



**Representations made for Regulation 16 Consultation for the
Medstead and Four Marks Neighbourhood Plan between the dates
of Friday 28th August – Friday 9th October**

MFMEH-01 Sport England

MFMEH-02 Environment Agency

MFMEH-03 Highways England

MFMEH-04 Alexander Barber

MFMEH-05 National Grid

MFMEH-06 Southern Planning Practise obo Croudace Homes

MFMEH-07 Pegasus obo Hurlock Investments

MFMEH-08 Southern Planning Practise obo Mr P Charles

MFMEH-09 Country Estates

MFMEH-10 Thames Water

MFMEH-11 Savills obo CALA Homes

MFMEH-12 Matplan obo Messrs I Foden and H Bethell

MFMEH-13 South Downs National Park Authority

MFMEH-14 Hampshire County Council

MFMEH-15 Historic England

MFMEH-16 Barton Willmore obo Winchester College

Hannah Collier

From: Matthew Jeal <[REDACTED]>
Sent: 02 October 2015 12:18
To: EHDC – Neighbourhood Plans Shared
Subject: Medstead & Four Marks NP
Attachments: SScanner15100212230.pdf

Importance: High

Dear Victoria,

Please find attached Country Estates response to the draft Medstead & Four Marks NP. Hard copy to follow in the post.

Kind regards

Matthew Jeal
Director of Country Estates Ltd & Darcliffe Homes Ltd



[REDACTED] Tel
0118 9595857 Fax
[REDACTED] Mob

www.countrystates.co.uk

From: administrator@countrystates.co.uk [<mailto:administrator@countrystates.co.uk>]
Sent: 02 October 2015 13:24
To: Matthew Jeal <[REDACTED]>
Subject: Message from Scanner



Country Estates Limited

BUSINESS PARKS

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sales@countryestates.co.uk www.countryestates.co.uk

Our ref: MSJ/016/CE

2 October 2015

Ms V Potts
Planning Policy Team Manager
Planning Policy
East Hampshire District Council
Penns Place
Petersfield
Hampshire
GU31 4EX

Dear Victoria,

MEDSTEAD AND FOUR MARKS NEIGHBOURHOOD DEVELOPMENT PLAN

On behalf of Country Estates Hampshire I write to **object** to the proposed Medstead and Four Marks Neighbourhood Development Plan ('the Plan').

Foreword, Background & Purpose

The foreword states that *"Our Plan also looks at other elements of the 'spatial strategy' and seeks to identify areas within the villages where we feel that it is important that we take a positive and proactive role in defining land-use in the **best interests of the community**".*

Country Estates own and operate Mansfield Business Park, one of a handful of employment sites in Four Marks. We consider ourselves part of the local community, and yet at no point in the formation of the Plan have we been approached by the NPSG, or their independent consultant, to gauge our views on what is appropriate for employment in Four Marks, or what is appropriate in terms of land use on our own site. This is very relevant given that the Plan seeks to include Mansfield Park and a parcel of currently undeveloped land within our ownership as part of the 'Station Hub'.

Para 2.8 states that *"In addition, the NPSG must be able to show that it has properly consulted local people and **other relevant organisations** during the process of making the plan and has followed the Regulations".* Country Estates contend that the NPSG has not consulted local businesses to a satisfactory degree. This is particularly relevant when considering the land uses described in the Plan, including those suggested for the 'Station Hub' could have significant impacts on business development and viability, particularly where planning has already been granted and land values established.

Policy 1: A Spatial Plan for the Parishes

Policy 1 states that *“Development proposals for the subdivision of residential gardens will be refused in order to retain the special character of the parishes”*. Country Estates questions whether a blanket ban on the development of residential gardens is appropriate as it would significantly reduce the number of windfall sites in the Plan area. In such circumstances each application should be dealt with on its own individual merits, and only refused if it is detrimental to the character of the area. Country Estates would suggest removal of this part of Policy 1 as other policies of the Development Plan are already in place to protect the character of the area.

Policy 3: Local Employment

Policy 3 states that *“Proposals that result in the loss of an existing employment or business use, will only be permitted where it can be demonstrated that its continued use is no longer viable.”* The policy subtext at para 4.14 states *“It is therefore consistent with the EHDC’s JCS Policy CP6 in safeguarding sites for employment use”*.

Whilst Country Estates would agree the policy wording is consistent with JCS Policy CP6, no reference or consideration has been given to Policy IB4 of the EHL (second review) which still forms part of the development plan. That Policy states:

*“Planning permission will be granted for the redevelopment of industrial or business sites for other uses only if the present use harms the character or amenity of the nearby area **or the site has restricted potential due to factors such as:***

- i. Its size, shape location or access; or*
- ii. Proof of financial unviability for industrial or business use; or*
- iii. **No reasonable offer having been received for sale or rent, following realistic and active marketing undertaken to the satisfaction of the local planning authority.”***

Paragraph 6.55 continues to state that:

*“Where a change from industrial or business use is proposed, a case will need to be made for the alternative use with evidence demonstrating why an industrial or business use cannot be sustained.....Where an employment use is argued to be unviable, **or that there is no demand, evidence of viability will be required and, or that all reasonable efforts have been made to market the site as extensively as possible at a competitive price.”***

It is evident that Policy IB4 is a more detailed policy than CP6, and provides greater flexibility with respect to retention of employment uses. It allows applicants to provide evidence on non-viability, **or** that no offer has been received following a realistic marketing exercise.

The NPPF at para 22 states that *“Policies **should avoid the long term protection** of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose.”* It is clear that the currently drafted Policy 3 does not comply with either Policy IB4 or the NPPF, both of which are intended to allow the release of employment land for other purposes to allow surplus land to be brought into use, as opposed to remaining underused. Country Estates would suggest policy 3 is amended to be more flexible and in line with the wording of Policy IB4. This change would comply with the intentions of the NPPF.

Policy 6: The Railway Station Hub

Policy 6 states that *“Proposals for the development of a community hub including retail uses such as a restaurant/café, small retail units, an indoor market space and car parking provision, to serve the local community on land in the area around the Railway Station as shown on the Policies Map, will be supported.”*

Supporting para 4.20 suggests proposed uses for the Station Hub include:

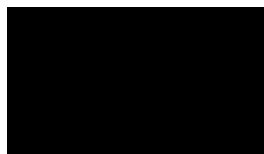
- A family friendly eatery
- Small scale retail ‘booth’ spaces
- A foyer space
- A small number of parking spaces

Mansfield Park has been included as part of the Station Hub as outlined on Annex C – Policies Map Inset 2: South Medstead. Again Country Estates has not been consulted on the uses proposed, and questions the deliverability of those uses. As an example, the Windmill pub closed due to lack of business and has since been developed for housing. That pub was located on Four Marks busiest road, and yet could still not attract sufficient business to be sustained. In reality, a restaurant located in a much quieter road with no passing trade is highly unlikely to be successful. Country Estates question therefore how much research and testing of the commercial market has taken place before such allocations have been put forward by the NPSG and their consultant. Any proposed uses within the Station Hub must be agreed with the landowners, and not dictated by other members of the local community who lack a full understanding of the commercial market. As currently drafted, the Plan seeks uses within the Station Hub that would not be commercially viable.

Taking the above into account, Country Estates object to the inclusion of Mansfield Park as part of the Station Hub and request its removal from the Policies Map.

Finally, I can confirm that Country Estates would like to be informed of any decision EHDC make under Regulation 19 in relation to the outcome of the examination.

Yours sincerely



Matthew Jeal
Director

BSc (Hons) MSc MRTPI

Direct Line
E Mail Address



Hannah Collier

From: Thames Water Planning Policy <[REDACTED]>
Sent: 05 October 2015 17:13
To: EHDC – Neighbourhood Plans Shared
Subject: FW: EAST HAMPSHIRE - MEDSTEAD AND FOUR MARKS NEIGHBOURHOOD PLAN
- SUBMISSION PLAN
Attachments: 15.10.05 L DW East Hants Medstead and Four Marks Neighbourhood Plan.doc

Dear Sir/Madam,

Please find our response to the above attached on behalf of Thames Water.

Regards,

Katherine Jones
Planning Administrator
Planning

Savills, Ground Floor, Hawker House, 5-6 Napier Court, Napier Road, Reading, RG1 8BW



Tel :+44 [REDACTED]
Email [REDACTED]
Website :www.savills.co.uk

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From: Katie Knowles [<mailto:clerk.medsteadpc@gmail.com>]
Sent: 05 October 2015 16:21
To: Thames Water Planning Policy
Subject: Re: EAST HAMPSHIRE - MEDSTEAD AND FOUR MARKS NEIGHBOURHOOD PLAN - SUBMISSION PLAN

Sir/Madam

Your response needs to be addressed direct to East Hants District Council who are currently consulting on the Medstead and Four Marks Neighbourhood Plan Submission document. Details are available on their website.

Regards

Miss Katie Knowles
Clerk to Medstead Parish Council

[REDACTED]

Tel: [REDACTED]
parishclerk@medstead.hampshire.org.uk
www.medstead.hampshire.org.uk

On 5 October 2015 at 14:32, Thames Water Planning Policy <ThamesWaterPlanningPolicy@savills.com> wrote:

Dear Sir/Madam,

Please find our response to the above attached on behalf of Thames Water.

Regards,

Katherine Jones
Planning Administrator
Planning

Savills, Ground Floor, Hawker House, 5-6 Napier Court, Napier Road, Reading RG1 8BW



Tel :+44 [REDACTED]
Email [REDACTED]
Website :www.savills.co.uk

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Thames Water Utilities Ltd

Sent by email: neighbourhoodplans@easthants.gov.uk

Contact
Phone
E-Mail

Mark Mathews

thameswaterplanningpolicy@savills.com

14 October 2015

Dear Sir/Madam

EAST HAMPSHIRE – MEDSTEAD AND FOUR MARKS NEIGHBOURHOOD PLAN – SUBMISSION PLAN

As you will be aware from previous representations, Thames Water are the statutory sewerage undertaker for the area and are hence a “**specific consultation body**” in accordance with the Town & Country Planning (Local Development) Regulations 2012. We have the following comments on the Neighbourhood Plan submission version:

Infrastructure 1.19- 1.26

Thames Water welcome the reference at paragraph 1.20 that sewage treatment has been reviewed by a Working Group, but are disappointed that our previous comments have not been incorporated into the Medstead and Four Marks Neighbourhood Plan.

Paragraph 1.22-1.24 of the draft plan sets out that the Community Infrastructure Levy (CIL) can be used to fund necessary infrastructure provision. However, CIL is not generally used to fund wastewater/sewerage infrastructure as water companies are funded in accordance with 5 year business plans approved with Ofwat as set out below. It is therefore important that wastewater/sewerage infrastructure is specifically covered in the Medstead and Four Marks Neighbourhood Plan, as has been the case in numerous other Neighbourhood Plans.

Sewerage/wastewater infrastructure is essential to any development. Failure to ensure that any required upgrades to the infrastructure network are delivered alongside development could result in adverse impacts in the form of internal and external sewer flooding, pollution of land and water courses.

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4th Floor West,
Vastern Rd, Reading,
Berks, RG1 8DB
T 0203 577 8800
www.thames-water.com

Registered in England and Wales
No. 2366623, Registered office
Clearwater Court, Vastern Road,
Reading, Berks, RG1 8DB

New development should be co-ordinated with the infrastructure it demands and to take into account the capacity of existing infrastructure. Paragraph 156 of the National Planning Policy Framework (NPPF), March 2012, states: ***“Local planning authorities should set out strategic policies for the area in the Local Plan. This should include strategic policies to deliver:.....the provision of infrastructure for water supply and wastewater....”***

Paragraph 162 of the NPPF relates to infrastructure and states: ***“Local planning authorities should work with other authorities to: assess the quality and capacity of infrastructure for water supply and wastewater and its treatment.....take account of the need for strategic infrastructure including nationally significant infrastructure within their areas.”***

The web based National Planning Practice Guidance (NPPG) includes a section on ‘water supply, wastewater and water quality’ and sets out that Local Plans should be the focus for ensuring that investment plans of water and sewerage/wastewater companies align with development needs. The introduction to this section also sets out that ***“Adequate water and wastewater infrastructure is needed to support sustainable development” (Paragraph: 001, Reference ID: 34-001-20140306).***

It is important that developers demonstrate that adequate capacity exists both on and off the site to serve the development and that it would not lead to problems for existing users. In some circumstances this may make it necessary for developers to carry out appropriate studies to ascertain whether the proposed development will lead to overloading of existing water & sewerage infrastructure. Where there is a capacity problem and no improvements are programmed, then the developer needs to contact the water company to agree what improvements are required and how they will be funded prior to any occupation of the development.

It is therefore important that the Neighbourhood Plan considers the net increase in water and wastewater demand to serve proposed developments and also any impact the development may have off site further down the network, if no/low water pressure and internal/external sewage flooding of property is to be avoided.

Thames Water therefore recommend that developers engage with them at the earliest opportunity to establish the following:

- The developments demand for sewerage infrastructure both on and off site and can it be met
- The developments demand for Sewage Treatment infrastructure both on and off site and can it be met
- The surface water drainage requirements and flood risk of the development both on and off site and can it be met

To accord with the NPPF and the above, text along the lines of the following should be added to the Neighbourhood Plan:

“Water Supply & Sewerage Infrastructure

It is essential that developers demonstrate that adequate water supply and sewerage infrastructure capacity exists both on and off the site to serve the development and that it would not lead to problems for existing users. In some circumstances this may make it necessary for developers to carry out appropriate studies to ascertain whether the proposed development will lead to overloading of existing water & sewerage infrastructure. Where there is a capacity problem and no improvements are programmed by the water company, then the developer needs to contact the water company to agree what improvements are required and how they will be funded prior to any occupation of the development.

Further information for Developers on sewerage infrastructure can be found on Thames Water’s website at:

<http://www.thameswater.co.uk/home/11425.htm>

Or contact can be made with Thames Water Developer Services

By post at: Thames Water Developer Services, Reading Mailroom, Rose Kiln Court, Rose Kiln Lane, Reading RG2 0BY;

By telephone on: 0845 850 2777;

Or by email: developer.services@thameswater.co.uk”

As part of our five year business plan Thames Water advise OFWAT on the funding required to accommodate growth at all our sewage/wastewater treatment works. As a result we base our investment programmes on development plan allocations which form the clearest picture of the shape of the community as set out in the National Planning Policy Framework (paragraph 162) and the National Planning Practice Guidance.

The time to deliver solutions should not be underestimated. For example, local network upgrades take around 18 months and sewage treatment works upgrades can take 3-5 years. In general terms, Thames Water’s preferred approach for growth is for a small number of large clearly defined sites to be delivered rather than a large number of smaller sites as this would simplify the delivery of any necessary sewerage/wastewater infrastructure upgrades.

As a general comment, the impact of brownfield sites on the local sewerage treatment works is less than the impact of greenfield sites. This is due to the existence of historical flows from brownfield sites, as opposed to greenfield sites that have not previously been drained. The necessary infrastructure may already be in place for brownfield development. We would therefore generally support

the use of brownfield sites before greenfield sites. We also wish to highlight the opportunity to introduce sustainable urban drainage systems into brownfield development to reduce surface water flows into the sewers. It is important to maximise capacity in the sewers for foul sewage thus reducing the risk of sewer flooding.

Where development is being proposed within 15 metres of a sewage pumping station, the developer or local authority should liaise with Thames Water to consider whether an odour and / or noise and / or vibration impact assessment is required as part of the promotion of the site and potential planning application submission. Any impact assessment would determine whether the proposed development would result in adverse amenity impact for new occupiers, as those new occupiers would be located in closer proximity to a pumping station.

Where development is being proposed within 800 metres of a sewage/wastewater treatment works, the developer or local authority should liaise with Thames Water to consider whether an odour impact assessment is required as part of the promotion of the site and potential planning application submission. The odour impact assessment would determine whether the proposed development would result in adverse amenity impact for new occupiers, as those new occupiers would be located in closer proximity to a sewage treatment works.

Information for Developers on wastewater infrastructure within Thames Water's area, can be found on Thames Water's website at:

<http://www.thameswater.co.uk/cps/rde/xchg/corp/hs.xsl/558.htm>

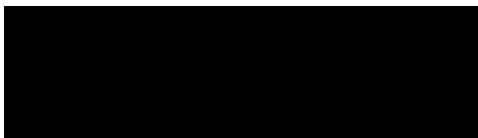
Or contact can be made with Thames Water Developer Services by:

Post at: Thames Water Developer Services, Reading Mailroom, Rose Kiln Court, Rose Kiln Lane, Reading RG2 0BY; Telephone on: 0845 850 2777; Email:

developer.services@thameswater.co.uk

I trust the above is satisfactory, but please do not hesitate to contact me if you have any queries.

Yours faithfully



Mark Mathews
Town Planning Manager
Thames Water Utilities Ltd.

Hannah Collier

From: Rebecca Altman [REDACTED]
Sent: 06 October 2015 11:15
To: EHDC – Neighbourhood Plans Shared
Cc: Adam Colebrook; 'Richard Potts'
Subject: Medstead and Four Marks Neighbourhood Plan - Representation on behalf of CALA Homes (Thames) Ltd
Attachments: 151006 Rep on behalf of CALA Homes to Medstead and FM NP.pdf; Site Location Plan Land east of 20 to 28 Lymington Bottom Road.pdf

Dear Sir/ Madam

Please find attached representation to the Medstead and Four Marks Neighbourhood Plan, submitted on behalf of CALA Homes (Thames) Ltd.

I would be grateful if you could confirm receipt.

If you have any queries, or require any further information, please do not hesitate to contact me.

Kind regards,

Rebecca Altman
Associate Planner
Planning

Savills, 2 Charlotte Place, Southampton SO14 0TB



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SNPL354668

6 October 2015



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Dear Sir/ Madam

**MEDSTEAD AND FOUR MARKS NEIGHBOURHOOD PLAN CONSULTATION
REPRESENTATION ON BEHALF OF CALA HOMES (THAMES) LTD**

This representation is submitted on behalf of CALA Homes (Thames) Ltd.

The purpose of the representation is to seek a further revision to the proposed Settlement Policy Boundary (SPB) for South Medstead, to include land at 20-38 Lymington Bottom Road, which received planning permission at appeal for the construction of 75 dwellings on 29 June 2015 (Appeal ref. 2226723; Application Ref. 55197/001). A site location plan is enclosed with this letter.

The extension of the settlement policy boundary is required to ensure that the Neighbourhood Plan (NP) meets its own policy objectives and to achieve sustainable development in accordance with Basic Condition D for Neighbourhood Plans, as set out in Schedule 4B of the Town and Country Planning Act 1990.

It is noted that the Four Marks and Medstead NP leaves the allocation of housing sites to the emerging East Hampshire Housing and Employments Allocations Plan, which is due to go to examination at the end of October 2015. All of the sites proposed to be allocated at South Medstead within the East Hampshire Plan are greenfield sites which are already subject to planning permission. This includes sites at Lymington Farm (ref. FM1), Land at Friars Oak Farm (ref. FM2) and Land north of Boyneswood Lane (ref. FM3). Although the NP does not specifically allocate these sites, it proposes to redefine the SPB for South Medstead to include the sites, in recognition that the principle of residential development is acceptable in these locations (Policy 1). Paragraph 4.6 of Policy 1 confirms:

This policy directs development in the parishes to the settlements of Four Marks/ South Medstead and Medstead Village. In doing so, the policy proposes amendments to the Settlement Policy Boundaries (SPB) as defined by Policy CP19 of the JCS to accommodate development that has been built since the 2006 Local Plan and its proposals map was adopted. This includes land adjoining but outside the SPB where development has been granted planning permission since the SPB was last drawn. (Savills emphasis).

Currently, Land east of 20-38 Lymington Bottom Road is excluded from the SPB as shown on Policies Map Inset 2 in Annexe C. This means that it would be regarded as 'countryside' for the purposes of Policy 1, where development would only be supported where it is necessary for purposes related to the rural economy. This would clearly be an inappropriate policy restriction, given that the principle of residential development on the site is now established through the appeal decision received in June 2015. As the appeal decision was received prior to the submission of the NP in August 2015, it is unclear why a further amendment was not made to the SPB at that time.

Offices and associates throughout the Americas, Europe, Asia Pacific, Africa and the Middle East.

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In allowing the appeal at Land east of 20-38 Lymington Bottom Road, the Inspector concluded that the site was a sustainable location for development and that the scheme would generate significant benefits to the local community. The site is also well located adjacent to the area proposed to be defined as the Railway Station Hub under Policy 6 of the NP, where development of new services and community facilities is to be encouraged to create a central 'hub' for the village and support local tourism, retail and employment.

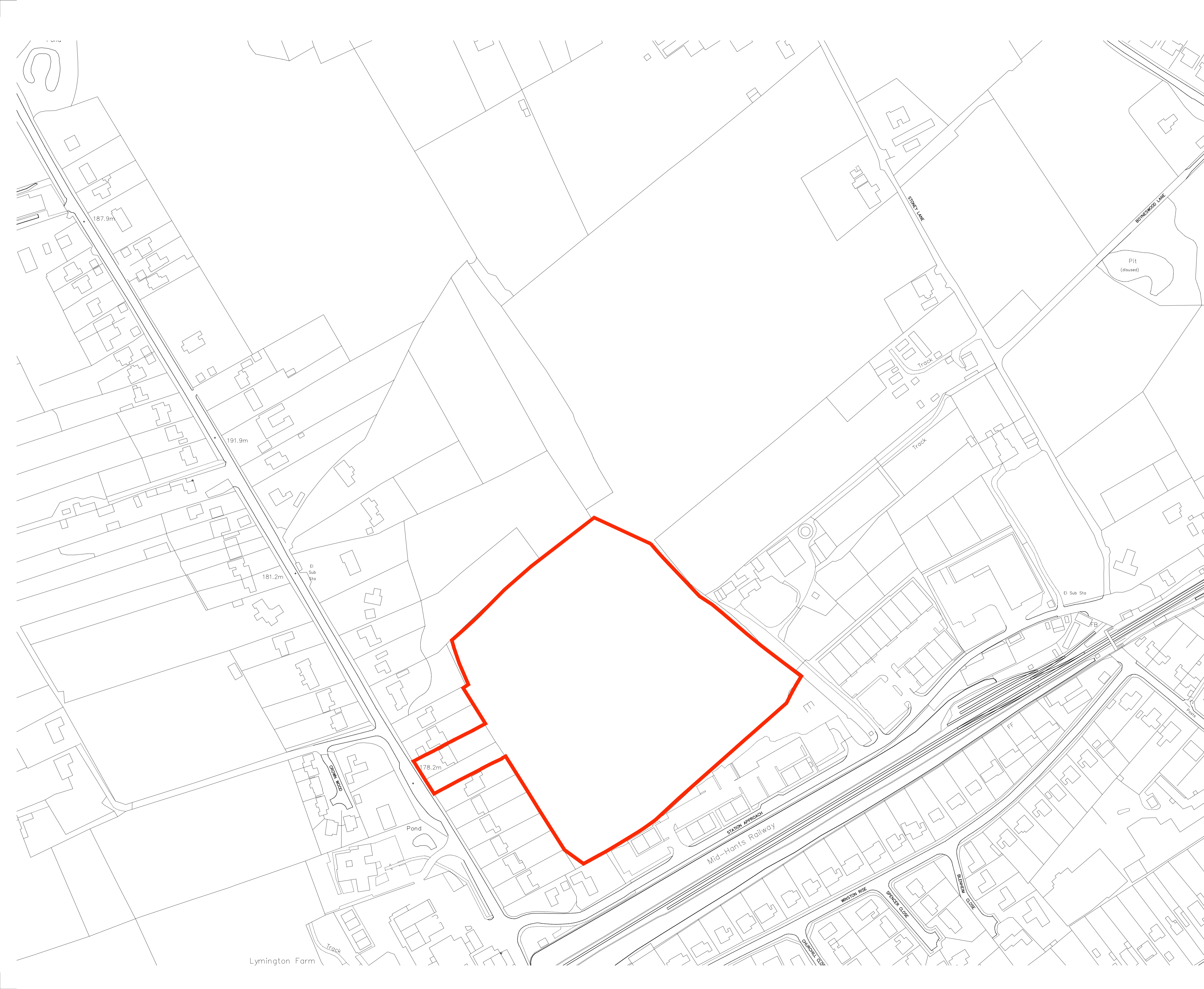
CALA Homes therefore requests that the Settlement Policy Boundary for South Medstead is extended around Land east of 20-38 Lymington Bottom Road, to ensure that the Neighbourhood Plan achieves sustainable development in accordance with national policy requirements.

Yours faithfully

A solid black rectangular box used to redact the signature of Rebecca Altman.

Rebecca Altman
Savills Planning

Enc.

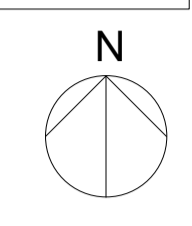


notes

- The contractor is responsible for checking dimensions, tolerances and references. Any discrepancy to be verified with the Architect before proceeding with the works.
- Where an item is covered by drawings to different scales the larger scale drawing is to be worked to.
- Do not scale drawing. Figured dimensions to be worked to in all cases.

CDM Regulations 2007

ALL current drawings and specifications for the project must be read in conjunction with the Designer's Hazard and Environmental Assessment Record.



date	rev	revision/author/checker
purpose of issue PLANNING		
project Lymington Bottom Road Medstead/Four Marks		
drawing Site Location Plan		
drawing no AA4489-2000	rev -	
drawn LMc	checked PD	
scale @ A1 1:1250@A1	date APRIL 14	
PRP Architects © 10 Lindsey Street Smithfield London EC1A 9HP T +44 (0)20 7653 1200 F +44 (0)20 7653 1201 ion.prp@prparchitects.co.uk		

Hannah Collier

From: Matthew Utting <[REDACTED]>
Sent: 07 October 2015 12:57
To: EHDC – Neighbourhood Plans Shared
Cc: 'Lesley Bethell'; 'ian foden'
Subject: RE: NOTIFICATION OF PUBLICITY OF THE MEDSTEAD AND FOUR MARKS NEIGHBOURHOOD DEVELOPMENT PLAN
Attachments: Statement of Representations (October 2015) (Final) (Complete).pdf
Importance: High

Dear Sirs,

Further to your email dated 28 August 2015 below, please find attached a Statement of Representations to the Submission Medstead & Four Marks Neighbourhood Plan, in respect of land owned by Messrs I Foden and H Bethell at Woodview Place and Timbers, on Boyneswood Road in Medstead.

I would be grateful for confirmation that my clients' representations have been safely received and 'duly made'; and for updates in due course on the progress being made with their consideration.

Many thanks for your kind attention to matters – please contact me if you have any queries or require further information.

Yours faithfully,

Matthew Utting BSc (Hons) DipTP MRTPI
Director




11 Capercaillie Close
Bracknell
Berkshire
RG12 8AX

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Registered Office: Lexham House Forest Road Binfield Berkshire RG42 4HP

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From: EHDC – Neighbourhood Plans Shared [<mailto:neighbourhoodplans@easthants.gov.uk>]
Sent: 28 August 2015 15:10

Subject: NOTIFICATION OF PUBLICITY OF THE MEDSTEAD AND FOUR MARKS NEIGHBOURHOOD DEVELOPMENT PLAN

Dear Sir/Madam,

NOTIFICATION OF PUBLICITY OF THE MEDSTEAD AND FOUR MARKS NEIGHBOURHOOD DEVELOPMENT PLAN UNDER REGULATION 16 OF THE NEIGHBOURHOOD PLANNING (GENERAL) REGULATIONS 2012

I write to inform you, as a consultation body or consultee identified in the Medstead and Four Marks Consultation Statement that we are now in receipt of the final submission version of the Medstead and Four Marks Neighbourhood Plan along with all accompanying documentation required under Regulation 15.

What documents comprise the ‘plan proposal’?

The plan proposal comprises the following documents:

- (a) A map identifying the area to which the proposed neighbourhood development plan relates;
- (b) A consultation statement;
- (c) The proposed neighbourhood development plan;
- (d) A statement explaining how the proposed neighbourhood development plan meets the requirements of paragraph 8 of Schedule 4B to the Town and Country Planning Act 1990

Where can the plan proposal be inspected?

Details of the plan proposal and downloadable copies of the relevant documents can be found on our website at: www.easthants.gov.uk/MedsteadFourMarksNP

In addition, the full suite of evidence supporting the plan can be found at: <http://mfmpln.org/>

If required hard copies of all of the documents listed above are available from East Hampshire District Council, or copies of the plan can be viewed at:

- East Hampshire District Council, Penns Place, Petersfield, GU31 4EX
- Alton Library, Vicarage Hill, Alton GU34 1HT (9.30am - 5pm except: Tuesday and Thursday 9.30am - 7pm, Wednesday 9.30am - 1pm, Sunday Closed)
- Boundaries Surgery, 7 Winchester Road, Four Marks, GU34 5HG - Open: Monday 8.30 to 11.30 and 15.00 to 18.00 (19.00 Wednesday).
- Mansfield Park Surgery, Watercress Medical Group, Lymington Bottom Road, Medstead, GU34 5EW- Open: Monday 8.00 to 18.30. Tuesday to Friday 7.00 to 18.30.
- Church of Good Shepherd, Lymington Bottom Four Marks, GU34 5AA Usually open everyday until dusk
- St Andrews Church, Medstead, Wield Road, Medstead, GU34 5LY
- Parish Offices of Medstead and Four Marks Parish Councils, Unit 32 Lymington Barnes, Lymington Bottom Road, Medstead, GU34 5EW (Open between 10-11am)

How and by when must you make representations?

Representations can either be sent via email using the above address or by hard copy to:

Planning Policy
East Hampshire District Council
Penns Place
Petersfield
Hampshire
GU31 4EX

**Medstead & Four Marks Neighbourhood Plan
Submission Plan (August 2015)**

**Representations to Policy 1; Policies Map;
and Policies Map Insets 2 and 3**

**in respect of Land at Woodview Place & Timbers,
Boyneswood Road, Medstead, GU34 5DY**

STATEMENT OF REPRESENTATIONS

Prepared for Messrs I Foden & H Bethell



**11 Capercaillie Close
Bracknell
Berkshire
RG12 8AX**

**T: [REDACTED]
M: [REDACTED]
E: [REDACTED]
W: www.matplan.co.uk**

October 2015

CONTENTS

1.0	INTRODUCTION AND TERMS OF REFERENCE.....	1
2.0	THE BASIS FOR OBJECTIONS.....	3
A	Current Situation.....	3
B	Objections to the Submission Neighbourhood Plan’s Policies Map and Policies Map Insets 2 and 3.....	3
C	Objections to Submission Neighbourhood Plan Policy 1.....	4
3.0	SUMMARY, CONCLUSIONS AND RECOMMENDATIONS.....	6

1.0 INTRODUCTION AND TERMS OF REFERENCE

- 1.1 This Statement of Representations sets out the case for revising the Settlement Policy Boundary (SPB) currently proposed around Four Marks and South Medstead by the Submission Medstead & Four Marks Neighbourhood Plan, to include land at Woodview Place and Timbers, on Boyneswood Road in Medstead. A Google Earth image of the land in question is contained in **Appendix 1** of these representations.
- 1.2 Land at Friars Oak Farm, Boyneswood Road, Medstead, is consented for 80 dwellings under ref. 25256/032 and comprises housing allocation FM2 made by East Hampshire District Council in the Submission East Hampshire District Local Plan: Housing and Employment Allocations. The relevant extract dealing with housing allocation FM2 taken from the Submission East Hampshire District Local Plan: Housing and Employment Allocations is contained in **Appendix 2** of these representations, together with Policies Map 6 from its accompanying Policies Map document.
- 1.3 It will be noted that Policies Map 6 for the Submission East Hampshire District Local Plan: Housing and Employment Allocations proposes an SPB for Four Marks and South Medstead *inter alia* to take account of housing allocation FM2. MatPlan Limited made representations in May 2015 to the SPB proposed for housing allocation FM2 by the Submission East Hampshire District Local Plan: Housing and Employment Allocations, requesting that it be revised to include land at Woodview Place and Timbers, on Boyneswood Road. East Hampshire District Council responded to these representations as follows:

"The settlement policy boundaries are being proposed to include the site allocations. This plan only deals with allocations for housing and employment to meet the numbers set out in the Joint Core Strategy. This plan has therefore not undertaken a review of all existing Settlement Policy Boundaries and this will be undertaken as part of the Local Plan Part 3 - Development Management policies and other allocations."

- 1.4 In other words, East Hampshire District Council has confirmed that the current SPB around housing allocation FM2 is a 'temporary measure', which it will review with all SPBs as part of preparing Part 3 of the East Hampshire District Local Plan. This approach accords with Policy CP10 of the adopted East Hampshire District Local Plan: Joint Core Strategy, which confirms that housing allocations *"...will be identified through the Local Plan: Allocations, SDNP Local Plan or Neighbourhood Plans and settlement policy boundaries adjusted accordingly..."*

- 1.5 Meanwhile, the Policies Map and Policies Map Insets 2 and 3 of the Submission Medstead & Four Marks Neighbourhood Plan also propose an SPB for Four Marks and South Medstead *inter alia* to take account of housing allocation FM2 - copies of these Policies Maps are contained in **Appendix 3** of these representations. Leaving aside, for the sake of argument, whether it is premature for the Submission Neighbourhood Plan to propose a SPB pending the District Council's adoption of Part 3 of the East Hampshire District Local Plan, it will be noted that the Submission Neighbourhood Plan's Policies Map and Policies Map Inset 2 propose a *different* SPB for Four Marks and South Medstead in the vicinity of allocation FM2 to that shown on the Submission Neighbourhood Plan's Policies Map Inset 3.
- 1.6 The discrepancy between the Policies Map and Policies Map Insets 2 and 3 of the Submission Neighbourhood Plan is misleading and needs to be rectified but with the SPB also revised to include the mixture of open domestic curtilages and paddock land between allocation FM2 and Boyneswood Road; and land at Woodview Place and Timbers. If the SPB is not revised in this way, it would fail to follow any firm, recognisable or defensible feature on the ground, and would therefore be illogical.
- 1.7 Objections to the Submission Neighbourhood Plan's Policies Map and Policies Map Insets 2 and 3 are therefore necessary; and are set out in the following paragraphs of this Statement, together with a linked objection to Policy 1 of the Submission Neighbourhood Plan.

2.0 THE BASIS FOR OBJECTIONS

A Current Situation

- 2.1 The objection site lies to the east of Woodview Place and Timbers and comprises part of the properties' domestic curtilages with associated development (tarmac tennis courts and suchlike) and open paddock land associated with the properties beyond. The objection site tapers to the east, such that it is contained by a densely wooded cutting along the Watercress Steam Railway to the south and by existing development on Boyneswood Road to the west.
- 2.2 Directly to the north of the objection site lies housing allocation FM2 – there are no intervening boundaries between the two sites and they appear as one 'on the ground'. The same applies to the mixture of open domestic curtilages and paddock land between housing allocation FM2 and properties on Boyneswood Road directly to the west; and the whole area is contained by a substantial block of woodland directly to the east.
- 2.3 Accordingly, housing allocation FM2 merges seamlessly with the objection site to the south; and with other open land to rear of properties on Boyneswood Road directly to the west. All appear as one uninterrupted tract of land 'on the ground', contained by the densely wooded cutting along the Watercress Steam Railway directly to the south; and by the substantial block of woodland directly to the east. In other words, these two wooded features comprise firm and defensible boundaries 'on the ground', which if followed, would give rise to a firm, defensible and logical SPB for Four Marks & South Medstead in this location.

B Objections to the Submission Neighbourhood Plan's Policies Map and Policies Map Insets 2 and 3

- 2.4 Page 23 of the Submission Neighbourhood Plan sets out its vision to 2028, which includes a desire to contain housing growth within "*...clearly defined Settlement Policy Boundaries...*" Indeed, SPBs are a tool used to set a firm, defensible and logical demarcation between urban areas and the countryside and as such, it is good practice for them to follow clearly defined natural and manmade features 'on the ground' - hedgelines, woodland and rivers; and roads and railways - to produce SPBs that will endure for the long term.

- 2.5 Illogical SPBs that 'lack proper planning' give rise to uncertainty, and come under pressure to change. The SPB proposed in the vicinity of housing allocation FM2 is a case in point, made worse by a lack of consistency: whilst the SPB shown on the Submission Neighbourhood Plan's Policies Map Inset 3 includes the mixture of open domestic curtilages and paddock land to the rear of properties on Boyneswood Road to the north of objection site – a sensible suggestion – this land is excluded from the SPB shown on the Submission Neighbourhood Plan's Policies Map and Policies Map Inset 2; and none of the Plan's Policies Maps propose a SPB to include the land at Woodview Place and Timbers.
- 2.6 So far as the objection site is concerned, therefore, the Submission Neighbourhood Plan proposes that an area of land which forms part and parcel of housing allocation FM2 'on the ground' should be designated as 'countryside'. This lacks logic and 'proper planning' - the most logical and defensible demarcation between Four Marks and South Medstead's urban area and the countryside in this location is set by the densely wooded cutting along the Watercress Steam Railway to the south; and by the substantial block of woodland to the east. The alternative would be a SPB with 'countryside holes' within it. The case to include the objection site within an SPB set by the railway cutting to the south and the block of woodland to the east is therefore logical and compelling.
- 2.7 In light of the above, the objectors have had Crayfern Homes Ltd prepare a sketch layout to show how housing allocation FM2 and the objection site could be developed within a logical and defensible SPB that would 'round off' Four Marks and South Medstead in this location. A copy of this sketch layout (ref. SK01) is contained in **Appendix 4** of this Statement – it is based upon the development layout consented under ref. 25256/032 for housing allocation FM2 and would be delivered within logical, contained and defensible boundaries 'on the ground' that would endure for the long term. The arrangements shown on the plan for access to Boyneswood Road are safe, practical and deliverable but would be agreed in detail at the application stage and may therefore be subject to change.

C Objections to Submission Neighbourhood Plan Policy 1

- 2.8 The last paragraph of Submission Neighbourhood Plan Policy 1 reads as follows:

"Development proposals for the subdivision of residential gardens will be refused in order to retain the special character of the parishes."

2.9 This 'blanket' policy refusal of any proposal to subdivide and develop a residential garden is wholly unreasonable and indeed, conflicts with the somewhat more measured advice set out in paragraph 53 of the National Planning Policy Framework (NPPF), which suggests that "*Local planning authorities should consider the case for setting out policies to resist **inappropriate** development of residential gardens, for example where development would cause harm to the local area.*" (emphasis added). As currently worded, Submission Neighbourhood Plan Policy 1 prejudices the proper consideration of proposals to subdivide and develop residential gardens that are on their own merits acceptable and which do not harm the character or appearance of their surroundings, or the living conditions of existing or new residents.

2.10 The final paragraph of Submission Neighbourhood Plan Policy 1 should therefore be deleted, or revised to read as follows:

"Development proposals for the subdivision of residential gardens will be considered on their own merits, with particular regard paid to any harmful effect on the character or appearance of the surrounding area; and the living conditions of existing or new residents."

2.11 The revised text set out above would allow proposals for the subdivision and development land to be considered on their merits; such that those that would not cause harm could be allowed; and those that would cause harm could be refused.

3.0 SUMMARY, CONCLUSIONS AND RECOMMENDATIONS

- 3.1 SPBs are a tool used to set a firm, defensible and logical demarcation between urban areas and the countryside. As such, it is good practice for SPBs to follow clearly defined natural and manmade features 'on the ground', such as hedgelines, woodland and rivers; and roads and railways, to produce SPBs that will endure for the long term. The alternative is illogical SPBs that lack 'proper planning' and which come under pressure to change.
- 3.2 Housing allocation FM2, on land at Friars Oak Farm, Boyneswood Road, Medstead, merges seamlessly with the objection site at Woodview Place and Timbers directly to the south; and with other open land to the rear of properties on Boyneswood Road directly to the west. All appear as one uninterrupted tract of land 'on the ground'; and could be developed within strongly contained boundaries set by the densely wooded cutting along the Watercress Steam Railway to the south and a substantial block of woodland to the east. These features would comprise a firm, defensible and logical SPB 'on the ground', which would endure for the long term. The alternative would be a poorly-planned and illogical SPB with 'countryside holes' within it.
- 3.3 The Submission Neighbourhood Plans Policies Map and Policies Map Insets 2 and 3 should accordingly be revised, to show a SPB on the alignment shown by the unbroken heavy black line on the plan contained in **Appendix 5** of this Statement.
- 3.4 Finally, the 'blanket' policy refusal of any proposal to subdivide and develop a residential garden set out in the last paragraph of Submission Neighbourhood Plan Policy 1 should be deleted, or the paragraph revised to read in more measured terms as follows:

"Development proposals for the subdivision of residential gardens will be considered on their own merits, with particular regard paid to any harmful effect on the character or appearance of the surrounding area; and the living conditions of existing or new residents."

APPENDICES

APPENDIX 1



Boyneswood Rd

Boyneswood Rd

Boyneswood Ln

Chawton End Close

© 2015 Infoterra Ltd & Bluesky
© 2015 Google

A31

Winchester Rd

Google earth

1999

Imagery Date: 4/26/2008

51°06'56.60" N

1°02'20.03" W elev 212 m

eye alt 614 m



APPENDIX 2

**Proposed
Submission East
Hampshire District
Local Plan: Housing
and Employment
Allocations**

April 2015

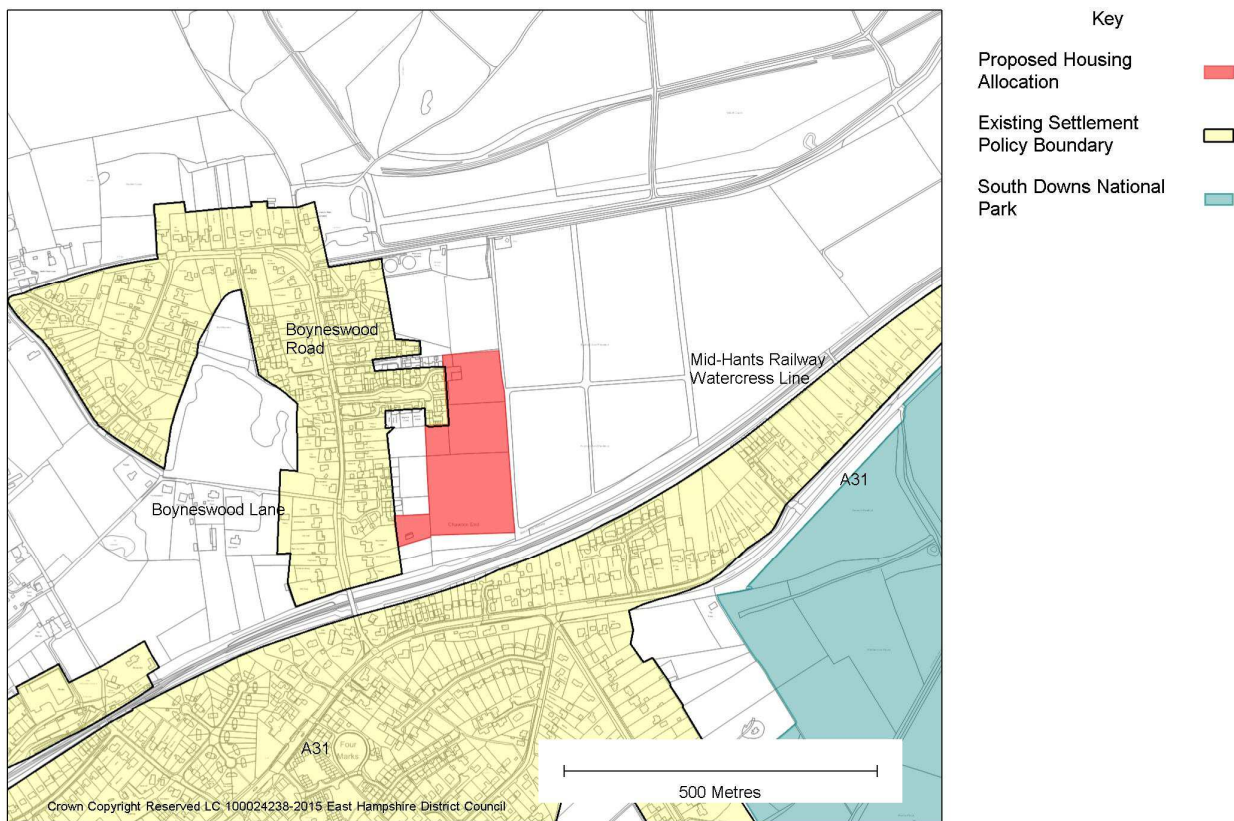


FM2 Land at Friars Oak Farm, Boyneswood Road, Medstead

Land at Friars Oak Farm in Medstead is allocated for residential development for about 79 dwellings on 3.9ha.

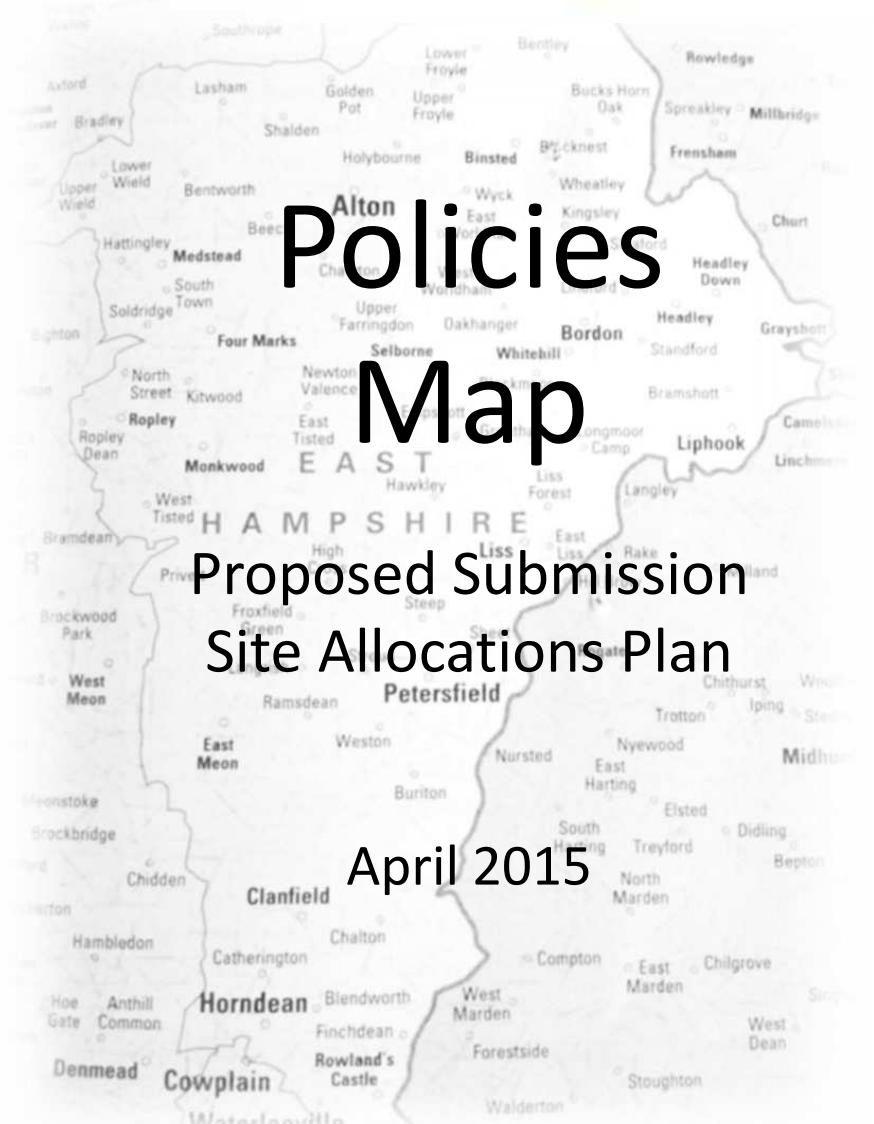
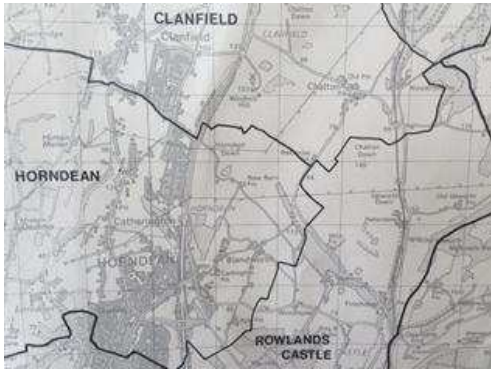
The site will be developed in accordance with the following site specific criteria:

- a) provision of vehicular access to the site from Boyneswood Road as well as the closure of access via Friars Oak;
- b) improvements to Boyneswood Road bridge;
- c) include provision of internal walking and cycle routes linked to existing external routes including the Public Right of Way network;
- d) implement a Biodiversity Enhancement and Mitigation Scheme;
- e) provision of a detailed Flood Risk Assessment, which should include a Foul and Surface Water Disposal Strategy. Potential measures should be incorporated to address on and off site drainage works and include measures to prevent surface water from the site discharging onto the adjacent highway. The site should be attenuated to ensure that the run-off rate is no greater than the run-off prior to development taking place;
- f) developers should work with the District Council to ensure that the principles of the Energy Strategy are applied unless it can be proven unfeasible or unviable to do so; and
- g) provision of a local Employment and Training Agreement prior to the implementation of development.

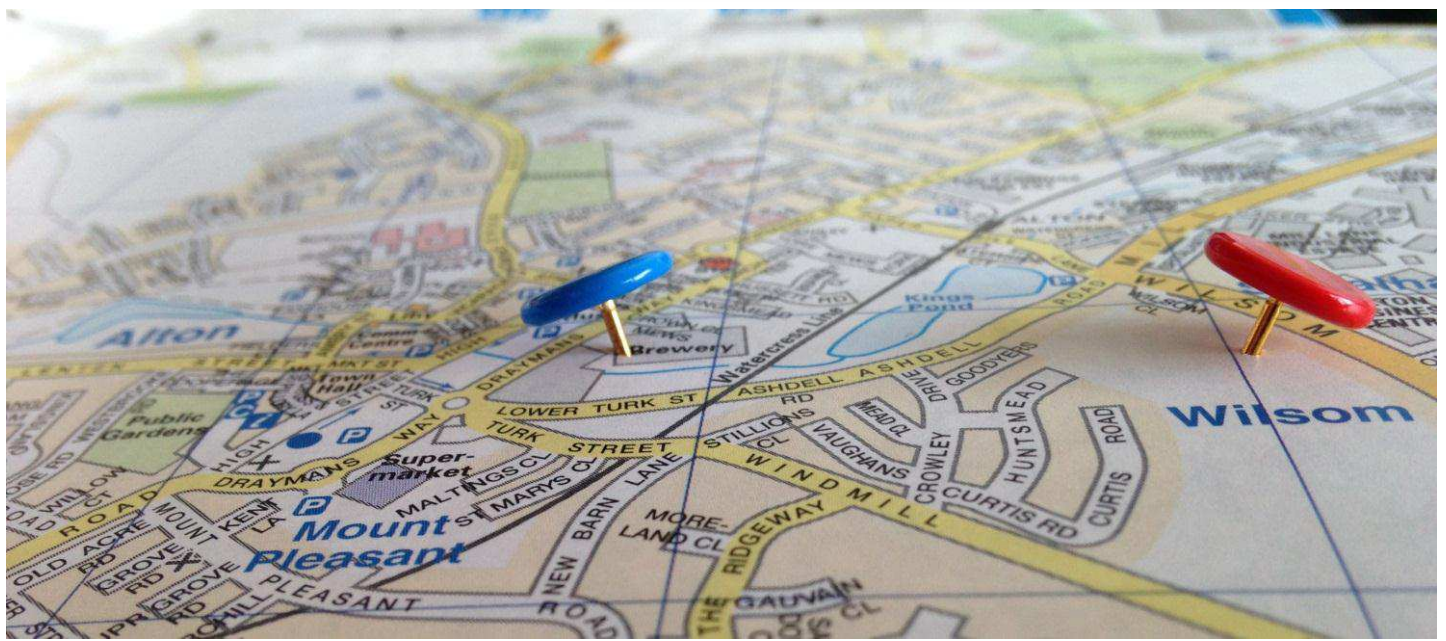


East Hampshire

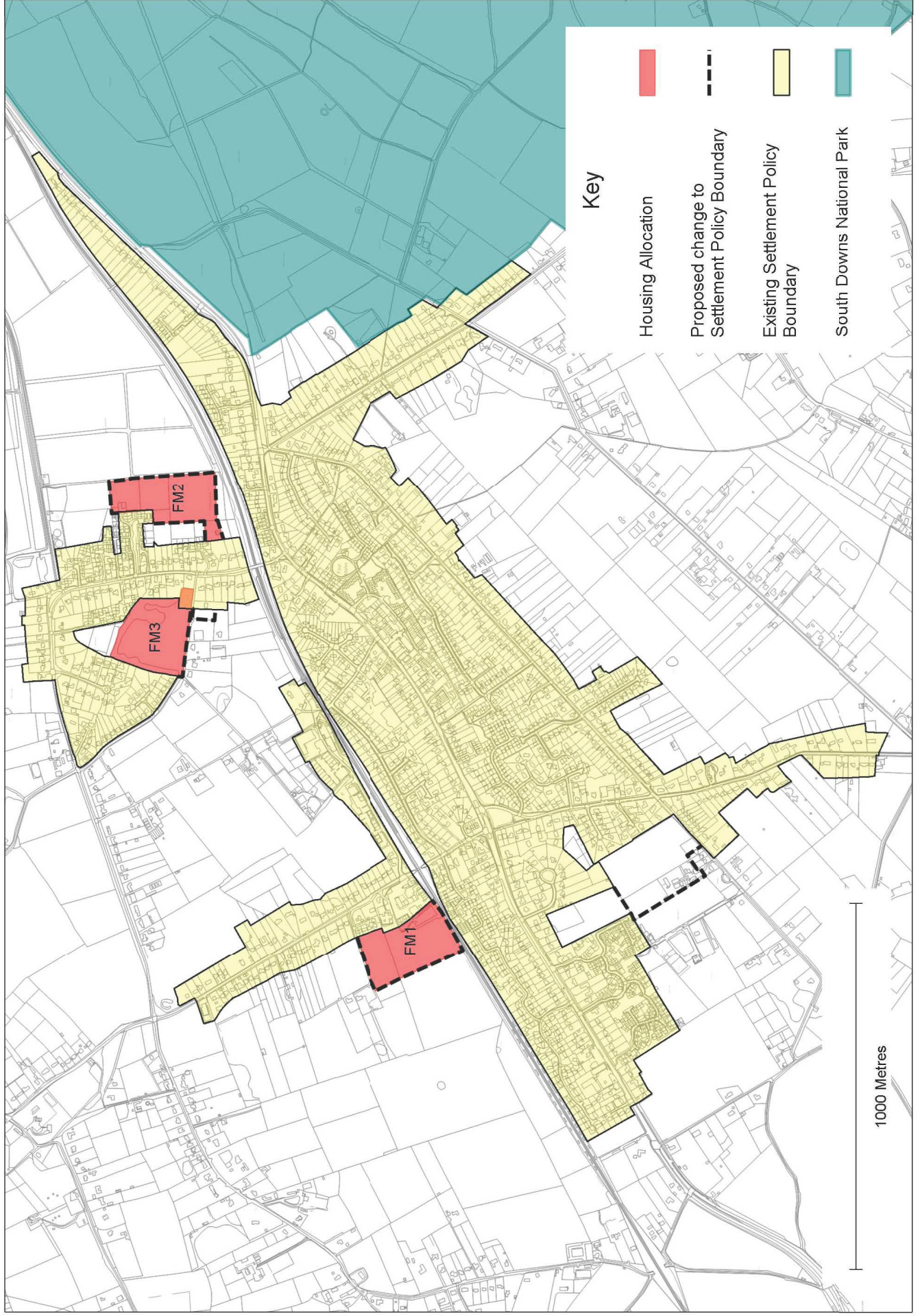
DISTRICT COUNCIL



April 2015



Map 6 - Four Marks and South Medstead



APPENDIX 3

MEDSTEAD & FOUR MARKS NEIGHBOURHOOD PLAN 2015 – 2028

SUBMISSION PLAN

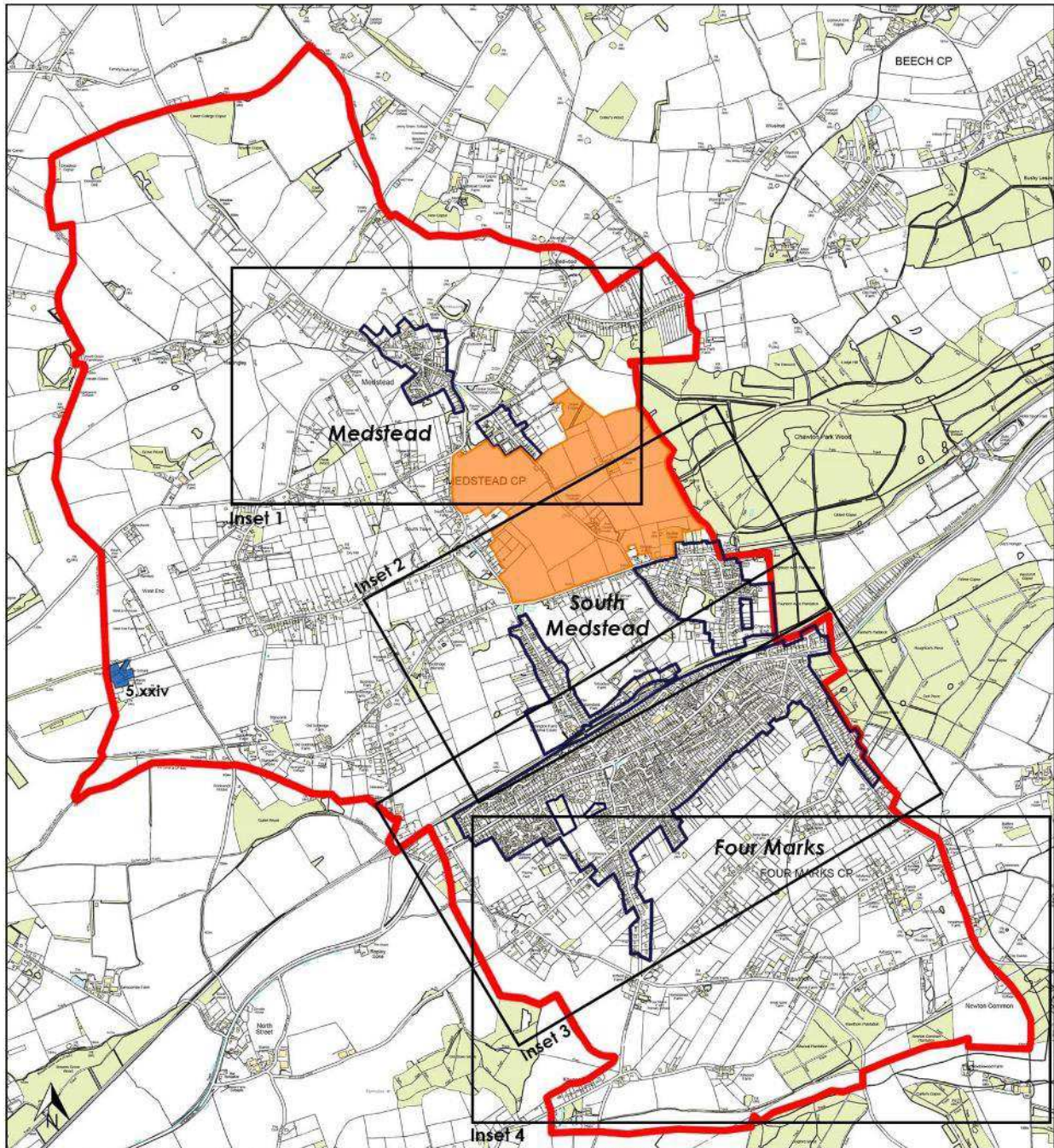


*Published by the Parish Councils of Medstead and Four Marks for
Independent Examination under the Neighbourhood Planning
(General) Regulations 2012.*

August 2015



ANNEXE A – Medstead and Four Marks Policies Map








Ordnance Survey, (c) Crown Copyright 2014. All rights reserved. Licence number 100022432

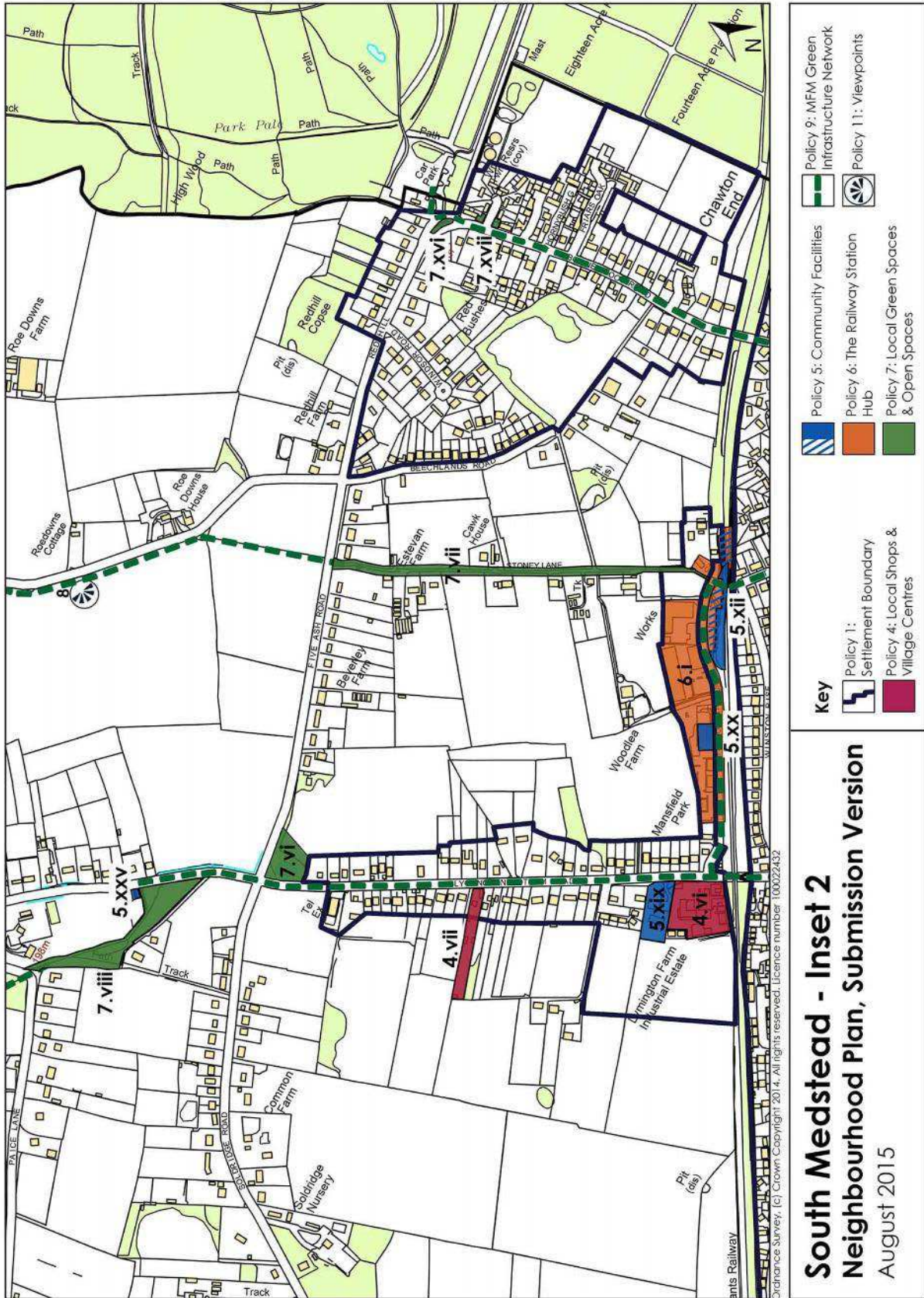
Medstead and Four Marks Policies Map

August 2015

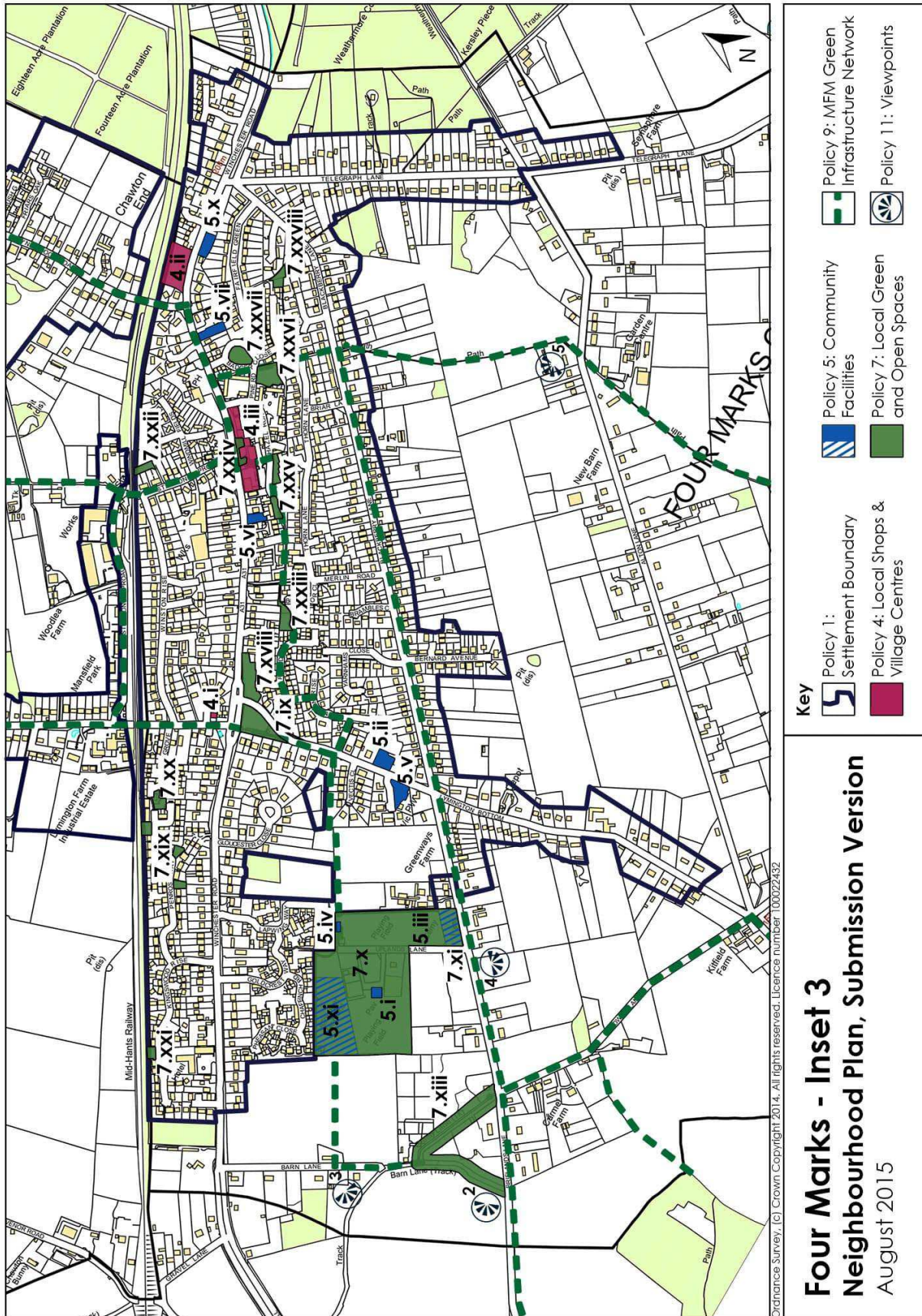
Key

- | | | |
|---|--|---|
|  Insets 1, 2, 3 & 4 |  Policy 1: Settlement Boundary |  Policy 5: Community Facilities |
|  Neighbourhood Plan Area |  Policy 1: Local Green Gap Area | |

ANNEXE C - Policies Map Inset 2: South Medstead



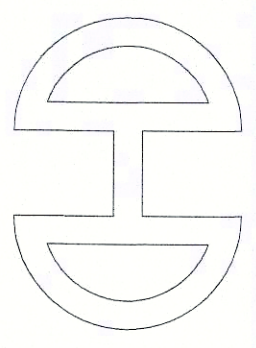
ANNEXE D - Policies Map Inset 3: Four Marks



APPENDIX 4



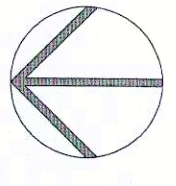
Victoria House 14, St. Johns Road Hedge End Southampton Hampshire SO30 4AB
 Tel: 01489 732177 • Fax: 01489 731111 • E-mail: sales@crayfernhomes.co.uk
 All dimensions are to be checked on site prior to commencement of work
 and may not be correct after or in preparation of or without the written authority



SITE LAYOUT

DEVELOPMENT AT
 "WOODVIEW PLACE"
 BOYNESWOOD ROAD
 MEDSTEAD

N

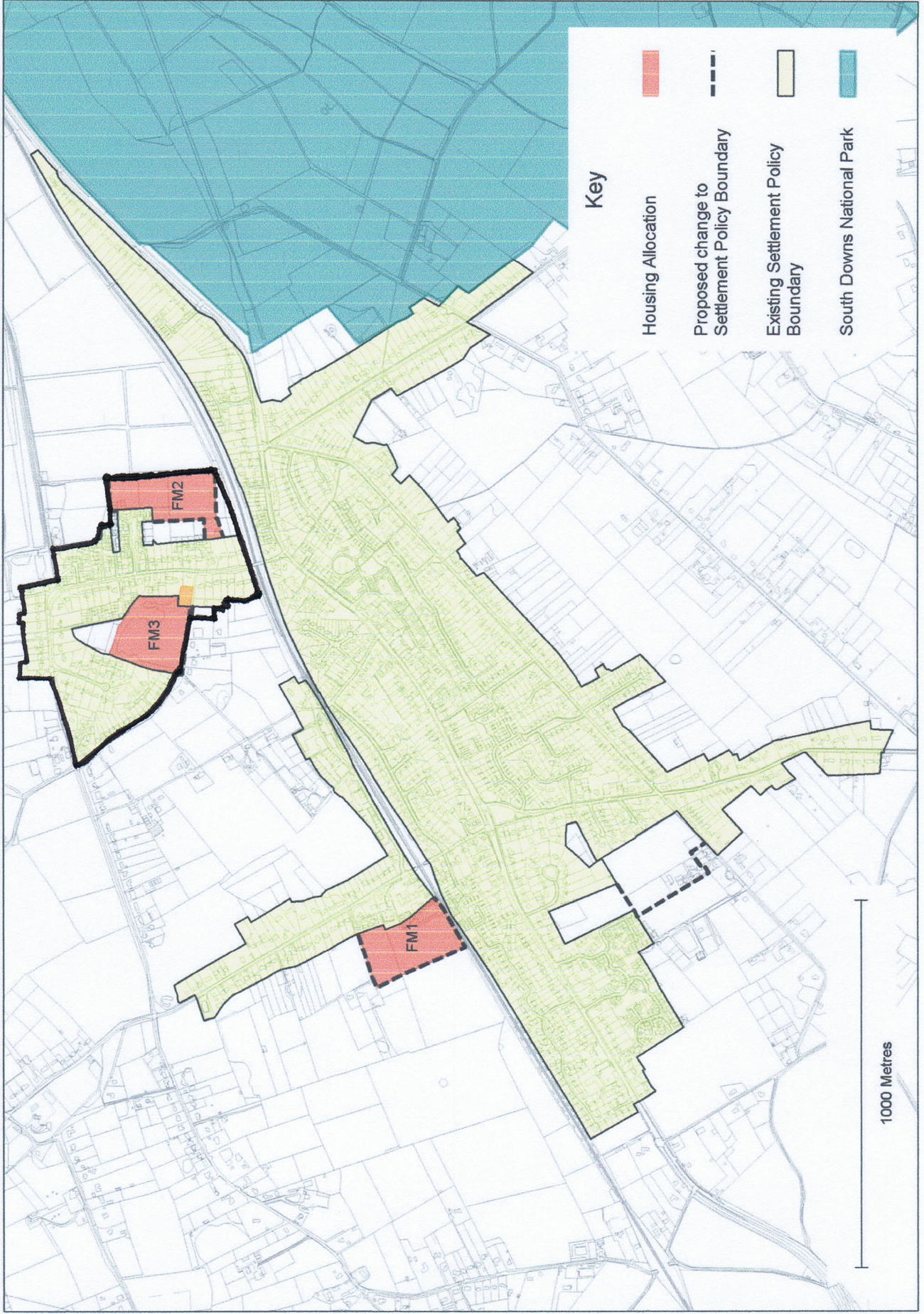


FOR
 CRAYFERN HOMES LIMITED

SCALE 1 : 500@A2 DATE: JULY 14 DRAWING NO SK 01

APPENDIX 5

Map 6 - Four Marks and South Medstead



Hannah Collier

From: Chris Paterson [REDACTED] >
Sent: 08 October 2015 15:59
To: EHDC – Neighbourhood Plans Shared
Subject: SDNPA response to the submission version of the Medstead and Fourmarks Neighbourhood Development Plan.
Attachments: SDNPA response to Submission version of the Medstead and Fourmarks Neighbourhood Development Plan.pdf

Dear Vicki

Please find attached SDNPA rep on the reg 16 version of the Medstead and Fourmarks NDP.

Any questions give me a call or drop me an email

Cheers
chris

South Downs Centre

Chris Paterson
Communities Lead
South Downs National Park Authority

Tel: 01730 819286 | Mobile: [REDACTED]
South Downs Centre, North Street, Midhurst, West Sussex, GU29 9DH

Join in the South Downs GeoTour treasure hunt Find the secret caches hidden in fake bird boxes, hollow logs or false stones using your mobile phone or GPS, stamp your passport, collect points and claim your prize. Find out more at southdowns.gov.uk/geocaching

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08 October 2015

Planning Policy
East Hampshire District Council
Penns Place
Petersfield
Hampshire
GU31 4EX

Dear Sir / Madam

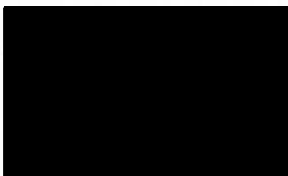
Subject: South Downs National Park Authority (SDNPA) response to the submission version of the Medstead and Fourmarks Neighbourhood Development Plan.

SDNPA officers have reviewed the Medstead and Fourmarks Neighbourhood Development Plan and all supporting documents and evidence. The SDNPA would like to commend the hard work and effort of the Neighbourhood Planning group and both Parish Councils in the preparation of their Neighbourhood Development Plan.

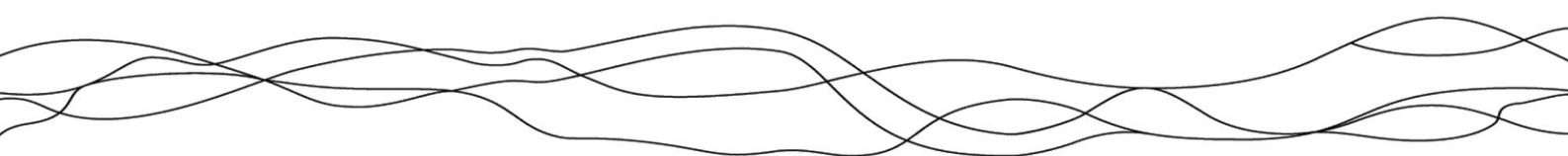
The SDNPA have no specific comments to make on the Medstead and Four Marks Neighbourhood Plan in relation to meeting the basic conditions. The SDNPA would request that the Neighbourhood Plan recognises the close proximity of the National Park and the opportunities that exist for accessing the National Park for the purposes of enjoying the Special Qualities. It would be appropriate to reference the South Downs National Park in Policy 9. Medstead and Four Marks Green Infrastructure Network, ensuring the development proposals do not negatively impact the Green Infrastructure Network, or access to the South Downs National Park.

If you have any questions regarding our enclosed representation please do not hesitate to contact Communities Lead Chris Paterson who will be able to provide further clarification if necessary.

Yours faithfully



Chris Paterson
Communities Lead
South Downs National Park Authority
Tel: 01730 819286 | Mobile: [REDACTED]
South Downs Centre, North Street, Midhurst, West Sussex, GU29 9DH



Hannah Collier

From: Errington, Pete <[REDACTED]>
Sent: 09 October 2015 14:58
To: EHDC – Neighbourhood Plans Shared
Cc: Planning Consultations; Errington, Pete
Subject: Medstead & Four Marks Neighbourhood Plan - comments of Hampshire County Council
Attachments: Medstead & Four Marks Neighbourhood Plan HCC Response October 2015_(HF000010271040).doc

Dear Sir / Madam,

Please find attached the comments of Hampshire County Council on the submission version of the Medstead & Four Marks Neighbourhood Plan.

I hope all is self-explanatory. However, if you require any further information please do not hesitate to contact me.

Yours faithfully,

Pete

Pete Errington
Planning Policy Manager
Economy, Transport & the Environment Department
Hampshire County Council
Elizabeth II Court West - 1st Floor
The Castle
Winchester. SO23 8UD
Tel: 01962 846766
Mobile: [REDACTED]
Email: [REDACTED]
www.hants.gov.uk/county-planning

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Medstead & Four Marks Neighbourhood Plan – HCC Response October 2015

Section	Para	Comments
Section 4	Policy 11	<p>The County Council is disappointed to note that its comments on climate change and energy raised in our previous submission have not been addressed. The County Council reiterates its view that, in order to comply with paragraphs 95, 96 & 97 of the National Planning Policy Framework (NPPF), Policy 11 of the Plan should include recognition of the importance of energy efficiency and energy decentralisation. The following requirements should be incorporated in Policy 11 (or in a bespoke standalone policy on energy efficiency):</p> <ul style="list-style-type: none"> • Proposals should demonstrate how landform, layout, building orientation, massing and landscaping have been taken into account to minimise energy consumption. • Developments must show that they implement measures to reduce greenhouse gas emissions. • Development proposals including renewable, decentralised or low carbon energy generation will be permitted, unless it is proven unviable to do so.
Section 4	Policy 12	<p>Policy 12 “Traffic impacts” on page 38 could usefully be re-worded to add a reference to demonstrating suitable mitigation in travel plans where these are required, and the need to assess traffic impacts of a development against the traffic generated from the development itself as well as that from all committed development in the area i.e. the cumulative traffic impacts of all development on the local network. The wording of the policy might usefully be amended as follows:</p> <p><i>“All proposals must be able to demonstrate suitable mitigation in travel plans where these are required. The impact of traffic generated from a development should be considered along with that from all committed development in the area, i.e. the cumulative effect of all development”</i></p>
Section 4	Policy 13	<p>Hampshire County Council as Lead Local Flood Authority reiterates its previously submitted comments on Policy 13: Sustainable Drainage Systems. Those changes, suggested at the pre-submission stage, are consistent with the existing policy framework in the East Hampshire District Local Plan: Joint Core Strategy (adopted June 2014) Policy 25: Flood Risk.</p>

		<p>Those comments sought changes to the wording of Policy 13 as underlined below for the reasons previously given:</p> <p><i>“Development proposals in the parishes of Medstead and Four Marks which are acceptable under the other policies in the Neighbourhood Plan, will be supported, provided they are able to demonstrate that the proposals, <u>where appropriate</u>, include one or more of the following sustainable drainage design features <u>as part of the site’s overall drainage strategy to manage the risk of surface water flooding.....”</u></i></p>
Section 5	Paragraph 5.5	<p>Paragraph 5.5 proposes a number of projects for investment using CIL funding. These include traffic calming which is sympathetic to the rural character of the area and potential mitigation measures at two traffic pinch points under and over the railway line. Any project coming forward for study and subsequent implementation would have to be considered against to the following County Council guidance on funding local transport schemes which may significantly affect their timing / deliverability:</p> <p>Specific transport schemes in the Neighbourhood Plan area are identified in the East Hampshire district Transport Statement as potential schemes for feasibility studies or implementation when funding is available. The schemes in the Transport Statement are not listed in priority order and there is no guarantee that they will be funded. None of the schemes in the Neighbourhood Plan area are currently prioritised for funding for feasibility studies and to enable prioritisation they would normally require committed funding to allow implementation. All requests for the funding of feasibility studies are prioritised by the County Council firstly on a district wide basis and then countywide. The earliest available opportunity for funding is in year 2016/17. However requests for feasibility funding in that year already exceed the funds available.</p>

Hannah Collier

From: Lloyd Sweet, Robert [REDACTED]
Sent: 09 October 2015 14:54
To: EHDC – Neighbourhood Plans Shared
Subject: FW: NOTIFICATION OF PUBLICITY OF THE MEDSTEAD AND FOUR MARKS
NEIGHBOURHOOD DEVELOPMENT PLAN
Attachments: 2015-10-09 Medstead and Four Marks NP Submission version HE RLS
Comments.doc

Dear Ms. Potts

Please find attached our comments in response to the consultation on the Medstead and Four Marks Neighbourhood Plan. Please do not hesitate to contact me if there are any queries relating to our comments or if you have any difficulty opening the attached document.

Yours sincerely

Robert Lloyd-Sweet
Historic Places Adviser (South East England) Historic England Guildford
[REDACTED]

From: Small, Martin
Sent: 28 August 2015 15:52
To: South East Region
Cc: Lloyd Sweet, Robert
Subject: FW: NOTIFICATION OF PUBLICITY OF THE MEDSTEAD AND FOUR MARKS
NEIGHBOURHOOD DEVELOPMENT PLAN

Good afternoon,

One for the database please:

Hampshire, East Hampshire DC, NDP, Reg. 16, 9th October.
One for Rob please (if you are happy with that Rob given your workshop commitments ?)

Many thanks. Have a good weekend and BH.

Martin

Martin Small BA (Hons) B.PI DipCM MRTPI
Principal Adviser, Historic Environment Planning National Planning and Conservation Department

Historic England | South East | Eastgate Court
195-205 High Street | Guildford | GU1 3EH Direct Line: 01483 252040 | Mobile 07879 435867

[www.HistoricEngland.org.uk](http://www.historicengland.org.uk)<<http://www.historicengland.org.uk>>

Follow us on Twitter @HE_SouthEast<https://twitter.com/EH_SouthEast>

From: EHDC – Neighbourhood Plans Shared [neighbourhoodplans@easthants.gov.uk]
Sent: 28 August 2015 15:09
Subject: NOTIFICATION OF PUBLICITY OF THE MEDSTEAD AND FOUR MARKS
NEIGHBOURHOOD DEVELOPMENT PLAN

Dear Sir/Madam,

NOTIFICATION OF PUBLICITY OF THE MEDSTEAD AND FOUR MARKS NEIGHBOURHOOD
DEVELOPMENT PLAN UNDER REGULATION 16 OF THE NEIGHBOURHOOD PLANNING
(GENERAL) REGULATIONS 2012

I write to inform you, as a consultation body or consultee identified in the Medstead and Four Marks Consultation Statement that we are now in receipt of the final submission version of the Medstead and Four Marks Neighbourhood Plan along with all accompanying documentation required under Regulation 15.

What documents comprise the 'plan proposal'?

The plan proposal comprises the following documents:

- (a) A map identifying the area to which the proposed neighbourhood development plan relates;
- (b) A consultation statement;
- (c) The proposed neighbourhood development plan;
- (d) A statement explaining how the proposed neighbourhood development plan meets the requirements of paragraph 8 of Schedule 4B to the Town and Country Planning Act 1990

Where can the plan proposal be inspected?

Details of the plan proposal and downloadable copies of the relevant documents can be found on our website at:
www.easthants.gov.uk/MedsteadFourMarksNP<<http://www.easthants.gov.uk/MedsteadFourMarksNP>>

In addition, the full suite of evidence supporting the plan can be found at:

<http://mfmplan.org/>

If required hard copies of all of the documents listed above are available from East Hampshire District Council, or copies of the plan can be viewed at:

- East Hampshire District Council, Penns Place, Petersfield, GU31 4EX



Historic England

Victoria Potts
Planning Policy Team Manager
East Hampshire District Council
Penns Place
Petersfield
Hampshire

neighbourhoodplans@easthants.gov.uk
By email only

Our ref: 2015.09.29
Your ref: Four Marks
and Medstead
NP
Submission
version HE
Telephone RLS
Fax Comments
01483 252028

09th October 2015

Dear Ms. Potts

**re: Four Marks and Medstead Neighbourhood Plan Submission Version
Consultation**

Thank you for consulting Historic England on the Submission version of the Medstead and Four Marks Neighbourhood Plan. We are pleased to provide comments on Neighbourhood Plan documents at all stages of preparation although we will prioritise our involvement to those areas of greatest sensitivity to change or where significant heritage has been identified as at risk. Where relevant we request that our comments are shared with the examiner.

In general we feel the Neighbourhood Plan provides an appropriate strategy for the heritage assets of the Neighbourhood and, as such, within the areas of interest to Historic England, we can confirm that in our view it meets the basic conditions. In response to the Regulation 14 Consultation we expressed our particular support for Policies 8, 9 and 11.

We have previously commented on the Neighbourhood Plan at the pre-submission stage and were disappointed to see that our comments relating to Policies 2, 3 and 4 have not been incorporated into the updated plan for the submission version. Nevertheless our comments chiefly related to wording of policies in terms of providing guidance to applicants and decision makers on the appropriateness of development and options to provide more positive wording, rather than their focus and intent, whilst it will be a matter for the examiner to determine whether the wording of policy complies with the basic conditions.

As a particular comment, however, we would like to highlight that the status of Structures and Buildings of Special Character referred to in Policy 4 is left unclear, as far as we can tell. The plan does not appear to identify a list of buildings of special character and, as such, it is unclear where this policy would apply. We would suggest

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these are a form of non-designated heritage asset as defined within the National Planning Policy Framework (NPPF) and identified by local planning authorities through compilation of a 'local list' or through inclusion in the Historic Environment Record. We note that the East Hampshire Local Plan contains a saved policy HE13 relating to Buildings of a Local Architectural, Historic or Townscape Interest, which would also be considered to relate to a local list of non-designated heritage assets. Whilst the Council have not adopted a local list of such buildings they have confirmed they are currently planning to prepare one. We note that the Medstead Village Design Statement identifies a list of "Buildings proposed for special consideration in the event of proposals for their demolition or alteration". The Four Marks Village Design Statement also identifies a number of unlisted buildings of local importance.

Historic England strongly support the use of Neighbourhood Plans to identify non-designated heritage assets valued by the local community and to provide guidance on development affecting them. Where the making of the Neighbourhood Plan would result in the adoption of the Village Design Statements as part of the evidence base to the Neighbourhood Plan this may also result in these lists of buildings being recognised as non-designated heritage assets.

The present wording of Policy 4 requires that development for change of use should not significantly harm these buildings but it isn't clear how such harm should be identified. The NPPF requires local planning authorities to identify the significance of heritage assets and to take this assessment into account when determining applications that affect them. At paragraph 135 the NPPF states "The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that affect directly or indirectly non designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset." In making a balanced judgement the Council may need to take other policies in the NPPF and the Development Plan into consideration. As such the wording of Policy 4 may be considered as overly prohibitive and not in compliance with the NPPF.

In response to the Regulation 14 consultation we suggested an amendment to highlight the significant harm referred to might be that to the 'character' or 'viability' of such buildings, where character would be the significance and viability would be a prerequisite of conservation. Nevertheless this could leave some elements of the significance of an historic building outside of consideration in an application. To represent implementation of the national and local policy at the neighbourhood scale, we would recommend an amendment to bullet point IV such as:

"iv. the design and/or use will cause no **unjustifiable significant** harm to the **significance, community value or viable use of a heritage asset** ~~a Building or Structure of Special Character or Asset of Community Value.~~"



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With regard to Policy 2., we commented that the policy should provide guidance on how this affects proposals for development and, based on the supportive text, suggested amendment as: “***Development within the Local Gap between Medstead Village and South Medstead that detracts from the open countryside character, intensifies the use of land, or contributes to coalescence of the settlements will be resisted.***”

We hope these comments are of assistance to the examiner in reviewing the Neighbourhood Plan Submission Version. Nevertheless, we would be pleased to answer any queries relating to them if needed.

Yours sincerely

Robert Lloyd-Sweet
Historic Places Adviser (South East England)
Historic England
Guildford
Tel. [REDACTED]
E-mail: [REDACTED]



Hannah Collier

From: Planning Secretaries [REDACTED] >
Sent: 09 October 2015 15:25
To: EHDC – Neighbourhood Plans Shared
Subject: MEDSTEAD AND FOUR MARKS DRAFT NEIGHBOURHOOD PLAN 2015-2028 - REPRESENTATIONS ON BEHALF OF WINCHESTER COLLEGE (our ref: 22353/A3)
Attachments: 22353 A3 SY DMC 15 10 09 - NEIGHBOURHOOD PLAN REPS.pdf

SENT ON BEHALF OF ROBIN SHEPHERD

Dear Sir/Madam,

Please find attached our Neighbourhood Plan Representations in relation to the above.

Please note that a hard copy will follow in tonight's post, we would be grateful for confirmation that they have been received.

Many thanks and kind regards

Emma Fellowes

Secretary to Robin Shepherd and the Planning Team

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22353/A3/SY/dw/ef

BY POST AND EMAIL (neighbourhoodplans@easthants.gov.uk)

9th October, 2015

Dear Sir/Madam,

MEDSTEAD AND FOUR MARKS DRAFT NEIGHBOURHOOD PLAN 2015-2028
REPRESENTATIONS ON BEHALF OF WINCHESTER COLLEGE IN RESPECT OF LAND TO THE
SOUTH OF WINCHESTER ROAD, FOUR MARKS

The following representations have been prepared by Barton Willmore LLP on behalf of Winchester College in respect of land to north of the south of Winchester Road, Four Marks (Figure 1). They respond to the draft Medstead and Four Marks Neighbourhood Plan 2015-2028, herein after referred to as the 'NP', which has been published for consultation until 9th Oct 2015.

Basic Conditions

To proceed to a referendum, a Neighbourhood Plan needs to meet the 'basic conditions' set out in Paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990 (as amended) and summarised in Paragraph ID41-065-20140306 of the national Planning Practice Guidance (PPG). The basic conditions are summarised below based on the PPG:

- Having **regard to national policies** and advice contained in guidance issued by the Secretary of State it is appropriate to make the Neighbourhood Plan.
- It must **contribute towards the achievement of sustainable development**.
- It must be in **general conformity with the strategic policies contained in the development plan** for the area of the authority.
- It does not breach EU obligations.
- It meets prescribed conditions such as it should not have a significant effect on a European site.

Furthermore, the PPG is clear that Neighbourhood Plans should **support the strategic development needs set out in Local Plans** and that they **should not promote less development than these**.



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In addition, the PPG emphasises that the plan must contribute to **improvements in environmental, economic and social conditions**, and show how any adverse impacts have been prevented, reduced or offset.

Response to the NP

Paragraph 184 of the NPPF states that:

“Neighbourhood plans should reflect these [Local Plan] policies and neighbourhoods should plan positively to support them. Neighbourhood plans and orders should not promote less development than set out in the Local Plan or undermine its strategic policies”.

Policy CP10 (Spatial Strategy for Housing) of the East Hampshire District Council’s (EHDC) Local Plan: Joint Core Strategy (JCS), adopted in 2014, sets the target of a **minimum** of 175 dwellings at Four Marks/South Medstead, in the period of 2011 to 2028. However, Policy 1 of the draft NP states that:

“outside the Settlement Policy Boundaries will be regarded as countryside, where development proposals will not be permitted unless they are necessary for the purposes of agriculture or forestry, or for enterprise, diversification or recreation that benefits the rural economy without harming countryside interests”.

Therefore, by implication, no further development will be permitted, with the exception of houses “accommodated on acceptable sites within the settlement policy boundary” (para. 1.13). The draft NP therefore instantly promotes less development than that set out within the adopted JCS and has the potential to undermine its strategic policies. The NP is therefore in contraction to paragraph 184 of the NPPF.

Paragraph 1.5 of the draft NP states that 241 dwellings “have been approved since the beginning of this JCS planning period. This is significantly more than the minimum target of 175 specified in the JCS”.

The draft NP goes on to explain that it has followed the Draft East Hampshire District Local Plan: Housing and Employment Allocations, 2014, which stated that “sites for a total of 191 dwellings have already been granted planning permission and no further allocations are required”. However, this has been replaced by the proposed submission version – Part 2, which adopts a different approach.

The Proposed Submission East Hampshire District Local Plan: Housing and Employment Allocations (April 2015) (‘Part 2’) allocates 237 dwellings (FM1, FM2 and FM3) at Four Marks/South Medstead outside the Settlement Policy Boundary (SPB). Whilst the aforementioned sites (FM1, FM2 and FM3) benefit from extant planning permissions, there is no guarantee of their delivery or ability to be implemented. Therefore, other sustainable sites, which help to meet an identified housing need and contribute towards the delivery of sustainable development, should not be discounted as a result.

Furthermore, whilst the minimum allocated housing target for Four Marks/South Medstead appears to have been met since the adoption of the JCS in June 2014 (provided the permitted dwellings are developed), both this figure and the District wide requirement of 10,060 dwellings are **minimum** targets and should be treated as such to ensure a positive approach to growth and provide sufficient flexibility to support additional sustainable sites above this requirement. Indeed, a more up to date assessment of objectively assessed housing need may demonstrate that the housing provision within the adopted JCS is insufficient and needing review.

Whilst it is understood that the community considers that the necessary level of infrastructure has not been delivered in line with the recent development approved at Four Marks and Medstead, it is entirely contrary to the NPPF to effectively restrict development in the manner proposed.

By applying these housing targets rigidly and as a development limit, there is the potential to prevent otherwise sustainable development from coming forward for the entire plan period (up to 2028) with such development otherwise contributing to maintaining a deliverable five year housing land supply, notwithstanding the wider strategic objectives of the JCS.

Therefore, to base the NP on the adopted East Hampshire JCS may result in the plan having to be immediately reviewed or being deemed as "not up to date" by virtue of paragraph 49 of the NPPF and subsequently at risk from what it calls "unplanned" development in the event of a shortfall in housing supply.

In addition, it is noted that the draft NP sets out various objectives, such as the creation of a hub for example. The effect of paragraph 5.9 of the draft NP is to explain that development will be capable of funding improvements to local infrastructure. However, if the draft NP is correct that enough development has already been granted planning permission to satisfy the minimum requirements of the JCS (and all of that development comes forward) then the draft NP does not currently seek the delivery of additional development. In those circumstances there would be no opportunity for development to fund infrastructure other than what is already committed to through signed legal agreements. It is therefore considered that the NP would be justified in the event that it seeks to allocate additional land for development which can therefore provide contributions towards the provision of local infrastructure and the achievement of the objectives set out in the draft NP.

Suggested Allocation at land south of Winchester Road, Four Marks

In light of the above, it is suggested that the land south of Winchester Road in Four Marks is identified for development in order to provide much needed development across the district and at Four Marks / Medstead. This land comprises approximately 8.2 hectares of land located at the western edge of the Four Marks/South Medstead settlement. It is situated directly south of the principal route (the A31 Winchester Road) through the settlement which provides links between Winchester and Farnham. The site immediately adjoins the existing SPB to the north and east and forms a contiguous and logical extension to the settlement.

Such development not only provides the opportunity for a plan-led and sustainable form of development, but also can assist in the delivery of funding toward the identified infrastructure improvements and vision / objectives within the draft NP.

Accordingly, Winchester College suggests that land to the south of Winchester Road, as described above, is allocated within draft NP given it is immediately available for development, has no physical constraints to prevent its delivery for a sensitive residential development and represents a logical, sustainable and contiguous extension to the settlement.

We trust that the above is helpful to the preparation of the Four Marks and Medstead Neighbourhood Plan, in particular to ensure the draft Plan meets the Basic Conditions necessary.

We would be grateful for confirmation that these representations have been received.

Yours sincerely,



ROBIN SHEPHERD
Partner