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# **Report on the Compton Neighbourhood Development Plan 2020 to 2037**

**An Examination undertaken for West Berkshire District Council with the support of Compton Parish Council on the April 2021 submission version of the Plan.**

Independent Examiner: Andrew Mead BSc (Hons) MRTPI MIQ

Date of Report: 7 October 2021

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## **Main Findings - Executive Summary**

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

I have also concluded that:

- The Plan has been prepared and submitted for examination by a qualifying body – Compton Parish Council;
- The Plan has been prepared for an area properly designated – the Parish of Compton, as shown on the map on page 3 of the submitted Plan;
- The Plan specifies the period during which it is to take effect: 2020 to 2037; and
- The policies relate to the development and use of land for a designated neighbourhood area.

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

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

## **1. Introduction and Background**

### *Compton Neighbourhood Development Plan 2020–2037*

- 1.1 Compton Parish has a population of 1,571.<sup>1</sup> The village of Compton is located just east of the A34 linking Newbury and Oxford. Newbury is about 18 km to the south, Oxford about 33 km to the north with Reading about 24 km to the south east. Compton lies in rural surroundings within the North Wessex Downs Area of Outstanding Natural Beauty (AONB) which is characterised in this locality by attractive rolling downland and large fields.
- 1.2 The preparation of the Neighbourhood Plan began when an application was made to West Berkshire District Council (WBDC) by Compton Parish Council (CPC) in November 2016 for the designation of the Plan area, with subsequent approval by WBDC on 11 January 2017. This was followed by the appointment of consultants to assist with plan preparation and the formation of a Steering Group which held its first meeting in January 2018. Various workshops and consultation meetings were held and evidence was gathered. The CNDP was submitted to WBDC on 6 May 2021, representing over four years' work for those involved.

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<sup>1</sup> 2011 Census.

### *The Independent Examiner*

- 1.3 As the Plan has now reached the examination stage, I have been appointed as the examiner of the CNDP by WBDC, with the agreement of CPC.
- 1.4 I am a chartered town planner and former government Planning Inspector and have experience of examining neighbourhood plans. I am an independent examiner, and do not have an interest in any of the land that may be affected by the Plan.

### *The Scope of the Examination*

- 1.5 As the independent examiner, I am required to produce this report and recommend either:
- (a) that the neighbourhood plan is submitted to a referendum without changes; or
  - (b) that modifications are made and that the modified neighbourhood plan is submitted to a referendum; or
  - (c) that the neighbourhood plan does not proceed to a referendum on the basis that it does not meet the necessary legal requirements.
- 1.6 The scope of the examination is set out in Paragraph 8(1) of Schedule 4B to the Town and Country Planning Act 1990 (as amended) ('the 1990 Act'). The examiner must consider:
- Whether the Plan meets the Basic Conditions.
  - Whether the Plan complies with provisions under s.38A and s.38B of the Planning and Compulsory Purchase Act 2004 (as amended) ('the 2004 Act'). These are:
    - it has been prepared and submitted for examination by a qualifying body, for an area that has been properly designated by the local planning authority;
    - it sets out policies in relation to the development and use of land;
    - it specifies the period during which it has effect;
    - it does not include provisions and policies for 'excluded development'; and
    - it is the only neighbourhood plan for the area and does not relate to land outside the designated neighbourhood area.

- Whether the referendum boundary should be extended beyond the designated area, should the plan proceed to referendum.
- Such matters as prescribed in the Neighbourhood Planning (General) Regulations 2012 (as amended) ('the 2012 Regulations').

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

### *The Basic Conditions*

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

- Have regard to national policies and advice contained in guidance issued by the Secretary of State;
- Contribute to the achievement of sustainable development;
- Be in general conformity with the strategic policies of the development plan for the area;
- Be compatible with and not breach European Union (EU) obligations (under retained EU law);<sup>2</sup> and
- Meet prescribed conditions and comply with prescribed matters.

1.9 Regulation 32 of the 2012 Regulations prescribes a further Basic Condition for a neighbourhood plan. This requires that the making of the neighbourhood plan does not breach the requirement of Chapter 8 Part 6 of the Conservation of Habitats and Species Regulations 2017 ('the 2017 Regulations').<sup>3</sup>

## **2. Approach to the Examination**

### *Planning Policy Context*

2.1 The current Development Plan for Compton, excluding policies relating to minerals and waste development, includes the West Berkshire District Local Plan 1991–2006 (Saved Policies 2007) (as amended in 2012 and 2017), the West Berkshire Core Strategy (WBCS) 2006–2026, which contains most of the strategic policies, and the West Berkshire Housing

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<sup>2</sup> The existing body of environmental regulation is retained under EU law.

<sup>3</sup> This revised Basic Condition came into force on 28 December 2018 through the Conservation of Habitats and Species and Planning (Various Amendments) (England and Wales) Regulations 2018.

Site Allocations Development Plan Document (HSADPD) adopted in 2017.<sup>4</sup> In addition, the West Berkshire Local Plan Review (WBLPR) is at the emerging stage, the Regulation 18 draft having been published for consultation between 11 December 2020 and 5 February 2021.

- 2.2 The planning policy for England is set out principally in the National Planning Policy Framework (NPPF). The Planning Practice Guidance (PPG) offers guidance on how this policy should be implemented. A revised NPPF was published in July 2021 and all references in this report are to the July 2021 NPPF and its accompanying PPG.

### *Submitted Documents*

- 2.3 I have considered all policy, guidance and other reference documents I consider relevant to the examination, as well as those submitted which include:
- the draft Compton Neighbourhood Development Plan 2020–2037, April 2021;
  - the map on page 3 of the submitted Plan, which identifies the area to which the proposed Neighbourhood Development Plan relates;
  - the Consultation Statement, March 2021;
  - the Basic Conditions Statement, April 2021;
  - all the representations that have been made in accordance with the Regulation 16 consultation;
  - the Strategic Environmental Assessment and Habitats Regulations Assessment Screening Report, August 2020; and
  - the request for additional clarification sought in my letter of 9 August 2021 and the responses of 20 August from CPC and 23 August from WBDC.<sup>5</sup>

### *Site Visit*

- 2.4 I made an unaccompanied site visit to the CNDP area on 30 July 2021 to familiarise myself with it and visit relevant locations referenced in the Plan and evidential documents.

### *Written Representations with or without Public Hearing*

- 2.5 This examination has been dealt with by written representations. I considered hearing sessions to be unnecessary as the consultation responses clearly articulated the objections to the Plan and presented arguments for and against the Plan's suitability to proceed to a referendum. No requests for a hearing session were received.

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<sup>4</sup> There is also the retained South East Plan Policy NRM6: Thames Basin Heaths Special Protection Area.

<sup>5</sup> View at: <https://info.westberks.gov.uk/comptonnp>

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## *Modifications*

- 2.6 Where necessary, I have recommended modifications to the Plan (**PMs**) in this report in order that it meets the Basic Conditions and other legal requirements. For ease of reference, I have listed these modifications separately in the Appendix to this report.

## **3. Procedural Compliance and Human Rights**

### *Qualifying Body and Neighbourhood Plan Area*

- 3.1 The Compton Neighbourhood Development Plan has been prepared and submitted for examination by CPC, which is a qualifying body. The CNDP extends over all the Compton Parish. This constitutes the area of the Plan designated by WBDC on 11 January 2017.

### *Plan Period*

- 3.2 The Plan specifies the Plan period as 2020 to 2037.

### *Neighbourhood Plan Preparation and Consultation*

- 3.3 The comprehensive Consultation Statement (CS) indicates the process of the preparation of the Plan which was aided by creating a specific web site and using Facebook and the Parish magazine. A drop-in session was held to launch the Plan on 20 May 2017, together with the distribution of a questionnaire. The Steering Group subsequently formed has met 38 times.
- 3.4 A further questionnaire was distributed in February 2018 resulting in a response rate of 64%, with responses being presented at a village fete in July 2018. Working Groups were created in September 2018 to consider five themes. Workshops were held in January and June 2019 to discuss and draft the vision and objectives and to update the progress of the Working Groups. The outcomes were presented at the village fete in 2019. In the meantime, the West Berkshire Council had defined the site of the former Pirbright Institute<sup>6</sup> under Policy HSA 23 in the West Berkshire Housing Site Allocations DPD for approximately 140 dwellings. An Interim Policy Statement on how the CNDP might deal with the Pirbright site was produced by the Parish Council in September 2019.
- 3.5 The Pre-Submission Plan was published for consultation under Regulation 14 of the 2012 Regulations on 9 November 2020 for a period of six weeks until 21 December 2020. Appendix 10 of the CS lists the many elements of the communication strategy to consult stakeholders and members of the public. Table 1 of Appendix 10 of the CS lists the organisations who

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<sup>6</sup> Formerly the Institute for Animal Health (IAH).

were consulted. The responses and action taken with regard to the consultation are included on pages 192 – 218 of the CS.

- 3.6 The Plan was finally submitted to WBDC on 6 May 2021. Consultation in accordance with Regulation 16 was carried out from 4 June 2021 until 16 July 2021. 19 responses were received. I am satisfied that a transparent, fair and inclusive consultation process has been followed for the CNDP, that has had regard to advice in the PPG on plan preparation and is procedurally compliant in accordance with the legal requirements.

#### *Development and Use of Land*

- 3.7 Subject to the making of **PM6** (see paragraph 4.21 below), the Plan sets out policies in relation to the development and use of land in accordance with s.38A of the 2004 Act.

#### *Excluded Development*

- 3.8 The Plan does not include provisions and policies for 'excluded development'.

#### *Human Rights*

- 3.9 The Basic Conditions Statement (BCS) advises no issues have been raised in relation to the possible contravention of Human Rights in the preceding consultations and, given the conclusions on the Plan's general conformity with the strategic policies of the Development Plan and regard to national planning policy, it is reasonable to conclude that the making of the Plan should not breach human rights. The CS indicates the considerable emphasis which was placed throughout the consultation process to ensure that no sections of the community were isolated or excluded. I have considered this matter independently and I have found no reason to disagree with the Parish Council's position and I am satisfied that the policies will not have a discriminatory impact on any particular group of individuals.

## **4. Compliance with the Basic Conditions**

#### *EU Obligations*

- 4.1 The CNDP was screened for Strategic Environmental Assessment (SEA) and Habitats Regulations Assessment (HRA) by WBDC. The details were submitted with the Plan in accordance with the legal requirement under Regulation 15(e)(i) of the 2012 Regulations.<sup>7</sup> As a result of the assessment, it was initially concluded that an SEA was not necessary because it had been demonstrated that there will be no significant

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<sup>7</sup> Strategic Environmental Assessment and Habitats Regulations Assessment Screening Report, August 2020.

environmental effects as a result of the CNDP. In addition, it was also initially concluded that a HRA was not necessary because there were no internationally designated sites within or adjacent to the CNDP area. Following consultation with the three statutory bodies, the Environment Agency,<sup>8</sup> Historic England<sup>9</sup> and Natural England<sup>10</sup> agreed with those conclusions.

- 4.2 Having read the SEA and HRA Screening Assessment Report and the other information provided, and considered the matter independently, I also agree with those conclusions. Therefore, I am satisfied that the CNDP is compatible with EU obligations.

### *Main Issues*

- 4.3 Having considered whether the Plan complies with various procedural and legal requirements, it is now necessary to deal with whether it complies with the remaining Basic Conditions, particularly the regard it pays to national policy and guidance, the contribution it makes to the achievement of sustainable development and whether it is in general conformity with strategic development plan policies. I test the Plan against the Basic Conditions by considering specific issues of compliance of all the Plan's policies.
- 4.4 As part of that assessment, I consider whether the policies are sufficiently clear and unambiguous, having regard to advice in the PPG. A neighbourhood plan policy should be drafted with sufficient clarity that a decision maker can apply it consistently and with confidence when determining planning applications. It should be concise, precise and supported by appropriate evidence.<sup>11</sup>
- 4.5 Accordingly, having regard to the Compton Neighbourhood Development Plan, the consultation responses, other evidence<sup>12</sup> and the site visit, I consider that the main issues in this examination are whether the CNDP policies (i) have regard to national policy and guidance, (ii) are in general conformity with the adopted strategic planning policies and (iii) would contribute to the achievement of sustainable development? I shall assess these issues by considering the policies within the themes in the sequence in which they appear in the Plan.

### *Vision and Objectives*

- 4.6 The gist of the vision for the CNDP is to have enabled self-sustaining development in a way which retains the rural character and beauty of the village within the North Wessex Downs AONB, allowing people to live,

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<sup>8</sup> Response from the Environment Agency, dated 7 August 2020.

<sup>9</sup> Response from Historic England, dated 28 July 2020.

<sup>10</sup> Response from Natural England, dated 6 August 2020.

<sup>11</sup> PPG Reference ID: 41-041-20140306.

<sup>12</sup> The other evidence includes the responses from CPC and WBDC dated 20 and 23 August respectively to the questions in my letter of 9 August 2021.

work and play in the village for the whole of their lives, in addition to providing for long-term sustainability and significant adaptation to low carbon lifestyles. The full Vision Statement is on page 16 of the Plan. The vision was then used to produce a set of ten objectives, from which the twenty three policies were developed and grouped into seven themes: Key Policies, including Climate Change; Housing and Development; Business and Employment; Community, Education Facilities and Wellbeing; Local Environment; Roads and Transport; and Infrastructure Contributions.

#### *Key Policies (Policies C1, C2, C3 & C4)*

- 4.7 Policy C1 supports infill development within the settlement boundary of Compton, as defined by the West Berkshire Core Strategy, subject to six criteria, the third of which is where (it) conserves and enhances heritage assets and their settings. I shall recommend a minor modification to qualify enhancement by where it would be appropriate. I shall also recommend modifying the final sentence so that the exceptions to development in the open countryside refer to national guidance, rather than the non-strategic policies of the HSADPD. The policy would then have regard to national guidance,<sup>13</sup> generally conform with Policy CS 1 of the WBCS and meet the Basic Conditions. **(PM1)**
- 4.8 Policy C2 supports the development of the Pirbright Site Allocation HSA23 in the HSADPD provided that the quantum of residential development remains for approximately 140 dwellings in Area B and C delineated in Figure 4 of the Plan, with no development in Area A.<sup>14</sup> The policy has regard to national guidance,<sup>15</sup> generally conforms with Policy CS 1 of the WBCS and Policy HSA 23 of the HSADPD and meets the Basic Conditions.
- 4.9 Policy C3 seeks the provision of well-designed energy efficient buildings and places. In their response of 20 August 2021, CPC helpfully indicated the origins of the achievement of 19% improvement on the carbon emissions target.<sup>16</sup> The policy has regard to national guidance<sup>17</sup> and generally conforms with Policy SP 5 of the emerging WBLPR, as does Policy C4 which supports district heating in major new development. Both policies meet the Basic Conditions.

#### *Housing and Development (Policies C5, C6, C7, C8 & C9)*

- 4.10 Policy C5 considers the mix and tenure of affordable homes in HSA 23 at Pirbright. The policy has regard to national guidance,<sup>18</sup> generally conforms

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<sup>13</sup> PPG: Reference ID 18a-002-20190723; NPPF: paragraph 80.

<sup>14</sup> Areas A, B and C on Figure 4 are derived from the Pirbright Institute Site, Compton Supplementary Planning Document (SPD) September 2013 and also referred to in Policy HSA 23 of the Housing Site Allocations DPD, adopted in 2017.

<sup>15</sup> NPPF: Delivering a sufficient supply of homes.

<sup>16</sup> Code for Sustainable Homes Technical Guide Code Addendum (2014) England: DCLG page 32.

<sup>17</sup> NPPF: paragraph 154.

<sup>18</sup> NPPF: paragraph 62.

with Policy CS 4 of the WBCS and Policy HSA 23 of the HSADPD and meets the Basic Conditions.

- 4.11 Policy C6 seeks the retention and refurbishment of the hostel complex. Although the hostel complex was outside the area defined for development in the Pirbright Institute Site SPD 2013, it was included inside the site boundary and shown as part of the area for development in Policy HSA 23 of the HSADPD. Policy HSA 23 also refers to the hostel in that should it come forward for development in a timely manner with the allocated site, it must form an integrated element of the developable area. However, there is no indication whether redevelopment or retention/refurbishment is preferred. In my opinion, the loss of the hostel, if it is in a condition worthy of retention, would be regrettable due to the capital investment it represents and the opportunity it presents for a specific type of accommodation.
- 4.12 Nevertheless, I appreciate the comments of Homes England in its Regulation 16 consultation response that the re-use of the buildings would be challenging and that potential developers have expressed a preference for demolition over retention. Therefore, I shall recommend modifying Policy C6 by the addition of a qualification aiming to ensure that the viability and deliverability of a scheme is not threatened by the retention and refurbishment of the hostel. **(PM2)** The policy would then have regard to national guidance,<sup>19</sup> generally conform with Policy HSA 23 of the HSADPD and meet the Basic Conditions.
- 4.13 Policy C7 provides for a range of house sizes and requires single storey homes, designed to M4(2) Category 2: Accessible and adaptable buildings, to be located within Area B in order to assist in the transition from the built-up area of the Pirbright site to the countryside. I agree that the density of HSA 23 would make it possible to deliver a range of homes, including accessible and adaptable housing designed to M4(2) Category 2 standard, as well as 3 to 5 bedroomed homes in larger plots.
- 4.14 Whereas there may be merit in locating single storey dwellings near the northern edge of Area B for landscape reasons. However, as indicated in paragraph 11.11 of the Plan, accommodation for older people should provide a safe and convenient approach route into and out of the home and outside areas. In addition, as foreshadowed in my questions to CPC, I believe consigning older people, likely to be less dependent on a car, to the northern margins of the development, places them further from public transport opportunities and any central village services.
- 4.15 Accordingly, I shall recommend modifying the policy so that a balance is sought between any desirability to develop Area B with single storey dwellings and the need for such accommodation to be built in a more convenient location to help older people to have access to services and

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<sup>19</sup> NPPF: paragraph 120.

facilities. **(PM3)** Policy C7 would then have regard to national guidance,<sup>20</sup> generally conform with Policy HSA 23 of the HSADPD and thus meet the Basic Conditions.

4.16 Policy C8 deals with design and indicates a tabulated set of parameters. The policy has regard to national guidance,<sup>21</sup> generally conforms with Policy CS 14 of the WBCS and meets the Basic Conditions, subject to the inclusion of references to beautiful places and the National Model Design Code. **(PM4)**

4.17 Policy C9 considers a design framework for HSA 23 and anticipates the preparation of a design brief or masterplan. The policy has regard to national guidance,<sup>22</sup> generally conforms with Policy GS 1 of the HSADPD and CS 14 of the WBCS and meets the Basic Conditions, subject to updating the reference to Building for Life and the removal of the inappropriate final sentence recommending suitably qualified design professionals from the policy to the reasoned justification. **(PM5)**

#### *Business and Employment (Policies C10 & C11)*

4.18 Policy C10 aims to protect small-scale employment sites. Policy C11 seeks the development of an enterprise hub in HSA 23 based on the re-use of existing buildings. I note the policy states that there is a preference for the re-use of existing buildings and that any proposals for new employment buildings should demonstrate why this is essential. Each policy has regard to national guidance,<sup>23</sup> generally conforms with Policy CS 10 of the WBCS and meets the Basic Conditions.

#### *Community, Education, Facilities and Wellbeing (Policies C12, C13, C14 & C15)*

4.19 Policy C12 resists the loss of existing community facilities. The policy has regard to national guidance,<sup>24</sup> generally conforms with Policy HSA 23 of the HSADPD and meets the Basic Conditions.

4.20 Policy C13 seeks to retain, renovate and enhance the community uses in HSA 23 at the Piglets Day Nursery, the Pickled Pig complex and the Cricket Ground. The loss of any existing community uses would be resisted under Policy C12, whereas the use of the Piglets Day Nursery as a replacement Pre School venue which currently operates at the village hall is a proposal which the Plan cannot deliver, particularly with the lack of a promoter. Similarly, the future of the Pickled Pig complex as proposed in the Plan would depend on there being a willing landowner or promotor of which there are no indications.

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<sup>20</sup> NPPF: paragraphs 60 & 62.

<sup>21</sup> NPPF: Achieving well designed places.

<sup>22</sup> NPPF: paragraphs 126–130.

<sup>23</sup> NPPF: paragraphs 81, 84 & 85.

<sup>24</sup> NPPF: paragraphs 92 & 93.

- 4.21 However, the justification in the Plan at paragraphs 14.7 and 14.8 shows the value the Piglets Day Nursery and Pickled Pig complex would be if used as community facilities. The use of the Cricket Ground as open space would be facilitated by its definition as Local Green Space (LGS) in Policy C16 of the Plan, but whether it is used for cricket is not a land use planning matter. Therefore, I shall recommend the deletion of the three bullet points from Policy C13 and moving them to Non-Planning Actions on page 56 of the Plan where they could become Objective C.
- 4.22 I shall recommend the retention of the remainder of Policy C13 so that any replacement of the Piglets Day Nursery and Pickled Pig complex with a newer purpose-built facility is subject to the criteria currently in the Plan. **(PM6)** The policy would then have regard to national guidance,<sup>25</sup> generally conform with Policy HSA 23 of the HSADPD and meet the basic Conditions.
- 4.23 Policy C14 aims to retain existing open space and recreation facilities and has regard to national guidance,<sup>26</sup> generally conforms with Policy CS 18 of the WBCS and meets the Basic Conditions. Policy C15 considers public rights of way and also has regard to national guidance,<sup>27</sup> conforms with Policy CS 18 of the WBCS and meets the Basic Conditions.

#### *Local Environment (Policies C16, C17 & C18)*

- 4.24 Policy C16 defines seven Local Green Spaces. As explained in the NPPF, LGS designation should only be used where the green space is: a) in reasonably close proximity to the community it serves; b) demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife; and c) local in character and is not an extensive tract of land.<sup>28</sup> Having seen each LGS when I visited the area, I agree that the seven sites should be designated as LGS. The policy has regard to national guidance<sup>29</sup>, generally conforms with Policy CS 18 of the WBCS and meets the Basic Conditions.
- 4.25 Policy C17 requires all new development to provide a net gain in biodiversity as well as maintaining and enhancing existing on-site biodiversity assets. In order to have regard to national guidance, I shall add a short section on incorporating trees in new development, maintaining them and retaining those which exist.<sup>30</sup> The policy would then also generally conform with Policy CS 17 of the WBCS and meet the Basic Conditions. **(PM7)**

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<sup>25</sup> NPPF: paragraphs 93 & 93.

<sup>26</sup> NPPF: paragraph 99.

<sup>27</sup> NPPF: paragraph 100.

<sup>28</sup> NPPF: paragraph 102.

<sup>29</sup> NPPF: paragraph 101.

<sup>30</sup> NPPF: paragraphs 131, 174 & 179.

4.26 Policy C18 deals with sustainable drainage. I can appreciate that flooding is a key concern of the community. The policy effectively repeats parts of Policy CS 16 of the WBCS, but to have regard to national guidance should include references to flood risk from improvements in green and other infrastructure. Therefore, I shall recommend a modification of the policy which would then have regard to national guidance,<sup>31</sup> generally conform with Policy CS 16 of the WBCS and meet the Basic Conditions. **(PM8)**

#### *Roads and Transport (Policies C19, C20, C21 & C22)*

4.27 Policy C19 supports a sustainable transport network which has regard to national guidance,<sup>32</sup> generally conforms with Policy CS 13 of the WBCS and meets the Basic Conditions. Policy C20 seeks the provision of electric charging points. The policy also has regard to national guidance,<sup>33</sup> generally conforms with Policies CS 14 and CS 15 of the WBCS and meets the Basic Conditions.

4.28 Policy C21 supports the provision of new public parking in the village and Policy C22 requires new development to meet the adopted parking standards in the West Berkshire Development Plan. Each policy has regard to national guidance,<sup>34</sup> generally conforms with Policy CS 13 of the WBCS and meets the Basic Condition.

#### *Infrastructure Contributions (Policy C23)*

4.29 Policy C23 sets out priorities for contributions to local infrastructure projects and has regard to national guidance,<sup>35</sup> generally conforms with Policy CS 5 of the WBCS and meets the Basic Conditions.

#### *Overview*

4.30 Accordingly, on the evidence before me, with the recommended modifications, I consider that the policies within the CNDP are in general conformity with the strategic policies of the WBCS and HSADPD, have regard to national guidance, would contribute to the achievement of sustainable development and so would meet the Basic Conditions.

4.31 A consequence of the acceptance of the recommended modifications would be that amendments would have to be made to the explanation within the Plan in order to make it logical and suitable for the referendum. These might also include incorporating factual updates, correcting minor inaccuracies, revising references to the NPPF (2021), updated paragraph numbers and improvements suggested helpfully by WBDC and Thames Water. None of these alterations would affect the ability of the Plan to

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<sup>31</sup> NPPF: paragraph 160.

<sup>32</sup> NPPF: paragraphs 105 & 106.

<sup>33</sup> NPPF: paragraph 107 e).

<sup>34</sup> NPPF: paragraphs 107 & 108.

<sup>35</sup> NPPF: paragraph 34.

meet the Basic Conditions and could be undertaken as minor, non-material changes.<sup>36</sup>

## 5. Conclusions

### *Summary*

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

### *The Referendum and its Area*

- 5.3 I have considered whether or not the referendum area should be extended beyond the designated area to which the Plan relates. The CNDP, as recommended to be modified, has no policy or proposal which I consider significant enough to have an impact beyond the designated Neighbourhood Plan boundary, requiring the referendum to extend to areas beyond the Plan boundary. I recommend that the boundary for the purposes of any future referendum on the Plan should be the boundary of the designated Neighbourhood Plan Area.

### *Concluding Comments*

- 5.4 The Parish Council, Steering Group members, researchers and other volunteers are to be commended for their efforts in producing a comprehensive Plan which is very professionally presented with thorough accompanying documentation and in a format which is worthy of its role as part of the Development Plan. It is an extremely well structured and informative Plan which I enjoyed examining. The high quality of the Plan is demonstrated by the small number of recommended modifications (necessary to meet the Basic Conditions) to only eight of the twenty three policies. With those modifications, the CNDP will make a positive contribution to the Development Plan for the area and should enable the rural character and appearance of Compton Parish to be maintained.

*Andrew Mead*

Examiner

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<sup>36</sup> PPG Reference ID: 41-106-20190509.

## Appendix: Modifications

Proposed modification no. (PM)	Page no./ other reference	Modification
PM1	Policy C1	Amend criterion (iii) to: "conserves and, <b>where appropriate</b> , enhances heritage assets and their settings;".  Delete: "... exceptions within Policies C1–C8 of the HSADPD."  Insert: "... <b>exceptions within national guidance.</b> "
PM2	Policy C6	Add at the end of the policy: "... homes, <b>unless the viability and deliverability of the scheme would be significantly threatened.</b> "
PM3	Policy C7	Delete: "... within Area B where they are sited to assist with the transition of the development in an appropriate scale to the open countryside and beyond."  Insert: "... <b>located to balance the desirability of single storey development close to the northern boundary of the site with that of the convenience of accommodation for older people near to village facilities and services.</b> "
PM4	Policy C8	Include the phrase: "... will be expected to have high standards of design, <b>to assist in the creation of beautiful and distinctive places</b> and to reflect the guidance ...etc."  Add at the end of the policy: "... (2019) <b>and the National Model Design Code.</b> "
PM5	Policy C9	Replace: "... Building for Life ..." with "... <b>Building for a Healthy Life ...</b> ".  Delete the final sentence from the policy and include it in paragraph 12.10 of the Plan.
PM6	Policy C13	Move the three bullet points from the policy to Non-Planning Actions on page 56 of the Plan, where they should be inserted under a new " <u>Objective C</u> " (following Objective B).  Delete the policy and replace with: " <b>Any proposal to replace either the Piglets Day Nursery or Pickled Pig complex with a newer purpose-built facility will be</b>

		<b>supported on the basis that it is justifiable by a cost/benefit analysis at that time and complies with the following criteria: ....”.</b>
PM7	Policy C17	Add a third paragraph: <b>“Opportunities should be taken to incorporate trees in developments, secure appropriate measures for their maintenance and the retention of existing trees wherever possible.”</b>
PM8	Policy C18	Amend the first phrase of the policy to: <b>“New development and improvements in green and other infrastructure must manage flood risk and</b> incorporate Sustainable Urban Drainage Systems (SUDS) ...”.