

# BENTLEY PARISH NEIGHBOURHOOD PLAN

## MODIFICATION PROPOSAL STATEMENT

PREPARED IN ACCORDANCE WITH REGULATION 15(1)(F) OF THE  
NEIGHBOURHOOD PLANNING REGULATIONS 2012 (AS AMENDED)

### 1. Introduction

1.1 As a 'Qualifying Body', Bentley Parish Council ("the Parish Council") proposes to modify the made Bentley Neighbourhood Plan ("the Made Plan") of February 2016. This Statement will be published as part of the Submission version of the proposed modified Neighbourhood Plan ("the Modified Plan") for examination alongside the Basic Conditions Statement and a Consultation Statement, in accordance with the Neighbourhood Planning (General) Regulations 2012 (as amended).

1.2 Regulation 15(1)(f) of the amended 2012 Regulations requires that:

"in relation to a modification proposal, a statement setting out whether or not the qualifying body considers that the modifications contained in the modification proposal are so significant or substantial as to change the nature of the neighbourhood development plan which the modification proposal would modify, giving reasons for why the qualifying body is of this opinion".

1.3 This Statement serves this purpose and notes the following additional requirements in the Planning Practice Guidance (PPG):

- the qualifying body must (at the pre-submission publicity and consultation stage and when the modified plan is submitted to the local planning authority) state whether they believe that the modifications are so significant or substantial as to change the nature of the plan and give reasons
- the local planning authority must (when sending the modified plan to the independent examiner) state whether they believe that the modifications are so significant or substantial as to change the nature of the plan and give reasons. The local planning authority must also submit a copy of the original plan to the independent examiner
- the qualifying body must decide whether to proceed with the examination after the examiner has decided whether the modifications proposed change the nature of the plan

1.4 The Modified Plan is considered by the Parish Council to be more than just a minor update but although its proposals represent material modifications to the Made Plan, they are not 'so significant or substantial as to change the nature' of the Made Plan.

1.5 In accordance with the requirements of the PPG as stated above, this statement therefore sets out the background reason for this modification, describes the modifications and explains why the Parish Council as the Qualifying Body considers the modification of the Plan does not change its nature.

## 2. Background

2.1 The Made Plan covers the period 2015 – 2028 and contains six policies. The designated neighbourhood area covers the same area as the Parish Council. On 12 May 2016 it was agreed by the District Council to ‘make’ the Neighbourhood Plan, following a successful referendum.

2.2 The Parish Council is keen for the plan-led system to maintain its currency in managing a recent trend in speculative planning applications for housing development surrounding the main village. The Parish Council has been active in monitoring the implementation of the policies by East Hampshire District Council (EHDC) in its determinations of planning applications. For the most part it considers that the policies have been correctly and successfully applied in approving and refusing applications that confirm or conflict with the policies respectively. However, it considers that some policies warrant modification to aid their more effective implementation and there are some additional policies that it wishes to include.

2.3 The Parish Council is also mindful of the changing housing land supply and delivery positions in the EHDC area and of how this may lead to significant unplanned development proposals being granted planning permission if the weight of the relevant development plan is weakened. It is therefore proposing a series of changes to the Made Plan, including updating the plan period to 2040 to match that of the emerging Local Plan. In due course, if necessary, the Parish Council will consider a further review of the Modified Plan.

2.4 A Strategic Environmental Assessment (SEA) Screening Opinion has been carried out, which is enclosed within the submission bundle. This has concluded that the Modified Plan is unlikely to have any significant environmental effects and therefore will not require a Strategic Environmental Assessment.

## 3. The Proposed Modifications

3.1 The proposed modifications to the Made Plan are summarised in the table below.

| Modified Plan Policy Numbers & Titles | Made Plan Policy Numbers |
|---------------------------------------|--------------------------|
| Policy BEN1: Spatial Plan             | 1 (Modified)             |
| Policy BEN2: Settlement Pattern       | 2 (Modified)             |
| Policy BEN3: Design Code              | 2 (Modified)             |
| Policy BEN4: Local Heritage Assets    | 2 (Modified)             |
| Policy BEN5: Recreation Ground        | 3                        |
| Policy BEN6: Education                | 4 (Modified)             |
| Policy BEN7: Community Facilities     | New                      |

|   |              |
|---|--------------|
| Policy BEN8: Local Employment                     | New          |
| Policy BEN9: Traffic Impact                       | New          |
| Policy BEN10: Green Infrastructure                | New          |
| Policy BEN11: Local Green Spaces                  | 5 (Modified) |
| Policy BEN12: Sustainable Drainage and Wastewater | 6 (Modified) |
| Policy BEN13: Dark Skies                          | New          |

3.2 Policies 1, 4, 5 and 6 of the Made Plan have been updated with generally minor modifications and are detailed below. The phrasing required revision reflects updates to the NPPF and changing circumstances in the parish.

3.3 **BEN1** (formerly Made Plan Policy 1) The Policies Map for BEN1 has been modified to show changes that have been made since the Made Plan, on the advice of EHDC (and explained in the policy annex). The policy wording has been updated to reflect the EHDC Housing Outside Settlement Boundaries SPD 2023 and the sentence relating to inappropriate development of residential gardens, where such development would harm local character, has been removed and referenced in **BEN2**.

3.4 Modified Plan policies **BEN2 – BEN4** unpack Made Plan Policy 2 on design matters to state the design expectations in the village more clearly based on its character assessment, which remains an important issue in the parish and warrant distinct policy attention. None of the modified policies alter the course of the made policy and are not considered to change the nature of the plan.

3.5 **BEN5** (former Made Plan Policy 3- Recreation Ground) is unchanged.

3.6 **BEN6** (former Made Plan Policy 4- Education) existing wording is unchanged; one additional clause has been added to identify local concern over development in proximity to the school potentially impacting the access and operation of the school.

3.7 **BEN11** (former Made Plan Policy 5 Local Green Spaces) includes two new proposed Local Green Space designations. These proposals are modest in scale and do not represent a change in direction of spatial policy. The first is outside the settlement boundary and exhibit the attributes of land that ought to remain undeveloped and is in the ownership of the Parish Council. The second is a new amenity space created for the enjoyment of the new residents of the Somerset Field scheme and should remain as such in perpetuity. None compromise the ability of the village to accommodate new development of a kind and scale that is consistent with its place in the settlement hierarchy.

3.8 **BEN12** (former Made Plan Policy 6 Sustainable Drainage) The existing wording remains substantially unchanged but with additional wording to emphasise the importance locally of the incorporation of grey and rainwater harvesting to try and minimise local surface water flooding.

3.9 The Parish Council has also taken the opportunity of reviewing the Made Plan to propose five new policies. A short summary of each policy is set out below.

- Policy **BEN7** on Community Facilities complements Local Plan provisions (CP8 and CP16) by identifying those facilities in the Parish to which those policies apply in order to protect and provide social infrastructure in the parish.
- Policy **BEN8** on Local Employment intends to protect existing employment land in the village to support a strong economy in the parish and the wider district in accordance with Local Plan policy CP4.
- Policy **BEN9** on Traffic Impact seeks to mitigate the effects of the significant increase in traffic in the parish and encourage sustainable transport options. These initiatives are consistent with the District Council's objectives to lower air pollution levels in the district and address causes of climate change and with Local Plan policy CP31.
- Policy **BEN10** on Green Infrastructure reflects the principles of the Environment Act 2021 in and Local Plan policy CP28 by defining on the Policies Map the extent of the existing green infrastructure network in the Parish.
- Policy **BEN13** on Dark Skies has been introduced following its successful inclusion in a number of other neighbourhood plans within, and, like Bentley, in the setting of the South Downs National Park. The Parish Council is keen to establish these principles in policy, accepting that this may only be an interim measure pending the new Local Plan and national policy initiatives.

3.10 The new policies are consistent with the vision and objectives of the Made Plan and ensures that the Modified Plan is up to date with national planning policy. Therefore, the new policies are not considered to change the nature of the plan.

#### **4. Conclusion on Changing the Nature of the Plan**

4.1 In summary therefore it is considered that the policy modifications will not, either on their own or in combination, change the nature of the plan.