

**Over Wallop Neighbourhood Development Plan
Consultation on Draft Decision Statement:
From Friday 12 January until Friday 23 February.**

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.

2. Background

2.1 The Over Wallop Neighbourhood Plan relates to the area that was designated by Test Valley Borough Council as a neighbourhood area in March 2021. This area corresponds with the Over Wallop Parish Council boundary that lies within the Test Valley Borough Council Area.

2.2 Following the submission of the Over Wallop Neighbourhood Plan to the Borough Council, the plan was publicised and representations were invited. The publicity period ended on Wednesday 12th July 2023.

2.3 David Hogger was appointed by Test Valley Borough Council with the consent of Over Wallop 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. Draft 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 Over Wallop Parish Council are proposing not to accept two of the modifications to the draft plan.

3.3 Table 1 below outlines the two modifications to the draft plan that Test Valley Borough Council are proposing not to accept along with the reasoning. This statement should be read alongside the Examiners report.

4. Consultation on Draft Decision

4.1 As set out in guidance, if the Borough Council propose to make a decision which differs from that recommended by the examiner, it must notify the following people or groups of their proposed decision (and the reason for it) and invite representations.

- the qualifying body
- anyone whose representation was submitted to the examiner and
- any consultation body that was previously consulted.

4.2 Representations must be submitted within 6 weeks of the local planning authority first inviting representations. The consultation commences on Friday 12 January and representations should be received no later than **5pm on Friday 23 February**.

Table 1: Examiners modifications not accepted for decision statement.

Support / object / comment	Section / Policy / Paragraph.	Regulation 16 Comments	Ref	Examiners Recommendation	Proposed Modification
Modification	Front Cover	None	PM 1	<p>Add the Plan Period:</p> <p>2011 - 2029</p>	<p>Not to accept the Examiners Modification.</p> <p>The Plan Period was raised in the Examiners procedural matters and question to the parish council:</p> <p><u>Questions for Over Wallop Parish Council</u></p> <p>Q4. There appears to be no reference on the cover of the OWNPN, or inside the document, to the time period which is covered by the OWNPN. On page 3 of the Basic Conditions Statement there is a reference in paragraph 1 to 2011-2035 and a reference near the top of page 6 to 2011-2029.</p> <p>Could the Parish Council confirm the correct period that the OWNPN will cover?</p> <p><u>Response from Over Wallop Parish Council</u></p> <p>The date of the TVBC Local Plan review changed during the course of preparation. The NDP plan date will be added to the NDP and related documents. For consistency the plan date should align with the Local plan period, assumed to be 2035, TVBC to advise on the correct plan period.</p> <p><u>Other factors.</u></p> <p>As highlighted by the examiner, on page 3 of the Basic Conditions Statement reference is made in paragraph 1 to 2011-2035, and reference is made near the top of page 6 to 2011-2029. This creates confusion as to what the correct timeframe of the plan should be. This confusion is as a result of amending one page and not the other due to the ongoing change brought about by the review of TVBC Local Plan (see the PC's response to the Examiner's question above on the issue.) The confusion over the Plan period may have been exacerbated by the PAS 5yr review of the TV adopted plan "The plan period for the next Local Plan has yet to be determined, although an end date of 2036 has previously been suggested" and 2036 is also the date in the 'refined issues and options' consultation document.</p> <p><u>Conclusion</u></p> <p>It is clear from the Parish Council response that they intended the plan to have an end date of 2035. Therefore modify the plan period to read: 2011 - 2035.</p>

Support / object / comment	Section / Policy / Paragraph.	Regulation 16 Comments	Ref	Examiners Recommendation	Proposed Modification
Comment	DD P1	<p>Paras 1 and 3 repeats LP policy COM2 and do not need repeating in the NP. Para 2 would be better suited in a design policy.</p> <p>Para 3 A COM8 Rural Exception sites or a COM 9 community led development would be considered based upon housing need/evidence etc</p> <p>Para 4 - what is the local evidence to support using the Nationally Described Space Standards?</p> <p>Based on the local evidence the 2-3 bedroom need should be in its own policy.</p> <p>Para 5. This seems a bit muddled and I am unsure of what this is trying to achieve. Why is 100sq m used? What justification will be required. How will this be assessed?</p>	PM 25	<p>Delete the first part of the introductory sentence to read:</p> <p>Consistent with TVBC Local Plan Policy COM2 and COM8 the existing Parish settlement boundaries (as at 1 January 2022) are shown in Figures 6.10 and 6.11.</p> <p>Delete all of clauses 1, 3 and 5.</p> <p>Clarify clause 2 to read:</p> <p>The individual settlements have been analysed in detail within the Parish Settlement Character Appraisal and any nNew development must be designed in accordance with the design principles and code as set out in Evidence Base Document 7 and Policy DD P3.</p> <p>Delete last sentence of clause 4:</p> <p>In particular, how it reflects on the identified need for 2-3 bedroom dwellings and how it complies with the Nationally Described Space Standards or their successor.</p>	<p>Partially accept Examiners Modification</p> <p><u>Accept the following modifications:</u></p> <p>Delete the first part of the introductory sentence to read:</p> <p>Consistent with TVBC Local Plan Policy COM2 and COM8 the existing Parish settlement boundaries (as at 1 January 2022) are shown in Figures 6.10 and 6.11.</p> <p>Delete all of clauses 1, 3 and 5.</p> <p>Clarify clause 2 to read:</p> <p>The individual settlements have been analysed in detail within the Parish Settlement Character Appraisal and any nNew development must be designed in accordance with the design principles and code as set out in Evidence Base Document 7 and Policy DD P3.</p> <p><u>Not accept the following modification:</u></p> <p>The examiner also proposed to delete the last sentence of clause 4:</p> <p>In particular, how it reflects on the identified need for 2-3 bedroom dwellings and how it complies with the Nationally Described Space Standards or their successor.</p> <p>The only representation on this issue was from the council who questioned the evidence for adopting the Nationally Described Space Standards, and not the need for 2-3 bedroom homes. The Housing Needs Assessment has evidence to support this element of the policy as does the parish survey. Therefore this part of the policy should therefore be retained.</p> <p><u>Modify clause 4 to read:</u></p> <p>All applications for residential development which results in a net gain of one or more additional dwellings on a site, shall be accompanied by information identifying how the proposed accommodation will meet the specific housing needs of the Parish, and in particular, how it reflects the identified need for 2-3 bedroom dwellings. and how it complies with the Nationally Described Space Standards or their successor.</p>