

Upper Clatford Neighbourhood Development Plan

Decision Statement: 9 December 2020

1. Introduction

1.1 Under the Town and Country Planning Act 1990 (as amended), the Test Valley Borough Council has a statutory duty to assist communities in the preparation of neighbourhood development plans and orders and to take plans through a process of examination and referendum. The Localism Act 2011 (Part 6 chapter 3) sets out the Local Planning Authority's responsibilities under Neighbourhood Planning.

1.2 This statement confirms that the modifications proposed by the examiner's report have been accepted, the draft Upper Clatford Neighbourhood Development Plan will be altered as a result of it; and that this plan may now proceed to referendum.

2. Background

2.1 The Upper Clatford Neighbourhood Plan relates to the area that was designated by Test Valley Borough Council as a neighbourhood area in September 2019. This area corresponds with the Upper Clatford Parish Council boundary that lies within the Test Valley Borough Council Area.

2.2 Following the submission of the Upper Clatford Neighbourhood Plan to the Borough Council, the plan was publicised and representations were invited. The publicity period ended on Tuesday 8 September 2020.

2.3 David Hogger was appointed by the Test Valley Borough Council with the consent of Upper Clatford Parish Council, to undertake the examination of the Neighbourhood Plan and to prepare a report of the independent examination.

2.4 The examiner's report concludes that subject to making the modifications recommended by the examiner, the Plan meets the basic conditions set out in the legislation and should proceed to a Neighbourhood Planning referendum.

3. Decision

3.1 The Neighbourhood Planning (General) Regulations 2012 requires the local planning authority to outline what action to take in response to the recommendations of an examiner made in a report under paragraph 10 of Schedule 4A to the 1990 Act (as applied by Section 38A of the 2004 Act) in relation to a neighbourhood development plan.

3.2 Having considered each of the modifications made by the examiner's report and the reasons for them, and the modifications to reflect comments made Test Valley Borough Council in consultation with Upper Clatford Parish Council has decided to accept all the modifications to the draft plan. Table 1 below outlines the alterations made to the draft plan under paragraph 12(6) of Schedule 4B to the 1990 Act (as applied by Section 38A of 2004 Act) in response to each of the Examiner's recommendations and the modifications required in response to comments made at the Regulation 16 consultation. This statement should be read alongside the Examiners report.

Consultee	Support / object / comment	Section / Policy / Paragraph.	Comments	Ref	Examiners Recommendation	Proposed Modification
Test Valley Borough Council	Comment	Para 1.6	The text should be amended to read ' sources evidence ' for clarity	PM1	Modify the third sentence to read: This has been supplemented by local sources evidence .	Accept Examiners Modification
Modifications put forward by the Examiner	Modification	Paragraph 1.9	-	PM2	In first sentence of paragraph 1.9 add a footnote after 'Environment Bill' to read: For up-to-date information on the progress of the Bills refer to: https://services.parliament.uk/Bills/2019-21/environment.html	Accept Examiners Modification
Modifications put forward by the Examiner	Modification	Para 1.10	-	PM3	In paragraph 1.10 delete the words the reintroduction of in the first sentence.	Accept Examiners Modification
Test Valley Borough Council	Comment	Paras 2.6 - 2.9	A map showing this and the relationship with each other would be helpful here. TVBC can help with the mapping if required.	PM4	Insert a Plan identifying the location of the features and services that are referred to in paragraphs 2.6 to 2.11.	Accept Examiners Modification
Test Valley Borough Council	Comment	Para 3.5	The text should be amended to read ' To protect and maintain' as this is not the role of the Neighbourhood Plan.	PM5	Modify last bullet point to read: To protect and maintain the current settlement boundary for Upper Clatford/Anna Valley.	Accept Examiners Modification
Test Valley Borough Council	Comment	UC2	This policy should be reworded to identify the community facilities and could signpost to the Local Plan for the polices that would apply. The text after the first two sets of bullet points repeats Local Plan Policy COM14 and does not need repeating in the plan. The final list of numbered bullets repeats Local Plan Policy COM14 and does not need repeating in the plan. They could be signposted in the supporting text for clarity.	PM6	Insert the word satisfactorily before 'demonstrated' in the first and second sub-sections, and in criterion 1.	Accept Examiners Modification
Test Valley Borough Council	Comment	Plan 2 and Plan 3	Plan 2 and 3 could be merged and be zoomed in for more detail. TVBC can help with the mapping if required.	Para 4.40	I note that Test Valley Borough Council has offered to assist with regard to presentation and I would suggest that the Parish Council accepts that offer in order to ensure that a high standard of clarity, particularly in relation to the plans in the document, is achieved.	Accept Examiners Modification
Test Valley Borough Council	Comment	UC4	Add the following to end of bullet number 4. ' in accordance with Local Plan policy LE17. '	PM7	Insert the word satisfactorily before 'demonstrated' in the first and second sub-sections, and in criterion 1.	Accept Examiners Modification
Test Valley Borough Council	Comment	Para 6.5	A map showing these would be helpful. TVBC can help with the mapping if required.	Para 4.40	I note that Test Valley Borough Council has offered to assist with regard to presentation and I would suggest that the Parish Council accepts that offer in order to ensure that a high standard of clarity, particularly in relation to the plans in the document, is achieved.	Accept Examiners Modification
Test Valley Borough Council	Comment	UC5	What does 'environmentally acceptable;' mean in practice in number 4?	PM8	Modify requirement number 4 to read: The local highway network and the proposed means of vehicular access can cater safely for both the volume and type of vehicles anticipated, and the proposed access is environmentally acceptable would not cause significant detriment to the character and appearance of the locality;	Accept Examiners Modification

Consultee	Support / object / comment	Section / Policy / Paragraph.	Comments	Ref	Examiners Recommendation	Proposed Modification
Test Valley Borough Council	Comment	Plan 4	A better map would be helpful here, labelling the distinction between the two parishes.	Para 4.40	I note that Test Valley Borough Council has offered to assist with regard to presentation and I would suggest that the Parish Council accepts that offer in order to ensure that a high standard of clarity, particularly in relation to the plans in the document, is achieved.	Accept Examiners Modification
Modifications put forward by the Examiner	Modification	Appendix B		PM9	Attach to the UCNP the 'new' Appendix B: Character of Settlement Areas (8 pages) which was attached to the response from UCPC to the Examiner's Questions (dated 15 October 2020).	Accept Examiners Modification
Test Valley Borough Council	Comment	Para 7.3	The evidence statements referred to as a key detail that should be referred to in the policy and included in the plan. This could be in the form of an appendix.	PM10	Modify paragraph 7.3 to read: To supplement the VDS, a detailed description of the distinctive characteristics of the villages is provided in the NDP Evidence Statement for policy UC16 in Appendix B for the following settlement areas:	Accept Examiners Modification
Test Valley Borough Council	Comment	UC7	Bullet 2 - What about where character is maintained even though a plot is sub-divided? Bullet 5 - What is the evidence for this? Bullet 7 -A clearer map showing this would be helpful. TVBC can help with the mapping if required.	PM11	Extend requirement 2 to read: Retain the historic plan form of development and avoid the sub-division of plots where it can be clearly demonstrated that such sub-division would be harmful to the character of the locality;	Accept Examiners Modification
Test Valley Borough Council	Modification	UC7	Final paragraph - This would benefit having a separate policy for this, with the list of assets included in the policy.	PM12	Delete the last two sentences of the policy regarding non-designated heritage assets: Non-designated heritage assets are identified in Table 3. The effects of development proposals on their significance will be taken into account in accord with Local Plan and national policy. (see also PM13 below)	Accept Examiners Modification
Test Valley Borough Council	Modification	UC7	Final paragraph - This would benefit having a separate policy for this, with the list of assets included in the policy.	PM13	Insert a new policy before paragraph 7.15 to read: The effects of development proposals on the significance of non-designated heritage assets will be taken into account in accordance with Local Plan and national policy. For consistency of format include a paragraph setting out the supporting evidence for this new policy. This can be a repeat of paragraph 7.16. <u>Note</u> : subsequent policy numbers will have to be changed.	Accept Examiners Modification
Test Valley Borough Council	Comment	Para 7.9	They Roofs are typically thatched or slated cottages constructed with brick and flint or chalk cob walls	PM14	Modify fourth sentence to read: They Roofs are typically thatched or slated cottages constructed with brick and flint or chalk cob walls.	Accept Examiners Modification
Test Valley Borough Council	Comment	Para 7.15	The non-designated Heritage Assets should be shown on a map. TVBC can help with the mapping if required.	Para 4.40	I note that Test Valley Borough Council has offered to assist with regard to presentation and I would suggest that the Parish Council accepts that offer in order to ensure that a high standard of clarity, particularly in relation to the plans in the document, is achieved.	Accept Examiners Modification
Test Valley Borough Council	Comment	Plan 5	This map is difficult to read. TVBC can help with the mapping if required. The views could be moved to the map associated with policy UC9 (Plan 7)	Para 4.40	I note that Test Valley Borough Council has offered to assist with regard to presentation and I would suggest that the Parish Council accepts that offer in order to ensure that a high standard of clarity, particularly in relation to the plans in the document, is achieved.	Accept Examiners Modification

Consultee	Support / object / comment	Section / Policy / Paragraph.	Comments	Ref	Examiners Recommendation	Proposed Modification
Test Valley Borough Council	Comment	Table 3	These should be shown on a map. TVBC can help with the mapping if required.	Para 4.40	I note that Test Valley Borough Council has offered to assist with regard to presentation and I would suggest that the Parish Council accepts that offer in order to ensure that a high standard of clarity, particularly in relation to the plans in the document, is achieved.	Accept Examiners Modification
Test Valley Borough Council	Comment	UC8	Paragraph 1 repeats LP policy E2 and does not need repeating in this plan. This could be moved to the supporting text. The local landscape features identified in the bullet points would benefit from being shown on a map.	PM15	Insert the word 'protected' in the first sentence of requirement 2: The following important local landscape features will be protected , conserved and where possible enhanced:	Accept Examiners Modification
Test Valley Borough Council	Comment	UC9	The policy would be better worded 'important views' as this is what the plan will be protecting This policy is negatively worded and would be better if it was reworded as shown.All the views should be included on one map for completeness and clarity. TVBC can help with the mapping if required.	PM16	Amend title of policy to read: Important landscape and settlement views.	Accept Examiners Modification
Test Valley Borough Council	Comment	Para 8.13	' <i>typical examples of the open views</i> ' Why are they important? What is special about them?		Add a sentence to the paragraph to read: The quality of the landscape views has been assessed against the following criteria: 1. History/heritage; 2. Contribution towards rural identity: Rural Countryside (RC), Rural Settlement (RS); 3. Landscape character type: Open chalklands (OC), Enclosed Chalk Woodlands (EC), River Valley Floor (RV).	Accept Examiners Modification
Modifications put forward by the Examiner	Modification	Table 4		PM18	Add to Table 4 the 'Supporting criteria' for each view (which are in the UCPC response to the Examiner's Questions) as follows: View 1 2(RC), 3(EC) View 2 2(RC), 3(EC) View 3 2(RC), 3(EC) View 4 1, 2(RC), 3(OC) View 5 2(RC), 3(OC) View 6 1, 2(RC), 3(OC) View 7 2(RC),3(OC) View 8 2(RS), 3(OC) View 9 2(RS)	Accept Examiners Modification
Test Valley Borough Council	Comment	Plan 8	All the views should be included on one map for completeness and clarity. TVBC can help with the mapping if required.	Para 4.40	I note that Test Valley Borough Council has offered to assist with regard to presentation and I would suggest that the Parish Council accepts that offer in order to ensure that a high standard of clarity, particularly in relation to the plans in the document, is achieved.	Accept Examiners Modification
Modifications put forward by the Examiner	Modification	Table 5		PM19	Add to Table 5 the 'Supporting criteria' for each view (which are in the UCPC response to the Examiner's Questions) as follows: View 1 2(RC) View 2 1 View 3 1, 2(RS) View 4 1 View 5 2 (RS) View 6 1, 2(RS) View 7 2(RS) View 8 2(RS), 3(RV) View 9 2(RS), 3(RV) View 10 1, 3(RV) View 11 2(RS) View 12 3(RV) View 13 2(RS) View 14 2(RS) View 15 1, 2(RC) View 16 2(RS), 3(RV) View 17 2(RS), 3(RV)	Accept Examiners Modification

Consultee	Support / object / comment	Section / Policy / Paragraph.	Comments	Ref	Examiners Recommendation	Proposed Modification
Test Valley Borough Council	Comment	UC10	Add the following text to the start of the policy for clarity ' The Local Plan identifies a Local Gap through Policy E3 and the part that is within the Plan Area is shown in Plan 9. ' Amend paragraph to read The Component areas of the Anna Valley/Upper Clatford Local Gap are identified have been assessed on the basis of their contribution to the physical and visual separation between Andover and Anna Valley/Upper Clatford (Plan 9). Development proposals will only be supported when they do not compromise the contribution of the relevant component area(s) to physical separation, visual separation or to the integrity of the Gap, as this contribution is described set out in Table 6. Paragraph 3 and the numbered bullets repeat the local plan policies and does not need to be repeated here. Some development may not require PP as is would fall under permitted development, and therefore this policy would not apply. Hence the wording in LP policy E3. Paragraph 4 is covered in Design policy UC6, and does not need repeating here. Delete final sentence This policy is in addition to the provisions of Local Plan policy E3.		Modify policy UC10 to read: The Local Plan identifies the Local Gap in policy E3 and the part that is within the Plan Area is shown on Plan 9. The C component areas of the Anna Valley/Upper Clatford Local Gap are identified have been assessed on the basis of their contribution to the physical and visual separation between Andover and Anna Valley/Upper Clatford (Plan 9). Development proposals will only be supported when they do not compromise the contribution of the relevant component area(s) to physical separation, visual separation or to the integrity of the Gap, as this contribution is described set out in Table 6. Maintaining the physical separation, visual separation and integrity of the Local Gap is of importance when considering: 1. Proposals for the extension of existing dwellings or the creation and extension of ancillary domestic buildings under Local Plan policy COM11; and 2. Proposals which fall within both the Local Gap and the Anna Valley/Upper Clatford settlement boundary (Local Plan policy COM2); and 3. Proposals for employment sites in the countryside under Local Plan policy LE17. In all cases, r Regard will be had, where appropriate, to building scale, footprint, massing, height, design and to the suitability of the proposed use to the rural landscape of the Local Gap. Any intensification likely to arise when compared to the current use will be taken into account. This policy is in addition to the provisions of Local Plan policy E3.	Accept Examiners Modification
Test Valley Borough Council	Comment	Para 8.24	Amend bullet 2 as follows: • Policy UC9 on landscape and settlement Important views, which protects a number of important views within and across the Local Gap		Modified to reflect the changes in PM 16	Accept Examiners Modification
Test Valley Borough Council	Comment	Plan 9	This Map requires a legend. TVBC can help with the mapping if required.	Para 4.40	I note that Test Valley Borough Council has offered to assist with regard to presentation and I would suggest that the Parish Council accepts that offer in order to ensure that a high standard of clarity, particularly in relation to the plans in the document, is achieved.	Accept Examiners Modification
Test Valley Borough Council	Comment	UC11	The ownership of the LGS is not relevant in the policy and should be removed: Parish-owned or maintained open spaces comprising: and Development that would result in the loss or partial loss of these Local Green Spaces will not be supported unless very special circumstances arise which outweigh the need for protection.	PM21	Delete from policy: Parish-owned or maintained open spaces comprising:	Accept Examiners Modification
Test Valley Borough Council	Comment	UC11	The final sentence of the policy is not required as the criteria for allowing development on LGS is identified in the NPPF	PM22	Delete final sentence from policy: Development that would result in the loss or partial loss of these Local Green Spaces will not be supported unless very special circumstances arise which outweigh the need for protection. Replace with: Development will be managed in a manner consistent with that applicable to designated Green Belt.	Accept Examiners Modification

Consultee	Support / object / comment	Section / Policy / Paragraph.	Comments	Ref	Examiners Recommendation	Proposed Modification
Test Valley Borough Council	Comment	Plan 10	A better map at a closer scale is needed as it is difficult to see the exact boundaries of some of the smaller sites. It is not necessary to distinguish between the ownership of the spaces. TVBC can help with the mapping if required.	Para 4.40	I note that Test Valley Borough Council has offered to assist with regard to presentation and I would suggest that the Parish Council accepts that offer in order to ensure that a high standard of clarity, particularly in relation to the plans in the document, is achieved.	Accept Examiners Modification
Test Valley Borough Council	Comment	UC12	The proposed SINC at Pillhill Brook has now been accepted by the County Council and the text should be updated to reflect this change.	PM23	Add Pillhill Brook SINC (with appropriate description) to the list of SINC's in paragraph 8.35 and make a consequentially update to paragraph 8.36. Identify Pillhill Brook SINC on Plan 11. Remove Pillhill Brook SINC from Plan 12.	Accept Examiners Modification
Modifications put forward by the Examiner	Modification	Paragraph 8.35		PM23	Add Pillhill Brook SINC (with appropriate description) to the list of SINC's in paragraph 8.35 and make a consequentially update to paragraph 8.36. Identify Pillhill Brook SINC on Plan 11. Remove Pillhill Brook SINC from Plan 12.	Accept Examiners Modification
Test Valley Borough Council	Comment	Plan 11	A better map is required. TVBC can help with the mapping if required.	Para 4.40	I note that Test Valley Borough Council has offered to assist with regard to presentation and I would suggest that the Parish Council accepts that offer in order to ensure that a high standard of clarity, particularly in relation to the plans in the document, is achieved.	Accept Examiners Modification
Test Valley Borough Council	Comment	Para 8.36	The proposed SINC's have now been accepted by the County Council and the text should be updated to reflect this change.	PM23	Add Pillhill Brook SINC (with appropriate description) to the list of SINC's in paragraph 8.35 and make a consequentially update to paragraph 8.36. Identify Pillhill Brook SINC on Plan 11. Remove Pillhill Brook SINC from Plan 12.	Accept Examiners Modification
Test Valley Borough Council	Comment	Plan 12	This should be added to map 11.	PM23	Add Pillhill Brook SINC (with appropriate description) to the list of SINC's in paragraph 8.35 and make a consequentially update to paragraph 8.36. Identify Pillhill Brook SINC on Plan 11. Remove Pillhill Brook SINC from Plan 12.	Accept Examiners Modification
Modifications put forward by the Examiner	Modification	Para 9.1		PM24	Add three sentences to paragraph 9.1 to read: The Parish Council will monitor the implementation of the policies in the UCNP and keep under review the need for the UCNP to be amended and updated. Policies in this document may be superseded by other Development Plan policies, such as those arising from the current review of the Test Valley Local Plan, or by the emergence of new evidence. Where policies in the UCNP become out-of-date, the Parish Council, in consultation with Test Valley Borough Council, will decide how best to up-date the document.	Accept Examiners Modification