

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 6th February to noon on Tuesday 2nd 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

Once the form has been completed, please send to planningpolicy@testvalley.gov.uk below by **noon on Tuesday 2nd 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

Email: 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*	Zoe
Surname*	Wilkinson		
Organisation* (If responding on behalf of an organisation)	Atlas Planning Group Ltd		

Please provide your email address below:

Email Address*	
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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 Everard (LANDOWNER)

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>PLEASE SEE ENCLOSED REPRESENTATIONS</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>PLEASE SEE ENCLOSED REPRESENTATIONS</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.

Planning Policy
Beech Hurst
Weyhill Road
Andover
SP10 3AJ

29th February 2024

Dear Sir/Madam,

Representations to the Draft Local Plan 2040 – Regulation 18 Stage 2 Consultation

Trickledown Estate [REDACTED]

Introduction

These representations have been prepared by Atlas Planning Group on behalf of our Client, Mr Everard in response to the Draft Local Plan 2040 Regulation 18 Stage 2 consultation.

Our Client has land interests in the Local Plan area, in particular circa 46 hectares of land at the Trickledown Estate, Broughton. A Location Plan is included at **Appendix A** but the site is also shown in the aerial image below:

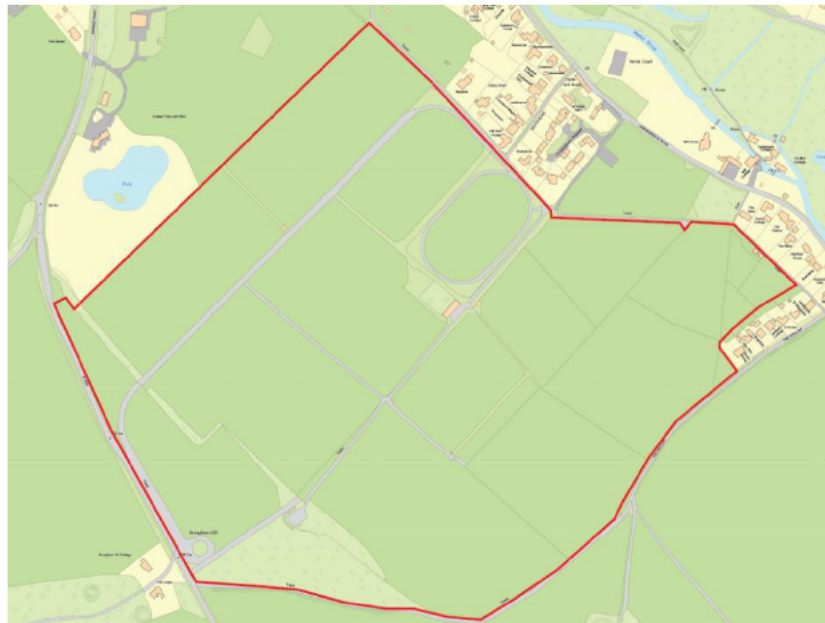


Figure 1: Land Ownership

My Client objects to the Draft Local Plan Reg 18 document on the basis that it does not allocate sufficient land for housing development across the Borough, nor does it make sufficient allowance for windfall development.

Policy Context

Paragraph 20 of the NPPF requires strategic policies to set out an overall strategy for the pattern, scale and design quality of places, and make sufficient provision for¹, inter alia, housing delivery to meet objectively assessed housing needs.

Paragraph 31 of the NPPF stipulates that, *“the preparation and review of all policies should be underpinned by relevant and up-to-date evidence. This should be adequate and proportionate, focused tightly on supporting and justifying the policies concerned, and take into account relevant market signals”*.

As per paragraph 35 of the NPPF (2023), in order to be found ‘sound’, as required by the NPPF, Local Plans will be found sound during examination if they comply with all four of the following criteria:

- a) **Positively prepared** – *providing a strategy which, as a minimum, seeks to meet the area’s OANs; 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, and 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 and other statements of national planning policy, where relevant”*.

It is therefore clear that Test Valley Borough Council have a duty to ensure sufficient land for housing will be allocated to meet the forecasted requirements over the Plan period. Such forecasted requirements must take account of the area’s Objectively Assessed Need and also work with other authorities on cross boundary matters such as unmet needs.

¹ In line with the presumption in favour of sustainable development

Comments on the Draft Local Plan

Spatial Strategies

The spatial strategy primarily focuses growth at Romsey and Andover, however tier 3 settlements (including Broughton) are explicitly recognised as settlements that are capable of meeting the daily needs of communities through the existence of the following facilities:

- Primary school;
- Food store, such as a village shop;
- Outdoor sports facilities, such as a playground or sports pitch; and
- A community facility which could be a village or community hall, public house or social club or place of worship.

As such, further development should be provided at and adjoining tier 3 settlements (such as my Client's land at Broughton) in order to achieve a more balanced and sustainable development across the Borough, and to avoid over burdening Andover and Romsey with excessive housing provision.

Given the unmet housing need (discussed further below) there is a clear demand for additional housing (particularly in Southern Test Valley). Given tier 3 settlements are sustainable, their settlement boundaries should be reviewed in more detail to assist in facilitating sustainable growth and development in these locations that can meet day to day needs of residents.

Duty to Cooperate

Para 3.59-3.64 of the draft plan sets out how the Council are aware of the unmet need arising from surrounding authorities, however they are continuing to progress their own local plan without taking any account for additional housing need in other adjoining authority areas.

As noted in the PfSH Position Statement there is a shortfall of nearly 12,000 homes across Hampshire. Of the 11,771 homes shortfall, 5,652 are due to under provision emanating from New Forest which borders TVBC.

Additionally, paragraph 3.6 of the draft plan highlights that Havant Borough Council have approached TVBC seeking assistance with their unmet need, yet no efforts have been made in the draft Plan to account for this. Relying on the possibility of a review at a later stage is unacceptable and undermines the plan making process and requirements set out in the NPPF for plans to be positively prepared and effective.

We consider that the current approach of ignoring the unmet needs of neighbouring authorities is flawed. It is inevitable that TVBC's housing need is going to increase as a result of the unmet housing need from the surrounding authorities and immediate work on this matter should be accelerated to ensure the Local Plan Review addresses this issue.

Housing Land Supply

The Council propose to continue to calculate their housing land supply position based on two separate housing market areas (north and south). However, this goes against the suggestion of the Inspector of the currently adopted Local Plan who stated at paragraph 48 of their Report, "*..there is no reason why a Borough-wide approach should not be considered during the latter part of the plan period*".

Additionally, the 'tilted balance' and Housing Delivery Test apply to entire local planning authority areas, there is no mechanism for distinction between different parts of the Borough, such as separate HMA's.

Given the current plan period is 2011-2019, we are clearly at the latter part of the plan period now. It is our strong view that a Borough wide approach should be taken and this would be more consistent with the requirements of the NPPF and the NPPG (paragraph 75 and chapter 68 respectively).

Currently, the Southern Test Valley's stated housing requirement is 237 homes per annum (4,730 homes over the plan period). However, as detailed at table (strategic allocations) 44 C2 units are to be allocated, in our opinion C2 units should not count (unless at a discounted ratio) towards housing supply. It is not clear whether these 44 homes represent a discounted ratio or are being considered on the basis of 1:1.

Furthermore, '*approximately 80 homes*' are to be allocated at Land at Upton Lane. It is not considered that this is a robust figure that should form part of the new Local Plan. If there is an element of doubt over the amount of dwellings that can be delivered, the number should be reduced accordingly and other allocations should be sought.

It is also unclear whether the new Biodiversity Net Gain requirement recently come into force will impact the ability for these proposed allocations to deliver the number of dwellings stated.

Windfall

Lastly, with regard to windfall sites, TVBC's Housing Implementation Strategy 2023 confirms that in reviewing the scale of windfall allowance, the Council has focused on sites that fall below a net gain of 5 dwellings.

Paragraph 4.15 of the same report states, “*The Borough has historically benefitted from supply of windfall sites...*” Additionally it states that on average there are 35 dwellings per annum windfall in Northern Test Valley and 16 dwellings per annum in Southern Test Valley (totalling 51 units per annum).

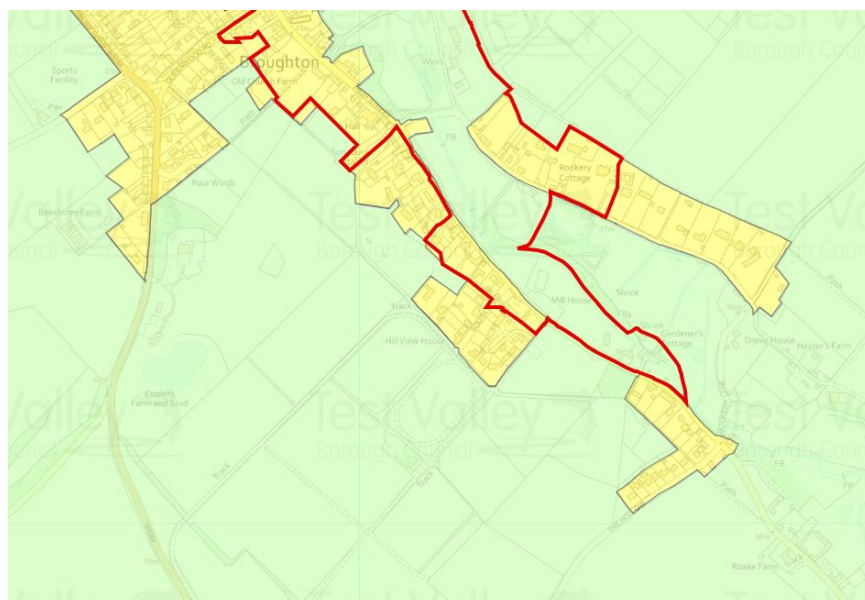
However, the Borough wide figure proposed for windfalls is 816 over the plan period (2020-2040). This equates to 40.8 units per annum and so the windfall allowance should be increased accordingly to at least 51 units per annum, if not more, given that windfall sites have the ability to have a substantial cumulative benefit to housing delivery.

Trickledown Estate – The Opportunity

In the case of my Client’s site at the Trickledown Estate, Broughton, the following section sets out the opportunity and reasons why the site should be allocated for residential development through the plan-making process.

The site is highly suitable to accommodate new housing and its development could contribute positively to the three strands of sustainability. A brief assessment of the site’s opportunities are summarised below:

- The site is well related to the settlement boundary (shown in yellow below extract from the Policies Map);



- Flood Zone 1;
- Outside of the Conservation Area;
- No TPOs; and

- New households would support the vitality and viability of services and facilities in Broughton which is a Tier 3 settlement that has the facilities to sustainably meet the needs of the local community.

In summary, there are no known insurmountable technical constraints that would impede the deliverability of residential development at this site.

Summary & Conclusions

As set out in these representations the pre-submission draft Plan does not currently meet the tests of soundness as set out by the NPPF.


Specifically, we object to:

- Approach to calculating housing land supply based on housing market areas;
- Failure to account for any amount of unmet housing need arising from surrounding authorities;
- Insufficient and unjustified housing allocations ; and
- Lack of allocations afforded to tier 3 settlements which the draft Plan specifically recognises as being sustainable settlements.

The Land at the Trickle-down Estate, Broughton has been shown to be an available, sustainable and deliverable site which would support the delivery of housing.

As currently written the draft is not; positively prepared, justified, effective or consistent with national policy and guidance. Should you require any further information, please do not hesitate to contact me.

Yours faithfully,

A black rectangular box redacting the signature of Zoe Wilkinson.

Zoe Wilkinson BSc (Hons) MSc MRTPI

Associate

A black rectangular box redacting the contact information of Zoe Wilkinson.

Appendix A

