

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*	Karen
Surname*	Barnes		
Organisation* (If responding on behalf of an organisation)	Turley		

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:

On behalf of Mr Tim Browning

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 refer to accompanying representations statement.</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 refer to accompanying representations statement.</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 to the Test Valley Draft Local Plan 2040

Regulation 18 Consultation

Land at Kings Somborne

March 2024

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[Redacted]

Client
Tim Browning
Our reference
TIMS301O

27 March 2024

1. Introduction

- 1.1 These representations have been prepared by Turley on behalf of Mr Tim Browning in response to the Test Valley Draft Local Plan 2040 (Regulation 18) Consultation (April 2024).
- 1.2 This follows a Regulation 18 Stage 1 consultation in 2022.
- 1.3 Our client has land interests in the Local Plan area, in particular land at Ferndale Paddock and land at Froghole Lane, within the settlement of Kings Somborne. Kings Somborne is identified as a Tier 3 settlement in the proposed settlement hierarchy. As such, our response focusses on the proposed approach to future housing delivery and the rural areas specifically. This, we feel, aligns to the vision through the need to deliver homes to support community's requirements, and this is not just limited to the main settlements of the Borough. We consider there is an opportunity to allow communities to prosper, in all areas of the Borough and not just top tier settlements.
- 1.4 A copy of the Site Location Plans are provided at **Appendix 1**. The sites have not been promoted previously through earlier Local Plan consultations and note that it is not the intention of the Plan to allocate sites in the rural areas.
- 1.5 These representations have been based upon the contents of the latest consultation document and its evidence base.
- 1.6 The structure of these representations is as follows:
 - Section 2 - Comments on Regulation 18 Local Plan;
 - Section 3 - Summary & Conclusions.

2. Comments on the draft Local Plan

- 2.1 The following chapter sets out representations on the Regulation 18 Consultation Draft on behalf of Mr Tim Browning and the land interests in Kings Somborne.
- 2.2 At the outset we note that this consultation is at an early stage of the plan-making process. The absence of any comments in these representations should not be read as confirmation that our client agrees with the text in the consultation document. Similarly, the representations set out below are subject to refinement and evolution as the Council develops its policies and publishes its evidence base.

Local Plan Vision and Objectives

- 2.3 The Local Plan contains a vision which includes the following:

“By 2040, Test Valley Borough’s communities will be prosperous and resilient by: Providing access to good quality homes that will meet a range of needs and aspirations, including affordable housing...

High quality of life will be experienced by our communities, and they will enjoy a strong sense of identity. Development will take place in sustainable locations and support the delivery of infrastructure...

Communities will be empowered to plan to meet the varying needs and priorities of their communities to help support their sustainability and vibrancy.”

Objectives

- 2.4 There are ten objectives, of which one relates to ‘Our Community’:
- 2.5 *“Deliver and strengthen sustainable, cohesive and healthy communities in our towns and villages. Secure lasting benefits for our communities, including enhancements to social, green, health, educational and other local infrastructure through new development in sustainable locations. Support the viability of the Borough’s town and local village centres in meeting many of the daily needs of our communities and residents.”*
- 2.6 The context for this is (paragraph 2.33) *“In our rural areas, sustainable access and the level of facilities and service varies between settlements. It can be a challenge to help sustain the range of existing facilities and infrastructure and to facilitate the enhancement of them is an even bigger challenge.”*
- 2.7 Paragraph 2.34 states *“Increase in population can help to sustain the vibrancy of our rural communities through helping to keep existing facilities and services to meet daily needs.”* Paragraph 2.36 states the Plan is seeking to strengthen the role of community planning tools such as Neighbourhood Plans.

- 2.8 Within the Built, Historic and Natural Environment objective we support the recognition of varied and diverse characteristics of the environment within the Borough. This should not stifle development in sustainable locations.
- 2.9 The Health, Wellbeing and Recreation objective encourages opportunities for recreational and community activities through the provision of accessible open spaces, access to the countryside, sports, leisure and other community facilities and services.
- 2.10 There are opportunities to support this through development at various scales across communities in the Borough, for example at Kings Somborne which is proposed as a Tier 3 settlement and so certain types of development will be accepted (as detailed later in these representations).
- 2.11 We support the Design objective to deliver safe, attractive, integrated and well-designed environments. This can come forward in a variety of ways and should be applied as a site-specific consideration.
- 2.12 The 'Housing' objective states:
- "Provide a range of homes that are fit for purpose and designed to meet the needs and aspirations of different groups within the community, including a range of affordable housing and homes that meet the needs of an ageing population."*
- 2.13 We emphasise that the local need figure should be treated as a minimum. Paragraph 2.58 notes the requirement to identify a "*continuous*" supply of land for new homes to meet the need. We agree this is an important factor and as such the policies in the Plan should support the continuous supply of homes.
- 2.14 The supporting text at paragraph 2.59 states "*there are affordability issues and housing needs vary in the north and south of the borough but are common within our rural areas across the borough.*"
- 2.15 The introduction to the Plan sets a helpful context that Test Valley is predominantly rural in character. This is acknowledged in the above vision and objectives. Our client supports that development should take place in sustainable locations, that there is a recognition of empowering communities, and supporting the viability of local village centres.
- 2.16 We support the recognition of sustainability of communities and have access to the right facilities and services, and fully support the opportunity to strengthen the sustainability of communities.
- 2.17 We support that the Transport and Movement objective encourages active and sustainable modes of transport, seeks to reduce the impact of travel and ensure new development facilitates improvements to accessibility, safety and connectivity in our transport infrastructure.
- 2.18 Kings Somborne has six bus stops which are serviced by the no. 16 bus which connects to Winchester, Stockbridge and Houghton. It is approximately a ten-minute drive from Mottisfont and Dunbridge train station which has South Western trains that connect to

Salisbury and Romsey. Winchester train station is approximately a 20-minute drive which has connections to London Waterloo, Weymouth, Poole, Manchester Piccadilly, Bournemouth and Portsmouth.

- 2.19 Kings Somborne is publicly accessible, and as set out further in this Section, is categorised as a Tier 3 settlement.

Spatial Strategy

- 2.20 The Plan states that the spatial strategy has been informed through a Sustainability Appraisal. Development will be focused on the largest settlements in the Borough of Andover and Romsey. Paragraph 3.14 states *“To support and sustain vibrant and healthy communities, the spatial strategy identifies a wider distribution of development than set out in our current Local Plan 2016.”*

- 2.21 The spatial strategy seeks to support development in the rural settlements of the Borough to develop in a sustainable manner through enabling rural communities to deliver their own needs and priorities.

- 2.22 The spatial strategy sets out the following:

“Sustaining vibrant and healthy rural communities through:

- Maintaining the roles of our rural settlements through accommodating development that meets the needs of local communities and supports existing accessible facilities.*
- Supporting our communities to be empowered to identify and deliver their needs through the use of community planning tools.*
- Supporting our strong and diverse economy including the rural and visitor economy.”*

- 2.23 We support the inclusion of this text within the spatial strategy to support rural communities, as it recognises their important role to play in shaping the Borough to 2040, particularly given the predominance of the rural areas throughout the Borough.

Settlement Hierarchy

- 2.24 Draft Policy SS1: Settlement Hierarchy sets out the proposed settlement hierarchy to be taken forward in the Plan. This has been advised by a settlement assessment dated February 2024, and based on the results of a Rural Facilities Survey and up to date research on facilities in each settlement and the public transport provision.

- 2.25 The assessment notes, which is reflected in the Plan’s vision and objectives, that a challenge is retaining local facilities in villages to maintain and potentially improve their sustainability and that *“Enabling an appropriate level of growth at our more sustainable rural settlement can help to do this.”*

- 2.26 The assessment quantified the number of existing facilities and services, then used a judgement on the role and function of the settlements including the accessibility to

these by public transport. Four key facilities were used as the starting point. Those villages that have the four key facilities but not an extensive range of other facilities, such as those in Tier 2, fall into Tier 3.

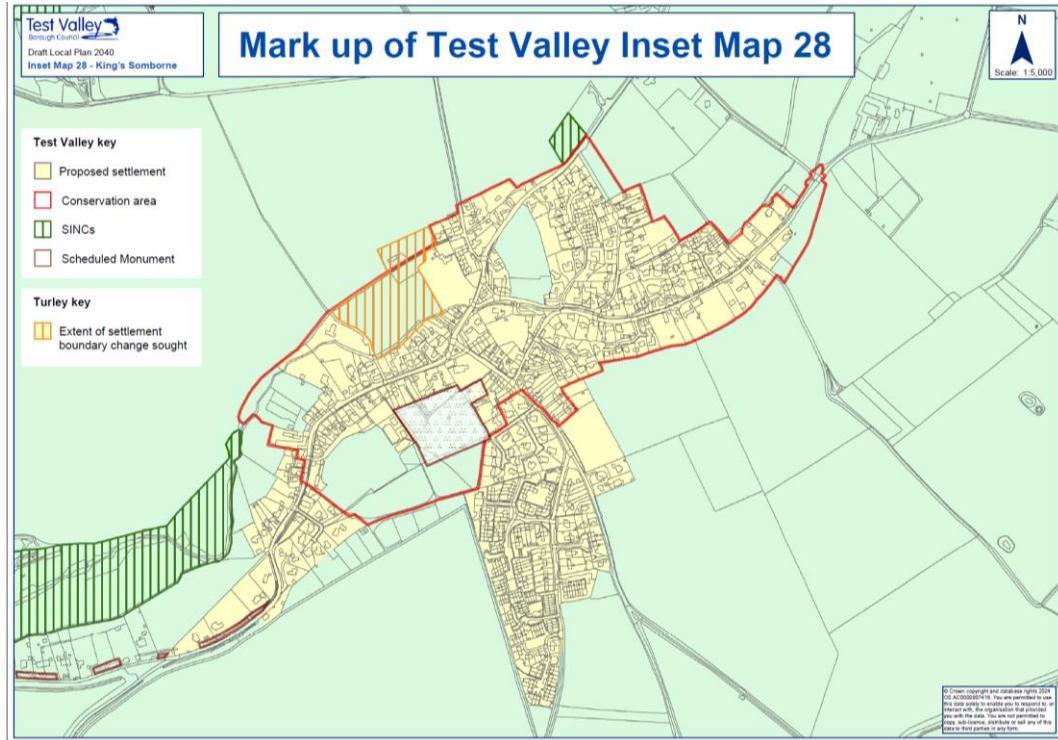
- 2.27 Kings Somborne is categorised as a Tier 3 settlement based on having the following services and facilities:
- X1 Primary School
 - X1 shop
 - X1 sports facility
 - X1 community facility
 - X5 other facilities ('other' is defined within the report)
- 2.28 The report notes that Tier 3 settlements vary considerably in terms of their overall sustainability. Kings Somborne ranks relatively well in Tier 3 in terms of number of services and facilities and we agree this has been rightfully categorised.
- 2.29 As such, we support that King's Somborne has been assessed as a Tier 3 settlement due to the essential services and facilities accommodated within its settlement boundary.
- 2.30 We welcome the tiered approach to categorising settlements.
- 2.31 Within Tier 3 settlements, Policy SS1 states that within settlement boundaries there is a presumption in favour of sustainable development. The scale of development appropriate for Tier 3 is listed as including windfalls (amongst other types of development).
- 2.32 We support the scale of development considered appropriate for Tier 3 settlements. This will help achieve the Council's aspirations to sustainably grow the rural settlements, maintain their communities and support existing facilities.

Settlement boundaries

- 2.33 The Adopted Local Plan 2016 methodology used for establishing settlement boundaries has been reviewed and amended for the purposes of the draft Plan. This is set out in the Settlement Boundary Review paper in the evidence base. The methodology is a technical assessment, with no guidance set nationally on how to undertake the process. The Settlement Hierarchy Assessment summarises the methodology and assessment undertaken. As a result, it is proposed that only settlements in Tiers 1-3 of the Settlement Hierarchy will have a settlement boundary which are shown on the Policies Map.
- 2.34 As part of the Settlement Boundary Assessments for Kings Somborne, 'Land in Settlement gap south of Winchester Road between Ferndale and Prospect House (Map Area 1)' is to be included within the amended settlement boundary. Appendix one of the Assessment sets out that the reasoning behind this is the land would be a continuation of the existing settlement boundary.

- 2.35 The site relates better to the built form of the settlement than the countryside given the surrounding development to three of its boundaries. In addition, the site's southern boundary further strengthens this relationship as it corresponds to the curtilage of the adjacent household sites. As a result, the land makes for a logical continuation of the existing settlement boundary to the south of Winchester Road.
- 2.36 We therefore support the decision by the Council to extend the settlement boundary to include this area of land (otherwise known as Land at Ferndale Paddock), which is within our client's ownership.
- 2.37 Table 2 of the Settlement Boundary Review paper sets out the methodology for areas included / excluded from the settlement boundary. The criteria for areas excluded are based on uses and buildings that relate better to the countryside than the built form of the settlement for example, outlying development for small pockets of development that are clearly detached from the settlement.
- 2.38 Table 3 of the report goes on to set out the individual stages of the settlement boundary review and the methodology applied. Within this, *Stage 2: The Built Up Area Criteria C: Land outside settlement boundary (adjoining the settlement edge)* states:
- This stage reviews existing land uses and buildings located outside and immediately adjacent to the existing settlement boundary, assesses the functional relationship with the settlement and whether sites / areas should be included in the settlement boundary. Existing buildings and land uses located adjacent to the settlement boundary (which meet the criteria set out in the table above) and have a clear functional relationship with the settlement will be included within the settlement boundary. For the purposes of the review areas proposed for inclusion within a settlement boundary are relatively small scale.*
- 2.39 Following the methodology set out in Tables 2 and 3, we are of the opinion that the Council have incorrectly excluded our client's site Land at Froghole Lane from the settlement boundary.
- 2.40 This site has a functional relationship with the settlement as a result of its positioning behind dwellings on the Romsey Road to the south of the site's boundary. In addition, the site's east and west boundaries are adjacent to existing dwellings and associated gardens located on Froghole Lane and Highfield, whereby access into the site is currently granted. Furthermore, mature trees and hedgerows help to create strong site boundaries, particularly towards the north and in place to the east, separating the site from the open countryside further north.
- 2.41 The site benefits from similar features to the sites currently allocated within the draft Neighbourhood Plan.
- 2.42 Paragraph 4.17 of the Neighbourhood Plan sets out that the sites allocated are "*in the core of the Village, close to services and within the valley floor.*"
- 2.43 Our client's site is within close proximity to a number of the services within the village, much closer than the three allocated sites, including The Crown Inn pub, Kings Somborne C of E Primary School, Village Hall and Parish Church.

- 2.44 Given the reasons set out above, we consider that Land at Froghole Lane should be included within the settlement limits due to location and relationship to the existing settlement and Conservation Area. The extent of this is illustrated on Figure 1 below and attached at **Appendix 2**:



- 2.45 Notwithstanding the above, should the Council following consultation not amend the settlement boundary, policy needs to provide flexibility for sustainable development adjacent to settlement boundaries where appropriate, as discussed below.
- 2.46 Spatial Strategy Policy 2 (SS2): Development in the Countryside sets out that development outside of settlement boundaries will only be permitted if it is appropriate in the countryside as set out in other Local Plan policies, or if it is essential to be located in the countryside. The policy does not allow any flexibility for sustainable development adjacent to settlement boundaries where appropriate.

The policy should be amended to include the following text in red below:

“Within the boundaries of the settlements identified in the settlement hierarchy in Tiers 1-3 and identified on Policies Map or Neighbourhood Development Plan, the principle of development and redevelopment will be permitted provided that it is appropriate to the other policies of the Local Plan and Neighbourhood Development Plans.

Development adjacent to settlement boundaries will be supported where the benefits of the development outweigh its adverse impacts.

Development outside of settlement boundaries will be permitted if:

a) it is appropriate in the countryside as set out in Local Plan policies CL5, HOU2- 3, HOU8-12 and EC1-4 or policies in made Neighbourhood Development Plans

b) it is essential that the proposal needs to be located in the countryside, and this has been justified”

Housing need

- 2.47 The Plan states the based on the Standard Method, the local housing need figure is 550 homes per year. The Plan continues to take forward two distinct Housing Market Areas (HMAs) with each having their own five-year housing land supply. The boundary of the divide has been revised in the draft Plan.
- 2.48 In Southern Test Valley the local housing need is 237 homes per year, totalling 4,730 over the period 2020-2040 (as defined in Policy SS3).
- 2.49 Paragraph 3.78 states a minimum rural housing requirement has been identified in Policy SS4, evidenced by the level of existing housing supply and total housing that is proposed to be met through designated active Neighbourhood Development Plans. This figure is 542 homes, equating to 5% of the Borough-wide housing requirement. In Southern Test Valley this equates to 282 homes. The Plan does not seek to allocate homes in Tier 3 and 4 settlements (rural areas).
- 2.50 Paragraph 3.79 notes that delivery will be reviewed five years following adoption of the Plan, and if the rural housing requirement is not being met, TVBC will review other options to bring forward housing. This may include allocating sites in rural areas in the next Local Plan.
- 2.51 The Neighbourhood Plan housing requirement is set out in Policy SS5. Paragraph 3.88 acknowledges that national policy does not set a methodology for calculating housing requirements.
- 2.52 Kings Somborne Neighbourhood Plan was made in November 2023 and allocates 41 dwellings. The Plan states that a methodology for assessing the housing requirements for each of the active designated neighbourhood areas has been produced and that for Kings Somborne, the proposed housing requirement is in line with the Neighbourhood Plan figure.
- 2.53 The inclusion of the word “*minimum*” housing requirements in Policy SS5 is supported and is important to be retained. This will ensure a deliverable supply of houses and allow suitable and sustainable sites to come forward where appropriate. It is important for this to be enshrined in policy to avoid any housing requirement figures becoming a ‘ceiling’ figure.
- 2.54 The absence of a site allocated through a Neighbourhood Plan should not prevent a site coming forward if it would result in sustainable rural growth, as this would conflict with the aspirations of the Plan.

Theme based policies

Climate Change

- 2.55 Policy CL1: Countering Climate change states development will support a net zero carbon future and address the impacts of our changing climate. Our client agrees that considering climate change is a priority and that there is need to set out a strategic approach to this.
- 2.56 However, we consider the most effective way of achieving this is through nationally applied standards. In order to do this, they should defer to national policies and standards where necessary, rather than seek to duplicate or indeed exceed these.

Flood Risk

- 2.57 Policy CL2: Flood risk deals with development and flood risk impact in the Borough. As above, there is established national guidance for planning applications relating to flood risk that should local policies should defer to. It is also important to acknowledge that flood risk should be considered on a site-specific basis.

Heritage

- 2.58 Policy ENV1: Historic environment and Policy ENV2: Development affecting heritage assets seek to preserve and enhance the Borough's historic environment and heritage assets. As above, this should refer to national policy and legislation, rather than duplicate.
- 2.59 There is established national policy and legislation that sets out that there are opportunities for development within a designated heritage asset, and also supports opportunities which preserve and enhance an asset.

Biodiversity Net Gain

- 2.60 Policy BIO3: Biodiversity Net Gain sets out that development for one or more dwelling should deliver at least a 10% net gain in biodiversity.
- 2.61 Our client agrees that 10% net gain figure should be used as this is in accordance with national legislation, however the policy to refer to national requirements which contain the appropriate detail that does not need to be duplicated by national policy.
- 2.62 In addition, national legislation notes that certain developments are exempt from the 10% net gain requirement. Policy BIO3 does not reflect this therefore emphasises the above point that local policy should fully defer to national requirements.

3. Summary and Conclusions

- 3.1 These representations have been prepared by Turley on behalf of Mr Tim Browning in respect of the Test Valley Draft Local Plan 2040 (Regulation 18) Consultation (April 2024).
- 3.2 As set out in these representations, the draft Plan has a vision to deliver homes to support community's requirements, and this is not just limited to the main settlements of the Borough, but should be distributed across the rural areas in the Borough. The Council importantly note that much of the Borough is rural in nature, which further emphasises the importance of the Plan meetings its vision and objectives to maintain the vibrancy and diversity of the rural areas.
- 3.3 Our client supports the aspirations of the Council to sustainably grow rural settlements as we consider there is an opportunity to allow communities to prosper, in all areas of the Borough and not just top tier settlements. Sustainable growth of the rural areas will support communities and their facilities.
- 3.4 We support the categorisation of King's Somborne as a Tier 3 settlement, and draft Policy SS1 which supports windfall development (alongside certain other types of development) in Tier 3 settlements.
- 3.5 We support the proposed change in settlement boundary to King's Somborne which includes one of our client's sites (Ferndale Paddock). However, we consider further changes to the settlement boundary would be appropriate to include other logical sites within the settlement boundary, that have a functional relationship with the settlement. This would include our client's site at Froghole Lane.
- 3.6 It is important to retain the word "*minimum*" in policies referring to housing requirement, to maintain a positive approach to housing supply and allow sustainable sites to come forward appropriately.
- 3.7 We look forward to working with the Council throughout the Local Plan process.

Appendix 1: Site Location Plans



CLIENT

Tim Browning

PROJECT

Lands at Boorley
Green and Kings
Somborne

DRAWING:

Land east of
Ferndale, Kings
Somborne - Site
location plan

PROJECT NO.

TIMS3001

DRAWING NO.

12_

REVISION

00

STATUS

Final

SCALE


1:1,250 @ A4

DATE

August 2021

CHECKED BY

PH

 Application
boundary

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Turley



CLIENT

Tim Browning

PROJECT

Lands at Boorley
Green and Kings
Somborne

DRAWING:

Land east of
Froghole Lane,
Kings Somborne -
Site location plan

PROJECT NO.

TIMS3001

DRAWING NO.

11_

REVISION

00

STATUS

Final

SCALE

1:2,500 @ A4

DATE

August 2021

CHECKED BY

PH

 Application
boundary

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Turley





Appendix 2: Kings Somborne proposed settlement boundary change

Mark up of Test Valley Inset Map 28


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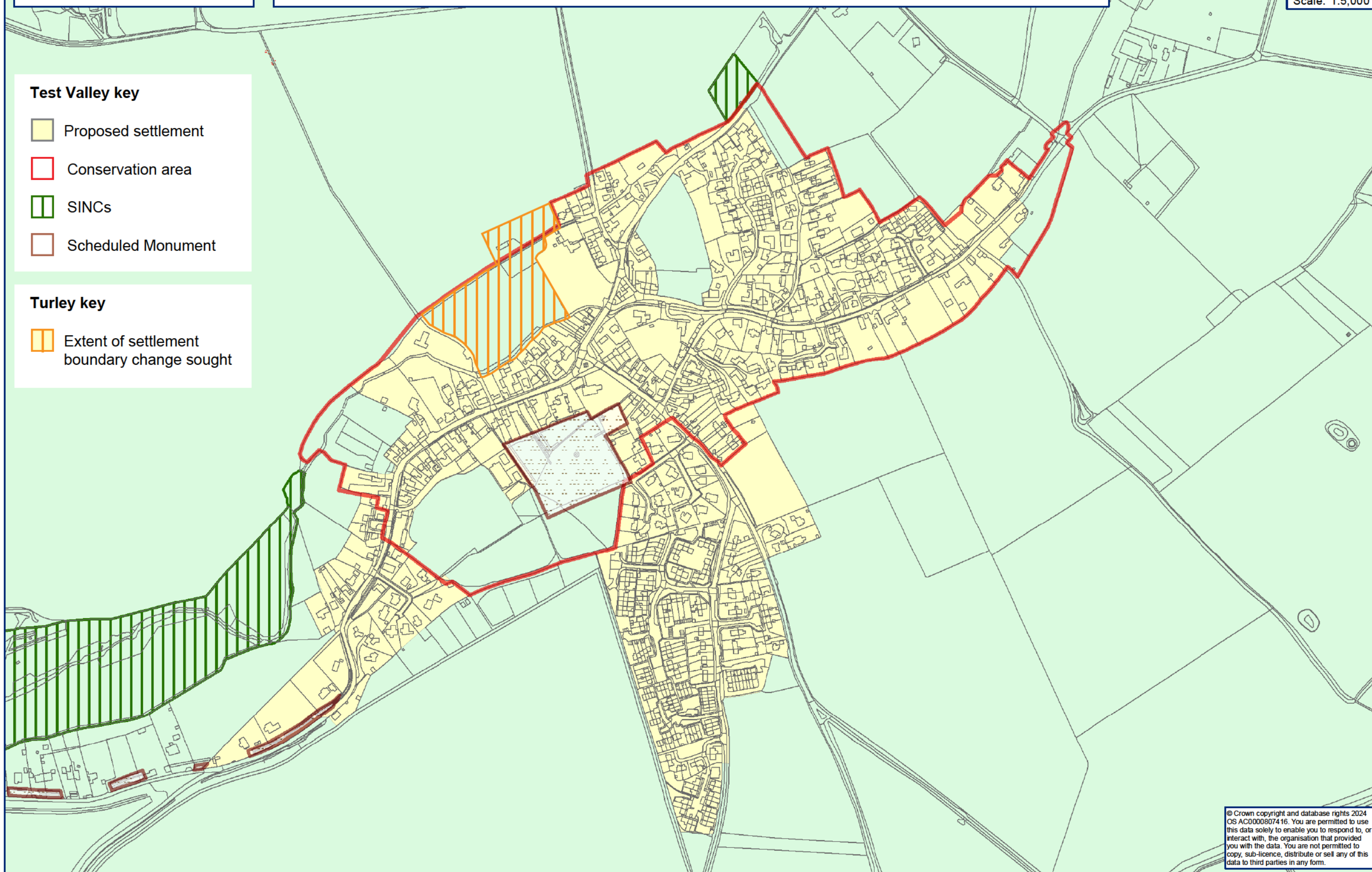
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Test Valley key

-  Proposed settlement
-  Conservation area
-  SINC
-  Scheduled Monument

Turley key

-  Extent of settlement boundary change sought



Turley Office

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED]

Turley