

# **Chapter 1 – Introduction**

## 1 INTRODUCTION

### 1.1 About this Plan

1.1.1 This is the Test Valley Borough Local Plan which was adopted by Test Valley Borough Council on the 2<sup>nd</sup> June 2006. It contains proposals to guide development in the Borough to 2011 and beyond. It includes both general policies for the use and development of land and site specific proposals aimed at meeting the needs of the community whilst maintaining a high quality environment. The Plan has been published by the Council, although the transport policies and proposals have been prepared jointly with Hampshire County Council as Highway Authority. The transport element of the Plan is consistent with the County Council's Local Transport Plan.<sup>1</sup>

1.1.2 In preparing the Plan the Council has undertaken a great deal of consultation. The Council published the "Beyond 2000" series of planning briefs in May 2000<sup>2</sup>. These briefs discussed potential housing sites in Andover, Southern Test Valley and the Borough's villages. They also evaluated the various development options and outlined a number of principles for development. The comments on these briefs informed the preparation of the Initial Deposit Draft, which was published in January 2003. The Council undertook formal consultation on both the Initial and Revised Deposit Drafts and any unresolved objections were considered at a public inquiry held between September 2004 and March 2005. Following public consultation on the Proposed Modifications, which were made in the light of the Inspectors' recommendations, the Council adopted the Plan (see Figure 1.1)

1.1.3 The Local Plan has been prepared in accordance with the Hampshire County Structure Plan 1996-2011 (Review) and Regional Planning Guidance for the South East (RPG 9) (the Regional Spatial Strategy). RPG 9 is currently being reviewed and a draft of the new 'South East Plan'<sup>3</sup> has already been produced for public consultation. It is likely that the South East Plan will replace RPG 9 as the Regional Spatial Strategy before the end of the Plan period.

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<sup>1</sup> Hampshire Local Transport Plan 2001 - 2006, 2000, Hampshire County Council.

<sup>2</sup> Principles for Development; Andover - Beyond 2000; Southern Test Valley - Beyond 2000; The Villages - Beyond 2000; Evaluation of Development Options Andover and Southern Test Valley; Cycle Strategy & Network, 2000, Test Valley Borough Council.

<sup>3</sup> A Clear Vision For The South East: The South East Plan Core Document – Draft for Public Consultation January 2005, South East England Regional Assembly, 2005.

**Figure 1.1: The Local Plan Review Process**

BEYOND 2000 Published for informal consultation May 2000
Council considers comments and agrees broad strategy February 2002
Council prepares INITIAL DEPOSIT DRAFT July 2002
INITIAL DEPOSIT DRAFT Published for consultation January 2003
Council considers comments and agrees changes October 2003
REVISED DEPOSIT DRAFT Published for consultation only on changes January 2004
Council assesses representations Spring 2004
(PRE-INQUIRY CHANGES) (may be published for comment)
PUBLIC INQUIRY September 2004 – March 2005
INSPECTOR'S REPORT Produced by Planning Inspector Late 2005
Council considers recommendations in Inspector's Report Early 2006
PROPOSED MODIFICATIONS Published for consultation Spring 2006
Council considers comments Summer 2006
STATUTORY LOCAL PLAN Adopted Summer 2006

**1.2 Community and Corporate links**

1.2.1 The Local Plan has been prepared with regard to the needs of the wider community and the Council's corporate aims and objectives. The Council is committed to producing a community strategy in association with local people, local organisations, the urban and rural business community and agencies and

representatives from the voluntary sector. The Community Plan was approved by Council in December 2003. It sets out a vision for the kind of place that local people want Test Valley to be in the future and identifies the key priorities for action. The Community Plan will be important in influencing future reviews of the Local Plan or successor documents. This document sets out a number of policies which are consistent with the emerging Community Plan. The Local Plan has also been prepared with regard to current strategic guidance.

- 1.2.2 As a first step towards a community strategy the Council produced a Corporate Plan<sup>4</sup> which is a statement of its own aims, values and priorities. The Corporate Plan identifies eight key themes: improving local democracy and accountability; integrated transport; economic regeneration and development; environmental sustainability; young people; social well-being; leisure and culture; and housing and community facilities.
- 1.2.3 There are strong links between the Corporate Plan and the Local Plan, which has an important role to play in implementing many of the corporate programmes, particularly where there are land use implications. The Council is involved in a range of other activities which are covered by a number of related strategy documents. These have informed the development of the policies set out in this plan.
- 1.2.4 Other organisations, such as Hampshire County Council, have prepared related documents, such as the Structure Plan, Local Transport Plan and Hampshire Biodiversity Action Plan,<sup>5</sup> that are also relevant. All these documents have been taken into account in the preparation of the Plan and various policies and proposals have been included where there are land use implications.

### 1.3 **The Decision-Making Framework**

- 1.3.1 When finally adopted, the Local Plan will form part of the statutory Development Plan for the area. The Development Plan provides the primary basis for making planning decisions in the Borough but other material considerations also need to be taken into account. The decision-making framework also includes relevant legislation, Government advice and other policy documents prepared by the Council. The documents that make up this framework are listed in Appendix 1.

#### ***Legislation and Government Advice***

- 1.3.1 The primary legislation governing the planning process is contained in three Acts of Parliament: the Town and Country Planning Act 1990; the Planning (Listed Buildings and Conservation Areas) Act 1990; and the Planning (Hazardous Substances) Act 1990. Each of these Acts has been amended by the Planning and Compensation Act 1991 and the Planning and Compulsory Purchase Act 2004.
- 1.3.2 The Planning and Compulsory Purchase Act 2004 is particularly important as this provides the statutory basis for the 'plan-led system' of development control. Section 38(6) of this Act states 'if regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts the

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<sup>4</sup> Healthy, Wealthy and Wise: The Corporate Plan, 2000, Test Valley Borough Council.

<sup>5</sup> Hampshire Biodiversity Action Plan, 1998, Hampshire Biodiversity Partnership.

determination must be made in accordance with the plan unless material considerations indicate otherwise.<sup>6</sup>

- 1.3.3 In addition, the ODPM produces statements of planning policy, either in the form of Circulars or Planning Policy Guidance Notes (PPGs), which must be taken into account when planning decisions are made.

### ***The Development Plan***

- 1.3.4 The Development Plan in Test Valley consists of:

- The **Regional Spatial Strategy**<sup>7</sup> which sets out policies for the region as a whole;
- the **County Structure Plan**<sup>8</sup> which sets out strategic policies for the whole of Hampshire;
- the **Borough Local Plan**<sup>9</sup> which applies the broad brush policies of the Structure Plan to the Borough; and
- the **County Minerals and Waste Local Plan**<sup>10</sup> which sets out policies for minerals and waste development.

### ***Supplementary Planning Guidance***

- 1.3.5 The Local Plan is supported by more detailed Supplementary Planning Guidance for specific sites and issues. This guidance is non-statutory, but is an important material consideration in development control decisions, particularly where it has undergone public consultation. Additional guidance on specific topics and additional development briefs, setting out the principles of development for major sites, will be produced throughout the Plan period.

## **1.4 The Format of the Plan**

- 1.4.1 This plan consists of:

- **The Written Statement**, which sets out the policies and proposals and the reasoned justification for them. Each policy or proposal has a unique number, title and is shown in bold type to distinguish it from the rest of the text; and
- **The Proposals Map** which shows those areas where the policies and proposals apply. It includes a number of Inset Maps for specific areas. All maps are drawn on an Ordnance Survey base to a recognised scale. The maps are cross-referenced to the policies and proposals in the Written Statement.

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<sup>6</sup> Section 38(6) Planning and Compulsory Purchase Act 2004.

<sup>7</sup> The current regional spatial strategy is Regional Planning Guidance for the South East (RPG 9), 2001, Government Office for the South East, Government Office for the East of England, and Government Office for London. In due course this will be replaced by the South East Plan. Once the South East Plan is approved, the County Structure Plan will no longer form part of the development plan.

<sup>8</sup> The currently adopted structure plan is the Hampshire County Structure Plan 1996 - 2011 (Review), 2000, Hampshire County Council, Portsmouth City Council and Southampton City Council.

<sup>9</sup> The adopted local plan is the Test Valley Borough Local Plan, 2006, Test Valley Borough Council.

<sup>10</sup> The currently adopted minerals and waste local plan is the Hampshire, Portsmouth & Southampton Minerals and Waste Local Plan, 1998, Hampshire County Council, Portsmouth City Council and Southampton City Council.

1.4.2 The Written Statement is presented in five parts:

- **Chapters 1 and 2** provide an **introduction** to the document and set out the overall planning strategy for the Borough and the objectives that guide the detailed policies and proposals.
- **Chapters 3 to 9** contain the **core policies** against which any proposals for development will be judged. For each policy the accompanying text sets out the justification and background and provides guidance on how the policies will be applied and monitored.
- **Chapters 10 and 11** contain the Plan's **proposals** for the development and use of specific sites at Andover (Chapter 10) and in Southern Test Valley (Chapter 11).
- **Chapter 12** sets out a **sustainability appraisal** of the Plan's site specific proposals.
- **Annexes and Appendices** provide more detailed guidance on specific topics covered in Chapters 3 to 9 and a glossary of planning terms.

1.4.3 An **index** to the policies and proposals, which indicates where to find them in the Written Statement and the relevant maps, is also included.

## 1.5 How to Use this Plan

1.5.1 Some brief guidelines are set out below to help users of the Plan understand the layout of the document.

- The name and number of each chapter, annex or appendix appear at the top of each page of the Plan.
- The chapters are divided into sections by section headings. Many sections contain related policies or proposals. For example, all the policies in Section 4.2 relate to the protection of wildlife sites and species.
- Each policy or proposal is accompanied by supporting text, which provides a reasoned justification or explanation. In local plans the supporting text forms part of the statutory plan and should be read together with the relevant policy or proposal. Dotted lines make clear which paragraphs of text relate to which policy or proposal.
- Policies or proposals appear in boxes with a unique policy number (i.e. tra 01) and title (i.e. travel generating development). The policies and proposals are criteria-based and the requirements of all the criteria should be met, unless it is clear from the wording that they are alternatives.
- The supporting text also has a unique numbering system. Any comments on the Plan should refer to the relevant policy / proposal number and / or supporting text paragraph number.
- Throughout the Plan relevant factual information is summarised in figures. More detailed information, which provides background to the policies or proposals, is included in a series of annexes and appendices.

- Where the supporting text includes quotations, or refers to other documents, they are referenced in a series of footnotes giving details of the source document, year of publication and author.

## 1.6 **Applying Policies and Proposals**

- 1.6.1 The Council is required to determine planning applications in accordance with the Development Plan unless material considerations indicate otherwise and in most cases the Local Plan will be the most important document for assessing the appropriateness of any proposed development. The Regional Spatial Strategy, the Structure Plan and the Minerals and Waste Local Plan are also part of the Development Plan and have informed the development of the Local Plan. Should any inconsistencies occur between plans, the Local Plan takes precedence.
- 1.6.2 When judging the appropriateness of a proposed development, regard must be given to all the policies in the Local Plan. Proposals will be judged against each of the policies, except those that clearly relate only to a specific area (such as the countryside or town centres) which will not be affected by the proposed development. Any development proposed on an allocated site (as set out in Chapters 10 and 11) will also be judged against the relevant local plan proposal (or proposals) for that particular site.
- 1.6.3 In local plans, the policies, proposals and reasoned justification all form part of the statutory plan. The policies and proposals should, therefore, also be read with the explanatory text. The policies and proposals are criteria-based and the requirements of all the criteria need to be met, unless it is clear from the wording of the policy or proposal that they are alternatives. In the case of a discrepancy arising between the Written Statement and the Proposals Map, the Written Statement prevails over the Proposals Map.
- 1.6.4 Making planning decisions in accordance with the Plan may at times require the weighing up of different policies and proposals. Where general policies conflict with specific proposals or policy designations, the specific proposal or policy designation will take precedence. For example, within a settlement a specific proposal for open space provision will take precedence over a policy which generally permits infill development within built-up areas. In other cases, applications will be assessed on their own merits, taking into account the degree of harm and benefits to the interests of importance to which the different policies relate.

