

# 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

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## Part A: Your Details

Please fill in all boxes marked with an \*

Title* Mr/Mrs/Miss/Ms/Dr/Other (please state)	Mr	First Name*	Steve
Surname*	Lees		
Organisation* (If responding on behalf of an organisation)	steveleesplanning		

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:

The Four Horseshoes Ltd
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### 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

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
	<b>Sustainability Appraisal and Site selection Process.</b> <b>See separate e-mail for detailed comments</b>
<b>Policy SS1</b>	<b>See separate e-mail for detailed comments</b>
<b>Policy SS2</b>	<b>See separate e-mail for detailed comments</b>
<b>Policy SS6</b>	<b>See separate e-mail for detailed comments</b>

### **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.

TVBC LOCAL PLAN REGULATION 18 PART 2 SUBMISSION ON BEHALF  
OF THE FOUR HORSESHOES LTD

POLICY SS2 SETTLEMENT BOUNDARIES. LAND NORTH OF NURSLING  
STREET, NURSLING AND ROWNHAMS

March 2024

## Summary

Policy SS2 paragraph 3.42 and application of draft settlement boundary methodology to define settlement boundaries. Support.

Table 3 Criteria B of the draft settlement boundary methodology. Support.

Table3 Criteria C of the draft settlement boundary methodology. Objection. it should be amended to read 'and have a clear functional relationship with **adjoining buildings and land** and the settlement will be included within the boundary.

Inset Map 5. Objection. It should be amended to include the existing garden and car parking area associated with The Four Horseshoes PH, Nursling Street. See plan attached.

## Introduction

1.The purpose of this submission is set out the response of The Four Horseshoes Ltd to Policy SS2 and Inset Map 5 in respect of the proposed settlement boundary at Nursling Street, Nursling and Rownhams. It proposes an amendment to include the existing garden area and land used for customer parking.

## Background

2.TVBC has undertaken a review of the existing settlement boundaries included within the adopted Local Plan 2016. The review has been carried out by the application of a methodology set out in a supporting paper, Settlement Boundary Review January 2024.

3.The Boundary Review comprises a number of steps and Appendix I of the Review sets out an appraisal of the merits of revising the existing settlement boundary at The Four Horseshoes PH Nursling Street ref page 194. The recommendation is to include land to the north of The Four Horseshoes which is currently the subject of planning application ref 23/01372/FULLS for a 24-bed annex accommodation subject to planning permission, ref page 194.

At the time of this submission this application has been cleared for a delegated approval subject only to the S106. The S106 is dealing primarily with nitrates mitigation and is in the final processes, with engrossments about to issued, allowing the S106 to be sealed. Planning permission is anticipated to be formally issued in April 2024.

## Planning History.

23/01372/FULLS Erection of 24 bed annex accommodation to The Four Horseshoes Public House, 24 additional parking spaces and construction of kitchen extension to public house, decision pending.

21/00757/FULLS Erection of children's play area, permission 11.5.21

## Response

### Settlement boundary Methodology. Support

4.The methodology comprises a number of steps. First a decision is made as to which settlements would have a defined boundary, these would be all those in proposed Tiers 1-3. Nursling and Rownhams is a Tier 2 settlement in the proposed local plan settlement hierarchy. That approach is supported.

5. The approach set out in Table 3 to amend boundaries in response to changes on the ground i.e.; issue of planning permissions is supported.

6.Table 2 identifies areas to be included within a settlement boundary including car parks. It would be helpful to include within the table other examples of what TVBC considers are land uses which have a functional relationship and cross refer to criteria C of Table 3.

### Settlement Boundary Methodology. Criteria C. Object

7. Criteria C refers to including buildings and land within a settlement boundary which has a clear functional relationship with the settlement. It will most likely the case that land would be related to a nearby building or use rather than the settlement as a whole. The criteria should be amended to read 'and have a clear functional relationship with **adjoining buildings and land** and the settlement will be included within the boundary.

### Objection Inset Map 5

8. Land on the north side of Nursling Street is currently used as an outdoor seating area for customers including a barbeque area and a car park for approximately 59 spaces including the area used as an overflow car park.

9.The use of the land clearly has functional relationship with the PH and is of a relatively small scale when compared with the size of the settlement. It meets the guidance in Table 2 and Criteria C) of Table 3 of the methodology and justifies inclusion with the settlement boundary. See plan attached.

10.The application for the 24-bed annex includes land which is outside of the area described in paragraph 8 above. Subject to a favourable decision by TVBC the settlement boundary should the subject of a further revision to include the remaining land.

TVBC LOCAL PLAN REGULATION 18 PART 2 SUBMISSION ON BEHALF  
OF THE FOUR HORSESHOES LTD

SUSTAINABILITY APPRAISAL

POLICY SS1 SETTLEMENT HIERARCHY

POLICY SS6 LAND NORTH OF NURSLING STREET, NURSLING AND  
ROWNHAMS

March 2024



## Summary

### Sustainability Appraisal and Site Selection Process

- Objection. The SA and site selection process is considered to fundamentally flawed and has led to the allocation of sites for development which is not supported by a sound evidence base or the consistent application of the SA objectives.
- Objection. The Sustainability Appraisal of land north of Nursling Street has not been based on all the relevant information available.
- Objection. The Sustainability Appraisal for land north of Nursling Street should be reviewed and updated with the information submitted with this submission and its performance against the criteria re-assessed.
- The selection of growth scenarios and sites for allocations in the local plan is unclear and lacks justification.

### Spatial Strategy

- Policy SS1 Settlement Hierarchy. Support. The proposed settlement hierarchy is the cornerstone of TVBC's approach to delivering its spatial strategy and sustainable development. Nursling and Rownhams is in Tier 2 where the scale of development acceptable in principle includes strategic housing allocations.

### Housing Distribution

- Policy SS6 Meeting the Housing Requirement. Objection. The delivery of the housing requirement relies upon a small number of large sites which is not consistent with the advice in the NPPF (2023) paragraph 70 in terms of providing a range and choice of sites.
- Policy SS6 Meeting the Housing Requirement. Objection. The local plan should be amended to include land north of Nursling Street, for housing. See plan attached.

## **Introduction**

1.This submission is made on behalf of The Four Horseshoes Ltd. It sets out its response to the Regulation 18 Part 2 Consultation on the Test Valley Local Plan published on the 6<sup>th</sup> February 2024.

## **Site History**

2.There is a current application for a 24-bed annex to The Four Horseshoes PH and car parking ref 23/01372/FULLS. The site has been the subject of a submission for inclusion in the Council's Strategic Housing and Employment Land Availability Assessment (SHELAA) ref site 250. The recommendation is to include land to the north of The Four Horseshoes which is currently the subject of planning application ref 23/01372/FULLS for a 24-bed annex accommodation subject to planning permission, ref page 194.

At the time of submission this application has been cleared for a delegated approval subject only to the S106. The S106 is dealing primarily with nitrates mitigation and is in the final processes, with engrossments about to issued, allowing the S106 to be sealed. Planning permission is anticipated to be formally issued in April 2024.

## **Sustainability Appraisal and Site Selection Process**

### **Sustainability Appraisal (SA)**

3.The SA is a key piece of evidence which supports the policies and proposals of a development plan document. Indeed, it is the document which underpins the document being prepared in preparing a SA there are a number of requirements which should be satisfied including: identifying reasonable alternatives and explaining why chosen a preferred option and why other options have been rejected, understanding that it is an iterative process and clearly documenting the process at each stage. This should enable the reader of the SA to be able to understand how a local planning authority has arrived at its preferred position.

4.When assessing individual sites, it is important that it is done in a consistent way, that the assessment should be based on the existing situation and where mitigation is taken into account it should be clear where that is the case i.e. mitigation-off and a mitigation-on approach. Where mitigation is applied an uncertainty about its delivery should be assessed. In circumstances where additional information provided by the promoters of sites is relied upon to inform the decision-making process it should be made clear that is the case and to information is being relied upon. It would assist the understanding of the process if the information relied upon is published as part of the evidence base.

5.The SA site appraisal with respect to land north of Nursling Street is flawed in a number of respects. See below.

Objective 1A)

6.Commentary. The small-scale nature of the site limits the scope to meet a range of housing needs. Policies HOU4 and HOU7 make provision for a range of housing with the later setting a threshold of 100 dwellings for self and custom build homes. All sites should have the same assessment outcome based on these policies.

The commentary should be revised and the performance should be reviewed.

Objective 4A)

7.Commentary. The site includes the car park and the garden for use by customers of The Four Horseshoes PH, which covers approximately half of the area.

The commentary should be revised and the performance should be reviewed.

Objective 4C)

8.Commentary. The SA records the site as being in a minerals consultation area. Given the size of the site and proximity of residential properties it is highly unlikely that if there are deposits that extraction would be commercially viable and would have a significant environmental impact.

The commentary should be revised and the performance should be reviewed.

Objective 6A)

9.Commentary. The Lead Local Flood Authority raised no objections with respect to planning application 23/01372/FULLS. The Strategic Flood Risk Assessment commissioned by TVBC would suggest that the site is at a low risk of flooding from surface water and ground water.

The commentary should be revised and the performance should be reviewed.

Objective 7A)

10.Commentary. The assessment attributed to the proposed development comprising approximately 30 dwellings is difficult to understand when compared with the local plan proposal at Upton for 80 dwellings receives a more favourable 'score' with virtually the same assessment.

The commentary should be revised and the performance should be reviewed.

Objective 10B)

11.Commentary. The site is of very limited ecological interest ref Preliminary Ecological Appraisal May 2023 submitted in support of planning application 23/01372/FULLS. There was no objection from the Council's ecological consultant to the current application. Those areas of interest which do exist can be retained as part of the site's development.

The commentary should be revised and the performance should be reviewed.

#### Objective 12D)

12.The site is categorised as one where any part of the site is likely to be exposed to night time road traffic. It is not clear on what basis TVBC has formed the judgement. On land immediately to the east, planning permission was granted for four dwellings in 2023 ref 21/03246/FULLS where the issue of noise was addressed through use of mitigation conditions.

13.The same commentary and ‘score’ is attributed to land at Velmore Farm and land at Upton which have both been proposed for development. A consistent approach should be applied to all sites with the same assessment in respect of noise.

The commentary should be revised and the performance should be reviewed

#### Conclusion/Summary

14. The issue of noise is a key factor in the conclusion that the site is ‘inappropriate for development’. If that is the case then it should be justified with the appropriate evidence along with the reasons why the same conclusion was not reached with respect to other sites assessed to have the same issue. It is clear that noise can be mitigated through conditions as on the adjoining site as shown in 12. above and therefore this site is appropriate.

#### Conclusion

15. When compared with other sites the land north of Nursling Street compares favourably with those that have been proposed for allocations. The issue of noise is not considered to be the determining factor in respect of the principle of development.

#### Site selection

16.Having been assessed in the SA sites were then subjected to the site selection process which comprised a number of stages. Those which completed stage 5 were the taken forward for further assessment.

17.Following stage 5 a preferred pool of sites was identified ref paragraph 5.70 of the ISAR. There is no content within the ISAR or the Site Selection Topic Paper to explain how the preferred pool was arrived i.e.; why sites such as the one north of Nursling Street which made it to stage 5 were not included. There is no reference to any selection process or criteria for what is a key stage in the decision-making process as it is from this preferred pool that the proposed site allocations are drawn. Paragraph 5.87 refers only to the process which led to the stage at which the selection of preferred pool of sites was undertaken.

18.It would be fair to conclude that there were at least two further stages in the site selection assessment after stage 5 which resulted in the elimination of a number of sites such as the one north of Nursling Street and the creation of the two-tier category of ‘constants’ and variables. First a pool of preferred sites is created which is then further distilled into ‘constant’

sites and 'variables' sites.

19.The selection process is concluded for southern Test Valley in Figure 6 of the Site Selection Paper. It includes the sites proposed for development for housing in the Regulation 18 Part 2 local plan including land at Upton for 80 dwellings. A site which was not in the list of preferred pool and was not included in the Growth Scenario Testing.

20.A key part of the SA process is the assessment of reasonable alternatives. The approach taken by TVBC has not enabled such an assessment to take place. At a relatively early stage sites were discarded which in turn restricted the scope and choice of growth scenarios. The flawed analysis of site assessments forming the bottom up approach has had the effect of ruling out sites which when compared with sites which formed part of the preferred pool has shaped the content of the four Growth Scenarios.

21.This approach adopted by TVBC restricted the assessment of reasonable alternatives as there is no scenario which explores a more dispersed approach across the Tier 1 and Tier 2 settlements which would be consistent with the strategic factors identified in paragraph 5.67 of the ISAR. Such an option could have included a range of size of sites.

## **Conclusion**

22.The SA and site selection process is not supported by a sound methodology and evidence base or the consistent application of the SA objectives.

## **Spatial Strategy**

23.The spatial strategy focusses development on the larger (Tier 1 and Tier 2) settlements and settlement boundaries are proposed for them and for Tier 3 settlements. In terms providing a framework for the delivery of sustainable development the approach is supported.

## **Housing Distribution**

24.The SA and site selection process has resulted in the non-allocation of the site which adjoins a Tier 2 settlement with no over-riding constraints. Its omission means that there are no small sites proposed for development despite paragraph 3.53 of the local plan identifying the need for a sufficient supply and mix of sites.

25.Paragraph 3.53 of the local plan identifies the need for a sufficient supply and mix of sites. Spatial Strategy Policy6 (SS6) Meeting the Housing Requirement identifies the proposed sites in the Southern Housing Market Area (SHMA). There is a lack of a mix of sites, particularly small sites. Paragraph 70 of the NPPF (2023) advises that small and medium sized sites can make an important contribution to meeting the housing requirement of an area. Local planning authorities should promote the development of a good mix of sites.

26.In the local plan the proposed supply of housing is predominantly to be delivered by large sites including two existing local plan allocations at Hoe Lane (300) North Baddesley and

Whitenap 1300 (Romsey) and five proposed allocations for: 80, 110, 340 and 1070 dwellings respectively.

27. Large sites will have a longer lead-in time to commencement of development, particularly where there are major infrastructure issues to be addressed. This can have a significant impact on the delivery of a continuous five-year supply of housing land. The inclusion of smaller sites can help with the delivery of the local plan requirement particularly in the early years of the plan period.

28. TVBC have consistently over-estimated the capacity of large sites to deliver the completions assumed in its housing trajectories in recent years. The proposed local plan trajectory is similarly over-optimistic e.g. it assumes that two of the allocated sites at Ganger Farm and Romsey By-Pass will be delivering significant completions as early as 2026/27, that is in only two years' time and assumes that Velmore Farm will be delivering completions in 2028/29.

29. The Trajectory also assumes high rates of completions on the large sites and that the rates would be maintained over a significant period of time. This approach is likely to result in an uneven supply of housing particularly in the early years of the local plan.

30. The proposed allocation at Upton for 80 dwellings, which is the smallest site, is not projected to deliver any completions until 2036/37. Its delivery appears to be tied to that of the employment allocations.

31. The land north of Nursling Street is a small site (1Ha) which could deliver 30 dwellings in a relatively short period and in the early years of the new local plan. It is the sort of site that the NPPF paragraph 70 is encouraging local planning authorities to promote through their development plans.

32. The site is well related to the existing settlement of Nursling and Rownhams and has good access to a range of services and facilities. It would have negligible impact on the wider landscape of the area, with the M27 and M271 motorways on the northern and eastern boundaries, the strategic employment site of Adanac to the south and the existing development of Nursling to the east.

## **Conclusion**

33. The SA and the process of site selection on which Policy SS6 does form a sound basis for the justification for the proposed allocations. The methodology is unclear and both should be reviewed.

34. The site has considerable merit in being allocated for development capable of providing a small deliverable housing site at a Tier 2 settlement. The local plan should be revised to include an allocation for housing on the land north of Nursling Street.



Scale -1:1250

Rev.	Description	Date
A	Update	Mar 24

project Housing; Land North of The Four Horseshoes

client The Four Horseshoes Ltd

drawing Site Plan as Proposed

**crafted**  
architects

date Mar 2024  
scale 1 : 1250 @A4  
job 1703  
dwg D - 2100 rev. A

RIBA