

# Test Valley Borough Council Consultation for Local Plan 2040 Regulation 18 Stage 2

## COMMENTS FORM

Test Valley Borough Council has published its Local Plan 2040 Regulation 18 Stage 2 document for public consultation. This consultation document sets out a vision for Test Valley up to 2040, objectives for achieving this vision, our development needs alongside allocations for residential and employment development and theme-based policies.

The consultation period runs from Tuesday 6<sup>th</sup> February to noon on Tuesday 2<sup>nd</sup> April 2024. Please respond before the close of the consultation period so that your comments may be taken into account.

You can respond to our consultation by filling out the form below. This form has two parts:

Part A: Your Details

Part B: Your Comments (please fill in a separate sheet for each comment you wish to make)

Further information can be found on our website at:

[www.testvalley.gov.uk/localplan2040](http://www.testvalley.gov.uk/localplan2040)

Once the form has been completed, please send to [planningpolicy@testvalley.gov.uk](mailto:planningpolicy@testvalley.gov.uk) below by **noon on Tuesday 2<sup>nd</sup> April 2024**.

Following receipt of your comments from, we will keep you informed of future consultation stages unless you advise us that you want to opt out of such communication.

If you are unable to send via email, please send a postal copy to our address below.

### Contacting us

Planning Policy and Economic Development Service  
Test Valley Borough Council  
Beech Hurst  
Weyhill Road  
Andover  
SP10 3AJ

Tel: 01264 368000

Website: [www.testvalley.gov.uk/localplan2040](http://www.testvalley.gov.uk/localplan2040)

Email: [planningpolicy@testvalley.gov.uk](mailto:planningpolicy@testvalley.gov.uk)



## Part A: Your Details

Please fill in all boxes marked with an \*

Title* Mr/Mrs/Miss/Ms/Dr/Other (please state)	Mrs	First Name*	Alexandra
Surname*	Webb		
Organisation* (If responding on behalf of an organisation)	Southern Planning Practice Ltd		

Please provide your email address below:

Email Address*	
-------------------	--

Alternatively, if you don't have an email address please provide your postal address.

Address*			
	Postcode		

If you are an agent or responding on behalf of another party, please give the name/ company/ organisation you are representing:

Mr James Painter
------------------

### Personal Details and General Data Protection Regulation

Please note that representations cannot be treated as confidential. If you are responding as an individual, rather than as an organisation, we will not publish your contact details (email/ postal address and telephone number) or signatures online, however the original representations will be available for public viewing at our offices by prior appointment.

All representations and related documents will be held by the Council until the Local Plan 2040 is adopted and the Judicial Review period has closed and will then be securely destroyed.

The Council respects your privacy and is committed to protecting your personal data. Further details on the General Data Protection Regulation and Privacy Notices are

available on our website here:  
<http://www.testvalley.gov.uk/aboutyourcouncil/accesstoinformation/gdpr>

## Part B: Your Comments

Please use the boxes below to state your comments. This includes one box for general comments and another for specific comments related to an area of the Local Plan.

Insert any general comments you may have that do not relate to a specific paragraph number or policy in the general comments box below.

If you are suggesting a change is needed to the draft Local Plan or supporting document, it would be helpful if you could include suggested revised wording.

If you are commenting on a document supporting the draft Local Plan (such as a topic paper, or the Sustainability Appraisal), please indicate so.

General
<p><b>Please see submitted representations.</b></p>

For specific comments, please make it clear which paragraph, policy or matter your comments relate to where possible. Please use the box below.

If you are suggesting a change is needed to the draft Local Plan or supporting document, it would be helpful if you could include suggested revised wording.

Paragraph Ref	Specific Comments
	<p><b>Please see submitted representations.</b></p>

### **What happens next?**

All valid responses received within the consultation period will be acknowledged and you will be given a reference number. Please quote this reference number when contacting the Council about the Local Plan 2040. If you have an agent acting on your behalf, correspondence will be sent directly to your agent.

All responses received will be taken into account as part of the preparation of the Local Plan 2040.

## Representations on the Draft Test Valley Borough Local Plan 2040 Regulation 18 Stage 2

These representations have been prepared by Southern Planning Practice Ltd on behalf of Mr J Painter in response to the current consultation on the Draft Local Plan 2040 (hereinafter referred to as the DLP) and the draft policies in relation to the spatial strategy, re-use of buildings in the countryside, rural diversification and employment sites in the countryside along with other matters.

### Chapter 3: Spatial Strategy

#### Spatial Strategy Policy 4 (SS4) Rural Housing Requirement

The housing requirements for rural areas are set out under this draft policy. The rural housing requirement for both Northern Test Valley (NTV) of 260 homes and Southern Test Valley (STV) of 282 homes, totals 542 homes.

#### Policy 5 (SS5): Neighbourhood Development Plan Housing Requirements

This draft policy sets out how some of the rural housing requirement is to be delivered through the provisions as set out under made Neighbourhood Development Plans (NDPs). However, such provisions are relatively small scale (one neighbourhood proving 40 dwellings and the others only providing 10-20 dwellings.) The total requirement is 40 for NTV and 70 for STV. This leaves a shortfall of 220 homes for NTV and of 212 homes for STV. The minimum housing requirement for areas should be a minimum of 20 homes.

The only mechanism for delivering the current shortfall housing in rural areas, outside NDPs, is through community led development (draft policy HOU2). This policy will not allow for the delivery of residential development, particularly market housing, in rural areas in the short term. It is clear through the shortfall identified under SS5 that there is a need for the development of housing. It is therefore unnecessary for this to be proven again under criteria a) of this policy. Given the remaining shortfall, it should be easier to facilitate all types of new housing development in such neighbourhoods, where the need and shortfall of rural housing has clearly already been identified.

As mentioned in paragraph 3.86 of the policy commentary for SS5; “national policy places a duty on the council to provide a housing requirement for each designated neighbourhood area which reflects the overall strategy for the pattern and scale of development for the area and any relevant allocations. Non-strategic requirements for each active designated area are therefore set out in Policy SS5”. It appears that the policy merits and wording of SS5 does not take into account those areas which may have a ‘designated neighbourhood area’ and a made Neighbourhood Plan but do not have any housing allocations, such as Chilbolton. It should therefore be easier to facilitate all types of new housing development in such neighbourhoods, where the need and shortfall of rural housing has clearly already been identified.

Those areas with a NDP up for review should consider smaller and more affordable housing provision, providing at least 5% of the allocation for such type of housing.

### **Policy 6 (SS6): Meeting the Housing Requirement**

Whilst we can see the benefit in delivering housing through the larger strategic allocations, we are concerned that the spatial strategy contained in the DLP, particularly policy 6 (SS6), over relies on the delivery of such site without recognising the important contribution small and medium sites can make to meeting the housing requirement and how they can be built out relatively quickly compared to larger sites, as encouraged by Paragraph 70 of the NPPF. We believe that the alternative options do not appear to have been thoroughly considered.

## **Chapter 5: Theme Based Policies**

### **Policy HOU4: First Homes Exception Affordable Housing**

Policy HOU1 sets out aspirations for delivering first homes affordable housing on unallocated land in undesignated areas. Criteria b) sets the threshold as not exceeding “*1 hectare or 5% of the size of the existing settlement, whichever is smaller*”. This mechanism for delivery is **not supported** and should be re-considered. In order to provide a fairer distribution of affordable housing across all areas, regardless of settlement size it should be delivered as a % of the total housing stock. If the threshold is based on the housing stock as opposed to the size of the existing settlement there would be greater flexibility in response to the changes in local market conditions and housing need. This alternative approach would take into account the provision of existing services and the infrastructure present in each area and ensure affordable housing provision is offered across all communities, as opposed to being steered towards specific settlements.

### **Re-use of Buildings in the Countryside**

#### **Policy EC2: Re-Use of Buildings in the Countryside**

This policy recognises that the re-use of buildings in the countryside can provide opportunities for re-use to benefit of the rural economy. The principles of this policy in terms of re-use are supported, however, the wording, particularly that set out under criteria e) and f) is overly restrictive in terms of prioritising re-use for economic over residential floorspace. The policy also considered to be out of date considering the opportunities for re-use of that can be delivered through permitted development rights, as set out under Schedule 2, Part 3, Classes MA and Q of the (General Permitted Development) (England) Order 2015 (as amended). The NPPF requires the prudent use of resources, see para 8. The policy should be worded positively to secure change of use and is currently at odds with the direction of policy travel implemented by the Government.

Given the shift in employment patterns, especially across rural areas it is unclear why the occupation should be limited to rural workers when policy HOU10 makes provision for



such housing and could give greater weight to utilising existing buildings before considering new forms of accommodation. The aim of the provisions under the GDPO (2015) are to regenerate underutilised buildings and make them available across the housing market. It is not considered necessary to include this restriction on occupation for this policy.

There is no justification for requiring marketing to be carried out to 'demonstrated that every reasonable attempt has been made to secure commercial use (including tourist accommodation)' when Class MA has recently been amended as of the 5 March 2024 and no longer requires the property to be empty for three months.

## Rural Diversification and Employment Sites in the Countryside

### Policy EC3: Rural Diversification and Employment Sites in the Countryside

The proposed draft policy EC3 is to be re-worded and includes two new criteria, as set out under criteria b) **there is a proven need for such development in terms of business opportunity or operational requirements** and c) **the scale of development is appropriate in the proposed location**. This new wording in the current form is not supported.

The reference to their needing to be a 'proven need' introduces a new hurdle that could be used to resist proposals that otherwise could happen under the current policy LE17. It is not clear what a 'proven need' would consist of? Would this depend on a business/financial plan?

In terms of the scale of the development needing to be 'appropriate to the proposed location' this again is ambiguous. Is it in relation to the existing build form and character of the area or would it also include potential traffic generation?

The new policy is more onerous and is also creates uncertainty and where businesses are concerned (in terms of expansion, redevelopment etc) there should be more certainty included. This draft policy as worded could affect and restrict the ability of existing rural business to expand and redevelop. This is contrary to paragraphs 88 & 89 of the NPPF.

### Other Matters

The draft local plan policies have been published and whilst there is a draft local plan policy in relation to accommodation for rural workers, policy *HOU10: Occupational Accommodation for Rural Workers in the Countryside*, there is no specific policy wording or commentary in relation to development proposals for estate worker dwellings or alternative uses (either through new build or conversion) which might be proposed as part of endorsed estate or farm plan. The important role of such estates, institutions and farms in the development of a sustainable rural economy, the landscape and ecological services has not therefore been suitably recognised.

A policy that considers and positively encourages development proposals outside settlement boundaries within rural estates and large farms that would form part of an endorsed estate plan and delivers multiple benefits whilst respecting the landscape qualities and cultural heritage across the Test Valley Borough would **be supported**.

### Summary

The recognition of the need to deliver and provide for the rural housing (draft policy SS4) is supported however the delivery mechanisms (draft policy SS5) are considered to restrictive and would not meet the immediate need which has been identified. Rural housing, of all types, should be delivered more swiftly. NDP areas which have not allocated housing should consider ways to deliver smaller and more affordable units. Small and medium sites should be strongly promoted as they make an important contribution to meeting and delivering housing requirements.

This mechanism for delivery of first homes under policy HOU4 is not supported and should be re-considered. To provide a fairer distribution of affordable housing across all areas, regardless of settlement size it should be delivered as a % of the total housing stock.

The principles of policy EC2 are supported, however, the wording is overly restrictive in terms of prioritising re-use for economic over residential floorspace. The policy also considered to be out of date

The new policy wording for draft policy EC3 is onerous and is also creates uncertainty, it is not therefore supported.

The important role of estates, institutions and farms in the development of a sustainable rural economy, the landscape and ecological services needs to be recognised and supported by policy.

**SPP**  
**March 2024**