

# 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*	Jacob
Surname*	Goodenough		
Organisation* (If responding on behalf of an organisation)	Nova Planning Ltd		

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:

On behalf of Mr Matt Allsopp of Macra Limited
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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
Please see enclosed representations

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>Plan Period</b>	The Council should extend the plan period by a year to ensure that on adoption, the plan period is consistent with the requirements of national policy (15 years) - Please see enclosed representations for full commentary.
<b>Chapter 3</b>	Macra supports the spatial strategy as set out at policy SS1 together with the proposed amendments to the settlement boundary for Andover - Please see enclosed representations for full commentary.
<b>Chapter 5, policies:</b>  <b>BIO3</b> <b>CL3</b> <b>CL4</b> <b>HOU1</b> <b>HOU5</b> <b>HOU6</b> <b>TR3</b>	Please see enclosed representations for full commentary.

### What happens next?

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

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

**Test Valley Borough Council**  
**Draft Local Plan 2040**  
**Regulation 18 Stage 2 (2024)**

**Written representations prepared on behalf of Macra Limited**  
**April 2024**

# 1. Introduction

- 1.1 These written representations have been prepared by Nova Planning Limited on behalf of Macra Limited in response to the Test Valley Borough Council (TVBC) Local Plan Draft for Regulation 18 Part 2 Consultation (Draft Local Plan/DLP). The comments set out in these representations relate to the publication of the Draft Local Plan and its supporting evidence base.
- 1.2 Macra is promoting land at Valley View Business Park, Walworth Road, Picket Piece, Andover (the Site) for approximately 32 dwellings. The Site is adjacent to a wider allocation for approximately 400 dwellings together with a range of facilities for a new neighbourhood at Picket Piece. Policy COM6 of the adopted Test Valley Local Plan 2011-2029 sets out the details of the allocation.
- 1.3 An outline planning application has been submitted for the Site, with the following description of development:

*Outline application for demolition of existing structures, site preparation and erect up to 32 dwellings; with all matters reserved except site access.*

- 1.4 This application (reference 24/00194/OUTN) received a resolution to grant at the Northern Area Planning committee on Thursday 28<sup>th</sup> March 2024, subject to prior completion of legal agreement. The legal agreement is well advanced.

## 2. Draft Local Plan: Plan Period

- 2.1 The Council's Local Development Scheme states that the Council expect to adopt the Local Plan in Q2 of 2026. This means that on adoption the plan will cover less than 15 years. This is inconsistent with paragraph 22 of the NPPF which requires plans to look ahead for a minimum of 15 years from adoption. The Council should therefore extend the plan period by a year to ensure that on adoption, the plan period is consistent with the requirements of national policy.

## 3. Draft Local Plan: Chapter 3 - Spatial Strategy

- 3.1 Macra support the principle of seeking to maximise opportunities to redevelop brownfield (previously developed) land, as set out at Paragraph 3.12 of the Draft Local Plan and in the Sustainable Spatial Strategy. This approach is consistent with national planning policy and is therefore justified and sound. Macra also support the Council's recognition at Paragraph 3.12 of the DLP, that it is also necessary to allocate some greenfield land for development. Amongst other things, this reflects the fact that brownfield sites are often more constrained in terms of having higher land use values, increased costs associated with site clearance and decontamination, which in turn affects their deliverability and viability including the delivery of affordable housing and biodiversity net gain.

3.2 Macra support the strategy set out at Paragraph 3.14 of the DLP, which whilst promoting a wider distribution of development than in the Local Plan 2016, focuses on supporting an appropriate level of development at the largest range of sustainable settlements where there are key facilities. This includes Andover (including Picket Piece) as a Tier 1 settlement.

3.3 The Draft Local Plan does not bring forward Policy COM6 as an allocation. Instead, the Draft Policies Map for Northern Test Valley shows the Site and wider allocation incorporated within the settlement boundary where Policy SS1 applies. Spatial Strategy Policy SS1 confirms 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. Settlement boundaries are identified on the Policies Map or within made Neighbourhood Plans.*

3.4 Andover (including Picket Piece) is a Tier 1 settlement where strategic allocations are considered an appropriate scale of development under Policy SS1. The designation of Andover as a Tier 1 settlement is supported. Macra also support the modification to the settlement boundary to include the Site and wider COM6 allocation and the provisions of Policy SS1 which confirms the presumption in favour of sustainable development, including strategic allocations, within the settlement boundaries of Tier 1 settlements.

3.5 Notwithstanding the pending planning permission on the Site, Macra support the justification for the inclusion of the Site within the defined settlement boundary as set out in Appendix 1 of the Settlement Boundary Assessment, which states:

*Adjacent to the policy allocation area of COM 6 Picket Piece and adjacent to the Borough boundary is the valley View Business Park and dwellings south of the Ox Drove (south of Ox Drove Rise). This residential and commercial development is located adjacent the COM6 allocation and has a clear functional relationship to the main settlement of Andover and is proposed for inclusion within the boundary.*

3.6 Macra endorse this assessment. The site is located between the strategic allocation of Picket Piece (COM6) and a travelling show persons site, west and east respectively. The Site is bound to the north by the mainline railway and to the south by Walworth Road. It is isolated from the wider countryside and relates well to the existing settlement pattern. The site is dominated by a range of structures, hardstanding and associated open storage. The existing structures are generally in poor condition and visually detract from the character and appearance of the area. Given the developed nature of the site, its proximity to existing allocations and the pattern of existing development on Walworth Road the functional relationship between the site and the settlement of Andover is clear and its inclusion in the settlement boundary is justified and supported.

- 3.7 In the event that planning permission has not been granted for the wider Picket Piece allocation prior to the publication of the Regulation 19 Draft Local Plan and the Council consider it necessary to carry forward the provisions of Policy COM6 as a Strategic Housing Site Allocation for Northern Test Valley, Macra would support amendments to both the proposals map, and if carried forward Map E also, to reflect the Settlement Boundary Assessment and recent resolution on the Site. For the avoidance of doubt the Site should be included within the settlement boundary but outside of the COM6 allocation.

## **4. Draft Local Plan: Chapter 5 - Theme Based Policies**

### **Draft Policy BIO3 Biodiversity Net Gain**

- 4.1 Draft Policy BIO3 reflects the legislative requirement for a 10% biodiversity net gain. However, as set out in the Home Builders Federation (HBF) representations (paragraphs 35 to 37) Macra would welcome amendments to ensure that the policy does not apply to development which is exempt under national legislation, that the Biodiversity Hierarchy is referenced rather than the Mitigation Hierarchy and that sufficient flexibility is incorporated into other policies to ensure that development is not made unviable by non-negotiable policies such as BIO3.

### **Draft Policy CL3 Sustainable Buildings and Energy Use**

- 4.2 Macra support the need to act to reduce carbon emissions, but do not consider that this needs to be achieved through the Local Plan, given that the Future Homes Standard (FHS) is already in place nationally, providing a standard approach to be delivered through the Building Regulations process. Therefore, the inclusion of this draft policy is not justified.
- 4.3 If the Council chooses to go beyond current or future standards, this must be in a way that is consistent with national policy and robustly assesses its consequences, including consistency with the Written Ministerial Statement (WMS) published on 13<sup>th</sup> December 2023 and ensuring a well-reasoned and robustly costed rationale is provided in support of this approach.
- 4.4 Detailed commentary on this issue is provided in the HBF's written representations to the Draft Local Plan and Macra supports the position set out in paragraphs 18 to 27 of their representations.

### **Draft Policy CL4 Water Use and Management**

- 4.5 Draft Policy CL4 requires that all new homes are designed and built to achieve a water consumption of no more than 100 litres per person per day. Part G of the Building Regulations requires standards of no more than 125 litres, confirming that Councils can impose stricter targets of 110 litres. Furthermore, the WMS dated 19<sup>th</sup> December 2023 does state that in areas of serious water stress, LPAs are encouraged to work with partners to agree tighter standards. However, it is not clear from the evidence base where



the limit of 100 litres per day is derived from and where the justification is to support this lower standard. The draft policy is therefore considered unsound in its current form.

- 4.6 In addition, Macra do not consider that the requirements set out in the policy for applicants to demonstrate sufficient water supply and wastewater services are appropriate, given that it is the responsibility of water companies and other stakeholders to plan for future services. Further commentary on this and the policy as a whole is provided in the HBF representations paragraphs 28 to 34, which Macra support.

## **Draft Policy HOU1 Affordable Housing**

- 4.7 Paragraph 3.15 of the Housing Topic Paper states that the whole Plan Viability Assessment has tested up to 50% affordable housing provision and concludes that a policy approach of 40% should be retained on a 'maximum reasonable proportion basis' taking site specific circumstances into account. However, the wording of the policy, including use of the term "target" means that negotiation is expected when applying the policy. This is explained at supporting paragraph 5.360 where viability is cited as a reason for reduced affordable housing.
- 4.8 The NPPF and PPG both seek to limit the extent to which negotiation is required as a result of local plan policies. As set out in the HBF representations (paragraphs 39 and 40) greater clarity is required to make it clear that a lower level of affordable housing provision is acceptable and not the exception.

## **Draft Policy HOU5 Provision of Housing to Meet our Needs**

- 4.9 Macra support the comments made at paragraphs 42 and 43 of the HBF representations. These seek an amendment to the policy so that it is not just the needs of newly formed households which should be considered. Macra support the HBF recommendation to amend the wording at part b) to "*a mix of homes by size (including number of bedrooms), type and tenure, which take account of the composition of the current housing stock, identified needs and other appropriate local evidence on needs and the supply of new homes*".

## **Draft Policy HOU6 Residential Space Standards**

- 4.10 This draft policy proposes that the Nationally Described Space Standards will be adopted, however, no evidence is provided (as required by the NPPF and PPG) that these are required. If the Council is to adopt these standards, it will be necessary to provide evidence that they are justified and taken account of in the viability study.

## **Draft Policy TR3 Parking**

- 4.11 As noted in the HBF representations, the policy requires development to be in accordance with standards set out in the Council's adopted parking standards. This is unsound as it seeks to confer the status of a

local plan policy on guidance published outside of the plan-making process. The Council can provide guidance in an SPD, but it cannot require development to accord with it. If a specific standard is required, it should be included in the local plan. If not, the policy should be amended to state that development should have regard to the adopted parking standards.

## 5. Conclusion

- 5.1 In conclusion, Macra support the recognition that whilst the use of previously developed land is encouraged, there is also a need to allocate greenfield sites for development.
- 5.2 The Draft Local Plan proposes that Andover (including Picket Piece) is designated as a Tier 1 settlement where there is a presumption in favour of sustainable development within the settlement boundary. Given that the Council has resolved to grant planning permission on the Site and for the reasons set out in the Settlement Boundary Assessment it is proposed that land at Valley View Business Park should be included within the Settlement Boundary as part of the Draft Local Plan. Macra supports this modification to the Settlement Boundary.
- 5.3 These written representations also set out Macra's responses to some of the environmental and development management draft policies, including in relation to energy standards, water efficiency, affordable housing and internal space standards. Where stated, Macra support the representations prepared by the Home Builders Federation in response to this consultation.