

INDEPENDENT EXAMINATION OF THE HOUGHTON NEIGHBOURHOOD DEVELOPMENT PLAN

EXAMINER: David Hogger BA MSc MRTPI MCIHT

Mrs Clare Cotterell
Clerk to Houghton Parish Council

Sarah Hughes
Test Valley Borough Council

Examination Ref: 01/DH/HNDP

8 December 2021

Dear Mrs Cotterell and Ms Hughes

HOUGHTON NEIGHBOURHOOD DEVELOPMENT PLAN EXAMINATION

Following the submission of the Houghton Neighbourhood Development Plan (the Plan/HNDP) for examination, I would like to clarify several initial procedural matters. I also have a number of preliminary questions for Houghton Parish Council (HPC) as Qualifying Body and a smaller number for Test Valley Borough Council (TVBC). These are attached as an Annex to this letter. I would like to receive written responses by **6 January 2022**.

1. Examination Documentation

I can confirm that I have electronic access to a complete copy of the submission HNDP and accompanying documentation, including the Basic Conditions Statement (September 2021), the Consultation Statement (September 2021), the Request for Screening Opinion for Strategic Environmental Assessment and Habitats Regulations Assessment, and the Regulation 16 representations. I am satisfied that I have sufficient relevant evidence to enable me to undertake the examination, albeit there are several matters on which I am requesting further clarification.

Subject to my detailed assessment of the submission HNDP, I have not identified any very significant and obvious flaws that might lead me to advise that the examination should not proceed.

2. Site Visit

I intend to undertake a site visit to the neighbourhood plan area in the week commencing Monday 13 December 2021. This will assist in my assessment of the draft Plan, including the issues identified in the representations.

The site visit will be undertaken unaccompanied. It is very important that I am not approached to discuss any aspects of the Plan or the neighbourhood area, as this may be perceived to prejudice my independence and risk compromising the fairness of the examination process.

3. Written Representations

At this stage, I consider the examination can be conducted solely by the written representations procedure, without the need for a hearing. However, I will reserve the option to convene a hearing should a matter(s) come to light where I consider that a hearing is necessary to ensure the adequate examination of an issue, or to ensure that a person has a fair chance to put a case.

4. Further Clarification

I have a number of initial questions seeking further clarification from both HPC and TVBC. I have set these questions out in the Annex to this letter. I would be grateful if written responses could be provided by **6 January 2022**.

5. Examination Timetable

As you will be aware, the intention is to examine the HNBP (including conduct of the site visit) with a view to providing a draft report (for 'fact checking') within 4-6 weeks of submission of the draft Plan. However, bearing in mind I have raised a number of questions to which I must provide the opportunity for the preparation of appropriate responses, the examination timetable will be extended. Please be assured that I will seek mitigate any delay as far as is practicable. The IPe office team will seek to keep you updated on the anticipated delivery date of the draft report.

If you have any questions related to the conduct of the examination, which you would like me to address, please do not hesitate to contact the office team in the first instance.

In the interests of transparency, may I prevail upon you to ensure a copy of this letter and any subsequent responses, are placed on the websites of the Parish Council and the Borough Council.

Thank you in advance for your assistance.

Your sincerely

David Hogger

Examiner

ANNEX

From my initial reading of the submission draft Houghton Neighbourhood Development Plan and the supporting evidence, I have 2 questions for both Councils (for which a joint response is requested), 2 questions for Test Valley Borough Council and 14 questions for Houghton Parish Council. I have requested the submission of responses by **6 January 2022**.

Questions for Test Valley Borough Council and Houghton Parish Council (2)

I would prefer a joint response to these 2 questions but if that cannot be successfully achieved, then independent responses should be submitted by the two Councils.

1. A revised version of the National Planning Policy Framework (NPPF) was published by the Government on 20 July 2021, alongside a final version of the National Model Design Code and the National Design Guide. I would be grateful if the Councils could confirm that the submission draft of the HNDP complies with the advice in these documents and if necessary, provide additional/modified wording. In this regard is Appendix B (Design Components) still relevant?

2. Paragraph 101 of the NPPF states that 'Designating land as Local Green Space should be consistent with the local planning of sustainable development and complement investment in sufficient homes, jobs and other essential services'. The Planning Practice Guidance (PPG) confirms that LGS designation should not be used in a way that undermines the aim of identifying sufficient land in suitable locations to meet identified development needs.¹ Are both Councils satisfied that this advice has been properly taken into account? (see also questions 9, 10, 11 and 12 to the Parish Council)

Questions for Test Valley Borough Council (2)

1. Can the Council confirm which documents currently make up the Development Plan, as it applies to Houghton?

2. I am aware that work is underway on the Test Valley Borough Local Plan, with pre-submission consultation proposed for later in 2022. PPG Reference ID: 41-009-20190509 advises that 'Where a neighbourhood plan is brought forward before an up-to-date local plan (i.e. the Local Plan Review) is in place the qualifying body and the local planning authority should discuss and aim to agree the relationship between policies in the emerging neighbourhood plan; the emerging local plan; and the adopted development plan, with appropriate regard to national policy and guidance'. Could the Borough Council confirm that such discussions have taken place and summarise any conclusions that were drawn?

Questions for Houghton Parish Council (14)

1. In policy HTN1 (page 13) it states that the objectives 'will be sought and balanced'. What does this mean?

2. With regard to affordable housing provision, the Borough Council advises² that a scheme of up to 10 dwellings would not provide any affordable housing, unless on a rural exception site. How does this tally with the last sentence of paragraph 5.10 in the HNDP which refers to a 'scheme of 6-10 homes' (page 17)? Could the Parish Council provide clarified text?

¹ PPG Reference: ID: 37-007-20140306.

² See track change version of the HNDP submitted by TVBC.

3. In the last sentence of paragraph 5.11 (page 17) there is a reference to 'people who wish to commission or build their own homes'. Could the Council explain how policy HTN3 will help to achieve that objective?

4. In Table 2 (page 21):

- In the third bullet point there is reference to properties in South End and Bossington. Could the Parish Council confirm that these properties are within the Neighbourhood Plan area, as I note on Plan 1 that the name 'Bossington' appears to the south of the plan boundary?
- Under 'Plot Size' there is reference to 'sizeable gardens'. How would a decision-maker know how 'sizeable' is defined?

5. Policy HTN5 (page 23) addresses both the Conservation Area and non-designated heritage assets. In the interests of clarity, I consider that there should be separate policies for the Conservation Area and for non-designated heritage assets. Unless there is a substantive reason not to adopt that approach, can the Parish Council agree revised wording for the two policies (based on the existing wording).

6. Does the Parish Council agree that a plan which identifies the non-designated heritage assets (as set out on page 23) would assist the decision-maker and if so, can such a plan be prepared for insertion into the HNBP?

7. In policy HTN6(4), on page 26, to whom should the scheme be acceptable?

8. Can the Parish Council confirm that the protection of views, as set out in policy HTN7 (page 31) only relates to public views?

9. On page 9 of the Basic Conditions Statement it states that the LGS designations 'complement investment in jobs, homes and other essential services'. Could the Parish Council provide more detailed justification for this statement?

10. Can the Parish Council confirm that all the owners of proposed Local Green Space, as set out in policy HTN8 (page 37) have been advised about the proposed designation?³

11. In what way are local green space sites LGS5 and LGS9:

- demonstrably special to the local community; and
- of particular local significance (my underlining).⁴

12. Paragraph 17.19 (page 38) confirms that in the opinion of the Parish Council none of the proposed areas of LGS are 'extensive in area'.⁵ In its assessment of these areas how was 'extensiveness' measured?

13. In policy HTN9 on page 40 (and first bullet point of paragraph 7.25), how will the biodiversity value of land be measured and by whom?

14. The monitoring and review of Plans is an important component in the plan-making process, in order to ascertain whether or not the policies are effective and up-to-date. I could find no reference in the HNBP to the monitoring of the policies or to the future role of the Parish Council in this process. Bearing in mind the Local Plan is currently being reviewed, I would welcome the submission of an appropriate paragraph that addresses this issue.

³ PPG Reference ID: 37-019-20140306.

⁴ NPPF, Paragraph 102 b).

⁵ NPPF, Paragraph 102 c).