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**Residential and Commercial**

17 September 2020

Planning Policy and Economic Development Service  
Test Valley Borough Council  
Beech Hurst  
Weyhill Road  
Andover. SP10 3AJ

## **Next Local Plan: Refined Issues and Options Consultation 2020**

This response is made on behalf of Delbury Limited, "Oslands", Oslands Lane, Swanwick, SOUTHAMPTON, Hampshire. SO31 7EG.

Delbury Limited welcomes the opportunity for the borough council, as planning authority and as a member of the Partnership for South Hampshire (PfSH), to review its current Local Plan.

### **1. Plan Period**

In regard to a Plan Period, Delbury would support an end date of 2040 to ensure that there was a minimum 15 year period from the anticipated adoption date/required date of 2023 and at the same time to make the end date coincident with the anticipated end date of the joint Statement of Common Ground, in preparation with PfSH.

### **2. Housing Requirement**

In regard to the Housing Requirement for the Plan Period, Delbury Limited would support the calculation through the published Government methodology and in particular would wish, for the purposes of aiding the urgent delivery of new housing and business recovery, the identification of a range of small housing sites, in accordance with government expressed guidance. This will require the planning authority to look proactively and work with developers and landowners to identify suitable sites which may, according the current Local Plan lie outside the defined urban boundaries, including settlement boundaries. With particular regard to settlements, opportunities should be actively sought and it should be recognised that such sites and housing additions can support local facilities like shops, community facilities, schools etc. To that end, when defining such boundaries, a more flexible criteria should be applied (see post). The Plan should make provision for required housing and any margin of additional allocation/identification which government policy requires to see. When calculating the amount of housing to be provided through the next Local Plan (para 5.7), it would appear that whether there is a need or not to accommodate unmet requirements from adjoining or adjacent areas, that decision will have been made at PfSH level and thus is

regarded as a *faits accomplis* for the TVBC Local Plan. It should be noted that the SoCG to be issued by PFSH will not itself be subject to examination and thus its determination of the need or otherwise for the TVBC Plan to accommodate need from other authorities will not be considered.

### **3. Housing Market Areas**

Delbury supports the continued identification of two HMAs as per the present Plan. (para 5.4 – Question 1).

### **4. Settlement Hierarchy and Settlement Policy Boundaries (SPB)**

- (a) Delbury supports the review of both the settlement hierarchy and in particular the means and criteria by and against which the limits of settlements are to be reviewed and established.
- (b) Delbury supports the current approach but agrees that the present definitions are particularly rigidly defined and the present approach is unduly and un-necessarily restrictive. Delbury would support (i) a greater flexibility in the identification of boundaries and (ii) greater flexibility in the application of such policy to enable the more positive consideration of small sites abutting or very adjacent which might add to housing stock, comfortably “fit” with the existing built form and support local facilities. This is particularly relevant to the identification of a percentage of small housing sites to meet government housing land supply requirements. (NPPF 2019 -para.68)
- (c) In particular response to paras 5.28 and 5.29 and questions 9 and 10, the implication is that only curtilages containing established dwellings should be considered and other adjoining or adjacent parcels be absolutely excluded. Building only within curtilages necessarily increases density and changes site character and thus is not always acceptable when judged against other policies in plans.
- (d) Delbury recognises also that in some locations there are dwellings within large and expansive grounds where, if the whole site were included, development of such would also potentially impact significantly on character and scale of development.
- (e) Delbury would support the identification of suitable boundaries being undertaken on a settlement-by-settlement basis and to be wide and flexible enough to encompass other suitable parcels.
- (f) As regards what land parcels should or should not be included, in principle, Delbury is of the view that where playing fields and allotments are an intrinsic part of the settlement community life, they should be included within SPB and should be protected against unwanted future development by other firm policies in the Local Plan. Such approach should apply where such provisions are made within the generally locally recognised built-up area.
- (g) Additionally, existing development, which is perhaps has a more dispersed character and form, should be included where it has a clear locational relationship and local recognition as part of the main settlement area, BUT, where dwellings are enclosed in extensive grounds, consideration should be given to NOT including all parts of those grounds (see (d) ante)
- (h) Where a village hall or sports pavilion is effectively enclosed by the built form of the settlement, then it should be included within the SPB and any associated playing fields and open space should be protected by specific policies.
- (i) Where a village hall or sports facility is located on the edge of a settlement but adjoining the existing main built up settlement, then those building should be included in the SPB but where playing fields or associated open space should be out with the SPB.
- (j) Where a village hall or village sports facility, together with any associated playing fields/open space, lies significantly beyond the settlement limit, then those buildings and grounds should be excluded from the SPB and not be otherwise defines as within its own SPB, but protected by other plan policies.
- (k) Delbury would support a similar approach being taken with school buildings and grounds and with churches and places of worship.
- (l) Farm buildings should be excluded from within the defined SPB except where they are effectively enclosed by the built form of the settlement. Where remote, government policies

through GPDO 2015 (as amended) will most likely apply if supporting re-use and sustainable development.

- (m) Delbury supports the inclusion within SPB definition of gardens on the edge of the settlement requiring that boundaries so defined follow recognisable physical features where possible, recognising that such features might include locational character and similarly, where other under-utilised parcels are substantially enclosed by built development/grounds, such should also be included to afford connected opportunities for infilling to support community life.
- (n) Delbury would support the exclusion of exception affordable housing sites provision for which should be made through other plan policies to accord with national planning policy.
- (o) Delbury would support the inclusion within the defined SPB of explicit allocations for new market housing, employment development and community uses.
- (p) Thus, in response to questions 11 and 12, Delbury would support some loosening of SPBs and support the identification within defined SPBs of opportunities for infilling and further limited growth.

#### **5. Self-build and Custom-build Homes**

Delbury would support inclusion of specific policies to encourage and support the delivery of Self-build and Custom-build Homes. Many people aspire to build a home for themselves. It affords an opportunity for personal expression, to secure at less than open-market value, a purpose built home in which, with such a personal investment, people would perhaps be inclined to remain for more years, thereby strengthening community ties. Delivery of a percentage of such opportunities should not be confined to being delivered solely through a percentage on large housing sites. Smaller allocated sites for perhaps up to five units can be more flexibly and speedily delivered thus supporting the expressed urgency of government policy to speed up delivery, support economic recovery and widen choice.

- (a) In answer to questions 13 and 14, Delbury would support a specific policy for self-build/custom-build homes but would not support a policy which sought delivery only through allocation in large sites.
- (b) In response to question 15, Delbury does not consider that such delivery should only be through a community lead scheme but would advocate a policy which offered community support to delivery where possible and locally expressed by the community.
- (c) On the relationship with Climate Change, Delbury is of the view that all development forms should recognise and seek to mitigate impacts of climate change in accordance with wider government policy.

#### **6. Enjoying Test Valley (Environment & Quality of Life)**

Delbury would support policies aimed at raising and sustaining the quality of individual development and the creation of sustainable and enjoyable places and environments and is thus,

- (a) generally supportive of the approaches set out and national policies referred to in paras 7.7 – 7.9 of this consultation.
- (b) On the issue of Local Gaps, Delbury is of the view that such designations are not supported by government and should not be included in the Plan Review as matters of policy.
- (c) Similarly, Strategic Gaps are not supported by government although Delbury does recognise some community support for preventing the complete coalescence of settlements and larger towns/cities. However, whilst previously the PFSH has published its own paper on Strategic Gaps, such an approach is not national policy and indeed the current Local Plan includes within its defined gaps more land that is absolutely necessary to achieve policy aims. Thus, Delbury is against the definition of gaps in principle but if such are to be defined, insists that their purposes shall be explicitly defined and supported by evidence and that they should include only so much land as is absolutely necessary to meet agreed objectives. There is no reason why such definitions have to be co-terminus with other locational boundaries/SPBs etc. It follows

that it should not be open to the authority in preparing its Review Plan merely to include a policy formulated by PUSH or PfSH which has not undergone critical examination in public.

#### **7. Biodiversity**

Delbury is aware of and supports the aspiration to identify and safeguard biodiversity and is also aware of emerging government policy through the Environment Bill.

- (a) Delbury is supportive of the suggested approach to securing net biodiversity gain from development through policies to be formulated in the Review Plan.

#### **8. Community Infrastructure Levy**

CIL is a recognised plan-based means of securing benefits for communities affected by development. However, it has a direct impact on viability and in consequence land values/availability of development land. Furthermore, Delbury is of the view that the identification of infrastructure through a S123 List is now so widely drawn as to be almost meaningless, with little direct relationship to individual or collective development proposals.

- (a) Delbury is therefore of the view that when the authority reviews its CIL base and its S.123 List, it must be more explicit about precisely what infrastructure is required, how it is to be planned, how it is costed and how it is to be delivered. Otherwise the imposition becomes just a development tax on top of other taxes.
- (b) Delbury would be supportive of CIL subject to the infrastructure identified as arising in consequence of the proposed future development planned for. CIL should not be applied to remediating existing infrastructure deficiencies such as existing flood risk, coastal erosion etc.

On all other elements of the Review Plan consultation, Delbury has no view to express.

#### **9. Site Specifics**

In the Regulation 18 version of the current Local Plan 2014-2029 the planning authority sought to include within the SPB for Chilworth, properties which lay slightly to the north of the main built-up area recognised as Chilworth. In response to that inclusion, there was only one expression of support and no expressions of objection and yet within the Regulation 19 version which followed, without explanation, other than a broad statement of "review", the inclusion of those same dwellings was deleted and they thereafter were identified as a scattering of dwellings in open countryside.

The land owned by Delbury Limited is as shown on the attached site identification plan. It is "L" shaped and centered on O.S. Grid reference SU 412186. It comprises a parcel of land presently used for growing domestic plants and shrubs and has been used as a base for a landscape gardening business. It has a frontage to Woodside defined by a high and aged brick wall with a metal gate in the west corner for pedestrian and vehicular access. The character of the whole site is divided into (a) the northeast "leg" which is heavily wooded and bordering parts of Hut Wood, and (b) the more open and domestically vegetated remainder fronting onto Woodside and extending directly back from that frontage. Here there is less tree cover although there are one or two trees of note.

The whole of this parcel formerly comprised part of the gardens and amenity to Chilworth Court, a significant dwelling standing close by Chilworth Road. Prior to its name being changed, the site of Chilworth Court and the whole of its then gardens and setting was occupied by a large house built in 1854 and named "*The Tower of the Winds*". The gardens were sub-divided and a more recent dwelling, The Glade was erected in part, again fronting onto Woodside. Even to this day its domestic-scale appearance with domestic indigenous and alien garden shrubs and trees, behind the remaining brick garden wall, formerly enclosing *The Tower of the Winds*. Indeed, the ownership of this land by Delbury Limited, dating from 1947 confirms that this was the kitchen garden to that larger house and was never regarded as open countryside.

It is Delbury's view that this plan review should revisit the area recognised by Chilworth residents and being part of the overall settlement and should include such within a revised SPB and, at the same time

in an endeavour to provide linkage between all relevant built-up parts, should include the small interspace. This small site is in part heavily wooded to its northeast part and more open to its remainder. It has a frontage to Woodside of less than 30m and is fronted by a domestic and aged garden wall, having previously formed part of the grounds and gardens of Chilworth Court.

Delbury's suggestion for the future definition of the SPB for Chilworth in this location is as shown on the attached plan. If it is intended to retain a policy in the Review Plan for RASC, then Delbury would support a co-incident definition with the proposed SPB line. If it is intended to retain a policy for Local Gaps bordering the northern edge of the whole settlement of Chilworth ( as recognised) then that boundary can also be co-incident with the suggested SPB for Chilworth.

By so revising the alignment and definition of the Chilworth SPB, the inclusion of the Delbury land within such defined settlement will create an opportunity for the possible delivery of Self-build or Custom-build housing and constitute an example of seeking proactively to deliver on a range of available housing sites for small unit numbers, thus to, in small part, help to address the NPPF 2019 para 68.

The Delbury approach has been the subject of informal discussion with the Chilworth Parish Council. This submission in no way seeks to bind the Parish Council to any particular view but Delbury has taken from those discussions that the PC is not inclined to object to such a SPB definition.

To keep the PC up-to-date with the Delbury view, a copy of this consultation response is also being sent to the Parish Council.

Please acknowledge receipt of these representations by email to ,  
informed as to progress and all future stages of the Plan Review.

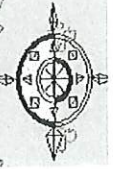
and keep us

Yours faithfully,





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Conifers

Carlisle

WOODSIDE

The Glade

Redwoods

Chilworth

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