

SNPL485112

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Neighbourhood Planning
Test Valley Borough Council
Beech Hurst
Weyhill Road
Andover
SP10 3AJ

Jon Gateley

Mountbatten House
1 Grosvenor Square
Southampton SO15 2BZ
T: +44 (0) 238 071 3900
F: +44 (0) 238 071 3901
savills.com

Email: neighbourhoodplanning@testvalley.gov.uk

Dear Sir / Madam

OVER WALLOP NEIGHBOURHOOD DEVELOPMENT PLAN (NDP) (REG 16 CONSULTATION)

I write on behalf of my client Countryside Partnerships Southern (CPS) in response to the Over Wallop Neighbourhood Development Plan (NDP), Regulation 16 consultation. CPS are broadly supportive of the plan, however, have a number of focused, but resolvable, objections to narrow elements of the draft NDP.

Background

CPS is promoting two sites in Grateley, adjacent to Over Wallop Parish, through the emerging Test Valley Local Plan. As shown below, these adjoin the railway line at Grateley Station and are known as 'Land North of Streetway Road' and 'Land North of Hill View Farm'. The strategic promotion of both of these sites is at an early stage with representations having been submitted to TVBC in previous Local Plan consultations, most recently in April 2022. We have presented the merits of the sites to Grateley PC and Over Wallop PC at two separate consultation events in October and November 2022, and we have had informal discussions with the TVBC spatial planning team.

Moving forward we intend to engage positively with the Local Plan process as the authority develops its evidence base and progresses through further consultations to submission and public examination. Forease I have attached the Vision Document included in that submission; this identifies the boundaries of the sites and describes the broad vision for these sites which have capacity to provide approximate 160 new homes alongside significant public benefits.



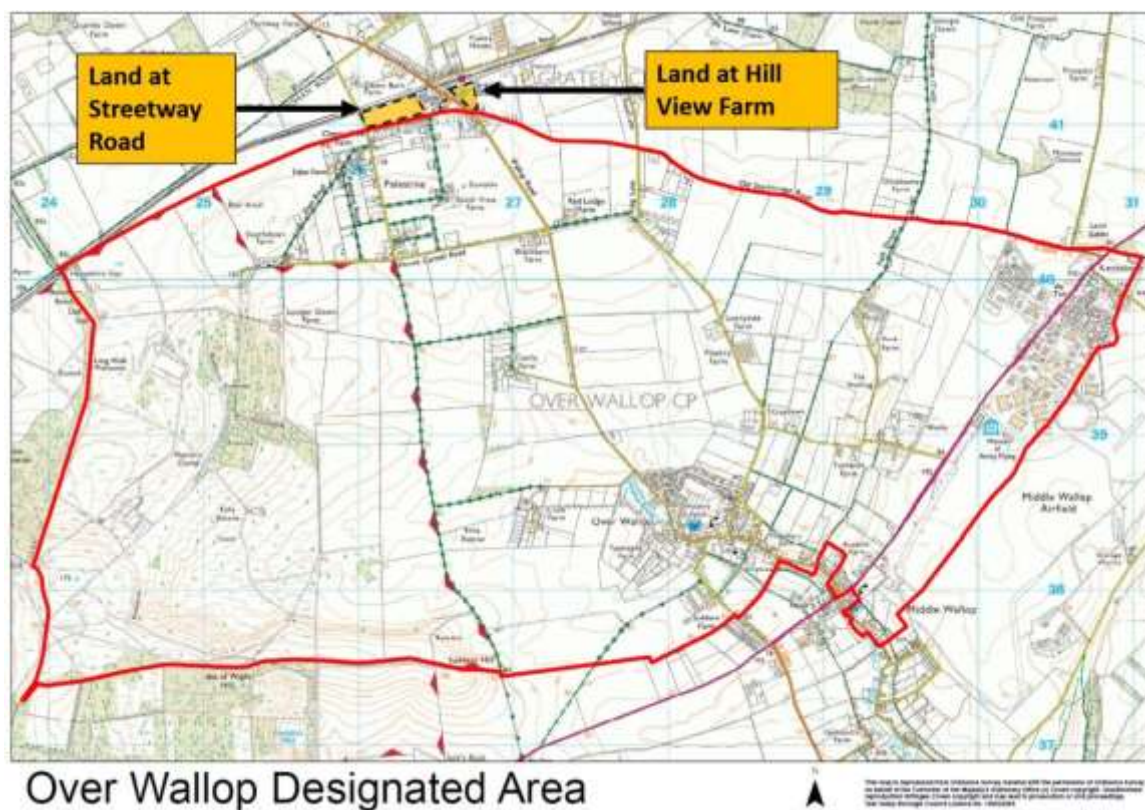
Figure 1: Location and broad concept for two promoted sites adjoining the railway at Grateley Station



Boundary considerations

Although the two proposed sites lie within the parish of Grateley, they adjoin Over Wallop parish and the roads providing vehicular access (Streetway Road and Old Stockbridge Road) lie within the parish of Over Wallop. For ease I have identified them below, overlaid on the Over Wallop Designated Area map.

Figure 2: Location of proposed development sites in relation to the Designated Area



Procedural issues and summary of our objections

Ordinarily, CPS would have no concern with the form and content of the NDP of an adjoining area, and no reason to submit representations, and I should emphasise we have no overriding objection to the plan.

However, the NDP appears to introduce policies that directly affect land beyond the formally designated boundary. We believe this is procedurally incorrect and a flaw that would make the plan fail the Basic Conditions set out in legislation.

Neighbourhood Development Plans must follow a strict process as set out in:

- the Town & Country Planning Act 1990 (as amended);
- the Planning and Compulsory Purchase Act 2004 (as amended);
- the Neighbourhood Planning (General) Regulations 2012 (as amended).

Section 61G of the Town & Country Planning Act 1990¹ sets out the process for designating 'Neighbourhood Areas', which then become the geographic extent of NDPs. As described in the Basic Conditions Statement for the Over Wallop NDP, the Neighbourhood Area application was submitted in February 2021 and in March 2021 TVBC designated the area, covering the whole of the parish of Over Wallop, as outlined in red in Figure 2 above.

Thus if made, the Over Wallop NDP would have Development Plan status only within the red line area above and is incapable of having formal status beyond that boundary. Our objections relate to the following parts of the NDP and Evidence Base, which appear to introduce policy controls / criteria **beyond that boundary**, which it cannot do:

Page number / doc reference	Policy reference
Draft NDP, page 41	Figure 5.5 – Important Views a, o, q and r, one of which (a) extends over the Streetway Road site
Draft NDP, page 42	Policy EL P4 – important views (view 'a')
Draft NDP, page 90	Figure 6.14: Character appraisal for Palestine showing 'biodiversity opportunity area' and important view over the Streetway Road site.
Evidence Base Document 5, p.28	Figure PA.2 (plan of Palestine with constraints overlaid), showing 'biodiversity opportunity area' over the Streetway Road site.

The elements of the NDP tabulated above are set out in a way that suggests they would have formal status. As set out above, this would be incorrect, and it could also cause confusion. The Consultation Statement accompanying the NDP touches briefly on this topic, as highlighted in the excerpt below:

¹ <https://www.legislation.gov.uk/ukpga/1990/8/section/61G>

Comment id	5.5 IMPORTANT VIEWS	Response/Action
1	It is encouraging to see so many views included in the list of important views. Presentation of these views will be key to preserving the character of the Parish.	Noted with thanks. No further action required.
2	Important View 7.0 shows views South/south East however no consideration has been made of views from path running along southern side of field looking back north/northwest/northeast. Views from fine acres rise and pound road will also be severely affected.	The view was revisited on the 03/05/2022. The assessment will be added to the revised NDP.
3	Good support document thank you. Please be aware there is much activity in fields by Streetway Road this week, gather with intention to apply for many houses (last	Noted with thanks. We believe this location sits within Grateley Parish and therefore outside the remit of the Over Wallop Parish NDP. The NDP Steering
24 Consultation Statement Submission Draft Version 1.1		
Consultation Statement Submission Draft Version 1.1		
Comment id	5.5 IMPORTANT VIEWS	Response/Action
	time they proposed 70)	Group will nonetheless take advice from TVBC / NDP Consultant on this matter. Over Wallop PC will respond to any future planning application and highlight any relevant NDP policies in this regard.

In the first highlighted comment above, Over Wallop PC has acknowledged that Important View 'a' is outside the remit of this NDP, but nonetheless the second highlighted comment suggests that Over Wallop PC might still employ the policy in responding to any future application.

We recognise the key role of Over Wallop PC as a local representative body, and that it will have an important voice in any future planning application, and we intend to continue positive engagement with them throughout the process. However, it remains inappropriate to adopt an NDP policy which expressly strays and seeks to impose policy restrictions to land beyond the designated boundary.

Remedy / modification

This issue can be resolved straightforwardly by means of the following:

- (1) Omitting 'Important View (a) Streetway Road, Palestine' from policy EL P4 Important Views;
- (2) Omitting 'Important View (a) Streetway Road, Palestine' from Figure 5.5;
- (3) Omitting the 'Important View' cone and 'Biodiversity opportunity area' shading from Plan PA.2 within Evidence Base Document 5;
- (4) Where necessary, adding the formal NDP boundary onto plans that do not currently show it, including Plan PA.2 above, and potentially greying-out areas beyond the designated area in the interest of clarity.

For the avoidance of doubt, we support the underlying principle of securing biodiversity gains via the NDP process. But the most deliverable means of achieving this on the land at Streetway Road will be through landscape-sensitive development with substantial planting on that site.

Whilst writing we note there are several other 'Important Views' (r, q, o) which also extend into other parishes.

We accept the Local Plan is at an early stage and that TVBC has not yet identified where it considers development should be allocated, and it has not taken a position on the CPS proposed sites. However, this is another reason why the NDP should not unduly constrain the District Council's site selection process by imposing inappropriate policy constraints beyond its administrative area.



Yours faithfully

Jon Gateley
Savills Planning

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- Vision document