



Intelligent Plans
and examinations

Report on the West Clandon Neighbourhood Development Plan 2020 to 2034

An Examination undertaken for Guildford Borough Council with the support of West Clandon Parish Council on the September 2020 version of the Plan.

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Date of Report: 20 October 2021

Contents

	Page
Main Findings - Executive Summary	3
1. Introduction and Background	3
• West Clandon Neighbourhood Development Plan 2020 to 2034	3
• The Independent Examiner	3
• The Scope of the Examination	4
• The Basic Conditions	5
2. Approach to the Examination	5
• Planning Policy Context	5
• Submitted Documents	6
• Site Visit	6
• Written Representations with or without Public Hearing	6
• Modifications	6
3. Procedural Compliance and Human Rights	7
• Qualifying Body and Neighbourhood Plan Area	7
• Plan Period	7
• Neighbourhood Plan Preparation and Consultation	7
• Development and Use of Land	7
• Excluded Development	8
• Human Rights	8
4. Compliance with the Basic Conditions	8
• EU Obligations	8
• Main Issues	9
• Vision and Objectives	10
• Policy 1: Design within West Clandon Village (Settlement and Conservation Areas)	10
• Policy 2: The Strategic Site at Gosden Hill Farm	11
• Policy 3: Developments in Other Areas of the Parish	12
• Policy 4: Green Gap, Valued Landscape and Views	12
• Policy 5: Community Facilities	13
• Policy 6: Biodiversity and Environment	14
• Policy 7: Protected Green Space	14
• Policy 8: Car Parking	14
• Overview	15
5. Conclusions	15
• Summary	15
• The Referendum and its Area	15
• Concluding Comments	16
Appendix: Modifications	17

Main Findings - Executive Summary

From my examination of the West Clandon Neighbourhood Development Plan (WCNDP/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 – West Clandon Parish Council;
- The Plan has been prepared for an area properly designated – the Parish of West Clandon as shown on Map 1 on page 5 of the submitted Plan;
- The Plan specifies the period during which it is to take effect: 2020 to 2034; 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

West Clandon Neighbourhood Development Plan 2020 to 2034

- 1.1 West Clandon Parish, which in 2011 had a population of 1,363,¹ is located about 6 km to the north east of Guildford set in attractive, gently rolling countryside. The village of West Clandon, within the Metropolitan Green Belt, is built predominantly on either side of the A247, a well-used road, which links settlements to the south with the A3 and M25. Direct trains run from Clandon station to Guildford and London Waterloo.
- 1.2 The possibility of producing a neighbourhood plan for the Parish was first discussed by West Clandon Parish Council (WCPC) in 2018 and a Neighbourhood Planning Group was formed which first met in January 2019. Various consultation meetings were held and evidence gathered. The WCNDP was submitted to Guildford Borough Council (GBC) in January 2021, representing nearly three years' work for those involved.

The Independent Examiner

- 1.3 As the Plan has now reached the examination stage, I have been appointed as the examiner of the WCNDP by GBC, with the agreement of WCPC.

¹ 2011 Census.

- 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);² 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').³

2. Approach to the Examination

Planning Policy Context

- 2.1 The current Development Plan for West Clandon 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 Borough Local Plan 2003 (GBLP)⁴ and, even though the South East Plan has been largely withdrawn, Policy NRM6 which deals with the protection of the Thames Basin Heaths Special Protection Area (TBH SPA), remains as a material consideration and as part of the Development Plan.
- 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

² The existing body of environmental regulation is retained in UK law.

³ 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.

⁴ See at <https://www.guildford.gov.uk/localplan>

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 West Clandon Neighbourhood Development Plan 2020–2034, approved by WCPC, dated 9 September 2020;
 - the map on page 5 of the Plan which identifies the area to which the proposed Neighbourhood Development Plan relates;
 - the Consultation Statement, dated August 2020;
 - the Basic Conditions Statement, dated January 2021;
 - all the representations that have been made in accordance with the Regulation 16 consultation;
 - the Strategic Environmental Assessment Screening and Habitat Regulations Assessment Screening Report, dated October 2020;
 - the request for additional clarification sought in my letter of 6 September 2021 and the responses of 14 September and 19 September from GBC and WCPC; and
 - the letter of 6 September received from Barton Wilmore (on behalf of Martin Grant Homes) and my response of 9 September 2021.⁵

Site Visit

- 2.4 I made an unaccompanied site visit to the WCNDP area on 26 August 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. One request for a hearing was received. 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.

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.

⁵ View at: <https://www.guildford.gov.uk/article/25328/Neighbourhood-planning-in-West-Clandon-more-information>

3. Procedural Compliance and Human Rights

Qualifying Body and Neighbourhood Plan Area

- 3.1 The West Clandon Neighbourhood Development Plan has been prepared and submitted for examination by WCPC, which is a qualifying body. The WCNDP extends over all the West Clandon Parish. This constitutes the area of the Plan designated by GBC on 15 March 2019.

Plan Period

- 3.2 The Plan specifies the Plan period as 2020 to 2034.

Neighbourhood Development Plan Preparation and Consultation

- 3.3 The background to the Plan which is outlined in the Basic Conditions Statement (BCS) with further details in the Consultation Statement (CS), indicate the stages in the process of preparing the Plan. A residents' survey distributed in April 2019 achieved a 54% response. An informal consultation with residents took place on an initial draft Plan first published in June 2019 on the dedicated Neighbourhood Plan website. There were monthly updates on the Plan in the Parish magazine. Letters were also written to significant landowners in the Parish, to alert them to progress on the Plan. A presentation about the Plan was made at the 2019 AGM of the Clandon Society and a drop-in session was held in June 2019. A further drop-in session was held in September 2019 at which a draft Character Assessment was presented and which was available to be commented on by residents.
- 3.4 The Pre-Submission Plan was published for consultation under Regulation 14 of the 2012 Regulations on 1 February 2020 for a period of over eight weeks until 31 March 2020. Letters were also sent out to statutory undertakers and major local stakeholders including those recommended by GBC. 19 representations were received. The comments made and the responses to them are comprehensively summarised in the CS.
- 3.5 The Plan was finally submitted to GBC on 7 January 2021. Consultation in accordance with Regulation 16 was carried out from 12 May 2021 until 12 July 2021. 13 responses were received and have been submitted to me, together with a statement from GBC dated 5 August 2021. I am satisfied that a transparent, fair and inclusive consultation process has been followed for the WCNDP, 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

- 3.6 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

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

Human Rights

- 3.8 The main issues for planning in the context of human rights are: protection of property, right to respect for private and family life and prohibition of discrimination. The Basic Conditions Statement (BCS) advises that the preparation and content of the WCNDP has had regard to the fundamental rights and freedoms guaranteed under the European Convention on Human Rights and complies with the Human Rights Act. The Qualifying Body has therefore determined that the making of the Neighbourhood Plan would not breach, and is otherwise compatible with, EU obligations. I note that local landowners were specifically consulted in the preparation of the WCNDP and its policies. I have considered this matter independently and I have found no reason to disagree with the conclusion of the Qualifying Body, 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 the policies and proposals will not have a discriminatory impact on any particular group of individuals.

4. Compliance with the Basic Conditions

EU Obligations

- 4.1 The WCNDP was screened for Strategic Environmental Assessment (SEA) and Habitat Regulations 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.⁶ As a result of the assessment, it was considered unlikely that the WCNDP would require a SEA. This is primarily because the nature, scale and location of the policies within the Plan are not likely to adversely impact on any of the sensitive receptors within or around the designated Neighbourhood Plan Area.
- 4.2 There are no European sites within the WCNDP area. However, the northern and west half of the Parish lies within the 400m and 5km zone and the remainder of the Parish lies within the 5-7km buffer zone of the TBH SPA. The Plan does not allocate further development but seeks to influence the type, style, tenure and design of the previously allocated strategic development sites and any other future windfall development.

⁶ Strategic Environmental Assessment Screening and Habitat Regulations Assessment Screening Report, October 2020.

- 4.3 The Plan also proposes means by which the impact of these and other surrounding development can be mitigated. Therefore, the assessment concluded that none of the proposed policies are likely to lead to significant effects on the SPA through increased recreational pressure and thus are unlikely to have HRA implications. Accordingly, GBC has concluded that there will be no adverse effects on the integrity of the SPA as a result of the making of the WCNDP.
- 4.4 Therefore, it was considered the WCNDP did not require a full SEA or HRA to be undertaken. Historic England⁷ and Natural England⁸, when consulted, agreed with those conclusions. The response of the Environment Agency⁹ resulted in a minor alteration to the SEA and HRA Screening Report.¹⁰
- 4.5 Having read the SEA Screening and HRA Screening Report and the other information provided, and considered the matter independently, I also agree with those conclusions. Therefore, I am satisfied that the WCNDP is compatible with EU obligations.

Main Issues

- 4.6 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.
- 4.7 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.¹¹
- 4.8 Accordingly, having regard to the West Clandon Neighbourhood Development Plan, the consultation responses, other evidence¹² and the site visit, I consider that the main issues in this examination are whether the WCNDP 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

⁷ Response from Historic England, dated 23 June 2021.

⁸ Response from Natural England, dated 20 May 2021.

⁹ Responses from the Environment Agency, dated 22 June 2021 & 6 July 2021.

¹⁰ Email from Guildford Borough Council dated 6 July 2021.

¹¹ PPG Reference ID: 41-041-20140306.

¹² The other evidence includes the responses to my letter of 6 September 2021 from GBC dated 14 September and from WCPC dated 19 September.

shall assess these issues by considering the policies within the themes in the sequence in which they appear in the Plan.

Vision and Objectives

- 4.9 The vision which is stated in the Plan is: - *To achieve the sustainable, well planned and high-quality development of West Clandon in a manner which preserves and respects its rural setting, its open character and its heritage assets and which offers housing, community facilities and communications that will continue to meet the needs of all generations to the highest environmental standards.* Six objectives are then derived from the vision and grouped within the themes of Design and Development; Transport and Travel; and A Sustainable Community.

Policy 1: Design within West Clandon Village (Settlement and Conservation Areas)

- 4.10 Policy 1 supports proposals for development subject to nineteen criteria which are listed (i) to (xx). The policy has regard to national guidance,¹³ generally conforms with Policy D1 of the LPSS and meets the Basic Conditions, with the following exceptions.
- 4.11 In order to have regard to NPPF paragraph 128, I consider that criterion (i) should be amended to include reference to the National Design Guide and National Model Design Code. I also have reservations about criteria (xiv), (xvi), (xvii) and (xviii). The Plan defines Character Areas. Criterion (xiv) would only support the division of larger dwellings into smaller units or their replacement by apartments where they are in line with the criteria specified in the relevant Character Area. The Character Areas listed in Section 6 of the Plan are derived from the Character Assessment at Appendix 1. In common with the representations of GBC, I consider the requirement for a minimum number of bedrooms in criterion (xiv) could restrict the range of housing available contrary to the aim of national guidance for a broad mix of housing and also contrary to the range of accommodation needs set out in the latest Strategic Housing Market Assessment (SHMA), which includes Guildford Borough.¹⁴ WCPC has suggested a variation which would alter “minimum number” of bedrooms to “typical number” of bedrooms which would add flexibility. However, this ambiguity would lead to ineffective development management. Therefore, I shall recommend the deletion of criterion (xiv). Houses which are perceived as “too small” for a Character Area may still be refused under harm to local character in Policy 1 (i) and (xi).
- 4.12 Similarly, criteria (xvii) and (xviii) are too restrictive and also too prescriptive. The requirement to reflect prevailing house densities would not have regard to national guidance to support development which

¹³ NPPF: paragraph 127.

¹⁴ West Surrey Strategic Housing Market Assessment: Guildford Summary Report: GL Hearn October 2015.

makes efficient use of land.¹⁵ In addition, the requirement for new or replacements dwellings to be a maximum of two storeys with large back gardens based on existing plot sizes would be contrary to the advice to make efficient use of land and may conflict with criterion (i) of Policy 1 by being out of keeping with the character of a Character Area. I shall recommend the deletion of criteria (xvii) and (xviii).

- 4.13 Finally, criterion (xvi) states that development will not be supported in the Conservation Area unless exceptional circumstances are demonstrated. This does not have regard to national guidance for considering development in Conservation Areas.¹⁶ The criterion would also not generally conform with Policy D3 of the LPSS. Therefore, I shall recommend an amendment to criteria (i) and the deletion of criteria (xiv), (xvi), (xvii) and (xviii). **(PM1)**

Policy 2: The Strategic Site at Gosden Hill Farm

- 4.14 The Guildford Local Plan: Strategy and Sites Policy A25 defines an area of 89 ha as a strategic allocation at Gosden Hill Farm for residential led mixed-use development including about 1,800 dwellings. About 60% of the site is estimated to be in West Clandon Parish. Policy 2 offers support to development within the allocation subject to five criteria listed (i) to (v).
- 4.15 Criterion (i) supports improvements to the local footpath and cycle network delivered in association with the development which is consistent with Policy A25 Transport strategy requirements (6). More specifically, a route connecting Footpath 66 in West Clandon through the Gosden Hill Farm development towards Burpham is sought. The phrase to establish and safeguard a footpath route is more a Parish Action than a policy and as the route would traverse private land it cannot reasonably be delivered. Therefore, I shall recommend modifying the criterion so that, should such a link be provided, it will be supported.
- 4.16 Criterion (iii) seeks to retain established planting and trees. There could be ambiguity in trying to determine whether trees or other planting are established and, therefore, I shall recommend modifying the phrasing to state that existing trees should be retained wherever possible, which is consistent with national guidance.¹⁷ I note that representations criticise criterion (iv) for the provision of wildlife areas, but they will assist in providing a net gain for biodiversity in the development as sought by national guidance.¹⁸ Therefore, subject to the recommended modifications

¹⁵ NPPF: paragraphs 124 & 130 c).

¹⁶ NPPF: Glossary: Heritage assets include Conservation areas. Development management of heritage assets is thoroughly described in NPPF in the Sections: "Proposals affecting heritage assets" and "Considering potential impacts" and especially in, for example, paragraph 206.

¹⁷ NPPF: paragraph 131.

¹⁸ NPPF: paragraph 180.

(PM2), I consider Policy 2 has regard to national guidance,¹⁹ generally conforms with Policy A25 of the LPSS and meets the Basic Conditions. I have read the concerns of the Merrow Residents' Association about possible junctions into and link roads from the Gosden Hill Farm site but consider this is a strategic matter inappropriate for the Neighbourhood Plan to consider.

Policy 3: Developments in Other Areas of the Parish

4.17 Policy 3 considers development in other areas of the Parish such as windfall development and lists eleven criteria (i) to (xi) which have to be met in order to gain support. The policy would have regard to national guidance,²⁰ generally conform with Policy D1 of the LPSS and meet the Basic Conditions, subject to the deletion of criterion (xi) which restricts the division or replacement of larger developments into smaller units or apartments unless they are consistent with the development criteria specified in the Character Assessment. My conclusions are similar to those on criterion (xiv) of Policy 1 above. Therefore, I shall recommend the deletion of criterion (xi). **(PM3)**

Policy 4: Green Gap, Valued Landscape and Views

4.18 The first function of Policy 4 is to define a Green Gap in Policy 4 (i) and then to set out development management considerations in Policy 4 (ii). As I commented in my letter of 6 September 2021, the Green Gap covers a wide area of land to the west and north of West Clandon which is already Metropolitan Green Belt and is shown on Map 4. I consider that the Green Gap delineation is so extensive and the development management implications are so great that it is a strategic policy which is inappropriate for the Neighbourhood Plan.

4.19 Furthermore, the description of the development management criteria in Policy 4 (ii) are more restrictive than those normally applicable to the Green Belt and so do not have regard to national guidance and do not generally conform with Policy P2 of the LPSS. Therefore, I recommend that clauses (i) and (ii) are deleted and replaced by the suggestion which I canvassed in my letter of 6 September and which was supported by GBC in its response of 15 September. My suggested replacement was "*Subject to the exceptions provided by Policy P2 of the Guildford Borough Local Plan Strategy and Sites 2015-2034, development proposed which would result in a significant erosion of the separation of West Clandon and other settlements will not be supported*".

4.20 Although WCPC expressed reservations about the use of the term "significant", it is commonly used in development management to differentiate between minor effects which would hardly be discernible and those which are major and which would be obvious to all. However, I

¹⁹ NPPF: 5 Delivering a sufficient supply of homes.

²⁰ NPPF: paragraphs 126 & 130.

agree with WCPC that the identification of cumulative erosion would assist in maintaining the separation. I shall recommend an appropriate rephrasing.

- 4.21 Policy 4 (iii) supports the provision of cycle routes and footpaths around West Clandon and has regard to national guidance,²¹ generally conforms with Policy D1 of the LPSS and meets the Basic Conditions. Policy 4 (iv) seeks to avoid any new mass of development or bulky structures in this character area which cannot be applied to development in the Gosden Hill Farm strategic allocation where extensive development will occur together with associated schools. Therefore, I shall recommend excluding that area from the policy, which will enable it to have regard to national guidance,²² generally conform with Policy A25 of the LPSS and meet the Basic Conditions.
- 4.22 Policy 4 (v) provides for certain views to be protected. I agree that the Gosden Hill Farm allocation should be excluded from consideration when the policy is applied. In addition, I do not accept that certain of the views merit such special treatment. In my opinion, having observed from the various viewpoints, Views 4, 6 and 10 in Appendix 2 are not of such high quality as others in the list being of attractive but ordinary countryside or accommodation farmland. Therefore, I shall recommend the deletion of those views from the list. Furthermore, the same reservations can be directed at its restrictive nature as for Policy 4 (ii). The views overlook land in the Green Belt where certain types of development may be acceptable and so should include reference to the exceptions provided for in Policy P2 of the LPSS.
- 4.23 Accordingly, I shall recommend that the protection of the views should be incorporated into Policy 4 (i), which would then include a reference to the harmful effect of cumulative erosion. **(PM4)** Subject to the recommended modification, Policy 4 would have regard to national guidance,²³ generally conform with Policies P2 and P3 of the LPSS and meet the Basic Conditions.

Policy 5: Community Facilities

- 4.24 Policy 5 supports proposals for the improvement, expansion and redevelopment of existing and the provision of new community facilities. The policy has regard to national guidance,²⁴ generally conforms with Policies CF1 and CF2 of the GBLP and meets the Basic Conditions.

²¹ NPPF: paragraph 106.

²² NPPF: paragraph 20.

²³ NPPF: paragraph 174

²⁴ NPPF: paragraph 93.

Policy 6: Biodiversity and Environment

4.25 Policy 6 proposes measures to increase biodiversity. The policy has regard to national guidance,²⁵ generally conforms with Policy NE6 of the GBLP and meets the Basic Conditions, subject to modifications to facilitate effective development management. Policy 6 (ii) proposes nest boxes integrated into walls. This may not always be appropriate depending on height and aspect. In addition, there may be circumstances where nesting boxes for birds are incompatible with roosting boxes for bats and bricks for bees and other insects. In addition, I shall recommend a modification suggested by GBC to expand the permeability to wildlife to include walls and other barriers as well as fences. **(PM5)**

Policy 7: Protected Green Space

4.26 Policy 7 defines three Local Green Spaces (LGS). 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.²⁶ Having seen each LGS on my visit, I agree that they merit designation.

4.27 However, national guidance is that policies for development management in LGS should be consistent with those for Green Belts.²⁷ I shall recommend that this is how the policy should be phrased. **(PM6)** The policy would then have regard to national guidance, generally conform with Policy P2 of the LPSS and meet the Basic Conditions.

Policy 8: Car Parking

4.28 Policy 8 considers car parking requirements. Policy 8 (i) seeks adequate off-street parking appropriate to the needs of the household. However, as GBC indicate, the needs of a household may not be known until the development is occupied, after the planning permission has been granted. Therefore, I shall recommend the deletion of the phrase and the inclusion of the "characteristics of the development" as suggested by WCPC.

4.29 In addition, the standards sought in the policy refer to two documents with different requirements, the Guildford Borough Parking Supplementary Planning Document (SPD) and the Surrey County Council Parking Guidance for Development. This confusion would make development management unacceptably uncertain. I shall recommend, as proposed by GBC, that the Surrey County Council Parking Guidance (2018) should apply until the emerging GBC Parking SPD is adopted. **(PM7)** With the

²⁵ NPPF: paragraph 179.

²⁶ NPPF: paragraph 102.

²⁷ NPPF: paragraph 103.

recommended modification, Policy 8 would have regard to national guidance, generally conform with Policy ID3 of the LPSS and meet the Basic Conditions.

Overview

- 4.30 Accordingly, on the evidence before me, with the recommended modifications, I consider that the policies within the WCNDP are in general conformity with the strategic policies of the Development Plan for the area, 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 involve incorporating factual updates (including a revised reference to the July 2021 NPPF at paragraph 2.4 of the Plan), correcting minor inaccuracies or improvements suggested helpfully by GBC. None of these alterations would affect the ability of the Plan to meet the Basic Conditions and could be undertaken as minor, non-material changes.²⁸

5. Conclusions

Summary

- 5.1 The West Clandon 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 WCNDP, 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 WCNDP 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

²⁸ PPG Reference ID: 41-106-20190509.

on the Plan should be the boundary of the designated Neighbourhood Plan Area.

Concluding Comments

- 5.4 The Parish Council and voluntary contributors are to be commended for their efforts in producing a concise Plan efficiently, with comprehensive accompanying documentation. I enjoyed reading the Plan and the associated papers and visiting the area. With the recommended modifications, the WCNDP will make a positive contribution to the Development Plan for the area and should enable the rural character and appearance of West Clandon and its surroundings to be maintained.

Andrew Mead

Examiner

Appendix: Modifications

Proposed modification no. (PM)	Page no./ other reference	Modification
PM1	Policy 1	<p>Insert additional sentence at the end of criterion (i):</p> <p>“New developments should also take account of the National Design Guide and National Model Design Code;”</p> <p>Delete criteria (xiv), (xvi), (xvii) and (xviii).</p>
PM2	Policy 2	<p>Criterion (i) replace the second sentence with:</p> <p>“A footpath/cycleway route connecting Footpath 66 in West Clandon through Frithys and Cotts Woods through the Gosden Hill development will be supported.”</p> <p>Replace criterion (iii) with: “Existing trees should be retained wherever possible and incorporated within the development. The Ancient Woodland in Frithys and Cotts Woods should be protected.”</p>
PM3	Policy 3	Delete criterion (xi).
PM4	Policy 4	<p>Delete clauses (i), and (ii) and replace with:</p> <p>“Subject to the exceptions provided by Policy P2 of the Local Plan Strategy and Sites, development proposed which would result in significant or cumulative erosion of the separation of West Clandon and other settlements and the protected views in Appendix 2 will not be supported”.</p> <p>Amend the first sentence of criterion (iv) to: “Other than proposals within the Strategic Site at Gosden Hill Farm, the location of development which would be bulky and would visually intrude into this character area should be avoided.”</p> <p>Amend the second sentence of criterion (v) to: “Other than as provided for in Policy P2 of the Local Plan Strategy and Sites and proposals within the Strategic Site at Gosden Hill Farm, development which</p>

		<p>would cause a significant impact on the open character of these views will not be supported.”</p> <p>Appendix 2: West Clandon Protected Views</p> <p>Delete Views 4, 6 and 10 from the list.</p>
PM5	Policy 6	<p>Delete (ii) and replace with: “Proposals which include bird nesting boxes, bat roosting boxes and bee bricks will be supported, where appropriate.”</p> <p>Delete (v) and replace with: “Fences, walls and other barriers should be permeable to wildlife, where appropriate.”</p>
PM6	Policy 7	<p>Delete second sentence and replace with: “Managing development within a Local Green Space will be consistent with that for the Green Belt.”</p>
PM7	Policy 8	<p>Delete the phrase: “... appropriate to the needs of the household ...” and replace with “... characteristics of the development ...”.</p> <p>Delete the phrase “... the Guildford Borough Parking Supplementary Planning Document and Surrey County Council Parking Guidance for Development.”; and replace with “... the Surrey County Council Parking Guidance (2018) until the emerging Guildford Borough Council Parking Supplementary Planning Document is adopted.”</p>