

# Test Valley Borough Council Consultation for Local Plan 2040 Regulation 18 Stage 2

## COMMENTS FORM

Test Valley Borough Council has published its Local Plan 2040 Regulation 18 Stage 2 document for public consultation. This consultation document sets out a vision for Test Valley up to 2040, objectives for achieving this vision, our development needs alongside allocations for residential and employment development and theme-based policies.

The consultation period runs from Tuesday 6<sup>th</sup> February to noon on Tuesday 2<sup>nd</sup> April 2024. Please respond before the close of the consultation period so that your comments may be taken into account.

You can respond to our consultation by filling out the form below. This form has two parts:

Part A: Your Details

Part B: Your Comments (please fill in a separate sheet for each comment you wish to make)

Further information can be found on our website at:

[www.testvalley.gov.uk/localplan2040](http://www.testvalley.gov.uk/localplan2040)

Once the form has been completed, please send to [planningpolicy@testvalley.gov.uk](mailto:planningpolicy@testvalley.gov.uk) below by **noon on Tuesday 2<sup>nd</sup> April 2024**.

Following receipt of your comments from, we will keep you informed of future consultation stages unless you advise us that you want to opt out of such communication.

If you are unable to send via email, please send a postal copy to our address below.

### Contacting us

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

Tel: 01264 368000

Website: [www.testvalley.gov.uk/localplan2040](http://www.testvalley.gov.uk/localplan2040)

Email: [planningpolicy@testvalley.gov.uk](mailto:planningpolicy@testvalley.gov.uk)

## Part A: Your Details

Please fill in all boxes marked with an \*

Title* Mr/Mrs/Miss/Ms/Dr/Other (please state)	Mr	First Name*	Stephen
Surname*	Harness FRTPI		
Organisation* (If responding on behalf of an organisation)	Secretary of State for Defence, c/o Defence Infrastructure Organisation (DIO)		

Please provide your email address below:

Email Address*	
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Alternatively, if you don't have an email address please provide your postal address.

Address*			
		Postcode	

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

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### Personal Details and General Data Protection Regulation

Please note that representations cannot be treated as confidential. If you are responding as an individual, rather than as an organisation, we will not publish your contact details (email/ postal address and telephone number) or signatures online, however the original representations will be available for public viewing at our offices by prior appointment.

All representations and related documents will be held by the Council until the Local Plan 2040 is adopted and the Judicial Review period has closed and will then be securely destroyed.

The Council respects your privacy and is committed to protecting your personal data. Further details on the General Data Protection Regulation and Privacy Notices are

available on our website here:  
<http://www.testvalley.gov.uk/aboutyourcouncil/accesstoinformation/gdpr>

## Part B: Your Comments

Please use the boxes below to state your comments. This includes one box for general comments and another for specific comments related to an area of the Local Plan.

Insert any general comments you may have that do not relate to a specific paragraph number or policy in the general comments box below.

If you are suggesting a change is needed to the draft Local Plan or supporting document, it would be helpful if you could include suggested revised wording.

If you are commenting on a document supporting the draft Local Plan (such as a topic paper, or the Sustainability Appraisal), please indicate so.

General
<p>At the earlier stages of the consultation DIO made representations on behalf of the Secretary of State for Defence. In response TVBC noted the representations and said they would be considered in line with the NPPF.</p> <p>In this latest version of the emerging Local Plan it is unclear how the planning authority has considered the earlier representations, or taken into account the NPPF's requirements in relation to national security.</p> <p>Therefore, the representations made below are largely a re-iteration of those made previously along with a request for TVBC to demonstrate how they have been considered in the emerging plan.</p>

For specific comments, please make it clear which paragraph, policy or matter your comments relate to where possible. Please use the box below.

If you are suggesting a change is needed to the draft Local Plan or supporting document, it would be helpful if you could include suggested revised wording.

Paragraph Ref	Specific Comments
<b>Economy, Employment &amp; Skills – Policy EC1</b>	<p>Background:</p> <p>In line with the National Planning Policy Framework (NPPF)<sup>i</sup> it is important that planning authorities and development plans recognise that MOD Establishments are of strategic military importance to the UK. As such operational development on MOD establishments should be supported. In turn, due to the need to maintain operational capabilities, development in proximity of MOD Establishments should be required to demonstrate that they align with the ‘agent of change’ principle found in paragraph 193 of the NPPF<sup>ii</sup>. As such their development won’t lead to the need for mitigation from MOD activities. It is therefore suggested that emerging development plans include a specific policy to address those needs. Such a policy also needs to recognise the brownfield nature of MOD sites and the MOD’s <a href="#">commitments</a> to bring forward proposals to reduce its built estate, as part of those proposals sites could be declared as surplus. Such policies have been adopted in development plans across the UK (including in the adjacent Wiltshire).</p> <p>Suggested policy on MOD Establishments:</p> <p><b>POLICY Military Establishments: New development at military establishments that helps enhance or sustain their operational capability will be supported.</b></p> <p><b>Redevelopment, conversion or change of use of redundant MOD sites and buildings will be supported.</b></p> <p><b>Non-military or non-defence related development within or in the areas around a MOD site will not be supported where it would adversely affect military operations or capability, unless it can be demonstrated that there is no longer a defence or military need for the site.</b></p> <p>For information, some further background is also included below on MOD related development.</p>
<b>Transport &amp; Movement – Policy TR1</b>	<p><b>Transport:</b></p> <p>Many MOD establishments have specific operational access requirements, in particular <a href="#">logistics</a>. The dimensions and weights of some of the vehicles used by the MOD can be beyond that normally used by public/commercial vehicles. When designing schemes which affect key access routes to MOD establishments it is therefore recommended that</p>
<b>Built, Historic and Natural</b>	<p><b>Noise:</b></p> <p>It should be noted that the controls on levels of noise arising from MOD establishments are not the same as for other properties. These noise levels</p>

<p><b>Environment - Policy ENV5</b></p>	<p>can vary significantly according to operational needs. It is therefore important to consider the possible impacts on proposed adjacent development of such noise and the need to incorporate appropriate mitigation (if possible). It would be good practice for Planning Authorities to consult DIO on all significant planning applications within at least 250 metres of the boundary of an MOD establishment, the email address for such consultations is: [REDACTED]</p> <p><b>Safeguarding:</b>  This response is separate from any made in respect of the safeguarding of MOD assets. For further information on MOD safeguarding, contact:  For statutory safeguarding: [REDACTED]  For wind turbine safeguarding: [REDACTED]  For offshore safeguarding: [REDACTED]</p>
<p><b>Neighbourhood Plans – Policy 5 SS5.</b></p>	<p><b>Neighbourhood Plans</b>  The case of Daws Hill v Wycombe (C1/2013/0861) established that land should not be included in neighbourhood plans where it would lead to ‘false expectations’ (para 22). Neighbourhood plans should therefore be realistic about what they can control. It should be noted that separate legislation applies to the Crown estate and the operational military nature of MOD sites means that engagement and enacting of Neighbourhood plans to cover the area would not be appropriate. It is therefore suggested that designated Neighbourhood Plan areas should exclude MOD establishments.</p>
<p><b>Delivering Infrastructure Requirements - Policy COM1</b></p>	<p><b>Single Living Accommodation (SLA) &amp; Service Families Accommodation (SFA)</b>  In summary, single living accommodation (SLA) is provided to meet operational needs on MOD establishments and is ancillary to its use. Service Families Accommodation (SFA) is provided to meet a specific need, has no commercial value and is subject to national guidance on its location, use and provision of supporting facilities. The close link between military bases and SFA allows for an appropriate support network to be provided to its residents, especially for dependents during times such as overseas deployments.</p> <p>The method for assessing SFA rents is set at a national level and service families pay a subsidised rental charge as set by the Armed Forces Pay Review Board. The Board sets the rates to be charged to service personnel for their accommodation as well as their pay. The SFA rates are set out in Tables 4.1 and 4.2 of the Armed Forces’ Pay Review Body Forty-Third Report March 2014. This document is available on the www.gov.uk website (see <a href="https://www.gov.uk/government/publications/armed-forces-pay-review-body-43rd-report-2014">https://www.gov.uk/government/publications/armed-forces-pay-review-body-43rd-report-2014</a>). The SFA rental rates are significantly lower than general market housing rental levels in recognition of the special circumstances that apply including the tied nature of the properties and lack of choice. The value of future income streams will not be sufficient to cover the basic build costs and infrastructure procurement and running costs (the latter of which will be significant).</p> <p>It is therefore recognised that SFA directly provided by the MOD bears some similarities to affordable housing provided by a Registered Provider. In both instances, there is an element of subsidy, which sets it apart from housing that is either sold or rented, without restriction, through the open</p>

<p><b>Policy NA8</b></p>	<p>market. Both parties recognise that the SFA to be developed by the MOD will not be a commercial proposition and can only be delivered with substantial amounts of public funding. As such, there is no commercial viability in its provision. It is therefore logical given the considerations discussed within this Statement that SFA should have a zero charge for CIL, following the practice that is applied to affordable housing.</p> <p>Unlike general market housing, the design and specification of SFA developments are subject to national guidance set out in Joint Service Publications (JSPs) (see <a href="https://www.gov.uk/government/publications/jsp-464-tri-service-accommodation-regulations-tsars">https://www.gov.uk/government/publications/jsp-464-tri-service-accommodation-regulations-tsars</a>). This means higher build costs than might normally be expected would be incurred and community infrastructure costs to be met as part of the development for all SFA residents. In accordance with the relevant Scale 25 within JSP 315<sup>1</sup> the MOD will provide the following facilities alongside their SFA development:</p> <ul style="list-style-type: none"> <li>(i) Community Centres</li> <li>(ii) Childcare Facilities</li> <li>(iii) Youth Centres</li> <li>(iv) Publicly Funded Welfare Facilities</li> </ul> <p>SFA will not be released onto the open market or use for any other purpose than for SFA without the approval of the planning authority. This will ensure that the SFA 'housing' is developed and managed for its intended purpose, rather than open market housing. Such an obligation would also ensure that if the SFA becomes surplus to MOD requirements and is released in the open market the need to provide for affordable housing would be triggered.</p> <p>Proposed northern area policy 8 (NA8) regarding land to the SE of Ludgershall for 1150 dwellings is noted. It is also noted that at paragraph 4.103 that to access the site a bridge would be required over the MOD railway line. It is therefore important that the LPA consults DIO over those proposals and consideration as to whether such an access can be facilitated using MOD land.</p>
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## What happens next?

All valid responses received within the consultation period will be acknowledged and you will be given a reference number. Please quote this reference number when contacting the Council about the Local Plan 2040. If you have an agent acting on your behalf, correspondence will be sent directly to your agent.

<sup>1</sup> <https://www.gov.uk/government/publications/jsp-315-services-accommodation-code-volume-1>

All responses received will be taken into account as part of the preparation of the Local Plan 2040.

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<sup>i</sup> NPPF paragraph 101. Planning policies and decisions should promote public safety and take into account wider security and defence requirements by:

- a) anticipating and addressing possible malicious threats and natural hazards, especially in locations where large numbers of people are expected to congregate<sup>41</sup>. Policies for relevant areas (such as town centre and regeneration frameworks), and the layout and design of developments, should be informed by the most up-to-date information available from the police and other agencies about the nature of potential threats and their implications. This includes appropriate and proportionate steps that can be taken to reduce vulnerability, increase resilience and ensure public safety and security; and
- b) recognising and supporting development required for operational defence and security purposes, and ensuring that operational sites are not affected adversely by the impact of other development proposed in the area.

<sup>ii</sup> NPPF paragraph 193: Planning policies and decisions should ensure that new development can be integrated effectively with existing businesses and community facilities (such as places of worship, pubs, music venues and sports clubs). Existing businesses and facilities should not have unreasonable restrictions placed on them as a result of development permitted after they were established. Where the operation of an existing business or community facility could have a significant adverse effect on new development (including changes of use) in its vicinity, the applicant (or ‘agent of change’) should be required to provide suitable mitigation before the development has been completed.