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Our ref: pp11_8 Goodworth Clatford NDP
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Response to the Goodworth Clatford Neighbourhood Plan Submission Document, September 2016 (Regulation 16 Consultation)

Introduction

These comments set out the Council's response to the 'Regulation 16' consultation on the Goodworth Clatford Neighbourhood Plan ('GCNP'), which was submitted to the Council on 6th September 2018.

The Goodworth Clatford Neighbourhood Area was officially designated on 10 May 2015. Comments were provided on a draft plan during the Regulation 14 consultation, which took place from 3rd April 2018 to 25th May 2018.

The comments that follow are made in the interests of ensuring that the GCNP is in general conformity with the strategic policies set out in the Test Valley Local Plan and can be effectively interpreted by the Council in determining planning applications.

The Council recognises the efforts that have gone into the Goodworth Clatford Neighbourhood Plan and the amount of community consultation that has taken place to shape the plan into its current form.

The Basic Conditions

The basic conditions are set out in paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990 as applied to Neighbourhood Development Plans by section 38A of the Planning and Compulsory Purchase Act 2004. They state that a draft Neighbourhood Plan meets the basic conditions if it:

- (a) has regard to national policies and advice contained in guidance issued by the Secretary of State.
- (b) has special regard to the desirability of preserving any listed building or its setting or any features of special architectural or historic interest that it possesses.
- (c) has special regard to the desirability of preserving or enhancing the character or appearance of any conservation area.
- (d) contributes to the achievement of sustainable development,
- (e) is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area),
- (f) does not breach, and is otherwise compatible with, EU obligations,

The Council considers that some changes are needed to ensure that the Neighbourhood Plan meets the Basic Conditions as required by regulations. These changes will ensure that the draft plan is in general conformity with the strategic policies of the Test Valley Local Plan (Condition e), that it has regard to national policy and guidance (Condition a), and that it will contribute to the achievement of sustainable development (Condition d).

The Council considers that the plan in its current form does meet part f) of the Basic Conditions which require that it does not breach, and is otherwise compatible with EU obligations.

It is considered that the suggested changes can be made to the plan without additional consultation being needed as they retain the general direction of the policies in the plan, but make changes, primarily to ensure clarity for the decision maker and make the document easier to use.

Submission of the Draft Neighbourhood Plan

The draft neighbourhood plan was submitted to the Council in September 2018. Test Valley Borough Council, as local planning authority, has considered the submitted plan and is

satisfied that it complies with all of the relevant statutory requirements set out in paragraph 6 of Schedule 4B of the Town and Country Planning Act 1990 (as amended).

The submitted plan was accompanied by a Basic Conditions Statement and a Consultation Statement.

Strategic Environmental Assessment (SEA)

Natural England, Environment Agency and Historic England, as statutory consultation bodies under Regulation 9 of the SEA Regulations, were consulted by the Council on an SEA screening determination between 11 January 2018 and 15 February 2018. All three bodies agreed with the screening determination of the Council that the GCNP is not likely to have significant environmental effects and therefore an SEA is not required.

Habitats Regulations Assessment (HRA)

Test Valley Borough Council issued an HRA screening determination in May 18 concluding that the GCNP would have no likely significant effects upon the Natura 2000 network alone or in combination and no appropriate assessment is currently required.

National Planning Policy Framework.

For the avoidance of doubt, the policies in the 2012 NPPF apply to this Neighbourhood Plan, as set out in Paragraph 214 of the 2018 NPPF, which sets out the transition arrangements for plans submitted on or before 24 January 2019.

Test Valley Local Plan.

The Test Valley Local Plan was formally adopted by the Council in January 2016, and provides a positive and flexible overarching planning policy framework for the Borough the period up to 2029. A number of the policies in the Core Strategy are particularly relevant to the Goodworth Clatford area and draft GCNP.

Policy COM2, 'Settlement Hierarchy' identifies the settlements where sustainable development will take place in the Borough. Goodworth Clatford is within the 'rural villages' designation. The scale of development in the rural villages is limited to development within the settlement boundary of the village. Development may also come forward from windfalls, rural affordable housing sites, replacement dwellings, small business uses, the reuse of buildings and community led development, which could be delivered through a Neighbourhood Plan.

The housing requirement for the Borough is split into two parts, with Goodworth Clatford in Northern Test Valley along with Andover. This is further split into a housing requirement for Andover and the remaining Northern Rural Test Valley for which the minimum annual requirement is 36 new homes per year.

Policy COM9 is also of relevance as it concerns Community Led Development. This policy allows for community led development with or without a Neighbourhood Plan, and the supporting text acknowledges that where Neighbourhood Plans are produced, that they should be referred to evidencing the community support for a scheme.

The following policies are the relevant Strategic Local Plan Policies that the Neighbourhood Plan needs to be in conformity with:

- Policy COM1: Housing Provision 2011 – 2029
- Policy COM2: Settlement Hierarchy
- Policy COM7: Affordable Housing
- Policy COM8: Rural Exception Affordable Housing
- Policy COM14: Community Services
- Policy COM15: Infrastructure
- Policy LE10: Retention of employment land and strategic employment sites
- Policy E1: High Quality Development in the Borough
- Policy E2: Protect, Conserve and Enhance the Landscape Character of the Borough
- Policy E3: Local Gaps
- Policy E5: Biodiversity
- Policy E6: Green Infrastructure
- Policy E7: Water Management
- Policy E9: Heritage
- Policy LHW1: Public Open Space
- Policy T1: Managing Movement
- Policy T2: Parking Standards

The Local Plan also contains other non strategic policies which may be relevant to the GCNP. These include:

- Policy COM9: Community Led Development
- Policy COM10: Occupational Accommodation for Rural Workers in the Countryside

- Policy COM11: Existing Dwellings and Ancillary Domestic Buildings in the Countryside
- Policy COM12: Replacement Dwellings in the Countryside
- Policy COM13: Gypsies, Travellers and Travelling Showpeople
- Policy LE16: Re-Use of Buildings in the Countryside
- Policy LE17: Employment Sites in the Countryside
- Policy LE18: Tourism
- Policy E8: Pollution
- Policy LHW4: Amenity
- Policy CS1: Community Safety
- Policy ST1: Skills and Training

Goodworth Clatford Neighbourhood Plan

Section 1 – Setting the Scene

This section gives an overview of the Parish to give the reader a better understanding of the area and what gives its sense of place. The map in Figure one whilst it shows the GCNP designated area, it also has the parish boundaries of Upper Clatford and Wherwell shown, which is confusing. The Council suggests that the map be replaced with a map that only shows the boundary of the designated area for Goodworth Clatford. The Council are able to provide this map to the steering group.

The map in Figure 2 would benefit from being consistent with the other OS base maps in the plan, so as to aid clarity. The Council can help with the mapping in the final document.

Section 2 – A Vision for Goodworth Clatford.

Vision and Objectives

The GCNP contains a vision and 11 objectives. Given the importance of the vision in the document, it would raise the profile of the vision if it were to be in a text box. Although this is a presentation matter, it would help elevate the importance of the vision within the Plan.

The policies and recommendations in the plan all relate to the 11 objectives that follow the vision statement..

Section 3 – Policies

Introduction

The plan contains a series of policies and recommendations supported by evidence which is set out in the supporting text and in the Appendices.

Paragraph 3.1 of the plan states that *'the policies in the NDP set out the types of development that **will and will not be permitted**'* (authors emphasis). This is not the case as the policies set out the criteria new developments will need to conform to, to be in accordance with the policies. None of the policies in the plan categorically set out what will and will not be permitted. The Council suggests that this paragraph be removed.

The introduction then explains how the policies in the plan have been divided into four groups - Strategic Policies, Natural Environment Policies, Built Environment Policies and Delivering the NDP. This division makes sense and makes the plan easy to navigate.

Strategic Policies

This section contains the three strategic policies and supporting text.

Paragraph 3.5 includes the words *'inter alia'* and phrases like this should be avoided so that the plan is easy to read and understand.

Paragraph 3.7 refers to *'a number of evidence base documents'* and these should be referenced in the footnotes.

It would also help the reader if a map showing the landscape character areas accompanied the text in this part of the plan.

Policy SP2 although a strategic policy, the policy and text would be better located with the Community and Business Policies, as it would avoid repetition. The Council is also concerned over how a proposal could be assessed against *'enhance and improve the quality of life'*

Policy SP3 concerns the location and nature of development, and confirms that the settlement boundary in the Local Plan will be used as the basis for the Neighbourhood Plan. There is no need to repeat policies in the Local Plan, as the Neighbourhood Plan is read

together with the Local Plan. With this in mind, the Council suggest that Bullet 1 and 6 are not needed. Bullet 2 does not add any additional local element to Local Plan Policy E2 which addresses the issue of the landscape character of the Borough, and the Council suggests that this is also removed from the policy.

Bullet 3 is a locally distinctive element, which the policy rightly addresses. The map showing the key views would also be welcome in this section, along with the views named and described, to help the reader understand what the policy is seeking to protect. The wording of the bullet includes '*blight*' but the Council suggests that 'adversely impact' would be a more appropriate phrase.

The second half of the policy supports development if it complies with 5 criteria. The addition of the word 'and' at the end of each one suggest that in order to support development that all 5 criteria would have to be met. The Council suggests that this would be difficult to achieve for most developments, and is why when making a planning judgement on a planning application, officers need to balance a range of factors, including those in the policy, and all the other policies in the development plan. With this in mind, the Council suggests that the word '*and*' is removed from the end of each bullet.

Natural Environment Policies

This section contains five policies and its supporting text.

Policy NE1 lists seven sites that are to be designated as Local Green Spaces. It would be helpful if the map showing the green spaces was included in this part of the plan. The rationale for their selection at Appendix E could also be moved into the evidence base, as if the plan is made the rationale will not be needed in the final plan. With this in mind, the Local Green Space Assessment should be added to the bullet list showing the evidence for the policy in paragraph 3.29.

Policy NE2 covers Rural Features. The policy states that '*proposals will not be supported where they result in the loss or deterioration of the best and most versatile agricultural land*' Is this an issue for the plan area. Does the plan area have any land in grades 1, 2 or 3a?

The second paragraph repeats paragraph 118 of the NPPF and the Council therefore suggests that this could be removed to avoid the duplication.

Policy NE3 deals with Biodiversity and nature conservation. The policy mainly repeats Local Plan Policy E5, therefore the Council suggests that the policy could be slimmed down so as not to repeat the requirements as already set out in Policy E5.

It would also aid the reader if the map showing the local SINCs was included in this section of the plan.

Policy NE4 deals with the issues of Water Management and Pollution. Bullet 2 states that *'development proposals should protect the environment by **contributing** to the environmental works ..'*. It is not clear from the policy or the text what form this contribution would take, and the Council suggests that this requires clarification.

The third bullet states *'foul sewer infrastructure **rather than**'* whereas the supporting text at paragraph 3.51 states *'in preference to'*. It would be helpful if the same phrase was used in both the text and policy to avoid confusion.

Policy NE5 covers the topic of Rights of Way. The policy states that *'development proposals should maintain or enhance ..'* The addition of the wording *'where appropriate'* would add clarity to the policy as not all development proposals will be required to maintain or enhance the footpaths and Rights of Way.

It would also aid the reader and the flow of the plan if a consolidated map showing the Rights of Ways and permissive paths was included in this section of the plan.

Built Environment Policies

This section contains two policies and its supporting text.

Policy BE1 covers the issue of Design. Bullet 2 would benefit from having the word 'users' added to the policy, as this will also deal with non residential buildings. The wording could read *'all existing and future **users or occupants**'*

Bullet 5 states that *'where appropriate, ..comply with the VDS'*. Given the status of the Village Design Statement, most development should comply with the document, therefore the Council suggests removing the wording *'where appropriate'*

It would be helpful to the reader if there was a footnote reference in paragraph 3.73 to the Conservation Area Character Appraisal referred to in the text.

It would also be helpful if the relevant building regulations were cited in the evidence for this policy section, to support the inclusion of the rainwater harvesting to reduce water consumption.

Policy BE2 covers the issue of the Conservation Area and other heritage assets and bullet 1 states that development should, *'respect the historic fabric and plan form of the locality'*. For improved clarity this would benefit from having the word 'historic' added so that the wording would read *'respect the historic fabric and **historic** plan form of the locality'*

Bullet 2 of the policy follows on stating that development should *'respect important views into and out of the Conservation Area as identified in the Character Appraisal'* this would be clearer if the following was added *'respect important views **including, but not restricted to those** into and out of the Conservation Area as identified in the Character Appraisal'*

The final paragraph of the policy goes on to say : *'Development proposals should conserve and enhance designated and **non-designated** heritage assets throughout the Neighbourhood Area. These comprise listed buildings, **buildings of local interest**, archaeological sites and the historic landscape.'* It would be helpful if these non designated assets and buildings of local interest were referenced in the supporting text.

Paragraph 3.77 sets out the key characteristics that give the Area its distinct and unique character, with bullet 8 listing the Major key buildings. Of this list, only The Lawns fall within the neighbourhood area, and so as a factual correction, the others should be removed from the bullet. However, St Peter's Church, Goodworth Clatford could be included as could the Village Club and Queen Anne Cottage which are other notable buildings in the village.

It would also aid the reader and the flow of the plan if the maps referenced in the supporting text are included in this section of the plan.

Community and Business Policies

This section contains five policies and its supporting text.

As previously stated, **Policy SP2** and its text would be better located within this section of the plan to avoid repetition.

Policy CB1 sets out what requirements will be in respect of Movement. The current policy repeats much of Policy T1 in the Local Plan and does not add a locally distinctive element.

Given that all the matters in the policy are covered elsewhere in the Development Plan the Council suggests that the policy is not needed.

Notwithstanding this, the Council has the following comments on the policy. The policy as written would apply to all development proposals. However, an extension to an existing building and other small scale development would not require a Transport Assessment or Statement, nor due to their locations may not be accessible by a range of transport modes.

Bullet 3 of the policy goes on to state '*enhanced connectivity to existing **transport, travel and other community facilities***' It is not clear what the difference is between 'travel' and 'transport' in this context , however it is acknowledged that connectivity to existing transport routes and other services and facilities in the village is important.

Paragraph 3.84 states that '*proposals should include appropriate information ...*'. Not all development will require a TA, therefore the words 'where required' should be inserted, as well as in Bullet 1 for clarity.

It should also be noted, that there could be some permitted development in relation to highways works, and therefore this policy would not apply.

Policy CB2 deals with Community Facilities. The policy identifies the community facilities that the policy would apply to, however the first half of the policy repeats policy COM14 in the Local Plan. The Council suggests rewriting the policy so that it identifies the community facilities that COM14 would apply to in the village of Goodworth Clatford. It would also be helpful if both the village pubs are named in the list for the avoidance of doubt.

The catchment area of the primary school is mentioned in paragraph 3.88, and it states its very large. The catchment area is in fact the Parish of Saint Peters in Goodworth Clatford and All Saints in Upper Clatford, and could not be described as being large. If there are any pupils in the school from outside the catchment area, if new families arrive in the village, over time in accordance with the admission policy, there would not be spaces to accommodate out of catchment children. The Council suggests that this is reworded.

Policy CB3 concerns the Loss of Commercial Premises and Land. This is a negatively worded policy, that repeats much of Policy LE10 in the Local Plan and does not add any locally distinctive dimension. The policy also states that sites would need to be marketed for a period of 12 months, but there is no evidence put forward to suggest why 12 months is an appropriate time frame. The Council suggest that the policy is removed.

The supporting text at paragraph 3.91 counts public houses within the scope of the policy as commercial premises. They are also included in policy CB2 as community facilities, therefore it would be helpful to clarify which of these categories they belong to.

Policy CB4 deals with Employment. This policy repeats some of LE16 which deals with the issue more comprehensively. Bullet one would be covered by Policy BE1 on Design, Bullet 2 is covered by Local Plan Policy LHW1, bullet 3 and 4 would be covered by Local plan Policy T1, which covers the local highway network, and the layout and parking standards are addressed in the Local Plan at Appendix G. With all this in mind the Council suggests that the policy is not needed.

Policy CB5 is concerned with Solar Farms. There are two issues with this policy. Firstly, the policy only concerns Solar Farms, and a policy on renewable energy would be more appropriate, as it covers the whole range of renewable energy sources. However, the policy isn't locally distinctive and the bullets in the policy are covered either in the NPPF and or the Local Plan, as follows:

Bullet 1 is addressed in the NPPF Paragraph 109 and 112. Bullet 2 in Local Plan Policy E2. Bullet 3 in Local Plan policies E8 and LHW4. Bullet 4 in Local Plan policy T1. Bullet 5 in Local Plan Policy E5 and E8. Bullet 6 in Local Plan policies E2, E5 and E9 and Bullet 7 in Local Plan policy T1

Given that all the matters in the policy are covered elsewhere in the Development Plan or in Government Guidance, the Council suggests that the policy is not needed.

Section 4 – Delivering the NDP.

This section of the plan deals with those non use planning matters that are of importance to the local community. They are therefore expressed as 'Community Actions' in this section. The Council has no comments to make on this section, however, they could be included below each relevant policy that they refer to, so that the plan is read as a whole.

Appendix A

As previously commented in the preceding sections, it is suggested that the plans in Appendix A are placed within the document in the section that relates to each plan.

The Council also suggests that some of the plans could be merged. For example there could be one map showing the Settlement Boundary, Conservation Area, Local Green Spaces and Listed Buildings, A second map could show the SINCS, Rights of Way and

Permissive Footpath and Bridleway. This is a presentation issue that can be dealt with for the final version of the plan, and the Council would be happy to assist in the production of these plans.

Appendix B

This is the parish profile for the area, and for the final version this could be relocated to the evidence base for the plan.

Appendix C

This contains the Village Design Statement which is referenced to in policy BE1 on Design and in the supporting text. It is understandable why this has been included as an appendix, so that applicants have easy access to it within the Plan. However, this could also be removed, with a suitable reference in the document of how to access it.

Appendix D

This contains the perspectives connecting the Built and Natural Environments. Again this is valuable information, that could sit within the evidence base that supports the policy. It would be useful to include the photographs within the supporting text of Policy SP3, along with the maps showing where the views are.

Appendix E

This houses a table listing the Local Green Spaces. The title of this would benefit from having the word 'assessment' added, as this is a better description. This again could be moved to the evidence base, as it justifies the sites included in the policies.

It would also be helpful if the table explained how and why the sites have been identified, and if any other sites were considered and rejected with the reasons why clearly explained.

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