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**From:** Strongitharm, Glen <[REDACTED]>  
**Sent:** 26 February 2020 11:27  
**To:** Local Plan  
**Cc:** Blake, Patrick; Ginn, Beata; Townend, Zoe; Planning SE  
**Subject:** RE: #9750 - Basingstoke and Deane Borough Council - Burghclere Neighbourhood Plan - Proposed Modifications - Regulation 16 Consultation

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

**Categories:** Red Category

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**Our Reference:** 9750

**FAO:** Planning Policy Team

### **Basingstoke and Deane Borough Council - Burghclere Neighbourhood Plan - Proposed Modifications - Regulation 16 Consultation**

Thank you for inviting Highways England to comment on the above consultation.

Highways England has been appointed by the Secretary of State for Transport as strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the strategic road network (SRN). The SRN is a critical national asset and as such Highways England works to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity.

We will therefore be concerned with proposals that have the potential to impact the safe and efficient operation of the SRN, in this case the A34.

We have reviewed this consultation and its supporting documentation and have no comments. However, please do continue to consult Highways England as this Neighbourhood Plan progresses.

Kind Regards,  
Glen

**Glen Strongitharm**

**Area 3 Assistant Spatial Planner**

Highways England | Bridge House | 1 Walnut Tree Close | Guildford | Surrey | GU1 4LZ

Web: [www.highwaysengland.co.uk](http://www.highwaysengland.co.uk)

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Your ref:

Our ref: 4167303v1

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RG21 4AH

BY EMAIL ONLY: [local.plan@basingstoke.gov.uk](mailto:local.plan@basingstoke.gov.uk)

25<sup>th</sup> February 2020

Dear Sir/Madam,

## **BURGHCLERE NEIGHBOURHOOD PLAN EXAMINERS RECOMMENDED MODIFICATIONS: REPRESENTATION ON BEHALF OF MS LISA HAMMOND.**

The following submission is made on behalf of Ms Lisa Hammond, in response to the appointed Examiner's Recommended Modifications to the Burghclere Neighbourhood Plan.

Our client, Ms L Hammond owns land on the edge of Burghclere. On behalf of our client, we submitted a letter of representation in response to the Regulation 16 Neighbourhood Plan consultation. This representation commented that the Neighbourhood Plan does not meet the first 'basic condition' as set out in Planning Practice Guidance as it is not based upon "*Proportionate, robust evidence*". This is principally because the process of identifying suitable sites for housing within the Neighbourhood Plan has not been undertaken robustly.

We also commented that the Neighbourhood Plan Site Assessment should be reviewed to include consideration of our client's land interest. A copy of this representation is included at **Appendix 1**.

### **Comments on Examiner's Recommended Modifications**

We support the Examiner's proposed modifications to the Neighbourhood Plan, which includes bringing the plan period forward to 2029.

Indeed, we agree with the Examiner, that without knowing an indicative housing figure for the 2029 - 2036 period, the Plan has not directly addressed whether major development in the preferred direction of future growth would have regard to national policy in this respect.

In our view, exceptional circumstances have not been identified to support the delivery of major sites with Area of Outstanding Beauty (AONB) and a "*proportionate*" and "*robust*" assessment of all available sites has not been undertaken to inform the current Neighbourhood Plan.

Sites such as Land at Norman Farm, which are not constrained by AONB, should be considered for development as part of the Neighbourhood Plan "Sites Assessment". This is especially important given the "great weight" attached to "conserving and enhancing" Areas of Outstanding Natural Beauty (NPPF, Paragraph 172).

Bringing the plan period forward to 2029, will enable an early review of the Plan. This will ensure the Neighbourhood Plan is kept up to date and in general conformity with the Local Plan. In addition, the Neighbourhood Plan could be made to include some reserve sites, which would enable the timely delivery of housing should an allocated site not deliver.

I trust this submission is helpful. Please do let me know if you require anything further or have any queries.

Yours faithfully,



**Mark Utting MRTPI**  
Associate



**Appendix 1 - Regulation 16 Neighbourhood Plan Representation**

Planning Policy Team  
Basingstoke and Deane Borough Council  
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Your ref:

Our ref: 4167303v1

BY EMAIL ONLY: [local.plan@basingstoke.gov.uk](mailto:local.plan@basingstoke.gov.uk)

24<sup>th</sup> January 2020

Dear Sir/Madam,

## **BURGHCLERE REGULATION 16 NEIGHBOURHOOD PLAN REPRESENTATION ON BEHALF OF MS LISA HAMMOND.**

The following submission is made on behalf of Ms Lisa Hammond, in response to the Burghclere Regulation 16 Neighbourhood Plan.

Our client, Ms L Hammond owns land on the edge of Burghclere, as shown on the plan included at **Appendix 1**. On behalf of our client, we are seeking allocation of this site for residential development in the forthcoming Basingstoke and Deane Local Plan Review. We also consider that the Neighbourhood Plan Site Assessment should be reviewed to include consideration of our client's land interest for the reasons set out below.

### **Site Description**

Land at Norman Farm is not constrained by planning restrictions such as Green Belt. Furthermore, it is not restricted by any landscape or environmental constraints such as being in an Area of Outstanding Beauty or an area prone to flooding.

The site is immediately adjacent to the existing settlement boundary of Burghclere. It is among the closest available sites to the existing Primary School and Clere Secondary School (both within a reasonable walking distance).

Suitable access to the site is achievable via Well Street. Appropriate design and landscaping would ensure that development is physically and visually well contained and would not adversely affect the character and appearance of the surrounding area.

There are no known constraints which would impact on the availability, suitability or achievability of development of the site.

Given the overall level of housing need, sustainable settlements such as Burghclere can and should accommodate further residential-led development to help sustain local services and facilities, to support the rural economy and to improve issues of affordability.

Land Norman Farm as identified in the submitted plan is available now and is deliverable. There are no known constraints which would prevent development in this location. The site is well related to the existing settlement of Burghclere, and would constitute sustainable development in accordance with the NPPF's presumption in favour of sustainable development.

## **Neighbourhood Plan Assessment of Sites**

It is considered that the process in identifying suitable sites for housing within the Neighbourhood Plan has not been undertaken robustly and has not considered all potential alternative sites on the edge of the village, including land at Norman Farm.

Our key concerns regarding the site assessment prepared are set out below.

### Landscape Impact

It is considered that a development of some 15 (or more) dwellings on Land to the East of Woodside Cottage is likely to have potential adverse landscape impacts on the Area of Outstanding Natural Beauty (AONB). The proposed allocation of the site is therefore contrary to Paragraph 172 of the National Planning Policy Framework (NPPF) which attaches 'great weight' to conserving and enhancing landscape and scenic beauty including AONB.

Harm to the AONB would be avoided if an alternative site, such as Land at Norman Farm which is located entirely outside of AONB, is allocated for development.

### Heritage Impact

The Sandham Memorial Chapel, which is a Grade I Listed Building, is located immediately next to the proposed site allocation. However, the proximity of this important heritage asset and the impact of development on its setting has not been considered in the Plans site assessment.

This omission from the site assessment ignores the need to sustain and enhance the significant of heritage assets (NPPF, Paragraph 185)

### Sustainability

Finally, the site assessment acknowledges that there are no direct footways to the schools in the village and the Primary School is located some 1450m from the site and Clere Secondary School is located 2000m from the site. These are both beyond reasonable walking distances.

## **Concluding Comments**

For the reasons given above, the Neighbourhood Plan does not meet the first 'basic condition' as it fails to follow the advice contained in the Planning Practice Guidance: Paragraph: 040 Reference ID: 41-040-20160211 which requires that:

*"Proportionate, robust evidence should support the choices made and the approach taken."*

Furthermore, it fails properly to consider the requirement to sustain and enhance the significance of a heritage asset; namely, the Sandham Memorial Chapel.

The process of identifying suitable sites for housing within the Neighbourhood Plan has not been undertaken robustly. This is shown by the Neighbourhood Plan allocating Land to the East of Woodside Cottage site for development on the erroneous assumption that it has the least constraints and would have a limited impact.

It is considered that further detailed consideration of the other options within the Village should be explored, particularly land at Norman Farm, which is plainly more suitable and less constrained than the preferred site.

In order to comply with the basic conditions, the Neighbourhood Plan should revisit its assessment of sites to include consideration of land at Norman Farm.

I trust this submission is helpful. We would welcome further opportunities to engage with the Parish Council and its Neighbourhood Plan Group to discuss the potential to bring forward Land at Norman Farm for development.

Please do let me know if you require anything further or have any queries.

Yours faithfully,



**Mark Utting MRTPI**  
Associate






Map Centre 447,427 160,759

0 10 20 30  
Metres



**Legend**

 Site Area (6.95 ha)

**Carter Jonas** Two Snow Hill, Birmingham, B4 6GA  
T. 0121 794 6250  
carterjonas.co.uk

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Client: **Ms L Hammond**  
 Project: **Call for Sites Submission (October 2019)**  
 Title: **Site Location Plan**

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Scale: 1:1250 @A2 Date: 09 October 2019  
 Drawn by: JM-LB Dwg no: **J0032359-19-01**

Our Ref: AS/200108/P3

5 March 2020

Planning Policy Team  
Basingstoke & Deane Borough Council  
Civic Offices  
London Road  
Basingstoke  
RG21 4AH



By post and by email to [local.plan@basingstoke.gov.uk](mailto:local.plan@basingstoke.gov.uk)

Dear Sir or Madam

### **Burghclere Neighbourhood Plan Proposed Modifications Consultation**

We are instructed by Foreman Homes Ltd. On behalf of our client, we hereby provide representations on the Burghclere Neighbourhood Plan ("the NP") Proposed Modifications Consultation period ending 5 March 2020.

The scope of the modifications the examiner may make is set out in Paragraph 10(3) of Schedule 4B to Town and Country Planning Act 1990 (as amended). On 18 February 2020 the examiner advised both Burghclere Parish Council and Basingstoke and Deane Borough Council of three significant recommended modifications to the NP. These representations are restricted to the three proposed significant modifications. The examiner is already in receipt of our client's representations to the Regulation 16 consultation.

#### ***1) The deletion of the three year time limit for the development, or for obtaining planning permission, for the allocated housing site.***

No representations are made.

#### ***2) The deletion of Policy B3.***

Policy B3 proposed inter alia a preferred direction of growth into the AONB and its deletion is supported. The examiner's email of 18 February explains the reasons and references '*my concern is that the scale of development may constitute major development in the AONB where paragraph 172 of the NPPF...*' It continues to explain that the absence of an indicative housing figure post 2029, the NP has not addressed whether major development would have regard to national policy in this respect.

As was highlighted in our client's Regulation 16 representations, paragraph 172 of the NPPF must be read in full completeness with the preceding paragraphs 170 and 171. These paragraphs clearly state government policy is to protect valued landscapes and plans should inter alia distinguish between the hierarchy of international, national and locally designated sites; and allocate land with the least environmental or amenity value, where consistent with other policies in the NPPF. The reasons to delete Policy B3 (and B2) are that the NP has not

had been prepared to have regard to national policies that direct development to land outside of the AONB, where alternatives exist, which is the primary basis for plan preparation whether major development or not. It remains our view that no proportionate and robust assessment of all available sites has been undertaken to evidence the NP.

Policy B3 also included criterion at (iv) to (vii) to define key principles for releasing land for housing development. The deletion of these criteria are also supported as there is no basis in national or local strategic policies to limit the '*key principles*' for release of land accordingly.

In correctly recommending the deletion of Policy B3, the examiner must be aware that these criteria informed the NP spatial strategy and led to the identification and assessment of sites for allocation.

### **3) The change of the end date of the Plan from 2036 to 2029.**

The change of the end date of the NP from 2036 to 2029 is supported as it was impossible to understand how the NP could support the delivery of strategic policies contained in the Local Plan if the NP covers a period different from the period covered by the Local Plan.

Furthermore, it is agreed that the NP is prepared in the absence of a defined or an indicative housing number<sup>1</sup> and consequently it cannot be assumed that the same Local Plan approach and local needs would translate beyond 2029 when examined under the revised NPPF.

Bringing forward the plan period to 2029 will enable a review of the NP to ensure it is in general conformity with the revised NPPF and the emerging Local Plan.

### **Implications of 'significant' modifications**

The NP has been determined that it is likely to have significant effects on the environment and that a SEA is necessary. Regulation 12 of the Environmental Assessment of Plans and Programmes Regulations 2004 sets out the requirements of an environmental report, which is a core output of any strategic environmental assessment. An environmental report for the purpose of the regulations must identify, describe and evaluate the likely significant effects on the environment of implementing the neighbourhood plan policies and of the reasonable alternatives taking into account the objectives and geographical scope of the neighbourhood plan. The environmental report must clearly show how these requirements have been met. The timescale of the NP is fundamental to the assessment as a neighbourhood plan must set out the period for which it is to have effect (section 38B(1)(a) of the Planning and Compulsory Purchase Act 2004).

The SA by AECOM dated 7 November 2019 accompanies the NP submission version. It has a timescale of 'to 2036' consistent with the submission NP. The change to the Plan period is a significant change, substantially altering the plan. The PPG<sup>2</sup> confirms a change is likely to be significant if it substantially alters the draft plan and or is likely to give rise to significant environmental effects. Further assessment may be required if the changes have not previously been assessed and are likely to give rise to significant effects. It follows that the effects of the NP, with a plan period to 2029, have not been fully understood and assessed. The NPIERS Guidance to Service Users and Examiners confirms that significant changes may

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<sup>1</sup> As required by NPPF paragraphs 14, 65 and 66

<sup>2</sup> Reference ID: 11-041-20140306

typically require further work to be undertaken, particularly in relation to Strategic Environmental Assessment. Our client's await the outcome of that further work in advance of the conclusion of the examination of the NP.

I trust this submission is helpful. Please do not hesitate to contact us in the event of queries.

Yours faithfully,



BA(Hons) Dip TP MRTPI

**FOWLER ARCHITECTURE AND PLANNING**

cc: Clients

Falcon Developments (SE) Limited

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**Sent:** Ed Rehill <[REDACTED]>  
05 March 2020 12:56  
**To:** Local Plan  
**Cc:** Philip Brown  
**Subject:** Burghclere Parish Neighbourhood Plan - proposed modifications - The Highclere Estate

**Importance:** High

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

**Categories:** Red Category

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Dear Planning Policy team,

Savills is instructed by The Highclere Estate to comment on the proposed modifications to the Burghclere Parish Neighbourhood Plan (BPNP) that have been recommended by the Examiner.

The Estate has no objection to modification 1, which appears to require amendment/ deletion of paragraph 5.19 in conjunction with the deletion of Policy B3 as proposed by modification 2. The effect of modifications 1 and 2 will be to delete the three year time limit for the development, or for obtaining planning permission, for the allocated housing site (Policy B2 - Land off Harts Lane/ Winchester Road). The modifications are appropriate as there is no reason to believe that the land off Harts Lane will not be delivered in the plan period, even if the plan period is reduced to 2029 as proposed by modification 3.

Modification 1 and 2 are unrelated to the other reference to a three year period in the BPNP provided in paragraph 5.20, which relates separately to the Rural Business Hub currently allowed for by Policy B2. The three year period relating to the Rural Business Hub remains necessary and appropriate and should not therefore be removed from the BPNP. The Examiner's attention is however drawn to the Estate's representations to the BPNP Regulation 16 consultation, which recommend deletion of paragraph 5.20 and insertion of alternative wording to the end of criterion ii) of Policy B2 as follows:

*"Following the grant of permission of development on the site, if the Rural Business Hub has not been secured within 3 years then a review of that requirement of the allocation, including its need, shall be undertaken through a review or a partial review of the NDP."*

We trust the above is clear and will be taken into consideration. Should there however be any questions then please do contact me to discuss.

Please can you confirm receipt of this email.

Kind regards,

**Ed Rehill**  
**Associate**  
**Planning**

Savills, Ground Floor, Hawker House , 5-6 Napier Court , Napier Road , Reading RG1 8BW



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04 March 2020

**avisonyoung.co.uk**

**Basingstoke and Deane Borough Council**  
[local.plan@basingstoke.gov.uk](mailto:local.plan@basingstoke.gov.uk)  
**via email only**

Dear Sir / Madam

**Burghclere Neighbourhood Plan Main Modifications Consultation  
February – March 2020  
Representations on behalf of National Grid**

National Grid has appointed Avison Young to review and respond to Neighbourhood Plan consultations on its behalf. We are instructed by our client to submit the following representation with regard to the current consultation on the above document.

**About National Grid**

National Grid Electricity Transmission plc (NGET) owns and maintains the electricity transmission system in England and Wales. The energy is then distributed to the electricity distribution network, so it can reach homes and businesses.

National Grid Gas plc (NGG) owns and operates the high-pressure gas transmission system across the UK. In the UK, gas leaves the transmission system and enters the UK's four gas distribution networks where pressure is reduced for public use.

National Grid Ventures (NGV) is separate from National Grid's core regulated businesses. NGV develop, operate and invest in energy projects, technologies, and partnerships to help accelerate the development of a clean energy future for consumers across the UK, Europe and the United States.

**Proposed development sites crossed by or in close proximity to National Grid Assets**

Following a review of the above document we have identified that one or more proposed development sites have been identified as being crossed or in close proximity to National Grid assets.

Details of the sites affecting National Grid assets are provided below.

## Electricity Transmission

### Asset Description

**YYM ROUTE TWR (109 - 229): 400Kv Overhead Transmission Line route: BRAMLEY - MELKSHAM 1**

A plan showing details of the site locations and details of National Grid's assets is attached to this letter. Please note that the plan is illustrative only.

National Grid also provides information in relation to its assets at the website below.

- [www2.nationalgrid.com/uk/services/land-and-development/planning-authority/shape-files/](http://www2.nationalgrid.com/uk/services/land-and-development/planning-authority/shape-files/)

Please see attached information outlining guidance on development close to National Grid infrastructure.

### Distribution Networks

Information regarding the electricity distribution network is available at the website below:

[www.energynetworks.org.uk](http://www.energynetworks.org.uk)

Information regarding the gas distribution network is available by contacting:

[plantprotection@cadentgas.com](mailto:plantprotection@cadentgas.com)

### Further Advice

Please remember to consult National Grid on any Neighbourhood Plan Documents or site-specific proposals that could affect our assets. We would be grateful if you could add our details shown below to your consultation database, if not already included:

**Matt Verlander, Director**

[nationalgrid.uk@avisonyoung.com](mailto:nationalgrid.uk@avisonyoung.com)

Avison Young  
Central Square South  
Orchard Street  
Newcastle upon Tyne  
NE1 3AZ

**Spencer Jefferies, Town Planner**

[box.landandacquisitions@nationalgrid.com](mailto:box.landandacquisitions@nationalgrid.com)

National Grid  
National Grid House  
Warwick Technology Park  
Gallows Hill  
Warwick, CV34 6DA

If you require any further information in respect of this letter, then please contact us.

Yours faithfully,

**Matt Verlander MRTPI**

**Director**

**0191 269 0094**

**[nationalgrid.uk@avisonyoung.com](mailto:nationalgrid.uk@avisonyoung.com)**

**For and on behalf of Avison Young**

## **Guidance on development near National Grid assets**

National Grid is able to provide advice and guidance to the Council concerning their networks and encourages high quality and well-planned development in the vicinity of its assets.

### Electricity assets

Developers of sites crossed or in close proximity to National Grid assets should be aware that it is National Grid policy to retain existing overhead lines in-situ, though it recognises that there may be exceptional circumstances that would justify the request where, for example, the proposal is of regional or national importance.

National Grid's 'Guidelines for Development near pylons and high voltage overhead power lines' promote the successful development of sites crossed by existing overhead lines and the creation of well-designed places. The guidelines demonstrate that a creative design approach can minimise the impact of overhead lines whilst promoting a quality environment. The guidelines can be downloaded here: <https://www.nationalgridet.com/document/130626/download>

The statutory safety clearances between overhead lines, the ground, and built structures must not be infringed. Where changes are proposed to ground levels beneath an existing line then it is important that changes in ground levels do not result in safety clearances being infringed. National Grid can, on request, provide to developers detailed line profile drawings that detail the height of conductors, above ordnance datum, at a specific site.

National Grid's statutory safety clearances are detailed in their 'Guidelines when working near National Grid Electricity Transmission assets', which can be downloaded here: [www.nationalgridet.com/network-and-assets/working-near-our-assets](http://www.nationalgridet.com/network-and-assets/working-near-our-assets)

### Gas assets

High-Pressure Gas Pipelines form an essential part of the national gas transmission system and National Grid's approach is always to seek to leave their existing transmission pipelines in situ. Contact should be made with the Health and Safety Executive (HSE) in respect of sites affected by High-Pressure Gas Pipelines.

National Grid have land rights for each asset which prevents the erection of permanent/ temporary buildings, or structures, changes to existing ground levels, storage of materials etc. Additionally, written permission will be required before any works commence within the National Grid's 12.2m building proximity distance, and a deed of consent is required for any crossing of the easement.

National Grid's 'Guidelines when working near National Grid Gas assets' can be downloaded here: [www.nationalgridgas.com/land-and-assets/working-near-our-assets](http://www.nationalgridgas.com/land-and-assets/working-near-our-assets)

### How to contact National Grid

If you require any further information in relation to the above and/or if you would like to check if National Grid's transmission networks may be affected by a proposed development, please contact:

- National Grid's Plant Protection team: [plantprotection@nationalgrid.com](mailto:plantprotection@nationalgrid.com)

Cadent Plant Protection Team  
Block 1  
Brick Kiln Street  
Hinckley  
LE10 0NA  
0800 688 588

or visit the website: <https://www.beforeyoudig.cadentgas.com/login.aspx>