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# **Report on the Puttenham Neighbourhood Plan 2016 to 2033**

**An Examination undertaken for Guildford Borough Council with the support of the Puttenham Parish Council on the submission version of the Plan.**

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Date of Report: 7 September 2020

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## **Main Findings - Executive Summary**

From my examination of the Puttenham Neighbourhood Plan (PNP/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 – the Puttenham Parish Council;
- The Plan has been prepared for an area properly designated – the Parish of Puttenham, as shown on the map at page 4 of the submitted Plan;
- The Plan specifies the period during which it is to take effect: 2016 to 2033; 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**

### *Puttenham Neighbourhood Plan 2016 to 2033*

- 1.1 Puttenham Parish, which has a population of about 600,<sup>1</sup> lies below the southwards facing slope of the Hog's Back ridge on the crest of which runs the A31. Puttenham village adjoins the B3000 which links the A31 to the A3. The village lies about 5 km to the west of Guildford and about 12 km to the east of Farnham. Godalming lies about 8 km to the south east. The Parish has an extremely attractive rural character and is within the Surrey Hills Area of Outstanding Natural Beauty (AONB) and the Green Belt.
- 1.2 The process of preparing the PNP began in 2014 with the designation of the Parish as a Neighbourhood Area and the subsequent formation of a Steering Group in 2015. A series of events were held and surveys and consultations were carried out to develop the Plan, which was then submitted to Guildford Borough Council (GBC) in February 2020. Therefore, the PNP represents about six years' work by those involved.

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<sup>1</sup> Based on 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 PNP by GBC, with the agreement of the Puttenham Parish Council (PPC).
- 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';
    - it is the only neighbourhood plan for the area and does not relate to land outside the designated neighbourhood area;

- whether the referendum boundary should be extended beyond the designated area, should the Plan proceed to referendum; and
- Such matters as prescribed in the Neighbourhood Planning (General) Regulations 2012 (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; 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 Plan does not breach the requirement of Chapter 8 Part 6 of the Conservation of Habitats and Species Regulations 2017 ('the 2017 Regulations').<sup>2</sup>

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

### *Planning Policy Context*

2.1 The current Development Plan for Puttenham Parish, excluding policies relating to minerals and waste development, is the Guildford Borough Local Plan: Strategy and Sites (LPSS) 2015 – 2034 which was adopted in April 2019. In addition, there are saved strategic policies from the Guildford Local Plan 2003 (GLP)<sup>3</sup> and, even though the South East Plan has been largely withdrawn, Policy NRM6 which deals with the protection

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<sup>2</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.

<sup>3</sup> See at [www.guildford.gov.uk/localplan/2003](http://www.guildford.gov.uk/localplan/2003).

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of the Thames Basin Heaths Special Protection Area (TBH SPA) remains part of the Development Plan.

- 2.2 The planning policy for England is set out principally in the National Planning Policy Framework (NPPF). Planning Practice Guidance (PPG) offers guidance on how this policy should be implemented. A revised NPPF was published on 19 February 2019 and all references in this report are to the February 2019 NPPF and its accompanying PPG.<sup>4</sup>

### *Submitted Documents*

- 2.3 I have considered all policy, guidance and other reference documents I consider relevant to the examination, including those submitted which comprise:
- the Puttenham Neighbourhood Plan 2016 – 2033;
  - the map on page 4 of the Plan, which identifies the area to which the proposed Neighbourhood Plan relates;
  - the Consultation Statement, dated December 2019;
  - the Basic Conditions Statement, dated December 2019;
  - all the representations that have been made in accordance with the Regulation 16 consultation;
  - the Puttenham Neighbourhood Plan Examination Statement for the examiner submitted by GBC, dated 20 April 2020;
  - the Strategic Environmental Assessment Screening and Habitats Regulations Report dated April 2019; and the Strategic Environmental Assessment and Habitats Regulations Assessment statement of determination, dated May 2020; and
  - the requests for additional clarification sought in my letter of 28 July 2020 and the prompt responses dated 29 July from GBC and 30 July from PPC.<sup>5</sup>

### *Site Visit*

- 2.4 I made an unaccompanied site visit to the PNP Area on 22 July 2020 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> NPPF: paragraph 214. The Plan was submitted under Regulation 15 to TDC after 24 January 2019.

<sup>5</sup> View at: <https://www.guildford.gov.uk/puttenham>

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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.

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

### *Qualifying Body and Neighbourhood Plan Area*

- 3.1 The Puttenham Neighbourhood Plan has been prepared and submitted for examination by PPC, which is a qualifying body. The PNP extends over all the Puttenham Parish. This constitutes the area of the Plan designated by GBC on 3 December 2014.

### *Plan Period*

- 3.2 The Plan clearly specifies the Plan period, which is from 2016 to 2033.

### *Neighbourhood Plan Preparation and Consultation*

- 3.3 The comprehensive Consultation Statement, including 11 Appendices, indicates a process of several stages of the preparation of the Plan from 20 September 2014, the date on which the PPC submitted an application to designate the Parish as a Neighbourhood Area. PPC undertook a Housing and Community Needs Survey in 2014 in association with Surrey Community Action and GBC. In May 2016 a workshop took place, which sought views about a site which had been suggested for affordable housing by Puttenham Golf Club and which resulted in a "Call for Sites" in September 2016.
- 3.4 A further workshop was held in May 2017, which set out the work by the PPC on the Plan to date and sought views on various topic areas, a draft vision, objectives and key issues. Views were sought on the sites identified for affordable housing. A subsequent letter and questionnaire were circulated to residents and businesses and placed on the PPC website, followed by a further Parish questionnaire seeking views on the principle of small affordable housing development and individual sites. The Steering Group arranged another workshop in May 2018 to coincide with the Annual General Meeting of the PPC. The Consultation Statement lists the parties with whom there has been additional engagement, including officers of GBC, Surrey County Council (SCC), the Surrey Hills AONB officer, the Green Oak Housing Association and the Puttenham and Wanborough Housing Society.
- 3.5 The draft Plan was published for consultation under Regulation 14 of the 2012 Regulations on 1 March 2019. The consultation period ran for 6 weeks until 12 April 2019. The Plan was available on the Parish Council

website. Hard copies of the Plan were available from the PCC and it could also be viewed at three locations in Puttenham. Two workshops were held at which the Plan could be discussed with members of the neighbourhood planning group. Appendix 8 of the Consultation Statement lists the numerous bodies and organisations which were directly consulted under Regulation 14. Section 4 of the Consultation Statement summarises the comments received and describes the consequent action taken about whether to alter the draft Plan. The responses are further summarised in Appendix 10 of the Consultation Statement.

- 3.6 The Plan was submitted to GBC on 19 February 2002 and the Regulation 16 consultation was carried out from 9 March 2020 to 27 April 2020. 12 responses were received. I am satisfied that a transparent, fair and inclusive consultation process has been followed for the PNP, 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 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 advises that the PNP has regard to the fundamental rights and freedoms guaranteed under the European Convention on Human Rights and complies with the Human Rights Act 1998. I have considered this matter independently and I have found no reason to disagree with that position, especially as considerable emphasis has been placed throughout the consultation process to ensure that no sections of the community have been isolated or excluded and that opportunities have been given for the community to help to shape and comment on the emerging Plan.

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

#### *EU Obligations*

- 4.1 The PNP was screened for Strategic Environmental Assessment (SEA) and Habitats Regulation Assessment (HRA) by GBC. The details were submitted with the Plan in accordance with the legal requirement under

Regulation 15(e)(i) of the 2012 Regulations.<sup>6</sup> The SEA screening assessment concluded that the policies of the Plan would not be likely to lead to significant environmental effects and, consequently, a full SEA was not required.

- 4.2 The HRA screening assessment concluded that PNP Policies P-HP1, P-HA1 and P-HA2 could have significant effects upon the TBH SPA if implemented without avoidance and/or mitigation measures, through increased recreational pressures brought about by new dwellings within 400m–5km of the TBH SPA. GBC therefore prepared an appropriate assessment which considered available mitigation measures and concluded that they would be sufficient to avoid an adverse effect on the integrity of the TBH SPA. When consulted, Natural England and Historic England agreed with the conclusions about the SEA screening assessment and Natural England agreed with the HRA appropriate assessment.<sup>7</sup> The Environment Agency did not respond to the consultation.
- 4.3 Having read the SEA and HRA Screening Opinions, the appropriate assessment and the other information provided, and considered the matter independently, I agree with those conclusions. Therefore, I am satisfied that the PNP is compatible with EU obligations.

#### *Main Issues*

- 4.4 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.
- 4.5 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>8</sup>
- 4.6 Accordingly, having regard to the PNP, the consultation responses, other evidence<sup>9</sup> and the site visit, I consider that the main issues in this examination are whether the PNP policies (i) have regard to national

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<sup>6</sup> Strategic Environmental Assessment (SEA) and Habitats Regulations Assessment (HRA) statement of determination; GBC: May 2020.

<sup>7</sup> Responses dated 3 April 2020 from Natural England; 7 April 2020 from Historic England.

<sup>8</sup> PPG Reference ID: 41-041-20140306.

<sup>9</sup> The other evidence includes the responses from GBC dated 29 July 2020 and the PPC dated 30 July 2020 to the questions in my letter of 28 July 2020.

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*

- 4.7 The vision for Puttenham is described on page 6 of the Plan which is to maintain the Parish *"as a thriving vibrant community of rural character and identity, preserving its heritage assets, Listed Buildings and Conservation Area so that it will remain a visually attractive, independent settlement, set in unspoilt, tranquil and accessible countryside, providing an excellent quality of life for residents, visitors and those who work in the parish."* The Plan then lists eight objectives in order to support the vision, with the subsequent 24 land use policies being grouped into themes of: general policies; transport and infrastructure; housing; affordable housing allocations; natural environment; built environment; and community.

### *General Policies (Policy P-GP1)*

- 4.8 Puttenham is within the Green Belt. The LPSS defines a Settlement Boundary for Puttenham which is outlined on Figure 3 of the PNP and identifies it as a village where limited infilling may occur. Policy P-GP1 has three elements, the first of which is to permit sustainable development, the second of which aims to conserve the rural landscape and the third being to consider the effects on the Surrey Hills AONB of any development proposal within, or in close proximity to the AONB. Each part of the policy has regard to national guidance<sup>10</sup> and generally conforms with the Policies S1, P1, P2 and P3 of the LPSS. Therefore, the Basic Conditions for Policy P-GP1 are met.

### *Transport and Infrastructure (Policies P-TI1, P-TI2, P-TI3, P-TI4, P-TI5, P-TI6 and P-TI7)*

- 4.9 Policy P-TI1 seeks to maximise the use of sustainable forms of transport and would require contributions to enable its provision. The policy has regard to national guidance<sup>11</sup> and generally conforms with Policies ID3 and D1 of the LPSS, subject to the following modification. The current phrasing of the policy would apply to all new development such as minor householder proposals, which would be unreasonable. Therefore, I shall recommend that the first sentence of the policy should be deleted so that the two criteria (a) and (b) would remain. Criterion (a) would still apply to circumstances where there would be a net increase in residential dwellings. **(PM1)**

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<sup>10</sup> NPPF: Section 2 Sustainable Development & paragraphs 133, 170 & 172.

<sup>11</sup> NPPF: paragraphs 102, 104 & 110.

- 4.10 Policy P-TI2 seeks to align car parking with the Surrey County Council (SCC) standards and aims to resist the loss of off-street parking. The policy has regard to national guidance<sup>12</sup> and generally conforms with Policy ID3 of the LPSS. Policy P-TI3 allocates a site for formal car parking. This policy also has regard to national guidance, subject to the inclusion of a phrase to recognise its location in the AONB.<sup>13</sup> **(PM2)** The policy also generally conforms with ID3, ID4, P1 and P4. Policy P-TI4 aims to secure electric vehicle charging points in off street locations. The policy has regard to national guidance<sup>14</sup> and generally conforms with Policy D2(1)(e) of the LPSS.
- 4.11 Policy P-TI5 supports high quality, fast telecommunications and has regard to national guidance<sup>15</sup> and generally conforms with Policies ID1 and E5(2) of the LPSS. Policy P-TI6 deals with water and waste infrastructure and has regard to national guidance<sup>16</sup> and generally conforms with Policy ID1 of the LPSS. Policy P-TI7 considers water efficiency and has regard to national guidance<sup>17</sup> and generally conforms with Policy D2(1)(d) of the LPSS. A representation from Thames Water supported the principle of Policy P-TI7, but wished to see the inclusion of a reference to BREEAM water efficiency credits in relation to refurbishments and other non-domestic development.<sup>18</sup> However, this is already included in Policy P-BE3 of the Plan. Therefore, I consider repetition here would be unnecessary duplication. In any event, the policy as drafted already satisfies the Basic Conditions. Therefore, I shall not recommend it is modified.
- 4.12 With the modifications **PM1** and **PM2** I conclude that the Transport and Infrastructure policies of the PNP meet the Basic Conditions.

*Housing (Policies P-HP1, P-HP2, P-HA1 and P-HA2)*

- 4.13 Policy P-HP1 supports proposals for affordable housing within the Puttenham Settlement Boundary or outside the Boundary under the definition of a rural exception site, subject to two criteria. The first is that the homes remain low-cost in perpetuity and they are for households with a local connection. The second criterion is to demonstrate that there is a local affordable need and that the proposal is appropriate in terms of housing size and tenure. The policy has regard to national guidance<sup>19</sup> and generally conforms with Policy H2 of the LPSS.
- 4.14 Policy P-HP2 states that new residential development within the TBH SPA 5km “zone of influence” must provide or fund Suitable Alternative Natural

<sup>12</sup> NPPF: paragraphs 102 & 105.

<sup>13</sup> NPPF: paragraphs 108, 110, 170 & 172 c) and paragraphs 143 – 146 (Proposals affecting the Green Belt).

<sup>14</sup> NPPF: paragraphs 105 e) & 110 e).

<sup>15</sup> NPPF: paragraphs 112 & 113.

<sup>16</sup> NPPF: paragraph 20.

<sup>17</sup> NPPF: paragraph 149 & PPG paragraph Ref ID: 56-013-20150327.

<sup>18</sup> Regulation 16 consultation response: Thames Water.

<sup>19</sup> NPPF: paragraphs 71 & 77.

Greenspace (SANG) and contribute towards Strategic Access Management and Monitoring (SAMM) in accordance with the GBC TBH SPA Avoidance Strategy. The policy has regard to national guidance<sup>20</sup> and generally conforms with Policy P5 of the LPSS. The policy also has regard to saved Policy NRM6 of the South East Plan.

- 4.15 The Plan defines two allocations for affordable housing at Home Farm Barns (Policy P-HA1) and a Corner of Lees Field, Seale Lane (Policy P-HA2). The site at Home Farm Barns is proposed to accommodate up to 4 affordable homes. The site contains a barn which is used for camping accommodation. Policy P-HA1 seeks to develop the barns for affordable housing whilst retaining the camping barn facility use, where feasible. The site is within Puttenham village which is washed over by the Green Belt. The policy has regard to national guidance for affordable housing and development in the Green Belt.<sup>21</sup> In addition, the policy generally conforms with Policies P2, H2, ID4 and P5 of the LPSS.
- 4.16 A representation sought the omission from the policy of the reference to the feasibility of retaining the camp site, preferring to see the Plan accepting that camping could continue.<sup>22</sup> However, given that the barns are a Grade II Listed Building and that the site is within the Conservation Area and in an Area of High Archaeological Potential, I think it is reasonable to base the continued presence of a camping facility in this location based on a feasibility study as proposed in paragraph 6.4.10 of the Plan. The policy, as drafted, would reflect that position. Therefore, I do not recommend it should be modified.
- 4.17 Policy P-HA2 proposes up to 2 affordable homes in a corner of Lees Field, Seale Lane allocated as a Rural Exception Site. The site constitutes a small corner of an agricultural field adjacent to the Puttenham Settlement Boundary. It is within the Green Belt, the Surrey Hills AONB and an Area of Great Landscape Value (AGLV). The policy has regard to national guidance<sup>23</sup> and generally conforms with Policies H2, H3, ID4 and P5 of the LPSS.
- 4.18 Representations have been submitted proposing that a site owned by the Puttenham Golf Club should be allocated for affordable housing.<sup>24</sup> The site has apparently been the subject of negotiations with the Parish Council, GBC and an appropriate developer for some time. The site was examined in the Neighbourhood Plan Site Assessment Report<sup>25</sup>, where it was recommended for inclusion for affordable housing and I note that the site was included in the version of the Plan which was prepared for consultation under Regulation 14. The site would assist in meeting the

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<sup>20</sup> NPPF: paragraph 174.

<sup>21</sup> NPPF: paragraphs 69, 71, 77, 78 & 145.

<sup>22</sup> Regulation 16 consultation response: Project Oasis North Downs.

<sup>23</sup> NPPF: paragraphs 69, 71, 77, 78 & 145.

<sup>24</sup> Regulation 16 consultation response: Puttenham Golf Club.

<sup>25</sup> Puttenham Neighbourhood Plan Site Assessment Report: January 2018: Site 1 Land on B3000 (Puttenham Golf Club).

need for up to 16 affordable homes identified in the Neighbourhood Plan Housing Report, given that the allocations at Home Farm Barns and the Corner of Lees Field, Seale Lane would only support up to 6 units.<sup>26</sup>

- 4.19 I sought clarification from the PPC about the reasons why the site was omitted from the submitted version of the Plan and was informed that it was due to highway and access concerns, accessibility to the village, loss of woodland and environment impact,<sup>27</sup> all of which, on the basis of my site inspection, I support. I consider that, in particular, the distance from the village centre and the primary school weighs heavily against allocating this site for affordable housing. Therefore, I shall not recommend the inclusion of the site at Puttenham Golf Club for affordable housing.
- 4.20 I therefore conclude that the Housing policies of the PNP meet the Basic Conditions.

*Natural Environment (Policies P-NE1, P-NE2, P-NE3 and P-NE4)*

- 4.21 Policy P-NE1 seeks to preserve and enhance the natural environment and rural character of the Parish, especially the qualities of the AONB. In addition, when proposals are made for new dwellings outside the Settlement Boundary, a Landscape and Visual Impact Assessment and a Landscape and Planting Scheme should be submitted. The policy would have regard to national guidance<sup>28</sup> and would generally conform with Policies P1 and D1 of the LPSS. However, in order to avoid ambiguity and enable effective development management, I shall recommend to delete from the policy the reference to Figure 3 in the Plan as defining the Puttenham Settlement Boundary, because as indicated by GBC, the Boundary may be altered in any subsequent version of the Guildford Borough Local Plan.<sup>29</sup> **(PM3)**
- 4.22 Policy P-NE2 aims to minimise light pollution at night and has regard to national guidance<sup>30</sup> and generally conforms with Policies P1 and D1 of the LPSS.
- 4.23 Policy P-NE3 seeks to safeguard trees and hedgerows where development is proposed and includes three separate elements. Unfortunately, there are two major deficiencies in the policy. The definition of trees and hedgerows of "special significance" is too general and subjective and would be incapable of effective development management. In addition, penalising the removal of trees of "special significance" within 12 months prior to a planning application being received would be impractical to

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<sup>26</sup> Housing Report Puttenham Neighbourhood Plan: December 2019: Conclusion and Recommendations.

<sup>27</sup> Response dated 30 July from the PPC to my question of 28 July 2020.

<sup>28</sup> NPPF: paragraphs 170 & 172.

<sup>29</sup> The Puttenham Neighbourhood Plan Examination Statement for the examiner submitted by GBC dated 20 April 2020: paragraphs 4.7 & 4.8.

<sup>30</sup> NPPF: paragraph 170.

monitor and implement, even if those trees could be retrospectively judged to have been of significance prior to felling.

- 4.24 Therefore, I shall recommend that the trees and hedgerows to be protected under this policy shall apply to those with some form of statutory protection. This would include trees which are the subject of a Tree Preservation Order and/or in the Conservation Area, Ancient Hedgerows and trees which may have been part of a landscaping scheme when development was approved. This would render clause (3) of the policy unnecessary because the trees would already be protected. However, I shall recommend the retention of the gist of clause (2) because a landscaping or planting scheme in a development proposal could extend well beyond the mere replacement of protected trees. **(PM4)** The policy would then have regard to national guidance<sup>31</sup> and generally conform with Policies D1 and ID4 of the LPSS and saved policy NE5 of the GLP.
- 4.25 Policy P-NE4 seeks to protect and enhance biodiversity within the Parish. Subject to two additions, derived from the NPPF, the policy would have regard to national guidance.<sup>32</sup> The additions would seek the establishment of an ecological network and the creation of a net gain in biodiversity. **(PM5)** The policy would generally conform with Policy ID4 of the LPSS.
- 4.26 With the modifications **PM3**, **PM4** and **PM5** I conclude that the Natural Environment policies of the PNP meet the Basic Conditions.

*Built Environment (Policies P-BE1, P-BE2, P-BE3, P-BE4 and P-BE5)*

- 4.27 Policy P-BE1 considers design. Policy P-BE2 deals with backland and infill development. Both policies have regard to national guidance<sup>33</sup> and generally conform with Policy D1 of the LPSS. Policy P-BE2 also generally conforms with LPSS Policy P2, which covers infilling in villages within the Green Belt.
- 4.28 Policy P-BE3 aims for new development to have the highest standard of energy and efficiency, the maximum carbon reduction and be water efficient. The policy has regard to national guidance<sup>34</sup> and generally conforms with Policy D1 and D2 of the LPSS. Policies P-BE4 and P-BE5 deal with the Puttenham Conservation Area and Listed Buildings respectively. Both policies have regard to national guidance<sup>35</sup> and generally conform with Policy D3 of the LPSS. They also generally conform with saved policies HE2, HE4 and HE7 of the GLP.
- 4.29 I therefore conclude that the Built Environment policies of the PNP meet the Basic Conditions.

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<sup>31</sup> NPPF: paragraph 170.

<sup>32</sup> NPPF: paragraph 170 d).

<sup>33</sup> NPPF: paragraphs 124 – 127.

<sup>34</sup> NPPF: paragraphs 131 & 150.

<sup>35</sup> NPPF: paragraphs 189 – 202.

### *Community (Policies P-RP1, P-RP2 and P-RP3)*

4.30 Policy P-RP1 seeks to avoid the loss of community facilities. The policy has regard to national guidance<sup>36</sup> and generally conforms with Policy ID4 of the LPSS. Policy P-RP2 supports the provision of new, and improvements to, facilities for sport and recreation, including at the John Green Play Area and the area alongside the football pavilion. The policy has regard to national guidance and generally conforms with Policy ID1 of the LPSS. Policy P-RP3 supports the provision of allotments in appropriate locations and has regard to national guidance<sup>37</sup> and generally conforms with Policy ID1 of the LPSS. I therefore conclude that the Community policies of the PNP meet the Basic Conditions.

### *Community Aspirational Policies*

4.31 Section 7 of the Plan is headed Community Aspirational Policies and describes nine actions which the Parish Council will take to further various aspirations. These include actions in relation to highways safety, footpaths and cycleways, parking, recreational facilities, tree planting and the identification of land for use as allotments. They are not land use policies and so do not fall within the ambit of examination. However, their presence demonstrates the benefits of the neighbourhood planning process.

4.32 Nevertheless, I consider there is scope for confusion because of the application of the term "policies" to what are effectively aspirations or actions and which, in my experience, are how they are normally defined in neighbourhood plans in order to differentiate them from the policies which will form part of the Development Plan. Therefore, I recommend that the term "Policies" is deleted from the heading and it should become Community Aspirations (or Actions) and, for similar reasons, the individual aspirations or actions should be referenced as CA rather than CP. **(PM6)**

### *Overview*

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

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<sup>36</sup> NPPF: paragraphs 83 d), 92 & 97.

<sup>37</sup> NPPF: paragraphs 91 c) & 92.

## 5. Conclusions

### *Summary*

- 5.1 The Puttenham Neighbourhood 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 PNP, and the evidence documents submitted with it.
- 5.2 I have made recommendations to modify a 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 PNP as 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 is to be commended for its efforts in producing a clear and concise Plan which was well presented. Within the comprehensive accompanying documentation, the Basic Conditions Statement was especially helpful. The Plan is very informative and I enjoyed reading it and visiting the area. I consider the high quality of the Plan is reflected in the small number of modifications which I have recommended. With those modifications, the PNP will make a positive contribution to the Development Plan for the area and should enable the rural character and appearance of Puttenham to be maintained whilst enabling sustainable development to proceed.

*Andrew Mead*

Examiner

## Appendix: Modifications

Proposed modification no. (PM)	Page no./ other reference	Modification
PM1	Policy P-TI1	Delete the first phrase "New development ... the following:".
PM2	Policy P-TI3  Bullet point (a)	Delete: "Provision of soft landscaping".  Substitute: " <b>Provision of associated hedgerow and tree planting of native species to soften the visual impact of parked vehicles within the AONB</b> ".
PM3	Policy P-NE1	Delete: "as defined on Figure 3 above".
PM4	Policy P-NE3 (1)  Policy P-NE3 (2)	Delete: "of special significance". Substitute: " <b>with statutory protection</b> ".  Amend to: " <b>Where the loss of a tree(s) or hedgerow is accepted, on-site replacement tree(s) of native species or hedges of at least the same biodiversity/arboricultural value ...</b> ".
PM5	Policy P-NE4	Add to the second sentence of paragraph 2: "Proposals should facilitate linkages between sites of high biodiversity <b>to establish coherent ecological networks that are more resilient to current and future pressures.</b> "  Add to the final sentence of paragraph 3: "... outweigh the harm caused <b>and results in a biodiversity net gain for the parish, where appropriate.</b> "
PM6	Community Aspirational Policies	Amend heading to " <b>Community Aspirations</b> ".  Amend the Aspirations references to " <b>CA1, CA2, etc...</b> ".