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## **Response to the Thrupton Neighbourhood Plan Submission Document, January 2019 (Regulation 16 Consultation)**

### **Introduction**

These comments set out the Council's response to the 'Regulation 16' consultation on the Thrupton Neighbourhood Plan ('TNP'), which was submitted to the Council on 19<sup>th</sup> January 2019.

The Thrupton 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 16<sup>th</sup> April 2018 to 4<sup>th</sup> June 2018.

The comments that follow are made in the interests of ensuring that the TNP 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.

These comments should be read in conjunction with the Regulation 16 track changes document that the Council has produced, showing all the comments made on the document.

The Council recognises the efforts that have gone into the Thruxton 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 on 19<sup>th</sup> January 2019 and commenced its 6 week public consultation in February. It came apparent that the consultation statement required further evidence, and so amendments were made to the consultation statement. A further 6 week consultation was undertaken between 17<sup>th</sup> July and 6<sup>th</sup> September 2019.

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 is accompanied by a Basic Conditions Statement and a Consultation Statement. The supporting evidence base documents can be found at

<http://www.thruptonvillage.com/community/thrupton-parish-council-14865/further-evidence-base/>

### **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 9<sup>th</sup> March 2018 and 13<sup>th</sup> April 2018. All three bodies agreed with the screening determination of the Council that the TNP 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 April 18 concluding that the TNP would have no likely significant effects upon European designations alone or in combination and no appropriate assessment is currently required. This is supported by the response from Natural England.

### **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 Thrupton area and draft TNP.

Policy COM2, 'Settlement Hierarchy' identifies the settlements where sustainable development will take place in the Borough. Thrupton 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 Thrupton 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 TNP.

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

## **THRUXTON NEIGHBOURHOOD PLAN**

### **Section 1 –Introduction**

This section gives an overview of the how the plan came to be prepared and includes the map showing the designated area that the plan covers.

### **Section 2 –Portrait of Thruxton**

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. A map showing the local facilities highlighted in this section would be helpful. The Council can assist the steering group with the production of maps for the final document.

### **Section 3 – How the community has been involved.**

This section highlights the comprehensive public consultation that has been undertaken with the local community. This section could be slimmed down in the final version, but has been appropriate in the consultation documents so that the community are aware of the extensive consultation undertaken.

### **Section 4 – Vision and Objectives.**

The TNP contains a vision and 32 objectives which are split into the following topics:

Landscape and Environment, Heritage, Housing, Community and Infrastructure and Economic objectives.

The policies and recommendations in the plan all relate to the 32 objectives that follow the vision statement.

### **Landscape and Environment objectives**

There are 13 objectives on this topic. The Council's comments on the objectives are as follows:

**LEO1** – Seek to preserve the open chalk landscape to the west of the Parish, recognising the importance of the open views. free from intrusive development.

**LEO6** This could be achieved by designating the land as a Local Green Space Designation if the land in question meets the criteria.

**LEO8** This could be simplified by deleting the final sentence : *To identify and designate Local Green Spaces. ~~where this will; preserve the rural character and sense of place of the Parish, be of recreational or historic value or support wildlife and the environment.~~*

**LEO7 LEO10 LEO11** It is clear what these objectives are seeking to achieve, but they are not a land use planning matters. They would be better suited in the community projects and aspiration chapter.

**LEO12** This might be better worded as '*To conserve the natural water sources within the plan area*'

**LEO13** This would be better worded as : *To ~~look for~~ **investigate** and implement opportunities to mitigate pollution noise and air pollution from the A303 and Thruxton Aerodrome (in all forms) within the Parish*

### **Heritage**

There are 4 objectives on this topic. The Council's comments on the objectives are as follows:

**HEO1.** To aid clarity, the following is suggested : *To conserve and enhance the distinctive elements of the **historic** built and natural ~~historic~~ character of Thruxton Parish;*

## **Housing**

There are 4 objectives on this topic The Council's comments on the objectives are as follows:

**HO1** The Adopted Local Plan addresses this issue and therefore does not need repeating in the plan.

**HO2** The lifetime homes standard is no longer in force, and therefore references to this should be deleted.

**HO3** The text 'new homes ..... to ... environment' is more suited to a design policy, and not the overarching objective, and should be deleted from the objective.

**HO4** This level of detail would be covered in a planning application, and does not need repeating here. Landscaping and landscape character are two separate considerations. This could be incorporated into HO3 with the addition of '**and natural environment**' to the objective.

## **Community and Infrastructure.**

There are 11 objectives on this topic. Comments on the objectives are as follows:

**CIO2 to CIO11** It is clear what these objectives are seeking to achieve, but they are not land use planning matters. They would be better suited in the community projects and aspiration chapter.

## **Economic objectives**

There are 2 objectives on this topic and there are no comments on these. They are well written and effective.

## **Plan Layout**

The policies in the plan have been divided into five groups - Landscape and Environment, Heritage, Housing, Community and Infrastructure and Economic policies. This division makes sense and makes the plan easy to navigate.

## **Section 5 – Landscape and Environment Policies**

This section contains the ten policies and supporting text.

As a planning authority we are unable to insist that all proposals have a LVIA, we therefore suggest adding the words '**where required**' to para 5.11.

Policy EN1 covers Landscape and character of Thruxton. The Council suggests rewording the policy to '**Landscape**' as this policy is principally about the landscape. Paragraph 5.13 states that '*forms part of the setting of the settlement and development at these locations is*

*likely to be sensitive with regard to settlement identity and real or perceived diminishing of settlement separation.'* It would be helpful if the evidence to support this statement is included in the plan.

The content of Policy EN4 on Biodiversity is already covered in the NPPF and therefore does not need to be repeated in the NP. However, parts of the policy text could be moved into the supporting text

Paragraph 5.26 lists examples of suitable tree and hedge species. It would be helpful if the evidence that these are suitable native trees is provided. It is not clear whether these species are compatible with each of the Landscape Character areas.

Policy EN7 on Green Infrastructure mainly repeats the adopted local plan policy E6 and since there are no locally distinctive elements to the policy, the council suggests that the policy be deleted. The supporting text could refer to policy E6 and its requirements.

The NPPF sets out the circumstances that Local Green Space Designations can be developed and does not need repeating in policy EN8.

Criterion 3 and 4 of policy EN9 on Pollution are detailed matters for consideration as part of any planning application and therefore do not need to be repeated in the NP. The Council suggests that these be deleted from the policy.

Policy EN10 covers Flood Risk. Qualifying proposals in Flood Zones 2 and 3 will have meet the sequential and exceptions tests as set out in national policy, and therefore do not need to be repeated in policy EN10. The Council suggests that the text of the policy could be moved into the supporting text.

### Maps

**Paragraphs 5.3 and 5.10** would benefit from maps showing the SINCS and the Landscape Character Areas would be helpful. For clarity, **Map 2a** and b could be consolidated into one map. A map would be helpful to show the trees with TPO's as mentioned in **para 5.23**. The designations on **Map 4** could be clearer. The key to **Map 5** requires updating with the relevant Flood Zones of 2 and 3. The OS copyright is that of TVBC and will require updating with the parish OS number. The Council can assist with mapping in the final document.



## **Section 6 – Heritage Policies**

This section contains the three policies and supporting text.

### **Map 6**

The wording 'Parish boundary' should be replaced with 'Plan Area' to clarify that the plan area is shown. The Local Green Spaces and the Conservation Area are referenced in paragraph 6.5. Listed buildings are also mentioned in para 6.7 and The SAM is referenced in Para 6.10. These could all be added to **Map 6**. The non designated parish assets are also shown on **Maps 7a, b and c** and these maps could also be consolidated into **Map 6**. The Council can assist with mapping in the final document.

Policy H1 deals with the Conservation Area. The Council suggests rewording criterion C to read : *'The use of ~~traditional~~ **locally distinctive** materials such as chalk (cob), flint, brick or rendered walls with thatch or slate roofs and traditional boundary features such as thatched or tiled topped Hampshire walls will be encouraged. ~~as will appropriate innovative and contemporary design.~~*—Providing a proposal meets the criteria in the policy, then the design could be traditional or contemporary design and so this wording is not required..

Policy H3 is titled Parish Heritage Assets. The Council suggests that this be re titled as 'Non Designated Heritage Assets' as this is what the policy is identifying . The text at the beginning of policy H3 repeats the requirements of the local plan policy E9. To avoid repetition the Council suggests that this text be deleted, however, paragraph 6.11 could refer to Local Plan policy E9 as being the relevant policy for non designated assets.

## **Section 7 - Housing and Design Policies**

This section contains eight policies and its supporting text.

Policy HD1 covers New Residential Development. The policy states that schemes of 10 or fewer dwellings will be supported in the settlement boundary. The 10 or fewer dwellings in the policy would be difficult to justify, as within the settlement boundary, there is a presumption in favour of development, regardless of the number of homes proposed. However the policy does go on to say that the mix of homes should be for 3 bedroom homes or less. The policy could be renamed as a 'housing mix policy', to ensure that any new development comes forward is for the smaller homes that are needed. Paragraph 7.8

covers the issue of the Removal of Permitted Development rights. The Council is concerned about the evidence to support this and whether this is this justified.

Policy HD2 relates to Replacement dwellings, extensions and annexes. The Council suggests that criterion d) and its supporting text in paragraph 7.11 should be removed as this approach of restricting the occupancy or that the annexe should be physically attached to the host dwelling is not supported by planning case law on annexes. In criterion b) the word 'subsidiary' should be replaced with '**subservient**' as this is the terminology using in planning decision making.

Policy HD4 covers Design. Criterion a) ~~building form and style valued and promoted locally including~~ should be replaced with '**the local style of**' as this will aid clarity. Criterion b) suggest using '*reused tiles*', but the Council recommends removing this phrase as new tiles can also meet this criteria. Criteria c) would benefit from having the words '**will be supported**' after the word 'yew' as this will also aid clarity. Bullet 2 in policy HD4 is a requirement for planning applications and does not need to be repeated in the policy. For clarity, it could be added to the supporting text.

Policy HD6 deals with Off Street Parking. The Council suggests that bullet 1 be amended from '*strongly resisted*' to '**will not be supported**'. The parking standards in the policy are higher than those set out in the Adopted Local Plan. What is the evidence to support these higher standards? The majority of the text of the policy is covered in Local Plan policies T1 and T2, and does not need to be repeated in this plan. The parking standards in the local plan are minimum standards, therefore any new development can propose more parking than the policy dictates or less, if supported by evidence. The Council suggests that this policy be deleted, and the wording be moved to the supporting text, with reference to the Local Plan policies that will apply.

Policy HD7 covers Supporting independent living and sheltered housing. Paragraph 7.18 of the supporting text refers to '*Lifetime home standards*'. These are no longer in force and so reference to this should be deleted. The Council suggests that Bullet 2 be amended to : '*Sheltered or purpose built housing for the elderly, ~~on a limited scale,~~ and with a preference for those with local connections (i.e. ~~currently living in the Parish or with children/closest living relative living in the Parish~~) will be viewed favourably.*

~~3.All new Ddwellings designed to~~ **should** be suitable for ~~elder~~ all residents ~~must demonstrate,~~ **and** as a minimum, that they meet Building Regulations requirements M4(2)

*for accessible and adaptable dwellings. These dwellings will also be suitable for younger residents and are not intended to be restricted in use.'*

The Council is concerned at how 'limited scale' would be defined. The definition of those with a local connection is determined through the housing allocations policy and does not need to be repeated in the policy. It would be difficult to enforce this on open market homes, and the Council suggest that this is deleted. The policy should apply for all members of the community as disability is not age restricted. The Council suggests that reference to older residents is removed from the policy, so that it is inclusive for all.

Policy HD8 on Rural Exceptions Housing for local people repeats local plan policy COM8 and does not need to be repeated in this plan. The text from the policy is already in paragraph 7.19 which explains the situation. In paragraph 7.19, it would be helpful if the evidence for 5 dwellings or less was included in the plan. A rural exceptions scheme will require a housing needs survey which will help determine the number of affordable homes needed, and therefore the plan should not limit the number of homes without this evidence.

## **Section 8 – Community Infrastructure and Wellbeing Policies**

This section contains six policies and its supporting text.

Paragraph 8.4 lists 6 bullet points that highlight the issues raised by the community. Bullet 6 covers Water resources, and goes on to state that '*Water resources within Test Valley are largely identified as having restricted water available and only at moderate and low flow.*' It would be helpful if the evidence to support this was referenced in the document.

Policy CI1 addresses the Protection of Existing Community Facilities. The first half of the policy repeats Local plan policy COM 14, and therefore does not need repeating in this plan.

Policy CI2 covers the Provision of New Community Facilities. A proposal for a new community facility would be assessed against Local Plan Policy COM2 and if the proposal met the criteria, COM9. Any impacts of proposals on residential amenity are addressed in Local Plan policy LHW4 and therefore these matters do not need to be repeated here. The Council suggests that the policy be deleted but that the supporting text is amended to highlight the Local Plan policies that would apply.

Policy CI3 deals with Developer Contributions to Infrastructure. The repeats Local Plan policy COM15 and does not need to be repeated in this plan. The Council suggests that the

policy be deleted but that the supporting text is amended to highlight the Local Plan policies that would apply.

Policy CI5 addresses Increased Access Points and Traffic. It would be helpful if the evidence for the parking stress in the 3 areas outlined in the policy was included in the Plan.

Policy CI6 covers Connected Countryside. The Council considers that bullet 2 of the policy is negatively worded and should be removed.

### **Section 9 – Economy and Thruxton Airfield.**

This section contains one policy and its supporting text.

Policy EC1 deals with Thruxton Airfield, which given its importance in the Parish it benefits from its own policy. The Council suggests that '**accord with the development plan policies and that they:**' be added to the policy for clarity.

### **Section 10 – Community Projects and Aspirations.**

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 Projects and Aspirations' in this section.

Criterion a) and note in para 10.3 concern Trees in the plan area. A list of important trees in the plan area is a good idea. However, there are criteria that need to be met in order for a TPO to be made, and this includes the tree in question being under threat. Therefore the Council suggests that the text in relation to TPO's should be deleted. If the Parish did hold a list of important trees with an assessment of their importance, this could help if a tree did come under threat, and could be used as evidence of its importance.

Criterion c) Just to update that Hampshire County Council have a Superfast Broadband Programme being rolled out across the county, which could also be referred to in this criterion.

### **Appendix 1 - Parish Heritage Assets.**

Given the comments on policy H3, this section should be retitled '**Non Designated Heritage Assets**' Photographs of the assets would also be helpful to the reader.

**Glossary.**

The Council has suggested some factual updates to some of the glossary items.

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