

Our Ref: HP21012-B029108

7th April 2022

Dear Sir/Madam,

Planning Policy
Test Valley Borough Council
Beech Hurst
Weyhill Road
Andover
SP10 3AJ
Sent electronically only

RE: Consultation response to Test Valley Borough Council's (TVBC's) Regulation 18 Stage 1 Public Consultation on Local Plan 2040 on behalf of the Trustees of the Captain Busk Grandchildren Settlement

On behalf of our client, the Trustees of the Captain Busk Grandchildren Settlement, I write in response to the Council's Regulation 18 Stage 1 Public Consultation on Local Plan 2040. This representation will focus on sections 3 (Spatial Strategy), 4 (Strategic Policy Framework) and section 5 (Meeting our needs). This representation will also review three supporting documents: Housing Topic Paper, Spatial Strategy Topic Paper and the Settlement Hierarchy Assessment. More specifically, this representation will demonstrate that the Council should seek the dispersal of housing to smaller settlements towards the heart of Test Valley to meet local need and address issues rural areas face in regard to housing supply, affordability and ensuring the vitality of these areas. This representation will also address the public open space audit which has informed the health, wellbeing, culture, leisure and recreation objectives of the plan.

Chapter 3 and the Settlement Hierarchy Assessment

We support the comments provided in paragraph 3.18 which states that a mixture and range of sites are being considered and that national policy requires the LPA to have a minimum of 10% of their total supply to be provided by sites of 1 ha or less. We also support the statements in paragraph 3.21 which state that planning policies and decisions should be responsive to local circumstances, support housing developments that reflect local needs and identify opportunities for rural villages to grow and thrive.

The Council acknowledge that national guidance recognises that people living in rural areas face challenges in terms of housing supply and affordability and new housing can be important for the broader sustainability of rural communities. We support the aspirations of paragraph 3.22 which state that the spatial strategy identifies a distribution of development to support and sustain vibrant and healthy communities and that the focus is to support development in both urban and rural areas. We support paragraph 3.12 which recognises the need for new housing to be more widely distributed, including the provision of housing sites across rural areas and villages, such as Houghton. However,

as this representation will demonstrate, we do not believe this has materialised and are concerned the strategy still directs development away from rural areas.

We agree with paragraph 3.12 of local plan which notes that ‘much of the borough is rural and notes the challenges rural areas in TVBC face in terms of housing supply and affordability. The Council note that their strategy will ‘support these rural settlements develop’ and ‘help overcome’ the highlighted issues of housing supply and affordability. However, we do not believe the strategy does this.

In response to paragraph 3.36, we do not believe that the right approach has been taken. For example, Houghton (a rural village) has been classified as a tier 4 settlement, despite scoring 4 out of 6 for ‘key facilities’ and achieving a ‘Medium’ score for ‘good public transport service’. This causes concern as planning decisions are made based upon this tier system, in fact paragraph 5.1 states that the hierarchy is used as a ‘key delivery mechanism’. This means that villages such as Houghton, despite scoring well, will fall under a blanket categorisation of ‘unsustainable’ and therefore development will not take place in these locations. Houghton is close to Stockbridge which is the main rural settlement in the middle of the borough and we believe that Stockbridge should be further developed to reflect the services it offers and then the smaller settlements close to it should have some additional development.

A review of the Council’s settlement hierarchy shows that the Council have placed 55% of all villages and settlements within tiers 4, 5 or ‘remaining villages’. Test Valley is a unique area, where a large proportion of land is ‘rural’ compared to other authorities and many villages are likely to offer a lower number of services and facilities by default. Therefore, it is important that TVBC acknowledge this within their references to paragraphs 104 (transport infrastructure) and 105 (choice of transport) and it should be expected that most areas outside of Andover and Romsey (the Council’s primary development strategy locations) may be more reliant on car. Therefore, it should be accepted that for an appropriate distribution of housing to take place in a borough which is predominantly rural, some people may need to be more reliant on the private vehicle and the Council should recognise that the only way to make rural public transport more viable is through more people increasing the demand. The fact that the Council’s ‘key delivery mechanism for the spatial strategy’ closes off 55% of TVBC’s villages to new development causes significant concern and offers those villages little opportunity for the future generations.

We therefore agree with the Council’s comments in paragraph 2.2 of the Settlement Hierarchy Assessment which conclude that determining sustainability is ‘not a precise science’, however, more consideration should be given to the unique context of the Borough which is predominantly rural. We support the comments of paragraph 3.34 which state that consideration has been given to settlements which benefit from having access to services and facilities within a nearby settlement. We believe that rural settlements which are close to other larger settlements should be seen in a positive light for the allocation of housing. It is important to encourage development in these locations to support local facilities and services, so they remain viable. This would result in the more appropriate dispersal of

housing and enable rural villages and settlement to not rely so heavily on Andover and Romsey which are further away. This can lead to unbalanced communities which can affect services and facilities in addition to housing and employment. However, this does not seem to be reflected or demonstrated in the hierarchy. The current approach for determining sustainable locations causes concern as a site scoring well (as above) has been put into tier 4 which essentially will bar new residential development being achieved in these locations. This strategy will not allow the rural community to grow and thrive and allow local services to be supported which is contrary to paragraph 3.22 which seeks to distribute development to support and sustain vibrant and healthy communities and paragraph 79 of the NPPF.

Paragraph 2.3 of the settlement hierarchy assessment notes that the NPPF has been used as a 'starting point' for determining sustainability. However, there is no evidence that suggests the Council have undertaken any further work or thought has taken place beyond this. Paragraph 2.5 of the settlement hierarchy assessment notes that the ways communities access facilities and services has changed over time and this has been further amplified by Covid-19. We agree with this statement as people will continue to rely upon online services such as shopping and home deliveries but they will also want more local facilities to meet in their village and the only way to make these viable is through a critical mass of people. Leaving settlements like Houghton with no on-going growth or focus for development will mean the population continues to grow older, families and young people are priced out and have to move away, and the few facilities there are will close. In summary, we do not think the Council's arguments are correct and this point should be removed this from the methodology.

Chapter 4: Strategic Policy Framework

Although the Environment Act introduces a mandatory Biodiversity Net Gain requirement (paragraph 4.39) of 10%, it should be noted that this does not come into force until 2023. Paragraph 4.56 states that all major developments will be required to submit a Design Code. There is concern with this approach of applying to 'all major developments'. Major development is defined as 10+ units, it is considered that clarification is provided on what is considered major development within the context of paragraph 4.56 as a design code for 10 units would be excessive and have little benefit. This should be considered on larger sites of probably over 100 units where there is scope to have a design code that can deliver.

Chapter 5: Meeting our Needs

We are supportive of paragraph 5.3 which acknowledges that the plan should provide the right number of homes in the right locations and that there is a provision of housing that meets the needs of different groups (paragraph 5.4). Paragraph 5.7 goes on to state that a sufficient supply and mix of sites should be identified. We support these aspirations, however as highlighted in this consultation response, the Council have not enabled this to be achieved.

The housing split between Southern and Northern Test Valley is split 43% / 57% and appears to be just based on population alone, however we believe there should be additional factors incorporated into this such as affordability, site constraints and the requirement for disbursement of housing into rural areas. A local plan should be seeking to direct change and seek improved circumstances rather than just building on the status quo.

The local plan states that the housing requirement is 541 dwellings per annum, based upon the Standard Method. However, there is concern that the local plan notes that there will not be exceptional circumstances to justify a higher housing requirement, and therefore deliver a higher number of new homes. There is also concern that the local plan states that there is no evidence of any unmet housing need in neighbouring local authority areas (paragraph 5.12) which is simply wrong. The PfSH statement of common ground 2021 notes that the south Hampshire area has an unmet need of approximately 13,000 homes, TVBC are a member of PfSH and southern Test Valley therefore has a clear role in meeting some of this unmet need. Therefore, it is considered that the Local Plan does not sufficiently demonstrate the Council have undertaken their duty to cooperate with neighbouring authorities or robustly looked to see if they can assist with the unmet housing need in the area, which is contrary to paragraph 61 of the NPPF.

Spatial Strategy Topic Paper

Paragraph 3.2 of the Spatial Strategy Topic Paper notes that 'growth has been focussed at Andover and Romsey'. It is accepted that these are the most sustainable areas, however, having only 2 areas within tier 1 will not enable a good distribution of housing and Andover has now grown so expansively that it is not that sustainable if you live on the edges to travel to the centre.

Paragraph 3.15 states that it is important Neighbourhood Plans are considered in delivering the spatial strategy. However, it is not considered that the strategy has taken into account the draft Neighbourhood Plan for Houghton. A review of the Houghton Neighbourhood Plan states that approximately only half of the properties fall within the lower end of the property market (Bands A-E) compared to the Test Valley average of 83% with 47% of the properties falling within bands F-H (compared to Test Valley 17%). The Houghton Neighbourhood Plan states there is 'a preponderance of higher value property in Houghton'. The Neighbourhood Plan also states that the main reason for leaving the village was to start a first home (84% of respondents). This is a problem that 'rural' villages and settlements face, such as Houghton, which the Council have categorised into a tier 4 settlement. In summary, we do not agree that the Council have sufficiently reviewed the issues noted in the Neighbourhood Plan of Houghton and proactively tried to address them through the Local Plan. The plan will exacerbate the issues of housing that is unaffordable and families and children will have to move out of the area when they look to get on the housing ladder.

The parish survey which informed the Neighbourhood Plan stated that almost 40% of households in central rural Test Valley (such as Stockbridge) cannot afford to buy a private property, house prices have also risen by almost 18% in the last 5 years where the average house price is £788,594. It is also noted an aging population. These factors combined highlight the problems smaller villages such as Houghton are facing in providing inclusive communities and ensuring the sustainability and viability of services within it. This runs contrary to the Council's vision noted in paragraph 3.12 where it is stated that there is a need to provide for a supply of homes to meet the community's needs of the Borough and tackle the issues of affordability in the rural area.

Paragraph 4.7 notes that option F presents 'the greatest opportunities to contribute to supporting housing need across all communities and parishes'. Despite this, TVBC have discounted this approach as they believe this will have poorer implications for the mitigation of climate change and the rural landscape character, including the AONB. We object to these comments. Rural sites are capable of providing mitigation for climate change just as much as sites within Romsey and Andover. There are many mitigation approaches such as PV and fabric first design which can be adopted regardless of a site's rural location. The Council's comments appear to be simply made on the assumption that rural sites will be more dependent on the car. Whilst this may be true, this is only one factor. It should also be noted that rural sites likely provide a better result for nutrient neutrality as sites are taken out of agricultural use. The Council should reconsider the options (A,B,C,D,E,F) and proceed with an option which better distributes housing into rural areas as supported by paragraph 79 of the NPPF and the Council's own aspirations, although all evidence in the local plan consultation indicates this will not be achieved.

Paragraph 5.2 lists the overarching objectives for maintaining and enhancing a sustainable and attractive borough. For example; integrating ecological networks and improving biodiversity, creating safe, green places, promoting access to the countryside and enhancing landscape character. These objectives are arguably more likely to be achieved in sites with 'rural' locations and less likely to be achieved in and around town centres. It is not appropriate to discount sites that 'provide the greatest opportunity to contribute to supporting housing need across all communities' purely on the assumption that residents would be making longer vehicle trips. Therefore, the chosen spatial strategy option discounts rural sites which further contravenes with the strategy for disperse housing into the rural area.

Despite the above, we are supportive of **part** of option E which states that distributing development in order to support the largest settlements in the Borough will *include incorporating more rural locations*. However, the strategy doesn't make clear which areas these are or how they will be determined and therefore this is unclear. This also presents some concern as most of the rural areas have been already discounted through the settlement hierarchy approach (55% of villages and settlements).

Paragraph 5.5 (paragraph 3.9 of the local plan) notes a hybrid strategy has been adopted. This includes concentrating development in towns of Andover and Romsey and distributing development to support

the largest settlements and concentrating development at key economic and employment areas. A hybrid approach is supported in principle, however the Council's chosen hybrid method ultimately still results in development being focused away from the more rural areas. Therefore, the method is not flexible or hybrid in nature in its role in the distribution of housing across the borough.

Public Open Space

Paragraph 2.49 of the Plan notes the importance of access to open spaces and how these provide benefits to health and wellbeing. The Council state that the Public Open Space Audit provide detailed evidence on the needs and requirements, the Plan seeks to protect these facilities. The benefits of public open spaces are not contested, however it is considered that a site's inclusion or reference within a Public Open Space Audit should not be given an automatic protection in the local plan. It should be noted that not all areas of open space provide significant benefit and this should be considered further where the plan seeks to rely upon the Public Open Space Audit. For example, land at Houghton Allotments is included in the 2018 Audit (although not referenced in 2019 Audit), but the land is in private control, is under no obligation to provide public access and could be reinstated as another use at any time. This site is not owned by the Parish or Council and does not form a statutory site under the Allotments Act 1925. This means that the site does not benefit from special protection. The Public Open Space Audit should be the first step but there then needs to be a qualitative assessment applied as to the benefit of the land.

Conclusion

In summary, we strongly support the decision to better distribute development throughout the borough, especially within rural areas where the socio-economic issues in relation to affordability and sustainability are most relevant and at most risk going forward. Settlements such as Stockbridge and the villages contained within such as Houghton are vital locations, located in close proximity to the key service centre and the provision of housing would help sustain the remaining services and facilities and support new ones. However, the Council's current strategy does not achieve this, the strategy will concentrate development in and around Andover and Romsey which severely limits the growth of rural settlements which runs contrary to the NPPF which notes that LPAs should deliver a wide choice of quality new homes. As noted in this representation, TVBC have placed 55% of villages and settlements within tiers which will essentially bar new residential development to take place in these areas. TVBC acknowledge that much of the borough is rural however the method of determining sustainability does not take into account the rural context of the Borough. For example, Houghton scored 4 out of 6 for key facilities and achieved a 'medium' score on good public transport service. Within the context of a very rural borough, villages like Houghton which score well should be given more thought, however it appears that the Council have not taken the rural context into account and have placed Houghton in tier 4. The local plan simply acknowledges the associated challenges with supply and affordability in rural areas but has not acted sufficiently to address them.

We would like to highlight the requirements set out in paragraph 35 of the NPPF which details what requirements need to be met for the local plan to be found 'sound'. The tests for soundness set out in the NPPF are:

- a) **Positively prepared** – providing a strategy which, as a minimum, seeks to meet the area's objectively assessed needs; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;
- b) **Justified** – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;
- c) **Effective** – deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and
- d) **Consistent with national policy** – enabling the delivery of sustainable development in accordance with the policies in this Framework.

It is considered that the Plan in its current form would fail to meet the above tests. This representation has highlighted areas of support for the local plan 2040 and but has highlighted aspects that need further review and change. For the reasons set out in this letter, it is vital that the Council adopt a better approach and strategy to ensuring the dispersal of housing, especially to rural areas.

Finally, should you require any further clarification on any of the matters raised in this response please contact me on [REDACTED] or by email at [REDACTED]

Yours faithfully,

[REDACTED]

Dr Chris Lyons

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