

# Test Valley Local Plan (2020-2040)

## Regulation 18 Stage 2 Representations On Behalf of The Trustees of the Barker-Mill Estates

April 2024



Contents

	Page
1. Introduction and Background to these Representations	3
2. Local Plan Chapter 1: Introduction	6
3. Local Plan Chapter 2: Vision, Key Challenges and Objectives	7
4. Local Plan Chapter 3: Spatial Strategy	14
5. Local Plan Chapter 5: Theme Based Policies	19
6. Promoted Sites	20
7. Summary and Conclusions	25

Appendices

1. Joint Statement Regarding Land at Upton Lane	29
---	----

Author  
Daniel Wiseman BSc (Hons) DipTP MRTPI MInstLM  
Director

Gillings Planning Ltd  
[Redacted]  
[Redacted]  
[Redacted]  
[Redacted]  
[Redacted]  
  
[Redacted]  
[Redacted]

Client  
The Trustees of the Barker-Mill Estates

Date of Issue  
2<sup>nd</sup> April 2024

## 1.0 Introduction and Background to these Representations

1.1 Gillings Planning have been instructed by our client The Trustees of the Barker-Mill Estates ('client') to make these representations on the Regulation 18 (Stage 2) version of the emerging Test Valley Local Plan 2024 (the 'Local Plan').

1.2 We are pleased to have an opportunity to make representations on the Local Plan and our client is pleased to support the aspirations of the emerging local plan and promote land for development in the southern area of Test Valley at the following locations:

- Land at Upton Triangle, Nursling
- Land south of Nursling Street, Nursling
- Land South of Weston Lane, Nursling
- Fields Farm, Rownhams

1.3 An overview of these sites is provided at Section 6.

### **The Barker-Mill Estates**

1.4 The Barker-Mill Estates consist of several thousand acres of land in Hampshire owned and managed by the Barker-Mill family and placed under the guardianship of the Trustees with the support of the family.

1.5 The Barker-Mills have deep and long-established roots in the county having been local landowners and prominent figures in community life for over 500 years. Their ancestors date back to the 14th century and played a vital part in the history of the area through their ongoing investment and involvement within the local community. Today, the family and its Trustees, continue to look after estates in the New Forest, to the west of Southampton and in the lower Test Valley.

1.6 To the immediate west of Southampton the estates include land in the lower Test Valley and parts of Nursling and Rownhams. On the eastern edge of the New Forest the estates cover a 3,000-acre block of land which includes parts of Hounsdown, Eling, Marchwood, Colbury, Ashurst and Longdown.

1.7 Although mainly consisting of farmland, grazing paddocks and commercial land units, the estates also feature a wide range of residential rental properties, the majority of which

are located in Nursling and the villages of Ashurst and Colbury. Many of the properties are rented by local people.

### **Successful Developments in Lower Test Valley**

- 1.8 The Trustees are proud to have successfully brought forward important strategic developments in the lower Test Valley over the past 20 years including major employment development comprising headquarter offices, storage and distribution at Adanac Park, new homes at Fen Meadow and Bargain Farm and a variety of supporting facilities including a public house, convenience retail and health infrastructure.

### **Community Investment**

- 1.9 Our client is also rightly proud of their philanthropy in the community. The Barker-Mill Foundation was established in 1995 from funds provided by members of the Barker-Mill family in memory of their late father and grandfather, Peter Barker-Mill. The Foundation mainly makes donations to local charities, schools, organisations and individuals needing support, primarily in south west Hampshire. The Foundation has given substantial funding to hundreds of organisations in South West Hampshire, in some cases enabling the refurbishment and redevelopment of headquarters and offices, as well as funding local medical research and various school projects to name a few.
- 1.10 Barker-Mill Estates is also committed to responding to wider local community needs. For example, it has worked with the Marchwood Parish Council and various other community groups to launch the Marchwood to Totton Cycle Route. There was a local requirement to provide a strong, safe alternative transport link for cyclists between Marchwood and Totton, and Barker-Mill Estates was pleased to provide the land to make this a reality. The 2-kilometre-long cycle path is set well away from heavy-vehicle traffic on Bury Road and is a welcome feature to both the residents of Marchwood and those who travel to work there.

### **These Representations**

- 1.11 These representations have been prepared by Daniel Wiseman, a Director at Gillings Planning. I confirm that I understand and accept that my responses will be published in the public domain alongside my name, my organisation and the name of my client.
- 1.12 These Representations follow previous representations made as part of the Local Plan Regulation 18 Stage 1 consultation and we would be welcome an opportunity to discuss these representations with officers in due course.

1.13 The structure of these representations is set out as follows:

- **Section 2** – provides comments on Chapter 1 of the Local Plan and specifically on the Local Plan period;
- **Section 3** – provides comments on Chapter 2 of the Local Plan including the Duty to Cooperate and the work of the Partnership for South Hampshire;
- **Section 4** – provides comments on Chapter 3 of the Local Plan including the settlement hierarchy, the need for new homes, the need for affordable housing, matters of supply and the windfall allowance;
- **Section 5** – provides comments on Chapter 5 of the Local Plan and deals with matters of self-build and custom-build homes;
- **Section 6** – provides details of the sites that we are promoting;
- **Section 7** – provides a summary and conclusions.

## 2.0 Local Plan Chapter 1: Introduction

### The Local Plan Period

- 2.1 The Local Plan proposes to span the period 2020 to 2040, however the Local Plan timetable suggests that the Local Plan would not be adopted, at the earliest, until Q2 of 2026.
- 2.2 Paragraph 22 of the National Planning Policy Framework ('NPPF') states that a local plan should plan ahead for a minimum of 15 years.
- 2.3 Local plans very often slip, and following a national hiatus of local plan production, there are expected to be a substantial backlog of local plans working their way through the planning system. We expect the Local Plan to slip.
- 2.4 As a consequence, we recommend that the Local Plan be altered to span the period ending in 2042, or preferably until 2045 to offer a more meaningful and positive development period and to be in accordance with the requirements of the NPPF. Only then, will it be considered as a positively prepared and sound local plan.

## 3.0 Local Plan Chapter 2: Vision, Key Challenges and Objectives

### Regional Context and Duty to Cooperate

- 3.1 The National Planning Policy Framework ('NPPF') imposes a 'Duty to Cooperate' on Local Planning Authorities ('LPAs') to work with neighbouring LPAs to meet their unmet needs and to produce Statements of Common Ground to confirm the agreed approaches.

### The Partnership for South Hampshire

- 3.2 Test Valley Borough Council are in a partnership with eleven other Local Planning Authorities ('LPAs') known as the Partnership for South Hampshire ('PfSH') which seeks to encourage sustainable, economic led growth and regeneration of the South Hampshire sub-region and importantly promotes the 'Duty to Cooperate' across boundaries on matters of strategic importance, including housing distribution.
- 3.3 We support the Council in their desire to work positively and collaboratively with neighbouring local planning authorities and other bodies to identify and seek to address any strategic, cross-boundary matters.
- 3.4 We note that the PfSH work is non-statutory (i.e. not part of the formal development plan) but we have also seen first-hand the PfSH work being endorsed by Planning Inspectors during examinations of local plans. We feel it is right that PfSH's work is used to help inform the development of the local plan which includes a Spatial Position Statement ('SPS'), as detailed below. The SPS is important as a key expression of joint planning and how the Council fulfils its Duty to Cooperate requirements. It is therefore, an agreed strategic planning approach, as is documented in the PfSH Statement of Common Ground, which has been signed by all member authorities, including Test Valley Borough Council.
- 3.5 Paragraph 2.18 of the Local Plan acknowledges that Test Valley Borough Council is engaging with all their neighbouring authorities and works collectively with authorities across South Hampshire, including Hampshire County Council, and through the PfSH on a range of strategic planning matters, including a joint evidence base.
- 3.6 Paragraph 2.18 also acknowledges that a Spatial Position Statement (SPS) for the sub-region for the period to 2036, together with an overall vision and strategic direction covering the period to 2050 was published in December 2023.

- 3.7 Paragraph 2.19 of the Local Plan confirms that the SPS sets out the current level of housing need and supply in South Hampshire and that *“it identifies a supply shortfall in meeting housing needs across South Hampshire”*. This is putting it mildly.
- 3.8 Table 1 of the SPS sets out the overall anticipated housing need and land supply position for the period 2023-2036. Overall this highlights that there is an acknowledged shortfall of 11,771 dwellings in the PfSH area.
- 3.9 Paragraph 2.19 cites an expectation that *“As individual Local Plans progress, each Local Planning Authority will consider whether they can meet their need. The SPS will be updated to reflect this in the future”*.
- 3.10 Paragraph 2.20 states that *“In the SPS, broad areas of search are identified which could be considered in the future to help address any remaining shortfall in supply. Whether these sites are progressed, is to be considered and decided by each of the individual Local Planning Authorities through the preparation of the respective Local Plan”*. Underlining is my emphasis.
- 3.11 It is disappointing that there is no clear direction in how this Local Plan or any other Local Plan being prepared in the PfSH area will actually, tangibly meet this unmet and chronic housing need.
- 3.12 It seems that the Local Plan wishes to defer the matter for a point in the future and does not propose to address this unmet need at all. This lack of positivity is at odds with the NPPF and leads us to conclude that the Local Plan is not positively prepared and is not sound.
- 3.13 The council's response to this is found in the Spatial Strategy Topic Paper, where it states at paragraph 3.5 *“The SPS does not set out a need for Test Valley to pursue a housing requirement above LHN (derived from the standard method). Through the preparation of the Local Plan, the Council has considered reasonable alternative growth scenarios in accordance with the settlement hierarchy and also within the ‘areas of search’ identified in the SPS”*. Further responses are found in the Housing Topic Paper (in para 3.27), where it is argued that the level of unmet need identified in the SPS is: *“based upon the amount of housing with is currently identified and thus there is some supply which is yet to be identified through local plans. There is not therefore yet a quantified unmet housing need, rather some housing need yet to be identified, which may or may not result in an unmet need in due course.”* and *“We will continue to participate in the work*



*of PfSH, however potential unmet need is a challenge, when we don't have certainty or evidence over whether there is unmet housing needs".*

- 3.14 This approach by the Council is, in our view, contrary to both Policy SPS8 of the PfSH SPS and contrary to the NPPF number of reasons.
- 3.15 The Local Plan fails to acknowledge the significant level of the shortfall. It is clear that the overall level of shortfall can and will change over time and whilst we do not expect Test Valley to accommodate the entire unmet need; we would expect the Local Plan to propose a meaningful contribution towards the unmet need.
- 3.16 For example, a contribution amounting to 10% of the unmet need (approximately 1,200 dwellings) would make a real difference, but would not expose the council to delivering more than any future quantified level of unmet need that was established in local plans.
- 3.17 The second reason why the Local Plan's response to the SPS is insufficient is because it fails to recognise the agreed positive strategic approach designed to address the shortfall as set out in Policy SPS8. Test Valley Borough Council has willingly signed up to the PfSH Statement of Common Ground, but has declined to make any positive move to implement the agreed strategic approach.
- 3.18 The Draft Local Plan and supporting evidence show that the council has not seriously considered the potential contribution that could be made by the two 'broad areas of search for growth' located within Test Valley Borough. This is despite the Borough being in a much better position than many PfSH members to make a contribution, due to the relatively fewer constraints in Test Valley. We consider that the fact that the council proposes to make no contribution whatsoever is clearly not a 'positive' or 'sound' approach with regard to paragraphs 11 and 35 of the NPPF.
- 3.19 The final reason why the response to the SPS is insufficient is that the need to take account of cross-boundary issues and to consider any unmet housing need from neighbouring authorities emerged as a key issue from past local plan consultations. This included consultations on both the Refined Issues and Options stage and also the Regulation 18 (Stage 1) Local Plan (see paragraphs 3.35 and 3.36 of the Housing Topic Paper). We note in particular the request from Southampton City Council for the Test Valley Local Plan to test a higher amount of housing than the LHN through the Sustainability Appraisal (See Table 1 of the Duty to Cooperate Paper). We have seen no evidence that this has been done. Again, this leads us to conclude that the approach is

not consistent with paragraphs 11 and 35 of the NPPF, nor with the agreed joint strategic approach set out in the SPS and PfSH Statement of Common Ground.

- 3.20 It is clear to us that Test Valley Borough Council can provide further opportunities to accommodate a meaningful portion of the proven sub-regional unmet need and anticipated additional need from LPAs such as Southampton where they will not be able to accommodate their own needs. The Local Plan and should identify more sites for homes in sustainable locations, including on land in and around Nursling and Rownhams, being classified as a Tier 2 settlement by the Council but which in our view is a higher order settlement due to its relationship to Southampton.

### **Broad Areas of Search for Growth**

- 3.21 On the 6th December 2023, Graham Tuck, the Chairman of the PfSH Planning Officers Group took a report to the PfSH Joint Committee entitled “*STATEMENT OF COMMON GROUND – Broad Areas of Search for Growth Assessments*”. The report referred to Appendix 1, being a separate report entitled “Identification of Broad Areas of Search for Growth Assessments, December 2023”.
- 3.22 The report sets out the proposed Broad Areas of Search for Growth Assessment evidence base document to be noted by the PfSH authorities.
- 3.23 Paragraph 3 advises that “*The Broad Areas of Search for Growth Assessments work has employed a constraints mapping approach to assess the potentially most sustainable broad locations, at the sub-regional scale, where it would be appropriate to identify sites for allocation in local plans*”.
- 3.24 Paragraph 4 explains that “*The evidence base document is relatively short and succinct*” and “contains a series of maps that apply the NPPF para 11 footnote 7 constraints (which have the strongest level of protection) and other important constraints”.
- 3.25 Paragraph 4 also acknowledges that “The constraints mapping has also sought to identify the most accessible areas in transport terms and, by mapping these, the least accessible areas, i.e. inaccessibility as a constraint that can be applied alongside the environmental constraints.
- 3.26 The constraints mapping has led PfSH to identify five “*Broad Areas of Search for Growth*”, namely:
- South-east/east of Eastleigh Town (Eastleigh)

- Southleigh (Havant)
- East of Romsey (Test Valley)
- South-west of Chandler's Ford (Test Valley)
- East of Botley (Winchester).

3.27 Worryingly, the PfSH report acknowledges that significant work is still required:

Paragraph 5 *“there are some ‘other important constraints’ that apply to some of these areas. Consideration will need to be given to the protection of the best and most versatile agricultural land and whether strategic/settlement gaps can be revised and still achieve their purpose at local plan stage.”*

Paragraph 8 *“It should be noted that at local plan preparation stage further detailed work will be required in terms of environmental and transport constraints. In particular, much more detailed transport assessment work will be needed, and this will be undertaken in conjunction with the transport authorities.”*

3.28 Essentially, and in our experience, there are many more hurdles in the way of any strategic scale development sites being identified. Identifying strategic sites takes a long time to come forward; there are landowner constraints, technical constraints, viability constraints, and of course there are environmental constraints; and we suspect that it will be many years before a strategic development site is identified; and this will be too late to address the identified unmet need that exists today.

3.29 Given the relatively small amount of work that has been carried out to date, and noting that PfSH has little resources; it is perhaps no surprise, that at the most recent PfSH meeting on 14th March 2024 there was no update whatsoever on the broad areas.

3.30 Paragraph 3.2 of the appendix to the report acknowledges that the matter is challenging, it states: *“PfSH recognises that, depending on methodology and the weight given to various constraints, achieving required levels of sustainable growth in South Hampshire is challenging”*.

3.31 We are of course pleased that PfSH has identified areas to search for the potential to accommodate strategic scale development, but it is just the beginning of what we consider will be a long and potentially ineffective process.

- 3.32 Paragraph 3.3 of the appendix of that report acknowledges that *“It should be noted that these broad locations will inevitably include some land which is covered by other important environmental constraints. For example, the locations East of Romsey and South-west of Chandlers Ford are subject to settlement gap designations. However, these are extensive designations and development may be possible whilst still maintaining a gap and the separate identity of settlements”*. This is an important acknowledgement that development does not automatically result in erode a settlement gap.
- 3.33 Paragraph 3.62 of the Local Plan acknowledges that *“National policy is clear where unmet housing exists, neighbouring authorities need to help provide for these housing needs”*. The paragraph continues to advise that *“This is a challenging position for the Council as we recognise the increasing pressure from our neighbouring authorities in Southern Test Valley, but individual Local Plans need to progress with evidencing the level of unmet housing need they may have. As this has not been produced yet by the relevant neighbouring authorities, we are unable to consider this at this time”*.
- 3.34 Paragraph 3.63 acknowledges that *“This position may change as plan preparation continues but it is uncertain whether this will be at point where this Local Plan 2040 or a future Local Plan can address this. The Council is committed to undertaking a future review of the Local Plan 2040 which can address this if needed. We will continue to engage with our neighbouring authorities in the south of the Borough through the Partnership for South Hampshire”*.
- 3.35 We are concerned that this admission by the Council demonstrates that the PfSH SPS is not working, and it is not going to deliver the unmet need.
- 3.36 So, we reiterate, we are pleased that PfSH has finally identified five broad areas of search, but we are concerned with the pace of PfSH’s work. Paragraph 1 of the report confirms the lengthy timescales to date, it states: *“The Joint Committee agreed a draft framework for the Statement of Common Ground (SoCG) at its meeting in October 2019. The Joint Committee subsequently agreed a formal SoCG in September 2020 and updated versions in October 2021, December 2022 and September 2023. The SoCG sets out the key strategic cross-boundary planning issues and the programme of work that will lead to the preparation of a new Spatial Position Statement”*.
- 3.37 Effectively, what PfSH has achieved to date is a partial evidence base that identifies “broad” areas where officers will “search” for areas where growth can be accommodated.

- 3.38 We have no confidence that PfSH will identify actual development sites within the next five years, and as such, the emerging Test Valley Borough Local Plan should do more to accommodate the unmet housing need in the housing market area.
- 3.39 We note that the Council considers that there is no clear evidence on unmet needs, we consider that it is evident from the PfSH SPS that there are unmet needs across South Hampshire between 2023 and 3036. We do agree that some of this unmet need could be delivered by some of the other Local Planning Authorities such as Eastleigh; but we note also that Gosport, Havant, Portsmouth and Southampton are constrained by their urban factors and in the case of the New Forest they are constrained by the National Park designation.
- 3.40 It is therefore important in our view that the Council starts planning now to increase the supply of homes in the Local Plan to address some of the unmet need in South Hampshire.

## 4.0 Local Plan Chapter 3: Spatial Strategy

### Spatial Strategy Policy 1 (SS1): Settlement Hierarchy

- 4.1 This policy sets out a laudable approach to the location of development, and seeks to place the majority of new development in the most sustainable locations based on a Settlement Hierarchy which places settlements in a settlement hierarchy based on their sustainability, role and function.
- 4.2 Settlements are located in the higher tiers of the hierarchy if residents are able to access a greater range of amenities, services and facilities easily without the need to travel by car.
- 4.3 We support the principle of this approach but we are concerned that, as expressed in former representations prepared on behalf of our client and reiterated now, that the inclusion of Nursling and Rownhams in Tier 2 is not an accurate reflection of its sustainability given its proximity to Southampton and the options and frequency of sustainable travel links to Southampton; a city that provides regional scales of services and amenities.
- 4.4 We consider that the range of services and facilities within Nursling and Rownhams (and those within the city of Southampton means that Nursling and Rownhams should be more reasonably and more accurately positioned in Tier 1 as it is more akin to the settlements of Andover and Romsey. At the very least, Nursling and Rownhams should be given a greater rank.
- 4.5 In our view, Nursling and Rownhams is a higher order settlement that benefits from an enviable proximity to the city of Southampton and is therefore a sustainable location for housing growth to support the Borough's needs, the unmet needs of the PFSH area and the likely unmet needs that will follow from Southampton being unable to meet its own needs.

### Meeting Our Housing Needs

- 4.6 Paragraph 3.52 proudly states that *“Over the last five years (2017/18 - 2021/22) the Council has delivered just over 4,280 homes and over 1,300 affordable homes” and that “in the 2021 Housing Delivery Test (HDT), Test Valley was ranked 62 out of 294 local authorities in England for housing delivery”.*

- 4.7 We note however that the 2022 HDT ranks TVBC as 237 out of 293. We also find it disappointing that TVBC refers to past housing completions in this way, almost as if it is trying to avoid doing so again.
- 4.8 Housing delivery is a complex issue, and is susceptible to the vagaries of the housing market and wider economy. Housing delivery consistently tracks wider economic trends, with some years delivering more, and some delivering less.
- 4.9 At the current time housing completions are being suppressed by a variety of factors including high interest rates, higher costs of borrowing, availability of mortgages, the cost of living, the rate of inflation, the costs of building materials, the supply of labour etc.
- 4.10 It is important in our view that past higher levels of supply should not be used as a reason to stifle supply in this Local Plan. Instead, these higher levels of housing completions show that there is a pent up demand.
- 4.11 Even in the past three years (2020-2023) where delivery has been strongly challenged by both the Covid pandemic and by the need for 'nutrient neutrality' an average of 709 dwellings have been delivered each year across the Borough. These past trends of housing delivery within Test Valley show that 550 dpa is well below what has been delivered across the area in recent years.
- 4.12 We agree that the 'Standard Methodology' should be the starting point and represents the minimum number of homes needed to accord with the NPPF. For Test Valley this was 541 dpa at the time the Strategic Housing Market Assessment (SHMA) was undertaken in 2022 and is now 550 dpa. However, as the Local Plan recognises in paragraph 3.51, a key objective of the NPPF is to boost the supply of new homes.
- 4.13 In our view, 550 dpa is just a 'starting point' and is not a sufficient number of homes to ensure that Test Valley, as a relatively unconstrained area performs its proper planning role in help meet housing needs and respond to the objectives of the NPPF to boost the supply of homes.
- 4.14 We consider that the Borough has ample capacity and an excess of suitable and available sites which could be allocated to significantly boost housing delivery in the area. It is the Council's choice not to boost its housing delivery beyond the national policy minimum despite the evidence that indicates it should do so. This demonstrates a lack of positivity in our view.

- 4.15 We consider that there are two specific and relevant reasons why the number of homes to be delivered within the Borough over the Plan Period should be increased, above the 11,000 homes (550 dpa) indicated in Policy 3 (SS3) Housing Requirement. The first reason is the need to significantly increase the level of affordable homes that will be provided and the second is to make a meaningful contribution to the acknowledged significant level of unmet needs of Test Valley's neighbouring authorities.

#### **Affordable Housing Need**

- 4.16 We note that the Strategic Housing Market Assessment ('SHMA') considered the level of affordable housing need, and estimated an annual need for 437 rented affordable homes. This is notionally 79% of the current minimum 'Local Housing Need' ('LHN') of 550 dpa. It is also acknowledged that the SHMA expressed caution in trying to make a direct link between affordable need and planned delivery. Whilst that is accepted, it is unsatisfactory that neither the SHMA, nor any other evidence document provides any clear target for affordable housing. Instead, the Council simply considers that the amount of affordable housing delivered will necessarily be limited to the amount that can viably be provided through the minimum 'LHN' target of 550 dpa. This is not a positive approach.
- 4.17 Paragraph 63 of the NPPF expects plan-making authorities to set a target for the homes needed by the different housing groups. In addition, the Planning Practice Guidance states that *"An increase in the total housing figures included in the plan may need to be considered where it could help to deliver the required number of affordable homes"*.
- 4.18 This is acknowledged by the Council at paragraph 3.7 of the Housing Topic Paper; so it is disappointing that, given the high level of affordable housing need stated in the SHMA that no affordable housing target has been calculated by the Council and no increase has been proposed to make a contribution towards addressing the significant level of need.
- 4.19 Paragraph 3.14 of the Housing Topic Paper confirms that the SHMA does not identify an affordable housing target, stating the reason as: *"This is because the amount of affordable housing that can be delivered is limited by the amount that can be viably provided"*. In paragraph 3.15, it is also states *"In Test Valley Borough absolute affordable housing need is 120% of the standard method derived LHN (550 dpa) and this would lead to a housing requirement of 1,222 dpa. The SHMA does not identify a demand for this level of market housing"*.



- 4.20 This approach does not comply with the expectations of paragraph 63 of the NPPF, nor with the PPG which both expect a target to be set and a plan put in place to achieve this level of affordable housing delivery, which may well result in a higher overall housing target than would be the minimum LHN.
- 4.21 The Council's argument that an increase in the overall housing target to address the level of affordable housing need would result in the Council failing to meet its own targets due to market limitations, is not convincing, particularly as there is no market delivery evidence presented to test this point. No reasonable town planner would suggest an overall target of 1,222 dpa (as quoted from paragraph 3.15 of the Housing Topic Paper), but the question remains unanswered as to what is the true capacity of the market to absorb market homes above 550 dpa in order to meet more of the pressing affordable housing need.
- 4.22 In our view, an increase to the overall target above 550 dpa could make a significant positive contribution to addressing unmet need for affordable homes. Therefore, the approach proposed in the Local Plan is not 'sound' as it is not consistent with national policy, nor is it evidence-based, as it simply assumes that the Test Valley housing markets cannot absorb any more than 550 dpa. This is clearly not the case and even a brief look at Test Valley's past housing delivery rates demonstrates this.

### **Housing Supply**

- 4.23 Table 3.3 of the Local Plan sets out the anticipated housing supply for the Borough, which amounts to 12,415 dwellings. We have a number of concerns that the Council has overestimated its anticipated supply.
- 4.24 The "Existing Completions, Housing Commitments at Andover, Romsey and Tier 2 Settlements" category in Table 3.3 includes a number of sites which would be classed as Category b) sites within the definition of 'Deliverable' in the NPPF. These sites should only be considered deliverable where there is clear evidence that housing completions will begin on the site within five years. We note that no evidence has been presented by the Council and so the number shown under this category could be significantly less than anticipated.

### **Windfall Allowance**

- 4.25 No evidence is provided to support the windfall allowance set out in Table 3.3. Paragraph 72 of the NPPF requires LPAs to provide "*compelling evidence that they will provide a reliable source of supply. Any allowance should be realistic having regard to the*

*strategic housing land availability assessment, historic windfall delivery rates and expected future trends*". In our view, and with a lack of evidence, the proposed windfall rate cannot be relied upon.

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

4.26 Paragraph 3.102 states that the Local Plan is making provision for a sufficient number of homes to meet the residual housing supply figure, and whilst on paper this may appear to be the case; we are concerned that in the Southern Housing Market Area the Local Plan is only allocating five new sites for new homes, namely:

- Land South of Ganger Farm, Romsey – 340 dwellings
- Land South of the Bypass, South Romsey – 110 dwellings
- Land at Velmore Farm, Valley Park – 1,070 dwellings
- Land at King Edwards Park, Chandler's Ford – 44 C2 units
- Land at Upton Lane – 80 dwellings

4.27 We disagree with the Local Plan approach because it simply relies on too few sites. Land at Velmore Farm, Valley Park is expected to deliver the most of the new homes required, and in our opinion the Local Plan is too reliant on this allocation.

4.28 Should delivery on any of these sites stall; which is likely given the very real issues of nutrient neutrality, BNG and other economic factors; the delivery of new homes will be substantially impacted.

4.29 In our view, the Council should be allocating a greater number of sites and a greater variety of locations to offer as much choice and competition in and around the most sustainable settlements in Southern Test Valley, including Nursling and Rownhams.

4.30 Nursling and Rownhams is akin to a Tier 1 settlement in our view because of its relationship with Southampton; but despite this geographical advantage, the Local Plan does not identify land for many new homes in this location.

#### **Spatial Strategy Policy 9 (SS9): Delivery, Monitoring and Contingency**

4.31 Whilst of course we support the Local Plan aspiration to monitor delivery of development; we are concerned that the policy lacks details regarding timescales, actions or measures

that would be taken if development is stalling. For example, what circumstances would trigger an early review of the local plan?

## **5.0 Local Plan Chapter 5: Theme Based Policies**

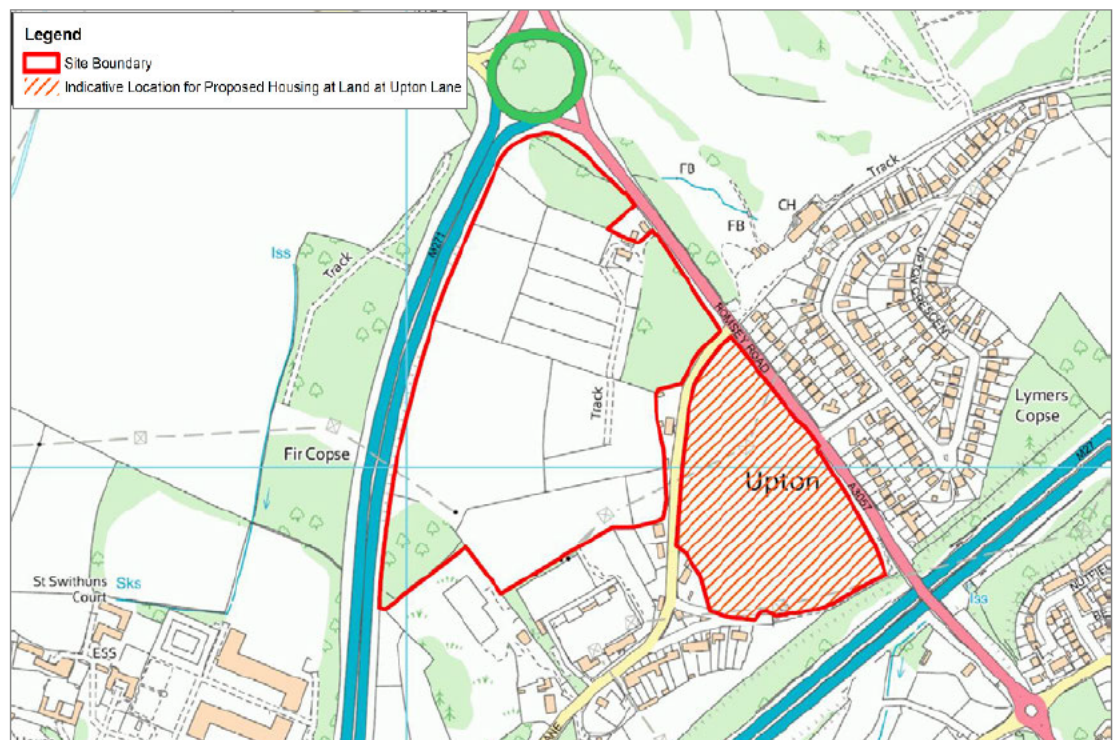
### **Policy HOU7: Self-Build and Custom Build Housing**

- 5.1 This policy requires at least 5% of plots on sites of 100 or more dwellings to be offered as serviced plots for sale to self and custom builders. Whilst we support this Local Plan aim in principle, because we consider it will help boost the supply of self and custom build homes, we are concerned that the 100 dwelling threshold is not based on any robust viability evidence to assess the impact of this policy requirement.
- 5.2 We consider that this 100 dwelling threshold should be fully tested and, if necessary, adjusted before being included within the next version of the Local Plan.

## 6.0 Promoted Sites

### Land at Upton Lane, Nursling

- 6.1 We are pleased to support the Council's draft Southern Area Policy 8 (SA8): Land at Upton Lane. This is a site that has been promoted by our client before, and we have known for some time that it has the ability to help the Council achieve its aims to deliver new homes in sustainable locations.
- 6.2 Our client owns the eastern parcel of land, which is shown on the Local Plan mapping in a red hatching. An extract of the Local Plan mapping is provided below.



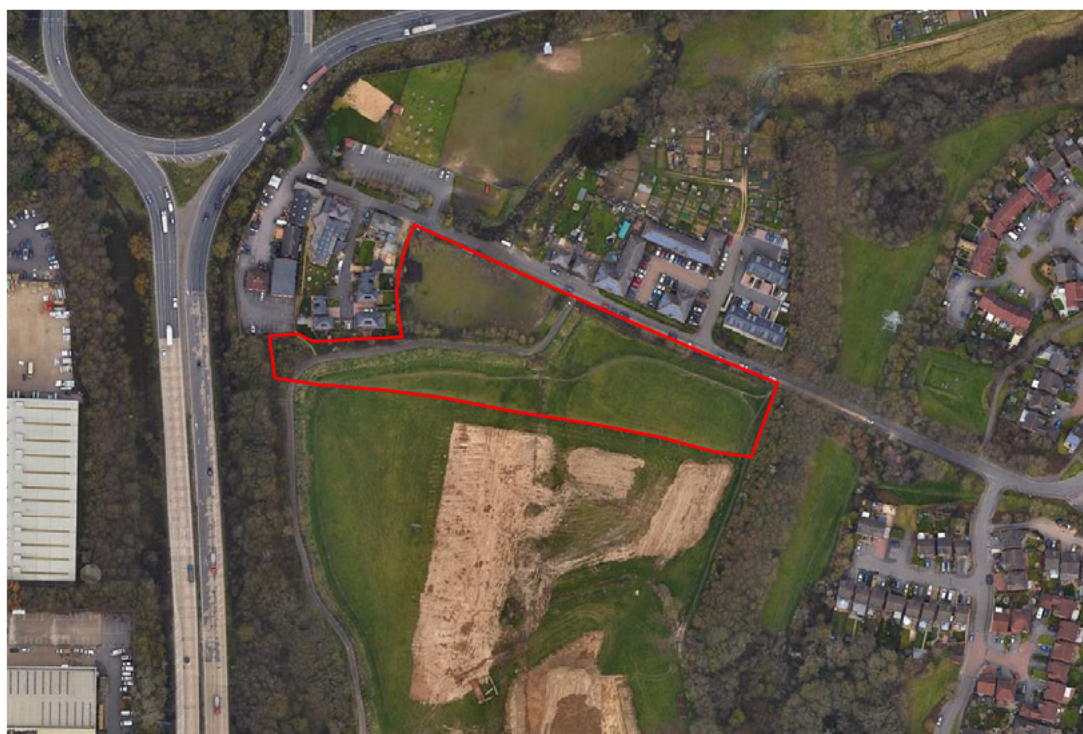
Extract of Local Plan Proposals Mapping Showing Draft Allocation SA8 - Land at Upton Lane

- 6.3 The western parcel of land as shown above edged in red with no hatching is under the control of Crest Nicholson. Although however our client only owns and controls the eastern parcel of land, we are pleased to support the overall allocation. A Joint Statement has been prepared to confirm that the Barker-Mill Estates and Crest Nicholson, and their collective agents and planning consultants are pleased to be collaborating and working jointly to bring forward the draft local plan allocation. The Joint Statement is appended to these representations at **Appendix 1**.

- 6.4 In particular, the Joint Statement confirms that all parties are working together to prepare a comprehensive site-wide masterplan for this important strategic employment led mixed-use allocation comprising employment floorspace and new homes.
- 6.5 The team has begun the process of gathering evidence and technical data to support the proposed masterplan which will underpin the provision of employment uses which we note may include offices, Research and Development, Industrial Processes, General Industrial and Storage and Distribution and open storage.
- 6.6 Production of a masterplan will commence later this year, and it will explore the potential for non-employment uses to support proposed on-site businesses and their employees.
- 6.7 The masterplan will also explore the potential for residential development to establish a positive relationship to the existing dwellings along Upton Lane and east of the Romsey Road in line with the Council's aspirations.
- 6.8 The masterplan will be based upon a full sound technical evidence base and the evidence used to produce a noise mitigation strategy. The noise strategy will acknowledge and respond to the potential impacts of noise from the M27 and M271 motorways, and will influence the design of appropriate mitigation to ensure a comfortable relationship between noise sources, commercial uses and the existing and proposed dwellings.
- 6.9 The masterplan will explore the full range of topics necessary to test development options including, but not limited to archaeology, ecology, arboriculture, hydrology, landscape, architecture and highways, including testing of options to access the site via Upton Lane.
- 6.10 For example, the masterplan will fully explore the site's relationship to listed buildings at Grove Park, across the M271 and the Sunken Garden and Fir Copse Sites of Importance for Nature Conservation (SINCs), which are also separated from the site by the M271.
- 6.11 As a project team, we have met already, and we will continue to meet regularly as a team and with officers and stakeholders to promote the development of Land at Upton Lane.
- 6.12 Furthermore, our client will be pleased to bring forward additional land in their control within the vicinity of the site that although may be unsuitable for development, it can be used as land for the creation of ecological and landscape features to support the biodiversity net gain of the allocation. We consider that this will enable the allocation to be more efficient and ensure that the site delivers its full potential to support the Council's Local Plan aims.

### **Land south of Nursling Street, Nursling**

- 6.13 The site, which is currently used in part for grazing and is partly under-utilised has an area of approximately 1.2 hectares. The site is bounded by Nursling Street on its northern Boundary and by Adanac Park to the south. Although the site maintains a pedestrian and cycle link to Adanac Park; it does not benefit from a vehicular access and unfortunately it cannot be provided.
- 6.14 Because the site has now been severed from Adanac Park in this way, vehicular access would have to be taken off of Nursling Street; which is a predominantly residential street. We consider that fewer road trips associated with a commercial use would be welcomed, and as such, we promote this site for a mixed use that could include some residential units, particularly live/work units.
- 6.15 Furthermore, due to the configuration of the site, the existence of a hedgerow through the site and a need to provide biodiversity net gain within developments; the hedgerow may need to be retained and so the site now effectively forms two distinct parcels. Given its context, the western parcel would be better suited to residential forms, and the eastern part could suit small scale commercial uses. A mixed use development is more likely for this site. The site is shown edged in red on the aerial photograph below.



**Aerial Photograph Showing the Site Outlined in Red**

- 6.16 We would welcome an opportunity to discuss the merits of the site with officers.



### **Land South of Weston Lane, Nursling**

- 6.17 We understand that the Council has been unable to identify sufficient land for allocation as Use Class B8 (Storage and Distribution) in Southern Test Valley.
- 6.18 I refer to representations made on behalf of our client at Regulation 18 Stage 1 that promoted the allocation of land south of Weston Lane for a range of commercial uses.
- 6.19 The site, which is currently used for grazing has an area of approximately 5.5 hectares is shown edged in red below. The site is bounded by Station Road and Weston Lane on its northern Boundary, by the rail line on its eastern boundary and by Test Lane on its southern boundary.



Aerial Photograph Showing the Site Outlined in Red

- 6.20 The site is located in flood zone 1, this being deemed land at the lowest risk from flooding and is relatively free from constraints. The site does contain two pylons which carry power lines that traverse the site in north/south orientation but these are not a significant constraint to commercial use.
- 6.21 The land is situated adjacent and well connected to the Nursling Industrial Estate and in our view would provide a logical extension of the estate. Alternatively, it would be an appropriate site for sustainable power infrastructure.
- 6.22 We will be pleased to discuss this site with officers at the earliest available opportunity.

### **Fields Farm, Rownhams**

- 6.23 Representations have been prepared by Pigeon on behalf of Rownhams Promotions Ltd. in respect of their land interest at Fields Farm, Rownhams and we endorse their representations.



## 7.0 Summary and Conclusions

- 7.1 The Government identifies sets out the tests that the Local Plan will be judged by and examined to assess whether it has been prepared in accordance with legal and procedural requirements and whether it can be deemed as sound. Local Plans are only 'sound' if they are meet the following tests:

**Positively Prepared** – providing a strategy which, as a minimum, seeks to meet the area's objectively assessed needs; 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;

**Justified** – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;

**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, as evidenced by the statement of common ground; and

**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.

- 7.2 In our view the Local Plan does not meet these tests for the reasons we have set out in these representations and we summarise below.

### **Not Positively Prepared**

- 7.3 We do not consider that the Local Plan has been positively prepared as it does not comprehensively address the level of housing need that exists within the Borough.
- 7.4 There are substantial unmet housing needs within the wider area that should be considered, and additional provision should be made within the Local Plan. Furthermore, the Local Plan respond adequately to address the affordable identified housing needs.
- 7.5 To meet the requirements of the NPPF, the Council needs to cooperate with neighbouring authorities in relation to housing needs, including PfSH. The PfSH SPS demonstrates a substantial shortfall of 11,711 homes across South Hampshire with significant shortfalls in New Forest District Council and Eastleigh Borough Council. Southampton is facing an

urban uplift and will be unable to meet its own needs. Put simply, this Local Plan is not a positive response.

- 7.6 In addition, we note that Havant Borough Council has formally requested a commitment from Test Valley Borough Council to provide 2,000 additional homes to assist in delivering the required number of homes within the PfSH area.
- 7.7 We also note that Southampton City Council recommended that Test Valley Borough Council should test options for a higher amount of housing than the Local Housing Need through the Sustainability Appraisal.
- 7.8 The Council has only tested four growth strategies, and in our view there is limited variation in the number of homes above Local Housing Need provision and we note that none of the growth scenarios tested options to locate more development adjacent to Southampton where planning logic suggests it ought to go.
- 7.9 The Sustainability Appraisal should be revised and it should test scenarios with higher provision of homes to allow more informed consideration of the implications of providing such levels of growth, particularly in how it might improve affordability.

#### **Not Justified**

- 7.10 As we explain above, the Local Plan is not based on an appropriate plan period and is it not based on an appropriate strategy, and it has not tested reasonable alternatives based on proportionate evidence. As such the Local Plan is not justified.
- 7.11 In our view, the evidence available provides a sound justification to increase the supply of homes and enhance the buffer between housing needs and housing supply. Without such modifications there will be a substantial and ongoing shortfall of housing and affordable housing in the Borough and this will continue to be the case.
- 7.12 The Local Plan should be adjusted, with an extended Local Plan period and an increase in the proposed supply of homes to ensure it is justified.

#### **Not Effective**

- 7.13 Our concerns regarding the Council's failure in its Duty to Cooperate combined with a lack of details on the monitoring of the Local Plan lead us to conclude that the Local Plan will not be effective.

- 7.14 In our view the Local Plan is not responding to the PfSH SPS and so it cannot be considered that effective joint working on cross-boundary strategic matters has taken place.

**Not Consistent with National Policy**

- 7.15 For the reasons given above, the Local Plan does not accord with the National Planning Policy Framework.



## Joint Statement

This statement confirms that the Barker-Mill Estates and Crest Nicholson, and their collective agents and planning consultants are pleased to be collaborating and working jointly to bring forward the draft local plan allocation “Southern Area Policy 8 (SA8): Land at Upton Lane”.

In particular, all parties are working together to prepare a comprehensive site-wide masterplan for this important strategic employment led mixed-use allocation comprising employment floorspace and new homes.

The team has begun the process of gathering evidence and technical data to support the proposed masterplan which will underpin the provision of employment uses which we note may include offices, Research and Development, Industrial Processes, General Industrial and Storage and Distribution and open storage.

Production of a masterplan will commence later this year, and it will explore the potential for non-employment uses to support proposed on-site businesses and their employees. The masterplan will also explore the potential for residential development to establish a positive relationship to the existing dwellings along Upton Lane and east of the Romsey Road in line with the Council’s aspirations.

The masterplan will be based upon a full sound technical evidence base and the evidence used to produce a noise mitigation strategy. The noise strategy will acknowledge and respond to the potential impacts of noise from the M27 and M271 motorways, and will influence the design of appropriate mitigation to ensure a comfortable relationship between noise sources, commercial uses and the existing and proposed dwellings.

The masterplan will explore the full range of topics necessary to test development options including, but not limited to archaeology, ecology, arboriculture, hydrology, landscape, architecture and highways, including the testing of options to access the site via Upton Lane.

As a project team, we have met already, and we will continue to meet regularly as a team and with officers and stakeholders to promote the development of Land at Upton Lane.



Carl Jackson  
Trustee of the Barker-Mill Estates



Kenny Duncan  
Strategic Land and Planning Director



Daniel Wiseman  
Director



Colin Wilkins  
Head of Development Services