

Bramshott and Liphook Neighbourhood Development Plan 2020-2040

**A report to East Hampshire District Council
and the South Downs National Park Authority
on the Bramshott and Liphook Neighbourhood
Development Plan**

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Executive Summary

- 1 I was appointed by East Hampshire District Council in April 2024 to carry out the independent examination of the Bramshott and Liphook Neighbourhood Plan.
- 2 The examination was undertaken by way of written representations. I visited the neighbourhood area on 10 May 2024.
- 3 The Plan includes a variety of policies and seeks to bring forward positive and sustainable development in the neighbourhood area. It includes a range of policies to safeguard the character and appearance of the parish. It also proposes a package of local green spaces.
- 4 The Plan has been underpinned by community support and engagement. All sections of the community have been engaged in its preparation.
- 5 Subject to a series of recommended modifications set out in this report, I have concluded that the Plan meets all the necessary legal requirements and should proceed to referendum.
- 6 I recommend that the referendum area should coincide with the neighbourhood area.

Andrew Ashcroft
Independent Examiner
2 July 2024

1 Introduction

- 1.1 This report sets out the findings of the independent examination of the Bramshott and Liphook Neighbourhood Development Plan 2020-2040 ('the Plan').
- 1.2 The Plan was submitted to East Hampshire District Council (EHDC) and the South Downs National Park Authority (SDNPA) by Bramshott and Liphook Parish Council (BLPC) in its capacity as the qualifying body responsible for preparing the neighbourhood plan. EHDC designated those parts of Bramshott and Liphook Parish falling within the East Hampshire area on 23 October 2015 and the SDNPA designated those parts of the parish within the South Downs National Park on 20 October 2015.
- 1.3 Neighbourhood plans were introduced into the planning process by the Localism Act 2011. They aim to allow local communities to take responsibility for guiding development in their area. This approach was subsequently embedded in the National Planning Policy Framework (NPPF) in 2012, 2018, 2019, 2021 and 2023. The NPPF continues to be the principal element of national planning policy.
- 1.4 The role of an independent examiner is clearly defined in the legislation. I have been appointed to examine the extent to which the submitted Plan meets the basic conditions and Convention Rights and other statutory requirements. It is not within my remit to examine or to propose an alternative plan, or a potentially more sustainable plan except where this arises because of my recommended modifications to ensure that the plan meets the basic conditions and the other relevant requirements.
- 1.5 A neighbourhood plan can be narrow or broad in scope and can include whatever range of policies it sees as appropriate to its designated neighbourhood area. The submitted Plan has been designed to be distinctive in general terms, and to be complementary to the existing development plan. It seeks to provide a context in which the neighbourhood area can maintain its character and appearance.
- 1.6 Within the context set out above, this report assesses whether the Plan is legally compliant and meets the basic conditions that apply to neighbourhood plans. It also considers the content of the Plan and, where necessary, recommends changes to its policies and supporting text.
- 1.7 This report also provides a recommendation as to whether the Plan should proceed to referendum. If this is the case and that referendum results in a positive outcome the Plan would then be used to determine planning applications within the neighbourhood area and will sit as part of the wider development plan in both East Hampshire and the South Downs National Park.

2 The Role of the Independent Examiner

- 2.1 The examiner's role is to ensure that any submitted neighbourhood plan meets the relevant legislative and procedural requirements.
- 2.2 I was appointed by EHDC in consultation with the SDNPA and with the consent of BLPC, to conduct the examination of the Plan and to prepare this report. EHDC is the lead authority for the purpose of this examination in the context of the Memorandum of Understanding between the two organisations on neighbourhood planning. I am independent of EHDC, the SDNPA and BLPC. I do not have any interest in any land that may be affected by the Plan.
- 2.3 I possess the appropriate qualifications and experience to undertake this role. I am a Director of Andrew Ashcroft Planning Limited. In previous roles, I have 41 years' experience in various local authorities at either Head of Planning or Service Director level and more recently as an independent examiner. I have significant experience of undertaking other neighbourhood plan examinations and health checks. I am a member of the Royal Town Planning Institute and the Neighbourhood Planning Independent Examiner Referral System.

Examination Outcomes

- 2.4 In my role as the independent examiner of the Plan I am required to recommend one of the following outcomes of the examination:
- (a) that the Plan as submitted should proceed to a referendum; or
 - (b) that the Plan should proceed to referendum as modified (based on my recommendations); or
 - (c) that the Plan does not proceed to referendum on the basis that it does not meet the necessary legal requirements.
- 2.5 The outcome of the examination is set out in Section 8 of this report.

Other examination matters

- 2.6 In examining the Plan, I am required to check whether:
- the policies relate to the development and use of land for a designated neighbourhood plan area; and
 - the Plan meets the requirements of Section 38B of the Planning and Compulsory Purchase Act 2004 (the Plan must specify the period to which it has effect, must not include provision about development that is excluded development, and must not relate to more than one neighbourhood area); and
 - the Plan has been prepared for an area that has been designated under Section 61G of the Localism Act and has been developed and submitted for examination by a qualifying body.
- 2.7 I have addressed the matters identified in paragraph 2.6 of this report and am satisfied that they have been met.

3 Procedural Matters

3.1 In undertaking this examination I have considered the following documents:

- the submitted Plan.
- the Basic Conditions Statement.
- the Consultation Statement.
- the EHDC SEA/HRA Screening report (July 2023).
- the representations made to the Plan.
- BLPC's responses to the clarification note.
- the East Hampshire District Local Plan: Joint Core Strategy (JCS) (June 2014).
- the East Hampshire District: Housing and Employment Allocations (April 2016).
- the East Hampshire District Local Plan: Second Review (2006) saved policies.
- the South Downs Local Plan (2014-2033).
- the National Planning Policy Framework (December 2023).
- Planning Practice Guidance.
- relevant Ministerial Statements.

3.2 I visited the neighbourhood area on 10 May 2024. I looked at its overall character and appearance and at those areas affected by policies in the Plan. The visit is addressed in more detail in Section 5 of this report.

3.3 It is a general rule that neighbourhood plan examinations should be held by written representations only. Having considered all the information before me, including the representations, I concluded that the Plan could be examined by way of written representations and that a hearing was not required.

4 Consultation

Consultation Process

- 4.1 Policies in made neighbourhood plans become the basis for local planning and development control decisions. As such, the regulations require neighbourhood plans to be supported and underpinned by public consultation.
- 4.2 In accordance with the Neighbourhood Planning (General) (Amendment) Regulations 2012 (as amended), BLPC prepared a Consultation Statement. It is proportionate to the neighbourhood area and its policies. It sets out key findings in a thorough and well-presented report which is underpinned with a series of more detailed tables and appendices.
- 4.3 The Statement records the various activities that were held to engage the local community and the feedback from each event. It helpfully summarises the feedback from each phase of the consultation process and what was taken into the following stages of plan production. The overall process followed and the key events held are usefully summarised in Section 2 of the Statement.
- 4.4 The Statement also provides specific details on the consultation processes that took place on the pre-submission version of the Plan (July to September 2023). Appendix B of the Statement summarises the comments received provides details about the way in which the Plan was refined because of this process. This analysis helps to describe how the Plan has progressed to the submission stage.
- 4.5 Consultation has been an important element of the Plan's production. Advice on the neighbourhood planning process has been made available to the community in a positive and direct way by those responsible for the Plan's preparation. From all the evidence provided to me as part of the examination, I can see that the Plan has promoted an inclusive approach to seeking the opinions of all concerned throughout the process. EHDC and SDNPA have carried out their own assessment that the consultation process has complied with the requirements of the Regulations.

Consultation Responses

- 4.6 Consultation on the submitted plan was undertaken by EHDC in March and April 2024. This exercise generated representations from the following organisations:
- AMK Chauffeur Drive
 - Bellway Strategic Limited
 - The Vistry Group
 - EHDC
 - Hampshire and the Isle of Wight Integrated Care Board
 - National Highways
 - Natural England
 - Reside Group

- South Downs National Park Authority
- SOS Bohunt Manor Community Action Group
- South and East Liphook Residents Group
- Surrey County Council
- Thames Water
- Harrow Estates
- West Sussex County Council
- Elberry Properties

4.7 Comments were also received from several residents.

4.8 I have taken account of all the representations in preparing this report. Where it is appropriate to do so, I refer to specific representations on a policy-by-policy basis.

5 The Neighbourhood Area and the Development Plan Context

The Neighbourhood Area

- 5.1 The neighbourhood area is the parish of Bramshott and Liphook. It is partly within East Hampshire and partly within the South Downs National Park. The parish is both geographically and in population one of the largest rural parishes in the district. It comprises one major settlement, Liphook, and seven smaller ones (the hamlets of Bramshott, Passfield/Passfield Common, Conford, Griggs Green, Hammer Vale, Hewshott and Bramshott Chase). There are several smaller or more scattered areas of settlement closely associated with Liphook or the hamlets (for example, Burgh Hill, Hill House Hill/ Conford Park Gate, Bramshott Court). Its population in 2011 was 8491 persons living in 3744 households. EHDC designated those parts of the parish falling within the East Hampshire area on 23 October 2015 and the SDNPA designated those parts of the parish within the South Downs National Park on 20 October 2015.
- 5.2 As the Plan describes, most of its populated areas lie near its southern and southwestern edge. The character of the parish is predominantly rural. This is reinforced by the emptiness of the heathland areas which are mostly owned by the Ministry of Defence or the National Trust. Elsewhere the farms that occupied the more productive land and river valleys have in the main been broken-up and surviving agricultural landholdings consolidated. The valleys of the River Wey and its tributaries are the other significant elements of the parish's landscape and landform.
- 5.3 Liphook is the principal settlement in the parish. It is well-served both by the A3 and the railway station. It is based around The Square at the junction of Haslemere Road, Portsmouth Road, Midhurst Road, and London Road. It has two retail centres. The first is in the historic core of the village around The Square. The second is in Station Road. A Sainsbury store is located in Midhurst Road between the two retail centres.

Development Plan Context

- 5.4 The development plan for the neighbourhood area includes the following plans:
- the East Hampshire District Local Plan: Joint Core Strategy (JCS) (2014);
 - the East Hampshire District; Housing and Employment Allocations (2016);
 - the East Hampshire District Local Plan: Second Review (2006) saved policies;
 - the South Downs Local Plan (SDLP) (2014-2033); and
 - The Hampshire Minerals and Waste Plan (2013).
- 5.5 The JCS was prepared jointly by EHDC and the SDNPA. It sets an overall spatial strategy for the District. Liphook is identified as a Large Local Service Centre. Bramshott is identified as one of a series of other settlements with a settlement policy boundary
- 5.6 The Housing and Employment Allocations consolidates the JCS. It includes the residential allocation of land at Lowsley Farm, Liphook (Policy LP1) for approximately 175 homes.

- 5.7 The SDLP was adopted in July 2019. It takes a landscape-led approach to development to reflect the special qualities of the National Park. This acknowledges the purposes of national parks to conserve and enhance the natural beauty, wildlife, and cultural heritage of the area, and promote opportunities for the understanding and enjoyment of the special qualities. The Local Plan and its policies seek to ensure that the benefits and services people and wider society get from the natural environment are recognised and enhanced. Many of the Plan's policies require development proposals to conserve and enhance various aspects of natural beauty, wildlife, and cultural heritage. The extent to which development proposals will be expected to both conserve and enhance is proportionate to the scale and impact of the development.
- 5.8 The submitted Plan has been prepared within this development plan context. In doing so, it has relied on up-to-date information and research that has underpinned existing planning policy documents. This is good practice and reflects key elements in Planning Practice Guidance on this matter. The submitted Plan seeks to add value to the different components of the development plan and to give a local dimension to the delivery of its policies. This is captured in the Basic Conditions Statement

Visit to the neighbourhood area

- 5.9 I visited the neighbourhood area on 10 May 2024.
- 5.10 I drove into the neighbourhood area from the A3. This gave me an initial impression of its setting and character in general, and the context of its wider setting.
- 5.11 I looked initially at the historic village centre based around The Square. I saw the range of retail and commercial services and the significance of The Royal Anchor Public House and The Living Room Cinema. I also saw the interesting vernacular buildings in Haslemere Road.
- 5.12 I then walked to Station Road to see the other range of retail, and commercial services. In doing so I saw the scale of the Sainsbury's store and its obvious importance to the wider parish.
- 5.13 Throughout the visit I took the opportunity to see the various community facilities, important views and local green spaces identified in the Plan. I took the opportunity to walk to Radford Park. Its significance and popularity in the parish was self-evident.
- 5.14 I then drove to Bramshott. I saw that it was very different in character and appearance to Liphook. I also saw the significance of the sunken lanes as described in the Plan
- 5.15 I then drove to Passfield. I saw the way in which it related to the B3004.
- 5.16 I left the parish by driving to Bordon to the north. This highlighted the relationship of the parish to other settlements in the surrounding area.

6 The Neighbourhood Plan and the Basic Conditions

- 6.1 This section of the report deals with the submitted neighbourhood plan as a whole and the extent to which it meets the basic conditions. The submitted Basic Conditions Statement has helped in the preparation of this section of the report. It is an informative and well-presented document.
- 6.2 As part of this process, I must consider whether the submitted Plan meets the basic conditions as set out in paragraph 8(2) of Schedule 4B of the Town and Country Planning Act 1990. To comply with the basic conditions, the Plan must:
- have regard to national policies and advice contained in guidance issued by the Secretary of State;
 - contribute to the achievement of sustainable development;
 - be in general conformity with the strategic policies of the development plan in the area;
 - not breach, and otherwise be compatible with, the assimilated obligations of EU legislation (as consolidated in the Retained EU Law (Revocation and Reform) Act 2023 (Consequential Amendment) Regulations 2023; and
 - not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017.

I assess the Plan against the basic conditions under the following headings:

National Planning Policies and Guidance

- 6.3 For the purposes of this examination the key elements of national policy relating to planning matters are set out in the National Planning Policy Framework December 2023 (NPPF).
- 6.4 The NPPF sets out a range of land-use planning principles to underpin both plan-making and decision-taking. The following are particularly relevant to the Bramshott and Liphook Neighbourhood Development Plan:
- a plan-led system - in this case the relationship between the neighbourhood plan and the JCS, the Housing and Employment Allocations Plan and the South Downs Local Plan;
 - building a strong, competitive economy;
 - recognising the intrinsic character and beauty of the countryside and supporting thriving local communities;
 - taking account of the different roles and characters of different areas;
 - highlighting the importance of high-quality design and good standards of amenity for all future occupants of land and buildings; and
 - conserving heritage assets in a manner appropriate to their significance.
- 6.5 Neighbourhood plans sit within this wider context both generally, and within the more specific presumption in favour of sustainable development. Paragraph 13 of the NPPF

indicates that neighbourhoods should both develop plans that support the strategic needs set out in local plans and plan positively to support local development that is outside the strategic elements of the development plan.

- 6.6 In addition to the NPPF, I have also taken account of other elements of national planning policy including Planning Practice Guidance and the recent ministerial statements.
- 6.7 Having considered all the evidence and representations available as part of the examination, I am satisfied that the submitted Plan has had regard to national planning policies and guidance subject to the recommended modifications in this report. It sets out a positive vision for the future of the neighbourhood area. It includes a series of policies that address a range of development and environmental matters. It has a focus on safeguarding the built and natural environment of the parish, consolidating the role of the village centre, and designating local green spaces.
- 6.8 At a more practical level, the NPPF indicates that plans should provide a clear framework within which decisions on planning applications can be made and that they should give a clear indication of how a decision-maker should react to a development proposal (paragraph 16d). This was reinforced with the publication of Planning Practice Guidance. Paragraph ID:41-041-20140306 indicates that policies in neighbourhood plans should be drafted with sufficient clarity so that a decision-maker can apply them consistently and with confidence when determining planning applications. It also advises that policies should also be concise, precise, and supported by appropriate evidence.
- 6.9 As submitted the Plan does not fully accord with this range of practical issues. Most of my recommended modifications in Section 7 relate to matters of clarity and precision. They are designed to ensure that the Plan fully accords with national policy.

Contributing to sustainable development

- 6.10 There are clear overlaps between national policy and the contribution that the submitted Plan makes to achieving sustainable development. Sustainable development has three principal dimensions – economic, social, and environmental. I am satisfied that the submitted Plan has set out to achieve sustainable development in the neighbourhood area. In the economic dimension, the Plan includes policies for employment (Policy BL19), the village centre (Policy BL20) and for tourism (Policy BL21). In the social dimension, it includes policies on local housing needs (Policy BL2), on local green spaces (Policy BL7), and for a range of community facilities (Policies BL16-18). In the environmental dimension, the Plan positively seeks to protect the natural, built, and historic environment of the parish. It has policies on character and design (Policy BL3), green and blue infrastructure (Policy BL5), landscape character (Policy BL6), locally significant views (Policy BL8) and built heritage (Policy BL13). This assessment overlaps with the details on this matter in the submitted Basic Conditions Statement.

General conformity with the strategic policies in the development plan

- 6.11 I have already commented in detail on the development plan context in both East Hampshire and the South Downs National Park in paragraphs 5.4 to 5.8 of this report.
- 6.12 I consider that the submitted Plan delivers a local dimension to this strategic context and supplements the detail already included in the adopted development plans. Subject to the recommended modifications in this report, I am satisfied that the submitted Plan is in general conformity with the strategic policies in the development plan.

Strategic Environmental Assessment

- 6.13 The Neighbourhood Plan (General) (Amendment) Regulations 2015 require a qualifying body either to submit an environmental report prepared in accordance with the Environmental Assessment of Plans and Programmes Regulations 2004 or a statement of reasons why an environmental report is not required.
- 6.14 In order to comply with this requirement, EHDC undertook a screening exercise in July 2023 on the need or otherwise for a Strategic Environmental Assessment (SEA) to be prepared for the Plan. The report is thorough and well-constructed. It advises that the submitted Plan does not allocate sites for development and seeks to influence any development that does take place within the scope of the policies of the adopted development plan (which themselves have been subject to an SEA). On this basis it concludes that it is unlikely that significant environmental effects will arise from the implementation of the Plan and that SEA is not needed.

Habitats Regulations Assessment

- 6.15 EHDC also prepared a Habitats Regulations Assessment (HRA) of the Plan at the same time. It assesses the likely impact of the submitted Plan on identified protected sites. It concludes that the Plan does not seek to deliver development above and beyond the scope of that contained in the adopted Joint Core Strategy and South Downs Local Plan. It also concludes that the policies seek to influence the type, design, and sustainability of any developments, whilst safeguarding the natural and historic assets of the neighbourhood area.
- 6.16 The HRA concludes that the neighbourhood plan will not give rise to likely significant effects on European sites, either alone or in combination with other plans or projects, and that Appropriate Assessment is not required.
- 6.17 Having reviewed the information provided to me as part of the examination, I am satisfied that a proportionate process has been undertaken in accordance with the various regulations. None of the statutory consultees have raised any concerns regarding either neighbourhood plan obligations. In the absence of any evidence to the contrary, I am entirely satisfied that the submitted Plan is compatible with this aspect of the basic conditions.

Human Rights

- 6.18 In a similar fashion I am satisfied that the submitted Plan has had regard to the fundamental rights and freedoms guaranteed under the European Convention on Human Rights (ECHR) and that it complies with the Human Rights Act. There is no evidence that has been submitted to me to suggest otherwise. There has been full and adequate opportunity for all interested parties to take part in the preparation of the Plan and to make their comments known. On this basis, I conclude that the submitted Plan does not breach, nor is in any way incompatible with the ECHR.

Summary

- 6.19 On the basis of my assessment of the Plan in this section of my report, I am satisfied that it meets the basic conditions subject to the incorporation of the recommended modifications contained in this report.

7 The Neighbourhood Plan policies

- 7.1 This section of the report comments on the policies in the Plan. It makes a series of recommended modifications to ensure that the various policies have the necessary precision to meet the basic conditions.
- 7.2 The recommendations focus on the policies in the Plan given that the basic conditions relate primarily to this aspect of neighbourhood plans. In some cases, I have also recommended changes to the associated supporting text.
- 7.3 I am satisfied that the content and the form of the Plan is fit for purpose. It is distinctive and proportionate to the neighbourhood area. The wider community and BLPC have spent time and energy in identifying the issues and objectives that they wish to be included in their Plan. This sits at the heart of the localism agenda. The supporting text helpfully sets out the objectives of the various policies and a justification for the approach taken (together with supporting evidence including their relationship with local plan policies). This is best practice. It provides assurance to all concerned that the Plan is supported by information and evidence. This approach will assist EHDC and the SDNPA as they implement the Plan through the development management process.
- 7.4 The Plan has been designed to reflect Planning Practice Guidance (Section 41-004-20190509) which indicates that neighbourhood plans must address the development and use of land.
- 7.5 I have addressed the policies in the order that they appear in the submitted Plan.
- 7.6 For clarity, this section of the report comments on all the policies.
- 7.7 Where modifications are recommended to policies they are highlighted in bold print. Any associated or free-standing changes to the text of the Plan are set out in italic print.

The initial parts of the Plan (Sections 1-3)

- 7.8 The initial elements of the Plan set the scene for the policies. They are proportionate to the neighbourhood area and the policies in the Plan.
- 7.9 The Introduction comments about the way in which the Plan was prepared. It properly identifies the neighbourhood area (on Figure 1) and defines the Plan period (paragraph 1.3). It sets out the planning policy context in which the Plan has been prepared and how the community has been engaged. It also sets out the way in which the community was engaged in the plan-preparation process.
- 7.10 Section 2 comments about the parish. It does so in impressive detail. This part of the Plan is a very good scene-setter for the resulting policies.
- 7.11 Section 3 comments about the Vision and Ambitions of the Plan. The comprehensive Vision is as follows:

‘Sustainable development and housing: *There are well designed affordable community focused homes of the right size and tenure. They allow growth and adaptation to serve all phases of life, promoting health & wellbeing. The architecture uses passive energy and low carbon building materials and there is increased biodiversity and reduced carbon emissions for existing and proposed development.*

Biodiverse environment and green spaces: *Natural environments, open spaces, biodiversity, and wildlife are restored, enhanced, protected and accessible for all, where appropriate. There is a network of ecological corridors that connect through the villages and to the wider countryside. Space for a wide range of active and passive recreation, for all ages. Air & water quality is good, it is quieter with dark skies and tranquillity.*

Safe and active travel: *A place where walking and cycling are the first choice for local journeys. There is the infrastructure to support electric cars with fewer miles travelled by vehicle. Safe routes to access amenities and the station. Welcoming streets where people connect on their journey.*

Preserved heritage: *The parish’s unique historic buildings are protected and enhanced. They are appreciated alongside contemporary architecture as part of our daily activities.*

Connected and supported communities: *There are facilities for all needs – for health, social and wellbeing, local food produce, education, culture, retail, sport, and recreation. They are inclusive spaces that connect and bring people together linked to active travel and green spaces, carparking and electric vehicle charging.*

Enhanced & circular local economy: *Established local businesses are doing well and new businesses emerging. There is an increase in tourism and with more people working closer to or at home, using the local facilities and networks. The local economy is circular and thriving.’*

- 7.12 The remainder of this section of the report addresses each policy in turn in the context set out in paragraphs 7.5 to 7.7 of this report.

General comments

- 7.13 SDNPA suggests additional references to policies in the SDLP in the conformity element at the end of each policy. These suggestions were agreed by BLPC. I recommend modifications accordingly on a policy-by-policy basis and without further explanation.

POLICY BL1: LOCATION OF DEVELOPMENTS

- 7.14 This is an important policy in the context of the Plan. It seeks to ensure that any development is directed to the most appropriate, sustainable locations, where there is easy access to the main village services and facilities. This will help to protect the wider landscape of the parish and safeguard against the coalescence of the individual settlements.

- 7.15 The policy supports the re-use of previously developed brownfield sites in preference to greenfield. It also supports the concept of compact and walkable neighbourhoods to address the potential additional strains of development in the Parish on road systems, particularly for developments that are furthest away from the main facilities. The policy is based around defined Settlement Boundaries.
- 7.16 The policy sets out a spatial strategy for the parish. Given that the Plan has decided not to allocate sites for development and to allow the matter to be considered in the emerging local plans, the approach taken is effectively a holding policy and consolidates existing local plan policies in the parish. Paragraph 4.8 acknowledges that the approach taken may need to be revised/updated once the emerging local plans have been adopted.
- 7.17 In general terms the policy takes a positive approach. It will ensure that new development is concentrated within Settlement Boundaries and have access to their commercial and community facilities. Nevertheless, as submitted the policy has a confusing structure, and seeks to apply the same criteria to development within and outside settlement boundaries. I recommend modifications to address this matter. They apply the criteria to development proposals outside settlement boundaries. In most cases, the proposed criteria would not necessarily apply within settlement boundaries.
- 7.18 I also recommend that Part C of the policy is incorporated into Part A. As submitted, it seeks to anticipate the EHDC/SDNPA decision-making process rather than to establish a land use policy.
- 7.19 The supporting text provides a helpful context to the policy. The first sentence of paragraph 4.8 comments that ‘a series of parameters should be considered to support the proposed growth strategies for both EHDC and the SDNPA Local Plans’. These parameters are then described as part of the ambition for Policy BL1. In general terms I am satisfied that the principles and parameters are appropriate to the ambitions of Policy BL1. Nevertheless, it is not the role of a neighbourhood plan directly to seek to influence the outcomes of emerging local plans. On this basis I recommend the deletion of the relevant sentence.
- 7.20 I also recommend modifications to the supporting text so that it more properly sets out the context within which the emerging local plans are being pursued.
- 7.21 In recommending these modifications I have considered carefully the representations from Bellway Strategic Limited and the Vistry Group. In the context of a holding policy, I am satisfied that the second criterion (on character and appearance) is appropriate. As I have commented in the previous paragraph, the local plan context may change in the Plan period.
- 7.22 Otherwise, the policy meets the basic conditions. It will contribute to the delivery of each of the three dimensions of sustainable development.

Replace part A of the policy with: ‘Development proposals within the defined settlement policy boundary (as shown in the most recent development plans) will be supported where they comply with other development plan policies.

Development proposals which make use of brownfield sites will be particularly supported.'

Replace the opening element of part B of the policy with: 'Development proposals outside the defined settlement policy boundary (as shown in the most recent development plan) will only be supported where they involve development supported in such locations in national and local planning policies and meet the following criteria:'

Delete part C of the policy.

In paragraph 4.8 delete the first sentence

In paragraph 4.8 first bullet point replace 'Note that minor amendments to the settlement policy boundaries may be identified in the new local plans' with 'These details may change within the Plan period as both East Hampshire District Council and the South Downs National Park Authority update their existing local plans'

POLICY BL2: MEETING LOCAL HOUSING NEEDS

- 7.23 This policy seeks to ensure that housing proposals meet the specific housing needs of the parish in terms of size, tenure, affordability, and the needs of people at different stages of their lives. The Plan advises that the context is that
- Policy CP13 of the JCS requires 40% of major development sites to be delivered as affordable homes;
 - Policy BL2 of the Housing and Employment Allocations Plan sets out the proposed tenure of this contribution to meet locally identified housing need, as well as contributing to strategic need; and
 - Policy SD28 of the South Downs Local Plan requires 50% of all residential developments of 11 homes or more to be affordable housing, along with smaller requirements for residential developments of 10 homes or less
- 7.24 The policy includes sections on specialist accommodation (Use Class C2) and for housing for older people.
- 7.25 In the round I am satisfied that the policy takes a positive approach to the delivery of housing to meet local housing needs (within the context that the Plan does not allocate sites). I am also satisfied that it has regard to Section 5 of the NPPF.
- 7.26 Within this broader context, I recommend the following modifications to the policy to bring the clarity required by the NPPF and to allow EHDC and SDNPA to apply its contents with consistency through the development management process:
- a recasting of the opening element of part A so that it can be applied in a proportionate way;
 - a recasting of the first and second criteria so that they flow more naturally from the revisions to the opening element of part A; and

- modifications to parts B and D so that they are simpler in their format and highlight the importance of any such proposals meeting other development plan policies;

7.27 In recommending these modifications I have taken account of the representations from EHDC, Bellway Strategic Limited, the Vistry Group and the Reside Group. EHDC suggest that the policy is split into individual sections to address market and affordable housing. This would be an alternative and equally effective way of meeting the ambitions of the Plan. However, it is not needed to ensure that the Plan meets the basic conditions.

7.28 Finally I recommend that the incorrect reference to Policy BL2 in the East Hampshire Local Plan in paragraph 4.10 of the Plan is deleted. Otherwise, the policy meets the basic conditions. It will contribute to the delivery of the social and the environmental dimensions of sustainable development.

Replace the final sentence of the opening element of Part A with: ‘As appropriate to their scale, nature, and location, development proposals for residential use should respond positively to the following principles:’

Replace i. with ‘the delivery of dwellings with three or less bedrooms’

Replace ii. with: ‘The provision of affordable housing which meet with the requirements in the adopted plans in East Hampshire and/or South Downs National Park or successor plans as they come forward. Affordable homes should be tenure-blind and well-integrated with market housing. The tenure of affordable units should meet the specific needs of the parish.’

Replace part B with: ‘Development proposals for specialist accommodation (Use Class C2) within the Parish will be supported where they otherwise comply with development plan policies.’

Replace part D with: ‘Development proposals for self- and custom build housing will be supported where they otherwise comply with development plan policies.’

Delete the third sentence of paragraph 4.10 of the Plan.

POLICY BL3: CHARACTER AND DESIGN OF DEVELOPMENT

7.29 The context to the policy is BLPC’s assertion that good quality design can improve social wellbeing and the quality of life by improving the built environment, reducing crime, improving public health, easing transport problems, and providing supportive neighbourhoods. The Plan advises that Liphook is considered a gateway to the National Park and this policy seeks to encourage development proposals within the Parish to comply with the highest design standards, adhere to the South Downs Design Guide SPD and the locally specific Design Guidance and Codes prepared for the Parish. The policy and its supporting text add greater detail to the Local Plan policies, in particular Policy CP29 of the EHDC JCS and Policy SD5 of the SDLP, which require development to adopt a landscape-led approach, reflecting local distinctiveness.

7.30 The policy is underpinned by the submitted Design Guidance and Codes. It is comprehensive in its approach and includes the following elements:

- development proposals should incorporate a high-quality of design which: responds and integrates well with its context and surroundings; meets the changing needs of residents; and avoids or minimises any adverse impacts on the South Downs National Park and its setting;
- proposals should reflect the architectural variety found locally, using materials that are in keeping with those used in existing buildings in the immediate locality. This will help to avoid building design that is inappropriate to the Plan area. Innovation in design will be supported where this demonstrably enhances the quality of life inside and around a dwelling and the built form; and
- subject to their scale, nature and location development proposals must demonstrate how they have sought to address a range of matters as they are appropriate to their scale, nature, and location:

7.31 In the round the combination of the policy and the Design Guidance and Codes is an excellent local response to Section 12 of the NPPF.

7.32 In this overall context I recommend modifications to Part A of the policy so that its structure is clearer and to accommodate SDNPA's suggestions about a landscape-led approach. I also recommend wording to allow both EHDC and SDNPA to apply the policy in a proportionate way.

7.33 I recommend that the second sentence of part B of the policy is deleted as it explains the outcome of the policy rather being a land use policy as such. I also recommend that the final sentence of Part B is recast to accommodate EHDC's comments about the restricted nature of that submitted policy.

7.34 I also recommend that the opening element of Part C of the policy is modified so that it has a proportionate approach.

7.35 EHDC make a detailed comments about two of the criteria in Part C of the policy as follows:

'Criterion C, part iv: Hampshire County Council has now published its Local Transport Plan 4, which advocates a 'healthy streets' approach to street design (see Policy HP1 and Figure 18c of LTP4). Suggest that this approach is reflected in the NP and that the criterion is amended to read: 'promote the use of sustainable transport and active travel through adopting a Healthy Streets Approach to street design; and'. No bespoke evidence is required for this as that is provided in relation to HCC's LTP4.

Criterion C, part v: The East Hampshire Vehicle Parking Standards (which are linked through the document) will be replaced as part of the emerging East Hampshire Local Plan and the demise of SPDs under the reformed planning system (i.e. per the Levelling Up and Regeneration Act 2023). To ensure that the policy does not become out of date, suggest the following change: 'in accordance with the adopted East Hampshire Vehicle Parking Standards, or their successors.'

- 7.36 In its response to the clarification note, BLPC agreed to these suggestions. I recommend accordingly.
- 7.37 I have carefully considered BLPC's comments about the use of 'should' rather than 'must' in the policy. Throughout the recommended modifications I have used 'should' for two reasons. The first is that it provides appropriate flexibility for decision-making. The second is that it is the approach regularly used in neighbourhood plans and which acknowledges that the local planning authority will have a range of policies to consider as it determines planning applications.
- 7.38 Otherwise, the policy meets the basic conditions. It will contribute to the delivery of the social and the environmental dimensions of sustainable development.

Replace Part A of the policy with:

'As appropriate to their scale, nature and location, development proposals should have a landscape-led approach and demonstrate a high-quality of design which:

- **responds and integrates well with its context and surroundings;**
- **meets the changing needs of residents; and**
- **avoids or minimises any adverse impacts on the South Downs National Park and its setting.'**

Delete the second sentence of part B of the policy.

Replace the final sentence of Part B of the policy with: 'Innovation in design will be supported where this demonstrably enhances the built form of development and the way in which it functions.'

Replace the opening element of Part C of the policy with: 'As appropriate to their scale, nature and location, development proposals should demonstrate how they have sought to address the following matters:'

In the criteria in Part C of the policy:

- **replace iv. with 'promote the use of sustainable transport and active travel through adopting a Healthy Streets Approach to street design; and'**
- **replace v. with: 'in accordance with the adopted East Hampshire Vehicle Parking Standards, or their successors; and'**

POLICY BL4: CLIMATE CHANGE AND DESIGN

- 7.39 The context to this policy is that energy use in UK housing accounts for 27% of total carbon emissions. As such the policy seeks to ensure that development meets the highest environmental standards in terms of its construction, materials, and energy use. BLPC concludes that this will help to mitigate against climate change and contribute to achieving the national target of zero net carbon by 2050.

- 7.40 The policy advises that proposals which incorporate measures and standards to adapt to, and mitigate, the impacts of predicted climate change will be supported, subject to compliance with other policies in the Plan.
- 7.41 The policy comments that proposals which incorporate the following sustainable design features as appropriate to their scale, nature and location will be strongly supported, where measures will not have a detrimental impact on character, landscape, and views:
- 7.42 In the round the policy takes an excellent and non-prescriptive approach to these matters and which has regard to Section 14 of the NPPF
- 7.43 I am also satisfied that the policy has regard to Written Ministerial Statement (December 2023) (Local Energy Efficiency Standards).
- 7.44 SDNPA and EHDC suggest revisions to the policy. They are agreed by BLPC in its response to the clarification note and I recommend accordingly. In both cases they will bring the clarity required by the NPPF and allow the two local planning authorities to be able to implement the policy consistently through the development management process.
- 7.45 Otherwise, the policy meets the basic conditions. It will contribute to the delivery of the social and the environmental dimensions of sustainable development.

Replace the opening element of part B of the policy with: ‘As appropriate to their scale, nature and location, proposals which incorporate the following sustainable design features will be strongly supported, where measures will not have a detrimental impact on character, appearance, features, interest, setting, landscape, and views.’

Replace part C of the policy with: ‘Proposals for the retrofitting of historic buildings, including listed buildings and non-designated heritage assets, to reduce energy demand and to generate renewable energy will be supported where they safeguard the character, appearance, features, interest, and setting of the building concerned.’

POLICY BL5: GREEN AND BLUE INFRASTRUCTURE AND DELIVERING BIODIVERSITY NET GAIN

- 7.46 This policy seeks to ensure that the multiple benefits of the parish’s green and blue spaces, including their importance in combating pressure on wildlife, habitats, biodiversity, and geodiversity and in off-setting the effects of air pollution, are recognised, and enhanced.
- 7.47 In the round the policy is an excellent approach to green and blue infrastructure in the parish and has regard to Section 15 of the NPPF. It carefully identifies Biodiversity Opportunity Areas.
- 7.48 Detailed representations have been made to the policy by EHDC, SDNPA, Bellway Strategic Limited and the Vistry Group. I have considered these representations very carefully in recommending modifications.

- 7.49 Key elements of the Environment Act 2021 are now in place. As such I recommend that parts A and B of the policy are deleted and that the matter is referenced in the supporting text. This approach was agreed by BLPC in its response to the clarification note. In this context I recommend consequential modifications to the wording and the structure of parts C and D of the policy.
- 7.50 I also recommend that parts E, F and G of the policy are recast to bring the clarity required by the NPPF and to allow EHDC and SDNPA to apply their contents through the development management process. The recommended modification to part F acknowledges that not all planting proposals will need planning permission.
- 7.51 I recommend consequential modifications to the supporting text. Otherwise, the policy meets the basic conditions. It will contribute to the delivery of the social and the environmental dimensions of sustainable development.

Delete parts A and B.

Replace part C with: ‘Where biodiversity net gain units cannot be delivered on site, they should be prioritised for use within the parish, focusing on maintaining and improving the identified biodiversity opportunity areas.’

Replace part D with: ‘Measures to achieve biodiversity net gain, mitigation or compensation involving the creation of habitat and/or relocation of species, should include sufficient funding to support at least 30 years of post-development habitat management or land use change.’

Replace part E with: ‘Proposals that seek to improve the connectivity between wildlife areas and green spaces will be supported. Proposals that support the enhancement and management of the identified Biodiversity Opportunity Areas (Figures 12 and 13) will be supported, including linking these to the wildlife corridors. Proposals which cause unacceptable harm to such connectivity will not be supported.’

Replace part F with: ‘Insofar as planning permission is required, proposals for the planting of additional native, climate resilient trees and/ or continuous hedgerows along streets to provide wildlife corridors and to offset the effects of air pollution and to provide cooling and shelter for people as well as a habitat for wildlife will be supported.’

Replace part G with: ‘Subject to their scale, nature and location, proposals that respond positively to the Building with Nature 12 Standards will be supported.’

At the end of paragraph 5.4 add: ‘Key elements of the Environment Act are now in place. As such Policy BL5 does not repeat the national requirements for biodiversity net gain. Its approach is to identify a complementary policy approach which advises about the ways in which biodiversity net gain can be delivered, and the identification of Biodiversity Opportunity Areas.’

In the conformity note add SD17 and SD45 to the SDLP reference.

POLICY BL6: LANDSCAPE AND ENVIRONMENT

- 7.52 The policy seeks to ensure that natural areas that are formally designated will be protected and, where possible, enhanced in accordance with their designation. In addition, it identifies other natural areas and features in the parish that do not benefit from a formal designation but which should still be protected and integrated, as appropriate, into the design and layout of development. Finally, the policy sets out some design factors relating to the provision of green space that should be considered within proposals.
- 7.53 The policy has two related elements as follows:
- development proposals should maintain and enhance the natural environment, landscape features and the rural character and setting of the neighbourhood area. Where possible, development proposals should seek to deliver the aims of the East Hants Landscape Character Assessment (Types 8 and 9) and the South Downs Character Areas, incorporating natural features typical of the Parish, for instance ponds, hedgerows, and trees; and
 - as appropriate to their scale, nature and location, development proposals should demonstrate that they have addressed the following matters:
- 7.54 There are detailed criteria in the policy around the following headings:
- trees and woodlands;
 - hedgerows;
 - wildlife features; and
 - the provision of open space
- 7.55 In the round this is a very positive policy and has regard to Section 15 NPPF.
- 7.56 Based on the helpful comments from EHDC and SDNPA, I recommend a series of modifications to bring the clarity required by the NPPF and to allow EHDC and SDNPA to implement it through the development management process:
- the reconfiguration of opening element so that it fully explains its intentions and acts as a context for the remaining parts;
 - the recasting of some of the criteria so that they flow more naturally from the opening element and/or more fully explain their intentions; and
 - the replacement of the final part of the policy so that the criteria do not repeat the numbering system used elsewhere in the policy.
- 7.57 Otherwise, the policy meets the basic conditions. It will contribute to the delivery of the social and the environmental dimensions of sustainable development.

Replace A with: ‘Development proposals should conserve or enhance the natural environment, landscape character, and setting of the neighbourhood area. Development proposals should be informed by, and where possible should seek to deliver the aims of, the East Hampshire Landscape Character Assessment (Types 8 and 9) and the South Downs Landscape Character

Assessment (Areas M3 and O1), incorporating natural features typical of the Parish, for instance ponds, hedgerows, and trees.'

Replace ii with: 'include additional native woodland planting with a specific focus in areas with public access.'

Replace vii with: 'where arboricultural work is required to a veteran/mature/notable tree (as defined by the Woodland Trust), the tree should be safeguarded and maintained in a way which responds positively to the condition of the trees and its location within the overall development.'

Replace ix with 'avoid the loss of, or the deterioration in the quality of, hedgerows. Where access points to new development involves the loss of a section of hedgerow, the access should include trees at either end of the retained hedgerow to aid wildlife to cross overhead from crown to crown.'

Replace x with: 'provide suitable wildlife-friendly features (such as hedgehog holes in new residential fencing and bird and bat nesting boxes)'

Replace the final element of the policy with:

'Wherever practicable development proposals should seek to incorporate open space that:

- **is in usable parcels of land and not fragmented;**
- **is safe, easily accessible, and not severed by any physical barrier;**
- **is accessible to the public;**
- **creates a safe environment considering lighting and layout; and**
- **is complemented by high quality landscaping.'**

Include Policy SD45 in the conformity reference

POLICY BL7: LOCAL GREEN SPACES

7.58 The context to the policy is BLPC's assertion that the parish benefits from a beautiful rural setting, and local engagement has revealed the importance community members attach to green space and the wider countryside. As such the policy proposes the designation of a package of Local Green Spaces (LGSs). The proposed designations are underpinned by the information in Appendix B which assesses each proposed LGS against the criteria in the NPPF.

7.59 I looked at the proposed LGSs carefully during the visit. I saw that they ranged in size from modest green spaces in residential areas to Radford Park in Liphook.

7.60 EHDC questions the need to designate proposed LGS6 (Radford Park in Liphook) as it is a site of importance for nature conservation. In its response to the clarification note, BLPC advised that it had been proposed 'in order to help the community support for the space as a really valuable green space'. On the balance of the evidence, I am satisfied that Radford Park meets the tests for designation as a LGS. Whilst it already has a degree of protection, I saw first-hand that it was extensively appreciated for its informal recreation opportunities.

- 7.61 In the round I am satisfied that the proposed LGS meet the three tests in paragraph 106 of the NPPF and the more general tests in paragraph 105 of the NPPF. As such the policy meets the basic conditions. It will contribute to the delivery of the social and the environmental dimensions of sustainable development.

POLICY BL8: PROTECTION OF LOCALLY SIGNIFICANT VIEWS

- 7.62 This policy sets out a series of views in and across the parish, which have been identified by the community as being important to safeguard. They fall into two categories. The first is four specific views. The second is the package of views as defined in the Conservation Area Character Appraisal and Management Plan. The policy seeks to safeguard the various views from inappropriate development
- 7.63 The policy advises that as appropriate to their scale and nature development proposals within the shaded arcs of the various views as shown on Figures 18 and 19 should be designed in a way that safeguards the locally significant view or views concerned. The selection of the four views is underpinned by the information in Appendix C. I looked at the four specific views carefully during the visit
- 7.64 EHDC questions the purpose of the policy and the way in which the views were defined. In its response to the clarification note BLPC commented that the views identify local scenes that are valued by the community. On the balance of the evidence, I am satisfied that BLPC has taken an appropriate approach to this matter. I saw the significance of the four specific views identified in the Plan. In addition, the policy wording has a non-prescriptive approach which does not directly prevent development from coming forward.
- 7.65 I have considered carefully the comments made by EHDC (on Views 1 and 3), by Bellway Strategic Limited and the Vistry Group (on View 2), and by Harrow Estates (on View 1). in the context of the non-prescriptive approach in the overall which does not directly prevent development from coming forward, and taking account of BLPC's responses to the clarification note, I am satisfied that it is appropriate to retain the views in the policy.
- 7.66 Within this broader context I recommend the following modifications to the policy to bring the clarity required by the NPPF, to clarify that the views have been identified as part of the preparation of the Plan and to clarify the description of View 4:
- a recasting of the opening element of part A of the policy;
 - the revision of the description of View 4 to take account of SDNPA's representation and BLPC's response to the clarification note.
- 7.67 Otherwise, the policy meets the basic conditions. It will contribute to the delivery of the social and the environmental dimensions of sustainable development.

Replace the opening element of part A of the policy with: 'The Plan identifies the following locally significant views:'

Revise the description of View 4 to: 'View to the right to Weavers Down from Longmoor footpath as it rises up after it has crossed underneath the A3.'

Replace paragraph 5.40 with: ‘This policy sets out a series of views in and across the parish, which have been identified by the community as being important to safeguard. The policy seeks to ensure that development does not harm the identified views, but instead development is designed and informed by the identified views. This is to ensure that any potential impacts on the integrity and scenic quality of the identified views are mitigated.’

POLICY BL9: DARK SKIES

- 7.68 The context to the policy is that situated partially within the South Downs National Park, parts of the parish provide ideal locations from which to enjoy dark skies and stargazing. These dark skies also support both nocturnal and diurnal wildlife. In addition, the South Downs National Park was designated as an International Dark Sky Reserve (IDSR) in May 2016. This policy seeks to ensure that development does not encroach on this valued aspect of the parish, supporting Policy SD8 (Dark Night Skies) of the SDLP and CP27 (Pollution) of the EHDC JCS.
- 7.69 The policy identifies a series of criteria with which development proposals should comply.
- 7.70 SDNPA comments about the overlaps between Policy SD8 (Dark Night Skies) in the SDLP and the submitted policy. I have considered this matter very carefully. There is a clear risk that the proposed policy may detract from the strategic nature of Policy SD8 of the SDLP. Given that the submitted Plan has not proposed additional detail to the strategic policy, I recommend that Policy BL9 applies only within the East Hampshire part of the parish. I address this matter in recommended modifications to paragraph 5.44 of the Plan.
- 7.71 In general terms the policy takes a positive approach to this important matter. Nevertheless, I recommend the following modification to bring the clarity required by the NPPF and to allow EHDC to apply its contents in a consistent way:
- to ensure a more structured relationship between the opening element of the policy and the criteria;
 - the policy sets out its expectations for external lighting rather than commenting on the outcome of planning applications. Plainly development proposals will be addressed against a range of development plan policies; and
 - a recasting of criterion iv. given that the reference to the Institute of Lighting Engineers information is already addressed in the supporting text.
- 7.72 Otherwise, the policy meets the basic conditions. It will contribute to the delivery of the social and the environmental dimensions of sustainable development.

Replace the opening element of the policy with: ‘Development proposals should ensure that any external lighting protects the night sky from light pollution. As appropriate to their scale, nature and location development proposals should demonstrate that:’

At the beginning of iii. insert ‘the’

Replace iv. with ‘they have considered carefully, and provide details of, the light source and intensity being used, the luminaire design, height, and angle, adding baffles and cut-off shields where required, and details of control mechanisms to dim or switch off lighting schemes when not required. Where appropriate, lights should be controlled by passive infrared detectors.’

At the end of paragraph 5.44 add: ‘Policy BL9 applies only in those parts of the parish within East Hampshire. Policy SD8 (Dark Night Skies) of the South Downs Local Plan applies in the National Park and includes its own specific guidance and environmental zones. The Neighbourhood Plan has not chosen to add further detail to the policy already in place in the South Downs. Equally it recognises that the circumstances in the South Downs do not necessarily apply elsewhere in the parish’

At the end of paragraph 5.48 add: ‘This guidance is summarised in criterion iv of Policy BL9.’

POLICY BL10: IMPROVING WALKING, CYCLING AND EQUESTRIAN OPPORTUNITIES

- 7.73 This policy seeks to enhance opportunities for active modes of transport (notably walking and cycling but also equestrian) along routes which are most likely to encourage a shift away from the private car for short journeys in and around the parish.
- 7.74 It is a wide-ranging policy which has regard to Section 13 of the NPPF.
- 7.75 In this broader context I recommend that part A is modified so that it takes a proportionate approach to the matter. I also recommend the deletion of the reference in the policy to the 10 minutes walkable zone. The distances and timescales are unnecessarily restrictive and the location of development is already addressed in Policy BL1. I recommend consequential modifications to the supporting text on this matter.
- 7.76 I recommend that part C is recast so that it acknowledges that not all footway and traffic calming schemes will require planning permission. I recommend that part D is recast so that it has the clarity required by the NPPF and allows EHDC and the SDNPA to implement its contents through the development management process.
- 7.77 Otherwise the policy meets the basic conditions. It will contribute to the delivery of the social and the environmental dimensions of sustainable development.

Replace A with: ‘As appropriate to their scale, nature and location, development proposals should ensure safe pedestrian, and where possible cycle, access to link up with the existing footpath and cycleway network, and public transport network, as defined in Figures 22 and 23.’

Replace C with: Insofar as planning permission is required, the design and layout of works related to the widening of footways or the provision of traffic-calming measures should enhance the rural, character of the village and retain and/or provide hedgerows, trees, and soft verges wherever practicable. The

materials used in such works should be sympathetic to local character, in accordance with Policy BL3.

Replace D with: ‘Proposals for new bridleways will be supported. Development proposals should retain existing bridleways. Wherever practicable development proposals should provide new or amended bridleway links provided together with safe road crossing points to enable connectivity between the village and the wider countryside.’

At the end of 6.11 add: ‘Policy BL10 does not directly comment on the 20-minute neighbourhood. It takes a more general approach in advising that development proposals should ensure safe pedestrian, and where possible cycle, access to link up with the existing footpath and cycleway network, and public transport network, as defined in Figures 22 and 23. Nevertheless proposals which meet the 20 minutes neighbourhood concept will be particularly supported. This approach overlaps with that taken in Policy BL1 which focuses new development within the Settlement Boundary. Plainly this approach will provide convenient access to the village centre and to the railway station.’

POLICY BL11: MITIGATING VEHICULAR IMPACTS AT JUNCTIONS AND PINCHPOINTS

- 7.78 This policy seeks to ensure that development proposals fully assess both their potential impact and their cumulative impact on the key roads and junctions in the parish that already experience congestion problems and actively seek ways to mitigate such issues
- 7.79 In general terms I am satisfied that the policy takes a positive approach to this matter and has regard to Section 13 of the NPPF. Indeed, it is a local interpretation of that part of national policy and takes account of local pressures and issues.
- 7.80 In this broader context, I recommend that Part B of the policy is repositioned into the supporting text. It describes the information to be provided rather than operating as a land use policy. Otherwise, the policy meets the basic conditions. It will contribute to the delivery of the social and the environmental dimensions of sustainable development.

Delete Part B

At the end of paragraph 6.21 add: ‘Policy BL11 addresses these matters. Assessments of transport impacts should include the impact on the safety of cyclists and pedestrians at the respective local road junction.’

POLICY BL12: PUBLICLY AVAILABLE ELECTRIC VEHICLE CHARGING

- 7.81 This policy seeks to ensure that adequate provision is made for public electric vehicle charging.
- 7.82 The policy avoids any direct conflict with the Building Regulations which comments specifically on the provision of private charging facilities for new residential and commercial development.

- 7.83 EHDC comments that public charging facilities are unlikely to come forward independently from commercial development. This may prove correct. However, the policy is seeking to future proof the Plan as the market for vehicle charging matures.
- 7.84 I recommend the deletion of the final element of the second part of the policy. The affordability and reliability of such systems are commercial rather than land use matters. Otherwise, the policy meets the basic conditions. It will contribute to the delivery of the social and the environmental dimensions of sustainable development.

In the second part of the policy delete: ‘that are affordable, reliable, and open access.’

POLICY BL13: CONSERVING THE HERITAGE OF THE PARISH

- 7.85 This policy recognises the important contribution that the Conservation Areas and heritage assets (both designated and non-designated) make to the local character and distinctiveness of the parish and its settlements. It advises that, where possible, they should be conserved, enhanced, and celebrated.
- 7.86 In general terms this is a positive policy which regard to Section 16 of the NPPF. I saw first-hand during the visit the importance of the built heritage to the character of the parish.
- 7.87 As submitted the policy has a confusing format and addresses several issues in an overlapping way. As such I recommend that it is broken into its component parts. In doing so, I recommend specific modifications to the wording used to bring the clarity required by the NPPF and to allow the wider policy to be applied through the development management process. The recommended modified policy does not include the details in part E (as submitted). This reflects that it is a statement of intent rather than a land use policy.
- 7.88 I am satisfied that it is appropriate to identify an Area of Special Housing Character (ASHC). However, it would be inappropriate for the ASCH to be given the same status as the two conservation areas. As such I recommend that the ASCH is addressed separately in the policy.
- 7.89 Otherwise, the policy meets the basic conditions. It will contribute to the delivery of the social and the environmental dimensions of sustainable development.

Replace the policy with:

‘Designated Heritage Assets

Development proposals affecting designated heritage assets, either directly or indirectly, should conserve or enhance the significance of the asset and those elements of the setting that contribute to the significance. This could include, where appropriate, the delivery of development that will make a positive contribution to, or better reveal the significance of, the heritage asset, or reflect and enhance local character and distinctiveness with specific focus on the prevailing styles of design and use of materials in a local area. These details should be explained in a Heritage Statement.

In addition, development proposals should demonstrate that they have considered the potential impact on above and below ground archaeological deposits. Where a scheme has a potential impact on archaeological remains (below or above ground) a Heritage Statement or similar should be prepared to address how archaeological deposits will be safeguarded.

Non-designated Heritage Assets

The following buildings and structures as shown on Figure 25 and detailed in Appendix D are identified as non-designated heritage assets:

(List 1-12 from the submitted Plan).

Proposals affecting the non-designated heritage assets will be determined based on national planning policy (NPPF paragraph 209).

Conservation Areas

Development proposals in the Liphook Conservation Area and in the River Wey Conservation Area should ensure that alterations and new developments contribute to the enhancement of the historic environment. Development proposals within these areas and their settings should:

(List the criteria from the submitted policy. In ii, iii and iv replace ‘the areas’ with ‘the Conservation Areas’).

Chittley Way Area of Special Housing Character:

Development proposals in the Chittley Way Area of Special Housing Character (as identified on Figure 25), including alterations and new developments, should respect the character and appearance of the identified Area. Development proposals within these areas and their settings should:

- be designed to preserve and where practicable enhance the Special Character Area;
- thereafter list criteria iii to v from the submitted policy (as separate criteria). In ii, iii and iv replace ‘the areas’ with ‘the Area of Special Housing Character’.

Include SD12 to SD16 in the conformity reference.

POLICY BL14: SUNKEN LANES

- 7.90 This policy seeks to identify and protect the network of historic sunken lanes within the parish. I saw the importance of sunken lanes in and around Bramshott during the visit.
- 7.91 The policy takes a positive and distinctive approach to this matter. I recommend that the second part of the policy is modified to bring the clarity required by the NPPF.
- 7.92 I also recommend a factual correction to the conformity reference at the end of the policy. Otherwise, the policy meets the basic conditions. It will contribute to the delivery of the social and the environmental dimensions of sustainable development.

In the second part of the policy replace ‘the following’ with ‘the following measures’

In the conformity note at the end of the policy the SDNP Local Plan policy conformity reference should be Policy SD21 not SD4.

POLICY BL15: ENHANCING LIPHOOK’S SHOP FRONTAGES AND DESIGNS

- 7.93 This policy seeks to ensure that shop fronts and signage are in keeping with and contribute positively to the character of Liphook village. The policy is underpinned by the Bramshott and Liphook Design Guidance and Codes. The policy sets out a series of principles with which development proposals should comply.
- 7.94 In general terms the policy takes a positive approach to new shopfronts and has regard to Section 6 of the NPPF. It overlaps with the positive approach taken more broadly to the Village Centre in Policy BL20 of the Plan.
- 7.95 SDNPA suggests that the policy is revised to include reference to the design guidance in the SDLP. However, given that Liphook Village Centre is entirely within East Hampshire this suggested revision to the policy is not needed.
- 7.96 I recommend that the opening element of the second part of the policy is recast so that it can be applied in a proportionate way in EHDC. I also recommend that three of the principles are restructured so that they set out their intentions in a clear way and can be implemented by EHDC through the development management process.
- 7.97 Finally I recommend the deletion of the fourth criterion (on advertising boards). Such boards will be on footpaths adjacent to shops and businesses and are therefore controlled under the Highways Acts.
- 7.98 Otherwise, the policy meets the basic conditions. It will contribute to the delivery of each of the three dimensions of sustainable development.

Replace the opening element of the second part of the policy with: ‘As appropriate to their scale, nature, and location, proposals for new shopfronts should respond positively to the following principles:’

Replace i. with: ‘New shopfronts should protect original architectural details and, where appropriate, secure their restoration in a way which contribute to local character.’

Replace ii. with: ‘New shopfronts should use high-quality signage from sustainable materials, such as timber, with the use of plastic or aluminium signage being avoided.’

Delete iv.

Replace v. with: ‘Wherever practicable, and in circumstances where planning permission is granted for the change of use of a shop unit, the window bays should be preserved to provide visual connection to the street for passive surveillance and to maintain character of the street.’

POLICY BL16: ALLOTMENTS AND COMMUNITY GROWING SPACES

- 7.99 The policy seeks to safeguard the existing allotment space. It also supports the provision of new allotment space.
- 7.100 I am satisfied that the policy takes a positive approach to this matter. Nevertheless, I recommend that the order of the two elements of the policy is reversed to ensure that it has a positive approach. Otherwise, the policy meets the basic conditions. It will contribute to the delivery of the social and the environmental dimensions of sustainable development.

Reverse the order of the two parts of the policy

POLICY BL17: ENHANCING COMMUNITY, CULTURAL, SPORTING AND RECREATIONAL FACILITIES

- 7.101 This policy seeks to ensure that those living in and moving to the parish are adequately served with a range of good quality community, cultural, sporting, and recreational facilities and that there are opportunities for residents to shape this situation.
- 7.102 In general terms I am satisfied that the policy takes a positive approach to this matter and has regard to Section 8 of the NPPF.
- 7.103 I recommend that the element about community engagement is repositioned from the policy into the supporting text. This acknowledges that it is a process matter rather than a land use policy.
- 7.104 I also recommend that the opening element of the policy is recast to take account of this repositioning matter and so that EHDC and SDNPA can apply its provisions in a proportionate way.
- 7.105 Finally I recommend that the reference to the NPPF in the second part of the policy is updated to reflect the December 2023 version. Otherwise, the policy meets the basic conditions. It will contribute to the delivery of the social and the environmental dimensions of sustainable development.

Replace the opening element of the policy with:

‘Proposals for new community, cultural, sports and recreational facilities, or the improvement of existing facilities will be supported. Major development proposals should respond positively to the requirements as set out in the latest EHDC Community Facilities Study.

As appropriate to their scale, nature and location, development proposals for such uses should:’

In the second part of the policy replace ‘para 99’ with ‘paragraphs 102 and 103’

At the end of paragraph 8.9 of the Plan add: ‘Organisations proposing major development proposals are encouraged to engage with residents at the earliest

opportunity to shape provision and be guided by the requirements as set out in the latest EHDC Community Facilities Study.'

POLICY BL18: ADEQUATE HEALTH AND EDUCATION PROVISION

- 7.106 The context to this policy is BLPC's view that building a confident and socially connected community is an important part of health and wellbeing for the parish's residents, and will help to attract families to the area.
- 7.107 The policy offers support to proposals which will provide, enhance, and facilitate the continued delivery of health facilities (Use class E(e)) and educational facilities (Use classes E(f) and F1(a)) on the sites described in the Community Facilities Study.
- 7.108 In general terms I am satisfied that the policy takes a positive approach to this matter and has regard to Section 8 of the NPPF. Nevertheless, I recommend the deletion of the reference to the need for such proposals from the policy. Plainly the service provider concerned would only promote any such proposal if a need existed. Otherwise, the policy meets the basic conditions. It will contribute to the delivery of the social and the environmental dimensions of sustainable development.

Replace the opening element of the second part of the policy with: 'Proposals for the expansion, including relocation, of these services and facilities will be supported subject to the following criteria:'

POLICY BL19: ENHANCE OPPORTUNITIES FOR LOCAL EMPLOYMENT

- 7.109 The policy seeks to safeguard existing employment space in the parish, while also supporting additional provision. The Plan advises that this approach will help to reduce reliance on out-commuting, which will have knock-on benefits for other themes of the Plan, notably reducing traffic congestion.
- 7.110 The policy has two related parts. The first part seeks to safeguard existing industrial and commercial uses. The second part provides a supporting context for the development of new business or the expansion of existing businesses.
- 7.111 In general terms I am satisfied that the policy takes a positive approach to this matter and has regard to Section 6 of the NPPF.
- 7.112 The policy seeks to identify particular use classes which will apply to different elements of the policy. Whilst I can understand the approach which BLPC has taken to this matter it is over-complicated and does not respond to the increasing flexibilities which now exist for business uses to change under permitted development rights. As such I recommend that the references to use classes are removed from the policy.
- 7.113 I also recommend a modification to part A of the policy to bring clarity on potential residential uses.
- 7.114 Part B of the policy takes a general approach towards new or expanded employment uses. I recommend a modification to bring the clarity required by the NPPF. The recommended modification also addresses the representation from AMK Chauffeur.

7.115 Otherwise, the policy meets the basic conditions. It will contribute to the delivery of each of the three dimensions of sustainable development.

Replace the opening element of part A of the policy with: ‘Insofar as planning permission is required, proposals for a change of use within an existing Employment Site and/or commercial premises (as shown on Figures 28 and 29) to a use and operation that does not provide employment opportunities, will not be supported unless it can be demonstrated that the commercial premises or land:’

In part A replace the final element with: ‘Development proposals for affordable homes on land in employment or commercial uses will be supported where this can be achieved as part of a broader package of commercial and residential uses’

Replace the opening element of Part B of the policy with: ‘Development proposals to expand existing employment premises, and/ or provide start-up business space (including office/workshop space and start-up units on flexible terms, shared space, and a business hub) will be supported, where:’

POLICY BL20: ENHANCING THE ROLE AND SETTING OF LIPHOOK VILLAGE CENTRE

7.116 The policy seeks to support uses that will enable an economically vibrant, mixed-use centre in Liphook, attracting additional footfall to the village centre, enhancing the historic village square, which could house a flexible space/covered market, and improving the look and feel of the public area.

7.117 In general terms, the policy takes a positive approach to the future of the Village Centre and has regard to Section 6 of the NPPF. It acknowledges that the success of the Village Centre is likely to be based on a vibrant range of retail, commercial, community and residential uses.

7.118 I recommend that parts A and B of the policy are recast to acknowledge that recent revisions to the Use Classes Order provide a greater degree of flexibility for property owners. This approach runs in parallel with the ambitions of the policy. I also recommend that Part G of the policy is restructured so that it has the clarity required by the NPPF.

7.119 SDNPA suggest that the policy takes a more general approach to the policy by referring to town centre uses as highlighted in the NPPF. Such an approach would have merit. However, it is not needed to ensure that the Plan meets the basic conditions.

7.120 Otherwise, the policy meets the basic conditions. It will contribute to the delivery of each of the three dimensions of sustainable development.

Replace Part A with: ‘Insofar as planning permission is required, development proposals which protect, enhance, and promote a diverse range of village centre uses (Uses C1, E and F) including retail, leisure, commercial, office, tourism, cultural and community will be supported.’

Replace Part B with: ‘Insofar as planning permission is required, proposals for the residential use of underused upper floors will be supported. Where appropriate, such proposals should retain independent access arrangements to the upper floors.’

Replace the first sentence of Part G with: ‘The reuse of historic buildings within Liphook Village Centre for activities that will enhance the vitality and viability of the Village Centre (including community uses, eating places, retail, or business) will be particularly supported.’

POLICY BL21: PROMOTING SUSTAINABLE RURAL TOURISM

7.121 The Plan advises that the attractive location of the parish, regarded as a gateway to the South Downs National Park, coupled with its proximity to a great number of regionally and nationally significant visitor attractions, presents an opportunity for the parish to develop itself as both a destination and base for sustainable rural tourism.

7.122 The policy addresses the following matters:

- general tourism proposals;
- proposals for hotels;
- detailed development management criteria; and
- proposals affecting existing tourism related uses.

7.123 In general terms the policy takes a very positive approach to the future of the tourism activity and has regard to Section 6 of the NPPF. It acknowledges that the character and nature of the parish and its relationship with the National Park.

7.124 As submitted Part A of the policy seeks to remove permitted development rights which may affect new hotel development. It is not the role of a neighbourhood plan to cut across national policy. As such I recommend that Part A of the policy is split into two related parts, and with the second part commenting about where hotel-related development would be supported.

7.125 I also recommend that Part B of the policy (on development management criteria) is recast so that it can be applied on a proportionate basis by EHDC and SDNPA. I am satisfied that the various criteria are appropriate and locally-distinctive.

7.126 Finally, I correct a typographical error in Part C of the policy. Otherwise, the policy meets the basic conditions. It will contribute to the delivery of each of the three dimensions of sustainable development.

Replace Part A with:

‘Development proposals that support new or expanded sustainable rural tourism-related facilities, recreational enterprises, visitor accommodation, attractions, and activities, including support for an outdoor activity hub, to encourage day and staying visitors will be welcomed and supported.

Proposals for Use C1 (hotels and other built accommodation) will be supported within the settlement policy boundary.’

In Part B replace ‘For all types of tourism development proposals, the following criteria must be met:’ with ‘As appropriate to their scale, nature and location, development proposals for tourism development should meet the following criteria:’

In Part C replace ‘part tourism’ with ‘part of tourism’

Monitoring and Review

- 7.127 Section 10 comments about the way in which the Plan would be monitored and reviewed. It does so to very good effect.
- 7.128 Paragraphs 10.3 to 10.6 set out the details about the way in which BLPC will address these matters. The commentary about a potential review of the Plan is particularly important given the work which both EHDC and SDNPA are currently undertaking on the production of a new and/or updated local plans.

Other Matters – General

- 7.129 This report has recommended a series of modifications both to the policies and to the supporting text in the submitted Plan. Where consequential changes to the text are required directly because of my recommended modification to the policy concerned, I have highlighted them in this report. However other changes to the general text may be required elsewhere in the Plan because of the recommended modifications to the policies. Similarly, changes may be necessary to paragraph numbers in the Plan or to accommodate other administrative matters. It will be appropriate for EHDC/SDNPA and BLPC to have the flexibility to make any necessary consequential changes to the general text. I recommend accordingly.

Modification of general text (where necessary) to achieve consistency with the modified policies and to accommodate any administrative and technical changes.

Other Matters – Specific

- 7.130 EHDC and SDNPA have suggested a series of revisions, updates and corrections to the policies, the supporting text and other information in the Plan. I have addressed the first category earlier in this report on a policy-by-policy basis.
- 7.131 I recommend that the text-based changes listed in the following sections of the representations from the two local planning authorities are incorporated into the Plan. In each case they are required to ensure that the Plan meets the basic conditions:

EHDC

- Paragraph 4.10
- Paragraph 5.7
- Paragraph 5.8
- Figure 12
- Table 2
- Paragraph 5.48

- Glossary

SDNPA

- Foreword
- Paragraph 1.15
- Paragraph 1.16
- Paragraph 2.8
- Paragraph 4.51
- Paragraph 5.24
- Page 70 Vision
- Figure 25
- Paragraph 9.14
- Paragraph 11.2
- Glossary
- Section 15

7.132 SDNPA commented during the examination about an error in the Plan on the consistency of Policy BL18 with policies in the SDLP. I recommend accordingly.

In Policy BL18 revise the conformity reference to SDLP Policy SD42 (Infrastructure) instead of SDLP Policy SD43 (New and Existing Community Facilities).

8 Summary and Conclusions

Summary

- 8.1 The Plan sets out a range of policies to guide and direct development proposals in the period up to 2040. It is distinctive in addressing a specific set of issues that have been identified and refined by the wider community. It has a clear focus on consolidating the role and the attractiveness of the village centre, and designating a package of local green spaces.
- 8.2 Following the independent examination, I have concluded that the Bramshott and Liphook Neighbourhood Development Plan meets the basic conditions for the preparation of a neighbourhood plan subject to a series of recommended modifications.

Conclusion

- 8.3 On the basis of the findings in this report, I recommend to East Hampshire District Council and to the South Downs National Park Authority that subject to the incorporation of the modifications set out in this report that the Bramshott and Liphook Neighbourhood Development Plan should proceed to referendum.

Other Matters

- 8.4 I am required to consider whether the referendum area should be extended beyond the neighbourhood area. In my view, the neighbourhood area is entirely appropriate for this purpose and no evidence has been submitted to suggest that this is not the case. I therefore recommend that the Plan should proceed to referendum based on the neighbourhood area as approved by EHDC on 23 October 2015 and by the SDNPA on 20 October 2015.
- 8.5 I am grateful to everyone who has helped in any way to ensure that this examination has run in a smooth manner. BLPC's responses to the clarification note were comprehensive and helpful in equal measure.

Andrew Ashcroft
Independent Examiner
2 July 2024