

Amport Parish Neighbourhood Development Plan

Response to Examiner's Clarification Note

Please note that the Examiner's questions are in blue below, with the Parish and Borough Councils answers in black.

Policy AM2.1

- *Nevertheless, what is the justification for the 20-metre buffer in the second part of the policy?*

This was taken from other chalk streams in the wider area, where LPA ecologists suggested a 20m buffer would be adequate.

Policy AM4

- *What is the size of proposed Local Green Space 15 (land adjacent to Ordnance Lane)?*

The proposed LGS15 measures 2.92 hectares, which does not represent an extensive tract of land. For context, we would highlight that in other Made Neighbourhood Plans, a Local Green Space of 19 hectares has previously been designated.

Notwithstanding this, the LGS does not cover the entire site. The land to the south is also used by residents but to a lesser degree. Residents considered that the northern section was that most special to them and it was defined and contained by the track running through the area.

It should also be noted that this a very important open space to the community, which is well used, as the area has a deficit of public open space.

A developer subsequently expressed an interest in this site after public consultation. This proposed designation is considered a balanced approach to conserving at least part of the existing amenity enjoyed by residents, without precluding potential future development, should that be proposed.

Policy AM5

- *Land & Partners/Obsidian Strategic comment about the conflict between some of the identified views and the development of a new Weyhill Community as set out in the Regulation 18 version of the emerging Local Plan. To what extent has the Parish Council considered this matter?*

This Neighbourhood Plan was drafted long before the potential new Weyhill Community was set out in the Regulation 18 version of the emerging Local Plan. In fact, it was a surprise to the community as previously TVBC Officers had attended public meetings and said that they would be seeking no more than 20 houses at most. There was no engagement with the NP Steering group or the Parish Council

by the LPA before the emerging Local Plan was launched with this potential site in place. As such the SG were not able to consider this within the NP submission.

Since this time, the main landowner (that formed part of the Weyhill Community site), has confirmed that their land is not available for inclusion. This and many other factors have called into question as to whether the site is available and deliverable.

Equally, the LPA have had sight of the Submission Draft NP since March 2025 (as well as earlier drafting) and no mention of any NP policies has been made within the emerging LP.

As highlighted, it was impossible to take into account matters we had no sight of.

The community are not anti-development and are happy to take a proportionately sized allocation, as per the settlement hierarchy. The previous draft LP ruled out an expansion in this area and therefore the NP was prepared on this basis. We would have appreciated more engagement from the LPA and then perhaps the NP could have been written with a different emphasis. Although it should be noted that this would not have supported what is effectively is a new major settlement in Weyhill.

Policy AM6

- *What is the evidence for the requirement for the delivery of a 20% biodiversity net gain rather than the national requirement for 10%. In any event, how would 'where appropriate' be applied by the Borough Council through the development management process?*

Since this was originally written, much has changed and we would be happy to revert to 10%.

Policy AM6.2

- *Are the criteria included in the final part of the policy land use related?*

The intention of this policy is to manage the land-use impacts of development within Hawk Conservancy Trust's flight zone, ensuring that new uses do not adversely affect an existing, nationally significant wildlife and conservation asset.

That said, we recognise that some of the explanatory detail could be moved to the supporting text to improve clarity and ensure the policy remains focused on land-use principles. The supporting text can also explain why these considerations are essential, helping the wider community understand the sensitivities of the Trust and why certain forms of development management are necessary. Elements that relate more to ongoing community awareness or aspiration can be placed outside the policy wording if helpful.

However, the core purpose of the policy remains critical. The Hawk Conservancy Trust is a unique and long-established conservation, research and visitor facility of significant ecological and educational value. Its free-flying birds and conservation

activities depend on maintaining a safe and undisturbed environment within the flight zone. Without planning policy safeguards, new development could inadvertently compromise flight paths, breeding behaviour or the welfare of protected species. It is therefore essential that the policy ensures that development proposals consider and mitigate potential impacts.

Policy AM8

- *As the Borough Council advises the first part of the policy restates national policy. As such, I am minded to recommend that the policy is recast so that it only addresses non-designated heritage assets. Does the Parish Council have any observations on this proposition?*

The policy could be recast to reflect the NPPF.

Policy AM10.1

- *The supporting text does not naturally provide a context for the policy. To what extent would the development of new housing in Weyhill address the issues raised in paragraphs 7.3.1 to 7.3.5 of the Plan?*

As above, this was written when the LPA were proposing an emerging policy with 10 units for the Parish. The supporting text reflected this.

The SG would have been happy to allocate a site for 20 dwellings and or affordable units but did not have the budget for site assessment work after funding by Locality had finished. As such, the Neighbourhood Plan recognises that the Weyhill area would have capacity for one or two small sites to meet that need. The policy has been written to support the bringing forward of such site(s) in the area, without harm to those elements which are important to the community.

The Adopted Local Plan is sufficiently permissive to enable the bringing forward of any rural exception site and the details in the plan (7.34 and 7.35) are intended to highlight the specific need for the Parish in terms of affordable units.

Policy H10.1 addresses the need identified in paragraphs 7.32 and 7.33 for smaller family dwellings and for those to downsize into.

Appropriate infill growth is encouraged in Policy 10.

- *Are the new houses proposed to deliver the public spaces/play spaces proposed in paragraph 7.3.5?*

Yes. The area already has a deficit of public open space with no children's play area. It is important that any development addresses this deficit.

Policy AM11A

- *I would value the Parish Council's comments on the Borough Council's proposed recasting of the policy.*

The Parish Council is content to include a list of facilities. However, the provision of an easily accessible play space in Weyhill is considered by the residents as essential and requires a supporting policy to enable its delivery.

- *I note the relationship between the final part of the policy and paragraph 7.4.5 of the Plan. In this context are they are costed and funded proposals for additional community facilities in Weyhill?*

It is envisaged that these would be brought forward as part of any housing development. The Parish does not own any land in Weyhill, so cannot cost this element but do have costings for play equipment, which could be provided and potentially listed in infrastructure requirements.

Policy AM12

- *I am minded to recommend that the policy should be worded to allow the Borough Council to apply a proportionate approach to the requirement for accessibility and sustainable transport. Does the Parish Council have any observations on this proposition?*

A proportionate approach would be fine in line with the scale of development proposed.

Matters for the Borough Council

- *Is the Borough Council continuing to work to the timetable for the emerging Test Valley Local Plan 2042 based on the details in the Local Development Scheme (February 2025)?*

TVBC Response: Yes, work on the plan is ongoing as set out in the timetable in Appendix 1 of the LDS.

- *What is the Borough Council's thinking about the on-going inclusion of the allocation of land at Weyhill (Policy NA16) in the emerging Local Plan?*

TVBC Response:

The consultation closed on the Reg 18 stage 2 plan on Friday 5 September, and more than 1,000 people responded. During the consultation, we have received notice that part of the proposed development at Weyhill has been withdrawn by the landowners.

In light of this, the council will need to consider its next steps, including assessing the potential to still deliver homes in these areas, looking at alternative sites, and reviewing other wider options to meet the borough's future housing needs.

The council is reviewing all the comments received and will further refine the draft plan for a full Regulation 19 consultation in June 2026.

Please see press release below for further information: [Local plan consultation closes as council sets out next steps | Test Valley Borough Council](#)

Representations

- ***Land & Partners/Obsidian Strategic;***

In general, this has been covered in the attached responses. However, for the avoidance of doubt:

The current proposals by Land & Partners Ltd and Obsidian Strategic differ from that set out in the Local Plan Regulation 18. This is a different site to the proposal and much of this land is not within the NP Area.

In regard to those areas within the NP boundary, we would like to refer to the Parish Local Plan Representation, which is attached separately.

This sets out why the allocation is potentially flawed and is unlikely to proceed as stands.

For a more detailed response, please refer to Amport Parish Council's Regulation 18 Draft Test Valley Local Plan Review 2042 Representation (attached).

- ***The Silverwood Partnership (obo The Dunning Family)***

The representation states that the Amport Neighbourhood Plan is unsound. However, a Neighbourhood Plan cannot be "unsound", as this test relates to Local Plans. Instead, it is a case of whether it meets the Basic Conditions. The submitted Basic Conditions Statement sets out the reasons for compliance with this.

Furthermore, the representation claims that there has been a lack of transparency in the process. However, the Parish Council strongly refutes this – see the Consultation Statement, notably Table 1: Community Engagement and Reg 14 Pre-Submission, which invited comments on the Neighbourhood Plan and was advertised through the website, social media channels and on noticeboards in Amport, East Cholderton and Weyhill.

Not only this, but it appears to have been assumed that no meetings of either the Steering Group or the Working Groups have occurred since January 2024 and April 2024 respectively. However, Steering Group meetings continued to be held until 10 February 2025, with the most recent meeting focused on reviewing the Regulation 14 comments and determining which amendments to action. Additionally, the individual Working Groups for each of the settlements remained active throughout 2024 and 2025, meeting regularly to discuss community feedback and proposed changes to the Plan, including revisions to the vision and objectives.

As for the Plan ignoring the Northern Area Policy 16 (NA16): Expansion of Weyhill, this Neighbourhood Plan was drafted long before the potential new Weyhill Community was set out in the Revised Regulation 18 Public Consultation of the emerging Local Plan. In fact, the Plan had been finalised for SEA/HRA purposes in

March 2025 for sign off by the PC and sent to Test Valley in April 2025, a significant time before Regulation 18 commenced on the 27th of June 2025.

Moreover, the proposed allocation came as a surprise to the community as previously TVBC Officers had attended public meetings and said that they would be seeking no more than 20 houses at most. There was no engagement with the NP Steering group or the Parish Council before the emerging Local Plan consultation was launched. Consequently, the SG were not able to consider this within the NP submission. Notwithstanding this, the SHELAA sites, which included some of the potential allocation, were considered at public events. This led to considerable discussion from residents and recorded comments that these sites would be unsuitable due to their location and scale, as well as other impacts.

In addition, the proposed site at Weyhill is only at the Regulation 18 consultation stage. As it is untested at Examination, it should be recognised that Northern Area Policy 16 (NA16): Expansion of Weyhill is not final and is likely to face significant objections and concerns. One key issue is that the principal landowner, whose land formed part of the original Weyhill Community site, has confirmed that their land is not available for inclusion. This, along with several other factors, raises substantial doubts about the site's availability and deliverability due to lack of supporting evidence. Consequently, even if the Amport Steering Group had been informed of this emerging policy prior to finalising the Plan for SEA/HRA purposes, it would not have been reasonable to amend the Plan to include a site which was fundamentally flawed.

Therefore, Northern Area Policy 16 (NA16): Expansion of Weyhill is only at the Regulation 18 stage and carries no material weight at this point and should not be taken into account in the Neighbourhood Plan.

The representation also states that there has been no consultation with the landowners of the Local Green Spaces nominated throughout the Neighbourhood Plan process. However, the Parish Council and Chair of the NPSG have responded appropriately to representations from landowners, within the constraints of a process to develop the Neighbourhood Plan. Landowners have also had an opportunity to comment on the allocation during Regulation 14 Pre-Submission and attend the Working Group meetings which were open to the public.

Penultimately, the representation claims that LGS15 is part of a working agricultural holding, privately owned and not publicly accessible. This is contrary to the views of residents. It is our understanding that it is openly accessed by residents - evidence of which can be seen from historic imagery on Google Earth over the years. As for the statement that there is no evidence that LGS15 is demonstrably special to the community or possess any of the cited qualifying characteristics, evidence for inclusion can be seen in the LGS Matrix, also visible in the Character Appraisal. Residents of Weyhill would certainly agree that it is demonstrably special, that

access has never been prevented and is only now being raised since there is developer interest.

- ***The parish response to the Borough Council's comments***

We are happy to make any changes which reflect an up-to-date position. However, it should be noted that this Plan was written and submitted in April 2025 and reflects that period of time.

Any blurred plans have been reduced in quality for use on the Parish website. The original plans are not blurred and are made at A3 size for ease of viewing. They can be made available.

We are also happy to move survey evidence to an appendix for ease of viewing.

The vision and objectives follow the views of the community. Although these could be caveated with 'as appropriate' or 'where possible'.

Removal of elements relating to flooding or capacity of the sewer network are critical.

- i. POLICY AM1 – LANDSCAPE CHARACTER AND SETTLEMENT IDENTITY*

We consider that this is locally specific as it refers to local maps and designations that are not apparent in Local Plan policy. It also refers to the character appraisal and design code.

- ii. POLICY AM2 – GREEN AND BLUE INFRASTRUCTURE, LANDSCAPING AND PLANTING*

As above, this refers to local information and does not duplicate the Local Plan. Tree planting is as recommended by the Woodland Trust and in other Made NPs.

- iii. POLICY AM2.1 PROTECTION OF PILLHILL BROOK*

Happy to access amendments to policy referring to SPA and SAC. We would still like the Brook highlighted as a SINC as it is confusing at present as to the extent covered. A range of buffers for chalk streams exist usually from 20m - 35m.

- iv. POLICY AM3 – FLOODING AND DRAINAGE*

The flooding and drainage policy could be reworded to include those vulnerable areas and then refer to NPPF etc.

- v. POLICY AM4 – LOCAL GREEN SPACES*

A policies map is often overloaded by designations and unclear. Often preferable to have individual figures. Disagree with amendment to wording of the text.

- vi. POLICY AM5 – IMPORTANT VIEWS AND VISTAS*

Agreed.

- vii. POLICY AM6 – BIODIVERSITY AND HABITATS*

Happy to amalgamate policies.

viii. POLICY AM6.1 PROTECTION OF AMPORT FEN

Would like this to stand, particularly if an LGS is not designated.

ix. POLICY AM6.2 HAWK CONSERVANCY TRUST

Happy to separate out the community aspirations further but a buffer zone to ensure no adverse impact to an existing land use is appropriate.

x. POLICY AM7 – DARK NIGHT SKIES

Happy to amend to the Examiner's preferred wording for this.

xi. POLICY AM8 – NON-DESIGNATED HERITAGE ASSETS

Happy to number the NDHAs.

xii. POLICY AM9 – DESIGN PRINCIPLES

Originally there were more detailed references to the NDG and the NMDC but these were removed to shorten the NP. The remaining information has been provided by AECOM as per their Design Guide. It is also locally specific in reference to this and the character appraisal.

'Commented [SH73]: Given that there is an identified need through the HNS and the housing register, the plan should allocate a site to meet the need'. As previously mentioned, the group are supportive of the need but unable to allocate a specific site.

xiii. POLICY AM10 – HOUSING, INFILL AND REDEVELOPMENT

These criteria are important if removed from elsewhere in the plan.

xiv. POLICY AM10.1 – DEVELOPMENT OF HOUSING TO MEET LOCAL NEED

Community consultation has led to this policy and Weyhill as a location. As above, R.E. comment SH73.

xv. POLICY AM11A - COMMUNITY FACILITIES

Happy to include a list of facilities. However, the provision of a play space in Weyhill is considered by the residents as essential and needs a supporting policy to enable the delivery.

xvi. POLICY AM11B - LOCAL ECONOMY

Proposals should provide information (appropriate to their nature and scale) to highlight how they will not adversely impact.

xvii. POLICY AM12 – ACCESSIBILITY, ROAD SAFETY AND SUSTAINABLE TRANSPORT

The policy refers to locally specific information not in the Local Plan.

Monitoring and Review is Section 1.5.