

Consultation Statement for Burghclere Neighbourhood Plan Modification Proposal December 2022



Published by Burghclere Parish Council for consultation under the Neighbourhood Planning (General) Regulations 2012 as amended November 2019.

1. Introduction

This consultation statement has been prepared to fulfil the legal obligations of the Neighbourhood Planning Regulations 2012 (as amended) in respect of the Burghclere Neighbourhood Plan Modification Proposal (BURNPMP). The legal basis of this Statement is provided by Section 15 (2) of part 5 of the 2012 Neighbourhood Planning Regulations, which requires that a consultation statement should:

- i. Contain details of the persons and bodies who were consulted about the proposed Neighbourhood Development Plan as proposed to be modified.
- ii. Explain how they were consulted.
- iii. Summarise the main issues and concerns raised by the persons consulted.
- iv. Describe how those issues and concerns have been considered and, where relevant, addressed in the proposed Neighbourhood Development Plan as proposed to be modified.

This Consultation Statement covers the period of the Modification to the 'made' Neighbourhood Plan spanning May 2021 to the present day. It should be read in conjunction with the Burghclere Neighbourhood Plan 2020-2036 Consultation Statement, which is included in the Schedule of Evidence (Supporting Documents).

2. Dateline of Events

- 6 June 2021. The likelihood of the need to undertake a Review or Modification was first signalled at the Parish Council. This was flagged up at subsequent parish council meetings during 2021.
- 6 December 2021. The Parish Council took the decision to undertake a Review/Modification.
- 6 December 2021. The Parish Council agreed to appoint of ONeill Homer as consultants.
- 14 February 2022 Meeting of NP Steering Group. The Steering Group did not meet subsequently as all the work was subsumed into actions by members of the parish council (except for finance) and reported monthly to the parish council as Qualifying Body.
- The parish council was updated at every meeting in 2022 about the progress of the review, as recorded in the Minutes, on the following dates:
 - 7 March
 - 4 April
 - 9 May
 - 6 June
 - 4 July
 - 6 September
- Articles published the 'News from the Villages' magazine in 2022 on the following dates:
 - May
 - June
 - July
 - September

- 13 May 2022. NPSG walk and drive around the village and local vicinity with OH to review and help delineate design code character assessments.
- 1 July 2022. Screening opinion sought from B&DBC on SEA & HRA.
- 15 August 2022. B&DBC completes consultation on SEA/HRA and advises that given the nature of the proposed amendments, a SEA was required and that this could be addressed through an addendum or update to the SEA/SA that accompanied the original Plan. A HRA was not required.
- 3 October 2022. Parish Council approve Regulation 14 consultation documentation and to launch the consultation.
- 5 October 2022. Post on social media: nextdoor.com and Burghclere Village Facebook with notification, rationale and details of where to find the documentation including how to comment on the proposed modification – see Appendix 1.
- 7 October 2022. Launch of Regulation 14 consultation. Notification sent to Statutory Consultees and those listed; letter and list is at Appendix 2. Publication of Modification Statement, Design Code, Draft Modification Proposal, SA Addendum Report, B&DBC SA Screening Opinion and Screening Report, Green Infrastructure Report and Policy Map Booklet published on the Burghclere PC website. Copies of these documents (less SA reports) placed in the Church of Ascension and Portal Hall. Posters placed on all Burghclere Parish noticeboards. Notification on social media (Parish Council website, nextdoor.com and Burghclere Village FB page).
- 9 October 2022. Public consultation on BURNPMP at the Portal Hall from 1000-1300 hours. Seven residents attended. An image of the event is also at Appendix 1.
- November 2022. Article about the Review and launch of Regulation 14 (and how to comment) published in 'News from the Villages'.
- 18 November 2022. Regulation 14 consultation ended. The database of responses from Statutory Consultees, residents and interested parties are listed at Appendix 2. From the input of statutory and non-statutory authorities and bodies a number of amendments were made as identified in the Neighbourhood Plan Modification Regulation 14 report drawn up O'Neill Homer at Appendix 3. Comments from the community are at Appendix 4.
- [XX December 2022]. Parish Council met as the Qualifying Body approved the proposed modification to the Burghclere Neighbourhood Plan.
- [XX December 2022]. In accordance with the requirements of Regulation 15, the modified Burghclere Neighbourhood Plan is submitted to B&DBC.

Appendix 1 to Burghclere Neighbourhood Plan Modification – Publicity

Social media posts.

nextdoor

Regulation 14

Richard Carrow
Burghclere • 5 Oct

Burghclere Neighbourhood Plan Review

The Parish Council is launching a 6-week public consultation on our modified Neighbourhood Plan on Friday 7 Oct.

There are four reasons for this review:

1. To make the implementation of policies in the current Plan more effective;
2. To update policy wording in light of government policy changes, including addition of a Design Code;
3. To strengthen climate change and environmental policies, in particular investigation of nature recovery and ecological corridor opportunities, and
4. To maintain the Neighbourhood's Plan currency in order to manage speculative planning applications. Given the ever-growing pressure for development in our area and the delay to B&DBC's Local Plan Update, this is particularly relevant.

To date, no additional housing allocation has been placed on us in B&DBC's draft Local Plan Update. If this were to change, then another review at some point in the future would be required to address it.

We are holding a public consultation in the Clubroom of the Portal Hall on Sunday 9 Oct, between 1000-1300 hours. Parishioners are welcome to visit. From Friday 7 Oct, the modified draft plan and supporting documents can be found at <https://www.burghclerepc.co.uk/copy-of-regulation-14-pre-submission> together with details of how to comment.

Burghclere PC - Regulation 14 pre-submission-draft Plan
burghclerepc.co.uk

Posted in **General to Burghclere**

Be the first to react Like Comment Share

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Burghclere village and area
Private group · 722 members

Richard John Carrow shared a link.
5 October · 🌐

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BURGHCLEREPC.CO.UK
Burghclere PC - Regulation 14 pre-submission-draft Plan

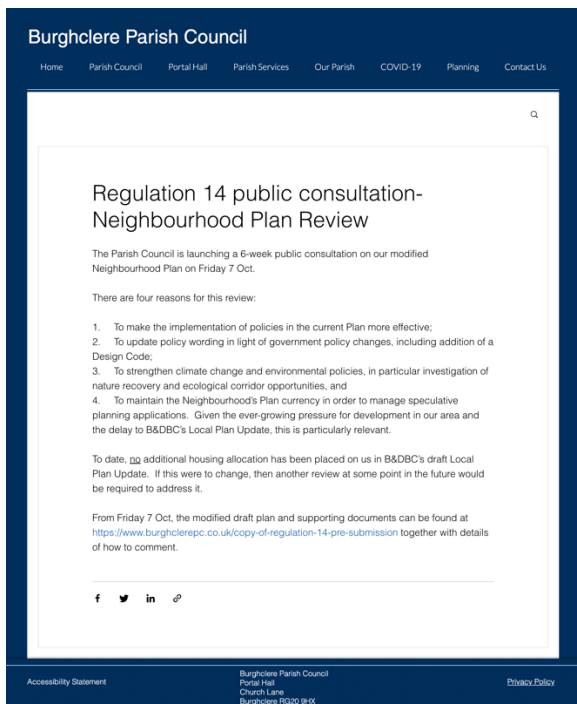
See how the average temperature in your area is changing.
[Explore Climate Science Info](#)

3 Like Comment Send

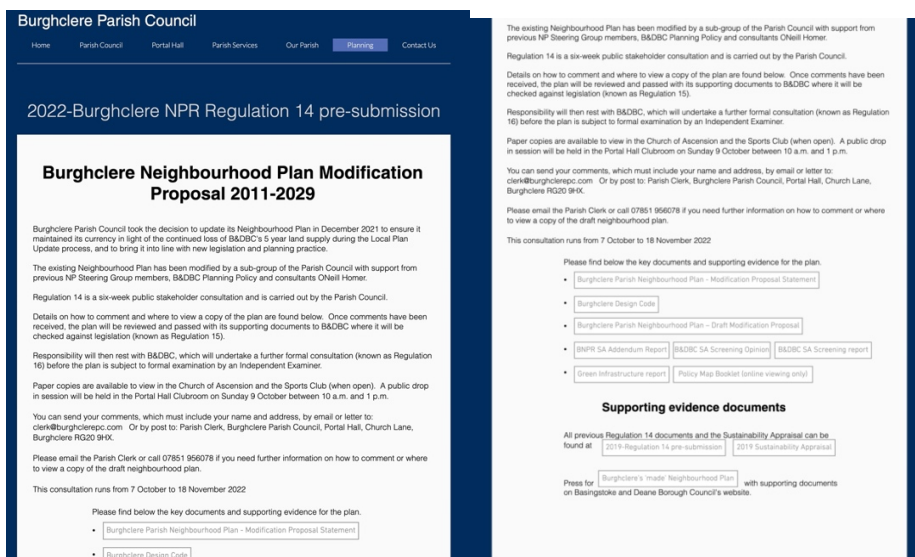
About
Private
Only members can see who's in the group and what they post.
Visible
Anyone can find this group.
Burghclere
May include flagged content
Admins may allow some posts and comments to be visible in the group even if they're flagged by Facebook's systems.
[Learn more](#)

Rooms
Get the group together on video chat
Create a room to instantly connect with other members via video chat.
[Create Room](#)

Screenshot from Burghclere Parish Council website: Home Page/Post (since changed for Reg 16)



Screenshot from Burghclere Parish Council website: Planning/2022-NP Review-Reg 14 pre-submission/ Details showing dates, how to comment and links to all documentation.



Extract from News from the Villages October edition:

Neighbourhood Plan (NP) review

I had hoped to launch Regulation 14 and hold a public consultation in July, which was later slipped to August. Disappointingly this has been again pushed back and I anticipate the draft with revised and new policies will be ready to be approved by the parish council at its October meeting, and a public consultation has been provisionally scheduled for Sun 9 Oct in the Portal Hall Clubroom between 10 a.m. and 1 p.m. I will publish confirmation when all is ready on nextdoor.com and the Parish Facebook page.

The information about the Regulation 14 consultation was also published on the Parish Council website at: <https://www.burghclerepc.co.uk/copy-of-regulation-14-pre-submission>

Further notification was given in the November edition of the News from the Villages, also signalling the possibility of having to undertake a further review due to the delay in the Local Plan Update.

Local Plan Update

Planning Policy have confirmed that the Local Plan Update has been delayed due to decision to carry out further work to consider a suitable housing requirement for the borough first.

Information as to what documentation will be produced as part of the LPU can be found at: <https://www.basingstoke.gov.uk/LDS> which states that Autumn 2025 is now when the LPU is expected to complete, a year later than originally envisaged.

As feared, this will mean Burghclere will need to carry out another Neighbourhood Plan Review to maintain its 2-year protection starting in 2024.

Extract from News from the Villages November Edition

Neighbourhood Plan (NP) review

Turning now to the current Neighbourhood Plan Review, by the time you read this the Regulation 14 public consultation will have launched and you can see the documents either on the parish council website <https://www.burghclerepc.co.uk/copy-of-regulation-14-pre-submission> or view hard copies, which are held in the Sports Club and Church of the Ascension.

I held a Drop-In session on Sun 9 Oct to highlight the principal changes and answer questions. Please contact me direct or through the parish clerk if there is anything related to the Review that you'd like to know.

The Neighbourhood Plan review is intended to bring a number of policies up to date with recent government legislation. It will add two new policies: a Design Code, and Green Infrastructure and Nature Recovery. Other changes include retitling and amending Sustainable Design Standards to Zero Carbon Buildings.

No additional housing targets have been given to us by B&DBC consequently no new additional development has been included.

This work should, we believe, after a further round of consultation (Regulation 16) and approval by the Independent Examiner next year, extend the protection the current plan enjoys for an additional two years. This helps to head off speculative development of the type we have seen in the past.

If you wish to make any comment you can email the parish clerk on clerk@burghclerepc.com or write to:

The Parish Clerk, Portal Hall, Church Lane, Burghclere RG20 9HX.

The consultation period will end at 5 p.m. on 18 Nov.

Image taken of the 9 October 2022 public consultation in the Clubroom at the Portal Hall.



Appendix 2 to Burghclere Neighbourhood Plan Modification – Notification letter and List of statutory and other consultees

From Mrs J Letsome

Burghclere Parish Council
Portal Hall
Church Lane
Burghclere
RG20 9HX

7 October 2022

Dear Sir/Madam,

Notification of Public Consultation of Burghclere's pre-submission Neighbourhood Development Plan Modification Proposal 2011-2029 under Regulation 14 of the Localism Act 2011

Burghclere Parish Council is pleased to announce that the Pre-Submission Neighbourhood Plan Modification Proposal has been released for public consultation and comment under Regulation 14 of the Localism Act 2011. In accordance with this Regulation the consultation period will run from Friday 7th October 2022 to Friday 18th November 2022 (6 weeks).

You are being consulted as you have been identified as a statutory body or consultee. You can view the plan by visiting the Neighbourhood Plan Regulation 14 pre-submission page of the Burghclere Parish website at:

<https://www.burghclerepc.co.uk/copy-of-regulation-14-pre-submission>

There you can download the plan from the drop-down menu and any supporting documents.

The principal documents comprise:

- The Burghclere Parish Neighbourhood Plan Modification Proposal
- Burghclere Design Code
- Burghclere Parish Neighbourhood Plan – Draft Modification Proposal Statement
- SEA Addendum Report
- Green Infrastructure report

Representations in relation to the Burghclere Neighbourhood Plan should be sent to the parish clerk, Burghclere Parish Council and must include the submitter's name, address and post code.

The Clerk
Burghclere Parish Council
Portal Hall
Church Lane
Burghclere
RG20 9HX

Or email: clerk@burghclerepc.com

As described in the Dateline of Events, the statutory and other consultees were contacted directly to invite them to respond to the Regulation 14 consultation either through e-mail or post. Households and businesses were notified via social media and the parish council website inviting responses. The statutory consultees were compiled in accordance with Schedule 1 The Neighbourhood Planning (General) Regulations 2012.

Ref	Consultee	Method	Contact	Response
1	B&DBC	Email	[REDACTED]	18/11/22 (#1)
2	Hampshire County Council	Email	[REDACTED]	No
3	Hampshire Police and Crime Commissioner	Email	[REDACTED]	No
4	The Environment Agency	Email	[REDACTED]	No
5	English Heritage	Email	[REDACTED]	11/10/22 (#2)
6	Natural England	Email	[REDACTED]	18/11/22 (#3)
7	The Highways Agency	Email	[REDACTED]	31/10/22 (#4)
8	Network Strategy and Network Rail South East	Email	[REDACTED]	No
9	Mono consultants	Email	[REDACTED]	No
10	Mobile UK	Email	[REDACTED]	No
11	North Hampshire Clinical Commissioning Group	Email	[REDACTED]	No
12	NHS West Hampshire CCG	Email	[REDACTED]	No
13	Hampshire Hospitals NHS Foundation Trust	Email	[REDACTED]	No
14	Public Health Hampshire	Email	[REDACTED]	No
15	Scottish & Southern Energy	Email	[REDACTED]	No
16	Southern Gas Networks	Email	[REDACTED]	No

17	National Grid	Email	[REDACTED]	No
18	Southern Water	Email	[REDACTED]	14/11/22 (#5)
19	Thames Water	Email	[REDACTED]	11/11/22 (#6)
20	The Homes and Communities Agency (Homes England)	Email	[REDACTED]	No
21	North Wessex Downs AONB	Email	[REDACTED]	No
22	NHS South of England	Email	[REDACTED]	No
23	Highway Authority	Email	[REDACTED]	No
24	Local Enterprise Partnership (M3)	Email	[REDACTED]	No
25	Policing Body - Chief Inspector	Email	[REDACTED]	No
26	Policing Body-Crime Prevention	Email	[REDACTED]	No
27	Hampshire & IOW Local Nature Partnership	Email	[REDACTED]	No
28	Hampshire & IOW Wildlife Trust	Email	[REDACTED]	No
29	HBIC	Email	[REDACTED]	No
30	Hampshire Fire and Rescue	Email	[REDACTED]	No

Local Councils bordering Neighbourhood Area

Ref	Consultee	Method	Contact	Response
1	ESBG PC	Email	[REDACTED]	No
2	Greenham PC	Email	[REDACTED]	No
3	Highclere PC	Email	[REDACTED]	No

4	Newtown PC	Email	[REDACTED]	No
5	Litchfield & Woodcut PC	Email	[REDACTED]	No

Landowner/Developer consultees

Ref	Consultee	Method	Contact	Response
1	Patrick Chamings	Email	[REDACTED]	17/11/22 (#8) from Kay Collins, Solve Planning [REDACTED]
2	Orchard Homes	Email	[REDACTED]	17/11/22 (#7)
3	Falcon Developments	Email	[REDACTED]	17/11/22 (#9) N.B. now Master Land and Planning, Hollie Sturgess [REDACTED]
4	Highclere Estate	Email	[REDACTED]	No
5	Sydmonton Estate	Email	[REDACTED]	No
6	Whiting family	Email	[REDACTED]	No
7	Severalls Farms	Email	[REDACTED]	No
8	The Gore Family	Email	[REDACTED]	No
9	Winchester Diocese	Email	[REDACTED]	No

Local consultees

Ref	Consultee	Method	Contact	Response
1	Cllr Tom Thacker	Email	[REDACTED]	No
2	Cllr John Izett	Email	[REDACTED]	No
3	Cllr Graham Falconer	Email	[REDACTED]	No
4	Cllr Sam Carr	Email	[REDACTED]	No
5	Rex Hora (Didcot, Newbury & Southampton Railway Revival)	Email	[REDACTED]	Email no longer functioning
6	Michael Boyle	Email	[REDACTED]	No
7	Robin Meacher	Email	[REDACTED]	No
8	Linda Hassall	Email	[REDACTED]	No
9	Rosamund Donegan	Email	[REDACTED]	No
10	George Plint	Email	[REDACTED]	No
11	Jonathan King	Email	[REDACTED]	No

**BURGHCLERE PARISH NEIGHBOURHOOD PLAN MODIFICATION
REGULATION 14 ANALYSIS STATUTORY BODIES/LANDOWNERS: NOVEMBER 2022**

1. Introduction

1.1. This note summarises the representations made by the statutory bodies and by developers/landowners on the Pre-Submission version of the Burghclere Parish Neighbourhood Plan ('the Plan') during its recent 'Regulation 14' consultation from 7 October to 18 November 2022. It concludes by recommending main modifications to the Plan so that it may be submitted to the local planning authority, Basingstoke and Deane Borough Council (BDBC), to arrange for its examination and referendum. This remains subject to the same analysis being undertaken for representations made by the local community.

1.2. The report will be published by the 'qualifying body' (QB), the Burghclere Parish Council, and it will be appended to the Consultation Statement that will accompany the submitted neighbourhood plan, in line with the Neighbourhood Planning (General) Regulations 2012 (as amended).

2. Representations

2.1. Representations have been received from:

1. Basingstoke and Deane Borough Council
2. Historic England
3. Natural England
4. National Highways
5. Southern Water
6. Thames Water
7. Steve Lees Planning OBO Orchard Homes (Interest in land allocated under policy B2)
8. Solve Planning OBO Sigma Strategic Land (Interest in Land West of Well Street)
9. Master Land and Planning

2.2. The Environment Agency, Hampshire County Council, National Highways West Berkshire Council and North Wessex Downs AONB were consulted but returned no comments.

2.3. Historic England had no comments and Natural England provided their generic neighbourhood planning advice. **No changes necessary.**

2.4. Thames Water confirm they do not envisage any wastewater infrastructure concerns related to the proposed B2 allocation but recommend that developers engage with them at the earliest opportunity. They provide a wastewater calculation to this effect. They request the addition of policies in the plan regarding new water/wastewater infrastructure and surface water drainage. However, it is noted that Policy EM6 Water Quality and Policy CN6: Infrastructure of the Basingstoke and Deane Local Plan deal with these matters. Specifically,

paragraph 5.55 requires developers to demonstrate that existing, planned and/or committed infrastructure is sufficient to accommodate new proposals. **To avoid the unnecessary duplication of policies, no change necessary.**

3. Analysis

3.1. The representations, notably those of Basingstoke and Deane Borough Council, include suggested minor modifications to the text of the plan document and supporting evidence reports, as well as those of more consequence. Minor editing and policy clarification will be dealt with separately as a matter of course. This note focuses only on those of greater substance as all those others can be addressed in finalising the submission documentation.

3.2. BDBC supports the positive strategy taken by the Plan in advance of the Local Plan Update (LPU) and in relation to most of its policies and in some cases suggested that they are more consistently worded. They confirm *“that the proposed modifications would be material but ‘would not change the nature of the plan’, taking into account the advice in PPG para ID: 41-106-20190509.”* They also confirm the modified plan will re-engage the protection from speculative development afforded by NPPF paragraph 14. **We recommend that BDBC’s supportive approach is acknowledged in the Basic Conditions Statement.**

3.3. BDBC raise two further points of substance with regards to the Plan and its contents. The first relates to Policy B3 (Residential Garden land) and the second to Policy B6 (Zero Carbon Buildings).

“It is unclear how the policy on Residential Garden Land (B3) assists the decision making in determining what is a ‘built-up area’.”

3.4. The modification to the policy to include reference to garden ‘land adjacent to the settlement boundary’ was intended to ensure this land, although outside the settlement boundary and therefore in the countryside, fell within the policy criteria and the scope of the Burghclere Design Code. The purpose being to address issues raised by a recent approved application for a single dwelling on garden land outside the settlement boundary (21/00288/OUT) despite BPC objections that the proposal was out of character with the local area and contrary to NPPF paragraph 14.

3.5. However, given the curtilage of residential properties at the edge of settlements may include garden land that spans the settlement boundary and extends into the countryside this is likely to result in some form of plot subdivision which the second part of the first paragraph of the modified policy B3 now addresses. **In which case it is recommended that the phrase ‘and adjacent to’ is removed from the modified policy and that the supporting text updated. This change in turn will mean BDBC’s comments in respect of Policy B1 will fall away.**

3.6. In respect of Policy B6 (Zero Carbon Buildings), BDBC comment:

- ***Further clarity could be provided that the Zero Carbon Buildings policy (B6) is not seeking to set construction standards in excess of Building Regulations.***

3.7. The Buildings Regulations system in England contain a multitude of ‘standards’ that are required to be met for building work from Approved Document A (Structure) through to Approved Document Q (Security). If by ‘construction standard’ what this is meant to mean is an ‘energy performance’ or ‘carbon emissions’ requirement’ then no such ‘standard’ is included within the policy. The policy simply reinforces and directs applicants to best practice in the application of the ‘energy hierarchy’ and to ‘resource efficiency’ to fill a gap in BDBC’s existing policy and supplementary guidance.

3.8. B&DBC supports the principle of the policy but incorrectly suggests that policy goes beyond what national policy currently allows, but have previously acknowledged there is inconsistency in how Local Plan Inspectors **and** Neighbourhood Plan examiners address this issue.

3.9. B&DBC also quote the Written Ministerial Statement of 2015. The Parish Council does not consider that it is necessary to address matters relating to the Written Ministerial Statement 2015 as the policy does not set an energy efficiency standard. In any event, the NPPF does not make that same distinction and requires the ‘planning system’ (§152) and ‘plans’ (§153) to take a proactive approach to mitigation and adapting to climate change, and the government has confirmed¹ that the legislative framework has moved on since the publication of the Written Ministerial Statement of March 2015.

3.10. In assessing the planning policy space on this matter, the Parish Council established that the Local Plan adopted in 2016 was prepared long before more recent announcements by Government:

- Only making a passing reference in the supporting text to Policy EM10 of the importance of designing buildings to minimise energy consumption by prioritising ‘passive’ solutions as further described in the Housing and Sustainability SPD (page 87).
- EM10 was developed prior to Government committing the UK in law to ‘net zero’ by 2050 as per the Climate Change Act 2008 (as amended) and was therefore prepared under an outdated legal framework;
- Policy EM10 will require homes to be retrofitted at a later date, while in the shorter term increasing the risk of fuel poverty;
- The Tyndall Centre for Climate Research Carbon Budget Tool confirms that for B&DBC to make its fair contribution to delivering the Paris Agreement’s commitment, an immediate and rapid programme of decarbonisation is needed. At 2017 CO2 emission levels in the borough will exceed the recommended carbon budget available until 2050 in 7 years from 2020 (by 2027);
- If the borough is to achieve its [Horizon 2050](#) goals, new homes built now need to be zero carbon ready, as advised to Government by the Climate Change Committee in their Sixth Carbon Budget Report.

¹ The Future Homes Standard : 2019 Consultation on changes to Part L (conservation of fuel and power) and Part F (ventilation) of the Building Regulations for new dwellings. Summary of response received and Government response; MHCLG. Exec Summary Page 4. ([Link](#))

3.11. It was therefore clear that the BPNP needed to act to fill the policy space if it was to demonstrate that its policies contributed to the achievement of sustainable development, particularly ensuring that any new homes built now meet the needs of present and future generations, had full regard to the NPPF, and expressed the community's wishes within the confines of planning policy. It is of course accepted that a borough-wide approach is required in relation to this matter and the Parish Council hopes that B&BDC will urgently address this matter. **It is therefore recommended that the policy is retained in its entirety and a fuller explanation of how the policy meets the 'Basic Conditions' is included in the Basic Condition Statement.**

3.12. BDBC supports the general principle of including a Design Code in the modified plan but recommend the following adjustment to the first paragraph of Policy B5 (Design Code) to improve clarity *"Development proposals will be supported where they contribute positively to the character and design quality of the local area in accordance with the Burghclere Design Code in Appendix A."*. **It is recommended that this amendment is accepted.**

3.13. BDBC also make general observations on the Burghclere Design Code and Green Infrastructure and Nature Recovery Report in the evidence base. **It is recommended that these comments are considered and the reports updated to clarify the points raised. It is also recommended that the network of 'Green Corridors' on the Green Infrastructure and Nature Recovery are illustrated in a way that continues to define their broad location for schematic purposes but their edges are illustrative.** This acknowledges that applicants will be expected to consider the proximity of applications sites to these corridors in their own ecological assessments and apply the appropriate 'ecological rules of thumb' defined in the Nature Networks Evidence Handbook as necessary. (Reference 2 in the GINR Report)

3.14. Southern Water, the statutory water supplier, confirmed the parish lies in an area of 'serious water stress'. In the context of Policy B6 'Zero Carbon Buildings' and 'resource efficiency' they proposed the addition to the policy of a water energy efficiency standard of 110 litres per person per day, rainwater harvesting and or grey water recycling. The water efficiency standard is already contained in Local Plan Policy EM9: Sustainable Water Use. EM9 does not however encourage rainwater harvesting and greywater recycling for residential development. **In the interests of 'resource efficiency' it is recommended that these objectives are added to policy B6, having regard to NPPF paragraph 153.**

3.15. Steve Lees Planning on behalf of Orchard Homes Ltd, make comments in respect of four policies (B1, B2(vi) & (ii), B4 and B6). **In respect of B1 their suggestion to delete Plan D (existing and proposed settlement boundary) is agreed.** Regarding B2(vi) and the insertion of a minimum of 10% net gain in biodiversity this is simply a statement of fact and that this requirement will be legally required within the plan period. Regarding B2(ii) the purpose of the design intent for an 'accessible' single storey flexible workspace are clearly set out in the supporting text. **No changes necessary.**

3.16. Regarding B4 (Housing Mix) while it is acknowledged that definitions change, the modification to the policy reflects a very clear need in the Parish and across the District as a whole. **No change necessary.**

3.17. Regarding the observations on Policy B6 (Zero Carbon Buildings), the policy acknowledges the Governments and Planning Inspectors statements that homes should avoid the need for retrofitting and hence why the Government chose to adopt the term 'Zero Carbon Ready' which simply means taking a 'fabric first' approach in line with the 'energy hierarchy' and to ensure that no further costly retrofitting to the fabric will necessary during the lifetime of the building. The policy does not, as the representation asserts, rely on the bringing into law of the Levelling Up Bill, it simply acknowledges the Government's legal direction of travel. **No change necessary.**

3.18. Solve Planning on behalf of Sigma Strategic Land have an interest in 5.8 hectares of land between Ayres Lane and Well Street previously assessed in the 'made' plan. They support the proactive approach taken to the modification and offer the land for consideration as an allocation. However, they fail to acknowledge Planning Practice Guidance which states at Paragraph: 009 Reference ID: 41-009-20190509 that neighbourhood plans "*can be developed before or at the same time as the local planning authority is producing its local plan*". **No modifications necessary as the plan is considered to be underpinned by an 'appropriate' strategy supported by BDBC, and therefore consideration of the land for allocation in this particular modification is unnecessary as the modified plan already exceeds its housing requirement as confirmed by BDBC.**

3.19. Solve Planning refer to the current housing supply position of the Borough Council and suggest that a partial modification is insufficient and that more fundamental changes should be made to include identification of additional appropriate sites. They also suggest that it is not appropriate for the Neighbourhood Plan to divorce itself from the wider planning context. However, they also fail to acknowledge that the modified plan policies will be tested against the adopted Local plan, not any future Local Plan. **In the interests of clarity, it is recommended that the Policy Context section of the modified plan is updated to explain this relationship with reference to Planning Practice Guidance by insertion of the following text at new paragraphs 3.14 and 3.15:**

"3.14 The latest expression of the Borough Council's Local Plan Update and the emerging spatial strategy and policies was published on the 9th June 2022². As with earlier papers published in 2021, this most recent material defines the settlement of Burghclere as Category 4 "small village".

3.15 The indicative housing figure enables this modification to continue to reflect its own housing supply policies and provide a "complementary" spatial strategy as anticipated by Planning Practice Guidance (PPG) Reference ID:41-009-20190509 and Reference ID: 41-070-20190509. The Qualifying Body's approach has regard to NPPF paragraph 13, paragraph 15 and paragraph 60 by continuing to provide a positive vision for the future of the parish as anticipated under the 'Plan-Led System'."

² <https://democracy.basingstoke.gov.uk/documents/s28416/report.pdf>

3.20. Master Land and Planning also make similar comments to those above; that the modification is being prepared in the context of a demonstrable lack of housing land supply in the Borough. They state that the “Borough planning policies, including the housing aspirations in SS5, are out-of-date and ineffective in meeting housing needs”. They also state that “Neighbourhood plans therefore provide a plan-led solution towards boosting supply in the short-term including when a plan is reviewed without change to its plan period”. The Parish Council will no doubt wholeheartedly agree with the principle of the ‘Plan-Led System’. **These points are addressed in the recommendation above. It is also recommended that the letter from BDBC confirming the indicative housing number, although referenced in section 3, is published in the evidence base.**

3.21. They also submit comments on policy B1, that it does not reference other particular paragraphs of the NPPF and comments on the application of NPPF Paragraph 14. The additional references suggested would duplicate policies in the adopted Local Plan and Planning Practice Guidance last updated in December 2021. As is legal precedent, reference to the development plan infers its ‘policies as a whole’. The inclusion of clauses 3 and 4 of the policy reflect current practice and the recommendations made by Examiners of Neighbourhood Plans elsewhere. In relation to the references to paragraph 14, again as is common practice, NPPF paragraph 14 is key policy specific to neighbourhood planning which simply reflects the importance government place on the process – explained in WMS HCWS346³. **No change necessary.**

3.22. Master Land and Planning also make a number of other statements on Policies. In respect of the timing of delivery of the land allocated under Policy B2. The Parish Council has been in discussion with the landowner and an application has been submitted.

3.23. In respect of the detailed comments on the Design Code (Policy B5) **it is recommended that the Burghclere Design Code is reviewed and updated where considered appropriate.**

3.24. In respect of comments on Policy B6 (Zero Carbon Buildings), these are addressed in paragraphs 3.6 to 3.11 above. The observation on the use of the Cotswold toolkit, is entirely at odds with the role played by the Local Government Association in funding the project under a common licence. The Toolkit is the output of funding from the Local Government Association (LGA) Housing Advisers Programme, which is designed to support councils seeking to innovate in meeting the housing needs of their communities. The purpose being to produce a common resource that contains the very latest design approach and good practice within the field of Net Zero Buildings. The design principles it outlines apply anywhere and the toolkit is, we understand, in use in South Oxfordshire and has been promoted by Essex CC to local planning authorities within the County. **No change necessary.**

3.25. Finally in respect of Policy B8 (Valued Local Landscape), Master Land and Planning suggest the modified policy title is inconsistent with NPPF 174(a) and that the plan is unsupported by any evidence to demonstrate the landscape (outside of the AONB) meets this threshold.

³ <https://questions-statements.parliament.uk/written-statements/detail/2016-12-12/HCWS346>

3.26. Case Law confirms ‘a valued landscape need not be designated’. The Landscape Institute (LI) technical guidance note 02/21⁴ provides the following definition. A ‘valued landscape’ is an area identified as having sufficient landscape qualities to elevate it above other more everyday landscapes”. The LI also defines landscape value in these terms: “the relative value or importance attached to different landscapes by **society** on account of their landscape qualities” (our emphasis). The guidance also notes that (a) ‘everyday’ landscapes may nevertheless have value to people, and (b) the identification of landscape value needs to be applied proportionately ensuring that identification of ‘valued landscape’ is not over-used.

3.27. In terms of evidence, the current Design Code, the Village Design Statement, the Design Statement in the ‘made’ plan, and recently dismissed planning appeals, the local community (and Planning Inspectors) place great importance on the value of the local landscape around Burghclere village and the views to the wider designated landscape of the North Wessex Downs AONB. In preparing the modified policy it was felt important to reflect these values in the renaming of the policy. **No changes necessary.**

4. Summary

4.1. The majority of the statutory consultee and landowner representations that have been received support the intention of the Plan aside from the provisos above. It is considered that only minor modifications will be necessary to improve the clarity and application of the policies of the plan. Once the proposed modifications from this report are made, and improvements to supporting evidence made, it is recommended that Neighbourhood Plan can proceed to submission without further consultation.

4.2. The Parish Council should also complete their schedule of comments from the community and append this report and the response to the community comments to the Consultation Statement.

⁴ <https://landscapewpstorage01.blob.core.windows.net/www-landscapeinstitute-org/2021/05/tgn-02-21-assessing-landscape-value-outside-national-designations.pdf>

Appendix 4 to Burghclere Neighbourhood Plan Modification – Community responses

Only one resident responded, supporting the neighbourhood plan review.