

Rowlands Castle Neighbourhood Development Plan 2022-2033

**A report to East Hampshire District Council
and the South Downs National Park Authority
on the Rowlands Castle Neighbourhood
Development Plan**

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Executive Summary

- 1 I was appointed by East Hampshire District Council in March 2023 to carry out the independent examination of the Rowlands Castle Neighbourhood Plan.
- 2 The examination was undertaken by way of written representations. I visited the neighbourhood area on 17 April 2023.
- 3 The Plan includes a variety of policies and seeks to bring forward positive and sustainable development in the neighbourhood area. It has a clear focus on two specific matters. The first is safeguarding a gap between Rowlands Castle and Havant. The second is the designation of a package of local green spaces.
- 4 The Plan has been underpinned by community support and engagement. All sections of the community have been engaged in its preparation.
- 5 Subject to a series of recommended modifications set out in this report, I have concluded that the Plan meets all the necessary legal requirements and should proceed to referendum.
- 6 I recommend that the referendum should be held within the neighbourhood area.

Andrew Ashcroft
Independent Examiner
26 June 2023

1 Introduction

- 1.1 This report sets out the findings of the independent examination of the Rowlands Castle Neighbourhood Development Plan 2022-2033 ('the Plan').
- 1.2 The Plan was submitted to East Hampshire District Council (EHDC) by Rowlands Castle Parish Council (RCPC) in its capacity as the qualifying body responsible for preparing the neighbourhood plan. The northern part of the parish is within the South Downs National Park. The neighbourhood area was designated by the South Downs National Park Authority (SDNPA) on 24 April 2017 and by EHDC on 26 April 2017.
- 1.3 Neighbourhood plans were introduced into the planning process by the Localism Act 2011. They aim to allow local communities to take responsibility for guiding development in their area. This approach was subsequently embedded in the National Planning Policy Framework (NPPF) in 2012, 2018, 2019 and 2021. The NPPF continues to be the principal element of national planning policy.
- 1.4 The role of an independent examiner is clearly defined in the legislation. I have been appointed to examine the extent to which the submitted Plan meets the basic conditions and Convention Rights and other statutory requirements. It is not within my remit to examine or to propose an alternative plan, or a potentially more sustainable plan except where this arises as a result of my recommended modifications to ensure that the plan meets the basic conditions and the other relevant requirements.
- 1.5 A neighbourhood plan can be narrow or broad in scope and can include whatever range of policies it sees as appropriate to its designated neighbourhood area. The submitted Plan has been designed to be distinctive in general terms, and to be complementary to the existing development plan. It seeks to provide a context in which the neighbourhood area can maintain its historic character and appearance and its separation from Havant to the south.
- 1.6 Within the context set out above, this report assesses whether the Plan is legally compliant and meets the basic conditions that apply to neighbourhood plans. It also considers the content of the Plan and, where necessary, recommends changes to its policies and supporting text.
- 1.7 This report also provides a recommendation as to whether the Plan should proceed to referendum. If this is the case and that referendum results in a positive outcome the Plan would then be used to determine planning applications within the neighbourhood area and will sit as part of the wider development plan.

2 The Role of the Independent Examiner

- 2.1 The examiner's role is to ensure that any submitted neighbourhood plan meets the relevant legislative and procedural requirements.
- 2.2 I was appointed by EHDC in consultation with the SDNPA and with the consent of RCPC, to conduct the examination of the Plan and to prepare this report. EHDC is the lead authority for the purpose of this examination in the context of the Memorandum of Understanding between the two organisations on neighbourhood planning. I am independent of EHDC, the SDNPA and RCPC. I do not have any interest in any land that may be affected by the Plan.
- 2.3 I possess the appropriate qualifications and experience to undertake this role. I am a Director of Andrew Ashcroft Planning Limited. In previous roles, I have over 35 years' experience in various local authorities at either Head of Planning or Service Director level. I am a chartered town planner and have significant experience of undertaking other neighbourhood plan examinations and health checks. I am a member of the Royal Town Planning Institute and the Neighbourhood Planning Independent Examiner Referral System.

Examination Outcomes

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

Other examination matters

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

3 Procedural Matters

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

- the submitted Plan.
- the Basic Conditions Statement.
- the Consultation Statement.
- the EHDC SEA/HRA Screening report (May 2022).
- the Evidence Base documents.
- the representations made to the Plan.
- RCPC's responses to the clarification note.
- the East Hampshire District Local Plan: Joint Core Strategy (JCS) (June 2014).
- the East Hampshire District: Housing and Employment Allocations (April 2016).
- the East Hampshire District Local Plan: Second Review (2006) saved policies.
- the South Downs Local Plan (2014-2033).
- the National Planning Policy Framework (July 2021).
- Planning Practice Guidance.
- relevant Ministerial Statements.

3.2 I visited the neighbourhood area on 17 April 2023. I looked at its overall character and appearance and at those areas affected by policies in the Plan. The visit is addressed in more detail in Section 5 of this report.

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

4 Consultation

Consultation Process

- 4.1 Policies in made neighbourhood plans become the basis for local planning and development control decisions. As such, the regulations require neighbourhood plans to be supported and underpinned by public consultation.
- 4.2 In accordance with the Neighbourhood Planning (General) (Amendment) Regulations 2012 (as amended), RCPC prepared a Consultation Statement. It is proportionate to the neighbourhood area and its policies. It sets out key findings in a thorough and well-presented report which is underpinned with a series of more detailed tables and appendices.
- 4.3 The Statement records the various activities that were held to engage the local community and the feedback from each event. It helpfully summarises the feedback from each phase of the consultation process and what was taken into the following stages of plan production. The overall process followed and the key events held are usefully summarised in Section 2 of the Statement.
- 4.4 The Statement also provides specific details on the consultation processes that took place on the pre-submission version of the Plan (June to August 2022). Section 3.15 of the Statement provides the details of the way in which the Plan was refined as a result of this process. This analysis helps to describe how the Plan has progressed to the submission stage.
- 4.5 Consultation has been an important element of the Plan's production. Advice on the neighbourhood planning process has been made available to the community in a positive and direct way by those responsible for the Plan's preparation. From all the evidence provided to me as part of the examination, I can see that the Plan has promoted an inclusive approach to seeking the opinions of all concerned throughout the process. EHDC has carried out its own assessment that the consultation process has complied with the requirements of the Regulations.

Consultation Responses

- 4.6 Consultation on the submitted plan was undertaken by EHDC. It ended on 27 March 2023. This exercise generated representations from the following organisations:
- Network Rail
 - Sport England
 - West Sussex County Council
 - Shorewood Homes Limited
 - Surrey County Council
 - Historic England
 - National Highways
 - EHDC

- The Bryan Jezeph Consultancy
- South Downs National Park Authority
- Henry Adams
- Southern Water

4.7 Comments were also received from a resident.

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

5 The Neighbourhood Area and the Development Plan Context

The Neighbourhood Area

- 5.1 The neighbourhood area is the parish of Rowlands Castle. It lies in a rural part of southeast Hampshire, with the village of Rowlands Castle located 9 miles south of Petersfield and on the border with West Sussex. The parish covers 19 square kilometres and includes the hamlet of Finchdean, the residential conversion of Idsworth Park, scattered farms and cottages and their surrounding countryside. Its population in 2011 was 2747 persons living in 1264 households. The northern part of the parish lies within the South Downs National Park. The southern part (including the village) is within East Hampshire District. It was designated as a neighbourhood area on 24 April 2017 by the SDNPA and on 26 April 2017 by EHDC.
- 5.2 As the Plan describes, Rowlands Castle village is centred around one of the largest village greens in Hampshire and retains its unique village identity thanks to its clear separation from the nearby towns of Havant and Horndean. It has direct road links to surrounding settlements and the A3, as well as a railway station on the London/Portsmouth main line. This situation has made Rowlands Castle an attractive place to live. There has been significant expansion with new housing development in the village over recent years. The centre of the village around The Green provides shops, a garage, a doctors' surgery, a pharmacy, two hairdressers, a veterinary surgery, a café, three public houses, and the United Reformed Church. The Parish Hall with a nursery school, the Recreation Ground and the station are near the centre. Further away from the village centre, there are also a Church of England church and Primary School, housing, a further nursery school, another public house, hotel accommodation and a petrol station. There is a vibrant community with many active clubs and organisations, several sports played at the recreation ground, and a golf course and clubhouse.
- 5.3 The parish also includes the rural hamlet of Finchdean which has its own pub, some local employment, and the nearby St Hubert's Church dating from the eleventh century. It has easy access to the open countryside in the South Downs National Park.

Development Plan Context

- 5.4 The development plan for the neighbourhood area includes the following plans:
- the East Hampshire District Local Plan: Joint Core Strategy (JCS) (2014);
 - the East Hampshire District; Housing and Employment Allocations (2016);
 - the East Hampshire District Local Plan: Second Review (2006) saved policies;
 - the South Downs Local Plan (SDLP) (2014-2033); and
 - The Hampshire Minerals and Waste Plan (2013).
- 5.5 The JCS was prepared jointly by EHDC and the SDNPA. It sets an overall spatial strategy for the District. Rowlands Castle is identified as one of a series of small Local Service Centres.

- 5.6 The Housing and Employment Allocations consolidates the JCS. It includes the following residential allocations in the neighbourhood area:
- RC1 Land at the former Brickworks, The Drift;
 - RC2 Land South of Oaklands; and
 - RD3 Land north of Bartons Road, Havant.
- 5.7 The SDLP was adopted in July 2019. It takes a landscape-led approach to reflect the special qualities of the National Park. This acknowledges the purposes of national parks to conserve and enhance the natural beauty, wildlife, and cultural heritage of the area, and promote opportunities for the understanding and enjoyment of the special qualities. The Local Plan and its policies seek to ensure that the benefits and services people and wider society get from the natural environment are recognised and enhanced. Many of the Plan's policies require development proposals to conserve and enhance various aspects of natural beauty, wildlife, and cultural heritage. The extent to which development proposals will be expected to both conserve and enhance is proportionate to the scale and impact of the development.
- 5.8 The submitted Plan has been prepared within this development plan context. In doing so, it has relied on up-to-date information and research that has underpinned existing planning policy documents. This is good practice and reflects key elements in Planning Practice Guidance on this matter. The submitted Plan seeks to add value to the different components of the development plan and to give a local dimension to the delivery of its policies. This is captured in the Basic Conditions Statement

Visit to the neighbourhood area

- 5.9 I visited the neighbourhood area on 17 April 2023.
- 5.10 I drove into the neighbourhood area from the A3 from the north. This gave me an initial impression of its setting and character in general, and the context of its wider setting.
- 5.11 I looked initially at the area around the double roundabouts on the B2149 by the Harvester public house/restaurant and the Shell petrol filling station. I saw the importance of the St Johns CoE school. I then took the opportunity to look at the separation of Rowlands Castle from Havant to the south.
- 5.12 I then drove along Emsworth Common Road and Woodberry Lane to Rowlands Castle village. This helped me to understand the scale and nature of the wooded areas to the south of the village.
- 5.13 I took the opportunity to look at the village centre. I saw the various retail and commercial facilities. I appreciated the wider setting of The Green and the way in which it defined the character of the conservation area. I saw an interesting display of recent history with the tree planted for the late Queen's Golden Jubilee, the mosaic to celebrate her Diamond Jubilee and the wooden bus shelter to celebrate her Platinum Jubilee.

- 5.14 I then looked at the Recreation Ground off the Fairway and the Parish Hall off Links Lane. It was clear that they contributed greatly to the social well-being of the parish. I then looked at the residential areas off Links Lane, Greatfield Way and Bowes Hill. I saw that they were dominated by large houses on large plots.
- 5.15 I then looked at the railway station. I saw its importance to the village and the way it provided opportunities for residents to access to larger settlements both to the north and to the south.
- 5.16 I finished my visit by driving to Finchdean. I saw the importance of The Green in the village. I also looked at the interesting United Reformed Chapel in Ashcroft Lane.

6 The Neighbourhood Plan and the Basic Conditions

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

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

National Planning Policies and Guidance

- 6.3 For the purposes of this examination the key elements of national policy relating to planning matters are set out in the National Planning Policy Framework 2021 (NPPF).
- 6.4 The NPPF sets out a range of land-use planning principles to underpin both plan-making and decision-taking. The following are particularly relevant to the Rowlands Castle Neighbourhood Development Plan:
- a plan-led system - in this case the relationship between the neighbourhood plan and the JCS, the Housing and Employment Allocations Plan and the South Downs Local Plan;
 - building a strong, competitive economy;
 - recognising the intrinsic character and beauty of the countryside and supporting thriving local communities;
 - taking account of the different roles and characters of different areas;
 - highlighting the importance of high-quality design and good standards of amenity for all future occupants of land and buildings; and
 - conserving heritage assets in a manner appropriate to their significance.

- 6.5 Neighbourhood plans sit within this wider context both generally, and within the more specific presumption in favour of sustainable development. Paragraph 13 of the NPPF indicates that neighbourhoods should both develop plans that support the strategic

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

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

Contributing to sustainable development

- 6.10 There are clear overlaps between national policy and the contribution that the submitted Plan makes to achieving sustainable development. Sustainable development has three principal dimensions – economic, social, and environmental. I am satisfied that the submitted Plan has set out to achieve sustainable development in the neighbourhood area. In the economic dimension, the Plan includes a policy for the village centre (Policy 7). In the social role, it includes a policy on local green spaces/protected open spaces (Policy 3), and for community facilities (Policy 10). In the environmental dimension, the Plan positively seeks to protect its natural, built, and historic environment. It has policies on design (Policy 5), built heritage (Policy 4), gaps between settlements (Policy 1) and landscape character (Policy 2) This assessment overlaps with the details on this matter in the submitted Basic Conditions Statement.

General conformity with the strategic policies in the development plan

- 6.11 I have already commented in detail on the development plan context in both East Hampshire and the South Downs National Park in paragraphs 5.4 to 5.8 of this report.

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

Strategic Environmental Assessment

- 6.13 The Neighbourhood Plan (General) (Amendment) Regulations 2015 require a qualifying body either to submit an environmental report prepared in accordance with the Environmental Assessment of Plans and Programmes Regulations 2004 or a statement of reasons why an environmental report is not required.
- 6.14 In order to comply with this requirement, EHDC undertook a screening exercise in May 2022 on the need or otherwise for a Strategic Environmental Assessment (SEA) to be prepared for the Plan. The report is thorough and well-constructed. It advises that the submitted Plan does not allocate any sites for development, or alter the Settlement Policy Boundaries as defined in the current EHDC Local Plan Part 2 -Housing and Employment Allocations (April 2016). On this basis It concludes that it is unlikely that significant environmental effects will arise from the implementation of the Plan and that SEA is not needed.

Habitats Regulations Assessment

- 6.15 EHDC also prepared a Habitats Regulations Assessment (HRA) of the Plan at the same time. It assesses the likely impact of the submitted Plan on protected sites which are partly within East Hampshire. It advises that a large element of the southern area of the parish is in the Solent Special Protection Area (SPA) 5,600 metre buffer area. It then comments that JCS Policy CP21 (Biodiversity) ensures this area will be protected as a result of any developments, along with Policy CP22 (Internationally Designated Sites). It also comments that large parts of the parish are sites of importance for nature conservation which will be protected by JCS Policy CP21.
- 6.16 The HRA concludes that the neighbourhood plan will not give rise to likely significant effects on European sites, either alone or in combination with other plans or projects, and that Appropriate Assessment is not required.
- 6.17 Having reviewed the information provided to me as part of the examination, I am satisfied that a proportionate process has been undertaken in accordance with the various regulations. None of the statutory consultees have raised any concerns regarding either neighbourhood plan obligations. In the absence of any evidence to the contrary, I am entirely satisfied that the submitted Plan is compatible with this aspect of the basic conditions.

Human Rights

- 6.18 In a similar fashion I am satisfied that the submitted Plan has had regard to the fundamental rights and freedoms guaranteed under the European Convention on Human Rights (ECHR) and that it complies with the Human Rights Act. There is no evidence that has been submitted to me to suggest otherwise. There has been full

and adequate opportunity for all interested parties to take part in the preparation of the Plan and to make their comments known. On this basis, I conclude that the submitted Plan does not breach, nor is in any way incompatible with the ECHR.

Summary

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

7 The Neighbourhood Plan policies

- 7.1 This section of the report comments on the policies in the Plan. It makes a series of recommended modifications to ensure that the various policies have the necessary precision to meet the basic conditions.
- 7.2 The recommendations focus on the policies in the Plan given that the basic conditions relate primarily to this aspect of neighbourhood plans. In some cases, I have also recommended changes to the associated supporting text.
- 7.3 I am satisfied that the content and the form of the Plan is fit for purpose. It is distinctive and proportionate to the neighbourhood area. The wider community and RCPC have spent time and energy in identifying the issues and objectives that they wish to be included in their Plan. This sits at the heart of the localism agenda.
- 7.4 The Plan has been designed to reflect Planning Practice Guidance (Section 41-004-20190509) which indicates that neighbourhood plans must address the development and use of land.
- 7.5 I have addressed the policies in the order that they appear in the submitted Plan.
- 7.6 For clarity, this section of the report comments on all the policies.
- 7.7 Where modifications are recommended to policies they are highlighted in bold print. Any associated or free-standing changes to the text of the Plan are set out in italic print.

The initial parts of the Plan

- 7.8 The initial elements of the Plan set the scene for the policies. They are proportionate to the neighbourhood area and the subsequent policies. The Introduction comments about the way in which the Plan was prepared. It properly identifies the neighbourhood area (on Map 1). It also sets out the planning policy context in which the Plan has been prepared and how the community has been engaged. The front cover of the Plan addresses the Plan period. Nevertheless, to provide clarity and to meet the prescribed conditions (as set out in paragraph 2.6 of this report), I recommend that this part of the Plan addresses the Plan period.

At the end of 1.8 add: 'The Plan period is 2022 to 2033.'

- 7.9 Section 2 comments about the Vision and Objectives of the Plan. The Vision is as follows:

'To conserve and enhance the Parish of Rowlands Castle as an attractive community, whilst maintaining its separate identity, character, and distinctiveness.'

- 7.10 The remainder of this section of the report addresses each policy in turn in the context set out in paragraphs 7.5 to 7.7 of this report.

General comments

- 7.11 The Plan is very well-organised and presented. It includes a series of maps and photographs. It makes an appropriate distinction between the policies and their supporting text. In addition, it captures much of the character of the neighbourhood area. In the round, it is an excellent document. If 'made' it will comfortably take its place in the development plan.
- 7.12 A key success of the Plan is the way in which the supporting text underpins the policies. In some cases, the supporting text is itself consolidated by technical and topic appendices (in the Evidence Statement). The supporting text helpfully sets out the objectives of the various policies and a justification for the approach taken together with supporting evidence. This is best practice. It provides assurance to all concerned that the Plan is supported by information and evidence. This approach will assist EHDC and the SDNPA as they implements the Plan through the development management process.

Policy 1: Gaps between settlements

- 7.13 This is an important policy in the wider Plan. It seeks to retain the integrity of the predominantly open and undeveloped character of the gap between Rowlands Castle and Havant, as shown on Map 2, will be retained, and protected to prevent coalescence, retain the identity of the separate settlements, protect the landscape and ecological features, and protect the important sequential views which unfold when travelling along the roads and railway between Havant and Rowlands Castle. The policy comments that development within these areas will only be permitted where it would not undermine the visual and physical separation of these settlements
- 7.14 The Plan clarifies that the objective of the policy is that when passing between the two settlements (by all forms of transport including via the B2148 (Comley Hill and Whichers Gate Road), B2149 (Durrants Road and Manor Lodge Road) and Prospect Lane) there should be a recognisable structure to the settlements, establishing in travellers' minds that they have left one settlement before they arrive in another. In many respects the characters of RC and Havant are very different.
- 7.15 The policy is underpinned by the Gaps between Settlements Evidence Paper.
- 7.16 The identification of gaps between settlements is a long-standing matter in the District. Policy CP23 of the JCS identifies a series of Gaps including one between Rowlands Castle and Havant. The Gaps are shown diagrammatically on the Key Diagram (Map 1) of that Plan. The policy comments that the generally open and undeveloped nature of the following gaps between settlements will be protected to help prevent coalescence and retain their separate identity.
- 7.17 The proposed Gap is located to the south of Rowlands Castle. It has two parts divided by the railway line. The part to the west of the railway line runs from the immediate south of Durrants in the north to Stanstead Crescent and then to the railway line. The part to the east of the railway line runs along Emsworth Common Road, the landfill site and part of Hollybank Wood. I looked carefully at the proposed Gap during the visit. The existing gap between Rowlands Castle and Havant was self-evident.

- 7.18 The proposed Gap in the Plan (as shown on Map 2) is based on the identification of the Rowlands Castle/Havant Gap as shown on the EHDC on-line mapping system. During the examination EHDC advised that the information on the online system is that established in the Local Plan: Second Review, which has now been superseded by Policy CP23 of the JCS.
- 7.19 The proposed Gap in the submitted Plan is smaller than that shown on the online mapping system. This matter is explained in the Evidence Paper. In summary, the submitted Plan no longer proposes to include the following categories of land within the Gap:
- land where new development has been completed;
 - land where planning permission has been granted;
 - land which is developable;
 - where development would not lead to the coalescence of Rowlands Castle and Havant; and
 - parkland which is unlikely to be developed.
- 7.20 The principal change to the proposed Gap from that shown on the online mapping system is removal of land to the north and west of Durrants Road, to the north and west of the railway line.
- 7.21 I have looked carefully at the relationship of the submitted policy with the strategic approach taken in the JCS. Its paragraph 7.29 comments that:
- ‘the gaps have not been defined for the express purpose of protecting the countryside (Policy CP19) or landscape (Policy CP20), but rather as a planning tool designed to shape the patterns of towns and villages. A clear break between settlements helps to maintain a “sense of place” for residents of, and visitors to, the communities on either side of the gaps. When passing from place to place (by all forms of transport) these gaps give a recognisable structure to a group of settlements, establishing in travellers’ minds that they have left one settlement before they arrive somewhere else.’*
- 7.22 In addition, paragraph 7.33 of the JCS advises that ‘the precise boundaries for the gaps will be identified in future Local Plans.’ The issue was not addressed in the Employment and Housing Allocations Plan and no other such plans have been produced. In these circumstances I have made my own assessment of the extent to which the proposed Gap between Rowlands Castle and Havant (as shown on Map 2) provides a local interpretation of the strategic approach taken in the JCS.
- 7.23 The JCS Background Paper on Gaps between settlements (September 2011) advises that:
- ‘Gap boundaries will be defined by identifying the land which contributes to the gap’s objectives (to retain the separate identities of settlements and prevent coalescence), and other land will be omitted. An absence of existing urban activity within the gaps is the ideal, although this will not always be realistically achievable. The gap boundaries as far as possible will follow a recognisable feature (e.g. a road, footpath, hedgerow, stream, field boundary etc.). In many cases the boundary of the gap will be identical to*

the settlement policy boundary if it is evident that all land outside the boundary contributes to the objectives of the policy.

When determining the gap boundaries consideration will be given to the visual perception of the gaps from the adjacent developed areas and from public rights of way as well as public highways within the gap itself. The need to maintain sufficient separation between the settlements will also be considered. However, it is recognised that the value of a gap will depend more on the feeling of separation across its full extent rather than along any road corridor which crosses it.

There will be areas beyond the gaps which are important to the setting of towns or villages. Such areas may be adjacent to the gaps and directly related to them, visually and/or physically. However, it is important to remember that no more land will be included in the gaps than is necessary to prevent coalescence and to maintain the separate identity of settlements. A strict interpretation of this will rule out stretching boundaries to include adjacent areas which may in themselves be important for the setting of a settlement.'

I have used these principles as the basis for my assessment. I have also taken account of the extensive commentary in the Evidence Paper and in RCPC's comprehensive response to the clarification note.

- 7.24 Based on all the information available to me, including the representations to the Plan, I am satisfied that there is a clear planning and environmental justification to retain a gap between Rowlands Castle and Havant. In terms of the specific identification of parcels of land, I am satisfied that the proposed Gap to the west of the railway line is appropriate and is in general conformity with the strategic policies in the development plan. It is sensitively located between the two settlements. In addition, the recent work undertaken by RCPC has refined the area from that which was shown in the 2006 Local Plan based on changes in land uses and where planning permissions have been granted.
- 7.25 In contrast, I am not satisfied that the proposed Gap to the east of the railway line is appropriate and is in general conformity with the strategic policies in the development plan. I have reached this conclusion for the following overlapping reasons:
- it is not located directly between two settlements;
 - it is sufficiently distant from both Rowlands Castle and Havant to cause it not reasonably to be considered as a location for sustainable development;
 - much of the land is wooded and some parts are sites of importance for nature conservation; and
 - in any event, built development in this part of the neighbourhood area would not result in the coalescence of Rowlands Castle and Havant.
- 7.26 The policy has a similar approach to that of Policy CP23 of the JCS. It also comments about the role of the Gap in protecting the important sequential views which unfold when travelling along the roads and railway between Havant and Rowlands Castle. In general terms, I am satisfied that the policy takes an appropriate approach. Nevertheless, I recommend that the second part of the policy is modified to bring the

clarity required by the NPPF and to ensure that it mirrors the strategic approach taken in Policy CP23 of the JCS.

- 7.27 I recommend consequential modifications to the supporting text. I also recommend that Map 2 is produced to a larger scale to show the Gap in a clearer fashion. Otherwise, the policy meets the basic conditions. It will contribute to the delivery of the social and environmental dimensions of sustainable development.

Replace the second part of the policy with:

‘Proposals for built development within the defined Gap will only be supported where they would not compromise the integrity of the Gap, and the visual and physical separation of Rowlands Castle and Havant, either individually or cumulatively with other existing or proposed development.’

Reproduce Map 2 to a larger scale and delete the proposed Gap to the east of the railway line.

In the Policy Objectives replace the first bullet point with: ‘To provide a clear break between the settlements of Rowlands Castle and Havant. This will maintain a ‘sense of place’ for residents of, and visitors to, the two settlements. When passing between the two settlements there should be a recognisable structure to the settlements, establishing in travellers’ minds that they have left one settlement before they arrive in another.’

The ‘Rowlands Castle Neighbourhood Development Plan: Gaps between Settlements Evidence Paper’ includes views which collectively show the visual separation and clear break between the settlements of Rowlands Castle and Havant. As a result of the examination of the Plan the Gap is identified to the west of the railway line but not to the east.’

Delete ‘The Evidence Paper shows that to meet this Policy Objective, the ‘Gap’ retains areas designated as SINCs, Ancient and Semi-natural Woodland, Priority Habitat Deciduous Woodland (England), and Woodland Grant Schemes.’

Delete the final bullet point.

Delete ‘The ‘Rowlands Castle Neighbourhood Development Plan: Gaps between Settlements Evidence Paper’ also shows that to meet the Policy Objective to protect important landscape and ecological features, the ‘Gap’ retains areas designated as SINCs, Ancient and Semi-natural Woodland, Priority Habitat Deciduous Woodland (England), and Woodland Grant Schemes.’

Policy 2 Landscape Character

- 7.28 The objectives of this policy are to conserve and enhance the parish landscape together with the setting of each of the main residential centres of Rowlands Castle, Finchdean, and Idsworth House/Park. It also seeks to maintain the distinctive landscape vistas and the visual connectivity between the surrounding countryside and the built environment.

- 7.29 The policy has two related parts. The first comments that development proposals should, where appropriate, demonstrate how the Rowlands Castle Local Landscape Character Assessment (2012) and the broad management objectives and development considerations set out in the Rowlands Castle Settlement Character Assessment (November 2020) have been used to inform the design. The second comments that development proposals likely to affect any of the identified locally significant views should assess their impact on the view(s) and show in sufficient detail how the proposal would alter the view.
- 7.30 The policy takes a very comprehensive approach to this important matter. It is underpinned by the Character Assessment and the Locally Significant Views Report.
- 7.31 I am satisfied that the identified views are appropriate to be identified in the Plan. They have been carefully-researched. In addition, they help to capture the character and appearance of the parish.
- 7.32 SDNPA comments that the policy is long and complex. The first part of the policy requires the reader/decision taker to reference how development proposals have been informed by key evidence documents and more generally how they will conserve and enhance key features which contribute to character. The SDNPA suggests that it may be possible to draft the policy so it is more precise and concise and still achieve the same policy objectives. It also suggests that the final sentence of the second part of the policy could be removed from the policy and placed in supporting text. I agree with these suggestions and recommend accordingly. I also recommend the inclusion of an additional policy objective to acknowledge the importance of the landscape in the SDNPA (in the north of the parish).
- 7.33 I recommend the inclusion of an additional sentence in the second part of the policy to ensure that a landscape-led approach to development is undertaken by developers.
- 7.34 I also recommend the correction of the inconsistencies between the descriptions and the photographs for Views B1-3. Otherwise, the policy meets the basic conditions. It will contribute to the delivery of the social and environmental dimensions of sustainable development.

Replace the opening element of the first part of the policy with: ‘Development proposals should, where appropriate, demonstrate how their design has been informed by the Local Landscape Character Assessment and Settlement Character Assessment.’

In part 1a of the policy delete ‘those’

After part 1 a add: ‘and’

Replace the second part of the policy with:

‘Development proposals should be designed and configured to respond positively to the locally significant views listed in Table 1. Development proposals which would be likely to affect any of the locally significant views listed in Table 1 should assess their impact on the view(s) and show in sufficient

detail how the proposal would alter the view. In these circumstances development proposals should incorporate a landscape-led approach to mitigate any harmful impacts on landscape character.

Development proposals which would have an unacceptable impact on a locally significant view will not be supported.'

Add an additional objective to read: 'To safeguard the special characteristics of the South Downs National Park which occupies the northern part of the parish.'

At the end of the first paragraph of supporting text after the policy objectives add: 'The second part of Policy 2 comments on the relationship between development proposals and a series of significant views. Details of the key features for each view are provided in the Rowlands Castle Neighbourhood Development Plan: Locally Significant Views Report (August 2020).'

Correct the inconsistencies between the descriptions and the photographs for Views B1-3

Policy 3 Local Green Spaces and Protected Open Spaces

- 7.35 A key objective of the plan is to protect and enhance the green and open character of the Parish. The Plan comments that green spaces and open spaces contribute to the quality of the built environment, enhancing community life and protecting landscape and wildlife.
- 7.36 In this context, the Plan identifies a series of local green spaces (LGS) and protected open spaces (POS). They are shown on Maps 7-12. A detailed description is provided for each of the proposed LGSs along with an assessment of their characteristics against the criteria for such designations in the NPPF in both the Plan and the LGS/POS Evidence Paper. I looked at several of the proposed LGSs during the visit. I saw that they ranged from the iconic Village Green, to the formal Recreation Ground to the more informal wooded area between The Drift and Whichers Gate Road.
- 7.37 In its representation SDNPA queried the distinction in the Plan between LGS and POS. In its response to the clarification note RCPC commented:

'One of the Policy Objectives of the plan is that the Local Green Spaces, largely because of their more prominent locations, are of importance to the Rowlands Castle community while the Protected Open Spaces are important to the immediate residents'. 'More prominent locations' are those with a much greater number of residents and others who will see or use them. For example, they are in the centre of a settlement (such as Rowlands Castle and Finchdean Village Greens), adjacent to a main road leading to the village (such as Whichers Common (adjacent to the B2148), War Memorial, Kings Stone) or adjacent to footpaths widely used by residents or others (e.g. the wooded areas along the Shipwrights Way)

In contrast, Protected Open Spaces would be seen by or in the main used by, only residents of nearby roads. Typically, they are areas designated as 'Open Spaces' in recent housing developments. As such, they do not meet the higher threshold required

for Local Green Spaces in NPPF (2021) paragraph 102. They would not, therefore, have the same level of protection. The above factors have been considered in the 'Policy 3 – Local Green Spaces and Protected Open Spaces Evidence Paper' when designating areas as 'Local Green Spaces' or 'Protected Open Spaces'

- 7.38 I have considered this matter carefully. Based on the evidence available and my own observations, I am satisfied that the distinction made between the two designations is appropriate. In addition, the policy acknowledges the specific importance attached to LGSs in the NPPF. Nevertheless, I recommend that the supporting text is modified and expanded so that the distinction between the two categories is clearer.
- 7.39 I am also satisfied that the table of LGSs in the Plan itself is appropriate. It avoids the need for the reader of the Plan to access the Evidence Base on this matter. In addition, the information overlaps with the detail on the maps in the Plan.
- 7.40 Based on all the information available, including my own observations, I am satisfied that the proposed LGSs comfortably comply with the three tests in paragraph 102 of the NPPF. I looked carefully at the scale of the proposed wooded area between The Drift and Whichers Gate Road. Whilst it is larger than the other proposed LGSs, I am satisfied that it is local in character and not an extensive tract of land. I am also satisfied that it is demonstrably special to the local community and holds a particular significance. It provides an attractive opportunity for informal walking and recreation.
- 7.41 I am also satisfied that the proposed designation of the LGSs would accord with the more general elements of paragraph 101 of the NPPF. Firstly, I am satisfied that their designation is consistent with the local planning of sustainable development. They do not otherwise prevent sustainable development coming forward in the neighbourhood area and no such development has been promoted or suggested. Secondly, I am satisfied that the LGSs are capable of enduring beyond the end of the Plan period. Indeed, they are an established element of the local environment and, in most cases, have existed in their current format for many years. In addition, no evidence was brought forward during the examination that would suggest that the proposed local green spaces would not endure beyond the end of the Plan period.
- 7.42 The policy element on LGSs goes well beyond the matter-of-fact approach taken in paragraph 103 of the NPPF. Given the nature of the proposed LGSs, I can understand RCPC's thinking on this matter. Nevertheless, I recommend modification to address this matter and to ensure that the policy has regard to national policy. EHDC and SDNPA will be able to come to a judgement on any planning applications affecting designated LGSs on a case-by-case basis.
- 7.43 The policy element on POS takes a less restrictive approach to development proposals. This helps to make a clear distinction between the two categories of green space. Nevertheless, I recommend a detailed modification to the wording used to bring the clarity required by the NPPF and to allow EHDC and SDNPA to implement the policy in a consistent way in the Plan period.
- 7.44 Otherwise, the policy meets the basic conditions. It will contribute to the delivery of the social and environmental dimensions of sustainable development.

Replace the LGS element of the policy with:

‘The Plan designates the Local Green Spaces listed below and shown on Maps 7, 8 and 9’

Development proposals for local green spaces will only be supported in very special circumstances.’

In the Protected Open Spaces element of the policy replace the second sentence with: ‘Development proposals for protected Open Space will only be supported where it can be demonstrated that the Space concerned is surplus to requirements, or the loss resulting from the proposed development would be replaced by equivalent or improved open space in an equally-suitable location.’

In the Objectives replace the second and third bullet points with:

‘The Plan distinguishes between local green spaces and protected open spaces. The highest category of open space encouraged by national policy is the former. The Plan designates Local Green Spaces to provide extra protection other than in very special circumstances. The tables below identify the way in which the Local Green Spaces comply with the criteria in paragraph 102 of the National Planning Policy Framework (2021). Largely because of their more prominent locations, the local green spaces are of importance to the Rowlands Castle community.

The Protected Open Spaces are open spaces which do not meet the exacting standards for designation as Local Green Space. Nevertheless, they play an important part in the attractive environment of the neighbourhood area. They are particularly important to the residents who live close to the spaces concerned. As they are not a local interpretation of a national issue, they are not described in the Plan in the level of detail as the local green spaces. There are details about the Protected Open Spaces in the Evidence paper.’

Policy 4 Non-designated heritage assets

- 7.45 The policy has two objectives. The first is to conserve and enhance the heritage assets, both designated and non-designated, together with the historic significance of their setting. The second is to supplement the historic environment record for the Parish by identifying the non-designated heritage assets that are of local historic importance and which merit consideration in planning decisions.
- 7.46 The first part of the policy comments more generally about heritage matters and the need to ensure that heritage assets are used and maintained in an appropriate and sensitive fashion. Whilst appropriately-worded, this part of the policy largely repeats national and local policies on heritage matters. In these circumstances I recommend that it is repositioned to the supporting text.
- 7.47 The policy identifies a series of non-designated heritage assets in Table 2. I am satisfied that they are appropriate to be identified as non-designated heritage assets. In several cases, they reflect the parish’s social and economic heritage. I recommend that the policy is expanded to set out the implications of the approach taken and to

reflect the contents of paragraph 203 of the NPPF. Whilst the submitted policy seeks to reflect the national approach on this matter (in Section 16 of the NPPF), it does not fully have regard to its contents and broader approach. Otherwise, the policy meets the basic conditions. It will contribute to the delivery of the social and environmental dimensions of sustainable development.

Delete the first part of the policy

Replace the second part of the policy with:

‘The Plan identifies a series of non-designated heritage assets. They are listed in Table 2.

The effect of a development proposal on the significance of a non-designated heritage asset should be taken into account in determining planning applications. In weighing applications that directly or indirectly affect the non-designated heritage assets identified in this policy, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.’

At the end of first paragraph of text (after the objectives) add the deleted first part of the policy.

Policy 5 Design and Local Character

- 7.48 This policy has three related objectives. The first is to ensure that the design of new development respects the local character and makes a positive contribution to the overall parish character and appearance. The second is to ensure that development contributes to local distinctiveness and sense of place while preserving the distinct rural setting and separation from adjoining communities. The third is to ensure that the three main residential centres (Rowlands Castle village, Finchdean and Idsworth House/Park) retain their distinct settlement characteristics.
- 7.49 The policy comments that development proposals will be supported where they meet the highest standards of design, make a positive contribution to the local settlement character, are informed by their setting within the landscape and contribute to maintaining a strong sense of place. It also advises that development proposals should demonstrate how applicable design principles contained within the Rowlands Castle Village Design Statement (2000, 2019 1st Rev), Rowlands Castle Settlement Character Assessment (2020), Rowlands Castle Conservation Area guidance leaflet (EHDC) and Rowlands Castle Local Landscape Character Assessment (2012) have informed the design.
- 7.50 In general terms the policy takes a very positive approach to this matter. It will help to ensure that new developments are appropriate to local character and its landscape setting. It is underpinned by the findings of a series of documents, including the excellent Rowlands Castle Village Design Statement. In the round the policy is an excellent local response to Section 12 of the NPPF.

- 7.51 I recommend a series of modifications to the policy to bring the clarity required by the NPPF. They will allow EHDC and SDNPA to approach the development management process in a consistent fashion. They are based on the suggestions in the SDNPA representation and as agreed by RCPC in its response to the clarification note. Otherwise, the policy meets the basic conditions. It will contribute to the delivery of the environmental dimension of sustainable development.

In the first part of the policy replace ‘will be supported.....of design’ with ‘should’

In 1ii replace ‘are’ with ‘be’

In the second part of the policy replace ‘The development proposals’ with ‘Development proposals’

Policy 6 Over 55s’ housing

- 7.52 The objective of this policy is to facilitate the provision of accommodation suiting the needs of over 55s’. The policy comments that new developments and development of existing sites within the Rowlands Castle Settlement Policy Boundary, as established by the East Hampshire Local Plan and shown in Map 15, that can accommodate the needs of the over 55s’ and are within a reasonable walking distance to the main village facilities around the Green will be encouraged.
- 7.53 In general terms, the policy addresses an important social issue in the parish. As with many rural communities its population would welcome the opportunity to access bespoke housing solutions to meet their current and future needs. I have considered the comments made by SDNPA about the added value of the policy beyond the context of other development plan policies. On the balance of the evidence, I am satisfied that the policy brings added value by its comments about the sustainable nature of Rowlands Castle Village Centre.
- 7.54 I recommend that the policy is modified by deleting the reference to the 2006 Local Plan as suggested by EHDC. I also recommend that the policy acknowledges that whilst the Village Centre will be an ideal location for such facilities, they could be appropriately accommodated elsewhere in the settlement boundary. Otherwise, the policy meets the basic conditions. It will contribute to the delivery of the social dimension of sustainable development.

Replace the policy with:

‘Development proposals within the Rowlands Castle Settlement Policy Boundary, as shown in Map 15, that accommodate the needs of people over the age of 55 will be supported.

Development proposals which are within walking distance of the main village facilities around the Green will be particularly supported.’

Policy 7 Rowlands Castle Village Centre – Non-Residential Development

- 7.55 The purpose of the policy is to ensure that the village centre continues to contribute to the overall character of the village while retaining its local provision of businesses and services.
- 7.56 The policy comments that development proposals will be supported in the defined Village Centre if they provide replacement or new facilities and services or retail uses that support the village community. It also advises that development that will lead to the loss of existing business premises will not be supported, unless it can be shown to be no longer suitable for that purpose or that there is no alternative occupier.
- 7.57 I looked at the Village Centre carefully during the visit. I saw that it was an attractive and vibrant area based around the Village Green. I saw much of what RCPC refers to as its ‘eclectic nature’ in the response to the clarification note. It enjoys an attractiveness and vibrancy that is clearly appreciated and valued by local people, and which is immediately obvious to visitors. In general terms, I am satisfied that the policy takes a positive approach to the importance of ensuring that the village centre continues to contribute to the overall character of the village while retaining its local provision of businesses and services.
- 7.58 Plainly the Village Centre has different functions. I looked at the proposed boundary very carefully. In visual and townscape sense the boundary is entirely appropriate and has a close affinity with the Conservation Area boundary. However, given the number of residential properties in the Village Centre, especially in its western part, I am not satisfied that the proposed boundary is appropriate to a policy which actively promotes new retail or commercial facilities. This approach has a clear ability to affect its eclectic character. In addition, a potential loss of existing residential properties in this part of the village centre would detrimentally affect the vitality and security outside business hours which is traditionally brought by the residential properties. In these circumstances I recommend that the Village Centre boundary is revised so that it excludes land and buildings to the west of The Fountain Inn. Any proposals which may arise to the west of the Fountain Inn could be considered on their merits by EHDC.
- 7.59 SDNPA questions the added value of the policy and the extent to which it should identify specific uses which would be supported. On the balance of the evidence, I am satisfied that the policy brings added value to local policies on this matter. This is mainly through the definition of a Village Centre boundary and the general nature of the policy (including the way in which it responds to the ‘eclectic’ nature of the village centre).
- 7.60 On the second matter, RCPC commented as follows in its response to the clarification note:
- ‘The Village Centre with its mixture of businesses meeting local needs is probably the key attraction for residents of the parish, its continual viability by supporting all existing and new commercial businesses is a key objective of the policy.’*
- 7.61 I have considered this matter very carefully. In the round I am satisfied that the general approach taken is appropriate for the local circumstances. The Village Centre is too

small to include a more detailed policy which would set out prescriptive requirements for acceptable and unacceptable uses. At the same time, it is too large to have a restrictive retail-only policy in order to safeguard a limited number of existing shops. In addition, the general approach in the policy will provide flexibility within the Plan period for local businesses to respond to the current and future needs of the local population. The general approach also takes account of the greater flexibility which business users now enjoy for retail, commercial and service uses by way of updates to the Use Classes Order (UCO) since 2020.

- 7.62 Nevertheless I recommend that the paragraph in the supporting text on the UCO is expanded to provide the lay reader and the local business community with a clearer understanding of the potential way in which business uses can be pursued in a more flexible way in the Village Centre using permitted development rights. Otherwise, the policy meets the basic conditions. It will contribute to the delivery of each of the three dimensions of sustainable development.

Replace the first two parts of the policy with:

‘Development proposals within the defined village centre (on Map 16) should contribute to its vitality and viability.

Development proposals in the defined village centre which would provide replacement or new facilities and services or retail uses that meet the needs of the village community will be supported.’

Revise the proposed Village Centre boundary by deleting the properties to the west of The Fountain Inn.

Replace the final paragraph of the Policy Objective with:

‘The Use Classes Order allows certain changes of use within the same class. They are known as permitted development rights. In some cases, certain conditions need to be met. This national approach has particular significance for the village centre and its wide range of retail, commercial and community uses. The following uses are likely to be complementary to its character, vibrance and vitality:

- *Use Class E Commercial Business and Service;*
- *Use Class F1 Learning and non-residential institutions; and*
- *Sui generis Public House/Wine bar/drinking establishment.’*

Policy 8 Parking

- 7.63 The objective of the policy relates to the parish’s location within a rural area. It has very limited bus connections along one route and, although fortunate to have a mainline rail station in Rowlands Castle village, this only gives options for travel along a single corridor. As a result, many journeys into the village core, either to connect with public transport or to use the local services, require travel by car with existing parking in the village core often being at full capacity. This may further cause problems for residents due to limited availability of on-street parking spaces in these areas. The Plan comments that maintaining an adequate provision of parking in residential

developments together with maintaining, protecting, and where possible improving, the provision of public parking serving the village core and railway station is an important matter.

- 7.64 The policy has four related parts. The first comments that development proposing the change of use or loss of off-street parking will only be supported if it can be demonstrated that the parking is no longer required. The second comments that additional car parking provision to serve the village centre and railway station will be encouraged provided it is appropriately located having regard to the character of the area. The third advises that proposals for additional car parking at Links Close will be supported. The fourth sets out design guidance for new parking areas.
- 7.65 The policy takes an appropriate approach to this matter. I have taken account of EHDC's comments on its contents and RCPC's response to the clarification note. On the balance of the evidence, I am satisfied that the scope of the policy is correct and that several of the parking issues addressed are commonplace throughout the parish (whilst being highlighted in the Village Centre). I recommend a series of detailed modifications to the wording used in the policy to bring the clarity required by the NPPF. Otherwise, the policy meets the basic conditions. It will contribute to the delivery of the social and the environmental dimensions of sustainable development.

In the first part of the policy replace 'Development proposing' with 'Development proposals for'

In the second part of the policy replace 'encouraged provided' with 'supported where'

In the fourth part of the policy replace 'the design' with 'their design'

Policy 9 Flood Risk and Groundwater Management

- 7.66 This policy has three related objectives. The first is to ensure that new development is protected from flood risk. The second is to ensure that new development does not add to, or worsen, existing flooding risk. The third is to ensure that new development does not have an adverse risk on groundwater sources.
- 7.67 The policy comments that development proposals must recognise that Rowlands Castle has areas at risk from flooding in both the northern and southern areas of the parish and is located largely within groundwater source protection zones I or II. It continues by advising that development will only be supported if the criteria are met.
- 7.68 In general terms, the policy takes a positive approach to this matter. However, I recommend that the opening element of the policy is recast so that it will have the clarity required by the NPPF and provide specific advice to the development industry about the way in which development proposals should be configured in the parts of the parish concerned. I also recommend that the policy is worded so that it can be applied on a proportionate basis. Plainly different proposals will have their own implications on the identified ground water source protection zones.

- 7.69 I recommend detailed modifications to the three criteria listed in the policy. I also recommend that they are referred to as 'principles. In the first I recommend the deletion of the reference to the resolution of existing drainage matters. In some cases, this approach may be part of the wider package. However, in a general sense the planning process focuses on a development proposal's ability to avoid adding to existing issues and environmental concerns rather than to resolve pre-existing issues. Otherwise, the policy meets the basic conditions. It will contribute to the delivery of the environmental dimension of sustainable development.

Replace the opening element of the policy with: 'Development proposals should take account of groundwater source protection zones I and II which create a risk of flooding. As appropriate to their scale, nature and location, development proposals in these areas should respond positively to the following principles:'

Replace the first criterion with: 'Drainage requirements arising from the development itself and/or in combination with other development are fully met.'

In the third criterion replace 'adverse' with 'unacceptable'

Policy 10 Community and Sporting Facilities

- 7.70 The purpose of this policy is to support the important identified community and recreation and sporting facilities to ensure their long-term viability and availability.
- 7.71 The policy comments that important community and recreation and sports facilities and churches listed in Table 3 should be retained and any proposed improvements will be supported subject to amenity considerations being satisfied. It also advises that development proposals for the change of use or loss of the facilities listed in Table 3, currently or last used for community, leisure, recreational or cultural purposes will only be permitted if a series of criteria are met.
- 7.72 The policy celebrates the importance of community facilities in the parish. I am satisfied that the identified facilities are appropriate to be included in the policy. I looked at several of the facilities during the visit.
- 7.73 As submitted, the policy has a rather complicated structure. I recommend that it is recast to remedy this matter. I also recommend that the policy explicitly identifies the facilities in Table 3 and their broader role in the policy. I also recommend that the overlap of the Recreation Ground with the proposed LGSs is highlighted in Table 3. Otherwise, the policy meets the basic conditions. It will contribute to the delivery of the social and the environmental dimensions of sustainable development.

Replace the policy with:

'The Plan identifies a series of important community and recreation and sports facilities and Churches in Table 3.

Development proposals for improvements to the identified facilities will be supported where amenity, design and other environmental considerations are met.

Development proposals which would involve the change of use to a non-community use or loss of the facilities listed in Table 3 will only be supported where the site or facility is surplus to the requirements of the community, or is no longer viable, or where a replacement facility will be made in a location which is well-related and accessible to the local community.'

In table 3 add: '(and also designated as a Local Green Space)' after 'Recreation Ground'.

Policy 11 Walking Cycling and horse-riding access

- 7.74 The objective of this policy is to improve the provision of safe walking, cycling and horse-riding access, especially between residential developments and local parish facilities and services and to improve access to surrounding countryside.
- 7.75 The policy comments that residential and other development proposals of 10 or more dwellings should where practicable incorporate
- signed and safe footpath links to the public right of way network or local footway networks;
 - signed cycle routes which contribute to connections to the village centre and the railway station; and
 - footpaths and cycleways that are separated from roads wherever possible.
- 7.76 The policy also includes other more detailed elements on the local footpath network.
- 7.77 The policy takes a positive approach to this matter. In addition, it does so in a very distinctive fashion. I recommend that the second and third parts of the policy are recast to bring the clarity required by the NPPF and to ensure that they can be implemented through the development management process. In the case of the second part of the policy this involves making a reference to the works which would be required to achieve access to strategic routes. In some cases, planning permission will not be needed for such work. In the case of the third part of the policy this involves ensuring that the policy can be applied on a proportionate basis. Plainly different proposals will have their own impacts and opportunities with regards to the local rights of way network. In addition, I recommend that this part of the policy makes a clearer reference to the maps on the network in the Plan. Otherwise, the policy meets the basic conditions. It will contribute to the delivery of the social and the environmental dimensions of sustainable development.

Replace the second part of the policy with: 'Works which would deliver new and improved links to strategic routes such as the Shipwrights Way, Monarchs Way, Staunton Way, Sussex Border Path and E9 (the European long-distance path) will be supported.'

Replace the third part of the policy with: 'As appropriate to their scale, nature and location developments proposals should protect and, where practicable, enhance the existing local network of rights of way (including footpaths and bridleways) as shown on Maps 17 and 18.'

Monitoring and Review

- 7.78 The Plan includes a specific section on the way in which the Plan would be monitored and reviewed. It does so to good effect.
- 7.79 The second part of the section comments that the Plan will be monitored by RCPC on an annual basis, using the planning data collected by EHDC and any data collected and reported at a parish level that is relevant to the Plan. It advises that RCPC will be particularly concerned to judge whether its policies are being effectively applied in the planning decision process. The fourth part of the section advises that RCPC proposes to complete a formal review of the Plan at least once every five years or earlier if necessary to reflect changes in the Local Plan or the NPPF 2021 (National Planning Policy Framework) and other local/national factors relevant to the Plan. Both elements of the proposed process are best practice. The commentary about a potential review of the Plan is particularly important given the work which EHDC is currently undertaking on the production of a new local plan.

Other Matters – General

- 7.80 This report has recommended a series of modifications both to the policies and to the supporting text in the submitted Plan. Where consequential changes to the text are required directly as a result of my recommended modification to the policy concerned, I have highlighted them in this report. However other changes to the general text may be required elsewhere in the Plan as a result of the recommended modifications to the policies. Similarly, changes may be necessary to paragraph numbers in the Plan or to accommodate other administrative matters. It will be appropriate for EHDC/SDNPA and RCPC to have the flexibility to make any necessary consequential changes to the general text. I recommend accordingly.

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

Other Matters – Specific

- 7.81 A representation has been made to the Plan by Shorewood Homes Limited about the Plan's identification of the settlement boundary and its implications on a current planning application for residential development. The settlement boundary is addressed in the wording of Policy 6 of the Plan to which Map 15 (the Settlement Boundary) refers
- 7.82 In its response to the clarification note, RCPC advised that the submitted Plan does not propose to revise the settlement boundary as established in the Local Plan: Second Review 2006. It also advised there was an error in producing the Regulation 14 version of the settlement boundary and as a result this incorrectly showed the boundary as including the land subject to the representation, this was corrected in the Regulation 15 version.

- 7.83 EHDC granted planning permission for the proposal (21501/005) on 9 June 2023.

8 Summary and Conclusions

Summary

- 8.1 The Plan sets out a range of policies to guide and direct development proposals in the period up to 2033. It is distinctive in addressing a specific set of issues that have been identified and refined by the wider community. It has a clear focus on safeguarding the gap between Rowlands Castle and Havant, consolidating the role and the attractiveness of the village centre, and designating a package of local green spaces.
- 8.2 Following the independent examination, I have concluded that the Rowlands Castle Neighbourhood Development Plan meets the basic conditions for the preparation of a neighbourhood plan subject to a series of recommended modifications.

Conclusion

- 8.3 On the basis of the findings in this report, I recommend to East Hampshire District Council and to the South Downs National Park Authority that subject to the incorporation of the modifications set out in this report that the Rowlands Castle Neighbourhood Development Plan should proceed to referendum.

Other Matters

- 8.4 I am required to consider whether the referendum area should be extended beyond the neighbourhood area. In my view, the neighbourhood area is entirely appropriate for this purpose and no evidence has been submitted to suggest that this is not the case. I therefore recommend that the Plan should proceed to referendum based on the neighbourhood area as approved by SDNPA and EHDC in April 2017.
- 8.5 I am grateful to everyone who has helped in any way to ensure that this examination has run in a smooth manner.

Andrew Ashcroft
Independent Examiner
26 June 2023

