

## **Decision Statement**

### **1. Introduction**

1.1 Under the Town and Country Planning Act 1990 (as amended), East Hampshire District Council has a statutory duty to assist communities in the preparation of neighbourhood development plans and orders and to take plans through a process of examination and referendum. The Localism Act 2011 (Part 6 chapter 3) sets out the Local Planning Authority's responsibilities under Neighbourhood Planning.

1.2 This statement confirms that the modifications proposed by the examiner's report have been accepted, the submission Ropley 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 Ropley Neighbourhood Development Plan relates to the area that was designated by East Hampshire District Council as a neighbourhood area on 26<sup>th</sup> March 2015. This area is coterminous with the Ropley Parish Council boundary that lies within the East Hampshire Local Planning Authority Area, omitting the small areas that lie within the boundary of the South Downs National Park Authority.

2.2 Following the submission of the Ropley Neighbourhood Development Plan to the Planning Authority, the plan was publicised and representations were invited. The publicity period ended on Friday 25<sup>th</sup> January 2019.

2.3 Mr Andrew Ashcroft was appointed by East Hampshire District Council with the consent of Ropley Parish Council, to undertake the examination of the Ropley Neighbourhood Development Plan and to prepare a report of the independent examination.

2.4 The examiner's report concludes that subject to making the modifications recommended by the examiner, the Plan meets the basic conditions set out in the legislation and should proceed to a Neighbourhood Planning referendum.

2.5 Having considered each of the recommendations made by the examiner's report, and the reasons for them, EHDC and Ropley Parish 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, East Hampshire District Council in consultation with Ropley Parish Council has decided to accept the modifications to the draft plan. Table 1 below

outlines the alterations made to the submission 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.

<b>Table 1</b>		
<b>Proposed Modification</b>	<b>Examiners reference</b>	<b>Proposed Decision</b>
<p><b>RNP1: Settlement and Coalescence Gaps</b>            Replace policy with:  <i>“Development proposals should ensure the retention of the open character between Ropley and Ropley Dean and between the two separate settlements and other groups of dwellings in the neighbourhood area. Proposals for the re-use of rural buildings, agricultural and forestry-related development, playing fields, other open land uses and minor extensions to existing dwellings in such parts of the neighbourhood area will be supported where they would preserve the separation between the two settlements and the settlements and the other groups of dwellings concerned and retain their individual character and appearance.”</i></p>	<p>Page 16, paragraph 7.27</p>	<p>Accept modification</p>
<p><b>RNP1: Settlement and Coalescence Gaps</b>            Replace 7.007 to 7.011 with:  <i>“In local plan documents East Hampshire District Council recognises two settlements in the neighbourhood area – Ropley and Ropley Dean. Nevertheless, it is characterised by an unusual distribution of clusters of other smaller groups of built development. They are primarily focused in and around the local network of roads leading between and away from the two principal settlements. In particular there are significant contributions of built development along Gascoigne Lane and Petersfield Road.</i></p> <p><i>This policy seeks to protect the essential countryside character of two key areas between the settlements of Ropley and Ropley Dean and between the two</i></p>	<p>Page 16 and 17, paragraph 7.27</p>	<p>Accept modifications</p>

<p><i>settlements and the other groups of dwellings. Its ambition is to prevent coalescence between these separate settlements and to protect their distinctive individual character and setting. In doing so, it will conserve the way that the main settlements sit within the wider landscape, retaining the open agricultural landscape in order to keep a clear 'rural' buffer between settlements.</i></p> <p><i>This policy does not seek to prevent development that may otherwise be suited to a countryside location. Nevertheless, it seeks to ensure that the scale, massing and height of proposals do not result in the integrity of the separation between existing settlement and other groups of built development being undermined. Development that is consistent with this policy might include minor extensions to existing buildings, the creation of playing fields, or other open land uses."</i></p>		
<p><b>RNP2: Settlement Policy Boundaries</b> In the first part of the policy replace 'Dene' with 'Dean'.</p>	Page 18, paragraph 7.36	Accept modification
<p><b>RNP2: Settlement Policy Boundaries</b> Replace the final paragraph of the policy with: <i>"Development proposals on residential garden land within a Settlement Policy Boundary will be supported subject to the following criteria:</i></p> <ul style="list-style-type: none"> <li><i>• they would respect the character and appearance of their immediate locality;</i></li> <li><i>• they would reflect the scale, mass, design and layout of existing residential dwellings;</i></li> <li><i>• they would safeguard the amenities of adjacent residential dwellings and their curtilages;</i></li> <li><i>• they would provide off-street parking to development plan standards; and</i></li> </ul>	Page 18, paragraph 7.36	Accept modifications

<ul style="list-style-type: none"> <li>• <i>they would have appropriate and safe access to the highway network.</i></li> </ul>		
<p><b>RNP2: Settlement Policy Boundaries</b>  Replace the second sentence of paragraph 7.015 with:  <i>“The final part of the policy sets out the Plan’s approach to potential development on residential garden land. It seeks to establish an appropriate balance between promoting new development in sustainable locations on the one hand and safeguarding the character and appearance of the various Settlement Policy Boundaries and maintaining residential amenity on the other hand.”</i></p>	Page 18, paragraph 7.36	Accept modification
<p><b>RNP3: Vistas and Visual Prominence</b>  Replace the first and third parts of the policy with:  <i>“Key Vistas and Areas of Significant Visual Prominence are shown on the Proposals Map.  Where appropriate development proposals should take account of the identified Key Vistas and Areas of Significant Visual Prominence in terms of their location, design, massing and appearance.  Development proposals that would have an unacceptable adverse impact on the visual appearance or character of an identified Area of Special Visual Prominence or on an identified Key Vista will not be supported.”</i></p>	Page 19, paragraph 7.42	Accept modification
<p><b>RNP3: Vistas and Visual Prominence</b>  Replace the second part of the policy with:  <i>“Development proposals should conserve and where possible enhance the visibility of the South Downs National Park from the neighbourhood area.”</i></p>	Page 19, paragraph 7.42	Accept modification
<p><b>RNP4: Trees, Hedgerows, Verges and Banks</b>  In the first part of the policy delete ‘healthy’</p>	Page 20, paragraph 7.46	Accept modification
<p><b>RNP4: Trees, Hedgerows, Verges and Banks</b>  Delete the second part of the policy.</p>	Page 20, paragraph 7.46	Accept modification
<p><b>RNP5: Narrow Lanes</b></p>	Page 20, paragraph 7.48	Accept modification

<p>Replace the policy with:  <i>“Development proposals should respect the character and appearance of narrow lanes within the neighbourhood area. Development proposals which would detrimentally affect the character of a narrow lane or introduce an unacceptable amount of additional vehicular traffic will not be supported”</i></p>		
<p><b>RNP5: Narrow Lanes</b>  Replace paragraph 7.024 with:  <i>“Policy RNP5 seeks to safeguard the character and appearance of narrow lanes.”</i></p>	Page 21, paragraph 7.48	Accept modification
<p><b>RNP6: Sunken Lanes</b>  Replace the policy with:  <i>“Development proposals should respect the character and appearance of sunken lanes within the neighbourhood area. Development proposals which would detrimentally affect the character of a sunken lane or create a new access onto such a lane will not be supported”</i></p>	Page 21, paragraph 7.50	Accept modification
<p><b>RNP7: Construction Traffic</b>  Delete policy</p>	Page 21, paragraph 7.53	Accept modification
<p><b>RNP7: Construction Traffic</b>  However in order to take account of the importance of the wider matter to the local community I recommend that the policy and the supporting text are repositioned into a separate part of the plan which deals with non-land use matters.</p> <p>Delete paragraphs 7.026 and 7.027, reposition the policy and the supporting text to a separate non-land use part of the Plan.</p> <p>In doing so remove its policy number, provide a new Community Action number and either remove the colouring within the policy box or insert a different</p>	Page 21, paragraph 7.53	Accept modifications

colour to highlight its difference from the other land use policies.		
<b>RNP8: Local Green Spaces</b> In the first part of the policy delete LGs 2, 3 and 5	Page 23, paragraph 7.66	Accept modifications
<b>RNP8: Local Green Spaces</b> Replace the third paragraph of the policy with: <i>“Development within the designated Local Green Spaces will not be supported except in very special circumstances.”</i>	Page 23, paragraph 7.66	Accept modification
<b>RNP8: Local Green Spaces</b> Delete the fourth, fifth, sixth and seventh paragraphs of the policy Delete paragraphs 7.033, 7.034, 7.036 and 7.037	Page 24, paragraph 7.66	Accept modifications
<b>RNP8: Local Green Spaces</b> In paragraph 7.029 replace references to five with two. In some sentences replace ‘all five’ or ‘all’ with ‘both’.  Replace paragraph 7.030 with: <i>“Both of the proposed Local Green Spaces are in or around the village centre. They have specific historical significance and recreational value. The protection of the two areas is important in maintaining the character of Ropley.”</i>  Include an additional paragraph of supporting text to read: <i>“Policy RNP8 designates the two parcels of land as Local Green Space. It also sets out the restrictive approach which would apply in the designated areas. This approach reflects that included in the NPPF. Plainly a different range of very special circumstances may arise during the Plan period. Any such development proposals would be</i>	Page 24, paragraph 7.66	Accept modifications

<p><i>assessed on their individual merits by the District Council. At this stage the Plan anticipates that very special circumstances may include changes in national legislation, changes in the condition of the two parcels of land, and where enhancements are proposed for the wider benefit of the community.”</i></p>		
<p><b>RNP9: Built Heritage</b>  Replace the first sentence with:  <i>“The assets shown in Appendix 3 and on the Proposals Map are identified as important heritage assets.”</i></p>	Page 24, paragraph 7.69	Accept modification
<p><b>RNP9: Built Heritage</b>  In the second paragraph replace ‘must’ with ‘should’.</p>	Page 24, paragraph 7.69	Accept modification
<p><b>RNP10: Nature Conservation</b>  In the second and fourth part of the policy replace ‘permitted’ with ‘supported’.</p>	Page 25, paragraph 7.72	Accept modification
<p><b>RNP11: Rights of Way</b>  At the end of the second criterion add ‘and’.</p>	Page 25, paragraph 7.75	Accept modification
<p><b>RNP12: Impact of New Development</b>  Replace the first sentence with:  <i>“Development proposals will be supported where they contribute positively to the public realm and the sense of place in their immediate locality.”</i></p>	Page 26, paragraph 7.78	Accept modification
<p><b>RNP12: Impact of New Development</b>  In the second paragraph of the policy replace ‘must’ with ‘should’.</p>	Page 26, paragraph 7.78	Accept modification
<p><b>RNP13: Design and Height of New Housing</b>  Replace the policy with:  <i>“New residential development should provide visual interest and incorporate variations in their design and the use of materials. Developments of identical dwellings will not be supported.”</i></p>	Page 26, paragraph 7.82	Accept modifications

<p><i>New residential development should respect the scale, height and massing of existing residential development in its immediate locality”</i></p>		
<p><b>RNP13: Design and Height of New Housing</b>  In paragraph 7.061 (third sentence) delete ‘such that.... are identical’</p> <p>In paragraph 7.062 (third sentence) replace ‘but that no more than two should be identical’ with ‘but that they should not be identical’.</p> <p>In paragraph 7.063 add at the start:  <i>“The second part of the policy seeks to ensure that the scale, height and massing of existing residential development in its immediate locality.”</i></p> <p>In paragraph 7.063 replace the submitted first two sentences with:  <i>“It recognises that existing properties in the neighbourhood area are predominantly of a two-storey nature. It is likely that any new development will be of this general height and scale. However, there may be circumstances where innovative design would be appropriate.”</i></p>	<p>Page 27, paragraph 7.82</p>	<p>Accept modifications</p>
<p><b>RNP14: External Materials</b>  In the first paragraph replace ‘must’ with ‘should’.</p>	<p>Page 27, paragraph 7.84</p>	<p>Accept modification</p>
<p><b>RNP14: External Materials</b>  In the second paragraph add at the start:  <i>“Other than in conservation areas and on listed buildings the use of’ and replace ‘allowed’ with ‘supported”.</i></p>	<p>Page 27, paragraph 7.84</p>	<p>Accept modification</p>
<p><b>RNP14: External Materials</b></p>	<p>Page 27, paragraph 7.84</p>	<p>Accept modification</p>

<p>In the third paragraph delete 'of the Listed Building' and replace 'the character' with 'its character'. At the end of the third paragraph add:  <i>"Works affecting listed buildings, including conversions, adaptations and extensions, should use traditional vernacular building materials which are appropriate to the age and appearance of the building concerned."</i></p>		
<p><b>RNP15: Driveways and Parking</b>  At the beginning of the policy add:  <i>"Insofar as planning permission is required"</i></p> <p>Replace 'possible' with 'practicable'.</p>	Page 27, paragraph 7.86	Accept modification
<p><b>RNP16: Extensions and New outbuildings</b>  Replace 'must' with 'should'</p> <p>At the end of the second criterion add 'and'</p>	Page 28, paragraph 7.88	Accept modifications
<p><b>RNP17: Appropriate Design and Materials</b>  Replace the policy title with 'External Lighting'</p>	Page 29, paragraph 7.93	Accept modification
<p><b>RNP17: Appropriate Design and Materials</b>  At the beginning of the policy add:  <i>"Insofar as planning permission is required"</i></p>	Page 29, paragraph 7.93	Accept modification
<p><b>RNP17: Appropriate Design and Materials</b>  In the third part of the policy replace 'will be permitted....6.00am' with:  <i>"should be designed and operated to take account of the dark sky environment within the neighbourhood area and the need to respect the amenities of any residential properties in the immediate locality"</i></p>	Page 29, paragraph 7.93	Accept modification
<p><b>RNP17: Appropriate Design and Materials</b>  Replace the fourth part of the policy with:  <i>"Street lighting associated with new residential development should take account of the dark sky environment within the neighbourhood area and the need</i></p>	Page 29, paragraph 7.93	Accept modification

<p><i>to respect the amenities of any residential properties in the immediate locality. Where new residential development is in accordance with policies in the wider development plan and within this Plan proposals which do not include any street lighting will be supported”.</i></p>		
<p><b>RNP17: Appropriate Design and Materials</b> Delete paragraphs 7.071 and 7.072</p> <p>At the end of paragraph 7.706 add: <i>“Where proposals for outdoor sports and equestrian facilities are otherwise acceptable the details of any necessary external lighting and its hours of operations will be controlled by way of conditions on the associated planning applications.”</i></p>	Page 29, paragraph 7.93	Accept modifications
<p><b>RNP18: Amount of New Housing</b> Replace the opening part of the policy with: <i>“Approximately 68 new dwellings will be provided in the neighbourhood area between 2016 and 2028. They will be delivered by:”</i></p>	Page 31, paragraph 7.102	Accept modifications
<p><b>RNP18: Amount of New Housing</b> Replace the second bullet point with: <i>“the development of Land off Hale Close (RNP19), the Chequers Inn site (RNP20) and land off Petersfield Road (RNP21).”</i></p>	Page 31, paragraph 7.102	Accept modification
<p><b>RNP18: Amount of New Housing</b> At the end of paragraph 7.095 add: <i>“The approach to new housing in this Plan is based on the adopted development plan (the Local Plan: Joint Core Strategy 2014 and the Allocations Plan 2016). The Parish Council will monitor the progress of the emerging East Hampshire Local Plan 2030. Once that Plan is adopted it will consider the need for a review of the neighbourhood plan in general terms, and to assess its ongoing</i></p>	Page 31, paragraph 7.102	Accept modifications

<p><i>relationship to the newly-adopted Local Plan on housing delivery in the neighbourhood area in particular.”</i></p> <p>At the end of paragraph 8.007 (Implementation and Monitoring) add:  <i>“A key stage in the monitoring of the Plan will arise once the emerging East Hampshire Local Plan is adopted. Planning legislation is such that where there is any conflict between two parts of the development plan greater weight is given to the Plan which last became part of the development plan. The approach to new housing in this Plan is based on the adopted development Plan (the Local Plan: Joint Core Strategy 2014 and the Allocations Plan 2016). The Parish Council will monitor the progress of the emerging East Hampshire Local Plan 2030. Once that Plan is adopted it will consider the need for a review of the neighbourhood plan in general terms, and to assess its ongoing relationship to the newly-adopted Local Plan on housing delivery in the neighbourhood area in particular.”</i></p>		
<p><b>RNP19: Proposed Housing Site off Hale Close</b>  In the opening part of the policy delete ‘as a rural exception site.’</p>	Page 32, paragraph 7.106	Accept modification
<p><b>RNP19: Proposed Housing Site off Hale Close</b>  In the second sentence place ‘comprise’ so that it immediately follows on from ‘will’ and then finish the sentence with the information in the three bullet points with the removal of the three bullet points.</p> <p>In the section on six 2/3-bedroom homes replace ‘at below market price’ with ‘for affordable home ownership’.</p>	Page 32, paragraph 7.106	Accept modifications
<p><b>RNP19: Proposed Housing Site off Hale Close</b></p>	Page 32, paragraph 7.106	Accept modifications

<p>Replace the second part of the policy on quality/character with:  <i>“Development proposals on the site will be supported where they provide the range and type of dwellings identified above and meet the following criteria:</i></p> <ul style="list-style-type: none"> <li>• <i>their design, layout and character respect the character and appearance of the Church Street Conservation Area in general, and the setting of St peter’s Church in particular;</i></li> <li>• <i>they provide a new access road to Hale Close;</i></li> <li>• <i>they provide land for community use, a church car park and an associated access road; and</i></li> <li>• <i>they provide an appropriately-designed landscape buffer between the development and existing residential properties on Church Street.”</i></li> </ul>		
<p><b>RNP19: Proposed Housing Site off Hale Close</b>  In paragraph 7.101 replace the second sentence with:  <i>“Significant work has already been undertaken on this emerging package. It anticipates that the development will be associated with a legal agreement. This mechanism would assure that the local affordable home ownership dwellings in the site are sold initially to local people who are not property owners and thereafter are only sold to other local people in similar circumstances.”</i></p>	Page 32, paragraph 7.106	Accept modification
<p><b>RNP20: Proposed Housing Site on the Chequers Inn Site</b>  Delete “The development will”</p>	Page 33, paragraph 7.110	Accept modification
<p><b>RNP20: Proposed Housing Site on the Chequers Inn Site</b>  Before the four bullet points add:</p>	Page 33, paragraph 7.110	Accept modification

<p><i>“Development proposals on the site will be supported where they meet the following criteria:”</i></p>		
<p><b>RNP20: Proposed Housing Site on the Chequers Inn Site</b>  Replace the second criterion with:  <i>“Have a design, layout and character that respect the character and appearance of the adjacent residential properties in general and their distinctive pattern of development in particular.”</i></p>	<p>Page 33, paragraph 7.110</p>	<p>Accept modification</p>
<p><b>RNP20: Proposed Housing Site on the Chequers Inn Site</b>  At the end of paragraph 7.106 add:  <i>“Policy RNP20 has been carefully designed to secure the high-quality development of this brownfield site. The various design criteria are critical to the successful redevelopment of the site. They address the issues raised in the determination of a previous planning application on the site. It is particularly important that any proposals take account of the distinctive pattern of development in this part of the neighbourhood area. New development should reflect the linear nature of existing development on the site as it fronts onto the Winchester Road (A31)”</i>.</p>	<p>Page 33, paragraph 7.110</p>	<p>Accept modifications</p>
<p><b>RNP21: Proposed Housing Site on Petersfield Road</b>  In the opening part of the policy delete ‘as a rural exception site’   Delete ‘The development will’</p>	<p>Page 34, paragraph 7.116</p>	<p>Accept modifications</p>
<p><b>RNP21: Proposed Housing Site on Petersfield Road</b>  In the first bullet point delete ‘in accordance with Policy RNP22’.</p>	<p>Page 34, paragraph 7.116</p>	<p>Accept modification</p>

<p><b>RNP21: Proposed Housing Site on Petersfield Road</b>  Before the four bullet points add:  <i>“Development proposals on the site will be supported where they meet the following criteria:”</i></p>	Page 34, paragraph 7.116	Accept modification
<p><b>RNP21: Proposed Housing Site on Petersfield Road</b>  Add a fifth bullet point to read:  ‘Incorporate an appropriate southern boundary to the site’</p>	Page 34, paragraph 7.116	Accept modification
<p><b>RNP21: Proposed Housing Site on Petersfield Road</b>  As a new paragraph of the policy add:  <i>“The development of this site is restricted to either individual self-build or custom-built dwellings being developed by an individual person, by a builder or developer acting on behalf of an individual or by a community group of individuals. All applicants should be on the East Hampshire District Council’s self-build register.”</i></p> <p>Incorporate the wording in Policy RNP22 from the fourth paragraph to the seventh paragraph as new supporting text to the policy.</p>	Page 34, paragraph 7.116	Accept modifications
<p><b>RNP22: Occupancy Restrictions</b>  Delete the policy</p> <p>Delete the supporting text</p>	Page 35, paragraph 7.117	Accept modifications
<p><b>RNP23: Protecting Community Facilities</b>  Replace ‘permitted’ with ‘supported’</p>	Page 35, paragraph 7.119	Accept modification
<p><b>Other Matters</b>  However other changes to the general text may be required elsewhere in the Plan as a result of the</p>	Page 35, paragraph 7.13	Accept modifications

<p>recommended modifications to the policies. It will be appropriate for EHDC and the Parish Council to have the flexibility to make any necessary consequential changes to the general text. I recommend accordingly;</p> <p><i>“Modification of general text (where necessary) to achieve consistency with the modified policies.”</i></p>		
<p><b>Modification of general text</b> Paragraph 5.002 - (third bullet point) add (April 2016)</p>	Page 36, paragraph 7.124	Accept modification
<p><b>Modification of general text</b> Paragraph 5.004 add ‘adopted’ between ‘the’ and ‘Development’ and after Plan add ‘as required by the Neighbourhood Plan Regulations’</p>	Page 36, paragraph 7.124	Accept modification
<p><b>Modification of general text</b> Paragraph 7.003 – replace ‘iwithin’ with ‘within’</p>	Page 36, paragraph 7.124	Accept modification