the targeted +/- 15 homes.</p> <p>Agree to amend as required with support of the Examiner.</p>
Policy ESG3: Housing in Bishops Green	Policy ESG3: Housing in Bishops Green	<p>Criterion B II -</p> <ul style="list-style-type: none"> • Should require the provision of safe and convenience for all users (i.e. rather than just the current reference to vehicular access). • Could also explicitly require the provision of replacement hedges (i.e. setback clear of the access visibility splays, etc.). 	ALP Policy CN10 (Transport)	Consider revising policy wording	Policy and supporting text amended accordingly.	<p>The first bullet point has been addressed by a change to criterion III.</p> <p>It is suggested that the term 'like for like' (hedgerows) would be difficult to implement and should be made more precise.</p>	<p>Agree to amend as required with support of the Examiner.</p>

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Policy ESBG3: Housing in Bishops Green	Policy ESBG3: Housing in Bishops Green	<p>Criterion B III –</p> <ul style="list-style-type: none"> The provision of a new footway to provide safe and convenient access for the future residents to/from Eagle Road and the other local amenities appears desirable, subject to this being accepted by the Local Highway Authority. Subject to the views of the LHA, the footway could be a requirement of the planning consent rather than a financial contribution (as drafted). It is unclear whether the 'Slow the pace' contribution could be justified, particularly given the scale of the development and the likely extent of impact upon the highway (see also comments on Policy ESBG18). 	NPPF Paragraph 57	Revise policy wording	Policy and supporting text amended accordingly.	<p>Partially met.</p> <p>It remains unclear what development would need to do to 'support' the slow the pace measures.</p>	<p>Slow the Pace measures are targeted in ESBG17 to be developed as part of the Transport Plan for a development in combination with projects initiated following the directions indicated in Section 6 of the Plan.</p> <p>Policy ESBG7 is intended to ensure the specifics detail is addressed before planning applications are made.</p> <p>S106/CIL will be targeted as a source of funds.</p> <p>Agree to amend as required with support of the Examiner.</p>
Policy ESBG3: Housing in Bishops Green	Policy ESBG3: Housing in Bishops Green	Criterion B VI – Suggest policy includes reference to tree lined streets. It is recognised this is included within the Design Code but it could also benefit from being explicitly stated in the policy.	NPPF para 131- Planning policies and decisions should ensure that new streets are tree-lined	Revise policy wording	Scheme does not involve streets so this does not apply. Extensive landscaping and tree planting are included in the scheme	Not addressed in the Plan, however it is recognised that this is included within the design code.	The Design Code is explicitly intended to be used alongside the NP – see ESBG5 and §5.36
Para 5.31	Para 5.29	<p>This refers to Appendix T which provides a Design Report for the site. This paragraph should explain the purpose of this Design Report and its relationship with the design brief required by criterion C.</p> <p>Unless the document is to be given particular status, it is considered that Appendix T could be an evidence base document (demonstrating what could be achieved on the site) rather than an appendix to the plan.</p>	PPG ID: 41-041- 20140306	Consider status of site promoter's design report	<p>Supporting text amended accordingly.</p> <p>Now in Supporting Evidence</p>	Met	

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Sketch plan (page 35)	Sketch plan (page 44)	<p>It is unclear if the sketch is consistent with the policy and supporting text as it is unclear if the site could accommodate the required number of dwellings and the required parking and waste facilities.</p> <p>It is suggested that it may be more appropriate to have a 'higher-level' diagram here. This would identify the general location of the principal land uses, accesses, pedestrian and cycle link, buffers, landscaping etc.</p> <p>This would also provide greater scope for the more detailed design matters to be satisfactorily addressed closer to the planning application stage.</p>		Revise supporting sketch.	New sketch inserted	<p>Partially Met</p> <p>Although the status of the concept development framework is caveated in para 5.29, it is suggested the general location of residential dwellings and their gardens is shown in a less distinct manner to provide more flexibility for detailed design matters to be considered through the planning application stage.</p>	<p>The Concept Development Framework was shown at this level of detail to ensure that the consideration of aspects such as Landscape and Green Corridor were clearly shown to be addressable.</p> <p>Discussion with the landowner confirms that the layout in the concept framework is viable and deliverable.</p> <p>As a concept, this can clearly evolve at detailed planning also taking into account ESBG7/12/17.</p> <p>Agree to amend if required following Examination.</p>
Policy ESBG4: Housing in Ecchinswell	Policy ESBG4: Housing in Ecchinswell	<p>Criterion B I –</p> <ul style="list-style-type: none"> • The policy could express the types of housing mix in percentages to improve clarity • The policy focuses on the house size, rather than typologies that relate to the type of final occupier which cannot be controlled. 	PPG ID: 41-041-20140306	Revise policy wording	Housing mix is now covered in revised wording of ESBG2. ESBG4 amended accordingly.	<p>Partially Met – however the reference to 'generally' one or two bedroom homes is not precise, and it is not clear how it relates to the housing mix in Policy ESBG2.</p>	<p>For the Submission Plan, ESBG2/4 were reworked such that ESBG2 formed an overall direction for housing mix for the parish in line with the needs expressed by residents and national/local policy. For ESBG4, the needs expressed for the settlement and the size/constraints of the site combine to result in a policy for ~5 smaller sized market-based homes expected to be of 1/2 bedroom capacity</p>

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Policy ESBG4: Housing in Ecchinswell	Policy ESBG4: Housing in Ecchinswell	Criterion B II – It is unclear how the scheme is expected to make efficient use of the site, given the yield is set out in the policy.		Suggest criterion is deleted.	Policy amended accordingly.	Met	
Policy ESBG4: Housing in Ecchinswell	Policy ESBG4: Housing in Ecchinswell	Criterion B III - Should provide safe and convenient access for all users (rather than just vehicular).		Revise policy wording	Policy and supporting text amended accordingly.	Met	
Policy ESBG4: Housing in Ecchinswell (paras 5.39 and 5.40)	Policy ESBG4: Housing in Ecchinswell (paras 5.34)	<p>Criterion B IV – It is unclear whether 'consideration of a green path' is a requirement for it to be delivered as part of the development, or not. A requirement would need to meet the tests for planning obligations, as set out in NPPF para 57.</p> <p>Para 5.39 – Further information regarding the deliverability of the green path is likely to be needed. Detail on the specifics of the path such as the connections, width, management would also be useful.</p> <p>Concern about the suitability of taking a financial contribution towards 'Slow the Pace' measures, particularly given the scale of development (see also comments on Policy ESBG18).</p>	NPPF para 57	Revise policy wording	Policy and supporting text amended accordingly.	<p>Not met.</p> <p>The policy still seeks 'consideration of a green path', and the related supporting text has been removed. It is not clear whether the delivery of this is path a requirement of development. Suggest removal of reference to the green path if there is no further information on its deliverability.</p>	<p>A Green Path on the north side of the road is seen as a desirable way of enhancing pedestrian safety to and from the village and to/from nearby public rights of way.</p> <p>The Submission Plan was amended to change this from a "requirement" to "a consideration" vis-à-vis NPPF §47</p> <p>The landowner of the EX site also owns the field to the north of the road so the idea is potentially viable/deliverable.</p> <p>Agree to amend if required following Examination.</p>
Policy ESBG4: Housing in Ecchinswell (para 5.34)		There is reference to the homes being 'affordable to buy'. It is presumed that this means small market homes rather than discounted market sales affordable housing. First Homes could not be required on a development of market homes.		Revise supporting text.	Policy and supporting text amended accordingly.	Met	
Para 5.43	Para 5.35	This refers to Appendix U which provides a Design Report for the site. This paragraph should explain the purpose of this Design Report and its relationship with the design brief required by criterion C.		Revise supporting text.	Supporting text amended accordingly. Design Report Now in Supporting Evidence.	Met	

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Sketch plan (page 39)		It is unclear as to whether this is consistent with this policy and the supporting text. Suggest it would be more appropriate to provide a higher-level site layout that would then provide greater scope for the more detailed design matters to be satisfactory addressed closer to the planning application stage.		Revise supporting plan	New sketch inserted	<p>Partially Met. There will be many ways to achieve a satisfactory scheme on this site with alternative approaches to the layout. It is therefore suggested that it would be better to just show constraints on the plan to allow the design/layout considerations to be addressed at planning application stage. To align with this, it is suggested that Criteria B(VI) should remove reference to development being focussed within the footprints of the existing buildings and structures.</p>	<p>The Concept Development Framework was shown at this level of detail to ensure that number of homes envisaged fit the site in a viable/practical manner. Given the history of the site, we were advised that building on the existing footprint was the preferred approach to deliver “affordable market homes” and give less impact on mature trees</p> <p>Discussion with the landowner confirms that the layout in the concept framework is viable and deliverable.</p> <p>As a concept, this can clearly evolve at detailed planning.</p> <p>Agree to amend if required following Examination.</p>

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ESBG5: Design Quality	ESBG5: Design Quality	<p>The design codes may need to be applied to developments which don't involve new or altered buildings, but that still have an impact on the landscape character of an area (for example a solar farm).</p> <p>Policy should not require the use of the checklist, as there are other ways to demonstrate compliance with the Design Code. The policy could require high quality design that is in keeping with the locally distinctive character of the area and in accordance with the Design Code. The supporting text could signpost that the checklist is the most appropriate way of doing this.</p> <p>Would question whether the second bullet point unnecessarily duplicates the requirement to comply with the Design Code in the introductory text.</p>		Revise policy wording.	<p>Policy and supporting text amended accordingly.</p> <p>Design Guidance and Codes Document also amended accordingly</p>	Met	
ESBG7: Community Engagement in Design	ESBG7: Community Engagement in Design	<p>It is considered that it could be clearer for applicants if policies ESBG5 and ESBG7 were combined as these policies both relate to design, and the Building for a Healthy Life Assessment would be best included in the Design and Access Statement (as part of describing the design of the scheme).</p> <p>In relation to criterion A, 'engagement with the community' may not be appropriate for all scales of development (such as a small extension). This could be limited to 'development proposals which are likely to generate public interest, and particularly with regard to design issues'.</p>		Revise policy wording. Consider merging policies ESBG5 and ESBG7	<p>Policy and supporting text amended accordingly.</p> <p>ESBG7 has been retained as a separate policy given the importance seen in engaging the community on these matters.</p>	<p>Although the LPA still considers it would be clearer if policies ESBG5 and ESBG7 were merged (as community engagement should be a mechanism to achieve high quality design), this does not affect the basic conditions.</p>	<p>The PC prefers to keep this policy separate from ESBG5 to ensure the need for community engagement in Design covers all aspects of any development.</p> <p>Agree to amend if required for successful examination although LPA indicate our approach does not affect the Basic Conditions.</p>

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ESBG9: Support for Homeworking	ESBG9: Support for Homeworking	Residential development/extensions to facilitate home working should only be within residential curtilages regardless of whether the sites are in the settlement or the countryside. The policy could explicitly support the provision of facilities to allow 'Work Near Home', as supported by para 5.64.		Revise policy wording.	Policy and supporting text amended accordingly.	Met	
ESBG10: Broadband and mobile communications	ESBG10: Broadband and mobile communications	Criterion A – It is reasonable to require the developer to provide suitable ducting (to facilitate a connection) but not to make the connection itself which is a commercial matter.		Suggest policy criterion is amended to remove requirement for the connection to be installed.	Policy and supporting text amended accordingly.	Met	
ESBG11: Community Facilities	ESBG11: Community Facilities	Criterion A - It is recognised that the open areas (Ecchinswell recreation ground, Digweeds and Access Land) have community value, however it is not clear how the requirements of Part B would be applied to them (and whether they should be included in this policy). The recreation ground and Digweeds are also Local Green Spaces – which could result in a policy tension, as the LGS policy is less permissive.		Suggest the open areas are removed from this policy.	Policy and supporting text amended accordingly. ESBG 14 applies to these open areas.	Met It is noted that Policy ESBG 14 applies to the open areas around some of the community facilities. The policy maps should be updated to ensure the community facilities are excluded from the LGS designations	Agree to amend Policy Maps as required

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ESBG12: Green Infrastructure Network and Recovery		<p>The general principle of connecting habitats to the green infrastructure network is supported. It is recognised that the Parish Council has worked with the Hampshire Biodiversity Information Centre (HBIC) to identify important habitats (Appendix L).</p> <p>It would be helpful if the NP was explicit that 'the network' (as addressed by the policy) was all of the habitats shown on the map and the green corridors between them (ie everything on the map).</p> <p>The evidence base should explain how the green corridors have been identified in terms of their sizes/widths and locations.</p> <p>In relation to Criterion B, requirement should be to 'maintain or improve the functionality of the network'. The BNG should be calculated in accordance with the relevant Defra metric, which may change over the life of the Plan.</p> <p>Criterion C. The mitigation hierarchy would need to be applied on all sites, but the metric and net gain plan is only required for developments over 0.1ha.</p>		Revise policy wording	<p>The corridors are schematic and the edges of the green lines are not intended to depict the hard edge of a corridor.</p> <p>Supporting text now includes reference to the Cambridge Nature Network map (a Govt pilot).</p> <p>Policy and supporting text amended accordingly.</p>	<p>Partially Met.</p> <p>Evidence document H provides extensive detail about the statutory and non-statutory habitats within the parish. However, there still does not appear a clear evidence base to explain or justify the precise width/alignment of the proposed green corridors that connect the habitats. Discussion with HBIC has indicated that the proposed corridors have been 'informed by data and advice' supplied by HBIC rather than 'reviewed by and supported by the HBIC'. The wording of para 5.69 should be updated to reflect this.</p> <p>The policy should refer to the council's interim guidance note on BNG (or successor document) to ensure it is future-proofed.</p>	Agree to amend as required with support of the Examiner.

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ESBG13: Valued Landscapes and key Views		<p>Criterion B – It would be clearer if this criterion just related to the key views as the policy tests for development in the AONB are already set out in criterion A.</p> <p>It is not necessary to refer to the AONB as a valued landscape as NPPF para 176 gives the AONB specific protection (and there is scope for confusion as the Local Plan Update is considering identifying separate valued landscapes in the borough).</p>		Revise policy wording	Policy and supporting text amended accordingly.	<p>Partially Met.</p> <p>The change has been made to criterion B. However, criterion A still refers to the 'valued landscape', which could cause some confusion.</p>	<p>Agree to amend as required with support of the Examiner.</p> <p>Criterion A refers to the whole parish – around half the area is in the AONB – amendment could simply say "outside the AONB"</p>

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ESBG14: Local Green Spaces		<p>The areas of land identified as LGS are justified in Appendix S and would appear to meet the criteria set out in national policy.</p> <p>It should be noted that the Ashford Hill NP examiner amended the wording of the proposed LGS policy:</p> <p>99. Following a Court of Appeal case with regard to the lawfulness of a LGS policy in a neighbourhood plan: (<i>Lochailort Investments Limited v. Mendip District Council and Norton St Philip Parish Council</i>, [2020] EWCA Civ 1259), I consider it necessary to modify this policy by simply listing the LGS sites. This will ensure that there can be absolutely no doubt regarding the lawfulness of the policy. The restrictions on development with regard to LGS designation will continue to apply through the NPPF. This will ensure that policies for managing development within a LGS are consistent with those for Green Belts. This ensures that the policy meets the Basic Conditions.</p> <p>It is therefore suggested that the first sentence of criterion B is deleted to be consistent with this approach.</p>		Suggest deletion of first sentence of criterion B.	Policy and supporting text amended accordingly.	<p>Met.</p> <p>Paragraph 5.81 of the supporting text seeks to allocate a further LGS on the site allocation in Bishops Green.</p> <p>It is suggested that this should also be identified in Policy ESBG14 to provide greater clarity.</p>	Agree to amend as required with support of the Examiner.

Section/ Policy (Reg 14)	Section/ Policy (Reg 16)	Issue/comment by LPA (Reg 14)	Relevant National Guidance (NPPF and PPG) and Local Policy	Potential options or actions suggested by LPA	Action Taken for Reg 16 Submission	LPA Comment (Reg16)	ES&BG NP Team response to LPA Reg 16 Comment
ESBG16: Zero Carbon buildings	ESBG16: Zero Carbon buildings	<p>The LPA supports the principle of including measures to mitigate climate change (and the principle of zero carbon buildings), however it is noted that the NP policy goes beyond what national planning policy currently allows. There is some inconsistency in how Local Plan inspectors have addressed this issue, but the council is not aware of such policies being permitted in neighbourhood plans. Furthermore, the Written Ministerial Statement 2015 explicitly prevents neighbourhood plans setting local standards.</p> <p>It is agreed that the principles set out in criterion A are relevant for minimising energy use. However, it is suggested that the standards identified in criterion B should be expressed as a recommendation (or a standard to be encouraged) rather than a policy requirement. As a consequence of this, criteria C, D and E would not be required.</p>	<p>Written Ministerial Statement of 25 March 2015</p> <p>PPG ID: 6-012-20190315</p>	<p>Revise policy to set out general principles and a recommended standard.</p>	<p>See above in the response to item 1 (Having regard to national policies and advice contained in guidance issued by the Secretary of State) in Part 1 of this document.</p> <p>Policy is retained as it is our understanding that Neighbourhood Plans with similar policies to ESBG16 have recently undergone successful examination.</p> <p>Policy and supporting text have been amended.</p>	<p>The LPA is of the view that the policy does not meet the basic conditions because it does not have regard to national planning policy (as set out in the original comments).</p>	<p>Further to the PC's comments following Regulation 14 Pre-Submission Consultation, we now understand that the Neighbourhood Plan for the Ivers (Buckinghamshire County Council) has passed examination and is proceeding to referendum with a policy essentially identical to ESBG16 . A pdf file with relevant documents is attached. (<i>Ivers precedent to support policy ESBG16.pdf</i>)</p> <p>This can also be seen at https://www.iversparishcouncil.gov.uk/theiversneighbourhoodplan/</p> <p>In the context of the borough's declaration of a climate emergency, the continuing absence of central government policy to deliver really low/zero carbon buildings and a desire expressed by residents for quality designs that do not need near term upgrade, the PC would like to see this policy retained if the Examiner is prepared to support this view.</p> <p>Should the Examiner align with the LPA comment, then agree to amend as required.</p>

Section/ Policy (Reg 14)	Section/ Policy (Reg 16)	Issue/comment by LPA (Reg 14)	Relevant National Guidance (NPPF and PPG) and Local Policy	Potential options or actions suggested by LPA	Action Taken for Reg 16 Submission	LPA Comment (Reg16)	ES&BG NP Team response to LPA Reg 16 Comment
ESBG17: Carbon 'Sinking' (Sequestration)	Removed	<p>While sequestration would reduce development's whole life carbon emissions, there are concerns about the reasonableness of the approach and how it would comply with national policy.</p> <p>Notwithstanding the above, should you decide to retain the policy, it would be helpful for the supporting text to explain the standard required from the Woodland Carbon Code.</p> <p>Further explanation should also be provided in relation to how the requirement fits with the Public Open Space requirements. It is also not clear how the financial contribution (in criterion B) would be calculated, where the contribution would be spent, and how it would meet the requirements of a planning obligation as set out in NPPF para 57.</p>	NPPF para 57 (requirements for planning obligations)	Delete policy or revise policy wording	Policy has been removed	Met. Policy has been removed.	

Section/ Policy (Reg 14)	Section/ Policy (Reg 16)	Issue/comment by LPA (Reg 14)	Relevant National Guidance (NPPF and PPG) and Local Policy	Potential options or actions suggested by LPA	Action Taken for Reg 16 Submission	LPA Comment (Reg16)	ES&BG NP Team response to LPA Reg 16 Comment
ESBG18: Encouraging Active and Sustainable Travel	ESBG17: Encouraging Active and Sustainable Travel	<p>The Local Highway Authority (LHA) would normally determine when a development proposal would be likely to have a material impact on the safe and efficient operation of the highway, and when improvement/ mitigation is necessary. The proposed approach should be discussed with the LHA.</p> <p>There are concerns about whether it would be suitable for Section 106 to fund the 'Slow the Pace' measures, and it is considered that this could best be funded through the parish's portion of CIL. It is uncertain whether the contribution would be justified (given the relatively low scale of development), how it would be calculated, and the deliverability of the proposed schemes, and whether it would meet the requirements for a planning obligation as set out in NPPF para 57.</p> <p>Many of these proposals in the table on page 68 would be dependent upon securing the approval and actions by Hampshire CC (as the LHA) including any associated statutory processes, and possibly West Berkshire Council with respect to the A339 to the north. For example, it is understood that any changes to the existing speed limits within the parish would need to be progressed by Hampshire County Council including the associated statutory processes for amending the existing Road Traffic Orders, etc.</p> <p>This table also suggests the proposed designation of various "Quiet Lanes." However, it is understood that this would need to be agreed with HCC in the first instance, and that such a designation would need to accord with the relevant statutory processes (e.g. Quiet Lanes and Home Zones (England) Regulations, etc.).</p> <p>Criterion E – Cycle parking is required for all new dwellings as per the Parking SPD July 2018.</p>	NPPF para 57 NPPF para 113	Consider revising policy wording. Parts of the policy relating to 'Slow the Pace' could be moved into Chapter 6 to be implemented through the neighbourhood portion of CIL.	Policy and supporting text amended accordingly. Some components moved from land-use policies to Section 6 as projects to be driven by the PC and/or community.	<p>Criterion B. The requirement to consider the need for off-site mitigation (in the second part of this para) would not be suitable for all scales of development. It is unlikely that small-scale residential development would result in additional traffic movements to justify the delivery of specific off-site mitigation. It is considered that these requirements should therefore be restricted to major development and/or funded using the parish's portion of CIL. It is also considered mitigation should only be required where the impact would be significant (rather than 'likely adverse') as per para 110d of the NPPF</p> <p>It is also considered that the requirement to provide a financial contribution towards a 'package of sustainable transport measures' in criterion C could be best met through the neighbourhood portion of CIL. This would align with the council's Planning Obligations for Infrastructure SPD which states that, 'The cumulative impacts of development on the borough's transport and highways network, which cannot be directly linked to a specific development, will not be mitigated using planning obligations. Instead, the council may support these through the use of CIL receipts...</p>	Agree to amend as required with support of the Examiner.

B&D BC LPA Comments on Appendices (Reg 14)		Action Taken for Reg 16 Submission	LPA comment on Reg 16 Submission	ES&BG NP Team response to LPA Reg 16 Comment
General	<p>Consider which documents are appendices (to be published and adopted as part of the Plan) and which are evidence base documents that support and explain the proposed plan policies.</p> <p>It is recognised that it is important for the Design Code to be an appendix.</p> <p>The SEA should be a standalone document that is submitted alongside the Plan.</p>	<p>The set of documents making up the ES&BG NP have been split between Primary Documents, Appendices to these Documents and supporting Evidence</p>	<p>Met</p>	
Appendix C	<p>Some of the maps make it slightly difficult for the reader to orientate themselves as the base map has limited labels in terms of roads and settlement names etc (for example, the movement plans).</p> <p>If the Plan is 'made' in its current form, care will be required to ensure that the Green Infrastructure Network is accurately translated to the council's GIS system, so it is identified for all relevant planning applications.</p> <p>The maps in the Plan should also be high quality.</p> <p>BDBC can assist with the preparation of maps is required.</p>	<p>Labels on the maps have been amended/augmented to help readability/usage.</p> <p>The maps in the plan document are of moderate resolution to ensure the overall document size is not too big for easy transmission/review.</p> <p>Appendix C by design has high resolution maps that are best viewed on a large monitor or printed on large sized paper.</p>	<p>Partially Met – If the parish boundary line was made thicker on the movement plans it may help make the map clearer.</p> <p>Consider if the GIS data can be shared with the council so that it can be put on an interactive web viewer to help applicants and officers.</p>	<p>Agree to amend Movement Plans Maps as required.</p> <p>In principle happy to share the mapping files – checks would be required for data compatibility.</p>

B&D BC LPA Comments on Appendices (Reg 14)	Action Taken for Reg 16 Submission	LPA comment on Reg 16 Submission	ES&BG NP Team response to LPA Reg 16 Comment
<p>Appendix D</p> <p>The Design Code is considered to be a good analysis of the character of the Neighbourhood Plan area and contains helpful Specific Design Principles.</p> <p><u>Section 4: Design Codes.</u> Suggest that the Area Wide Design Principles and the Specific Design Principles as applied to the Character Areas are each given their own reference using letters and numbers. This will greatly help the LPA and consultees such as the Parish Council refer to individual principles when applying them to a development proposal.</p> <p><u>Design Code 03: Building Typology (page 67)</u></p> <ul style="list-style-type: none"> • Area Wide Design Principles first BP1 could be reworded to say: • 'New development should positively respond to the type, scale and form of existing buildings which define the character of the LLCA within which it is located and of immediately adjoining buildings'. • Area Wide Design Principles 4th bullet which starts "Detached and semi-detached houses are the dominant type of building...." could be deleted as this point about having regard to the type of building in the area is already covered by bullet 1. • Area Wide Design Principles 5th bullet starting "Independent two-storey..." could perhaps be deleted since this is a description of character and is not a design principle and, in any event, is covered by the bullet which follows it. • Area Wide Design Principles last two bullets starting "Development should...." and "Future development....". These principles address questions regarding the uses of buildings and meeting various needs. So should these bullets be deleted and these issues addressed elsewhere in the Plan? <p>Design Code 06: Parking and Utilities (page 74) Area Wide Design Principles first bullet. Delete 'minimum' as applied to the local planning authority standards.</p> <p>Design Code 08: Sustainability - Built Form (pages 77-78) Area Wide Design Principles. It is recognised that the energy efficient technologies and measures listed here are only given as examples as what could be encouraged as appropriate to the circumstance and they are not necessarily required for all developments. It is suggested that the optional nature of these measures is emphasised within the context of how development can meet the requirements for sustainable construction and management in accordance with national and local requirements.</p>	<p>The Design Guidance and Codes document has been amended accordingly and per policy ESBG5 is published as a separate document to be used in conjunction with the Plan</p>	<p>All aspects of Design Codes 03/06/08 Met</p> <p>Additional points:</p> <p>Front page - It should state on the front page that this is Appendix B.</p> <p>Design Code 02: Green Infrastructure and Open... The word 'Space' is missing from the title.</p> <p>Design Code 05: Architectural Details and.... The word 'Materials' is missing from the title.</p> <p>Design Code 07: Preserving and Enhancing Views, Landmarks and The word 'Gateways' is missing from the title.</p> <p>Design Code 08: Sustainability - Built Form Area Wide Design Principles. First paragraph, last sentence. For the sake of clarity, the words "The following" could be inserted before "energy efficient technologies and measures are optional...."</p>	<p>Agree to amend as required with support of the Examiner.</p>

B&D BC LPA Comments on Appendices (Reg 14)		Action Taken for Reg 16 Submission	LPA comment on Reg 16 Submission	ES&BG NP Team response to LPA Reg 16 Comment
Appendix J – Now Supporting Evidence F	<p>Introduction – consider the definition of Green Infrastructure in the NPPF which refers to blue spaces, economic benefits and linking to climate change.</p> <p>NPPF Glossary Green infrastructure: A network of multi-functional green and blue spaces and other natural features, urban and rural, which is capable of delivering a wide range of environmental, economic, health and wellbeing benefits for nature, climate, local and wider communities and prosperity.</p>	Amended accordingly	Not Met	Agree to amend as required with support of the Examiner – was missed in transition from Reg 14 to Submission Plan

Minor changes suggested to Neighbourhood Plan by LPA (Reg 14)		Action Taken for Reg 16 Submission	LPA comment on Reg 16 Submission	ES&BG NP Team response to LPA Reg 16 Comment
General comment	General point, as this is a development plan document (with considerable decision-making status) it would be stronger if the policies stated where development will be permitted rather than supported/resisted.	Policies & supporting text amended accordingly	Partially met – Some examples have been highlighted in the main comments	Covered in main comments
Appendices	Suggest some of the reports are evidence base documents. Suggest retained appendices are listed on the contents page.	The set of documents making up the ES&BG NP have been split between Primary Documents, Appendices to these Documents and supporting Evidence	Met	
Introduction; Heritage Section	There should be reference to non-designated heritage assets. For example, the following sentence could be included: Non-designated heritage assets may also be identified during the planning process. These are buildings, monuments, sites, archaeological remains, places, areas or landscapes identified as having a degree of significance meriting consideration in planning decisions but which are not designated heritage assets.	Text revised accordingly	Met	
Para 2.21 (now 2.23)	Para. 2.21 refers to the A339 as being a 'trunk road north of the parish.' However, it is understood that the A339 extending from Basingstoke towards Newbury was previously detrunked. Therefore, this section of the A339 is no longer a 'trunk road' such that it is simply a 'principal road' (A road) which is managed by HCC within Hampshire and WBC from the county border towards Newbury, etc. The A339 Trunk Road (West Berkshire/Hampshire County Boundary at Knights Bridge, near Bishops Green to south of the A30 Blackdam Roundabout)(Detrunking) Order 2003 The A339 Trunk Road (B4640 Swan Roundabout to West Berkshire/Hampshire County Boundary) (Detrunking) Order 2003	Text revised accordingly	Met	
Para 2.30	Provide reference for, 'recent testing gave good results...'	Included		

Minor changes suggested to Neighbourhood Plan by LPA (Reg 14)		Action Taken for Reg 16 Submission	LPA comment on Reg 16 Submission	ES&BG NP Team response to LPA Reg 16 Comment
New Comment – Para 2.36			<p>'the Hampshire Biodiversity Records Centre confirms a net loss of 158 hectares of priority habitat between 2011 and 2021'</p> <p>Although losses are identified, some of this is due to mapping changes which HBIC always caveat. Suggest caveat added to text</p>	Agree to amend as required with support of the Examiner
Policy ESBG2	The extra homes allocated... (unclear what is meant be extra)	Text amended	Met	
Policy ESBG2/ESBG3/ESBG4	Suggest use of word 'Approximately' (in relation to capacity) rather than 'About'.	Text amended	Met	
Policy ESBG2	Para 5.13 refers to protection under paragraph 14 of the NPPF. The reader might need help understanding what this means.	Addition made to text	Met	
Policy ESBG3	In the interests of clarity, it may be advisable to update the references to a 'pedestrian path' and an 'improved footpath' (para. 5.27) to 'new footway.'	Text amended	Met	
Policy ESBG4	The policy refers to the 'U2' Ecchinswell Road. The HCC website indicates the road forms part of the 'C155', therefore it is recommended that this is updated accordingly throughout the plan (including the road network diagram on page 68).	Corrected throughout the plan documentation	Met	
Policy ESBG7	Building for <u>a</u> Healthy Life (typo).	Text amended	Met	
Policy ESBG12	The council could ask HBIC to undertake surveys of any land that they might be considering for habitat improvement, including St Lawrence's Churchyard which has the meadow saxifrage.	Noted	Met	
5.68	Refer to 'NERC Act Section 41 Priority Habitats' rather than BAP habitats	Text amended	Met	
Policy ESBG18 (now ESBG17)	Para 5.93 – In the interests of clarity, rather than the existing reference to 'Hampshire CC Transport & Roads' perhaps it is more precise to refer to HCC as the Local Highway Authority (i.e. for the parish and the rest of Hampshire).	Text amended	Met	
Maps	In some places the maps are insert maps, in others they're inset maps. It is difficult to identify where the inset maps are located on the main policies map.	Text amended	Met	

Minor changes suggested to Neighbourhood Plan by LPA (Reg 14)		Action Taken for Reg 16 Submission	LPA comment on Reg 16 Submission	ES&BG NP Team response to LPA Reg 16 Comment
Maps	For policies which do have maps such as ESG13 and ESG14, it may be worth considering if the maps are more useful viewed alongside the policy.	Approach has been to group all the policies maps together as noted in the index to the plan	Not Met – The NPG have taken the approach to place the maps at the end of the plan document. For the Local Green Spaces these could be shown separately from the rest of the policies are a closer zoom however, it is noted additional maps are included in the supporting evidence. In addition, as noted under the ESG11 comment ensure that the community facilities are excluded from the Local Green Space areas on the map. It might be worth considering if individual location maps for the Community Facilities would be helpful in the supporting evidence akin to the LGS approach in the supporting evidence. For example the village hall and recreation ground are difficult to see in the policy map booklet. The hatching is similar to the hatching used on the character area.	The maps in the “booklet” are by design of high resolution ideally viewed on a screen rather than as prints. Agree to amend the mapping as required with support of the Examiner Individual maps for the community facilities in ESG 11 and for the Green Spaces in ESG 14
Appendix J	Para 3.5 SINCS designated by Hampshire SINC Partnership not HCC.	Text amended	Met	
Appendix K	LNRs developed at county scale (not local authority)	Text amended	Met	
Appendix P	Page 1- XX needs to be replaced with a date or removed.	Text amended	Met	