



Sent by email to: planningpolicy@testvalley.gov.uk

Planning Policy
Test Valley Borough Council
Planning Department
Beech Hurst
Weyhill Road
Andover
SP10 3AJ

Dear Sir/Madam

Regulation 18 - Stage 2 – Draft with Options Regulation 18 Consultation Response

Vail Williams LLP has been instructed to submit representations on behalf of Owners of the Land at Church Lane, West Tytherley in relation to the Test Valley Local Plan 2040 – Regulation 18, Stage 2, Consultation.

The site falls within the Conservation Area boundary of West Tytherley. The site subject to these representations is the red line towards the southern side of the village pictured below in the Google image. Please also see the ProMap plan which accompanies these representations.



It is understood from the Test Valley Borough Council's (hereafter: "LPA") Local Development Scheme that the Stage 2 includes site allocations, settlement boundaries and development management policies. These representations will be focussed on all three of these significant matters. With emphasis and greatest

consideration with respect to the two site specific matters regarding the site's allocation and the settlement boundary. Our client appreciates that comments on the development management policies form part of wider considerations, on a non-site specific basis.

1 Draft Local Plan 2040

The Spatial Strategy:

1.1. Test Valley Borough Council's Spatial strategy sets out the following:

"A key role for the Local Plan is to direct development and the use of land to achieve sustainable development. Sitting alongside the Objectives, the Spatial Strategy sets out where and what sustainable development looks like for Test Valley by setting the overarching direction for the location, type and shape of development. It does this by setting out key factors to guide the shape of sustainable development and then identifying the pattern of distribution for development. It seeks to set out how we positively deliver for our communities."

1.2. **Sustaining vibrant and healthy communities through:**

- **Maintaining and enhancing the roles of our larger urban and rural settlements through accommodating development that meets the needs of local communities and supports existing accessible facilities.**
- **Supporting our strong and diverse economy including the rural and visitor economy.**
- **Development being supported elsewhere in the Borough to support the role of smaller rural settlements.**

1.3. The Spatial Strategy sits alongside the Vision and Objectives (summary provided below) to provide the high level framework to guide all of the policies.

1.4. The Local Plan also includes a draft strategic policy setting out a Settlement Hierarchy (Spatial Strategy Policy 1). This is a key policy for delivering the Spatial Strategy as it will help to guide the appropriate type and level of development at each settlement.

1.5. The hierarchy identifies the sustainability and role of settlements by grouping settlements by tiers. Settlements which are in a higher tier of the hierarchy are considered to be more sustainable than those in lower tiers. This is based on their access to services and facilities within each settlement or nearby larger towns or villages along with consideration of the role and function of the settlement. The Settlement Hierarchy Assessment paper sets out in further detail the evidence to support the draft Settlement Hierarchy.

2 Settlement Hierarchy Assessment

- 2.1. A key part of the Local Plan is to identify an overarching spatial strategy, which will set out the overall direction of growth of development in Test Valley. A key part of implementing the spatial strategy, is a settlement hierarchy to ensure the distribution of development reflects the spatial strategy and the sustainability of settlements.

The Previous Plan Settlement Hierarchy Methodology

- 2.2. The Adopted Revised Local Plan 2029 contains the current settlement hierarchy and is shown in Table 8. That was underpinned by evidence gathered at the time, which was scrutinised through that Local Plan Examination. The 2029 LP included a study of the following facilities:

- Access to a food store.
- Access to other shops/services.
- Primary school.
- Secondary school.
- Health facility.
- Community facility.
- Leisure facility.
- Local job opportunities.
- Public transport provision.
- Public House.

The Current Plan Settlement Hierarchy Methodology

- 2.3. TVBC research sets out that:

“A review of the methodology has been carried out including up to date research on the facilities in each settlement and the public transport provision, in order to review the sustainability of the settlements. When formulating a hierarchy there are multiple aspects which can be used to determine how sustainable a settlement is and therefore where in the hierarchy it is placed. Therefore choosing criteria to assess sustainable locations is not a precise science.

Local facilities and services within the Borough are important for communities and support the daily needs of residents, especially for those members of the population who may not have access to a car or where the availability of public transport is limited. The NPPF places weight on development being located at places that can or are sustainable which offer public transport choices.”

- 2.4. Further stating that:

“The retention of such local facilities and shops has become more difficult as patterns of shopping have changed with the internet having a significant impact. A key issue for Test Valley is how to support the viability of key facilities in villages to maintain and potentially improve their sustainability. Enabling an appropriate level of growth at our more sustainable rural settlement can help to do this.

A communities ability to access services such as shopping, education, good transport links and community facilities is important for maintaining their quality of life. Long distance travel to access these services is undesirable as this inevitably involves increased car use and reduces a settlement's sustainability. Given this, a key part of the assessment is undertaking a technical exercise to assess the number of facilities within the settlement.

The assessment firstly undertook a numerical appraisal of the existing facilities and services within each settlement. The facilities and services have been split to determine those settlements that have key facilities to meet daily needs. This reflects the rural nature of the area, to help distinguish the sustainability between our rural settlements. This was then supplemented by a judgement on the role and function of the settlements, which was informed by the full range of facilities and services on offer and the accessibility to these by public transport to and from neighbouring settlements.

*Of the eleven facilities used in the original assessment, six are considered to be 'key facilities' along with a good provision of public transport. It is considered these provide the basic facilities to aid a settlements sustainability and are shown below and are in **bold** in the Appendix at Table 9. These key facilities are.*

- Food Store, such as a village shop.
- Outdoor sports facility, such as a playground or sports pitch.
- Village or Community Hall.
- Primary School.
- Public house or Social club.
- Place of Worship plus a
- Good level of public transport.

For a town or village to be assessed as having a high level of public transport, this includes at least an hourly bus service or a journey to work service. This provides the ability to travel to a larger destination such as Andover, Romsey, Basingstoke, Newbury, Winchester, Southampton and Salisbury where there are a range of employment opportunities. Table 10 in the Appendix shows the criteria used to rank the public transport provision as High, Medium and Low."

2.5. **Our client fully supports the methodology to considering the sustainability of villages in terms of the key facilities.**

3 Settlement Hierarchy - West Tytherley

- 3.1. West Tytherley has been identified as having all 6 key facilities listed above plus a medium level of public transport and access to superfast broadband. See below:

Table 4: Tier 3 facilities

Settlement	Key facilities	Other facilities	Public transport
The Wallops	6	7*	M
Broughton	6	7*	M
King's Somborne	6	5	M
The Clatfords	6	5*	M
Abbotts Ann	6	4*	M
Longparish	6	4	M
West Tytherley	6	1*	M

* Denotes Superfast Broadband

- 3.2. It is noteworthy that there are two Tier 1 settlements; nine Tier 2 settlements; seven Tier 3 settlements; twenty-six Tier 4 settlements; and, twelve Tier 5 Settlements. What this indicates is that West Tytherley is in a Tier above thirty-eight less sustainable settlements (in Tier 4 and 5).
- 3.3. It is considered that this evident fact is illustrated in Table 7: (Settlement Hierarchy) of the Draft Local Plan 2040 Regulation 10 Stage 1 document, as set out below:

Tiers	Settlements
Tier 1	Andover and Romsey
Tier 2	Charlton, Chilworth, Hurstbourne Tarrant and Ibthorpe, North Baddesley, Nursling and Rownhams, Shipton Bellinger, Stockbridge, Valley Park, Wellow
Tier 3	Abbotts Ann, Broughton, Goodworth Clatford, Upper Clatford and Anna Valley, King's Somborne, Longparish, Nether Wallop, Middle Wallop and Over Wallop, West Tytherley
Tier 4	Ampfield, Appleshaw, Awbridge, Barton Stacey, Braishfield, Chilbolton, Enham Alamein, Fyfield, Grateley Station, Palestine and Grateley, Houghton, Kimpton, Leckford, Lockerley, Longstock, Michelmersh & Timsbury, Monxton and Ampport, Mottisfont and Dunbridge, Penton Grafton / Mewsey, Plaitford, Sherfield English, Tangle, Hatherden, Wildhern and Charlton Down, Thruxton, Vernham Dean, West Dean, Weyhill, Wherwell
Tier 5	Countryside

- 3.4. Which stands West Tytherley out from the position it was in under the Adopted Local Plan 2016 Table 8 as illustrated below:

Table 8 Settlement Hierarchy as set out the Adopted Local Plan 2016	
Hierarchy Designation	Settlement
Major Centres	Andover
	Romsey
Key Service Centres	Charlton
	Chilworth
	North Baddesley
	Nursling & Rownhams
	Stockbridge
	Valley Park
Rural Villages	Abbotts Ann, Ampfield, Amport, Appleshaw, Awbridge, Barton Stacey, Braishfield, Broughton, Chilbolton, Enham Alamein, Fyfield, Goodworth Clatford, Grateley, Hatherden, Houghton, Hurstbourne Tarrant, Ibthorpe, Kimpton, King's Somborne, Leckford, Lockerley, Longparish, Longstock, Michelmersh & Timsbury, Monxton, Nether Wallop, Over Wallop, Palestine, Penton Grafton/Mewsey, Shipton Bellinger, Thruxton, Upper Clatford/Anna Valley, Vernham Dean, West Tytherley, West Wellow, Weyhill, Wherwell
Countryside	All other villages

- 3.5. It is considered that this is a really important distinction being made by the Planning Policy team and we fully endorse their approach to undertaking a more relevant study of the services provided in rural locations and seeking to identify the most sustainable locations in line with the aims and objectives of the National Planning Policy Framework.
- 3.6. Furthermore, and in support of the identified key services these representations pull on a key case study. The case study is the land at Church Farm approved for 13no houses application within West Tytherley whereby support on the planning application was received by the LPA from key services (including the local primary school and public house) during the application process and referred to by the case officer in their committee report. As these services identified that to be sustainable in the long term, the local population which would otherwise be in decline due to an aging population and a demographic trend towards smaller households.

Transport

- 3.7. West Tytherley is identified in the Settlement Hierarchy as having a Medium public transport provision which is sub-categorised as having a 'Good Service'. In addition, West Tytherley is located 2 miles from train services at West Dean.

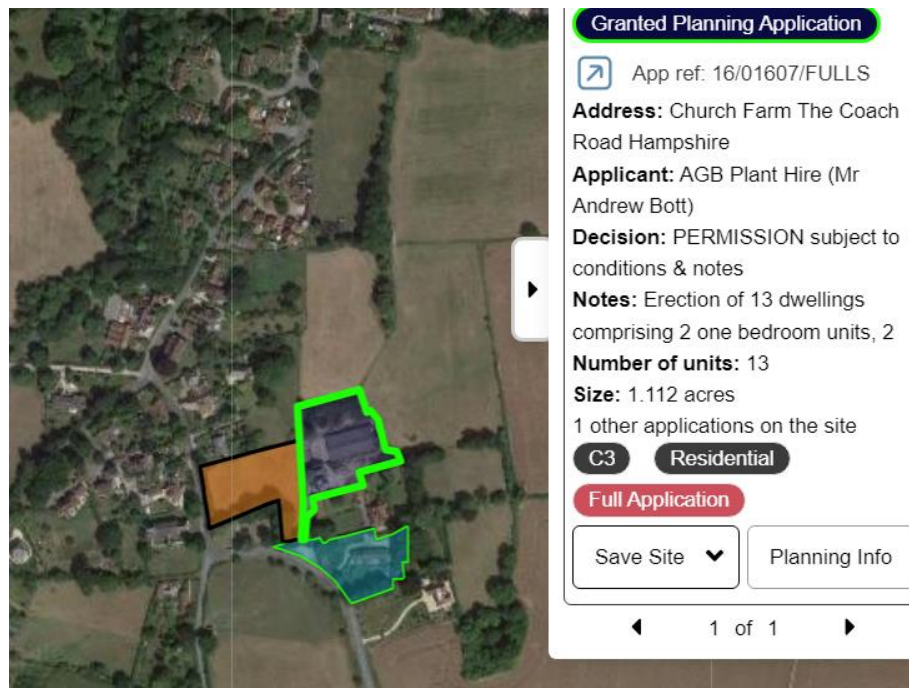
* Public transport provision			
High	Medium	Low	0
This includes a public transport service half hourly, hourly or includes a journey to and from work. (leaves village before 8am and returns from 4.15pm)	This includes a daily service to a larger Town	This includes a less than daily service to a larger Town, or access to a dial a ride service	No service
Good Service			

- 3.8. Table 4 "Tier 3 Facilities" of the Draft Local Plan 2040 (set out at paragraph 3.1 above) illustrates that West Tytherley has the following key facilities:

- All six Key facilities;
- Superfast Broadband; and,
- Medium Public Transport which is set out as Good Service provision.

4 Case Study:

- 4.1. 16/01607/FULLS - Church Farm, The Coach Road, West Tytherley, Hampshire - Erection of 13 dwellings comprising 2 one-bedroom units, 2 two-bedroom units, 7 three bedroom units, and 2 four-bedroom units together with access, landscaping, parking, sewage treatment plant and associated works following the demolition of existing buildings. Permission granted, Fri 30 Jun 2017.



4.2. The latest site layout (below) was approved on 01 June 2023 to include a PRoW diversion.



4.3. The inclusion of the case study in these representations is multi-layered. As follows:

- A. The development of the site to the east was supported by key services. Key Services which the Council have identified in their methodology as being key sustainable factors in sustaining the communities.
- B. The key services supporting the approved site are evidenced in the supporting documents of the planning submissions in 2016 and summarised in the Test Valley Borough Council – Southern Area Planning Committee 01 November 2016 report which stated under the section on the principle of development the following:

“Regarding the sustainability of local facilities representations have been received from the West Tytherley CE Primary School and the chairman of the Village Community Shop Committee. Representations have also suggested that the development would help sustain local businesses, specifically the pub.

As detailed in para 6.2 the representation from the primary school identified decreasing number of students and raises concern that the sustainability of the school could be compromised as a result of the changing demographics in the area. As a result, support is expressed for the development that would help bring additional families into the area.*

In this case it is accepted that the development would help sustain existing community facilities and contribute significantly to the delivery of the improvement to the village hall which will maintain or enhance the sustainability of the community.

** 6.2 West Tytherley Primary School – Support; West Tytherley CE Primary School is a small village school with 76 pupils and a catchment of 105 accommodating pupils from Dean, East Tytherley and Wiltshire. Over the past few years pupil numbers have declined in line with the predictive demographic date. This remains a concern as we rely on pupils to make the village school sustainable for the future.”*

- C.** The next purpose of including the approved site in these submissions is simple. The site encloses a third side of the site subject to promotion. This means that the promotion site is not on the edge of the residential area it is enclosed by residential uses.
- D.** The principle of the development of the site was acceptable and supported.
- E.** The case study site is included as we consider that the settlement boundary should include the approved site and in doing so, the settlement boundary should incorporate the site subject to this promotion by virtue of its location surrounded by the settlement and recently approved housing site.
- F.** The fact is that the parcel of land which is surrounded by the settlement and the new permission, is no longer suitable for agricultural purposes. This is due to the limited size of the parcel of land.
- G.** The positive aspects of the approved site will be mirrored by the site subject to promotion. Any scheme on the site will bring with it market and affordable housing. The site will not only help sustain the same local services it will enable further contributions to be agreed with the local community adding to the pot already raised through the promotion of the approved site at Church Farm.

5 The Site for Promotion

- 5.1. The site subject to these representations is promoted for inclusion as an available; achievable; deliverable and developable site in the next 5 years.



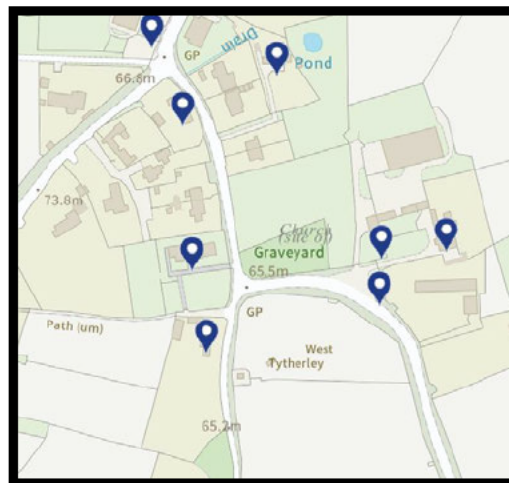
- 5.2. The site is bounded by the settlement on three side. With the approved housing to the east and existing village to the north, the southeast and southwest in terms of existing residents.
- 5.3. The extant settlement boundary to the north and west is considered to be artificially located given that the site is also bound to the south by the village cemetery and not open countryside.
- 5.4. The recent planning consent for 13 new houses to the east boundary changes the use of the land to the east from agricultural to residential which in settlement terms effectively also changes the settlement area.
- 5.5. The new development to the east also connects to existing residential properties to the southeast which benefit from protection under the Conservation Area allocation and the immediate dwellings are Listed Buildings.
- 5.6. In addition to the contiguous boundaries of the site to the extant settlement boundary on two sides and a newly approved housing development on a third side, the village of West Tytherley as part and parcel of the new methodology of settlement hierarchy is now in Tier 3 which separates West

Tytherley from other rural villages (26no) in Tier 4, which had previously in the extant local plan been grouped together. As such it is considered that West Tytherley is a sustainable location for supporting a rural village housing site.

- 5.7. The boundary of the site is illustrated below with a redline. With an area of (0.429ha).

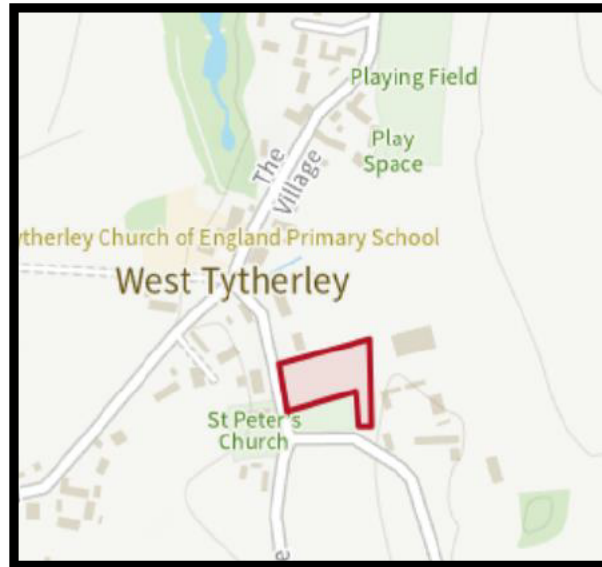


- 5.8. The location of the listed buildings aforementioned are illustrated below. Source: Historic England's website. These buildings include residential properties to the southeast and southwest of the site. The owner is aware that the built heritage in the site's context will require a heritage sensitive led approach to design, layout, scale and materials.

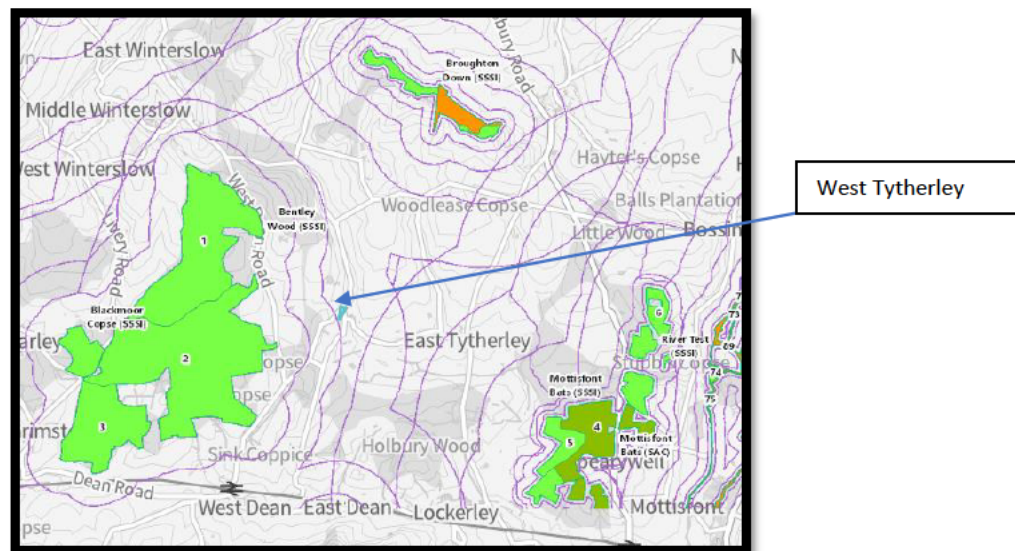


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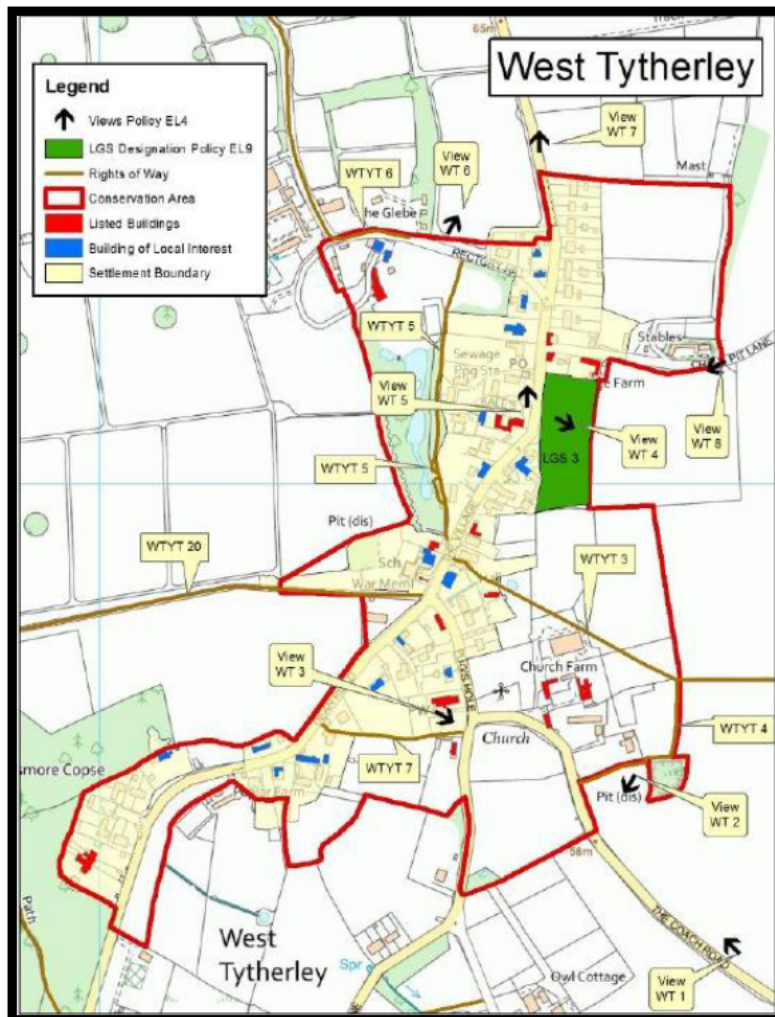
- 5.9. According to the Government's Flood Risk Map for Planning, the site is in Flood Zone 1, low risk of flooding, as below.



- 5.10. According to DEFRA's website there are no ecological designations on the site. To the north is the Broughton Down (SSSI), to the southeast is Mottisfort Bats (SAQ and SSSI). To the southwest is Bentley Wood (SSSI).



- 5.11. The site is within West Tytherley Conservation Area (outlined in red on the map below - extract from the Neighbourhood Plan). The map below also illustrates the location of the site as being outside although contiguous in part to the north and along the west boundary of the site with the settlement boundary.



6 Evidence Studies (Base) for the Draft Local Plan 2040

Settlement Boundary Assessment January 2024 and February 2022

- 6.1. As part of the LPAs evidence studies Settlement Boundaries have been reviewed. The Settlement Boundary Review (SBR) sets out that the current Local Plan settlement boundaries act as the dividing line between built-up areas (settlement) and rural areas (countryside), to define where planning policies apply in the towns and villages identified in the settlement hierarchy.
- 6.2. The SBR states that: ***“Settlement boundaries also help to direct development to more sustainable locations in the borough and protect the countryside from encroachment. They provide clarity for landowners, developers and the community regarding where development may be acceptable subject to other policy considerations.”***
- 6.3. And that: *“As part of the new Local Plan it is considered appropriate to review our existing methodology (from the adopted Local Plan, 2016) and undertake a review of the settlement boundaries. This will ensure that our approach is consistent with best practice and that the settlement boundaries are effective and defensible. The methodology that has been applied to the settlement boundary review is set out below.*
- 6.4. The methodology refers to the Settlement Hierarchy which (as set out in section 2 and 3 of these representations) places West Tytherley into Tier 3 which is a step up from the majority of rural villages in so far as West Tytherley benefits from Key Services. The approach to the SBR also is in light of the Spatial Strategy of the Draft Local Plan Chapter 3.
- 6.5. The methodology updates the approach used in the adopted 2016 Local Plan and has been prepared taking current best practice into account. Table 1 of the SBR proposes that all settlements in Tiers 1, 2 and 3 will have a settlement boundary. This is on the basis that these settlements have been identified as having key services which in line with the NPPF guidance on sustainable development, identify these settlements as sustainably located.
- 6.6. The methodology identifies that guidance in the NPPF paragraphs 83 and 84 sets out that development in rural areas which confirm the importance of locating housing in sustainable locations where it will enhance or maintain the vitality of rural communities and provide the opportunity for villages to grow and thrive. Furthermore, planning policies should avoid the development of isolated homes in the countryside.
- 6.7. Table 2 of SBR sets out three columns. Column 1 sets out ‘Areas Included in Settlement Boundary’. The first bullet point covers the relevant matters set out in these representations i.e. The site being promoted for inclusion as a site allocation and the adjacent case study to the east of the site. The first bullet points states: “Local Plan allocations / commenced planning permissions (including residential and employment)”. As part of these submissions it is requested that the site is included in the Draft Local Plan 2040 as a proposed residential site and as such included in the SBR.
- 6.8. Table 3 sets out in greater detail the individual stages of the SBR and the methodology applied therein. Stage 1 Allocations (Criteria A). Local Plan Allocations and Neighbourhood Plan Allocations. The Neighbourhood Plan was Made in 2022 and there were no site allocations in the NP. The NP makes reference to the 2016 permission at Church Farm, however at the time of the Made NP no proposals for any other sites were available or included. With respect to these representation, it is requested that the site is included as an allocation and as such the SBR be undertaken to include the proposed site.

- 6.9. Table 3, Stage 2 (Criteria B) sets out the inclusion of sites outside and adjacent to the Settlement Boundary with consent and subject to implementation. The proposed site for allocation is adjoined on the west and north boundary with the extant settlement boundary. The 2016 permission for 13 houses on the land to the east of the site should effectively mean that the settlement boundary is extended to include the east boundary of the proposed site.
- 6.10. Table 3, Stage 2 (Criteria C) relates to land outside settlement boundary (adjoining the settlement edge). The site in terms of 'agricultural use' is now isolated from any other parcels of agricultural land. Furthermore, the farm buildings associated with the land are now residential and subject to planning consent for residential. By virtue of the permission to the east, the parcel of land is now surrounded by the settlement on 7 of 8 sides (southwest, west, northwest, north, northeast, east and southeast). It is considered that there is no harm in including the site in the settlement boundary either under Criteria A or Criteria C. In doing so also including the 2016 permission under Criteria B to the east of the proposed site, by virtue of it satisfying that criteria.
- 6.11. As set out at section 4 of the SBR evidence study: *"As part of the Draft Local Plan 2040, Regulation 18 Stage 2 consultation we are seeking views on the approach and outcomes of the settlement boundary review..."* As such it is requested that these representations form part of any review of the West Tytherley SBR.
- 6.12. Appendix 1 of the SBR is included in these representations as the table relevant to West Tytherley sets out the steps undertaken whereby it is identified that there are no allocations in the NP and extant draft Local Plan. It also sets out that the position with regard to the 2016 permission is that this is isolated from the settlement and therefore not included. However, it is worth noting that these representations introduce the small parcel of land which separates the permission from the settlement.
- 6.13. Furthermore, the adjacent 2016 permitted site is far from isolated as it adjoins a number of dwellings to the south which have historically formed part of the settlement whether or not they are included in the Settlement Boundary. The permitted site is also connected to the village centre by a PRow.
- 6.14. In addition the permitted site is only 42 metres from the settlement boundary, which is significantly less than the housing which is in a separate parcel of land allocated as part of the settlement boundary to the southwest of the village, whereby there is a gap of 65 metres.
- 6.15. For the above reasons it is respectfully requested that the proposed site allocation is included in the Settlement Boundary subject to these representations and further review of the local plan following the consultation period.

7 Planning Policy

- 7.1. At this time the Planning Policy position for the site includes the emerging Test Valley Borough Council Local Plan 2040 and the extant National Planning Policy Framework (NPPF) 2023 the adopted Test Valley Borough Revised Local Plan DPD 2011-2029 adopted January 2016 and the Made West Dean and West Tytherley Joint Neighbourhood Development Plan Made March 2022.
- 7.2. As part of this site promotion the owner wishes to include reference to the relevant policies therein to demonstrate that the proposed promotion will accord with the development plan subject to relevant supporting information and proposed plans to follow on from the site's allocation and inclusion in the West Tytherley settlement boundary.

NPPF (December 2023) paragraphs:

- 7.3. Section 2 of the NPPF relates to 'Achieving sustainable development'. Paragraph 8 of the NPPF details the three dimensions of sustainable development which are as follows:
- **An economic objective** – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;
 - **A social objective** – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and
 - **An environmental objective** – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.
- 7.4. Paragraph 10 states that at the heart of the NPPF is a presumption "in favour of sustainable development".
- 7.5. Paragraph 11 states that plans and decisions should apply a presumption in favour of sustainable development. For decision-making this means:
- approving development proposals that accord with an up-to-date development plan without delay; or
 - where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
 - the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
 - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

- 7.6. Paragraph 11 goes on to state that where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
- the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
 - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.
- 7.7. Section 3 of the NPPF relates to ‘Plan-Making’. Paragraph 15 states: “The planning system should be genuinely plan-led. Succinct and up-to-date plans should provide a positive vision for the future of each area; a framework for addressing housing needs and other economic, social and environmental priorities; and a platform for local people to shape their surroundings.”
- 7.8. Paragraph 16 states: “Plans should:
- a) be prepared with the objective of contributing to the achievement of sustainable development;
 - b) be prepared positively, in a way that is aspirational but deliverable;
 - c) be shaped by early, proportionate and effective engagement between plan-makers and communities, local organisations, businesses, infrastructure providers and operators and statutory consultees;
 - d) contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals;
 - e) be accessible through the use of digital tools to assist public involvement and policy presentation; and
 - f) serve a clear purpose, avoiding unnecessary duplication of policies that apply to a particular area (including policies in this Framework, where relevant).”
- 7.9. Paragraph 23 states: “Broad locations for development should be indicated on a key diagram, and land-use designations and allocations identified on a policies map. 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).”
- 7.10. Paragraph 33 of the NPPF states: “Policies in local plans and spatial development strategies should be reviewed to assess whether they need updating at least once every five years, and should then be updated as necessary*. Reviews should be completed no later than five years from the adoption date of a plan, and should take into account changing circumstances affecting the area, or any relevant changes in national policy. Relevant strategic policies will need updating at least once every five years if their applicable local housing need figure has changed significantly; and they are likely to require earlier review if local housing need is expected to change significantly in the near future.

**Reviews at least every five years are a legal requirement for all Local Plans (Regulation 10A of the Town and Country Planning (Local Planning) (England) Regulations 2012)."*

- 7.11. Section 4 of the NPPF relates to ‘Decision-making’. Paragraph 38 sets out Local Planning Authorities should approach decisions on proposed development in a positive and creative way. Decision-makers at every level should seek to approve applications for sustainable development where possible.
- 7.12. Paragraph 47 states that planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise.
- 7.13. Section 5 of the NPPF relates to ‘Delivering a sufficient supply of homes’. Paragraph 60 states that to support the government’s objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay. Additional wording added from December 2023 as follows: “The overall aim should be to meet as much of an area’s identified housing need as possible, including with an appropriate mix of housing types for the local community.”
- 7.14. Section 6 of the NPPF relates to “Building a strong, competitive economy” with sub-heading “Supporting a prosperous rural economy”. Indirectly the site’s inclusion will help support the village’s key facilities.
- 7.15. Paragraph 88 states: “Planning policies and decisions should enable:
- a) the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed, beautiful new buildings;
 - b) the development and diversification of agricultural and other land-based rural businesses;
 - c) sustainable rural tourism and leisure developments which respect the character of the countryside;”
- 7.16. Section 8 of the NPPF relates to ‘Promoting healthy and safe communities’. Paragraph 96 states:
- “Planning policies and decisions should aim to achieve healthy, inclusive and safe places and beautiful buildings which:
- a) promote social interaction, including opportunities for meetings between people who might not otherwise come into contact with each other – for example through mixed-use developments, strong neighbourhood centres, street layouts that allow for easy pedestrian and cycle connections within and between neighbourhoods, and active street frontages;
 - b) are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion – for example through the use of beautiful, well-designed, clear and legible pedestrian and cycle routes, and high quality public space, which encourage the active and continual use of public areas; and
 - c) enable and support healthy lifestyles, especially where this would address identified local health and well-being needs – for example through the provision of safe and accessible green infrastructure, sports facilities, local shops, access to healthier food, allotments and layouts that encourage walking and cycling.”

- 7.17. Section 11 of the NPPF relates to 'Making effective use of land'. Paragraphs 123 and 126 promote effective use of land. This can be explained through making sure developments are in locations that are best for their use. As set out above the land is no longer viable for agriculture due to the size, shape and separation from other farmland.
- 7.18. Paragraph 128 sets out that planning policies and decisions should support efficient use of land by achieving appropriate densities taking account of needs for different housing; availability of land; market conditions; infrastructure and services; desirability of promoting regeneration and change; the importance of securing well-designed, attractive and healthy places.
- 7.19. Section 12 of the NPPF expects new developments to be of high-quality design and to respect local character whilst also achieving local aspirations. Well-designed developments and achieving the aspirations of Section 12 is described in detail within paragraph 132 which sets out the criteria by which development should be assessed. Future proposals will incorporate Local Plan and Neighbourhood Plan policies on design.
- 7.20. Paragraph 131 The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process.
- 7.21. Paragraph 135 sets out that decisions should ensure: quality of an area, visual attractiveness, sympathetic to local character, establish or maintain a strong sense of place, to optimise the potential for sites and safe inclusive accessible environs.
- 7.22. Paragraph 137 states that: "Design quality should be considered throughout the evolution and assessment of individual proposals. Early discussion between applicants, the local planning authority and local community about the design and style of emerging schemes is important for clarifying expectations and reconciling local and commercial interests. Applicants should work closely with those affected by their proposals to evolve designs that take account of the views of the community. Applications that can demonstrate early, proactive and effective engagement with the community should be looked on more favourably than those that cannot." The site's promotion will include engagement with the parish council and pre-application discussions with the LPA to discuss the detailed design matters subsequent to the inclusion of the site in the emerging Local Plan 2040.

Test Valley Borough Revised Local Plan DPD 2011-2029 adopted January 2016

- 7.23. The following planning policies are considered to be most relevant to the development of the site for housing purposes:
- COM1: Housing Provision 2011-2029
 - COM2: Settlement Hierarchy
 - COM7: Affordable Housing
 - E1: High Quality Development in the Borough

- E2: Protect, Conserve and Enhance the Landscape Character of the Borough
- E5: Biodiversity
- E7: Water Management
- E8 Pollution
- E9: Heritage
- LHW1 Public Open Space
- LHW4 Amenity
- T1 Managing Movement
- T2: Parking Standards
- CS1: Community Safety
- ST1: Skills and Training

West Dean and West Tytherley Neighbourhood Development Plan 2022 (NDP)

- 7.24. The NDP has three main policy areas: Environment and Landscape (EL); Housing and Design (HD); and (IC) Infrastructure and Community.
- 7.25. Policy EL1 Rural Landscapes sets out that proposals should: Reflect the settlement pattern of the neighbourhood. Conserve the ecology of fields, woodland, trees, hedgerows, and historic field boundaries.
- 7.26. Policy EL2 Heritage sets out that: proposals should preserve or enhance the local distinctiveness and character of designated heritage assets such as ancient monuments, listed buildings, and non-designated heritage assets. Assessment and designation of known or potentially significant archaeological sites must be addressed by any development proposals to help prevent harm to areas of historic importance. Where appropriate the enhancement of archaeological sites for public understanding and appreciation will also be supported.
- 7.27. Policy EL3 Conservation Areas sets out that development proposals within or adjacent to the designated CAs will be supported provided they preserve or enhance the CA character and appearance. New development should: be suitably designed for the context within which they are set; ensure that the scale and massing of buildings relate sympathetically to the surrounding area; preserve the important views into and out from the CA and use building materials that respect and complement the character of the area (Housing and Design Policy HD4).

- 7.28. Policy EL4 relates to Important Views. The promotion site is not featured in any described views although it is in proximity of them. Due to the existing vegetative boundary to the west and south of the site the promotion land is not open to views and has not therefore featured. Below are the closest 'important views' identified in the NDP.

WT1: Coach Road into West Tytherley



WT3: Looking out from St Peter's Church down Coach Road to the South East



- 7.29. Policy EL5 Trees and Hedgerows sets out that: development proposals should, where possible, conserve trees and hedgerows, and demonstrate that the proposals would not result in an unacceptable loss or damage to, existing trees or woodlands or hedgerows during or as a result of development. Wherever possible, development proposals must be designed to retain specifically identified trees and hedgerows of good quality. Development proposals that affect trees and hedgerows (existing or new planting) should demonstrate that they have been informed and guided by a full site survey including Ecological Impact Assessment where appropriate.
- 7.30. As part of any development the extant trees and hedgerows will be sensitively incorporated into design and layout in order to avoid and minimise any harm. The land has an existing vehicular access and tree root protection areas will be ascertained through arborist surveys. The owner is also aware of the protected status which the trees benefit from by virtue of the Conservation Area.
- 7.31. Policy HD2 Infill Sites states: Within the two core villages (built up areas) and outlying settlements such as Frenchmoor, further development will be considered on brownfield sites and suitable small infill sites (i.e. sites within a continuously developed road frontage, with direct but safe access to the road)

for housing or small business needs. Any proposed infill development should ensure that the living conditions of immediate neighbours are not adversely affected. Any infill development should meet all the other policies (EL and IC) in this Plan, especially as they apply to conservation, and also recognise the infill policy in both WCS and TVBCLP settlement hierarchies. It is considered that the promotion site will accord with the Made NDP regarding infill Policy HD2.

- 7.32. Policy HD4 Design Development proposals must demonstrate how they will contribute to the character of the area, incorporating design principles that reflect the local vernacular, particularly within the two Conservation Areas. Proposals to reflect the advice in the National Model Design, building form and style to complement the character of the area including low roof lines and details such as flint inserts, arched window details, dormer windows in a low roof, raised eaves and exposed woodwork. These are all distinctive local features which will generally be supported; Use of locally distinctive building materials as appropriate to the location (brick, flint, thatch, clay tiles or slate). Suitable boundary treatments, such as brick, flint, chalk or hedges of beech, hawthorn, privet or yew (see Policy EL5). Traditional topped walls (cob, thatch or tiled) should be maintained; Designs must respect the connections between people and places, appropriate to the development's location and make use of renewable energy and water saving technologies.
- 7.33. Policy HD5 Landscaping New landscape features will need early consideration in the design process to ensure they are well integrated into new developments. New development proposals will have identified, evaluated and correctly interpreted the landscape character of their location so as to produce the most appropriate design solution for the development. Landscape schemes should therefore: Integrate new development sympathetically with its surroundings; enhance the setting of new buildings; create a high-quality environment in which to live and work; and provide minimum hard standing, permeable, if possible, just sufficient for access and immediate use close to the building. Developers will be required to submit a landscape scheme to accompany all development proposals.
- 7.34. Policy IC3 Parking New development will be required to provide parking in accordance with the standards set out in the relevant Local Plan. Infrastructure for electric charging is mandatory on site.

Draft Test Valley Local Plan 2040

- 7.35. The Council's Vision states:
"By 2040, Test Valley Borough's communities will be prosperous and resilient by: Providing access to good quality homes that will meet a range of needs and aspirations, including affordable housing. Countering our changing climate through mitigation and adaptation and delivering well designed developments to a high standard that encourage inclusivity, health and security. High quality of life will be experienced by our communities, and they will enjoy a strong sense of identity. Development will take place in sustainable locations and support the delivery of infrastructure."
- 7.36. Chapter 3 Spatial Strategy covers key matters relating to these representations including 'the settlement hierarchy', 'spatial strategy', 'sustainable development' and 'housing and employment' to meet the needs from 2020 to 2040.
- 7.37. Chapter 3 sets out the "Test Valley Sustainable Spatial Strategy" which sets out the following step regarding the proposed site: Sustaining vibrant and healthy rural communities through: "Maintaining the roles of our rural settlements through accommodating development that meets the needs of local communities and supports existing accessible facilities." In a similar role to the permitted development to the east of the site in 2016. The proposed site will help meet local needs for housing and at the

same time help support existing accessible facilities including the school, village store and public house as well as meeting demands for a suitable number of homes.

- 7.38. Spatial Strategy Policy 1 (SS1): Settlement Hierarchy sets that There is a presumption in favour of sustainable development within the settlement boundaries identified in Settlement Tiers 1-3 provided that development is in accordance with relevant policies in the Development Plan. The site is located at a Tier 3 settlement. These representations are made with respect to the site being included in the Settlement Boundary.
- 7.39. Spatial Strategy Policy 3 (SS3): Housing Requirement The housing requirement for the Borough is a minimum of 11,000 homes, to be delivered over the plan period of 2020 to 2040 with an annual requirement of 550 homes (237 homes in the Southern Test Valley per annum, which includes the settlement of West Tytherley).
- 7.40. The Draft Local Plan identifies from the Made Neighbourhood Plans (NPs) the following table sets out the number of dwellings allocated as part of those plans:

TABLE 3.2: LIST OF MADE NEIGHBOURHOOD PLANS

Name of plan	Date	Housing allocation
Goodworth Clatford	March 2019	No
Charlton	May 2021	Yes – 50 new homes
Chilbolton	May 2021	No
Thrupton	May 2021	No
Upper Clatford	May 2021	No
West Tytherley and West Dean	March 2022	No
Houghton	May 2022	No
King's Somborne	November 2023	Yes – 41 new homes

- 7.41. Essentially from 8no. Made NPs a total of 91 homes has been identified, none of which are allocated in the West Tytherley NP. The Draft Local Plan at paragraph 3.83 states that: ***“Neighbourhood plans should not promote less development than set out in the Local Plan but can promote more development.”***
- 7.42. It is considered that whilst the majority or a large proportion of the housing for the Borough can be directed towards Tier 1 and Tier 2 settlements, that a proportionate level of allocations should include the Tier 3 serviced villages in order to maintain the longevity of the settlements and to meet the current and future needs of these villages.

8 Closing Comments

- 8.1. We support the Local Plan 2020 to 2040 methodology of identifying sustainable locations, taking into regard key services and updating the Hierarchy Tier system from the 2016 version. These representations set out how this is of assistance in understanding the most sustainable locations for allocating sites in the emerging local plan.
- 8.2. These representations also identify supporting information with regard to the site's rationale to being included in the settlement policy area. We ask that this is undertaken by the means of the Review of Settlement Boundaries. It is considered that the site if allocated can be included under Criteria A. It is also considered and detailed above that the site could also be considered under Criteria C whether or not the site is allocated.
- 8.3. Furthermore, it is considered that the previous assessment not to include the 2016 permission to the east could be reconsidered, under Criteria B particularly in light of the points made in relation to the fact that the site is not isolated and the distance being comparably less than a separate gap in the settlement boundary to the southwest of the village. Should the site to the east be reconsidered under Criteria B and on the basis of these new representations both sites could be viewed more favourably for inclusion together rather than as one isolated/unconnected site and one unknown parcel of land between surrounding built form.
- 8.4. As set out above in light of the higher status of West Tytherley in the settlement hierarchy, it is noted that no allocations are currently identified in the draft Local Plan nor were there any in the Made Neighbourhood Plan. It is considered that there is therefore an absence of sites for the sustainable development of the identified key service rural village.
- 8.5. These submissions include in support of the allocation, a description of the site and its constraints, as well as a review of NPPF December 2023, Extant Local Plan Policies and Neighbourhood Plan policies and related considerations. It is considered that the site is sustainably located. It is also considered that the site is available, achievable, deliverable and developable, in the next 5 years.
- 8.6. These submissions are accompanied by:
- An OS Plan identifying the site;
 - An extract of the Settlement Boundary Review for West Tytherley January 2024;
 - A complete Strategic Housing Land Availability form for the site.
- 8.7. We are grateful for the opportunity to comment on the draft Local Plan. Please ensure that we are kept fully informed of all progress on the Plan and any future opportunities to engage in the process.
- 8.8. If the Council requires any additional information, please do not hesitate to contact us. In the meantime, we look forward to receiving confirmation that the representations are duly made.

Yours faithfully

[Redacted Signature]

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