

# **Amport Parish Neighbourhood Development Plan 2025-2040**

**A report to Test Valley Borough Council on the  
Amport Parish Neighbourhood Development  
Plan**

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## **Executive Summary**

- 1 I was appointed by Test Valley Borough Council in October 2025 to carry out the independent examination of the Amport Parish Neighbourhood Plan.
- 2 The examination proceeded by written representations. I visited the neighbourhood area on 19 November 2025.
- 3 The Plan seeks to bring forward positive and sustainable development in the neighbourhood area. It also includes policies to safeguard the built and historic environment and proposes the designation of a package of local green spaces. The Plan is commendably focused on a clear set of locally-distinctive issues.
- 4 The Plan has been underpinned by community support and engagement. All sections of the community have been engaged in its preparation.
- 5 Subject to a series of recommended modifications set out in this report, I have concluded that the Plan meets all the necessary legal requirements and should proceed to referendum.
- 6 I recommend that the referendum area should coincide with the neighbourhood area.

**Andrew Ashcroft**  
**Independent Examiner**  
**18 February 2026**

## **1 Introduction**

- 1.1 This report sets out the findings of the independent examination of the Amport Parish Neighbourhood Development Plan 2024-2040 ('the Plan').
- 1.2 The Plan was submitted to Test Valley Borough Council (TVBC) by Amport Parish Council (APC) in its capacity as the qualifying body responsible for preparing the neighbourhood plan.
- 1.3 Neighbourhood plans were introduced into the planning process by the Localism Act 2011. They allow local communities to take responsibility for guiding development in their area. This approach was subsequently embedded in the National Planning Policy Framework (NPPF) in 2012, 2018, 2019, 2021, 2023 and 2024. The NPPF continues to be the principal element of national planning policy.
- 1.4 The role of an independent examiner is clearly defined in the legislation. I have been appointed to examine whether the submitted Plan meets the basic conditions and Convention Rights and other statutory requirements. It is not within my remit to examine or to propose an alternative plan, or a potentially more sustainable plan except where this arises because of my recommended modifications to ensure that the plan meets the basic conditions and the other relevant requirements.
- 1.5 A neighbourhood plan can be narrow or broad in scope and can include whatever range of policies it sees as appropriate to its designated neighbourhood area. The submitted Plan has been designed to be distinctive in general terms, and to be complementary to the existing development plan. It seeks to provide a context in which the neighbourhood area can maintain its character and appearance. It proposes the designation of a package of local green spaces.
- 1.6 Within the context set out above, this report assesses whether the Plan is legally compliant and meets the basic conditions that apply to neighbourhood plans. It also considers the content of the Plan and, where necessary, recommends changes to its policies and supporting text.
- 1.7 This report also provides a recommendation as to whether the Plan should proceed to referendum. If this is the case and that referendum results in a positive outcome the Plan would then be used to determine planning applications within the neighbourhood area and will sit as part of the wider development plan.

## **2 The Role of the Independent Examiner**

- 2.1 The examiner's role is to ensure that any submitted neighbourhood plan meets the relevant legislative and procedural requirements.
- 2.2 I was appointed by TVBC, with the consent of APC, to conduct the examination of the Plan and to prepare this report. I am independent of both TVBC and APC. I do not have any interest in any land that may be affected by the Plan.
- 2.3 I possess the appropriate qualifications and experience to undertake this role. I am a Director of Andrew Ashcroft Planning Limited. I have 43 years' experience in various local authorities at either Head of Planning or Service Director level, and more recently as an independent examiner. I have significant experience of undertaking other neighbourhood plan examinations and health checks. I am a member of the Royal Town Planning Institute and the Neighbourhood Planning Independent Examiner Referral System.

### *Examination Outcomes*

- 2.4 In my role as the independent examiner of the Plan, I am required to recommend one of the following outcomes of the examination:
- (a) that the Plan as submitted should proceed to a referendum; or
  - (b) that the Plan should proceed to referendum as modified (based on my recommendations); or
  - (c) that the Plan does not proceed to referendum on the basis that it does not meet the necessary legal requirements.
- 2.5 The outcome of the examination is set out in Section 8 of this report.

### *Other examination matters*

- 2.6 In examining the Plan, I am required to check whether:
- the policies relate to the development and use of land for a designated neighbourhood plan area; and
  - the Plan meets the requirements of Section 38B of the Planning and Compulsory Purchase Act 2004 (the Plan must specify the period to which it has effect, must not include provision about development that is excluded development, and must not relate to more than one neighbourhood area); and
  - the Plan has been prepared for an area that has been designated under Section 61G of the Localism Act and has been developed and submitted for examination by a qualifying body.
- 2.7 I have addressed the matters identified in paragraph 2.6 of this report and am satisfied that they have been met.

### 3 Procedural Matters

3.1 In undertaking this examination I have considered the following documents:

- the submitted Plan and Appendices A-E
- the Basic Conditions Statement.
- the Consultation Statement.
- the Strategic Environmental Assessment/Habitats Regulations Assessment screening report.
- the Design Guidance and Codes.
- the Character Appraisal.
- the Local Green Spaces Assessment.
- the Housing Needs Survey.
- the representations made to the Plan.
- APC's responses to the clarification note.
- TVBC's responses to the clarification note.
- the adopted Test Valley Borough Revised Local Plan Development Plan Document.
- the TVBC Local Development Scheme (February 2025)
- the emerging Test Valley Local Plan 2042.
- the National Planning Policy Framework (December 2024).
- Planning Practice Guidance.
- relevant Ministerial Statements.

3.2 I visited the neighbourhood area on 19 November 2025. I looked at its overall character and appearance and at those areas affected by policies in the Plan in particular.

3.3 It is a general rule that neighbourhood plan examinations should be held by written representations only. Having considered all the information before me, including the representations, I concluded that the Plan could be examined by written representations and that a hearing was not required.

## 4 Consultation

### *Consultation Process*

- 4.1 Policies in made neighbourhood plans become the basis for local planning and development management decisions. As such, the regulations require neighbourhood plans to be supported and underpinned by public consultation.
- 4.2 In accordance with the Neighbourhood Planning (General) Regulations 2012 (as amended), APC prepared a Consultation Statement. It is a very good example of a document of this nature. It is underpinned by detailed information in Tables 1-3.
- 4.3 The Statement records the various activities that were held to engage the local community and the feedback from each event. It is helpfully organised into key stages and includes a useful summary.
- 4.4 The Statement comments about the initial community survey (2023) and its findings. It also advises about the consultation processes that took place on the pre-submission version of the Plan (December 2024 to January 2025).
- 4.5 Table 3 outlines the comments received on the pre-submission Plan and advises about the way in which APC refined the Plan because of the comments received at this stage. This analysis helps to describe how the Plan evolved and progressed to the submission stage.
- 4.6 I am satisfied that consultation has been an important element of the Plan's production. Advice on the neighbourhood planning process has been made available to the community in a positive and direct way by those responsible for the Plan's preparation. From all the evidence provided to me as part of the examination, I conclude that the Plan has promoted an inclusive approach to seeking the opinions of all concerned throughout the process. TVBC has carried out its own assessment that the consultation process has complied with the requirements of the Regulations.

### *Consultation Responses*

- 4.7 Consultation on the submitted plan was undertaken by TVBC and ended on 20 October 2025. This exercise generated representations from the following organisations:
- Environment Agency
  - Land and Partners/Obsidian
  - National Highways
  - Natural England
  - The Dunning Family (via the Silverwood Partnership)
  - Southern Water
  - Test Valley Borough Council
- 4.8 Comments were also received from several residents of the neighbourhood area.

4.9 I have taken account of all the representations in preparing this report. Where it is appropriate to do so, I refer to specific representations on a policy-by-policy basis.

## 5. The Neighbourhood Area and the Development Plan Context

### *The Neighbourhood Area*

- 5.1 The neighbourhood area is Amport parish. It is located to the south and west of Andover. It includes the settlements of Amport and East Cholderton and land to the west of Weyhill on both sides of the Amesbury Road. The neighbourhood area was designated on 18 February 2022. In 2021 its population was 1244 people.
- 5.2 An important element of the Plan is the distinctiveness of the three main settlements. Amport is a traditional rural village based on St Mary's Church, the Primary School, and the Hawk Inn Public House. It enjoys ready access to extensive greens in the heart of the village. Pillhill Brook runs through the heart of the village. East Cholderton is a largely linear village based along Wiremead Lane. Both Amport and East Cholderton are located to the south of the A303. Weyhill is located to the north of the A303 along the A342 which provides convenient access to Andover to the east. There are several retail and commercial premises in the village centre at the junction of Weyhill Road, Rectory Lane and Red Post Lane.
- 5.3 The other parts of the neighbourhood area are mainly in agricultural use. Several of these areas have small pockets of settlement, including parts of Quarley (Lains Farm) and Cholderton Park in the west.

### *Development Plan Context*

- 5.4 The Test Valley Borough Revised Local Plan Development Plan Document 2011-2029 contains proposed policies for determining planning applications and identifying strategic allocations for housing, employment, and other uses. It was adopted in January 2016.
- 5.5 Policy COM 2 of the Plan sets out a Settlement Hierarchy for the Borough in which Amport and Weyhill form part of a series of Rural Villages (as shown in Table 7) which are the third of four categories in the hierarchy. The supporting text in the Local Plan advises that the settlements within the 'Rural Villages' category do not contain the range and number of facilities and services or have the accessibility of the first two categories to support strategic development allocations. However, because of the level of facilities available to help support and sustain communities either individually or shared, some additional development may be appropriate.
- 5.6 The following other strategic policies in the Local Plan are relevant to the submitted Plan:
- Policy COM7: Affordable Housing
  - Policy COM8: Rural Exception Affordable Housing
  - Policy COM14: Community Services & Facilities
  - Policy COM15: Infrastructure
  - Policy E1: High Quality Development in the Borough
  - Policy E5: Biodiversity
  - Policy E6: Green Infrastructure

- Policy T1: Managing Movement

- 5.7 TVBC is now well-advanced in the preparation of an updated Local Plan. It will cover the period up to 2040. The Local Development Scheme (February 2025) advises that the Plan will be submitted for examination in September 2026, and that its adoption is anticipated in December 2027.
- 5.8 The submitted neighbourhood plan has been prepared within this up-to-date development plan context. In doing so, it has relied on up-to-date information and research that has underpinned existing planning policy documents. This is good practice and reflects key elements in Planning Practice Guidance on this matter.

*Visit to the neighbourhood area*

- 5.9 I visited the neighbourhood area on 19 November 2025. I approached it from the A303 at Andover. This helped me to understand its position in the wider landscape and its accessibility to the strategic road network. I looked at the various settlements and their relationship one to the other. I looked carefully at the detailed elements of the Plan including its landscape character and the proposed Local Green Spaces.

## 6 The Neighbourhood Plan and the Basic Conditions

- 6.1 This section of the report deals with the submitted neighbourhood plan as a whole and the extent to which it meets the basic conditions. The submitted Basic Conditions Statement has helped in the preparation of this section of the report. It is an informative and well-presented document.
- 6.2 As part of this process, I must consider whether the submitted Plan meets the basic conditions as set out in paragraph 8(2) of Schedule 4B of the Town and Country Planning Act 1990. To comply with the basic conditions, the Plan must:
- have regard to national policies and advice contained in guidance issued by the Secretary of State;
  - contribute to the achievement of sustainable development;
  - be in general conformity with the strategic policies of the development plan in the area;
  - not breach, and otherwise be compatible with, the assimilated obligations of EU legislation (as consolidated in the Retained EU Law (Revocation and Reform) Act 2023 (Consequential Amendment) Regulations 2023; and
  - not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017.

I assess the Plan against the basic conditions under the following headings:

### *National Planning Policies and Guidance*

- 6.3 For the purposes of this examination the key elements of national policy relating to planning matters are set out in the National Planning Policy Framework December 2024 (NPPF).
- 6.4 The NPPF sets out a range of land-use planning principles to underpin both plan-making and decision-taking. The following are particularly relevant to the Amport Parish Neighbourhood Development Plan:
- a plan-led system - in this case the relationship between the neighbourhood plan and the development plan context as described in Section 5 of this report;
  - building a strong, competitive economy;
  - recognising the intrinsic character and beauty of the countryside and supporting thriving local communities;
  - taking account of the different roles and characters of different areas;
  - highlighting the importance of high-quality design and good standards of amenity for all future occupants of land and buildings; and
  - conserving heritage assets in a manner appropriate to their significance.
- 6.5 Neighbourhood plans sit within this wider context both generally, and within the more specific presumption in favour of sustainable development. Paragraph 13 of the NPPF indicates that neighbourhoods should both develop plans that support the strategic

needs set out in local plans and plan positively to support local development that is outside the strategic elements of the development plan.

- 6.6 In addition to the NPPF, I have also taken account of other elements of national planning policy including Planning Practice Guidance and the recent ministerial statements.
- 6.7 Having considered all the evidence and representations available as part of the examination I am satisfied that the submitted Plan has had regard to national planning policies and guidance subject to the recommended modifications in this report. It sets out a positive vision for the future of the neighbourhood area and includes a series of policies that address a range of development and environmental matters. It has a focus on safeguarding its built and natural environments, and designating a package of local green spaces.
- 6.8 At a more practical level, the NPPF indicates that plans should provide a clear framework within which decisions on planning applications can be made and that they should give a clear indication of how a decision-maker should react to a development proposal (paragraph 16d). This is reinforced in Planning Practice Guidance (ID:41-041-20140306) which indicates that policies in neighbourhood plans should be drafted with sufficient clarity so that a decision-maker can apply them consistently and with confidence when determining planning applications. Planning practice guidance also advises that planning policies should be concise, precise, and supported by appropriate evidence.
- 6.9 As submitted, the Plan does not fully accord with these practical issues. Most of my recommended modifications in Section 7 relate to matters of clarity and precision. They are designed to ensure that the Plan fully accords with national policy.

#### *Contributing to sustainable development*

- 6.10 There are clear overlaps between national policy and the contribution that the submitted Plan makes to achieving sustainable development. Sustainable development has three principal dimensions – economic, social, and environmental. I am satisfied that the submitted Plan has set out to achieve sustainable development. In the economic dimension, the Plan includes policies on infill housing development (Policy AM10), and on the local economy (Policy AM11B). In the social dimension, it includes a policy on local green spaces (Policy AM4). In the environmental dimension, the Plan positively seeks to protect its natural, built, and historic environment. It includes policies on landscape character (Policy AM1), flooding and drainage (Policy AM3), views and vistas (Policy AM5), heritage assets (Policy AM8), and design (Policy AM9). This assessment overlaps with the details on this matter in the submitted Basic Conditions Statement.

#### *General conformity with the strategic policies in the development plan*

- 6.11 I have already commented in detail on the development plan context in Test Valley in paragraphs 5.4 to 5.8 of this report.

- 6.12 I consider that the submitted Plan delivers a local dimension to this strategic context and supplements the detail already included in the adopted development plan. Subject to the recommended modifications in this report, I am satisfied that the submitted Plan is in general conformity with the strategic policies in the development plan.

#### *Strategic Environmental Assessment*

- 6.13 The Neighbourhood Plan (General) (Amendment) Regulations 2015 require a qualifying body either to submit an environmental report prepared in accordance with the Environmental Assessment of Plans and Programmes Regulations 2004 or a statement of reasons why an environmental report is not required.
- 6.14 TVBC prepared a screening report in July 2025. It concludes that there is no potential for likely significant environmental effects and an environmental report does not need to be prepared for the Plan.

#### *Habitats Regulations Assessment*

- 6.15 TVBC also prepared a Habitats Regulations Assessment (HRA) screening report of the Plan at the same time. It assesses the potential impact of the Plan on protected sites.
- 6.16 The report assesses the impact of the Plan on the Salisbury Plain SPA/SAC buffer zone. It concluded that as the Plan does not propose or allocate housing sites, it does not require a Habitats Regulations Assessment (HRA). It advises that this conclusion is based on the range of designated habitats within and adjacent to the neighbourhood area and the recognition in published HRA work of their sensitivities to the impacts of development.
- 6.17 Having reviewed the information provided to me as part of the examination I am satisfied that a proportionate process has been undertaken in accordance with the various regulations. None of the statutory consultees have raised any concerns about the way the Plan meets neighbourhood plan obligations. In the absence of any evidence to the contrary, I am entirely satisfied that the submitted Plan is compatible with this aspect of the basic conditions.

#### *Human Rights*

- 6.18 In a similar fashion I am satisfied that the submitted Plan has had regard to the fundamental rights and freedoms guaranteed under the European Convention on Human Rights (ECHR) and that it complies with the Human Rights Act. There is no evidence that has been submitted to me to suggest otherwise. There has been full and adequate opportunity for all interested parties to take part in the preparation of the Plan and to make their comments known. The approach taken is captured in the submitted Equalities Impact Assessment. On this basis, I conclude that the submitted Plan does not breach, nor is in any way incompatible with the ECHR.

*Summary*

- 6.19 On the basis of my assessment of the Plan in this section of my report, I am satisfied that it meets the basic conditions subject to the incorporation of the recommended modifications contained in this report.

## 7 The Neighbourhood Plan policies

- 7.1 This section of the report comments on the policies in the Plan. It makes a series of recommended modifications to ensure that the various policies have the necessary precision to meet the basic conditions.
- 7.2 The recommendations focus on the policies in the Plan given that the basic conditions relate primarily to this aspect of neighbourhood plans. However, in some cases, I have also recommended changes to the associated supporting text.
- 7.3 I am satisfied that the content and the form of the Plan is fit for purpose. It is distinctive and proportionate to the neighbourhood area. The wider community and APC have spent time and energy in identifying the issues and objectives that they wish to be included in their Plan. This sits at the heart of the localism agenda.
- 7.4 The Plan has been designed to reflect Planning Practice Guidance (Section 41-004-20190509) which indicates that neighbourhood plans must address the development and use of land.
- 7.5 I have addressed the policies in the order that they appear in the submitted Plan.
- 7.6 For clarity, this section of the report comments on all the policies.
- 7.7 Where modifications are recommended to policies they are highlighted in bold print. Any associated or free-standing changes to the text of the Plan are set out in italic print
- The initial parts of the Plan (Sections 1-5)*
- 7.8 The initial elements of the Plan set the scene for the policies. They are proportionate to the neighbourhood area and the subsequent policies.
- 7.9 The Introduction sets out a clear background to the Plan. It identifies the neighbourhood area (in Figure 1) and the Plan period (in paragraph 1.5.1).
- 7.10 Section 2 comments about the national and local planning policy within which the Plan has been prepared. It comments about:
- the importance of national planning policy;
  - adopted and emerging local planning policy; and
  - the stage which the emerging Test Valley Local Plan has reached.
- 7.11 Section 3 comments about the parish to very good effect. The information helpfully informs several of the policies.
- 7.12 Section 4 comments about the vision and objectives of the Plan and how they provide a structure for the resulting policies. The Vision neatly summarises the approach taken as follows:
- ‘This Neighbourhood Plan promotes a harmonious and vibrant community across the Parish of Amport, respecting its rural origin, preserving its natural status, and adapting to the needs of its inhabitants. This is achieved through a strategy that balances small*

*scale housing development to meet local need, combined with environmental protection, heritage conservation, and community enrichment.'*

- 7.13 Section 5 relates the policies in the Plan to distinctive topic areas. This provides a clear structure for the Plan.
- 7.14 The remainder of this section of the report addresses each policy in turn in the context set out in paragraphs 7.5 to 7.7 of this report.

General comments on the policies

- 7.15 The policies are presented in clear policy boxes and are distinguished from their supporting text.
- 7.16 A key element of the Plan is the way in which the various policies are underpinned by extensive supporting text. In some cases, this approach is consolidated by the information in the five appendices This helps all concerned to understand the evidence that supports the approach taken and is best practice.

Policy AM1: Landscape Character and Settlement Identity

- 7.17 This policy is an important element of the Plan. It is underpinned by the details in the Test Valley Landscape Character Assessment 2004. The supporting text comments about the four landscape areas in the neighbourhood area to very good effect.
- 7.18 The policy comments that development proposals should demonstrate how they preserve or enhance the distinct rural character of the landscape including those features and elements highlighted in Figure 13. It also comments that proposals should also take into consideration the recommendations of the Amport Character Appraisal (See Appendix C) and Design Code (See Appendix E). The policy also requires that development proposals should seek to meet a series of criteria.
- 7.19 In the round, the policy takes a positive approach to this matter and has regard to Section 14 of the NPPF. It captures the landscape character of the parish to good effect. Within this context I recommend the following modifications to bring the clarity required by the NPPF and to ensure that TVBC can implement the policy through the development management system.
- ensuring a direct reference to the Landscape Character Assessment in the opening element of the policy;
  - expanding the opening element of the second part of the policy so that it can be applied in a proportionate way. This will acknowledge that many smaller proposals will not impact on the various criteria; and
  - the deletion of the fourth bullet point in the second part of the policy. This acknowledges that the matter of views is already addressed in Policy AM5.
- 7.20 Otherwise the policy meets the basic conditions. It will contribute to the local delivery of the social and the environmental dimensions of sustainable development.

**Replace the opening element of the policy with:**

**‘Development proposals should demonstrate how they preserve or, where practicable, enhance the distinct rural character of the landscape including those features and elements highlighted in the Landscape Character Assessment as shown in Figure 13. Development proposals should also respond positively to the recommendations of the Amport Character Appraisal (Appendix C) and Design Code (Appendix E).**

**Replace the opening element of the second part of the policy with: ‘As appropriate to their scale, nature and location development proposals should seek to:’**

**Delete the fourth bullet point in the second part of the policy**

**In the penultimate bullet point replace ‘landscaped’ with ‘landscape’**

Policy AM2: Green and Blue Infrastructure, Landscape and Planting

- 7.21 The context to this policy is that the Plan advises that Amport Parish has a range of natural features and spaces within the settlements (as shown in Figure 22). Natural features include woodlands such as Cholderton Park, Victoria Copse, Cholderton Hill, Amport Wood, Furzedown, Sarson Wood, Gollard Copse, Little Vinels Copse, Great Vinels Copse and Hurst Copse.
- 7.22 The resulting policy is comprehensive and addresses the following matters:
- proposals for the expansion of the network of the green and blue infrastructure will be supported;
  - development schemes should preserve, enhance, and maintain existing green and blue infrastructure (as identified in Figure 22), avoiding the loss of or damage to existing woodlands and watercourses and water bodies;
  - new development that could potentially result in the loss or damage to existing watercourses (see policy AM2.1), water bodies, trees and woodland will not be supported, unless appropriate justification and mitigation is provided. River/ watercourse restoration should be explored and delivered where possible; and
  - various commentary about trees and hedgerows.
- 7.23 The policy takes a positive approach to this matter and has regard to Section 14 of the NNPPF. It captures the landscape character of the parish to good effect. Within this context I recommend the following modifications to bring the clarity required by the NPPF and to ensure that TVBC can implement the policy through the development management system:
- ensuring that the wording used throughout the policy is appropriate to the role of a neighbourhood plan in the development plan;
  - ensuring that the policy can be applied where it is practicable to do so; and
  - removing the unjustified tree replacement details in the fifth part of the policy.

- 7.24 Otherwise the policy meets the basic conditions. It will contribute to the local delivery of the social and the environmental dimensions of sustainable development.

**Replace the first element of the policy with: ‘Development proposals for the expansion of the network of the green and blue infrastructure will be supported.’**

**Replace the third element of the policy with: ‘Development proposals that would result in the loss or damage to existing watercourses, water bodies, trees, and woodland will not be supported, unless appropriate justification and mitigation is provided. Appropriate river and watercourse restoration should be addressed and delivered wherever practicable.’**

**Replace the fourth element of the policy with: ‘Development proposals that would affect protected trees or their setting should be accompanied by a tree survey and arboricultural impact assessment to address how the development will affect tree root protection zones, crown spread, the setting of the affected trees and any appropriate mitigation measures.’**

**Replace the fifth element of the policy with: ‘Development proposals that would result in the removal of unprotected trees should provide appropriate landscaping enhancements and replacement trees.’**

**Replace the final element of the policy with: ‘Wherever practicable, development proposals should incorporate native planting and/or planting which is beneficial to wildlife.’**

Policy AM2.1: Protection of Pillhill Brook

- 7.25 The Plan advises that Pillhill Brook is a tributary of the River Anton and one of a limited number classic chalk streams in Hampshire. It also advises that it winds through a narrow valley lined with open chalklands connecting various villages and hamlets including both East Cholderton and Ampot. I noted the significance of the Brook during the visit.
- 7.26 The policy comments that development proposals that have an adverse impact on Pillhill Brook (including its main water course, associated ponds and pools and feeder streams), must demonstrate that there would be no increased risk of flooding, water pollution, or adverse nutrient loading and that the rural landscape character, identified views and biodiversity of the Pillhill Brook will be maintained, and enhanced where possible. The policy also proposes that development proposals should include a buffer to safeguard the Brook.
- 7.27 I sought advice from APC about the proposed 20m buffer in the policy. In its response to the clarification note it commented that it was taken from other chalk streams in the wider area, where TVBC ecologists suggested a 20m buffer would be adequate.
- 7.28 I have considered the policy carefully. The Brook is clearly an important feature in the local environment. Nevertheless, national policy advises that policies should be positively worded, and I recommend accordingly. The recommended modifications

incorporate the suggested revisions to the policy proposed by TVBC. They also acknowledge the role of a neighbourhood plan within the wider development plan.

- 7.29 I note APC's response on the buffer issue. Nevertheless, I am not satisfied that the 20-metre requirement is fully-evidenced. As such I recommend a more proportionate approach is taken and with the potential requirement for 20 metres set in the supporting text.
- 7.30 TVBC suggest that the policy is expanded to address the impact of any development in the neighbourhood area downstream. Such an approach would have merit. However, it is not required to ensure that the policy meets the basic conditions. In addition, TVBC can address this matter through the development management process. Nevertheless, I recommend the inclusion of additional supporting text on this matter.
- 7.31 I recommend the deletion of paragraph 6.2.18 given that it has no direct relationship with the policy.
- 7.32 Otherwise the policy meets the basic conditions. It will contribute to the local delivery of the social and the environmental dimensions of sustainable development.

**Replace the policy with:**

**'Development proposals should respond positively to the importance of Pillhill Brook and ensure that its rural landscape character, identified views and biodiversity are maintained, and where practicable, enhanced.**

**Development proposals that have an adverse impact on Pillhill Brook (including its main water course, associated ponds and pools and feeder streams) should demonstrate that there would be no increased risk of flooding, water pollution, or adverse nutrient loading.**

**As appropriate to their scale, nature and location, development proposals should incorporate an undeveloped buffer between it and the banks of the Pillhill Brook to mitigate the risk of flooding and water pollution and enhance biodiversity.'**

*Replace paragraph 6.2.18 with:*

*'The whole of the neighbourhood area lies within the catchment of the River Test which flows into the Solent where wildlife of marine, tidal and intertidal areas is protected by several international designations. Natural England has advised these designations are being adversely affected by the nutrients associated with sewage and agricultural runoff and that the restoration of these sites partly depends on ensuring new development does not generate any additional nutrient inputs. Natural England is placing particular emphasis on nitrogen as this is considered to have an overriding impact in these saltwater habitats. In these circumstances relevant development proposals in the neighbourhood area should demonstrate they are nitrogen neutral in accordance with Natural England guidance. Test Valley Borough Council will carry out the necessary assessment of developments under the Habitats Regulations, may*

*require developers to demonstrate that Natural England has assessed and agreed their calculations and mitigation proposals prior to an application being submitted and/or determined. In due course strategic mitigation schemes may become available which enable developers to purchase nitrogen credits to the value of the increased nitrogen levels their developments are calculated to generate.'*

*At the end of 6.2.19 add: 'The policy sets out a proportionate approach to the creation of a buffer. Where appropriate it should be up to 20 metres in size.'*

#### Policy AM3: Flooding and Drainage

- 7.33 The Plan comments that Figures 24 and 25 show the areas within the Parish that are at risk of flooding from surface water. Low risk means that the area has a 0.1% to 1% chance of flooding from surface water each year. Medium risk means that the area has a 1% to 3.3% chance of flooding from surface water each year. High risk means that the area has a greater than 3.3% chance of flooding from surface water each year. Several areas within the Parish are susceptible to surface water flooding and the Parish is at risk of flooding from rivers or sea – specifically the land surrounding Pillhill Brook.
- 7.34 The Plan also advises that surface water flooding exacerbated by the Brook is a potential concern that may not be readily apparent to those proposing new developments.
- 7.35 The policy comments that developments should, wherever possible, be sympathetic to the surrounding landscape while avoiding development on flood plains and areas at risk from seasonal and surface water flooding, particularly near Pillhill Brook. The policy continues by advising that as appropriate to their scale, nature and location, development proposals should incorporate a sustainable and integrated approach to the management of flood risk, surface water (including run off) and foul drainage. These proposals should be robust to the expected impacts of climate change. Finally, it comments that development proposals should be in areas of lowest flood risk and development shall not increase flood risk elsewhere, and that planning applications shall be accompanied by site-specific flood risk assessments as required.
- 7.36 In general terms the policy takes a positive approach towards flooding and drainage issues. Nevertheless, as TVBC advises, it has significant overlaps with national policy. I have considered this issue very carefully alongside APC's response to TVBC's representation. On the balance of the evidence, I recommend that the general elements of the policy which restate national policy should be deleted from the policy, and, where relevant, summarised in the supporting text. This will provide a locally-distinctive policy in the Plan.
- 7.37 Otherwise the policy meets the basic conditions. It will contribute to the local delivery of the social and the environmental dimensions of sustainable development.

**Delete the first and second parts of the policy.**

**Replace the opening element of the third part of the policy with:**

**The Plan identifies the following areas as particularly vulnerable to flooding:  
[include the list]**

**Replace the fifth part of the policy with:**

**‘Development proposals should incorporate SuDS designed as an integral part of the green infrastructure and street network and ensure that they mitigate any adverse effects from surface water run-off and flooding on people, property, and the ecological value of the local environment. In addition, they should provide flood storage capacity and contribute to the improvement of habitats and species migration.’**

**Delete the sixth and seventh parts of the policy.**

**Replace the eighth part of the policy with:**

**‘As appropriate to their scale, nature and location, development proposals that would involve the loss of permeable surfaces, trees, soft landscaping, or any other feature that helps reduce flood risk should incorporate appropriate mitigation measures to prevent an increase in flood risk either on-site or elsewhere.’**

*Add new paragraphs of supporting text (6.3.8 and 6.3.9) to read:*

*‘The policy has been designed to provide a local dimension to Section 14 of the NPPF. As appropriate to their scale, nature and location, development proposals should incorporate a sustainable and integrated approach to the management of flood risk, surface water (including run off) and foul drainage. These proposals should be robust to the expected impacts of climate change. Development will be in areas of lowest flood risk and development shall not increase flood risk elsewhere. Planning applications shall be accompanied by site-specific flood risk assessments as required.*

*A surface water sewer should be seen as a last resort and no surface water will be permitted to enter the public foul sewage network. Development proposals should demonstrate that surface water drainage will not add to the existing site runoff or cause any adverse impact to neighbouring properties and surrounding environment, particularly in those areas highlighted by Figures 24 and 25 and the list of locations identified in the policy.’*

**Policy AM4: Local Green Spaces**

- 7.38 The policy proposes the designation of fifteen Local Green Spaces (LGSs). The approach taken is underpinned by the details for each proposed designation in the LGS Assessment.
- 7.39 I looked at the proposed LGSs throughout the visit. I saw their individual characters and sizes.

- 7.40 The Dunning Family comments about the proposed LGS at land adjacent to Ordnance Lane (LGS15) as follows:

*'The land in question is part of a working agricultural holding, privately owned and not publicly accessible. There is no evidence whatsoever that the land is demonstrably special to the community or possesses any of the cited qualifying characteristics (beauty, historic value, recreational use, tranquillity, or wildlife richness). The area identified comprises six acres of farmland, and as such constitutes an extensive tract of land, contrary to NPPF guidance and case law.'*

- 7.41 In its response to this representation APC commented that:

*'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.'*

- 7.42 I also sought advice from APC about the size of this LGS. In its response it commented that:

*'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.'*

- 7.43 I have considered these very comments carefully together with the additional commentaries made by the Dunning Family and APC after APC's initial response to the clarification note. Based on the evidence in the LGS Assessment and my own observations, I have reached the following conclusions on the criteria in the NPPF:

*In reasonably close proximity to the community it serves (NPPF 107a) – I am satisfied that this is the case. The proposed LGS is located within walking distance of the centre of Weyhill and is adjacent to the houses on Amesbury Road and in Michaelmas Drove.*

*Demonstrably special to a local community and holds a particular local significance (NPPF 107b)– I note that the LGS Assessment advises that this area is currently and has been used historically by local community for exercise and dog walking. Paths are*

well worn and can be seen clearly on aerial photos. This is a valued open space. The area away from the road is more tranquil and well use. Nevertheless, during the visit, I saw no such activity (on two separate occasions) and that the area was in agricultural use. There was nothing that I saw in the character and appearance of the site to suggest that it met the demanding tests of the NPPF for LGS designation on this criterion. In all the circumstances I am not satisfied that the proposed LGS meets this criterion.

*Local in character (NPPF 107c)* – At 2.92 hectares in size I am satisfied that the proposed LGS is local in character and not an extensive tract of land.

- 7.44 The NPPF requires that proposed LGSs meet each of the three criteria in its paragraph 107. On this basis I recommend that proposed LGS15 is deleted from the Plan.
- 7.45 Part of the policy wording follows the matter-of-fact approach taken in paragraph 108 of the NPPF. Other parts seek to highlight the importance of the proposed LGSs to the community. I have considered this matter carefully, including APC's response to TVBC's representation. In recent years the courts have made judgements about the wording used in LGS policies and their relationship with the NPPF. Based on all the evidence I recommend that the policy element is modified so that it follows the approach taken in paragraph 108 of the NPPF.
- 7.46 Otherwise the policy meets the basic conditions. It will contribute to the local delivery of the social and the environmental dimensions of sustainable development.

**Replace the policy with:**

**'The following sites (as shown on Figures 26-29) are designated as Local Green Spaces [list the proposed LGSs except for LGS15]**

**Development proposals within a Local Green Space will only be supported in very special circumstances.'**

*Delete LGS15 from Figures 26 and 27*

Policy AM5: Important Views and Vistas

- 7.47 The Plan advises that the context to this policy is that residents expressed through community engagement that one of the reasons they enjoy living in the parish is because of the views and quality of the landscape around them (as identified in Figure 3). The Plan comments that this approach reflects that the topography, heritage assets, open fields, chalk streams, and large wooded areas lend itself to long distance views, particularly southward facing.
- 7.48 The policy identifies a series of views and is underpinned by the findings of the Character Appraisal (Appendix C). It comments that development proposals should preserve or enhance the local character of the landscape and through their design, height and massing should recognise and respond positively to the various Important Views. It continues by commenting that development proposals which would have a significant adverse impact on an identified Important View will not be supported.

7.49 In general terms the policy has been positively-prepared and has regard to Section 14 of the NPPF. It is appropriately underpinned by the information in the Character Appraisal. In addition, the wording of the policy is non-prescriptive.

7.50 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. I sought advice from APC about the extent to which it had considered this matter. In its response, APC advised that:

*‘(the) 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.’*

7.51 The emerging Test Valley Local Plan 2042 (Revised Regulation 18 stage June 2025) proposes a package of sites for housing development. One of these sites is the Northern Area Policy 16 (NA16) - Expansion of Weyhill for approximately 1,034 dwellings.

7.52 APC’s response highlights the relationship between the emerging Local Plan and the submitted neighbourhood plan. Clearly in this case the latter is ahead of the former. Planning practice guidance provides guidance on this issue as follows:

*‘A draft neighbourhood plan or Order must be in general conformity with the strategic policies of the development plan in force if it is to meet the basic condition. Although a draft neighbourhood plan or Order is not tested against the policies in an emerging local plan the reasoning and evidence informing the local plan process is likely to be relevant to the consideration of the basic conditions against which a neighbourhood plan is tested. For example, up-to-date housing need evidence is relevant to the question of whether a housing supply policy in a neighbourhood plan or Order contributes to the achievement of sustainable development.*

*Where a neighbourhood plan is brought forward before an up-to-date local plan 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. (PPG ID: 41-009-20190509)'*

- 7.53 The situation is fluid. In its response to the clarification note TVBC commented that:
- '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.'*
- 7.54 The representation from Land & Partners/Obsidian Strategic does not identify specific views in the Plan. However, I note that there is a degree of overlap between the views included (in Weyhill) in the Plan and the proposed housing allocation as included in the most recent version of the emerging Local Plan. Plainly there is now some uncertainty about the extent to which that proposed site will now proceed. In this context I am not persuaded that the emerging Local Plan is at a sufficiently advanced stage at which I could reasonably apply the guidance in Planning practice guidance and recommend the deletion of proposed views in the neighbourhood plan which overlap with Northern Area Policy 16 (NA16) in the most recent version of the Local Plan.
- 7.55 Furthermore, I am satisfied that there is sufficient flexibility within the policy for any future development to accommodate the identified views. In reaching this conclusion, I note that TVBC has not commented on the identified views which relate closest to those which would affect the site identified in the most recent version of the emerging Local Plan (WH1-5).
- 7.56 I recommend that the policy acknowledges that individual proposals will have different implications on the identified views. I also recommend that the policy wording recognises that not all proposals will be able to enhance the character of the local landscape. Otherwise, the policy meets the basic conditions. It will contribute to the local delivery of the social and the environmental dimensions of sustainable development.

**Replace the final parts of the policy with:**

**'As appropriate to their scale, nature and location development proposals should preserve or where practicable enhance the local character of the landscape and, through their design, height and massing, should recognise and respond positively to the various Important Views.**

**Development proposals which would have a significant adverse impact on an identified Important View will not be supported.'**

## Policy AM6: Biodiversity and Habitats

- 7.57 The context to this policy is that the parish contains a variety of statutory and non-statutory designated sites which range from priority habitats including deciduous/mixed woodland, lowland calcareous grassland, semi-improved grassland, traditional orchards, and floodplain grazing marsh to ancient woodlands (as shown in Figures 19 and 22). The Pillhill Brook has the only formal designation as a Site of Importance for Nature Conservation (SINC).
- 7.58 The policy has four related parts:
- development proposals must protect and enhance the local biodiversity of Amport Parish (see Figure 19), including the maintenance and creation of wildlife corridors as shown on Figure 36. Where possible, new development should take the opportunity to connect fragmented habitats and provide nature highways such as through garden fences;
  - new residential developments should avoid the loss of significant trees and vegetation, in addition to providing owl, bird and bat boxes as well as insect hotels in parks;
  - developments should also seek to protect and enhance local green and blue infrastructure, specifically Pillhill Brook (see Policy AM2.1) and Amport Fen (see Policy AM6.1); and
  - development proposals should achieve a biodiversity net gain of 20% where appropriate and no less than the 10% minimum required level.
- 7.59 In its response to the clarification note, APC acknowledged that since this part of the Plan was originally drafted, much has changed and it would be happy for the policy to refer to a 10% biodiversity net gain. I recommend that this matter is addressed in the supporting text given that there is no need for a neighbourhood plan policy to restate national policy and legislation.
- 7.60 I also recommend the deletion of the third part of the policy as its content is already addressed in Policies AM2.1 and AM6.1 of the Plan.
- 7.61 Finally, I recommend that the wording in the first part of the policy is modified so that it acknowledges the role of a neighbourhood plan in the wider development plan and acknowledges that the degree of enhancement as anticipated by the policy will not always be practicable.
- 7.62 Otherwise the policy meets the basic conditions. It will contribute to the local delivery of the social and the environmental dimensions of sustainable development.

### Replace the policy with:

**‘Development proposals should protect and, where practicable, enhance local biodiversity (as shown on Figure 19), including the maintenance and creation of wildlife corridors (as shown on Figure 36). Wherever practicable, new development should take opportunities to connect fragmented habitats and provide nature highways such as through garden fences.**

**New development should avoid the loss of significant trees and vegetation, and, where relevant, provide owl, bird and bat boxes and insect hotels in parks.'**

*Replace paragraph 6.6.9 with: 'As a result, this Plan seeks to complement national policy which stipulates that development proposals deliver a biodiversity net gain of at least 10%.;*

Policy AM6.1: Protection of Amport Fen

- 7.63 The Plan advises that Amport Fen is adjacent to Pillhill Brook in the centre of the parish. It was acquired by the APC in 2001 and serves as a nature reserve, with a variety of wildlife such as butterflies, birds and indigenous species of trees and plants. The Plan asserts that it is an excellent parish amenity that is much-loved by the local community. The Fen has been identified as a flooded woodland. This type of habitat is becoming increasingly rare. Although it has no formal designation, the Plan advises that it is a biodiversity resource which must be protected for its additional setting benefit to the Pillhill Brook and the Conservation Area.
- 7.64 The policy comments that development proposals that are likely to impact on Amport Fen should include evidence to justify that the biodiversity of the reserve will be protected and where possible, enhanced. To protect the Reserve from the adverse effects of development, the policy also advises that proposals in proximity to or affecting Amport Fen visually or physically should meet a series of criteria,
- 7.65 I looked at the Fen during the visit. Its significance was self-evident. In general terms the policy has a positive approach that has regard to Section 15 of the NPPF. Nevertheless, to bring the clarity required by the NPPF I recommend that the policy has an additional (opening) element that sets out what development proposals affecting the Fen should achieve. In addition, there is a degree of overlap between the two parts of the policy. I recommend that the second part is repositioned into the supporting text so that it can inform developers about the way in which they can achieve the outcomes required by the first part.
- 7.66 Otherwise the policy meets the basic conditions. It will contribute to the local delivery of the social and the environmental dimensions of sustainable development.

**Replace the policy with:**

**'Development proposals should respond positively to the importance of the Amport Fen. Development proposals that would affect the significance of the Fen should include evidence of the extent to which its biodiversity will be protected and, where practicable, enhanced.'**

*At the end of paragraph 6.6.12 add: 'Policy AM6.1 seeks to protect the Reserve from the adverse effects of development. In this context proposals which affect Amport Fen should address its character and the potential for the development to detract from its appearance and function. Potential areas to be addressed in the development of planning applications include the prevention of pollution and contamination of the reserve, protecting the setting and landscape character of the reserve, supporting the*

*maintenance and creation of wildlife corridors to and from the reserve, and providing a suitable landscaped buffer.'*

Policy AM6.2: Hawk Conservancy Trust

7.67 The Plan advises that Hawk Conservancy Trust is a dedicated conservation charity, home to approximately 150 birds, many of which are critically endangered in the wild. It comments that these birds are integral to the Trust's mission to conserve birds of prey and their habitats. The Trust also plays a crucial role in educating and inspiring the public about these birds and the natural world, through its world-class free-flying displays and other educational and breeding programmes. During these displays, the birds, including native species, often range widely across the surrounding area. The Hawk Conservancy Trust undertakes a series of focused projects, breeding programmes, and research, which could be adversely affected by inappropriate development either adjacent to the site or within its general bird flight area. The Plan comments that the flight area is loosely defined in Figure 38 as those fields which are most used by the birds.

7.68 I looked at the Trust building during the visit.

7.69 The policy comments that development proposals within the flight zone radius of Hawk Conservancy Trust (see Figure 38) must be assessed for potential adverse impact on the birds, particularly those involved in free-flying displays and conservation projects. It also advises that opportunities for creating buffer zones or wildlife corridors that enhance the habitat around the Trust will be encouraged as part of the development planning process

7.70 I sought advice from APC about the extent to which the criteria in the final part of the policy land use related. In its response to the clarification note APC commented that:

*'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.'*

- 7.71 The policy addresses a very locally-distinctive matter in the parish to good effect. In general terms it has regard to Section 15 of the NPPF. Nevertheless, several of its elements are operational rather than land use in their nature. As such I recommend that these elements are repositioned into the supporting text. In doing so I recommend that the need for technical information should be proportionate to the development proposed. Otherwise, the policy meets the basic conditions. It will contribute to the local delivery of the social and the environmental dimensions of sustainable development.

**Replace the policy with:**

**‘Development proposals within the flight zone radius of Hawk Conservancy Trust (see Figure 38) should respond positively to the ecological and conservation significance of the Trust.**

**Wherever practicable development proposals should pursue opportunities for creating buffer zones or wildlife corridors that enhance the habitat around the Trust.**

**Development proposals that would unacceptably interfere with the natural flight paths or behaviours of the birds based at the Trust, will not be supported.’**

*Add new paragraphs of supporting text (6.6.24/25) to read:*

*‘Policy AM6.2 sets out a land use approach towards the Trust’s site. Within this context development proposals within the identified flight zone should submit a detailed impact assessment, demonstrating how proposals will have no adverse impact or how they will mitigate any potential risks to The Trust’s birds and their flight zones.*

*As appropriate to their scale, nature and location development proposals within the flight zone radius should include measures set out within a Landscape and Environmental Management Plan (or similar document appropriate to the type of development proposed) to minimise risks to The Hawk Conservancy Trust’s birds, and to address the following measures:*

- *prohibiting or controlling the use of toxic rodenticides and other harmful chemicals;*
- *implementing measures to prevent domestic pets from posing a threat to the Trust’s birds; and*
- *incorporating noise control measures to prevent disturbances to the Trust’s birds, particularly during critical breeding periods.’*

**Policy AM7: Dark Night Skies**

- 7.72 The Plan comments that evidence from the CPRE’s online mapping website (England’s Light Pollution and Dark Skies) indicates that the Parish enjoys low levels of light pollution, for the most part between 0.25 and 1 nanowatts/cm<sup>2</sup>/steradian, and consequentially enjoys relatively dark skies at night. However, it advises that despite low levels, developments outside of the parish boundaries, notably from Weyhill and

Andover, cause light overspill which impacts the dark skies affecting areas on the edge of the parish.

- 7.73 The policy advises that development proposals should conserve and enhance relative tranquillity in relation to light pollution and dark night skies. It also comments that development proposals should also demonstrate that they meet or exceed the Institute of Lighting Professionals guidance and other relevant standards or guidance (CIE 150:2017 Guide on the Limitation of the Effects of Obtrusive Light from Outdoor Lighting Installations), or any equivalent replacement/updated guidance for lighting within environmental zones. Finally, it comments that development proposals which include lighting should ensure that a series of criteria are met.
- 7.74 In general terms, the policy takes a positive approach to safeguarding dark skies. I recommend that the second paragraph of the policy (Institute of Lighting Professionals) is repositioned into the supporting text. Whilst this organisation offers excellent technical advice, it is not part of the development plan. I also recommend modifications to some of the criteria in the third part of the policy and the relocation of others to the supporting text. This will bring the clarity required by the NPPF and to allow TVBC to be able to apply its provisions through the development management process. It also highlights that some of the criteria are broader ambitions rather than matters which can be delivered through the planning system (beyond the measures retained in the policy).
- 7.75 Otherwise, the policy meets the basic conditions. It will contribute to the local delivery of the social and the environmental dimensions of sustainable development.

**Delete the second part of the policy.**

**Replace the third part of the policy with:**

**‘Development proposals which include lighting should ensure that:**

- **adverse effects from the installed lighting are avoided wherever practicable, and any residual impacts are appropriately mitigated by measures such as activated by sensors and turned off by timers;**
- **building designs avoid uplighting and/or large areas of glazing; and**
- **any lighting in car parking areas should be sensitively designed with low-level, covered or downward facing lighting.’**

*Add new paragraphs of supporting text (6.7.8 and 6.7.9) to read:*

*‘Policy AM7 sets out a series of general and specific guidance for external lighting. Their purpose is to ensure that the measured and observed sky quality in the surrounding area is not reduced, lighting is not unnecessarily visible in nearby designated areas and key habitats and the visibility of lighting from the surrounding landscape is avoided.*

*Wherever practicable, development proposals should demonstrate that they meet or exceed the Institute of Lighting Professionals guidance and other relevant standards or guidance (CIE 150:2017 Guide on the Limitation of the Effects of Obtrusive Light*

*from Outdoor Lighting Installations), or any equivalent replacement/updated guidance for lighting within environmental zones.'*

#### Policy AM8: Historic Environment

- 7.76 The Plan advises that the neighbourhood area is home to a wealth of built heritage with both Ampport and East Cholderton visibly retaining a traditional medieval linear settlement pattern. It also comments that several listed buildings are found in each settlement, and three conservation areas. Figure 40 shows images of selected designated heritage assets and Figure 41 is an overview plan of the location of Conservation Areas and Listed Buildings and scheduled monuments.
- 7.77 The Plan also proposes a series of non-designated heritage assets (NDHAs), have been identified due to their local importance relating to age, appearance, or historic association. They are shown in the maps at Figures 42, 43 and 44 with further information in the Character Appraisal (Appendix C).
- 7.78 The policy is underpinned by extensive and very helpful supporting text.
- 7.79 The policy has two related parts. The first advises that the designated heritage assets and their settings, both above and below ground, including the Conservation Area, listed buildings and archaeological sites (as shown in Figures 40, 41, 45 and 46 and described in the Appendix C), will be conserved and enhanced for their historic significance and their important contribution to local distinctiveness, character, and sense of place. The second comments that proposals for development that affect a series of identified non-designated historic assets will be considered, taking account of the scale of any harm or loss and the significance of the heritage asset.
- 7.80 I looked at a selection of the proposed NDHAs during the visit. The reasoning for their identification was self-evident. Based on my own observations and details in Appendix C, I am satisfied that their identification in the Plan is appropriate.
- 7.81 As TVBC advises, the first part of the policy restates national policy. As such, I recommend that the policy is recast so that it only addresses non-designated heritage assets. APC agreed to this proposition in its response to the clarification note. I also recommend that the remaining part of the policy relating to NDHAs is recast so that it properly reflects the contents of paragraph 216 of the NPPF. This will ensure that the effect of the local designations overlaps with the national approach towards such assets.
- 7.82 TVBC comments that improved maps needed to provide appropriate information for this policy. I agree with this assessment and recommend accordingly.
- 7.83 Otherwise, the policy meets the basic conditions. It will contribute to the local delivery of the social and the environmental dimensions of sustainable development.

#### **Replace the policy with:**

**'The Plan identifies the following non-designated heritage assets (Reproduce the schedule from the submitted Plan).**

**The effect of an application on the significance of the identified non-designated heritage assets on Figures 42-46 should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.'**

*Improve the clarity of Figures 42-46*

Policy AM9: Design Principles

- 7.84 This is an important policy in the Plan. The Plan advises that the Amport Character Appraisal (Appendix C) provides a detailed analysis of the character of the parish and its natural and built environment including settlement pattern, heritage, views, and landscape. It also comments that design codes are requirements that provide specific, detailed parameters for development and that proposals for development should demonstrate how the guidance has informed the design
- 7.85 The policy comments generally that any new development must refer to the Building for a Healthy Life Toolkit and demonstrate how it preserves and enhances defining character features as set out in the Parish Character Appraisal and Design Guidelines and Codes documents. The second part advises that development will be expected to refer to the Building for a Healthy Life Toolkit and show how careful consideration has been given to a series of criteria.
- 7.86 In general terms the policy takes a positive local response to Section 11 of the NPPF. It is underpinned by the excellent Character Appraisal and Design Guidance and Codes document.
- 7.87 There is a degree of repetition between the two elements of the policy. I recommend that this is addressed by simplifying the opening element of the second part of the policy. I also recommend that the second part of the policy takes a proportionate approach. This acknowledges that minor and domestic proposals will not trigger several of the requirements in several of the criteria. Finally, I recommend that the third criterion (on heritage assets) is deleted given that this issue is already addressed in national and local policies, and in Policy AM8 of this Plan.
- 7.88 Otherwise the policy meets the basic conditions. It will contribute to the local delivery of the social and the environmental dimensions of sustainable development.

**Replace the policy with:**

**'Development proposals should respond positively to the Building for a Healthy Life Toolkit and demonstrate how they would preserve and, where practicable, enhance defining character features as set out in the Parish Character Appraisal and Design Guidance and Codes Code documents (as set out in Appendices C & F).**

**As appropriate to their scale, nature and location development proposals should demonstrate how they have addressed the following matters:**

- **the way in which the design of the development has been informed by the immediate locality, as highlighted in the Design Code (Appendix E);**
- **the way in which the scale, height, massing, layout, landscaping, and appearance of the development reflects the prevailing character and attributes that are specific to the relevant Character Area as set out in the Character Appraisal;**
- **their use of traditional materials and local building styles;**
- **their provision of adequate amenity space and plot sizes;**
- **their provision of native landscaping, as identified in the Character Appraisal and Design Code;**
- **wherever practicable, the integration, retention, and enhancement of existing natural landscape features (including trees and hedgerows) into the layout and design of the development.'**

#### Policy AM10: Housing, Infill and Redevelopment

- 7.89 The Plan advised that it is not proposing large scale development but supports a modest development which would meet local identified needs and potentially deliver some form of community benefits. The Plan advises that its priority is to ensure that future development should be in keeping with the rural character of the area and not adversely impact the existing views and quality of the landscape within and around the Parish, whilst retaining the identity and character of each settlement. The Plan also comments that there are numerous spaces and gaps between buildings in the settlements, many of which offer an important setting to a designated or non-designated heritage asset.
- 7.90 The policy comments that development proposals for the replacement of dwellings will be supported where they comply with relevant policies in the development plan and meet a series of criteria.
- 7.91 The policy advises that infill development (or redevelopment proposals) must follow the guidance set out in the character appraisal and Design Code (Appendices C & F). It also comments that proposals requiring planning permission for extensions to existing dwellings must be in accordance with the Character Appraisal and Design Code and respond positively to local distinctiveness.
- 7.92 In general terms this is a very good policy which overlaps with Policy AM9. Nevertheless, as TVBC comment, the policy repeats or restates significant elements of policies in the adopted Local Plan. National policy advises that there is no need for a neighbourhood plan to take this approach given that the development plan is designed to be read collectively. In this context, I recommend that the policy's focus should be on the locally-distinctive elements, and that the overlaps with Local Plan policies are repositioned into the supporting text. I have taken account of APC's response to TVBC's representation. The approach set out in the recommended modifications will remind developers of the wider policies that will apply to such developments (and which TVBC will apply through the development management process).

- 7.93 Otherwise, the policy meets the basic conditions. It will contribute to the local delivery of each of the three dimensions of sustainable development.

**Replace the policy with:**

**‘Development proposals for the replacement of dwellings will be supported where they comply with relevant policies in the development plan and their designs maintain and, where practicable, enhance the character and appearance of the area as highlighted in the Character Appraisal and Design Code (Appendices C & F).**

**Proposals for extensions to existing dwellings should respond positively to local distinctiveness and accord with the Character Appraisal and Design Code (Appendices C & F).’**

*At end of paragraph 7.3.12 add: ‘Policy AM10 has been formulated to add value to policies in the adopted Local Plan (mainly Policies E1, E9 and COM2). These policies comment about replacement buildings and extensions. In addition, developers should carefully consider the positioning of a replacement dwelling within the overall plot. National and local policies (including Policy AM8 of this Plan which addresses heritage assets). However, in this context, developers are reminded that care should be taken to ensure that extensions respond positively to the special historical or architectural qualities of any designated or non-designated heritage assets.’*

Policy AM10.1: Development of Housing to Meet Local Need

- 7.94 The Plan comments that it aims to ensure that any future development is sensitive to the needs of the local community, environmentally sustainable, and complementary to the existing character of the area. The supporting text acknowledges the importance of small-scale, carefully considered development proposals that not only meet housing needs but also local infrastructure requirements. The Plan notes that only Weyhill and Amport have a settlement boundary, and that East Cholderton is in the open countryside. The Plan advises that any new housing should be directed to Amport and Weyhill.
- 7.95 The policy comments that proposals for a small-scale, carefully considered housing site of up to 20 smaller dwellings (up to 3 bed) within the area of Weyhill to meet local needs in terms of size of dwelling and tenure which contains provisions for public open space and equipped play facilities will be supported where they meet a series of criteria.
- 7.96 The supporting text does not naturally provide a context for the policy. I sought advice from APC about the extent to which the development of new housing in Weyhill address the issues raised in paragraphs 7.3.1 to 7.3.5 of the Plan. In its response to the clarification note APC advised that:

*‘this (policy) 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.'*

7.97 I also sought commentary on the extent to which the new houses proposed in the policy would deliver the public spaces/play spaces proposed in paragraph 7.3.5. In its response APC advised that:

*'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.'*

7.98 I have considered the policy carefully. On the one hand it has a slightly confusing format as submitted. However, on the other hand it brings the potential for sensitive development in a sustainable location which will contribute towards the delivery of the TVBC's future housing requirements. Whilst the policy is not an allocation, it would provide a context for development to come forward within the Plan period.

7.99 On the balance of the evidence, I am satisfied that the policy should remain in the Plan with the following modifications to bring the clarity required by the NPPF:

- ensuring that the public open space and equipped play facilities will be delivered;
- the deletion of criteria which overlap with or repeat other policies in the Plan; and
- the recasting of some of the retained criteria so that their wording is clearer.

7.100 Otherwise the policy meets the basic conditions. It will contribute to the local delivery of the social and the environmental dimensions of sustainable development.

**Replace the policy with:**

**Development proposals for a site of up to twenty market and affordable homes of smaller 1-, 2- and 3-bedrooms dwellings within Weyhill to meet local needs will be supported where they:**

- **provide public open space and equipped play facilities;**
- **respect the settlement pattern and nature and character of the surrounding area (Appendix C);**

- **preserve the parish's relationship with the surrounding open countryside;**
- **protect the physical and visual integrity of a gap between settlements;**
- **respond positively to the wider landscape and, where appropriate, incorporate native planting to maintain the rural character of the settlement's edge; and**
- **provide access to the relevant settlement with connections to existing streets and paths for non-vehicle users.**

Policy AM11A: Community

7.101 The Plan advises that the parish has a variety of community facilities and services, and that Figure 54 shows the amenities. The Plan also advises that specific support for their retention of the various facilities was raised through consultation.

7.102 The policy comments that proposals that improve the condition of the Key Facilities and do not result in harm to the amenity of the surrounding area will be supported. It also comments that proposals for the change of use of Key Facilities will be resisted and only allowed in specific circumstances.

7.103 I recommend that the first part of the policy is recast so that it more clearly identifies the important community facilities. I also recommend that the second part of the policy uses wording that acknowledges the role of a neighbourhood plan within the wider development plan. In doing so I also recommend that the policy is explicit about the types of proposals that would be supported rather than the very general approach towards (unidentified) 'specific circumstances' as set out in the policy.

7.104 I note the relationship between the final part of the policy (on the importance of the delivery of community/public open space and play area in Weyhill) and paragraph 7.4.5 of the Plan. In its response to the clarification note APC commented that:

*'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.'*

7.105 As submitted this part of the policy is a statement rather than a land use policy. Based on APC's response I have concluded that there is no assurance that such an approach could be pursued. In the circumstances I recommend that the policy is recast so that it provides a context within which any such proposals that come forward in the Plan period can be assessed. Otherwise, the policy meets the basic conditions. It will contribute to the local delivery of the social and the environmental dimensions of sustainable development.

**Replace the first part of the policy with:**

**'Proposals that support and safeguard the future of the important community facilities identified below and shown on the Policies Map will be supported:**

- **Amport C of E Primary School**
- **Cholderton Farm Shop and Café**

- **Ampport Cricket Ground**
- **The White Horse Inn**
- **The Hawk Inn**
- **Breach Farm Brewery,**
- **Sea Scouts HQ**
- **St Mary's Church**
- **Allotments'**

**In the second part of the policy replace 'Proposals for the change of use of the List of Key Facilities will be resisted and only allowed in specific circumstances including where:' with 'Proposals for the change of use of an identified important community facility will only be supported where:'**

**Replace the final part of the policy with: 'The provision of a community/public open space and play area in Weyhill will be supported.'**

Policy AM11B Local Economy

- 7.106 The context to the policy is the Plan's commentary that supporting appropriate rural business is an important aspect the Plan. It advises that there are different economic elements to the Plan area including the existing strategic employment allocation at Weyhill, as covered by Policy LE10 of the Local Plan.
- 7.107 The policy advises that proposals for rural business development including proposals for the change of use of existing buildings will be supported, provided they meet a series of criteria It also comments that the suitability of rural roads and access routes must be carefully assessed, in accordance with the Highways Authority, to accommodate any additional traffic safely. Finally, it comments that proposals must be sensitive to the rural character of the area and avoid causing harm to the local environment and infrastructure.
- 7.108 In general terms, the policy takes a positive approach to the local economy and has regard to Sections 6 and 9 of the NPPF. In this context I recommend the following modifications to bring the clarity required by the NPPF:
- the replacement of the first bullet point with a more general approach towards the capacity of the local highways network;
  - the deletion of the second bullet point which is already addressed in the Local Plan; and
  - the use of wording more appropriate to the role of a neighbourhood plan within the overall development plan.
- 7.109 Otherwise, the policy meets the basic conditions. It will contribute to the local delivery of each of the three dimensions of sustainable development.

**Replace the first bullet point with: 'can be satisfactorily accommodated within the local highway network.'**

**Delete the second bullet point**

### **In the second and third parts of the policy replace ‘must’ with ‘should’**

#### Policy AM12: Accessibility, Road Safety and Sustainable Transport

- 7.110 The Plan advises that residents believe road safety issues present one of the biggest concerns for the neighbourhood area. Most notably, respondents to the community survey believe that road safety problems impact pedestrians and cyclists the most, with the most prominent causes being vehicles speeding on narrow rural lanes and lorries/HGVs using rural roads and turning at junctions. Pedestrians and cyclists are disproportionately impacted by road safety issues because paved footways within the Parish are either non-existent or particularly narrow and difficult to use. The Plan advises that these issues mean that roads are shared between pedestrians, cyclists, horse riders, and vehicles, which often creates a conflict on the rural narrow roads.
- 7.111 In this context the policy advises that new development should meet a series of criteria including:
- being designed to avoid adverse impacts on road safety within the areas as identified in Figure 59;
  - protecting the narrow rural lanes as identified in Figure 59 to ensure that there is no urbanisation of these routes and loss of important trees and hedgerows;
  - where justified and appropriate to the scale of development proposed, secure road safety improvements particularly for pedestrians, cyclists, and those with wheeled mobilities;
  - maximise opportunities for sustainable transport both within and between the surrounding settlements.
  - incorporate safe and convenient walking, wheeling, and cycling routes to local services and employment areas to residential developments; and
  - provide safe vehicular and pedestrian access, including wheeling, egress, and appropriate visibility to serve all new developments.
- 7.112 This is both a general policy and one which refers to specific issues in the neighbourhood area. TVBC suggests that the policy is unnecessary. On the balance of the evidence, I am satisfied that it should be retained in the Plan given its distinctive elements. In this broader context, I recommend that final two bullet points are repositioned into the supporting text to acknowledge that they relate to the way in which the policy will be applied rather than operating as land use policy elements.
- 7.113 I recommend that the policy should be worded to allow TVBC to apply a proportionate approach to the requirement for accessibility and sustainable transport. APC agreed to this approach in its response to the clarification note.
- 7.114 Otherwise, the policy meets the basic conditions. It will contribute to the local delivery of the social and the environmental dimensions of sustainable development.

**Replace ‘All new development should’ with: ‘As appropriate to their scale, nature and location development proposals should:’**

**Delete the final two bullet points.**

*At the end of paragraph 7.5.13 add: 'Where relevant proposals should be accompanied by sufficient information to demonstrate how an increase in traffic (including HGV movements) which may be generated by a proposal has been taken into consideration. Any proposed traffic calming measures should be designed in a way that would not increase noise or have an adverse impact on residents or users of the route concerned.'*

#### Implementation and Plan Review

7.115 Section 1.5 of the Plan addresses these matters. Paragraph 1.5.2 comments that APC is also committed to monitoring the effectiveness of Evidence Base Documents. For this reason, it proposes that an annual review takes place to ensure that the documents supporting the Plan and its policies are up to date and to determine what actions can be taken to improve them in the future.

7.116 In general terms this is a very positive approach. However, the Plan does not comment about the potential impact of the adoption the adoption of the emerging Local Plan. Plainly it will alter the strategic planning policy for the wider Borough. In these circumstances I recommend that the Plan acknowledges this situation and highlights that it may trigger a light-touch review of its contents and approach. I recommend that this commentary is consolidated by the inclusion of an indicative timetable.

*At the end of paragraph 1.5.2 add: 'The Parish Council acknowledges the potential significance of the adoption of the emerging Local Plan on the strategic planning context for the wider Borough. As such, the Parish Council will assess the need for a review of the Plan within six months of the adoption of the Local Plan.'*

#### Other Matters – General

7.117 This report has recommended a series of modifications both to the policies and to the supporting text in the submitted Plan. Where consequential changes to the text are required directly because of my recommended modification to the policy concerned, I have highlighted them in this report. However other changes to the general text may be required elsewhere in the Plan because of the recommended modifications to the policies. It will be appropriate for TVBC and APC to have the flexibility to make any necessary consequential changes to the general text. I recommend accordingly.

*Modification of general text (where necessary) to achieve consistency with the modified policies and to accommodate any administrative and technical changes.*

#### Other Matters – Specific

7.118 TVBC has made a series of helpful comments on the Plan. I have addressed them on a policy-by-policy basis insofar as they are required to ensure that the Plan meets the basic conditions.

7.119 TVBC also suggest an equally helpful series of revisions and additions to the general elements of the Plan and to the supporting text. I have considered the various issues very carefully together with APC's responses to the suggestions. To bring the clarity

required by the NPPF, I recommend that the Plan is modified to address the following points as raised by TVBC (and using the TVBC descriptions which refer either to its comments or to paragraph numbers in the Plan):

- Paragraph 2.1.2
- Paragraph 2.2.2
- Figure 3
- Paragraphs 3.1.1/3.1.2/3.1.4/3.1.5/3.1.7
- Paragraphs 3.5.1/3.5.2/3.5.3/3.5.6
- Delete Parish wide Objective 3
- Parish wide Objectives 11 12, 13 and 15
- Paragraph 6.1.34 (SH14)
- SH15 (Figure 19)
- SH21 (Figure 22)
- Paragraph 6.2.2 (SH20)
- Paragraph 6.2.9 (SH24)
- Figure 24 (SH29)
- Figure 25 (SH29)
- Figures 26-29 (SH34-36)
- Paragraph 6.5.3 Figure 30 (SH37)
- Paragraphs 6.5.4/6.5.5
- Figure 30 (SH38)
- Figure 36 (SH39)
- Paragraph 6.7.5
- Paragraph 7.1 (Policy title)
- Figures 41-46
- Paragraph 7.1.11
- Paragraphs 7.3.2 to 7.3.4
- Paragraphs 7.3.9 to 7.3.12
- Paragraphs 7.3.1 to 7.3.5 (and should be renumbered as there are already such paragraph numbers in the Plan)
- SH87

## 8 Summary and Conclusions

### *Summary*

8.1 The Plan sets out a range of policies to guide and direct development proposals in the period up to 2040. It is distinctive in addressing a specific set of issues that have been identified and refined by the wider community to safeguard the character and setting of the neighbourhood area and to designate a package of local green spaces.

8.2 Following the independent examination of the Plan, I have concluded that the Amport Parish Neighbourhood Development Plan meets the basic conditions for the preparation of a neighbourhood plan subject to a series of recommended modifications.

### *Conclusion*

8.3 On the basis of the findings in this report, I recommend to Test Valley Borough Council that subject to the incorporation of the modifications set out in this report that the Amport Parish Neighbourhood Development Plan should proceed to referendum.

### *Other Matters*

8.4 I am required to consider whether the referendum area should be extended beyond the neighbourhood area. In my view, the neighbourhood area is entirely appropriate for this purpose and no evidence has been submitted to suggest that this is not the case. I therefore recommend that the Plan should proceed to referendum based on the neighbourhood area as approved by Test Valley Borough Council on 18 February 2022.

8.5 I am grateful to everyone who has contributed to the examination of the Plan. The Parish Council's responses to the clarification note were both comprehensive and helpful.

**Andrew Ashcroft**  
**Independent Examiner**  
**18 February 2026**