

Appendix 4. Decision Statement



1. Introduction

- 1.1 Under the Town and Country Planning Act 1990 (as amended), the South Downs National Park Authority has a statutory duty to assist communities in the preparation of neighbourhood development plans and orders and to take plans through a process of examination and referendum. The Localism Act 2011 (Part 6 chapter 3) sets out the Local Planning Authority's responsibilities under Neighbourhood Planning.
- 1.2 This statement confirms that the modifications proposed by the examiner's report have been accepted, the draft Petersfield Neighbourhood Development Plan has been altered as a result of it; and that this plan may now proceed to referendum.

2.0 Background

- 2.1 The Petersfield Neighbourhood Development Plan relates to the area that was designated by the South Downs National Park Authority as a neighbourhood area on 13 September 2012. This area is coterminous with the Petersfield Town Council boundary that lies within the South Downs National Park Local Planning Authority Area.
- 2.2 Following the submission of the Petersfield Neighbourhood Development Plan to the National Park Authority, the plan was publicised and representations were invited. The publicity period ended on 16 March 2015.
- 2.3 Mr Christopher Lockhart-Mummery QC was appointed by the South Downs National Park Authority with the consent of Petersfield Town Council, to undertake the examination of the Petersfield Neighbourhood Development Plan and to prepare a report of the independent examination.
- 2.4 The examiner's report concludes that subject to making the minor modifications recommended by the examiner, the Plan meets the basic conditions set out in the legislation and should proceed to a Neighbourhood Planning referendum.
- 2.5 Having considered each of the recommendations made by the examiner's report, and the reasons for them, the SDNPA and Petersfield Town Council have decided to make the modifications to the draft plan referred to in Table 1 below, to secure that the draft plan meets the basic conditions set out in legislation.

3.0 Decision

3.1 The Neighbourhood Planning (General) Regulations 2012 requires the local planning authority to outline what action to take in response to the recommendations of an examiner made in a report under paragraph 10 of Schedule 4A to the 1990 Act (as applied by Section 38A of the 2004 Act) in relation to a neighbourhood development plan.

3.2 Having considered each of the recommendations made by the examiner’s report, and the reasons for them, South Downs National Park Authority in consultation with Petersfield Town Council has decided to accept the modifications to the draft plan. Table I below outlines the alterations made to the draft plan under paragraph 12(6) of Schedule 4B to the 1990 Act (as applied by Section 38A of 2004 Act) in response to each of the Examiner’s recommendations.

Table I.

Proposed modification	Examiners report reference	Proposed decision
Recommend that the PNP be modified by removal of the aspirational policies to an appendix. The aspirational policies will remain referenced in the introduction table to each chapter which sets out the chapter’s objective and supporting policies.	Paragraph 41 page 14	Accept modification
<p>Section 3.51, Housing objective 1, page 12, table 1 & section 12.4 Site HI Design Framework, page 96</p> <p>Recommend that the PNP be modified by indicating “up to 200” in Table I for site HI (Causeway Farm), and appropriate amendments be made to the plan and text at page 96 (Design Framework and Delivery Considerations table).</p> <p>The modification to the site boundary for Causeway Farm can be seen at Appendix 5 to this report.</p>	Paragraph 43 – 51 pages 15-17	Accept modification
<p>Section 12.8, Site H8 Design Framework, page 100.</p> <p>Recommend that the PNP be modified as follows:</p> <p>Section 12.8: Site H8 Design Framework – Land south of Durford Road H8, left column, third row:</p>	Paragraph 58 page 18-19	Accept modification

<p>“Appropriate Density: 15dph”: the reference to “15dph” should be deleted and “N/A” should be inserted.</p> <p>H8, Right column, second row: “Maximum density should not exceed 28 dph” should be deleted.</p> <p>H8, Right column, third row: “Indicative no. of dwellings: 48”, the figure “48” to be amended to read “Minimum of 48 dwellings”.</p> <p>Further additional text to be inserted in same row or through footnote: “Due to the nature of the development proposed on the site (CCRC) an indicative dwelling number derived from approximate density is not appropriate”.</p> <p>H8, Right column, second row: Delete from “The low density” to “ecological constraints have been met”: Full paragraph now to read: “The number of dwellings and scale of the full development will be determined through the development management process in consideration of landscape impact on the SDNP and opportunities are taken for the restoration and management of habitats as part of the scheme”.</p> <p>Section 3.5.1, Housing objective 1, Page 12 Housing Policy HPI, Table 1, H8 (Land at Durford Road): “H8: 48”: further text: “Minimum of 48” to be inserted.</p>		
<p>Section 11.2 Town Centre Opportunities, page 81</p> <p>New Note following the table: “3. In addition to those sites identified in Table 13, land at Dragon Street/High Street is anticipated to accommodate in the region of 18 dwellings. The site has been previously identified in work undertaken by the SDNPA and East Hants DC. It is shown on the map as site H6-3”.</p> <p>New site H6-3 to be identified on Figure 8-Town Centre Opportunities</p>	<p>Paragraph 68, page 21-22</p>	<p>Accept modification</p>

<p>Section 3.5.1, Housing objective 1, page 12</p> <p>Recommend that Table 1 be modified by expressing the indicative number of dwellings for site H1 as up to 200, for site H6 as 58, resulting in a total of 805.</p>	<p>Paragraph 69, page 22</p>	<p>Accept modification</p>
<p>Section 3.1 (page 9)</p> <p>Recommend that the modifications identified in the Response at paragraph 8.1 and paragraph 19.1 be made.</p> <p>(additional text is underlined, removed text is struck out):</p> <p>Section 3.1 (page 9) of the PNP, bullet point 6 should be amended to read ‘The demand for new affordable homes in Petersfield is between 32 and 74 per year. The majority of this demand is for one or two bedroom flats <u>dwellings</u>. We are currently unable to meet this demand.’</p> <p>Section 3.5.1 Housing objective 1, page 12</p> <p>Propose to include the suggested text from Southern Water in Policy HPI and revise the policy as follows (additional text is underlined):</p> <p>‘Planning permission will be granted for new residential development on the sites set out in Table 1 and, as detailed in Section 11, provided that the proposals conform to the design principles <u>and delivery considerations</u> set out in Section 12 and meet the requirements set out in other appropriate policies of this Plan and the East Hampshire District Local Plan: Joint Core Strategy. Note that the site plans set out in Section 12 are illustrative and not mandatory.’</p>	<p>Paragraph 70, page 22</p>	<p>Accept modification</p>
<p>Policy HP5, page 15</p>	<p>Paragraph 74, page 23</p>	<p>Accept modification</p>

Recommend that the PNP be modified by the deletion of Policy HP5 and its replacement by the text at paragraph 9.2 of the Response.

Revised policy HP5 (additional text is underlined):

Housing Policy 5 (HP5) – Delivery of infrastructure

- a) New development will contribute towards new infrastructure or improve the capacity of existing infrastructure to mitigate its impact and support future residents and businesses.
- b) Critical service and utility infrastructure will be provided on-site by the developer and utility providers to ensure development is properly serviced.
- c) In addition, a suitable package of supporting infrastructure will be negotiated by the National Park Authority in liaison with Petersfield Town Council and secured through legal agreements to ensure the development is acceptable in planning terms, self-supporting and its impacts are properly mitigated.
- d) On-site infrastructure will be secured through legal agreements based on the needs of each proposal (or group of proposals) and delivered directly by the developer or through financial contributions and/or land. Infrastructure delivery will be integrated with development phasing to ensure timely provision and commuted payments will secure necessary future maintenance.
- e) The design of infrastructure through partnership working with developers and infrastructure providers should reflect the high quality landscape and ensure, where

<p><u>possible, benefits to the economic and social well being of the local community.</u></p> <p>Remove last paragraph of supporting text starting ‘Policy HP5 therefore mandates’</p>		
<p>Policy HP6, Page 16</p> <p>Recommend that policy HP6 be deleted, and replaced by the text at paragraph 10.1 of the Response.</p> <p>Revised policy HP6 (additional text is underlined):</p> <p><u>Housing Policy 6 (HP6) – Provide affordable housing</u></p> <p>a) <u>Proposals for new residential development that maximise the delivery of affordable housing and provide for the size, type and tenure of homes to meet local needs as set out in this policy will be permitted, provided they comply with other relevant policies. The application of this policy will maintain a focus on affordable housing, but will be sufficiently flexible to take account of viability and changing market conditions over time.</u></p> <p>b) <u>A target of at least 40% of all net dwellings (C3 use class) on schemes of 6 or more units will be provided as affordable homes in perpetuity to meet local needs.</u></p> <p>c) <u>Development of 11 or more net dwellings will provide affordable housing on-site unless in exceptional circumstances when the Planning Authority, at its discretion, may accept an alternative form of delivery in a cascade of forms with first preference for provision on an</u></p>	<p>Paragraph 75, page 23</p>	<p>Accept modification</p>

alternative site in Petersfield, then the provision of serviced land in lieu and then a financial contribution in lieu.

d) Development of 6 to 10 net dwellings will provide affordable housing on-site where possible. Where on-site provision is not possible in whole or in part, commuted financial payments in lieu will be accepted.

e) The layout and design of affordable housing will be appropriately integrated into each development so affordable housing is indistinguishable from the equivalent market housing. Affordable housing should be spread carefully through the development, not isolated in specific blocks.

f) The size (number of bedrooms), type (flat, house, extra care etc.) and tenure (social and affordable rented, intermediate, shared ownership or other) of affordable homes for each proposal will be based on up-to-date evidence of local needs. A suitable mix will be determined through discussions between the applicant and South Downs National Park Authority in liaison with East Hampshire District Council, Petersfield Town Council, and Rural Housing Enablers where applicable.

g) The eligibility for affordable housing will be administered by EHDC as the Housing Authority. The definition of local need is therefore as laid down by the Hampshire Home Choice service's Allocation Framework. However, priority will be given to people who can demonstrate a local connection to Petersfield in the first instance.

<p>Policy HP7, page 18</p> <p>Recommend the deletion of Policy HP7 and its replacement by the text at paragraph 11.8 of the Response.</p> <p>Revised policy HP7 (additional text is underlined)::</p> <p><u>Housing Policy 7 (HP7) - Custom and Self-build Dwellings</u></p> <p><u>Sites H2 and H11, as shown in Table 1, are allocated wholly as self-build sites.</u></p> <p><u>Subject to the application conforming with the appropriate site design brief in Section 12 of this Plan and meeting the requirements set out in other appropriate policies of this Plan as well as those within the East Hampshire District Local Plan: Joint Core Strategy:</u></p> <p>a) <u>Planning permission to ‘set out’ sites H2 and H11 as individual or collections of serviced plots together with the associated supporting infrastructure, will be granted.</u></p> <p>b) <u>Planning permission for either individual self-build or custom build dwellings on plots within sites H2 and H11 submitted by an individual, by a builder or a developer acting on behalf of an individual, or by a community group of individuals such as a Community Land Trust, will be considered favourably.</u></p> <p>c) <u>Planning permission for a self-build dwelling will only be granted for applicants who:</u></p> <p>a. <u>Demonstrate that they have a local connection (see below) and</u></p> <p>b. <u>Undertake in a section 106 agreement that the occupancy of the property will be restricted to people with a local connection in perpetuity and</u></p>	<p>Paragraph 76 – 77, page 24</p>	<p>Accept modification</p>
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c. Undertake in a section 106 agreement that they will live in the property as their main residence once it is complete and

d. Undertake in a section 106 agreement that once the development has commenced, they will complete the building of the dwelling within 2 years.

d) Petersfield Town Council will review this policy at 5 year intervals following the adoption of the PNP to determine whether it is delivering new dwellings as intended. If the allocated sites have:

i) been properly prepared

ii) robustly marketed at a fair market rate as individual serviced plots,

but are not being developed at the rate required to deliver the 112 dwellings within the lifetime of the plan, then the Council will consider reallocating these sites, or parts of these sites, as conventional residential developments. The review will also consider the success of otherwise of the related local connections policy.

For the purposes of this policy only, a local connection is classed as either being by Residency or by Employment and is defined as follows:

a. **Residency Qualification:**

- Have been resident in Petersfield or a qualifying parish for 12 continuous months at the time of application or
- Have lived in Petersfield or a qualifying parish for 3 out of previous 5 years or
- Have close family (mother, father, brother or sister, adult children or grandparent) who have been resident for 5 continuous years and continue to be resident in Petersfield or a qualifying parish.

<p>b. Employment Qualification. <u>An individual will be considered to have a local connection if he/she or his/her partner is in employment which meets all of the following criteria:</u></p> <ul style="list-style-type: none"> • <u>The office or business establishment at which a person is based or from where their work is managed is within Petersfield or a qualifying parish and</u> • <u>Is in paid employment and</u> • <u>Works a minimum of 16 hours per week and</u> • <u>Has been employed for a minimum of 12 continuous months at the time of their application and is currently in employment and</u> • <u>Has a permanent or fixed term contract or is self-employed.</u> <p><u>Qualifying parishes are: Colemore and Priors Dean, Hawkley, Greatham, Liss, Rogate, Harting, Buriton, Stroud, Langrish, East Meon, Steep, Froxfield and Sheet. These parishes are shown in Figure 2.</u></p>		
<p>Policy HP8, page 20</p> <p>Recommend, as suggested in the Response, that policy HP8 and the two preceding paragraphs be deleted, and the explanatory text set out at paragraph 12.3 of the Response be inserted (with consequential re-numbering).</p> <p>Explanatory text to be added (additional text is underlined):</p> <p><u>All new homes built in Petersfield will meet or exceed the national spaces standards as set out in the government’s Technical housing standards – nationally described space standard paper or any subsequent revisions thereafter.</u></p>	<p>Paragraph 78, page 24</p>	<p>Accept modification</p>
<p>Policy HP9, page 22</p> <p>Recommend that the modifications indicated at paragraphs 12.6 and 12.7 of the</p>	<p>Paragraph 79, page 24 - 25</p>	<p>Accept modification</p>

<p>Response be made</p> <p>The following modifications are proposed to Policy HP9 – Quality and Layout of housing developments (additional text is underlined, removed text is struck out):</p> <p><u>All applications for new homes</u> shall include a Building for Life 12 assessment and proposals will be required to score 12 out of 12 ‘greens’ <u>expected to score positively (predominantly green)</u> against the criteria. <u>Only in exceptional circumstances, when all other options have been explored, will a red score be permitted.</u></p>		
<p>Policy HP9, page 22</p> <p>Recommend that policy HP9 be modified by inserting, after the second sentence of the last paragraph, a new sentence: “Regard will be had to the factors specified in paragraph 39 of the NPPF”.</p>	Paragraph 80, page 25	Accept modification
<p>Policy BEP1, page 26</p> <p>Recommend the deletion of “must conform to” and the substitution of “should take account of”.</p>	Paragraph 81, page 25	Accept modifications
<p>Policy BEP4, page 28</p> <p>Recommend that the heading to the policy be: Shop Fronts in Conservation Area.</p>	Paragraph 82, page 25	Accept modification
<p>Policy GAP 1, page 37</p> <p>Recommend that the modifications to GAP1 set out at paragraph 13.2 of the Response be made. (additional text is underlined)</p> <p>Getting Around Policy 1 (GAP1)</p> <p>Provide pedestrian and cycle access to the Town Centre from new developments</p>	Paragraph 83, page 26	Accept modification

<p>New development shall provide for ease of accessibility for walking and cycling with routes <u>through and within the development where appropriate that will facilitate access</u> to the town centre, schools and adjacent residential areas. Wherever possible, the provision of pedestrian crossings and cycle routes related to a particular development shall be linked up to existing routes.</p> <p><u>Development which would prejudice the implementation of these principles will not be permitted.</u></p> <p>Where appropriate the design principles set out in Manual for Streets 1&2 with Shared Space street design shall be expected to be applied and wherever possible extended into the nearby areas.</p>		
<p>Policy GAP 2-4, page 38-40</p> <p>Recommend that the PNP be modified by moving Policy GAP 2-4 to an appendix</p>	<p>Paragraph 84, page 27</p>	<p>Accept modification</p>
<p>Policy GAP 6, page 42</p> <p>Recommend that the modifications indicated at paragraphs 13.3-13.4 of the Response be made</p> <p>The following modifications are proposed to Policy GAP 6 – Create access to Festival Hall Car Park off Tor Way (additional text is underlined, removed text is struck out):</p> <p><u>Support will be given to</u> a new access to the Festival Hall car park off Tor Way, including associated traffic calming measures to reduce traffic speed in Tor Way and associated adjustments at Moggs Mead. Will be approved subject to the consent of the highway Authority to assist the Festival Hall car park to act as an interceptor car park for the town centre and also enable new development to take place on the north side of Heath Road to reinforce the street frontage and bridge the existing gap created by the west car park entrance. This will enable the adjustment of</p>	<p>Paragraph 85, page 26</p>	<p>Accept modification</p>

<p>the cycle route along Tor way to provide direct access to the Festival hall and heather Road.</p> <p>Any development applications for the Festival Hall area will <u>be refused if they prejudice future abilities to achieve</u> these revised access arrangements.</p> <p>The remainder of the original policy will be moved to the supporting text as follows:</p> <p>‘These improvements will be subject to the consent of the Highway Authority to assist the Festival Hall car park to act as an interceptor car park for the town centre and also enable new development to take place on the north side of Heath Road to reinforce the street frontage and bridge the existing gap created by the west car park entrance. This will enable the adjustment of the cycle route along Tor way to provide direct access to the Festival hall and heather Road.’</p>		
<p>Recommend that the proposed modifications specified in Representation 51 (Petersfield Neighbourhood Plan Steering group) be made</p> <p>The following modifications to policy and text in the PNP are proposed (additional text is underlined, removed text is struck out):</p> <p>Policies – Minor Amendments</p> <p>Policy CPI, Page 48 Maintain and enhance existing Community <u>and Education</u> Facilities</p> <p>Policy CP3, Page 49 Overall increase of community <u>and education</u> facility provision.</p> <p>Policy RPI, Page 72</p> <p>I. Petersfield Infant School (RI) (Once the school has relocated to an alternative site) (<u>Should the site no longer be required for education use</u>)</p>	<p>Paragraph 86, page 27</p>	<p>Accept modification</p>

Supporting Text – Minor Amendments

Section 6.3.1, paragraph 5, Page 47

~~However, the infant school is approaching capacity and has no opportunity to expand further. The plan therefore proposes that, should the infant school be unable to meet demand, it should be co-located (as a separate school) on the Herne Junior site. This strategy is supported by Hampshire County Council Education Authority. The plan allocates land around The Petersfield School, Herne Junior and Churcher's College for educational use to allow for expansion of education provision.~~

Section 6.3.1, Table, C4, Page 48

~~The Petersfield Infant School will be encouraged to co-locate to this site if the current site is unable to meet demand during the lifetime of the plan. Reserved to allow for the expansion of education provision.~~

Section 11 - The Town Masterplan, Page 78

~~2a) The infant school's main building, should it become vacant following the school's relocation (see section 6.3.1) is allocated as a retail unit. The infant school's main building, should it be no longer be required for education use, is allocated as a retail unit.~~

~~2c) The remainder of the infant school site is allocated as residential housing along with the small commercial site on the corner of Hylton Road and Dragon Street. 2c) The remainder of the infant school site, should it no longer be required for education use, is allocated as residential housing along with the small commercial site on the corner of Hylton Road and Dragon Street.~~

Section 11.5.3, Page 90

~~11.5.3 Infant School and Hylton Road Area 11.5.3 Former Police Station and Hylton Road Area.~~

<p>Section 11.5.3, page 90, second bullet The current infant school has no room to expand further. Thus, if demand exceeds capacity during the lifetime of the plan, the infant school will move to co-locate with the Herne junior school site. If the site of the infant school was no longer required for education use then it could be redeveloped to provide some residential accommodation with the original infant school building being reserved for retail use.</p>		
<p>Section 8.3.1, Page 64 Recommend that line 1 of BPI be amended by substituting the term “employment” for “business”.</p> <p>Section 8.3.3, Page 68 Recommend the last sentence of text should commence with a reference to BP7.</p>	<p>Paragraph 88, page 27</p>	<p>Accept modification</p>
<p>Section 3.5.1, Policy HPI, Page 12 I recommend that the modifications indicated in paragraphs 19.1 and 19.2 of the Response be made.</p> <p>The following modifications are proposed to Policy HPI (additional text is underlined)::</p> <p>‘Planning permission will be granted for new residential development on the sites set out in Table 1 and, as detailed in Section 11, provided that the proposals conform to the design principles <u>and delivery considerations</u> set out in Section 12 and meet the requirements set out in other appropriate policies of this Plan and the East Hampshire District Local Plan: Joint Core Strategy.</p> <p>Note that the site plans set out in Section 12 are illustrative and not mandatory.’</p> <p>Additional text will be added to the Delivery Frameworks for the following sites:</p> <ol style="list-style-type: none"> 1. Land at Causeway Farm, 2. Penns Field, 3. Land South of Larcombe Road, 4. Land South East of the Causeway, 5. Land West of the Causeway, 	<p>Paragraph 93, page 28</p>	<p>Accept modification</p>

<p>6. Land south of Durford Road, 7. Hampshire County Council Depot off Paddock Way, 8. Land North of Reservoir Lane</p> <p>The additional text to be included in the delivery considerations for each of these sites is: Additional local sewerage infrastructure would be required to accommodate development in this location.</p>		
<p>Section 12.3, Pages 96 – 105</p> <p>Recommend that those modifications proposed at paragraph 24.2 and 24.3 of the Response be made.</p> <p>The following text will be included at 12.4 (Site H1 Design Framework – Land at Causeway Farm), 12.6 (Site H4 and H7 Design Framework – Land South of Larcombe Road and West of the Causeway), 12.7 (Site H5 Design Framework – Land South of the Causeway), 12.8 (Site H8 Design Framework – Land South of Durford Road) and 12.13 (Sites B1 and H2 Design Framework – Land North of Buckmore Farm):</p> <p><u>Discussion should take place with the SDNPA prior to any specific development proposal to develop the site, to establish what mineral resource information (and the level of information) is required by the Mineral Planning Authority. It is recommended that in the event of a developer taking a development proposal forward which overlays safeguarded minerals resource that a Minerals Assessment Report is produced for the Mineral Planning Authority. It would be most beneficial to the developer if this was submitted to the South Downs National Park Authority prior to submission of any application to allow for early discussions to take place. The report</u></p>	<p>Paragraph 94, page 29</p>	<p>Accept modification</p>

<p><u>should broadly address key issues including:</u></p> <ul style="list-style-type: none"> • <u>Site setting – Location, access, site description, geology and constraints;</u> • <u>Planning status in respect of minerals safeguarding</u> • <u>Policy context (both national and local), Mineral safeguarding Area;</u> • <u>Constraints upon prior extraction – inter alia previous mineral working, hydrology of area, utilities and market issues (viability and/or quantity of resource present).</u> 		
<p>Section 12.5, page 96</p> <p>R39 (SDNPA Representation) indicates a number of further textual amendments being necessary, I recommend that the necessary textual modifications be made.</p> <p>Following text to be included at section 12.5:</p> <p><u>Discussion should take place with the SDNPA prior to any specific development proposal to develop the site, to establish what mineral resource information (and the level of information) is required by the Mineral Planning Authority</u></p>	<p>Paragraph 95, page 29</p>	<p>Accept modification</p>
<p>Section 12.9, page 101</p> <p>R39 (SDNPA Representation) indicates a number of further textual amendments being necessary, I recommend that the necessary textual modifications be made.</p> <p>Following text to be included at Section 12.9 Delivery considerations:</p> <p><u>Discussion should take place with SDNPA prior to any specific development proposal, to establish how the proposal seeks to address the requirements of Policy 16 in relation to the safeguarded coated roadstone depot.</u></p>	<p>Paragraph 95, page 29</p>	<p>Accept modification</p>

