

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)	Mr	First Name*	Edward
Surname*	Heron		
Organisation* (If responding on behalf of an organisation)	Edward Heron MRICS Limited		

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*			
Ringwood			
Hampshire		Postcode	

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

Madeline Frances Vossler, Penelope Anne Elsdon, Susan Mary Marchment & Christopher Richard Marchment (Landowners) & Clayfield Southern Limited (Development Partner).

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

Housing Site Selection Topic Paper (February 2024)

The topic paper identifies within paragraph 1.7 the requirement of the NPPF that “the development plan must include strategic policies to address each local planning authority’s priorities for the development and use of land in its area.” It continues to quote the requirement that “strategic policies should set out an overall strategy for the pattern, scale and quality of development (to ensure outcomes support beauty and placemaking), and make sufficient provision for housing (including affordable housing)”. The paragraph concludes highlighting the requirement that “strategic policies should provide a clear strategy for bringing sufficient land forward, and at a sufficient rate, to address objectively assessed needs over the plan period, in line with the presumption in favour of sustainable development. This should include planning for and allocating sufficient sites to deliver the strategic priorities of the area (except insofar as these needs can be demonstrated to be met more appropriately through other mechanisms, such as brownfield registers or non-strategic policies).”

The topic paper does not explicitly consider the role of Neighbourhood Plans in delivering strategic priorities. Paragraph 1.19, Figure 2, considers the housing requirements and supply. This makes an allowance for the provision of 110 dwellings through allocation within Neighbourhood Plans to meet locally identified housing need. However, this does not preclude the availability of sites that could sustainably meet the wider plan area housing need.

Paragraph 1.26 provides a summary of the site selection process. Stage 4 appropriately seeks the “filtering out sites that are inconsistent with strategic factors including the settlement hierarchy with the primary focus in Andover and Romsey and proportionate growth in sustainable Tier 2 settlements.”

This recognises the role of Tier 1 (Andover & Romsey) and Tier 2 settlement is delivering sustainable growth and the need for sites within these settlements to be assessed for their suitability for allocation as strategic housing sites, delivering

sustainable housing development to meet overall market area housing requirements.

The topic paper makes no reference to, nor provides any justification for, the screening out of potential site allocations within Tier 1 and Tier 2 settlements due to the designation of a neighbourhood plan area or the 'making' of a neighbourhood plan.

Appendix 1 (Residential Site Selection Process) of the topic paper sets the assessment stages and reasoning in more detail. There is a significant inconsistency between the objective of Stage 4 as articulated within the description ("What this stage involves") and the reasoning. According to the description, the emerging strategy is to "maintain a focus on delivering sustainable growth at Andover and Romsey and the tier 2 settlements", which includes Charlton. However, the reasoning contradicts this by stating that "If a site is at a settlement in the Settlement Hierarchy in Tiers 1 and 2 and has either a made neighbourhood or a designated neighbourhood plan area with a neighbourhood plan actively in progress, we have excluded those sites within that area." This implies that potential strategic sites for housing development in these settlements are disregarded without any justification, despite the stated objective of focusing on their sustainable growth. This approach is inconsistent with the overall vision and spatial strategy of the plan.

Therefore, we propose that the final bullet point within the 'reasoning' of Stage 4, namely that "If a site is at a settlement in the Settlement Hierarchy in Tiers 1 and 2 and has either a made neighbourhood or a designated neighbourhood plan area with a neighbourhood plan actively in progress, we have excluded those sites within that area." should be removed and that Tier 1 and 2 sites should progress to Stage 5 assessment. This would ensure that all potential strategic housing sites within these settlements are evaluated on their merits and contribution to sustainable development, regardless of the existence or status of a neighbourhood plan. This would also be consistent with the National Planning Policy Framework (NPPF), which states that neighbourhood plans should support the delivery of strategic policies contained in local plans and should not promote less development than set out in the strategic policies or undermine those strategic policies (paragraph 29). Furthermore, this would allow for more flexibility and responsiveness to changing circumstances and evidence, such as the recent Housing Needs Assessment (HNA) that showed an increased housing need for the borough. We believe that this approach would be more sound and effective in achieving the vision and spatial strategy of the plan.

Draft Test Valley Local Plan 2040 (Reg. 18 Stage 2)

The consultation draft plan is 'unsound' for the reasons set out below and within the attached representation regarding land identified within the 2024 SHELAA as 'Land off Enham Lane' (reference 390).

Material inconsistencies between proposed spatial strategy and settlement hierarchy policy (SS1) and the site assessment and screening process undertaken (as detailed within the published Housing Site Selection Topic Paper), has resulted in the discounting of potential sites without robust justification. This flawed methodology has resulted in incomplete information being available to decision makers due to potentially sustainable sites being omitted from assessment against the site sustainability criteria as detailed within the 'Sustainability Appraisal of the Test Valley Local Plan 2040: Interim SA Reports' (February 2024).

The incomplete presentation of information to decision makers, with potentially highly sustainable development options having been screened out at Stage 4 of the site assessment process, contrary to the provisions of the draft spatial strategy and proposed policy in respect of settlement hierarchy and the appropriateness of the type and quantum of development that can be sustainably accommodated with Tier 1 and 2 settlements, has resulted in an 'unsound' strategic site allocation policy (SS6).

In order to make the draft plan 'sound' sites discounted at Stage 4 of the assessment process due the 'making' of, or designation of the plan area for, a Neighbourhood Plan, should be progressed to a 'Stage 5' assessment and draft policy SS6 reconsidered based on the outcome of this remedied assessment process.

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>page 19, Stage 4</p> <p>p.38, Policy SS1</p> <p>p.47, para 3.83</p> <p>p.52, Policy SS6</p>	<p><u>Housing Site Selection Topic Paper (February 2024) – Appendix 1: Residential Site Selection Process</u></p> <p>Delete “If a site is at a settlement in the Settlement Hierarchy in Tiers 1 and 2 and has either a made neighbourhood or a designated neighbourhood plan area with a neighbourhood plan actively in progress, we have excluded those sites within that area.” for the reasons set out above.</p> <p><u>Draft Test Valley Local Plan 2040 (Reg. 18 Stage 2)</u></p> <p>The designation of the Charlton as Tier 2 settlement is supported.</p> <p>It is agreed that Tier 1 and 2 settlements are sustainable locations for strategic allocations, including housing allocations required to deliver the strategic housing requirements.</p> <p>The text is unclear, it correctly states that Neighbourhood Plans are ‘non-strategic’, however by then referencing “strategic objective(s)” the text can be read to imply that ‘made’ and emerging Neighbourhood Plans are appropriate mechanisms for the allocation of strategic sites. For clarity, it is proposed that para 3.83 should be amended to read:</p> <p>“By their nature Neighbourhood Plans are ‘non-strategic’ but nevertheless can contribute to meeting housing need by contributing to the provision of new homes. Neighbourhood plans should not promote less development than set out in the Local Plan but can promote more development.”</p> <p>In order to be ‘sound’ the Local Plan is required to provide a clear and robust framework for the allocation of housing sites that is consistent with the national planning policy and guidance and reflects the local context and needs. Draft policy SS6 fails to do so as it relies on a flawed site selection methodology that excludes potentially suitable and sustainable sites from consideration. We submit that draft policy SS6 is ‘unsound’ as the criteria for the assessment of sites for housing allocations as set out within the Housing Site Selection Topic Paper (February 2024) is inconsistent with the proposed ‘Test Valley</p>

	<p>Sustainable Spatial Strategy' and draft policy SS1 (Settlement Hierarchy) and thereby is inconsistent with the plan-making requirements of the National Planning Policy Framework. The Framework states that plans should be prepared with the objective of contributing to the achievement of sustainable development, based on a strategy which meets objectively assessed needs. Draft policy SS6 falls short of these requirements as potentially suitable and sustainable sites have been removed from the site selection process without proper justification.</p> <p>Stage 5 assessments should be undertaken in respect of SHELAA sites within Tier 2 settlements to inform the reconsideration of proposed allocations within draft policy SS6 (Meeting the Housing Requirement).</p>
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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.

**Draft Test Valley Local Plan 2040
Regulation 18 (Stage 2) Consultation**

Representation on behalf of Clayfield Southern Limited
In respect of:

Land off Enham Lane



(Parish: Charlton)

Site Area: 1.32 hectares
Indicative number of homes: 60

2nd February 2024

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Appendices

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(Charlton Neighbourhood Plan Site Assessment, 2019)
- B. Environment Agency Flood Risk Map for Planning

1. Location & Description.

- 1.1 The settlement of Charlton is situated approximately 1¼ miles north-west of Andover Town Centre. Separation from the conurbation of Andover is maintained by the verdant Anton Lakes Local Nature Reserve.
- 1.2 Charlton benefits from a range of local services and amenities, either located within the settlement, such as a convenience store and post office, public house and parish church, or in close proximity within the Town of Andover. The village also has several public playgrounds and open spaces, such as Charlton Lakeside, which features amenities including a café, leisure centre, adventure golf and boating lake.
- 1.3 The village is served by bus routes that connect it to Andover, Newbury, and other nearby towns. These include the Stagecoach 3 and 11, which run approximately every hour on weekdays and weekends. The nearest mainline railway station is Andover, which is about 10 to 15 minutes travel by car or bus.
- 1.4 Andover railway station is served by the South Western Railway line, which runs between London Waterloo and Exeter St Davids. Some key destinations that have a direct service from Andover are Basingstoke, Salisbury, Winchester, and Woking. The journey time to London Waterloo is about an hour and 15 minutes.
- 1.5 The site is approximately 1.32 hectares and is identified within the 2024 Strategic Housing and Economic Land Availability Assessment (SHELAA) with the reference 390. The site is located on the eastern edge of Charlton village, adjacent to the existing settlement boundary. The site slopes gently from north to south and is well screened to the east from Enham Lane by mature hedgerows.
- 1.6 Enham Lane is a single carriageway road with a speed limit of 30 mph that connects Charlton village to Enham Alamein village. The road has a low traffic volume, with an average of 164 vehicles per hour in both directions, according to a survey conducted in July 2020.
- 1.7 The site is located to the southwest of land known as 'Land at Manor Farm, North Andover' which is proposed for allocation within the draft local plan for approximately 800 dwellings (policy NA5). The site is to the west of the site identified as 'Land to the North of Goch Way' and allocated under policy CNP2 for residential development for

approximately 50 new dwellings within the Charlton Neighbourhood Plan. The site is to the northwest of the site known as 'Land at Goch Way' (also known as Peake Way), which gained Outline planning consent for development of up to 85 residential units by appeal decided in May 2015.



(Land off Enham Lane (SHELAA ref. 390) outlined in red)

- 1.8 The site is bordered to its north by land identified within the 2024 SHELAA as 'Grazing Land at Charlton' (ref. 242) which extends to approximately 3.84 hectares and is estimated to have capacity for the provision of at least 115 dwellings.

2.0 Overview of Site Assessments.

2.1 Charlton Neighbourhood Plan – Site Assessments (November 2019).

The assessment was undertaken to inform the emerging Charlton Neighbourhood Plan. Nine sites were assessment used a range of criteria based on national and local planning policy, as well as site-specific factors and community feedback. The assessment also considered the potential impacts of development on the landscape, heritage, ecology, flood risk, access and infrastructure of each site.

2.2 The site assessment report ranked the sites according to their overall performance against the criteria, using a traffic light system of red, amber and green. The report categorised three sites (CHA1, CHA2 and CHA5) as 'green', with a further two sites classified as 'amber'.

2.4 The site identified as CHA5 (identified within the assessment as 'Land at rear of Hatherden Road'), which is the subject of this representation, scored second highest in the ranking, with only one red criterion (impact on designated heritage assets) and eight green criteria (including landscape character, site availability, housing delivery and community support). The site was considered to have good potential for providing a mix of housing types and tenures, including affordable housing, and to contribute positively to the character and identity of Charlton village. The site was also noted to have good access to local services and facilities, and to offer opportunities for enhancing biodiversity and green infrastructure.

2.5 The assessment against site ranking criterion concluded that "the site assessment show that site CHA1 has the most favourable ranking, in excess of the next potential site which is CHA5, followed by site CHA2."

2.6 The ranking was allocated despite some errors in the data utilised in respect of the site. For example the site was classified as 'red' for criteria K which asked "Is the site free from flood risk? (Incl. significant surface water drainage problems)". Environment Agency flood risk mapping (attached, Appendix B) classifies the entirety of the site as being within Flood Risk Zone 1 (an area with a low probability of flooding).

2.7 Additional data, such as a traffic survey commissioned by Hampshire County Council in November 2023, and comprehensive technical assessment, such as the one conducted by Nick Culhane, Transport Consultant, which were not accessible when

the Neighbourhood Plan site assessments took place, would now lead to an improved evaluation of the site against the assessment criteria.

2.7 Strategic Housing & Economic Land Availability Assessment (January 2024).

The document, an update of the previously published 2023 assessment, is based on data obtained from a 'call for site' undertaken in July/August 2022. It supersedes the 2021 SHELAA, which was based on data obtained from a previous 'call for site' carried out in early 2021.

2.8 Limited site assessment is undertaken in the preparation of the SHELAA in a two-stage process. The first 'survey stage' reviews and evaluates data such as site size, boundaries and location. Physical constraints such as access, contamination, flood risk and location of infrastructure and utilities is assessed based on information available (however this may require reassessment based on additional data, for example site specific flood risk assessments).

2.9 The second 'site/broad location assessment' consists of a high-level assessment of sites and locations and is undertaken in accordance with national planning policy guidance. This includes an estimation of development potential, consideration of a wide range of constraints, such as ecological and environmental, informed by further technical evidence and advice from statutory consultees.

2.10 The purpose of the assessment stages is not to discount sites (unless evidence either clearly demonstrates that identified constraints are not capable of being overcome or because the principle of development is already established for example through the grant of planning consent) but to support the preparation of a draft plan.

2.11 Land off Enham Lane (reference no. 390), the subject of this representation, was subject to both stages of assessment, the outcomes of which are summarised within the published Appendix 2, Version 2, Part 1 of the 2024 SHELAA.

2.12 Key outcomes of this assessment were that the site was immediately available, that there was developer interest, development could commence within 5 years and the site had the potential for the provision of self-build plots. The high-level assessment estimated a site capacity to provide at least 52 dwellings.

2.13 Housing Site Selection Topic Paper (February 2024).

This document sets out the criteria and process utilised for the selection of sites for proposed allocation within the draft (Regulation 18, Stage 2) Local Plan 2040.

- 2.14 The document provides summary of the five-stage site selection process in Paragraph 1.26 (with further detail provided within appendix 1 of the document). The first four stages are in essence 'gateways', with sites discounted from assessment at subsequent stages where criteria are not met, or constraints are identified.
- 2.15 The first stage, the 'SHELAA Stage', is discussed earlier. The second stage evaluated each site based on a minimum criterion of delivering 10 dwellings, excluding sites that could not achieve this level of supply.
- 2.16 The third 'detailed assessment of constraints' stage seeks to filter out site considered to have prohibited constraints to development, or where the potential to overcome such constraints would result in a failure to meet the minimum 10 dwelling criterion considered at stage two.
- 2.17 The considered site, 'Land off Enham Lane', was assessed as meeting the requirements to progress through the 'gateway' criteria of stages 1 to 3 of the selection process.
- 2.18 The fourth stage is an assessment of sites for 'consistency with strategic factor', the objective of which is described within appendix 1 as follows:

"It is key the sites we take forward are consistent with 'top down' factors such as the settlement hierarchy and broad distribution factors. The emerging strategy is to maintain a focus at delivering sustainable growth at Andover and Romsey and our tier 2 settlements. It is proposed that in the rural area, communities deliver housing through the relevant mechanism e.g. Neighbourhood Plan, Community led development."

- 2.19 A material inconsistency appears between the stated objective of this stage and both the reasoning articulated and process followed. The objective, headed within the document as 'What this stage involves', articulates the emerging strategy's focus on delivering sustainable growth at Andover, Romsey and Tier 2 settlements¹. This is consistent the proposal that follows which states *"that in the rural area, communities*

deliver housing through the relevant mechanism e.g. Neighbourhood Plan, Community led development.”

- 2.20 However, the articulated reasoning, and the process followed, is inconsistent with both the stated objective of the stage 4 assessment and the spatial strategy of the draft Local Plan 2040, in that potential sites within Andover, Romsey and Tier 2 settlements are discounted from detailed assessment due to the existence of ('made') or potential for (designated area) a Neighbourhood Plan.
- 2.21 Appendix 2 of the Topic Paper provides a list of assessed sites and, where applicable, the stage and reason for exclusion from the site selection process.
- 2.22 'Land off Enham Lane' (ref. 390) was excluded from the site selection process at Stage 4, the reason stated being "*Settlement Hierarchy Tier 2 Settlement – Made Neighbourhood Plan*".
- 2.23 In addition to the exclusion of 'Land off Enham Lane' from further assessment (Stage 5 including through a sustainability appraisal to inform site selection), the neighbouring site known as 'Grazing Land at Charlton' was discontinued from further assessment with the same reasoning being stated.

3. Conclusions.

- 3.1 The site assessment process undertaken in the preparation of the draft Local Plan 2040 is unsound. Material inconsistencies between the proposed spatial strategy (draft Policy SS1), which identifies Tier 1 and Tier 2 settlements as appropriate locations for 'strategic allocations', the stated objectives of the site selection process and the subsequent flawed assessment and implementation has resulted in the discounting of sites without sound reasoning or justification.
- 3.2 The flawed application of the Stage 4 assessment criterion and the resultant inconsistent discounting of sites from the subsequent Stage 5 assessment, including sustainability appraisal, has the inevitable effect of undermining the robustness and validity of the site selection process and the resulting spatial strategy.
- 3.3 The draft Local Plan 2040 does not demonstrate that the proposed site allocations represent the most appropriate strategy for meeting the identified development needs, when considered against the reasonable alternatives, in accordance with the principle of sustainable development as set out in the National Planning Policy Framework (NPPF).
- 3.4 Therefore, the draft Local Plan 2040 fails to comply with the tests of soundness in paragraph 35 of the NPPF and should be withdrawn or substantially revised.

Edward J. Heron BSc MRAC MRICS
Edward Heron MRICS Limited

Notes:

¹ – Tier 2 settlements are identified as the settlements of Charlton, Chilworth, North Baddesley, Nursling & Rownhams, Stockbridge and Valley Park within the proposed Spatial Strategy Policy 1 (SS1): Settlement Hierarchy.

Appendix A

Site Assessment, Land at rear of Hatherden Road

- Charlton Neighbourhood Plan Site Assessment (2019)

Site	Land at rear of Hatherden Road, Charlton	Site Reference	041
Site Use	Agricultural land	Site Area (approx.)	1.36 ha
Availability	The site is promoted for residential development by the landowner and is therefore considered available.		
Suitability	The site is bounded on three sides by development within Charlton village. Due to the location and proximity to Andover, Charlton is considered a sustainable location. However, the relative merits of the site compared to others will need to be considered. There is a significant central area of flood zone 3 and Grades 2 and 3a agricultural land.		
Achievability	The site is promoted and considered achievable.		
Deliverability / Developability	Information has not been provided on expected delivery of housing or an estimated timeframe. Therefore a site area of 1.36 ha at 40 dwellings per hectare (given the rural village but reflecting the proximity of Andover) would yield 54 dwellings. The site is close to the built up area of Charlton and is considered suitable for development. However, progression of site detail is in its infancy and therefore the site is not considered deliverable in the first 5 years.		
Constraints / Actions	<ul style="list-style-type: none"> - Landscape impact - Access - Flooding - Potential archaeological interest - Agricultural land quality - Setting of listed buildings 		



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This document forms part of the evidence base for the Revised Local Plan. It provides information on available land, it does not allocate sites for housing. See page 3 of the main report for more information on its status.

Appendix 4: Page 39



Status:

No current planning applications

Key Concerns:

- The site suffers from surface water flooding and potential mineral extraction constraints.
- Archaeology
- Impact of Public Rights of Way
- Landscape impact to the north
- Access
- Setting of designated heritage assets

Appendix B

- Flood Risk Map for Planning
- Environment Agency (accessed 2024)








Flood map for planning

Your reference
CL/23/005

Location (easting/northing)
435124/147203

Scale
1:10000

Created
24 Mar 2024 20:21

-  Selected area
-  Flood zone 3
-  Flood zone 2
-  Flood zone 1
-  Flood defence
-  Main river
-  Water storage area

0 100 200 300m

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