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Report on Thruxton Neighbourhood Plan 2019 - 2029

An Examination undertaken for Test Valley Borough Council with the support of the Thruxton Parish Council on the January 2019 submission version of the Plan.

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Main Findings - Executive Summary

From my examination of the Thruxton Neighbourhood Plan (the Plan/TNP) and its supporting documentation including the representations made, I have concluded that subject to the policy modifications set out in this report, the Plan meets the Basic Conditions.

I have also concluded that:

- The Plan has been prepared and submitted for examination by a qualifying body – the Thruxton Parish Council;
- The Plan has been prepared for an area properly designated – the Parish of Thruxton as shown on Map 1 of the Plan;
- The Plan specifies the period to which it is to take effect – 2019 to 2029; and
- The policies relate to the development and use of land for a designated neighbourhood area.

I recommend that the Plan, once modified, proceeds to Referendum on the basis that it has met all the relevant legal requirements.

I have considered whether the referendum area should extend beyond the designated area to which the Plan relates and have concluded that it should not.

1. Introduction and Background

Thruxton Neighbourhood Plan 2019–2029

1.1 Thruxton is a rural Parish in Hampshire which lies about 4 miles south west of Andover, the nearest town. The Parish is long and thin, extending north east to south west along the line of the A303 trunk road, and includes the Thruxton Motor Racing Circuit and Airfield. The main settlement in the Parish is the village of Thruxton, at the eastern end of the Parish, and there are smaller settlements at Thruxton Down and Parkhouse Cross, to the west. The older part of Thruxton village developed in the valley of Pillhill Brook, a winterbourne, and is designated as a Conservation Area with a number of listed buildings. More recent housing development has extended up the valley slopes, although mirroring the T shape of the old road. Despite being next to a major trunk road, the area has a quiet rural character with dispersed settlements and narrow lanes. The farmed landscape has an open quality with chalk grassland in the south western half of the Parish being part of the setting of the ancient chalk grasslands bordering Salisbury Plain. In 2016 the Parish had a population of some 634 in 276 households¹.

¹ 2016 estimate in Test Valley Borough Council Thruxton Parish Profile.

- 1.2 The decision to prepare a Neighbourhood Plan was taken early in 2016 by Thruxton Parish Council (TPC) with the aim to guide sensible and appropriate planning decisions that would preserve the area's rural feel for generations to come. The formal application for designation as a Neighbourhood Area was approved by Test Valley Borough Council (TVBC) in May 2016. The TNP has been prepared by a Steering Group of volunteers, acting as a sub-committee of the Parish Council. The Consultation Statement and Chapter 3 of the TNP sets out how the community has been involved, detailing the consultation strategy, the various consultation events held to engage with the local communities and discussions with key stakeholders.
- 1.3 The Vision and Objectives of the TNP, set out in Chapter 4, reflect public consultation and are to conserve and enhance the diverse landscape and heritage of the Parish and to retain its rural feel and character. Beginning with Landscape and Environment, the TNP addresses a number of relevant topics, putting forward planning policies. Chapter 10 sets out community projects and aspirations, which go beyond planning policy, but are areas raised during the TNP's preparation for the Parish Council and local community to pursue. The TNP's policies are designed to help achieve the underlying Vision and Objectives. Generally, the TNP has a clear structure and overall purpose and is easy to read.

The Independent Examiner

- 1.4 As the Plan has now reached the examination stage, I have been appointed as the examiner of the Thruxton Neighbourhood Plan by TVBC, with the agreement of TPC.
- 1.5 I am a chartered town planner and former government Planning Inspector, with some 40 years of experience in the public and private sector, latterly determining major planning appeals and examining development plans and national infrastructure projects. I have recent experience of examining neighbourhood plans. I am an independent examiner, and do not have an interest in any of the land that may be affected by the draft TNP.

The Scope of the Examination

- 1.6 As the independent examiner I am required to produce this report and recommend either:
- (a) that the neighbourhood plan is submitted to a referendum without changes; or
 - (b) that modifications are made and that the modified neighbourhood plan is submitted to a referendum; or

(c) that the neighbourhood plan does not proceed to a referendum on the basis that it does not meet the necessary legal requirements.

1.7 The scope of the examination is set out in Paragraph 8(1) of Schedule 4B to the Town and Country Planning Act 1990 (as amended) ('the 1990 Act'). The examiner must consider:

- Whether the Plan meets the Basic Conditions;
- Whether the Plan complies with provisions under s.38A and s.38B of the Planning and Compulsory Purchase Act 2004 (as amended) ('the 2004 Act'). These are:
 - it has been prepared and submitted for examination by a qualifying body, for an area that has been properly designated by the local planning authority;
 - it sets out policies in relation to the development and use of land;
 - it specifies the period during which it has effect;
 - it does not include provisions and policies for 'excluded development';
 - it is the only neighbourhood plan for the area and does not relate to land outside the designated neighbourhood area;
 - whether the referendum boundary should be extended beyond the designated area, should the Plan proceed to referendum; and
- Such matters as prescribed in the Neighbourhood Planning (General) Regulations 2012 ('the 2012 Regulations').

1.8 I have considered only matters that fall within Paragraph 8(1) of Schedule 4B to the 1990 Act, with one exception. That is the requirement that the Plan is compatible with the Human Rights Convention.

The Basic Conditions

1.9 The 'Basic Conditions' are set out in Paragraph 8(2) of Schedule 4B to the 1990 Act. In order to meet the Basic Conditions, the neighbourhood 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;

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- Be in general conformity with the strategic policies of the development plan for the area;
- Be compatible with and not breach European Union (EU) obligations; and
- Meet prescribed conditions and comply with prescribed matters.

1.10 Regulation 32 of the 2012 Regulations prescribes a further Basic Condition for a neighbourhood plan. This requires that the making of the Plan does not breach the requirements of Chapter 8 Part 6 of the Conservation of Habitats and Species Regulations 2017 (the 2017 Regulations)².

2. Approach to the Examination

Planning Policy Context

2.1 The Development Plan for this part of TVBC, not including documents relating to excluded minerals and waste development, is the Test Valley Borough Revised Local Plan 2011-2029 (TVLP) adopted on 27 January 2016³. TVBC is now engaged on preparing its next Local Plan to cover the period to 2036. Consultation on issues and options was carried out between July and September 2018, and it is at a very early stage in the plan preparation process.

2.2 The planning policy for England is set out principally in the National Planning Policy Framework (NPPF). The NPPF of July 2018 replaced the first NPPF published in March 2012⁴, and itself has been replaced by the NPPF published in February 2019 which includes minor clarifications to the 2018 revised version⁵. Annex 1 of the 2019 Framework deals with implementation and paragraph 214 advises that *'the policies in the previous Framework published in March 2012 will apply for the purpose of examining plans, where those plans were submitted on or before 24 January 2019'*. In this case, the TNP was submitted to the local planning authority in accordance with Regulation 15 of the 2012 Regulations on 19 January 2019 and thus the policies in the 2012 NPPF apply to this

² This revised Basic Condition came into force on 28 December 2018 through the Conservation of Habitats and Species and Planning (Various Amendments) (England and Wales) Regulations 2018.

³ Following the Government's amendments to Planning Practice Guidance (PPG) on 19th May 2016, regarding circumstances where affordable housing contributions should not be sought, the Council agreed an updated approach to applying policy COM7 on 29th June 2016, see the TVLP Policy COM7: Affordable Housing - Planning Advice Note.

⁴ Footnote on page 4 of the NPPF July 2018.

⁵ Footnote 1 on page 4 of the NPPF February 2019.

examination. The Planning Practice Guidance (PPG) offers guidance on how this policy should be implemented.

Submitted Documents

- 2.3 I have considered all policy, guidance and other reference documents I consider relevant to the examination, including those submitted which comprise:
- the draft Thruxton Neighbourhood Plan 2019 -2029, January 2019;
 - Map 1 of the TNP which identifies the area to which the proposed Neighbourhood Development Plan relates;
 - the Consultation Statement, dated January 2019 (but marked V2.6)⁶;
 - the Basic Conditions Statement, January 2019;
 - all the representations that have been made in accordance with the Regulation 16 consultation, including the track changed version of the TNP, provided by TVBC⁷; and
 - the Strategic Environmental Assessment (SEA) Screening Opinion prepared by TVBC and dated 23 April 2018.
- 2.4 I have also had regard to the responses of TVBC and TPC to the questions annexed to my procedural letter of 1 November 2019.⁸

Site Visit

- 2.5 I made an unaccompanied site visit to the Neighbourhood Plan Area on 7 November 2019 to familiarise myself with it, and visit relevant sites and areas referenced in the TNP and evidential documents.

Written Representations or Public Hearing

- 2.6 This examination has been dealt with by written representations. I considered hearing sessions to be unnecessary as the consultation responses clearly articulated the objections to the TNP, and presented arguments for and against the Plan's suitability to proceed to a referendum.

Modifications

- 2.7 Where necessary, I have recommended modifications to the TNP (**PMs**) in this report in order that it meets the Basic Conditions and other legal

⁶ See paragraph 3.4 below.

⁷ View at: <https://www.testvalley.gov.uk/planning-and-building/planningpolicy/neighbourhood-planning/thruxton-neighbourhood-plan?chapter=2>

⁸ View at: <https://www.testvalley.gov.uk/planning-and-building/planningpolicy/neighbourhood-planning/thruxton-neighbourhood-plan>

requirements. For ease of reference, I have listed these modifications separately in the Appendix.

3. Procedural Compliance and Human Rights

Qualifying Body and Neighbourhood Plan Area

- 3.1 The TNP has been prepared and submitted for examination by TPC which is a qualifying body for an area designated by TVBC on 10 May 2016.
- 3.2 It is the only neighbourhood plan for the Parish, and does not relate to land outside the designated neighbourhood area.

Plan Period

- 3.3 The Plan specifies clearly the period to which it is to take effect, which is from 2019 to 2029. The track changed version of the TNP, provided by TVBC, indicated that the TNP should have a 15-year life to 2034. However, TVBC confirmed in its letter of 7 November 2019, in response to my question, that it is appropriate for the TNP period to coincide with that of the adopted Local Plan, that is to 2029.

Neighbourhood Plan Preparation and Consultation

- 3.4 Before I go on to consider the preparation of and consultation on the TNP, it is necessary to clarify the status of the Consultation Statement. As I understand it, the draft TNP was submitted to TVBC on 19 January 2019 and went out to its Regulation 16 public consultation for 6 weeks from 6 February to 20 March 2019. However, it appears that it became apparent to TVBC during that period that the Consultation Statement required further evidence. Amendments were therefore made to the Consultation Statement and the final version is marked V2.6 (although still dated January 2019)⁹. In consequence, a further 6-week consultation was undertaken between 17 July and 6 September 2019. It is the V2.6 version of the Consultation Statement that I have had regard to in considering whether the TNP is in procedural compliance with the legal requirements and has sufficient regard to advice in the PPG on plan preparation. For the avoidance of doubt, I confirm I have considered all the representations submitted both in the first consultation period, February/March, and in the second period, July/September 2019.
- 3.5 Throughout the period preparing the TNP, the local community was kept informed and engaged. This was effected through information in the

⁹ See letter from Thruxton Parish Council dated 12 November 2019, answer to question 1.

monthly Thruxton Times, distributed to each household in the Parish; with reports and minutes available on the Parish website; posts on the village's Facebook page; notices on the Parish noticeboards; and through the attendance of members of the Steering Group at local events, including the annual Village Fete held each June, as well as specific presentations on key policies. Preliminary consultation took place early in 2016 to establish whether there was community support for the production of a neighbourhood plan, and a Steering Group was established. A Parish survey was carried out in March and April 2016, with a hard copy distributed to every household in the Parish. With a 62% return, this provided baseline information for the development of the Plan. However, the response to a May 2016 business survey was disappointingly low and neighbouring parishes declined to progress a combined Plan.

- 3.6 Following designation as a Neighbourhood Area, a report on the initial survey was distributed with the Thruxton Times and presented at the Village Fete, where children and younger people were encouraged to leave 'post it' notes with their comments. Key issues raised included retaining a rural feel to the Parish, maintaining its attractive, tranquil and traditional setting, resolving parking issues, better traffic management, and that any development should be by infilling and re-use of brownfield sites rather than extending the development boundaries. Further consultation was held in November 2016 on a draft Vision statement and in March 2017 on draft objectives for the Plan. At the same time, initial contact was made with local landowners and meetings arranged with members of the Steering Group. As work progressed on the Plan, events were held in the Village Hall over two days in May 2017 for the community's views on local green spaces of special value, with 18 sites put forward of which 12 were assessed in detail. Again, the results of previous consultations were made available at a stall at the June 2017 Village Fete, manned by Steering Group members. In November 2017, the local community was consulted for its views on what made the Parish's settlements special with specific questions on key views and non-designated heritage assets to inform the drafting of specific policies.
- 3.7 Formal Regulation 14 consultation on the draft TNP was held between 16 April and 4 June 2018. Local residents were informed of this through the Thruxton Times and on the Parish notice boards and opportunities were made available to read either a hard copy or an electronic version of the draft TNP. A response form was provided but responses could also be made by email or letter to the Steering Group/Parish Clerk. In all, some 127 parishioners responded to the consultation, making over 360 comments, as well as a further 400 comments in responses from TVBC, Southern Water, Historic England, Highways England and Orchard Homes. A summary of the Regulation 14 representations made is provided in the Consultation Statement at pages 12 and 13 and the Steering Group's

response, including proposed changes to the draft TNP, is set out in Appendix C.

- 3.8 The submitted Plan was subject to a further 6-week consultation between 6 February and 20 March 2019 under Regulation 16. Subsequently a second round of consultation was carried out between 17 July and 6 September 2019. I have taken account of the original representations made and the further 9 representations submitted in writing this report, as well as the Consultation Statement. I am satisfied that engagement and consultation with the wider community and interested parties has been thorough and robust throughout the Plan making process; that they were kept fully informed of what was being proposed, were able to make their views known, had opportunities to be actively involved in shaping the emerging Plan, and would have been aware of how their views had informed the draft TNP. I conclude that a transparent, fair and inclusive consultation process has been followed for the Plan, having due regard to the advice in the PPG on plan preparation and in procedural compliance with the legal requirements.

Development and Use of Land

- 3.9 The TNP sets out policies in relation to the development and use of land in accordance with Section 38A of the 2004 Act.

Excluded Development

- 3.10 The TNP does not include provisions and policies for 'excluded development'.

Human Rights

- 3.11 I have to consider whether the TNP has had regard to the fundamental rights and freedoms guaranteed under the European Convention on Human Rights and complies with the Human Rights Act 1998. The Basic Conditions Statement¹⁰ sets out TPC's view that the TNP is fully compatible with the European Convention on Human Rights, transposed into UK law by the Human Rights Act 1998. TVBC has made a statement to the extent that the TNP in its current form meets part (f) of the Basic Conditions, in that it does not breach, and is otherwise compatible with EU obligations¹¹. I have considered this matter independently and I have found no reason to find that the TNP, including its preparation, breaches, or is otherwise incompatible with any of the Convention rights (within the meaning of the Human Rights Act 1998).

¹⁰ Paragraph 7.6.

¹¹ Note: EU Obligations are entirely separate to the European Convention on Human Rights, which is derived from the Council of Europe.

4. Compliance with the Basic Conditions

EU Obligations

- 4.1 The draft TNP was screened for SEA by TVBC in April 2018. This is a legal requirement¹² and accords with Regulation 15 (e)(1) of the 2012 Regulations. The Council found that the TNP would not be likely to have significant environmental effects and it was unnecessary to undertake SEA and neither Natural England, the Environment Agency or Historic England disagreed. Having read the SEA Screening Opinion and considered the matter independently, I support that conclusion.
- 4.2 The draft TNP was further screened for Habitats Regulations Assessment (HRA). Given the lack of any sources or pathways proposed in the TNP and the distance of 7km between the TNP area and the closest Natura 2000 sites (the Salisbury Plain Special Area of Conservation (SAC) and Special Protection Area (SPA) and the Porton Down SAC and SPA), Natural England agrees with the conclusion of TVBC that the TNP is unlikely to have an adverse effect on a European site and there is no requirement to conduct an Appropriate Assessment. On the basis of the information provided, and my independent consideration, I agree that HRA is not necessary.

Main Issues

- 4.3 Having regard for the Thruxton Neighbourhood Plan, the consultation responses and other evidence, and the site visit, I consider that there are 2 main issues relating to the Basic Conditions for this examination. These are:
- Whether the TNP appropriately provides for the protection and enhancement of the natural and built environment, having regard to national policy and guidance and the need to be consistent with the local planning of sustainable development; and
 - Whether the TNP's policies for housing, community infrastructure and the economy provide an appropriate framework to shape and direct sustainable development, having regard to national policy and guidance, and are in general conformity with the strategic policies of the TVLP.

Introduction

¹² European Directive 2001/42/EC and associated Environmental Assessment of Plans and Programmes Regulations 2004.

- 4.4 The Foreword and Introduction to the TNP give a brief explanation of the role of neighbourhood plans and the plan making process before setting out the national and local planning context. Chapter 2 provides a portrait of the Parish, its environment, history, character, community, economy and local facilities. The involvement of the community in the plan making process is described in Chapter 3, supplementing the Consultation Statement. Although TVBC has commented, in its track changed version, that this chapter could be slimmed down in the final version, this is not a matter that goes to the Basic Conditions and is one that I leave to TPC and TVBC to resolve between themselves.
- 4.5 The Vision for the future is that the diverse landscape and heritage of the Parish will have been conserved and enhanced; that its rural feel and character will remain; and that the community will be a place where people of all ages and backgrounds can enjoy living in a safe, friendly and tranquil place. Thirty-three objectives are identified in Chapter 4 which the TNP is said to be aiming to achieve through its overall strategy and policies, under 5 main headings - Landscape and Environment, Heritage, Housing, Community Infrastructure, and Economy. However, TVBC has commented that a number of these objectives do not relate to land use planning matters, repeat policy in the Local Plan, or cover matters of detail better addressed at the planning application stage. I agree that the removal of those objectives that do not relate to land use planning and the rewording of others is necessary, in the interests of clarity, and I am proposing modifications to the wording of objectives LEO1, LEO8, LEO12, HEO1, HO2, HO3, and HO4, and the deletion of objectives LEO7, LEO9 and CIO2 to CIO11 (**PM1**). In respect of the deleted objectives, it is for the TPC to decide if these should be moved to Chapter 10 of the TNP which deals with community projects and aspirations and sits outside of the statutory Plan.
- 4.6 There are 28 policies that fall to be considered against the Basic Conditions. When made, the TNP will form part of the Development Plan and the PPG advises that neighbourhood plan policy should be drafted with sufficient clarity that a decision maker can apply it consistently and with confidence when determining planning applications. It should be concise, precise and supported by appropriate evidence, and should be distinct to reflect and respond to the unique characteristics and planning context of the specific neighbourhood area for which it has been prepared¹³. Policies should relate to the development and use of land. With this in mind, I now turn, in the following paragraphs, to address each of my main issues.

¹³ PPG Reference ID: 41-041-20140306.

Issue 1: Protection and Enhancement of the Natural and Built Environment

The Natural Environment

- 4.7 It is national policy that the planning system should contribute to and enhance the natural and local environment, by, amongst other things, protecting and enhancing valued landscapes¹⁴. Chapter 5 of the TNP describes the character of the Parish's landscape and environment as being particularly important to the local community, evidenced in responses to the 2016 Parish Survey. The natural landscape is primarily open agricultural chalk downland and characteristics of the rural area include big skies, dark nights, wide views, and a dispersed settlement pattern. Paragraph 5.10 refers to the 2004 TVBC Landscape Character Assessment, which identifies 4 landscape character types in the TNP area. Landscape assessments refer to the need to maintain the area's sense of place, remoteness and tranquillity, conserve settlement characteristics, protect their separate identities, and enhance green spaces and uninterrupted views.
- 4.8 In that policy EN1 requires that development proposals conserve and enhance existing landscape features, and should be informed by an appropriately detailed landscape assessment, the TNP has regard to the NPPF and is in general conformity with policy E2 of the TVLP, which sets out criteria for the protection, conservation and enhancement of the Borough's landscape character. Subject to minor modifications (**PM2**) to part c) of policy EN1, to clarify that it is external lighting which should be avoided; to paragraph 5.11, as not all proposals will require a landscape and visual impact assessment; and to paragraph 5.10 to refer to the updated 2018 Landscape Character Assessment, I am satisfied that policy EN1 would contribute to the achievement of sustainable development and would meet the Basic Conditions.
- 4.9 Thruxton is the largest settlement in the TNP area and identified in the settlement hierarchy of the TVLP¹⁵ as a rural village with a defined settlement boundary, where development should be small in scale. Whilst Dauntsey Lane forms a small part of the defined settlement of Weyhill West, Thruxton Down and Parkhouse Cross are identified in the TVLP as lying in the countryside. Each of the four settlement areas are different and policy EN2 of the TNP seeks to conserve and enhance their individual identities, ensure that development does not diminish their physical and visual separation, and does not detrimentally impact on the predominantly undeveloped landscape of the Parish. However, any built development

¹⁴ NPPF paragraph 109.

¹⁵ Policy COM2 and Table 7 of the TVLP.

has the potential to take land and, in so doing, could be construed as diminishing the physical separation of the four settlements, even if, by virtue of sympathetic siting and/or design, it might not impinge visually on the settlement's character or separation. In my view, the inclusion of '*physical*' in part b) of policy EN2 is unduly restrictive and could preclude the achievement of otherwise sustainable development. I therefore propose to modify the policy by its deletion (**PM3**).

- 4.10 Paragraph 5.13 of the supporting text refers to TVLP policy E3 on Local Gaps. However, this policy is not referred to in the Basic Conditions Statement. Nor are any of the policy E3 Local Gaps in the TNP area. In the absence of detailed landscape assessments for each of the settlements and its setting, the TNP lacks the local justification needed to demonstrate that any development on the edge of these settlements '*is likely to be sensitive with regard to settlement identity and real or perceived diminishing of settlement separation*'. Accordingly, I propose to modify paragraph 5.13 to delete this text and the reference to TVLP policy E3 (**PM4**). Subject to these modifications, I am satisfied that policy EN2 would fulfil the Basic Conditions.
- 4.11 Paragraph 109 of the NPPF refers to the protection and enhancement of valued landscapes. Whilst the TNP area does not include any designated landscape, in consultations carried out during the preparation of the TNP, the setting, rural feel, settlement separation, enjoyment of the footpaths, and tranquillity of the communities, were strongly expressed as factors that make Thruxton special. The community clearly value the Parish's landscape and the surrounding countryside. Policy EN3 seeks to safeguard 15 views around the Parish which are identified in the TNP by means of photographs and arrows on maps. However, I am concerned that, as drafted, policy EN3 imposes a blanket policy of restraint. By not limiting itself to the listed views, to which special attention should be made, in effect it requires that all development proposals must protect all '*views and vistas within, to and from the Parish and open countryside*'. Such an inflexible and restrictive policy is not justified in terms of national policy, or in terms of general conformity with TVLP policy E2 and would not contribute to the achievement of sustainable development. Modification is required to clarify that the first part applies only to the views listed in the policy.
- 4.12 The 15 views are indicated on Maps 2 (a)–(c) by arrows which show the direction but not the extent of the view. Further there is little detail as to what features in the views are assessed as being important. Descriptions in the Views Policy Research document are brief and I was not referred to any parish level landscape assessment justifying the 15 important views. I can appreciate that local people place a high value on the countryside that they see every day. However, to be valued in NPPF terms, it is not

enough for a landscape to have some valued elements, it should have something that lifts it above the ordinary. In that respect, there are some views that warrant careful consideration; in particular, views 11, 12, 13, 14 and 15 are intimate contained views of the Manor and the historic heart of the village and Conservation Area. To the west, views 6 and 8 afford expansive views of the area of the Thruxton and Danebury Chalk Downland landscape character type. View 6 is an attractive vista south towards Quarley Hillfort and view 8, which TPC has confirmed is incorrectly placed on Map 2(c) and should be adjacent to the Snoddington Road¹⁶, provides an unimpeded long view from higher ground looking eastward over open countryside. View 1, looking southwestwards from the public footpath over Mullen's Pond towards the village, is also special to the area.

- 4.13 I appreciate that views 2 and 7 are valued for giving parishioners a first view of countryside and that feeling of being '*nearly home*', however they do not include any obvious noteworthy features and their descriptions do not refer to any particular landscape attribute. As to the other 5 views, the photographs in the TNP are of views over open farmland and are not in themselves very different from views that might be found elsewhere in the Parish, Borough or County.
- 4.14 I am satisfied from what I saw on my site visit that views 1, 6, 8, 11, 12, 13, 14, and 15 are special to the area and justify policy protection. Subject to this revised list and the modified policy wording (**PM5**), I conclude that policy EN3 has regard to national policy and guidance, would be in general conformity with the strategic policy of the TVLP, and would contribute to the achievement of sustainable development, thus meeting the Basic Conditions.
- 4.15 It is Government policy to minimise impacts on biodiversity and provide net gains in biodiversity where possible¹⁷. The TVLP through policy E5 sets out the commitment of TVBC to seek to avoid any net loss of biodiversity across the Borough and to pursue opportunities to enhance the environment and, having regard to the implications of a changing climate, to ensure that habitats are protected and enhanced to support their resilience to such changes. Policy EN4 of the TNP deals with biodiversity, and the supporting text refers to a range of biodiversity assets in the Parish, listing priority habitats as well as the three Sites of Importance for Nature Conservation (SINCs). However, I agree with TVBC that as the content of policy EN4 is already covered in the NPPF and in the TVLP, it does not need to be repeated in the TNP. It adds nothing that is locally distinctive, reflecting and responding to the unique characteristics and planning context of the Parish. As such, I find that

¹⁶ TPC letter dated 12 November 2019.

¹⁷ NPPF paragraph 109.

policy EN4 fails to have regard to advice in the PPG¹⁸ and am proposing a modification to delete it from the TNP (**PM6**). However, consideration should be given to moving parts of the policy into the text at paragraphs 5.15 and 5.16.

- 4.16 I have similar concerns about policy EN7 on Green Infrastructure, which repeats much of what is said in TVLP policy E6 and does not add any locally distinctive elements. Subject to the inclusion of a reference in the text to the TVLP policy, I am modifying the TNP to delete policy EN7 (**PM7**).
- 4.17 The Pillhill Brook runs through the Parish and is a tributary of the River Anton, which is in turn a tributary of the River Test, a complex chalk river system of international biodiversity importance. In 2016, it was classified to be '*overall good*' in terms of its ecological and chemical value under the Water Framework Directive. Policy EN5 seeks to resist development that would adversely affect the landscape character, biodiversity and natural seasonal variations of the Brook, or cause pollution. The Environment Agency has proposed alternative and more succinct policy wording. By wording the policy positively, in accord with good practice, I agree that it would provide greater protection for the Pillhill Brook, in accord with the NPPF¹⁹ and with policies E5 on Biodiversity and E7 on Water Management in the TVLP. I am modifying policy EN5 accordingly (**PM8**).
- 4.18 Trees and hedgerows are an important part of the character of Thruxton Parish and policy EN6 seeks to ensure that, where possible, development proposals do not result in the loss of trees or hedgerows. It is in general conformity with TVLP policy E2, which resists development that would result in the loss of important local features like trees and hedges, and policy E6 which protects the Borough's green infrastructure network. However, I am deleting the requirement in part 2 of the policy for there to be '*Environmental Impact Assessment*'. This is a very specific requirement, for particular types and scale of development, that are prescribed by Regulations²⁰. In its track change version, the TVBC has proposed a number of textual changes to paragraphs 5.22, 5.23, and 5.25. These are minor and helpful in providing clarification²¹. I am satisfied that the examples of suitable native species are appropriate here. Subject to these modifications (**PM9**), I am satisfied that policy EN6 meets the Basic Conditions.

¹⁸ PPG Reference ID: 41-041-20140306.

¹⁹ NPPF paragraph 109.

²⁰ The Town and Country Planning (Environmental Impact Assessment) Regulations 2017.

²¹ The Town and Country Planning Act 1990, Schedule 4B, paragraph 12(6)(e) allows the LPA to make modifications for the purpose of correcting errors

Local Green Spaces

- 4.19 Section 8 of the NPPF addresses the way planning can promote healthy communities and the TVLP through policies E2, E6 and LWH1 provides for the achievement of sustainable development and balanced communities by conserving and enhancing the environment and promoting health and wellbeing. Paragraph 76 of the NPPF enables local communities through local and neighbourhood plans to identify for special protection green areas of particular importance to them. By designating land as Local Green Space (LGS), local communities are able to rule out new development other than in very special circumstances. Thus, policies identifying LGSs must be consistent with planning for sustainable development and must complement investment in sufficient homes, jobs and other essential services. They should be capable of enduring beyond the Plan period.
- 4.20 Stringent criteria on LGSs are set out in the NPPF at paragraph 77 and there is further advice in the PPG. From an initial appraisal of 18 sites, policy EN8 identifies 7 open spaces as LGSs in the Parish and they are shown on Map 4. They vary in character and include the churchyard, allotments, village green as well as open fields. Descriptions and assessment of the spaces against the NPPF criteria are provided in the background land appraisals. Having regard to this evidence, and what I saw on my site visit, I am satisfied that the following spaces are local in character, but not extensive tracts of land, are demonstrably special and in close proximity to the community they serve. They should therefore be listed in policy EN8. They are; the village green (1), the manorial earthworks (2), snowdrop field (3), the churchyard (4), and the allotments (5).
- 4.21 The NPPF cautions that LGS designation will not be appropriate for most green areas or open space²² and I have carefully considered the case for including in policy EN8 Mullen's Pond and the surrounding fields (LGS6) and the land between the coach park and the eastern footpath (LGS7). In respect of the latter, it is an open field, crossed by a public footpath from where views can be obtained westward over the village. It extends to some 3.3ha of farmland and the 2017 Land Appraisal²³ noted that it was identified in the then strategic housing land availability assessment (SHLAA) as available and achievable for development. Other than the recreational value of the footpath, it does not appear to have any

²² NPPF paragraph 77.

²³ View at: <http://www.thruxtonvillage.com/community/thruxton-parish-council-14865/neighbourhood-development-plan/>

particular local significance for wildlife or beauty in its own right. Indeed, in the land appraisal it was parcelled together with other areas of open farmland around the eastern side of the village. There is archaeological evidence of a Roman villa but, having regard to advice in the PPG²⁴ that different types of designation are intended to achieve different purposes, I do not consider that any additional local benefit would be gained here by LGS designation. For these reasons, I am not persuaded on the evidence that LGS7 meets the LGS criteria and should be removed from policy EN8 (**PM10**).

- 4.22 In respect of Mullen's Pond and the surrounding fields, they are in close proximity to the village and local in character. As a SINC, it is a significant site for wildlife and the pond and wet pasture can be seen from the road and the public footpath and enjoyed at all times of the year. Advice in the PPG²⁵ is that land can be considered for LGS designation even if there is no public access and designation does not confer any rights of access over that which exists at present. It is clear from public consultations that this area is important to the community. The appraisal refers to there being a desire to have public access to the area, perhaps by way of a boardwalk and viewing platform. Whilst the proposed LGS is a reasonably sizable tract of land, of some 5.8 ha, the ponds and the SINC comprise a significant part of that so I do not assess it in the round as being extensive. Considering these factors, I am satisfied that LGS6 meets the LGS criteria.
- 4.23 As the NPPF sets out policy for managing development within a LGS, which should be consistent with policy for Green Belts, there is no need for this to be repeated in the TNP (**PM11**). Providing these modifications are made, I conclude that policy EN8 will appropriately provide for the designation and protection of LGSs, in accordance with national policy and guidance and the need to be consistent with the local planning of sustainable development, and is in general conformity with strategic policies of the TVLP. Accordingly, the Basic Conditions will be met.
- 4.24 In consultation responses, concern was expressed by local people about pollution, both of the water courses in the Parish and in terms of traffic noise and air pollution from the A303. It is national policy that the planning system should prevent *'both new and existing development from contributing to or being put at unacceptable risks from, or being adversely affected by unacceptable levels of soil, air, water or noise pollution'*²⁶, and policies E7 and E8 of the TVLP address water management and pollution issues. In that policy EN9 of the TNP is supportive of development that reduces levels of pollution of all kinds in the area, promotes the use of

²⁴ PPG Reference ID: 37-011-20140306

²⁵ PPG Reference ID: 37-017-20140306.

²⁶ NPPF paragraph 109, 4th bullet point.

Sustainable Urban Drainage Systems (SUDS) to control run-off and of measures to reduce adverse impacts on sensitive uses, it accords with national and local policy. Subject to modification to delete part 3, which is negatively worded but essentially repeats matters already covered in the positively worded parts 1, 2 and 5, and to delete part 4 which deals with matters of detail post-permission (**PM12**), I am satisfied that policy EN9 meets the Basic Conditions.

- 4.25 The final policy EN10 in the Environment Chapter deals with flooding, addressing concerns that parts of the Parish are susceptible to flooding from the Pillhill Brook, from groundwater flooding from chalk springs and from surface water flooding. However, Hampshire County Council as the Lead Local Flood Authority (LLFA) has identified inconsistencies and inaccuracies in the supporting text, and the TNP requires modification, in accord with the LLFA's representations²⁷, to clarify the terms used and to correct inaccuracies (**PM13**). The title and key of Map 5 also need to be amended as it does not show flooding but rather is intended to show the Environment Agency Flood Zones²⁸ (**PM14**).
- 4.26 In accord with the NPPF (paragraph 100), inappropriate development in locations at risk from flooding should be restricted. This is to be done by directing development away from areas at highest risk through the application of the Sequential Test²⁹. As drafted, policy EN10 is considered by the Environment Agency to be misleading and not one that it could support, and it has suggested alternative wording. Paragraph 5.44 of the TNP already refers to TVLP policies E7 and E8 on flood risk and water management. Qualifying proposals in Flood Zones 2 and 3 will already have been considered against the Sequential and Exception Tests. I do not consider that these tests of national policy need to be repeated here. Further, the requirement for SUDS is already addressed in policy EN9. Notwithstanding this I accept that, as drafted, TNP policy EN10 does give detail on local areas at risk and therefore I am modifying the TNP to move policy EN10 to supporting text as a new paragraph 5.45 (**PM15**).
- 4.27 Providing that the modifications set out above are made, I conclude that the TNP's policies on landscape and environment will appropriately provide for the protection and enhancement of the natural environment, having regard to national policy and guidance and the need to be consistent with the achievement of sustainable development, and are in general conformity with the strategic policies of the TVLP. Accordingly, the Basic Conditions will be met.

²⁷ View at: <https://www.testvalley.gov.uk/planning-and-building/planningpolicy/neighbourhood-planning/thruxton-neighbourhood-plan?chapter=2>

²⁸ See TPC response dated 12 November 2019 to my question 7.

²⁹ NPPF paragraph 101 and national guidance on flood risk.

Built Environment

- 4.28 Chapter 6 of the TNP deals with heritage matters and Map 6 shows the Thruxton Conservation Area, designated in 1985, which includes 26 Listed Structures and covers the historic centre of the village grouped around the Manor and Church. Policy H1 accords with national law and policy and TVLP policy E9 in requiring that development within the Conservation Area should preserve or enhance its historic character or appearance. Parts a), b) and c) give further local policy detail. However, I am modifying part c), to replace '*traditional materials*' with '*locally distinctive materials*' which will allow, provided the criteria in the policy are met, for a traditional or contemporary building design (**PM16**).
- 4.29 Part a) refers to the Conservation Area Appraisal and Village Design Statement, but as there is nothing in the supporting text to explain the status of these documents, their date, and where they can be found, it would be difficult for an applicant to know what they needed to do in order to comply with the policy, contrary to advice in the PPG. Paragraph 6.5 requires redrafting to include details of both documents with their full title, date, status in terms of adoption by the TPC and/or TVBC, and information as to where they can be found to be read. The latter could be provided either by a footnote or reference to the TNP's evidence base. However, it is sufficient in paragraph 6.5 to refer to the LGSs as shown on Map 4 of the TNP (**PM17**). Subject to these modifications, policy H1 would meet the Basic Conditions.
- 4.30 Thruxton is thought to have been settled since the Late Bronze Age and to have been colonised by the Romans. The Manorial Earthworks is a Scheduled Ancient Monument and nearly all the Conservation Area is identified as an area of high archaeological potential. Policy H2 sets out the requirements where development proposals could affect sites of archaeological interest or remains. It has regard to national guidance in the NPPF on conserving and enhancing the historic environment and is in general conformity with TVLP policy E9 on Heritage. Subject to clarification in paragraph 6.10 that the Archaeological Adviser works for Hampshire County Council, not for TVBC (**PM18**), I am satisfied that policy H2 fulfils the Basic Conditions.
- 4.31 In addition to the designated heritage assets, the TNP identifies a number of non-designated heritage assets which are seen as having local significance for their historic, archaeological and architectural interest. Policy H3 lists these assets, which are described in Appendix 1 of the TNP and shown on Map7 a-c. It accords with the recent Government

announcement encouraging communities across England to '*nominate heritage assets which make their community what it is*', and the July 2019 amendment to the PPG³⁰ clarifies neighbourhood plans may identify non-designated heritage assets. The ten non-designated heritage assets identified in Appendix 1 include village houses dating from the 1700s, Victorian domestic buildings, and the original Second World War aircraft hangars and control tower at Thruxton Airfield. I am satisfied that their identification as non-designated heritage assets is based on sound evidence and that they are all important to the community. The Appendix list includes the barn/garage at Hamble House, which was mistakenly missed off the list in policy H3.

- 4.32 The first part of policy H3 is unnecessary in that it repeats the need for development proposals to provide an assessment of the significance of the heritage asset which is already set out in TVLP E9 and in the NPPF³¹. A minor modification is needed to the title of the policy to refer to non-designated rather than Parish heritage assets (**PM19**). TVBC has suggested a number of track changes to the supporting text. These provide helpful clarification and I propose a modification accordingly (**PM20**).
- 4.33 Providing that the modifications set out above are made, I conclude that the TNP's heritage policies will appropriately provide for the protection and enhancement of the built environment, having regard to national policy and guidance and the need to be consistent with the local planning of sustainable development, and would be in general conformity with the strategic policies of the TVLP. Accordingly, the Basic Conditions will be met.

Issue 2: Housing, Parking, Community Infrastructure and the Economy

Housing and Design

- 4.34 Thruxton is not a large Parish in terms of its population and housing stock with 240 of the 276 houses recorded in the 2011 Census being within Thruxton village, where substantial housing development took place in the mid to late 20th century. Thruxton village has few facilities and is classified in the TVLP as a rural settlement with a defined settlement boundary. The Parish also includes a small area within the Weyhill West settlement boundary.
- 4.35 The TNP refers to consultation with local residents and a preference to limit any new housing development to no more than 10 houses, with the main housing need being seen as for smaller homes of 3 bedrooms or

³⁰ PPG Reference ID: 18a-040-20190723.

³¹ NPPF paragraphs 135 and 139.

less. Table 7 of the Local Plan identifies that within rural villages like Thruxton generally development will be limited in scale, such as windfall sites, rural affordable housing sites and replacement dwellings. Nonetheless, Thruxton has a defined settlement boundary within which there is a presumption in favour of the principle of development, regardless of the number of houses proposed³². To limit any individual development to 10 dwellings or fewer, as proposed in policy HD1, without the necessary evidence could undermine the achievement of sustainable housing development and would not be in general conformity with the strategic policies of the TVLP. Other than reporting the result of the 2016 survey and engagement activity, the TNP does not offer any further justification for the policy constraint. The purpose of this part of the policy is also unclear. If it is to address issues of integration and character, then there are other policies in the TNP and in the TVLP that do that without imposing an arbitrary limit on numbers.

- 4.36 Policy HD1 goes on to require that developments should provide for homes of 3 bedrooms or less '*to respond to the local need for smaller properties*'. The NPPF supports the delivery of a wide choice of high-quality homes and requires that local planning authorities should plan for a mix of housing based on current and future demographic trends, market trends and the needs of different groups in the community. Whilst there is no recent local housing need survey³³, the supporting text refers to local house prices being high relative to local earnings and that consultations on the TNP identified a housing need for local young adults currently living in their family homes, and for older residents wanting to downsize within the local area. As I am proposing to delete the first sentence that limits the size of new residential development, policy HD1 will become a policy on housing mix and should be renamed accordingly. Paragraph 7.8 suggests the use of planning conditions to remove permitted development rights from new development. This is contrary to clear guidance in the NPPF at paragraph 200 that such conditions should not be used '*unless there is clear justification to do so*'. I am not persuaded that there is any such justification here and this sentence should be deleted. Subject to these modifications (**PM21** and **PM22**), policy HD1 would meet the Basic Conditions.
- 4.37 Policy HD2 deals with replacement dwellings, extensions and annexes and seeks to address concerns in the Parish that with the replacement or extension of existing homes, much of the smaller, and more affordable accommodation, has been lost. The policy has regard to national policy in requiring good design and that the replacement or extension of existing dwellings should respect the character and appearance of the locality³⁴,

³² TVLP policy COM2.

³³ TPC response dated 12 November 2019 to my question.

³⁴ NPPF paragraphs 56 and 58.

with replacement dwellings generally being required to be of a similar footprint and extensions '*subsidiary*' to the original property. In respect of part b), many extensions to existing homes are allowed as permitted development and can be carried out without having to make a planning application³⁵. Where permission is required, I am satisfied that the criteria in policy HD2 b) are appropriate and would provide for a good standard of development, subject only to substituting '*subservient*' for '*subsidiary*' in the interests of clarity as this is the term used in development management. However, I find part d) of policy HD2 and its supporting text on annexes to be unduly restrictive, unsupported by robust, proportionate evidence, and not reflective of planning case law on annexes and I am deleting it from policy HD2 (**PM23**).

4.38 New dwellings can come forward as a result of the sub-division of gardens and policy HD3, by setting out criteria for such infill development, will ensure that the character of Thruxton is not adversely affected. It accords with the objectives of TVLP policies E1 and E2 which promote high quality in development and the protection of landscape character. Safe access can be an issue with infill schemes and I am modifying the policy to include an additional criterion to demonstrate that safe access can be achieved (**PM24**).

4.39 Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people³⁶. In requiring good design, planning policies should not be overly prescriptive, however, the NPPF states it is proper to seek to promote or reinforce local distinctiveness³⁷. Policy HD4 of the TNP requires that development proposals demonstrate how they will contribute to the character of Thruxton, incorporating design principles that reflect the local vernacular. There is no need in part 2 to repeat the requirement for qualifying applications to be accompanied by a Design and Access Statement³⁸. Subject to some minor redrafting (**PM25**), in the interests of clarity, the policy would accord with national policy, be in general conformity with policy E1 of the TVLP and would contribute towards the achievement of sustainable development, thus meeting the Basic Conditions.

4.40 Policy HD5 deals with the provision of high-quality outdoor amenity space in new and extended housing development. The provision of external amenity space of an appropriate size is an element of good design and it

³⁵ PPG Reference ID: 13-016-20140306: Permitted development rights are subject to conditions and limitations to control impacts and to protect local amenity.

³⁶ NPPF paragraph 56.

³⁷ NPPF paragraph 60.

³⁸ Those applications that need to be accompanied by a DAS are set out in Article 4 of The Town and Country Planning (Development Management Procedure) (England) (Amendment) Order 2013, SI 2013/1238.

is a core planning principle to always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings³⁹. Thruxton is valued for its rural setting and I am satisfied that policy HD5, as drafted, would contribute to maintaining the local character of the area. It has regard to national policy and is in general conformity with policies E1 and LWMH4 of the TVLP on high quality design and residential amenity, and would contribute towards the achievement of sustainable development, thus meeting the Basic Conditions.

- 4.41 Policy HD7 supports the provision of independent living and sheltered housing, recognising the Parish's ageing population and the strong desire of older people to stay living locally. However, there is also a need nationally to plan for a mix of housing⁴⁰, and disability and the need for supported housing is not age restricted. I am modifying the policy to clarify that it is inclusive for all, not just the elderly and existing members of the community, who may wish their elderly parents or a disabled child or relative to live with them; to delete the definition of those with local connections as this will be determined through TVBC's housing allocations policy; and to clarify that all new dwellings allowed under this policy should, as a minimum, meet the Building Regulations requirements M4(2) for accessible and adaptable dwellings⁴¹ (**PM26** and **PM27**). The reference in paragraph 7.18 to the Lifetime Homes Standard should be removed as it is no longer in force. Subject to these modifications, policy HD7 would meet the Basic Conditions.
- 4.42 In rural areas, Government policy supports the provision of affordable housing through rural exception sites where appropriate. Policy COM8 of the TVLP provides for rural exception affordable housing subject to certain criteria being met, which include the provision of evidence to demonstrate an unmet need within the Parish for accommodation by households with local connections but unable to afford open market housing. Other than a suggestion in the supporting text that proposals should be of generally less than 5 dwellings, unsupported by any evidence on local housing need, the TNP's policy HD8 on rural exception housing for local people repeats policy COM8 and adds nothing that is locally distinctive. As such, it fails to have appropriate regard to advice in the PPG⁴² on the drafting of neighbourhood plan policies, in conflict with the Basic Conditions, and I am deleting it from the TNP (**PM28**). I am also modifying the TNP by the

³⁹ NPPF paragraph 17, 4th bullet point.

⁴⁰ NPPF paragraph 50.

⁴¹ Requirements M4(2) and M4(3) are 'optional requirements' as defined in the Building Regulations. An optional requirement only applies where a condition that 1 or more dwellings should meet the relevant optional requirement is imposed on new development as part of the process of granting planning permission.

⁴² PPG Reference ID: 41-041-20140306.

deletion of the last sentence of paragraph 7.19 which is not supported by any appropriate evidence (**PM29**).

Parking

- 4.43 Thruxton is poorly served by public transport. There is a high reliance on the private car and the lack of parking, both on and off-street, in Thruxton was identified as an issue by villagers in consultations on the draft TNP. On-street parking was a particular concern with particular difficulties in certain areas, for example opposite the Memorial Hall⁴³. National policy on setting local parking standards is given in the NPPF at paragraph 39. As drafted, policy HD6 requires all new residential developments to provide sufficient resident and visitor parking and where existing off-street parking would be lost, an equal amount should be provided as replacement.
- 4.44 The policy sets parking standards which, other than that for 1-bedroom dwellings, mirror those in Annex G to the TVLP. Annex G sets a minimum standard of 1 space for a 1-bedroom unit, whereas the TNP's proposed standard for 1 bed homes is higher at 1.5 spaces per unit. In addition, it is proposed that this would be '*rounded up to the nearest whole number*', although no guidance is provided in the text as to what this might actually mean in practice. For example, would 3 spaces be required for two 1 bed units (2 x 1.5), but 5 spaces for three 1 bed units (3 x 1.5 = 4.5 rounded up to 5)?
- 4.45 In response to my question, the TPC confirmed that the evidence in support of these local parking standards was largely anecdotal⁴⁴ but that as it was felt 1-bedroom properties were just as likely to house two people as one, two parking spaces would be essential. However, that is not what the policy actually says as my simple calculation set out above shows. The TVLP parking standards are expressed as minima, thus more parking could be provided, and I am not persuaded that there is sufficient robust evidence to justify a higher local standard here. Having said that, I am satisfied that the particular characteristics of Thruxton – the narrow village lanes and the limited amount of on-street parking – do warrant there being a locally distinctive policy on parking, that would complement and be in general conformity with TVLP policies T1 and T2. Subject to some minor changes in wording and the deletion of the parking standards (**PM30**), I am satisfied that policy HD6 has regard to national policy and advice, would be in general conformity with strategic policies in the TVLP, and would contribute towards the achievement of sustainable development, thus meeting the Basic Conditions.

⁴³ See TNP policy CI5 below.

⁴⁴ TPC letter of 12 November 2019.

- 4.46 Providing that the modifications set out above are made, I conclude that the TNP's housing and design policies and parking policies will provide an appropriate framework to shape and direct sustainable development, having regard to national policy and guidance, and are in general conformity with the strategic policies of the TVLP. Accordingly, the Basic Conditions will be met.

Community Infrastructure and Wellbeing

- 4.47 Thruxton has a strong community spirit and despite a limited range of community facilities, there are a number of clubs and groups and many community events are held through the year. The issues identified in paragraph 8.4 as being of concern are predominantly about infrastructure provision, limited public transport, and traffic speeds; matters outside the scope of this Plan. The NPPF recognises that the planning system can play an important role in facilitating social interaction and creating healthy, inclusive communities⁴⁵. There is a raft of policies in the TVLP that deal with Local Communities, the provisions of which do not need repeating in the TNP unless adding something that is locally distinctive to the area.
- 4.48 Policy CI1 seeks to protect existing community facilities. Whilst it lists what are considered to be the Key Community Facilities in the TNP area and supports proposals to enhance their viability and/or community value, the first part of the policy adds nothing that is locally distinctive and, as a repeat of TVLP policy COM14, can be deleted from the TNP (**PM31**).
- 4.49 Similarly policy CI2 supports the provision of new recreational or community facilities. But it adds nothing original that is a response to any unique characteristics or the particular planning context of Thruxton Parish. As any proposal for a new community facility would be assessed against the detailed provisions of TVLP policies COM2, COM9 and LHW4, there is no need for the inclusion of a general policy like CI2 in the TNP and I am recommending its deletion (**PM32**). Again, policy CI3 on developer contributions to infrastructure provision is a re-working of TVLP policy COM15 which does not need to be repeated here. Indeed, to have two slightly differently worded policies in the Development Plan that deal with developer contributions could potentially result in confusion for developers, particularly where any conflict must be resolved in favour of the policy contained in the last document to become part of the Development Plan⁴⁶. Accordingly, I am deleting policy CI3 (**PM33**).

⁴⁵ NPPF paragraph 69.

⁴⁶ Section 38(5) of the Planning and Compulsory Purchase Act 2004. Also see PPG Reference ID: 41-009-20190509.

- 4.50 Traffic and road safety in the Parish are major concerns of residents. Whilst it is recognised that the lack of pavements, lighting and narrow roads are an intrinsic part of the character of the Parish, the need to improve walking routes to, and parking at the Kimpton, Thruxton and Fyfield primary school is a particular issue that the TNP seeks to address through policy CI4. The policy is positively worded in supporting proposals that would result in improvements to pedestrian and cycle safety for pupils travelling to the school. It accords with national policy in the NPPF⁴⁷ on giving priority to pedestrians and cyclists and promoting safe and accessible developments. It also accords with TVLP policy T1 on Managing Movement, and would help to contribute towards the achievement of sustainable housing development, thus satisfying the Basic Conditions.
- 4.51 Policy CI5 identifies particular areas in the village where development proposals, which increase the number of access points or traffic movements, will be required to demonstrate that they would not further increase the risk to pedestrian safety or exacerbate parking stress. I am satisfied from what I saw on my visit, that this specific policy is justified. It is concise, precise and distinctive, addressing a particular identifiable local issue and meets the Basic Conditions.
- 4.52 Thruxton is a rural Parish and those living in the settlements enjoy their close access to the surrounding countryside. In that part 1 of policy CI6 encourages improved countryside access and supports enhancements to the public footpath/cycle network and safe access to the A303, there is no need for the second part which is negatively worded (**PM34**).

Economy

- 4.53 The local economy is varied, ranging from agricultural uses to home workers, to the businesses based on the Thruxton Airfield and Industrial Estate. The latter takes up around a quarter of the land in the Parish. The Airfield has two runways, with the perimeter track serving as a motor racing circuit. The Industrial Estate is separately accessed and is based within a mixture of hangars and buildings built for the original RAF site, as well as newer premises. Many of the businesses there are to do with vehicle maintenance, engineering and motor sport and aviation activities. There is also a waste management, recycling and landfill operation. The TNP is positive about the relationship of the Airfield and Industrial Estate with the community, and policy EC1 sets out requirements for any future major commercial development proposals of over 1000 square metres or one hectare. These include them being part of a long-term plan for the site and its users, re-using existing buildings where feasible, contributing

⁴⁷ NPPF paragraphs 35 and 69.

to the importance of the local and national motor industry and aviation, and contributing to the sense of place and identity of the historic airfield.

- 4.54 I am satisfied that policy EC1 accords with national policy in the NPPF to secure economic growth in order to create jobs and prosperity and to support a prosperous rural economy⁴⁸. It also is in general conformity with Local Economy policies in the TVLP, in particular policies LE10, LE16 and LE17 which support the retention of employment land, the re-use of buildings in the countryside and employment sites in the countryside. In the interest of clarity and inclusiveness, I am adding a reference in policy EC1 to the need for proposals at the Airfield to accord with other Development Plan policies. Subject to that minor modification (**PM35**), I consider that policy EC1 would meet the Basic Conditions and would contribute to the achievement of sustainable economic development.
- 4.55 I conclude that, subject to the recommended modifications set out in the Appendix to this report being made, the TNP's policies for the economy, and for community infrastructure provide an appropriate framework to shape and direct sustainable development, have regard to national policy and guidance, and are in general conformity with the strategic policies of the TVLP, thus meeting the Basic Conditions.

5. Conclusions

Summary

- 5.1 The Thruxton Neighbourhood Plan has been duly prepared in compliance with the procedural requirements. My examination has investigated whether the TNP meets the Basic Conditions and other legal requirements for neighbourhood plans. I have had regard for all the responses made following consultation on the Neighbourhood Plan, and the evidence documents submitted with it.
- 5.2 I have made recommendations to modify a number of policies and text to ensure the TNP meets the Basic Conditions and other legal requirements. I recommend that the TNP, once modified, proceeds to referendum.

The Referendum and its Area

- 5.3 I have considered whether or not the referendum area should be extended beyond the designated area to which the TNP relates. The Thruxton Neighbourhood Plan as modified has no policy or proposals which I consider significant enough to have an impact beyond the designated Neighbourhood Plan boundary, requiring the referendum to extend to areas beyond the Plan boundary. I recommend that the boundary for the

⁴⁸ NPPF paragraphs 18 and 28.

purposes of any future referendum on the Plan should be the boundary of the designated Neighbourhood Plan Area.

Overview

- 5.4 I recognise that the TNP is the product of a lot of hard work by the Steering Group and the Thruxton Parish Council, who were effective in engaging with their local community to consider how it wished to see the area in the years to come. Considerable effort has been put in over the last three years to achieve the submitted TNP. The result is a Plan that should help to guide the area's future development in a positive way with the support of the local community. I commend the Parish Council for producing this Plan which, subject to some modifications, will form the basis for development management decisions over the coming years.

Mary O'Rourke

Examiner

Appendix: Modifications

Note: **PM2**, **PM9** and **PM20** reference the track changes version of the Thruxton Neighbourhood Plan, provided by Test Valley Borough Council (TVBC), which can be viewed as follows:

<https://www.testvalley.gov.uk/assets/attach/9354/Thruxton%20Parish%20Council%20Submission%20Plan%20inc%20TVBC%20comments%20in%20track%20changes.pdf>

Any modifications that may be required to correct factual errors to definitions in the Glossary can be carried out under the powers given to TVBC by paragraph 12(6)(e) of Schedule 4B to the Town and Country Planning Act 1990.

Proposed modification number (PM)	Page no./ other reference	Modification
PM1	Pages 21-23	<p>Modify these Objectives as follows:</p> <p>LEO1 – delete the words ‘free from intrusive development’.</p> <p>LEO8 – change ‘Space’ to ‘Spaces’ and delete from ‘where’ to ‘environment’.</p> <p>LEO12 – replace with ‘To protect and conserve the natural water sources within the Plan area’.</p> <p>HEO1 – delete ‘historic’.</p> <p>HO2 – delete the reference to Lifetime Homes Standard.</p> <p>HO3 – delete from ‘new homes’ to ‘techniques’.</p> <p>HO4 – add ‘safe’ after ‘suitable’.</p> <p>Delete the following Objectives: LEO7, LEO9 and CIO2 to CIO11.</p>
PM2	Pages 25 and 26	<p>In Paragraph 5.10 – after TVBC Landscape Character Assessment, delete ‘2004’ and replace by ‘2018’. Amend the rest of the text in Paragraph 5.10 as shown in the TVBC track change version.</p> <p>In Paragraph 5.11, second line, add ‘Where required,’ before ‘proposals’.</p>

		In policy EN1 c) add ' external ' before ' lighting '.
PM3	Page 27	In policy EN2 b) delete the words ' physical and '.
PM4	Page 26	In paragraph 5.13, line 5, after the words 'the setting of the settlement' delete the rest of the sentence up to and including the word 'separation'.
PM5	Page 27	Delete policy EN3 and redraft as follows: 'Development proposals should protect, and where possible, positively contribute to the following views and vistas, indicated on Map 2:' List and renumber sequentially views 1, 6, 8, 11, 12, 13, 14 and 15. Correctly plot the views on Map 2. Amend the description for view 8 as follows; ' View looking east from Snoddington Lane, to the north of Thruxton Down '.
PM6	Page 32	Delete policy EN4. Include the text of the policy (redrafted suitably) in paragraphs 5.15 and 5.16 of the Plan.
PM7	Page 37	Delete policy EN7 Insert in paragraph 5.27 the words 'Policy E6 of the Revised Local Plan and' before 'The Test Valley Green Infrastructure Strategy ...'.
PM8	Page 34	Redraft policy EN5 as follows: 'Development proposals will be supported, where: a) the development will enhance the features of the Pillhill Brook, its landscape character, appearance and setting; b) the development will achieve a

		<p>biodiversity net gain;</p> <p>c) the development will not compromise the ability of the headwaters of the Pillhill Brook and the river corridor to function naturally throughout seasonal variations; and</p> <p>d) the water quality of the Pillhill Brook is improved and development does not lead to pollution of the water environment.'</p>
PM9	Page 36	<p>In policy EN6 2) delete 'including Environmental Impact Assessment'.</p> <p>Include the TVBC track changes in the supporting text paragraphs 5.11 to 5.25.</p>
PM10	Page 38	Delete LGS7 from policy EN8.
PM11	Page 38	In policy EN8 delete from ' Development proposals ... ' to the end of part b).
PM12	Page 40	In policy EN9 delete parts 3. and 4. and renumber 5.
PM13	Page 41	Amend paragraphs 5.38 to 5.40 in accord with the representations made by Hampshire County Council as Lead Local Flood Authority.
PM14	Page 42	Change the title of Map 5 from 'Flooding' to 'Flood Zones', correct the key and include copyright details.
PM15	Page 43	Delete policy EN10 and reword as a new paragraph 5.45.
PM16	Page 46	In policy H1 c) replace ' traditional ' with ' locally distinctive ' in line 1, and in line 3 delete ' traditional ' and delete the words ' as will appropriate innovative and contemporary design '.
PM17	Page 45	<p>Modify paragraph 6.5 to:</p> <p>Include details of the Conservation Area Land Appraisal and of the Village Design</p>

		Statement, referred to in policy H1 a). In line 9 after 'Map 4' delete the words to the end of the paragraph.
PM18	Page 48	In paragraph 6.10, line 4, delete 'District Council's' and replace with 'Hampshire County Council's'.
PM19	Page 49	In policy H3 delete ' Parish ' and replace with ' Non-Designated ' in the title Delete the first part of policy H3. Replace the first two lines of the second part of the policy to read ' The following are identified as non-designated heritage assets: '. After Veronica Cottage, Village Street, insert ' Barn/garage at Hamble House '.
PM20	Page 48-49	Amend the title line above paragraph 6.11 to read 'Non-Designated Heritage Assets' and amend paragraph 6.11 as shown in the TVBC track change version.
PM21	Page 56	Rename policy HD1 Housing Mix. Delete the first sentence of policy HD1. Redraft the second sentence as follows: 'New residential development should respond to the local need for smaller dwellings and provide for a mix of dwellings of 3 bedrooms or less.'
PM22	Page 56	In paragraph 7.8 delete the fifth sentence starting 'To protect'.
PM23	Page 57	In policy HD2 b) replace ' subsidiary ' with ' subservient '. Delete part d) and Paragraph 7.11
PM24	Page 58	Add the following to policy HD3: 'f) demonstrate that safe access for vehicles can be achieved.'
PM25	Page 59	Redraft policy HD4 as follows: In a) delete from ' building form ' to

		<p>'including' and insert 'the local style of'.</p> <p>In b) last line delete 'using reused tiles'.</p> <p>In c) after 'yew' insert 'will be supported'.</p> <p>Delete all of 2.</p>
PM26	Page 62	<p>Amend policy HD7 as follows:</p> <p>In part 1, line 2, delete 'for members of the community'.</p> <p>In part 2, line 1, delete 'on a limited scale' and then from line 2 delete the words in brackets.</p> <p>In part 3 delete the text and replace with 'All new dwellings allowed under this policy should be suitable for all residents and, as a minimum, should meet Building Regulations M4(2) for accessible and adaptable dwellings.'</p>
PM27	Page 61	In paragraph 7.18 line 9 delete the sentence starting 'TVBC Local Plan ...'.
PM28	Page 62	Delete policy HD8.
PM29	Page 62	Delete the last sentence of paragraph 7.19.
PM30	Page 61	<p>In part 1 of policy HD6, line 4, delete 'to levels less than those set out below, will be strongly resisted' and replace with 'will not be supported'.</p> <p>Delete from 'The following parking standards ...' to the end.</p>
PM31	Page 64	In policy CI1 delete the whole of part 1 other than the list of Key Community Facilities where the first line should be redrafted as follows: 'The Key Community Facilities in the Plan area are:' .
PM32	Page 65	Delete policy CI2.
PM33	Page 65	Delete policy CI3.
PM34	Page 67	Delete the second part of policy CI6.

PM35	Page 69	In policy EC1 add in the second line after ' demonstrate that they ' the words ' accord with the development plan policies and that they: '.
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