

BEHNP-01 Highways England

BEHNP-02 Sport England

BEHNP-03 [REDACTED]

BEHNP-04 Natural England

BEHNP-05 Wood PLC National Grid

BEHNP-06 Environment Agency

BEHNP-07 Savills obo Thames Water

BEHNP-08 East Hampshire District Council

BEHNP-09 Gladman

BEHNP-10 LRM Planning obo Hallam Land Management

BEHNP-11 Pure Town Planning obo Goldcrest Homes

BEHNP-12 Historic England

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FW: #8204 Beech Neighbourhood Plan - Publication of Regulation 16 Consultation

Thu 25/07/2019 14:58
To: EHDC - Neighbourhood Plans Shared
Cc: Planning SE <planningse@highwaysengland.co.uk>; [REDACTED]
⤴

Inbox (EHDC - Neighbourhood Plans Shared)

FAO: Planning Policy East Hampshire District Council

Our Reference: 8204

Dear Sir or Madam,

Re: Beech Neighbourhood Plan - Publication of Regulation 16 Consultation

Thank you for inviting Highways England to comment on this Consultation.

Highways England has been appointed by the Secretary of State for Transport as strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the strategic road network (SRN). The SRN is a critical national asset and as such Highways England works to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity.

We will therefore be concerned with proposals that have the potential to impact the safe and efficient operation of the SRN, in this case the M3 motorway.

We have reviewed this document and supporting evidence and have no comments.

Regards

[REDACTED]
Assistant Spatial Planning Manager (Area 3)

Highways England | Bridge House | Walnut Tree Close | Guildford GU1 4LZ

Tel: [REDACTED] Mobile: [REDACTED]

Web: www.highwaysengland.co.uk



Registered Office: Bridge House, 1 Walnut Tree Close, Guildford GU1 4LZ
Highways England Company Limited registered England and Wales number 09346363

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BEHNP-02

RE: Beech Neighbourhood Plan - Publication of Regulation 16 Consultation



Mon 29/07/2019 08:53

To: EHDC - Local Plan ^



Reply | ▾

Inbox (EHDC - Neighbourhood Plans Shared)

Thank you for consulting Sport England on the above neighbourhood plan.

Government planning policy, within the **National Planning Policy Framework (NPPF)**, identifies how the planning system can play an important role in facilitating social interaction and creating healthy, inclusive communities. Encouraging communities to become more physically active through walking, cycling, informal recreation and formal sport plays an important part in this process. Providing enough sports facilities of the right quality and type in the right places is vital to achieving this aim. This means that positive planning for sport, protection from the unnecessary loss of sports facilities, along with an integrated approach to providing new housing and employment land with community facilities is important.

It is essential therefore that the neighbourhood plan reflects and complies with national planning policy for sport as set out in the NPPF with particular reference to Pars 96 and 97. It is also important to be aware of Sport England's statutory consultee role in **protecting playing fields** and the presumption against the loss of playing field land. Sport England's playing fields policy is set out in our Playing Fields Policy and Guidance document.

<http://www.sportengland.org/playingfieldspolicy>.

- Sport England provides guidance on **developing planning policy** for sport and further information can be found via the link below. Vital to the development and implementation of planning policy is the evidence base on which it is founded.

<http://www.sportengland.org/facilities-planning/planning-for-sport/forward-planning/>

- Sport England works with local authorities to ensure their Local Plan is underpinned by robust and up to date evidence. In line with Par 97 of the NPPF, this takes the form of **assessments of need and strategies for indoor and outdoor sports facilities**. A neighbourhood planning body should look to see if the relevant local authority has prepared a playing pitch strategy or other indoor/outdoor sports facility strategy. If it has then this could provide useful evidence for the neighbourhood plan and save the neighbourhood planning body time and resources gathering their own evidence. It is important that a neighbourhood plan reflects the recommendations and actions set out in any such strategies, including those which may specifically relate to the neighbourhood area, and that any local investment opportunities, such as the Community Infrastructure Levy, are utilised to support their delivery.

Where such evidence does not already exist then relevant planning policies in a neighbourhood plan should be based on a proportionate assessment of the need for sporting provision in its area. Developed in consultation with the local sporting and wider community any assessment should be used to provide key recommendations and deliverable actions. These should set out what provision is required to ensure the current and future needs of the community for sport can be met and, in turn, be able to support the development and implementation of planning policies. Sport England's guidance on assessing needs may help with such work.

<http://www.sportengland.org/planningtoolsandguidance>

Reply | Delete | Junk | ...

<http://www.sportengland.org/facilities-planning/tools-guidance/design-and-cost-guidance/>

- Any **new housing** developments will generate additional demand for sport. If existing sports facilities do not have the capacity to absorb the additional demand, then planning policies should look to ensure that new sports facilities, or improvements to existing sports facilities, are secured and delivered. Proposed actions to meet the demand should accord with any approved local plan or neighbourhood plan policy for social infrastructure, along with priorities resulting from any assessment of need, or set out in any playing pitch or other indoor and/or outdoor sports facility strategy that the local authority has in place.

In line with the Government’s NPPF (including Section 8) and its Planning Practice Guidance (Health and wellbeing section), links below, consideration should also be given to how **any new development**, especially for new housing, will provide opportunities for people to lead healthy lifestyles and create healthy communities. Sport England’s Active Design guidance can be used to help with this when developing planning policies and developing or assessing individual proposals.

Active Design, which includes a model planning policy, provides ten principles to help ensure the design and layout of development encourages and promotes participation in sport and physical activity. The guidance, and its accompanying checklist, could also be used at the evidence gathering stage of developing a neighbourhood plan to help undertake an assessment of how the design and layout of the area currently enables people to lead active lifestyles and what could be improved.

NPPF Section 8: <https://www.gov.uk/guidance/national-planning-policy-framework/8-promoting-healthy-communities>

PPG Health and wellbeing section: <https://www.gov.uk/guidance/health-and-wellbeing>

Sport England’s Active Design Guidance: <https://www.sportengland.org/activedesign>

(Please note: this response relates to Sport England’s planning function only. It is not associated with our funding role or any grant application/award that may relate to the site.)

- If you need any further advice, please do not hesitate to contact Sport England using the contact details below.

Yours sincerely,

Planning Admin Team

T: [Redacted]
E: [Redacted]



Beech Neighbourhood Plan - comments

[REDACTED]

Mon 19/08/2019 11:07

To: EHDC - Neighbourhood Plans Shared <neighbourhoodplans@easthants.gov.uk>

Good morning

I'm a Beech parish councillor but these minor comments are made in a personal capacity (a couple of things that were missed on the draft submitted to you).

Contents page, last line: "Ordnance" spelled incorrectly. (Also in Appendix 1 on page 42)

Policy BPC11, page 34: In para (b) of the policy wording, replace "footpath" with "footway" in the last line, to match the first line.

Kind regards

[REDACTED]

289931 Beech Neighbourhood Plan Regulation 16 consultation

BEHNP-04

Tue 27/08/2019 14:09

To: EHDC - Neighbourhood Plans Shared <neighbourhoodplans@easthants.gov.uk>

📎 1 attachments (374 KB)

Beech Neighbourhood Plan Reg 16 consultation (NE ref 289931).pdf;

Good afternoon

Please find attached Natural England's response to the above consultation

If you have any queries please let me know.

Kind regards

[REDACTED]
Sustainable Development Adviser
Dorset, Hampshire and Isle of Wight Area Team

Mobile: [REDACTED]

Tel: [REDACTED]

Please note my non-working day is Wednesdaywww.naturalengland.org.uk

We are here to secure a healthy natural environment for people to enjoy, where wildlife is protected and England's traditional landscapes are safeguarded for future generations.

Please send planning consultations to Natural England by email to: [REDACTED]

www.gov.uk/government/organisations/natural-england

Natural England offers two chargeable services – The Discretionary Advice Service ([DAS](#)) provides pre-application, pre-determination and post-consent advice on proposals to developers and consultants as well as pre-licensing species advice and pre-assent and consent advice. The Pre-submission Screening Service ([PSS](#)) provides advice for protected species mitigation licence applications.

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Date: 27 August 2019
Our ref: 289931
Your ref: Beech submission regulation 16



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

Hornbeam House
Crewe Business Park
Electra Way
Crewe
Cheshire
CW1 6GJ

BY EMAIL ONLY

neighbourhoodplans@easthants.gov.uk

T [REDACTED]

Beech Parish Neighbourhood Plan Regulation 16 Consultation

Thank you for your consultation on the above dated 22 July 2019 .

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

Natural England is a statutory consultee in neighbourhood planning and must be consulted on draft neighbourhood development plans by the Parish/Town Councils or Neighbourhood Forums where they consider our interests would be affected by the proposals made..

Natural England does not have any specific comments on this proposed neighbourhood plan.

Further to our earlier response to the Regulation 14 pre-submission consultation (April 2019), we note that the comments made by Natural England have been incorporated into the plan.

As previously seen, we refer you to the attached annex which covers the issues and opportunities that should be considered when preparing a Neighbourhood Plan.

For clarification of any points in this letter only, please contact [REDACTED] on [REDACTED].
For any further consultations on your plan, please contact: [REDACTED].

Yours sincerely

[REDACTED]
Sustainable Development Adviser
Dorset, Hampshire and Isle of Wight Area Team

Annex 1 - Neighbourhood planning and the natural environment: information, issues and opportunities

Natural environment information sources

The [Magic](#)¹ website will provide you with much of the nationally held natural environment data for your plan area. The most relevant layers for you to consider are: **Agricultural Land Classification, Ancient Woodland, Areas of Outstanding Natural Beauty, Local Nature Reserves, National Parks (England), National Trails, Priority Habitat Inventory, public rights of way (on the Ordnance Survey base map) and Sites of Special Scientific Interest (including their impact risk zones)**. Local environmental record centres may hold a range of additional information on the natural environment. A list of local record centres is available [here](#)².

Priority habitats are those habitats of particular importance for nature conservation, and the list of them can be found [here](#)³. Most of these will be mapped either as **Sites of Special Scientific Interest**, on the Magic website or as **Local Wildlife Sites**. Your local planning authority should be able to supply you with the locations of Local Wildlife Sites.

National Character Areas (NCAs) divide England into 159 distinct natural areas. Each character area is defined by a unique combination of landscape, biodiversity, geodiversity and cultural and economic activity. NCA profiles contain descriptions of the area and statements of environmental opportunity, which may be useful to inform proposals in your plan. NCA information can be found [here](#)⁴.

There may also be a local **landscape character assessment** covering your area. This is a tool to help understand the character and local distinctiveness of the landscape and identify the features that give it a sense of place. It can help to inform, plan and manage change in the area. Your local planning authority should be able to help you access these if you can't find them online.

If your neighbourhood planning area is within or adjacent to a **National Park** or **Area of Outstanding Natural Beauty (AONB)**, the relevant National Park/AONB Management Plan for the area will set out useful information about the protected landscape. You can access the plans on from the relevant National Park Authority or Area of Outstanding Natural Beauty website.

General mapped information on **soil types** and **Agricultural Land Classification** is available (under 'landscape') on the [Magic](#)⁵ website and also from the [LandIS website](#)⁶, which contains more information about obtaining soil data.

Natural environment issues to consider

The [National Planning Policy Framework](#)⁷ sets out national planning policy on protecting and enhancing the natural environment. [Planning Practice Guidance](#)⁸ sets out supporting guidance.

Your local planning authority should be able to provide you with further advice on the potential impacts of your plan or order on the natural environment and the need for any environmental assessments.

Landscape

¹ <http://magic.defra.gov.uk/>

² <http://www.nbn-nfbr.org.uk/nfbr.php>

³ <http://webarchive.nationalarchives.gov.uk/20140711133551/http://www.naturalengland.org.uk/ourwork/conservation/biodiversity/protectandmanage/habsandspeciesimportance.aspx>

⁴ <https://www.gov.uk/government/publications/national-character-area-profiles-data-for-local-decision-making>

⁵ <http://magic.defra.gov.uk/>

⁶ <http://www.landis.org.uk/index.cfm>

⁷ <https://www.gov.uk/government/publications/national-planning-policy-framework--2>

⁸ <http://planningguidance.planningportal.gov.uk/blog/guidance/natural-environment/>

Your plans or orders may present opportunities to protect and enhance locally valued landscapes. You may want to consider identifying distinctive local landscape features or characteristics such as ponds, woodland or dry stone walls and think about how any new development proposals can respect and enhance local landscape character and distinctiveness.

If you are proposing development within or close to a protected landscape (National Park or Area of Outstanding Natural Beauty) or other sensitive location, we recommend that you carry out a landscape assessment of the proposal. Landscape assessments can help you to choose the most appropriate sites for development and help to avoid or minimise impacts of development on the landscape through careful siting, design and landscaping.

Wildlife habitats

Some proposals can have adverse impacts on designated wildlife sites or other priority habitats (listed [here](#)⁹), such as Sites of Special Scientific Interest or [Ancient woodland](#)¹⁰. If there are likely to be any adverse impacts you'll need to think about how such impacts can be avoided, mitigated or, as a last resort, compensated for.

Priority and protected species

You'll also want to consider whether any proposals might affect priority species (listed [here](#)¹¹) or protected species. To help you do this, Natural England has produced advice [here](#)¹² to help understand the impact of particular developments on protected species.

Best and Most Versatile Agricultural Land

Soil is a finite resource that fulfils many important functions and services for society. It is a growing medium for food, timber and other crops, a store for carbon and water, a reservoir of biodiversity and a buffer against pollution. If you are proposing development, you should seek to use areas of poorer quality agricultural land in preference to that of a higher quality in line with National Planning Policy Framework para 112. For more information, see our publication [Agricultural Land Classification: protecting the best and most versatile agricultural land](#)¹³.

Improving your natural environment

Your plan or order can offer exciting opportunities to enhance your local environment. If you are setting out policies on new development or proposing sites for development, you may wish to consider identifying what environmental features you want to be retained or enhanced or new features you would like to see created as part of any new development. Examples might include:

- Providing a new footpath through the new development to link into existing rights of way.
- Restoring a neglected hedgerow.
- Creating a new pond as an attractive feature on the site.
- Planting trees characteristic to the local area to make a positive contribution to the local landscape.
- Using native plants in landscaping schemes for better nectar and seed sources for bees and birds.
- Incorporating swift boxes or bat boxes into the design of new buildings.
- Think about how lighting can be best managed to encourage wildlife.
- Adding a green roof to new buildings.

You may also want to consider enhancing your local area in other ways, for example by:

⁹<http://webarchive.nationalarchives.gov.uk/20140711133551/http://www.naturalengland.org.uk/ourwork/conservation/biodiversity/protectandmanage/habsandspeciesimportance.aspx>

¹⁰ <https://www.gov.uk/guidance/ancient-woodland-and-veteran-trees-protection-surveys-licences>

¹¹ <http://webarchive.nationalarchives.gov.uk/20140711133551/http://www.naturalengland.org.uk/ourwork/conservation/biodiversity/protectandmanage/habsandspeciesimportance.aspx>

¹² <https://www.gov.uk/protected-species-and-sites-how-to-review-planning-proposals>

¹³ <http://publications.naturalengland.org.uk/publication/35012>

- Setting out in your plan how you would like to implement elements of a wider Green Infrastructure Strategy (if one exists) in your community.
- Assessing needs for accessible greenspace and setting out proposals to address any deficiencies or enhance provision.
- Identifying green areas of particular importance for special protection through Local Green Space designation (see [Planning Practice Guidance on this](#) ¹⁴).
- Managing existing (and new) public spaces to be more wildlife friendly (e.g. by sowing wild flower strips in less used parts of parks, changing hedge cutting timings and frequency).
- Planting additional street trees.
- Identifying any improvements to the existing public right of way network, e.g. cutting back hedges, improving the surface, clearing litter or installing kissing gates) or extending the network to create missing links.
- Restoring neglected environmental features (e.g. coppicing a prominent hedge that is in poor condition, or clearing away an eyesore).

¹⁴ <http://planningguidance.planningportal.gov.uk/blog/guidance/open-space-sports-and-recreation-facilities-public-rights-of-way-and-local-green-space/local-green-space-designation/>

Beech Neighbourhood Plan Consultation

BEHNP-05

Projectmail - National Grid [REDACTED]

Thu 29/08/2019 10:30

To: EHDC - Neighbourhood Plans Shared <neighbourhoodplans@easthants.gov.uk>

 1 attachments (189 KB)

Beech NP REP 20.08.19.pdf;

Dear Sir/Madam,

Please find the attached response on behalf of National Grid.

Kind regards

Wood on behalf of National Grid

-

Planning & Design| E&I UK

Wood Plc

Gables House, Kenilworth Road, Leamington Spa, CV32 6JX

Tel [REDACTED]

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

██████████
Consultant Town Planner

Tel: ██████████
██████████

Sent by email to:
neighbourhoodplans@easthants.gov.uk

20 August 2019

Dear Sir / Madam

**Beech Neighbourhood Plan Consultation
SUBMISSION ON BEHALF OF NATIONAL GRID**

National Grid has appointed Wood to review and respond to development plan consultations on its behalf. We are instructed by our client to submit the following representation with regards to the above Neighbourhood Plan consultation.

About National Grid

National Grid Electricity Transmission plc (NGET) owns and maintains the electricity transmission system in England and Wales and National Grid Electricity System Operator (NGESO) operates the electricity transmission network across the UK. The energy is then distributed to the eight electricity distribution network operators across England, Wales and Scotland.

National Grid Gas plc (NGG) owns and operates the high-pressure gas transmission system across the UK. In the UK, gas leaves the transmission system and enters the UK's four gas distribution networks where pressure is reduced for public use.

National Grid previously owned part of the gas distribution system known as 'National Grid Gas Distribution limited (NGGDL). Since May 2018, NGGDL is now a separate entity called 'Cadent Gas'.

To help ensure the continued safe operation of existing sites and equipment and to facilitate future infrastructure investment, National Grid wishes to be involved in the preparation, alteration and review of plans and strategies which may affect National Grid's assets.

Specific Comments

An assessment has been carried out with respect to National Grid's electricity and gas transmission apparatus which includes high voltage electricity assets and high-pressure gas pipelines.

National Grid has identified that it has **no record** of such apparatus within the Neighbourhood Plan area.



Electricity Distribution

The electricity distribution operator in East Hampshire District Council is SSE Power Distribution. Information regarding the transmission and distribution network can be found at: www.energynetworks.org.uk

Appendices - National Grid Assets

Please find attached in:

- Appendix 1 provides a map of the National Grid network across the UK.

Please remember to consult National Grid on any Neighbourhood Plan Documents or site-specific proposals that could affect our infrastructure. We would be grateful if you could add our details shown below to your consultation database.

██████████
██████████ Planner

██████████
Development Liaison Officer, National Grid

████████████████████

██

Wood E&I Solutions UK Ltd
Nicholls House
Homer Close
Leamington Spa
Warwickshire
CV34 6TT

National Grid House
Warwick Technology Park
Gallows Hill
Warwick
Warwickshire
CV34 6DA

I hope the above information is useful. If you require any further information, please do not hesitate to contact me.

Yours faithfully

[via email]

██████████
Consultant Town Planner

cc. ██████████, National Grid

APPENDIX 1: NATIONAL GRID'S UK NETWORK

Where we operate
Our UK network



RE: Beech Neighbourhood Plan - Publication of Regulation 16 Consultation

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LA

[Redacted]



Thu 29/08/2019 11:27

EHDC - Neighbourhood Plans Shared; [Redacted]

Dear Hannah,

Thank you for consulting the Environment Agency on the above Neighbourhood Plan.

We are a statutory consultee in the planning process providing advice to Local Authorities and developers on pre-application enquiries, planning applications, appeals and strategic plans.

Together with Natural England, English Heritage and Forestry Commission we have published joint advice on neighbourhood planning which sets out sources of environmental information and ideas on incorporating the environment into plans. This is available at:

http://webarchive.nationalarchives.gov.uk/20140328084622/http://cdn.environment-agency.gov.uk/LIT_6524_7da381.pdf

We aim to reduce flood risk, while protecting and enhancing the water environment. We have had to focus our detailed engagement to those areas where the environmental risks are greatest.

We note that the plan is not allocating sites, however you may wish to strengthen your infrastructure policy BPC14 to include the provision of adequate Waste Water Infrastructure.

Waste Water Infrastructure

We expect developments to connect to the public sewerage system wherever it is reasonable to do so.

The provision of infrastructure for wastewater is listed as one of the strategic priorities that should be considered in Local Plans (NPPF paragraph's [20-27](#)). We would encourage LPAs to work collaboratively with other bodies to ensure that strategic priorities across local boundaries are properly coordinated and clearly reflected in individual Local Plans (see NPPF paragraphs [16-17](#)). LPAs should also work with providers to assess the quality and capacity of infrastructure for water supply, wastewater and its treatment.

Further information on planning for Water supply, wastewater and water quality can be found in the [planning practice guidance](#).

Should you have any queries regarding the above, please do not hesitate to contact me.

Many thanks,

[Redacted]

East Hampshire – Beech Neighbourhood Plan Regulation 16 Version - RESPONSE ON BEHALF OF THAMES WATER UTILITIES LTD.

BEHNP-07

[Redacted]

on behalf of

Thames Water Planning Policy <ThamesWaterPlanningPolicy@savills.com>

Fri 30/08/2019 10:40

To: EHDC - Neighbourhood Plans Shared <neighbourhoodplans@easthants.gov.uk>

Cc: [Redacted]; 'Devcon Team'

📎 2 attachments (3 MB)

East Hants Beech NP Alton STW STWO Catchment Area Map .pdf; 19 08 30 L DW East Hants Beech NP.PDF;

Dear Sir/ Madam

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

Regards,

[Redacted]

[Redacted]

Planning Administrator

Planning

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



Tel [Redacted]
Email [Redacted]
Website :www.savills.co.uk



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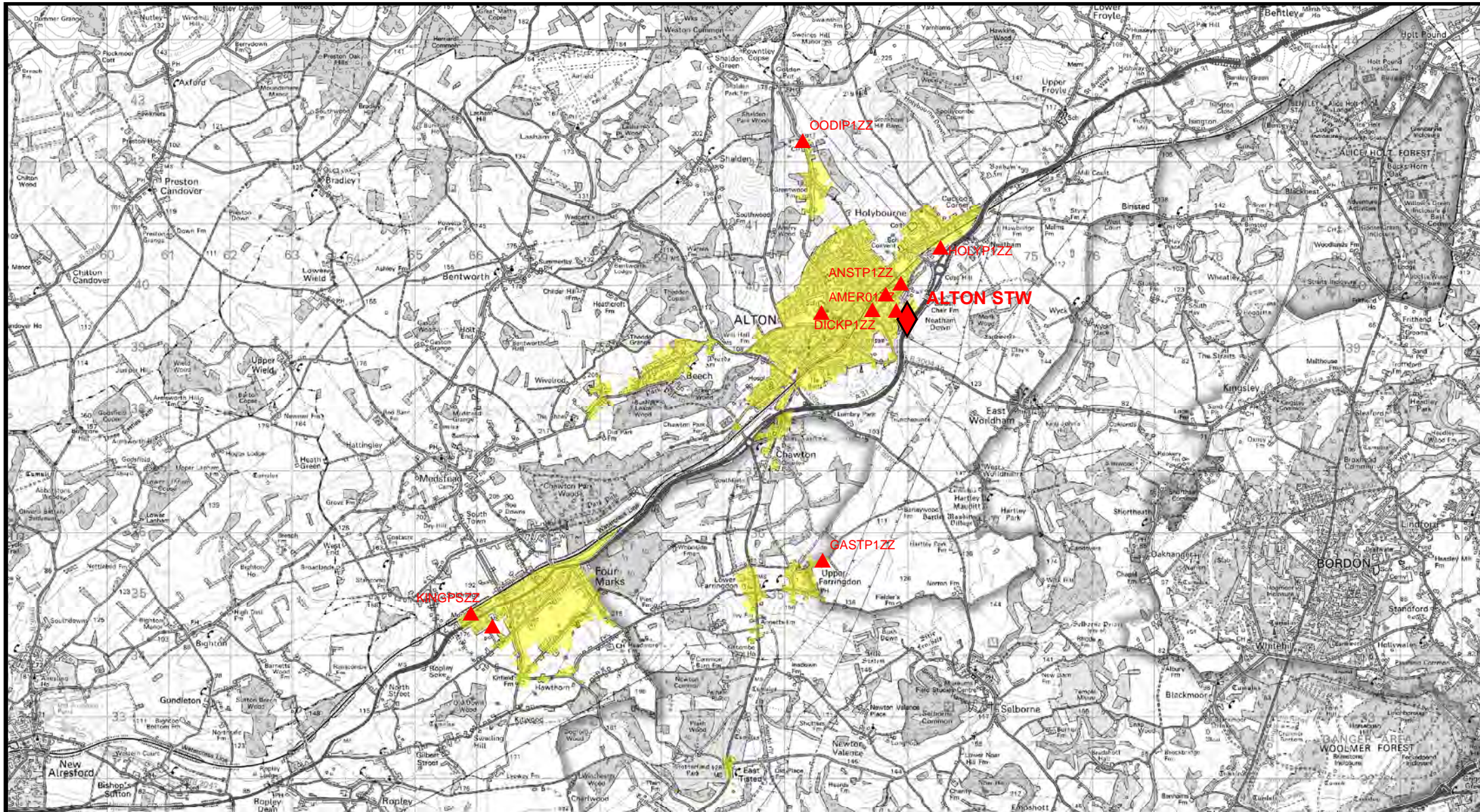
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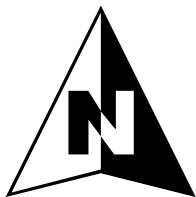
ALTON STW CATCHMENT AREA MAP



Printed On : 10/03/2017
 Catchment Name : ALTON STW
 Catchment Code : ALTOS1ZZ

Current Scale :
 1:83,440

Map Data Copyright Ordnance Survey.
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Legend

- ▲ SPS
- ◆ STWs
- Catchment Area



Technical Information

Clearwater Court
 Vastern Road
 Reading RG1 8DB





Sent by email to:
neighbourhoodplans@easthants.gov.uk



30th August 2019

East Hampshire – Beech Neighbourhood Plan Regulation 16 Version

Dear Sir/Madam,

Thank you for allowing Thames Water Utilities Ltd (Thames Water) to comment on the above.

As you will be aware, Thames Water are the sewerage undertaker/wastewater provider for the area and hence a “specific consultation body” in accordance with the Town & Country Planning (Local Planning) Regulations 2012. We have a number of comments on the consultation document as set out below:

Policy BPC14: Drainage Infrastructure Requirements

We support the Policy in principle, but consider that it requires improvement in relation to Wastewater/Sewerage Infrastructure.

Thames Water seeks to co-operate and maintain a good working relationship with local planning authorities in its area and to provide the support they need with regards to the provision of sewerage/wastewater treatment [and water supply] infrastructure.

Wastewater [and water supply] 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 and pollution of land and water courses and/or low water pressure.

A key sustainability objective for the preparation of Local Plans and Neighbourhood Plans should be for new development to be co-ordinated with the infrastructure it demands and to take into account the capacity of existing infrastructure. Paragraph 20 of the revised National Planning Policy Framework (NPPF), February 2019, states: “Strategic policies should set out an overall strategy for the pattern, scale and quality of development, and make sufficient provision for... infrastructure for waste management, water supply, wastewater...”

Paragraph 28 relates to non-strategic policies and states: “Non-strategic policies should be used by local planning authorities and communities to set out more detailed policies for specific areas, neighbourhoods or types of development. This can include allocating sites, the provision of infrastructure...”

Paragraph 26 of the revised NPPF goes on to state: “Effective and on-going joint working between strategic policy-making authorities and relevant bodies is integral to the production of a positively prepared and justified strategy. In particular, joint working should help to determine where additional infrastructure is necessary....”

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 to consider the net increase in wastewater [and water supply] demand to serve the development and also any impact that developments may have off site, further down the network. The Neighbourhood Plan should therefore seek to ensure that there is adequate wastewater [and water supply] infrastructure to serve all new developments. Thames Water will work with developers and local authorities to ensure that any necessary infrastructure reinforcement is delivered ahead of the occupation of development. Where there are infrastructure constraints, it is important not to under estimate the time required to deliver necessary infrastructure. For example: local network upgrades take around 18 months and Sewage Treatment & Water Treatment Works upgrades can take 3-5 years.

The provision of water treatment (both wastewater treatment and water supply) is met by Thames Water’s asset plans and from the 1st April 2018 network improvements will be from infrastructure charges per new dwelling.

From 1st April 2018, the way Thames Water and all other water and wastewater companies charge for new connections has changed. The economic regulator Ofwat has published new rules, which set out that charges should reflect: fairness and affordability; environmental protection; stability and predictability; and transparency and customer-focused service.

The changes mean that more of Thames Water’s charges will be fixed and published, rather than provided on application, enabling you to estimate your costs without needing to contact us. The services affected include new water connections, lateral drain connections, water mains and sewers (requisitions), traffic management costs, income offsetting and infrastructure charges.

Thames Water therefore recommends that developers engage with them at the earliest opportunity (in line with paragraph 26 of the revised NPPF) to establish the following:

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

Thames Water offer a free Pre-Planning service which confirms if capacity exists to serve the development or if upgrades are required for waste water, surface water [and potable water] requirements. Details on Thames Water’s free pre planning service are available at:

<https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Water-and-wastewater-capacity>

In light of the above comments and Government guidance we consider that the Neighbourhood Plan should include a specific reference to the key issue of the provision of sewerage/wastewater [and water supply] infrastructure to service development proposed in a policy. This is necessary because it will not be possible to identify all of the water/sewerage infrastructure required over the plan period due to the way water companies are regulated and plan in 5 year periods (Asset Management Plans or AMPs). We recommend the Neighbourhood Plan include the following policy/supporting text:

PROPOSED NEW WATER/WASTEWATER INFRASTRUCTURE TEXT

“Where appropriate, planning permission for developments which result in the need for off-site upgrades, will be subject to conditions to ensure the occupation is aligned with the delivery of necessary infrastructure upgrades.”

“The Local Planning Authority will seek to ensure that there is adequate water and wastewater infrastructure to serve all new developments. Developers are encouraged to contact the water/waste water company as early as possible to discuss their development proposals and intended delivery programme to assist with identifying any potential water and wastewater network reinforcement requirements. Where there is a capacity constraint the Local Planning Authority will, where appropriate, apply phasing conditions to any approval to ensure that any necessary infrastructure upgrades are delivered ahead of the occupation of the relevant phase of development.”

Comments in relation to SUDS:

With regard to surface water drainage it is the responsibility of the developer to make proper provision for drainage to ground, watercourses or surface water sewer. It is important to reduce the quantity of surface water entering the sewerage system in order to maximise the capacity for foul sewage to reduce the risk of sewer flooding.

Limiting the opportunity for surface water entering the foul and combined sewer networks is of critical importance to Thames Water. Thames Water have advocated an approach to SuDS that limits as far as possible the volume of and rate at which surface water enters the public sewer system. By doing this, SuDS have the potential to play an important role in helping to ensure the sewerage network has the capacity to cater for population growth and the effects of climate change.

SuDS not only help to mitigate flooding, they can also help to: improve water quality; provide opportunities for water efficiency; provide enhanced landscape and visual features; support wildlife; and provide amenity and recreational benefits.

With regard to surface water drainage, Thames Water request that the following paragraph should be included in the Neighbourhood Plan: ***“It is the responsibility of a developer to make proper provision for surface water drainage to ground, water courses or surface water sewer. It must not be allowed to drain to the foul sewer, as this is the major contributor to sewer flooding.”***

Comments on Housing Allocations

The information contained within the Neighbourhood Plan will be of significant value to Thames Water as we prepare for the provision of future infrastructure.

Thames Water are the waste water service provider for the area, Attached is a map showing Beech as part of the catchment area for Alton Sewage Treatment Works (STW).

A recent assessment of spare capacity at Alton STW indicates it can accommodate the forecasted growth (circa 17%) in population in the catchment up to 2040.

TW are aware of sewer flooding in Alton catchment, as identified in the drainage strategy for this area > <https://corporate.thameswater.co.uk/about-us/investing-in-our-network/Drainage-strategies/Stage-1>. We have been carrying out investigations and have repaired a number of defects that were found in the local sewers and are continuing to undertaking proactive monitoring in the area.

Proposed growth impacting this downstream area would likely result in us raising concerns from a network point of view and we would look to work with developers as soon as possible to understand their drainage strategies and ensure any necessary upgrades are in place to accommodate development.

Developers need to engage with us as soon as possible using our pre application service - <https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Water-and-wastewater-capacity>

It is essential that development doesn't outpace the delivery of infrastructure and where developers don't engage to discuss their development site needs it may appropriate for TW to seek a planning condition. The time to deliver infrastructure shouldn't be underestimated can take 18 months to 3 years depending on what's required.

Any off site upgrades required to serve the development will be delivered using monies collected through infrastructure charges - <https://www.thameswater.co.uk/-/media/Site-Content/Thames-Water/Help-and-Advice/Helpful-literature/Charges-and-tariffs/Infrastructure-Charges-Schedule-2019-20.pdf>

We trust the above is satisfactory, but please do not hesitate to contact David Wilson on the above number if you have any queries.

Yours faithfully

Thames Water Utilities Ltd

Beech Neighbourhood Plan - Regulation 16 Consultation Response **BEHNP-08**

Thurlow, Kevin

Mon 02/09/2019 10:39

To: EHDC - Neighbourhood Plans Shared <neighbourhoodplans@easthants.gov.uk>

📎 1 attachments (272 KB)

FINALEHDCResponse(Reg16).pdf;

Please find attached the planning policy response to the submission version (Regulation 16) of the Beech Neighbourhood Development Plan 2019-2028.

Please let me know if any further clarification is required.

Kind Regards

Kevin Thurlow

Principal Policy Planner

East Hampshire District Council

Penns Place, Petersfield GU31 4EX

Telephone: 01730 234297



If you are requesting information from East Hampshire District Council under the Freedom of Information Act or Environmental Information Regulations, you can submit and track your request online through a My East Hampshire District Council account. Go to <https://my.easthants.gov.uk/services/foirequest> to get started.

If you would prefer not to set up an account or are making a query under the Data Protection Act, please email info-requests@easthants.gov.uk

Enquiries to: Planning Policy

Direct line: 01730 234102

Email: localplan@easthants.gov.uk

My reference: BNP16

Your reference:

Date: 1st September 2019

FAO Beech Parish Council and the Neighbourhood Plan Working Group

Beech Neighbourhood Development Plan: Regulation 16 Submission Version

Thank you for consulting East Hampshire District Council (“EHDC”) on the submission version of the Beech Neighbourhood Development Plan. EHDC welcomes the opportunity to comment on Neighbourhood Plans in its role of supporting Neighbourhood Planning groups and has previously responded to the consultation version (Regulation 14) of the Beech Neighbourhood Plan in a letter dated 22 March 2019. Where it is relevant to do so, reference has been made to that previous consultation response below.

Generally speaking, EHDC commends the effort that has gone into preparing the Beech Neighbourhood Plan and particularly into addressing the shortcomings of the consultation version. The submission version includes some significant improvements to earlier versions of its policies. In addition, the Neighbourhood Plan now contains appropriate references to the work that EHDC is undertaking in reviewing its local plan.

More detailed comments are provided on specific chapters under the headings below. For sake of clarity, EHDC considers the policies of the East Hampshire District Local Plan: Joint Core Strategy (adopted June 2014) to be the relevant strategic policies for this neighbourhood plan.

1. Introduction

Sections 1.1 and 1.2 have been amended to address EHDC’s previous comments and these sections are supported. Reference to the fact that ‘a neighbourhood development plan cannot be used to stop development’ (section 1.1) is welcome, but it is important that the Beech Neighbourhood Plan also reflects the positive approach to new development that is described at this point in the document. Further comments on the issue of consistency between this text and the policies of the plan, which affects basic conditions d) and e) for neighbourhood planning¹, are made below; especially with regard to policies BPC03 and BPC06.

¹ Planning Practice Guidance, Neighbourhood planning, paragraph 065 (Reference ID: 41-065-20140306)

5. Policies

The note on page 14 of the Beech Neighbourhood Plan advises that ‘the policies in this Plan include provisions that may duplicate those in the policies in EHDC’s Local Plan: Joint Core Strategy’. Whilst it is understood that this is intended ‘to protect the interests of Beech’, in the time lag between the adoption of the emerging Local Plan 2017-2036 and the revision of the Neighbourhood Plan, this approach raises important issues relating to general conformity with the strategic policies of the Local Plan.

As noted in the text of the Neighbourhood Plan, the final versions of the policies of the Local Plan 2017-2036 are unknown. The Beech Neighbourhood Plan cannot therefore take account of what will or will not be in those policies; and so, it is possible that duplication of strategic policies from the Joint Core Strategy would present conflicts with the Local Plan 2017-2036. If there was any conflict, the repetition of the Joint Core Strategy policies within the Neighbourhood Plan would not serve the purposes of maintaining its policy position, but these Neighbourhood Plan policies would be superseded². Simply put, the suggested approach is misleading and invites false belief that the policies of the Neighbourhood Plan would continue to hold significant weight until the Neighbourhood Plan is revised. EHDC therefore advises that the note on page 14 is deleted from the Neighbourhood Plan.

Related to the foregoing, the Neighbourhood Plan needs to be in general conformity with EHDC’s Joint Core Strategy. National Planning Practice Guidance advises that the matter of whether a draft neighbourhood plan policy is in general conformity with the strategic policies of a local plan should take account of whether a draft neighbourhood plan policy includes an additional level of detail and/or a distinct local approach to that set out in a strategic policy. It is clear that the intention is to ensure that a new policy “adds value” to decision-taking and does not simply repeat what is supplied elsewhere. Indeed, the simple repetition of a strategic policy within a neighbourhood plan would conflict with paragraph 17 of the National Planning Policy Framework (NPPF), which does not enable a neighbourhood plan to contain strategic policies. The suggested approach of the Neighbourhood Plan therefore also raises a general concern with basic condition a). This general concern is further discussed below, as it applies to specific draft policies.

Policy BCP01

EHDC commends the improvements to this policy since the pre-submission version of the Neighbourhood Plan and notes that it now includes local references which identify biodiversity and green infrastructure assets of particular importance in Beech. This policy now appears to be in general conformity with policies CP21 and CP28 of the Joint Core Strategy and does not simply reiterate strategic policies.

Policy BCP02

EHDC’s response to BPC02 in the pre-submission Neighbourhood Plan noted that the earlier version of this policy did not add to the strategic policy requirements for development in the countryside that are contained within the Joint Core Strategy. Although some amendments have been made to the earlier version of this policy, it remains repetitive and does not significantly add to strategic policy CP19 of the Joint Core Strategy. Specifically, the statement that *‘the only development that will be allowed will be developed that has a need to be located in a countryside location, either for purposes of agricultural*

² See paragraph 30 of the National Planning Policy Framework, February 2019

[sic], *forestry or other rural enterprise*' can be deleted as unnecessary; it does not add anything additional to the strategic policy.

Part b) of BPC02 does not in-itself provide a distinctive local approach to development and it cannot override the statutory requirement to consider whether material considerations indicate that planning applications should be determined contrary to the development plan. It does not therefore add anything to the substantive policies of the development plan and should also be deleted.

Policy BCP03

EHDC welcomes the fact that the “non-coalescence” areas (shown in Maps 3 and 4) have been reduced in size compared to those included in the Regulation 14 version of the Neighbourhood Plan. However, the policy still includes areas where there is little or no apparent risk of coalescence between distinct settlements. Therefore, the policy as written appears to conflict with the requirement for plans to be positively prepared (paragraph 16, NPPF) and could act to promote less development than set out in the strategic policies of the Joint Core Strategy (cf. paragraph 29, NPPF), by impeding development that might otherwise accord with the development plan and represent sustainable development. As written, the policy therefore raises concern with regard to basic condition a). The following bullet points give further details in relation to Maps 3 and 4:

- The southernmost part of the Beech/Alton non-coalescence area includes areas of ancient woodland that are also recognised as forming part of a local wildlife site (a Site of Importance for Nature Conservation). These areas are already protected from urbanising development by virtue of policy CP21 of the Joint Core Strategy and paragraph 175 (part c)) of the NPPF. No development proposals have been put forward for the development of this land either within the existing plan period (to 2028) or for the emerging Local Plan, to 2036. The inclusion of this area within Map 3 is therefore unnecessary and it can be omitted from the designation;
- The area identified as ‘land in Alton earmarked for new housing’ (Map 3) is misleading. Some of these areas have planning permission/are being developed for housing and form part of the Alton Neighbourhood Plan, so these areas could be identified; but the northernmost area that adjoins the parish boundary has only appeared in the draft Local Plan 2017-2036 (as part of proposal SA19), which carries minimal weight. It is not ‘earmarked for housing’, but has been consulted upon for this use and other forms of development. The Council has yet to make a decision on the allocation or omission of this land for development in the period to 2036 and as such it is unnecessary and potentially false to identify this land as shown in Map 3. It can be omitted from ‘land in Alton earmarked for new housing’. In connection with this, the supporting text of paragraph 4 is unduly negative, in particular the alarming and misguided metaphor that Alton is “marching closer” to Beech. This text can also be deleted;
- Whilst the identification of some of the intervening areas of land between the settlement of Beech and the edge of Alton (Map 3), particularly along the A339 and the Medstead Road, appears reasonable; land to the east of the A339 and north of the junction with the Medstead Road features areas of ancient woodland and adverse topography for development. Furthermore, this area is visually enclosed from the public highway and does not appear to visually connect Alton or Beech, in terms of built form, from public rights of way. There appears to be little justification for including this land within BPC03 and it can be deleted;
- The identification of land between Beech and Medstead (Map 4) also appears excessive. Farmland immediately to the north of Chawton Park Wood does not obviously separate areas of development, nor is it likely to be visible from Abbey Road. In general, there is very little evidence of development pressure in this area, with only two (relatively small) sites submitted

for consideration to the Local Plan 2017-2036, both of which are positioned close to the existing settlement of Beech. The threat of coalescence with Medstead appears to be low and is further diminished by existing protective landscape and countryside policies of the Joint Core Strategy (CP20, CP19 and CP6). It would be more appropriate to reduce the extent of the “non-coalescence area” to include only those fields that adjoin Abbey Road. Alternatively, this area and Map 4 could be deleted.

The text of the first paragraph of the policy is unduly restrictive, pertaining as it does to a simple increase in the risk of coalescence, rather than to preventing development that would have or contribute towards the effect of coalescence itself. As written, policy BPC03 goes further than CP23 of the Joint Core Strategy in addressing the possibility of coalescence, but as indicated in the bullet points above, there appears to be insufficient justification for such an approach. Other policies in the development plan would support development having the need for a countryside location in these areas. The policy as written does not therefore appear to be in general conformity with relevant policies of the Joint Core Strategy. To first paragraph of BPC03 could be redrafted to read:

Development will only be permitted in the non-coalescence areas shown in Maps 3 and 4 if 1) it would not contribute, either visually or physically, towards the coalescence of Beech and Alton or of Beech and Medstead/Wivelrod; and 2) it cannot be located elsewhere.

Finally and as noted in EHDC’s response to the Regulation 14 Neighbourhood Plan, please note that the term ‘curtilage’ is used within development management with specific regard to the land that might benefit from permitted development rights. The intention to restrict development in these areas may therefore be incapable of being satisfied in many instances. The clause: ‘or any increased intensification of development within existing curtilages’ can be deleted.

Policy BCP04

EHDC commends this policy and its support for protecting a locally important heritage asset, set within its own parkland setting.

Policy BCP05

EHDC commends this policy, in particular its support for enhancing and/or improving local recreational facilities.

Policy BPC06

EHDC understands the desire to conserve the special character of the existing housing development in the settlement of Beech. Saved Policy H10 contains guidance for maintaining the character of the designated ‘special housing area’; however, EHDC recognises that this guidance needs to be considered in the context of the NPPF with its presumption in favour of sustainable development. The draft Local Plan 2017-2036 therefore proposed a different, more flexible and positive approach to considering residential development in areas such as the settlement of Beech (see policy DM30: Residential design in low-density neighbourhoods). This was based on evidence in the form of the Neighbourhood Character Study (NCS) for East Hampshire District Council (December 2018, produced by Hampshire County Council and available at: <https://www.easthants.gov.uk/neighbourhood-character-study>). It is noteworthy that the NCS advises:

‘whilst these Saved Policies [H9 and H10] have been a valuable way to identify and protect areas with special characteristics to date, there are other more effective options for continued protection/promotion

of those qualities that make them special...Strengthening both the Core Policy on Design and on Green Infrastructure to cover residential scale green infrastructure should provide adequate policy direction to guide expectations for development. An updated policy on design that emphasises designing in context and promotes green infrastructure, should protect the characteristics of the current 'Special Character Areas' (paragraphs 7.2-7.3, p.215).

It is therefore disappointing to note that part g) of policy BPC06 effectively repeats part e) of policy H10, with a specified plot size that is out-of-step with the positive and context-specific approach to design that has been advised on the basis of locally-specific evidence. The retention of this requirement is suggested on the basis of the Beech Landscape Character Assessment (paragraph 4, page 25 of the Beech Neighbourhood Plan); however, the LCA provides no analysis of existing plot sizes so its recommendation on this matter is not evidence based. As a matter of fact, the general characteristics of Beech Special Housing Area may be characterised as follows:

The study area density is generally very low at around 4dpha. The size of building footprint varies but the mid range is 90 m². Plot size also varies from around 0.74 ha to around 0.07 ha. (page 71, NCS)

It does not therefore seem reasonable to restrict new residential development to plot sizes of 0.2 hectares or more, as this could artificially constrain development opportunities in Beech. This would thwart the intent of strategic policy CP10 of the Joint Core Strategy, which is to accommodate housing development within existing settlement policy boundaries in the first instance. Part g) can therefore be deleted.

Turning to the other parts of BPC06, similar concerns of an unduly restrictive approach to development apply. Parts c), e), f), g) and h) are negatively worded, giving the impression that development is prevented rather than facilitated—where it would be appropriate—by the policy. The following bullet points identify specific concerns:

- Part c) suggests that the “line formed by the roof tops of neighbouring buildings”, when viewed from the highway should not be altered by new development. It is not specified which highways within the parish are relevant, so the requirement is unclear in its geographical scope. It is also unclear how this requirement would be implemented within an area, with the visibility of this line, its precise meaning, and the position of the observer on the highway in relation to the buildings all being arguable and potentially dubious in situ. No measurable dimensions are specified. This part of BPC06 does not appear to meet the terms of paragraph 16 of the NPPF and can be deleted;
- Reference to the scale of development in part d) is unnecessary, given part b). This part of the policy also assumes that there would be an existing building line relevant to a development site, which may not be the case outside of the settlement of Beech (i.e. in the more rural parts of the parish). Once again, this creates ambiguity in how the policy is to be implemented and raises concerns in terms of paragraph 16 of the NPPF. Part d) can therefore be deleted;
- Part e) does not provide sufficient clarity as to the meaning of ‘a location that is significantly further up a hillside’. It is also unclear how the position of new development on a hillside would generally lead to adverse impacts. Supporting text at paragraph 3 of page 24 suggests that the intention is to ensure the protection of the village skyline against the mature green infrastructure; it is therefore not the position of a new building per se, but the visual impact of development by removing or obscuring mature green infrastructure. The effect of part e) may once again be to thwart the intent of strategic policy CP10 by preventing otherwise acceptable development. Part e) can be deleted or otherwise re-worded to refer to enhancing and avoiding the loss, either visually or physically, of mature green infrastructure through the design of new residential development;

- No justification has been put forward for the prevention of any further backland development along Medstead Road, as detailed in part f). Once again, this appears to be an unduly negative approach to new housing development on the part of the Neighbourhood Plan. If the intention is to protect the wooded skyline backdrop to development, an approach that addresses that issue directly would be more suitable (see above) and need not raise concerns with compliance with national policy or conformity with strategic policy CP10. Part f) can be deleted;
- Part h) is unduly restrictive and disproportionate in its effect. The key issues to be addressed by development in respecting local character (such as respecting existing densities, avoiding loss of and enhancing green infrastructure) should be identified through BPC06. A general proscription of residential development along Welhouse Lane is inappropriate as it significantly constrains the ability of Beech settlement to accommodate new housing development in line with CP10 of the Joint Core Strategy. Part h) can be deleted.

Policy BPC07

There is overlap between this policy and BPC06 (for example, BPC06 deals with the scale and massing of new residential buildings, which is an intrinsic part of their design) and there is some reiteration of Policy CP27 from the Joint Core Strategy (part d) does not add significantly to policy relating to lighting for development). Reference to 'outlook' in part b) is unclear and can be deleted. Generally speaking however, this policy raises few concerns in terms of its conformity with the Joint Core Strategy.

Policy BPC08

The support offered by this policy for the development of smaller properties and starter homes, based on the results of the village questionnaire, is laudable. However, it is unclear how this policy could be implemented in the context of the restrictive criteria of BPC06, which are likely to discourage or otherwise prevent the development of residential properties that would be smaller than the current building stock. The encouragement provided for the development of starter homes and for properties for downsizing more adequately represents the positive approach to plan-making that is required by the NPPF. No changes suggested.

Policy BPC09

EHDC commends the support offered by this policy for the creation or expansion of new businesses.

Policy BPC10

Part a), which is a new addition to the Regulation 16 version of the Neighbourhood Plan, does not add to the requirements of Policy CP31 of the Joint Core Strategy. CP31 already ensures that development proposals both consider and address (through highway design) the need for highway safety, including for pedestrians and cyclists; and that they ensure that the type and volume of traffic generated does not harm the rural character of local roads. It is therefore unnecessary and can be deleted.

Part c) continues to include several very specific requirements that are unclear for purposes of their implementation. For example, it is not clear how a development proposal would demonstrate that vehicles could enter and leave the plot in forward gear, given that the potentially wide meaning of 'vehicle' (and therefore the variety of vehicle sizes). This part of the policy appears unduly prescriptive: the characteristics of a proposed development site and its environs may enable highway safety to be

effectively ensured without specific provision for turning space or for “safe space for entrance gates”. Moreover, the potential adverse impacts of (e.g.) out-of-curtilage parking, which could be proposed as such “safe space”, on the rural or semi-rural character of the local streetscene do not appear to have been recognised. Generally speaking, the justification for these specific requirements is one of highway safety, which is a matter already dealt with through Policy CP31. This part of Policy BPC10 can therefore be deleted.

Policy BPC11

EHDC commends this policy, in particular its support for enhancing and/or improving local transport infrastructure.

Policy BPC12

This policy introduces parking standards that differ from those recently adopted by EHDC through its Vehicle Parking Standards Supplementary Planning Document (July 2018). The claim that car reliance and car ownership levels are high in Beech neglects to consider that this is also the case in other rural parts of East Hampshire for which the parking standards are considered appropriate. The provision of three car parking spaces for a three-bedroom property that is intended as a starter home (see Policy BPC08) would appear, on face value, excessive. The local evidence requiring these standards should be made explicit. In the absence of such evidence, this policy can be deleted.

Policy BPC14

This policy is not in general conformity with Policy CP25: Flood Risk of the Joint Core Strategy. Specifically, it does not accord with the preference for the use of SuDS to deal with surface water, in order to avoid or mitigate any increased flood risk arising from new development. The second sentence of part a) of this policy should be redrafted to accord with CP25.

I trust that the above comments are useful for informing a review of the Regulation 16 Neighbourhood Plan, prior to examination. Planning officers from the Planning Policy Team can provide further clarification of the points made above, should it be required.

Yours sincerely



Victoria Potts

Planning Policy Team Manager

 Delete ...

BEHNP-09

Re: Beech Neighbourhood Plan - Regulation 16 consultation

JF

Mon 02/09/2019 11:50

EHDC - Neighbourhood Plans Shared; Michael Dinn [REDACTED] > +1 other



Appendix 1 - Beech NP Reg 1...
195 KB

Appendix 2 - Location Plan.pdf
2 MB

 Show all 3 attachments (3 MB) Download all Save all to OneDrive – Capita Councils Partnership

Re: Beech Neighbourhood Plan – Regulation 16 consultation

Please find attached Gladman's response to the above consultation.

I would be grateful if you could confirm receipt of this email and its contents.

Yours faithfully,

[REDACTED]

Beech
Neighbourhood Development Plan

**Regulation 16 Consultation
Submission Version**



September 2019

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Appendix 1 – Gladman Regulation 14 consultation response

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1 INTRODUCTION

1.1 Context

1.1.1 Gladman specialise in the promotion of strategic land for residential development and associated community infrastructure. From this experience, we understand the need for the planning system to deliver the homes, jobs and thriving local places that the country needs.

1.1.2 These representations provide Gladman's response to the current consultation on the submission version of the Beech Neighbourhood Plan (BNP) under Regulation 16 of the Neighbourhood Planning (General) Regulations 2012.

1.1.3 The BNP has been prepared in a time of transition between the NPPF (2012), NPPF (2018) and the NPPF (2019). As the Neighbourhood Plan was submitted to the Council after the 24th January 2019 deadline, the examination of the BNP will be undertaken in accordance with the policies set out in the NPPF(2019). It is important that the Neighbourhood Plan is in accordance with the changes required by the Revised Framework and the changes made to the Planning Practice Guidance to ensure the Plan's compliance with the basic conditions.

1.1.4 Gladman has been involved throughout the plan preparation process of the BNP having submitted written representations in response to the Regulation 14 consultation in April 2019. Despite our previous representations, it appears that no reference has been made to our representations in the supporting Consultation Statement. As such, outstanding objections to the Plan remain and this response seeks to build upon our previous submissions.

1.1.5 Through these representations, Gladman provides an analysis of the BNP and the policy decisions promoted within the draft Plan. Comments made by Gladman through these representations are provided in consideration of the BNP suite of policies and its ability to fulfil the Neighbourhood Plan Basic Conditions as established by paragraph 8(2) of Schedule 4b of the Town and Country Planning Act 1990 (as amended) and supported by the Neighbourhood Plan chapter of the PPG¹.

1.1.6 These representations will focus on the following matters:

- Legal compliance;

¹ Section ID: 41

- National Planning Policy and Guidance;
- Neighbourhood plan policies;
- Site submission

2 LEGAL REQUIREMENTS, NATIONAL POLICY & GUIDANCE

2.1 Legal Requirements

2.1.1 Before a neighbourhood plan can proceed to referendum it must be tested against a set of basic conditions set out in paragraph 8(2) of Schedule 4b of the Town and Country Planning Act 1990 (as amended). The Basic Conditions that the BNP must meet are as follows:

- a) Having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the neighbourhood plan;
- b) Having 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, it is appropriate to make the order;
- c) Having regard to the desirability of preserving or enhancing the character or appearance of any conservation area, it is appropriate to make the order;
- d) The making of the neighbourhood plan contributes to the achievement of sustainable development;
- e) The making of the neighbourhood plan is in general conformity with the strategic policies contained within the development plan for the area of the authority; and
- f) The making of the neighbourhood plan does not breach, and is otherwise compatible with, EU obligations.
- g) The making of the neighbourhood plan does not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017.

2.1.2 Through the preparation of the neighbourhood plan it is important for the Steering Group to ensure that the policies contained in the Plan are in accordance with the Basic Conditions as set out above. If regard has not been given to the basic conditions through the drafting of policies that are to be contained in the neighbourhood plan, then there is a real risk that the policies may be found inconsistent with the basic conditions when the plan reaches independent examination and may be unable to proceed to referendum.

2.2 National Planning Policy Framework, & Planning Practice

Guidance

National Planning Policy Framework

2.2.1 On 24th July 2018, the Ministry of Housing, Communities and Local Government (MHCLG) published the Revised National Planning Policy Framework (NPPF2018). This publication forms the first revision of the Framework since 2012 and implements changes that have been informed through the Housing White Paper, The Planning for the Right Homes in the Right Places consultation and the draft NPPF2018 consultation. This version was itself superseded on the 19th February 2019, when MHCLG published a further revision to the NPPF (2019) which implements further changes to national policy, relating to the Government's approach for Appropriate Assessment as set out in Paragraph 177, clarification to footnote 37 and amendments to the definition of 'deliverable' in Annex 2.

2.2.2 The NPPF (2019) sets out the Government's planning policies for England and how these are expected to be applied. In doing so it sets out the requirements of the preparation of neighbourhood plans within which locally-prepared plans for housing and other development can be produced. Crucially, the changes to national policy reaffirms the Government's commitment to ensuring up to date plans are in place which provide a positive vision for the areas which they are responsible for to address the housing, economic, social and environmental priorities to help shape future local communities for future generations. In particular, paragraph 13 states that:

"The application of the presumption has implications for the way communities engage in neighbourhood planning. Neighbourhood plans should support the delivery of strategic policies contained in local plans or spatial development strategies; and should shape and direct development that is outside of these strategic policies."

2.2.3 Paragraph 14 further states that:

"In situations where the presumption (at paragraph 11d) applies to applications involving the provision of housing, the adverse impact of allowing development that conflicts with the neighbourhood plan is likely to significantly and demonstrably outweigh the benefits, provided all of the following apply:

a. The neighbourhood plan became part of the development plan two years or less before the date on which the decision is made;

b. The neighbourhood plan contains policies and allocations to meet its identified housing requirement;

c. The local planning authority has at least a three-year supply of deliverable housing sites (against its five-year supply requirement, including the appropriate buffer as set out in paragraph 73); and

d. The local planning authority's housing delivery was at least 45% of that required over the previous three years."

2.2.4 The NPPF (2019) also sets out how neighbourhood planning provides local communities with the power to develop a shared vision for their area in order to shape, direct and help deliver sustainable development needed to meet identified housing needs. Neighbourhood plans should not promote less development than set out in Local Plans and should not seek to undermine those strategic policies. Where the strategic policy making authority identifies a housing requirement for a neighbourhood area, the neighbourhood plan should seek to meet this figure in full as a minimum. Where it is not possible for a housing requirement figure to be provided i.e. where a neighbourhood plan has progressed following the adoption of a Local Plan, then the neighbourhood planning body should request an indicative figure to plan for taking into account the latest evidence of housing need, population of the neighbourhood area and the most recently available planning strategy of the local planning authority.

2.2.5 In order to proceed to referendum, the neighbourhood plan will need to be tested through independent examination in order to demonstrate that they are compliant with the basic conditions and other legal requirements before they can come into force. If the Examiner identifies that the neighbourhood plan does not meet the basic conditions as submitted, the plan may not be able to proceed to referendum.

2.3 Planning Practice Guidance

2.3.1 Following the publication of the NPPF (2018), the Government published updates to its Planning Practice Guidance (PPG) on 13th September 2018 with further updates being made in the intervening period. The updated PPG provides further clarity on how specific elements of the Framework should be interpreted when preparing neighbourhood plans.

2.3.2 Although a draft neighbourhood plan must be in general conformity with the strategic policies of the adopted development plan, it is important for the neighbourhood plan to provide flexibility and consider the reasoning and evidence informing the emerging Local Plan which

will be relevant to the consideration of the basic conditions against which a neighbourhood plan is tested against. For example, the neighbourhood planning body should take into consideration up-to-date housing needs evidence as this will be relevant to the question of whether a housing supply policy in a neighbourhood plan contributes to the achievement of sustainable development. Where a neighbourhood plan is being brought forward before an up-to-date Local Plan is in place, the qualifying body and local planning authority should discuss and aim to agree the relationship between the policies in the emerging Neighbourhood Plan, the emerging Local Plan and the adopted Development Plan². This should be undertaken through a positive and proactive approach working collaboratively and based on shared evidence in order to minimise any potential conflicts which can arise and ensure that policies contained in the neighbourhood plan are not ultimately overridden by a new Local Plan.

- 2.3.3 It is important the neighbourhood plan sets out a positive approach to development in their area by working in partnership with local planning authorities, landowners and developers to identify their housing need figure and identifying sufficient land to meet this requirement as a minimum. Furthermore, it is important that policies contained in the neighbourhood plan do not seek to prevent or stifle the ability of sustainable growth opportunities from coming forward.
- 2.3.4 Accordingly, the BNP will need to ensure that it considers the latest guidance issued by the SoS so that it can be found to meet basic conditions (a) and (d).

² PPG Reference ID: 41-009-20160211

3 DEVELOPMENT PLAN

3.1 Adopted Development Plan

- 3.1.1 To meet the requirements of the Framework and the Neighbourhood Plan Basic Conditions, neighbourhood plans should be prepared to conform to the strategic policy requirements set out in the adopted Development Plan.
- 3.1.2 The adopted Development Plan relevant to the preparation of the BNP, and the Development Plan which the SNP will be tested against, consists of the East Hampshire Joint Core Strategy (2014) and the Housing and Employment Allocations DPD (2016).
- 3.1.3 The East Hampshire Joint Core Strategy sets out the vision, objectives, spatial strategy and the overarching policies to guide development in East Hampshire over the plan period. The Joint Core Strategy determined that East Hampshire would be required to deliver 10,060 dwellings over the period 2011 to 2028.

3.2 Emerging Development Plan

- 3.2.1 The Council is currently in the process of preparing a new Local Plan. The new Local Plan will only cover areas of East Hampshire outside of the South Downs National Park, and, once adopted it will replace the Joint Core Strategy.
- 3.2.2 The Council previously undertook a six-week consultation between 5th February 2019 until 19th March 2019. The Council anticipates that a further consultation will commence on 3rd September to 15th October and will focus on large development sites.
- 3.2.3 As the emerging Local Plan has not reached an advanced stage in preparation it is essential that the BNP allows for flexibility so that it can respond positively to changes in circumstance which might arise over the plan period i.e. an increase in the amount of housing required by a new Local Plan or additional allocations are required within the neighbourhood plan area. This degree of flexibility is required to ensure that the BNP is capable of being effective over the duration of its plan period and not ultimately superseded by s38(5) of the Planning and Compulsory Purchase Act 2004 which states that:

“if to any extent, a policy contained in a development plan for an area conflicts with another policy in the development plan the conflict must be resolved in favour of the policy which is contained in the last document to be adopted, approached, or published (as the case may be).”

4 BEECH NEIGHBOURHOOD PLAN

4.1 Context

4.1.1 These representations are made in response to the current consultation on the submission version of the BNP, under Regulation 16 of the Neighbourhood Planning (General) Regulations 2012. This chapter of the representation highlights the key points that Gladman raise with regard to the content of the BNP as currently proposed. As currently proposed, Gladman believe that a number of the policies are not consistent with the basic conditions and require modification or deletion.

4.2 Neighbourhood Plan Policies

4.3 Policy BPC02: Development outside the Settlement Policy Boundary

4.3.1 The above policy states that land outside the Beech Settlement Policy Boundary as illustrated by Map 2 will be considered as countryside and development will only be allowed in a narrow set of circumstances for the purposes of agricultural, rural exception sites, previously developed land or the need for essential utilities infrastructure that cannot be located elsewhere.

4.3.2 Gladman would be opposed to the use of a settlement boundary if this were to preclude the delivery of otherwise sustainable development opportunities from coming forward on the edge of Beech. Indeed, the approach taken by the above policy mirrors the approach required by previous national policy contained in PPS7 which sought to protect the countryside for its own sake. Indeed, the approach taken here causes policy tension over the direction of growth in the emerging Local Plan and its recognition that Alton will play a role in delivering sustainable growth opportunities to meet identified needs. As such, the implications of this policy will serve to restrict growth opportunities within the neighbourhood area which lie adjacent to Alton and would not contribute to the achievement of sustainable development in higher order settlements.

4.3.3 As discussed above, there is currently uncertainty over the level of future development needed within the local authority area and how the Council will seek to accommodate its housing need. Until such time that the District Council has confirmed the future level of development

that will need to be delivered in Beech there can be no assurances that the BNP's policies and developments can positively plan for this level of growth.

4.3.4 In this context, Gladman submit that it would be premature to impose a revised development limit around Beech through the BNP process at the present time. The lack of any clarity over the future housing needs of the settlement and wider borough further emphasises the need to have a flexible policy on future development within and adjoining the edge of the settlement.

4.3.5 Gladman recommend that the above policy is modified so that it allows for a degree of flexibility. The following wording is put forward for consideration:

“When considering development proposals, the Neighbourhood Plan will take a positive approach to new development that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. Applications that accord with the policies of the Development Plan and the Neighbourhood Plan will be supported particularly where:

- **Provide new homes including market and affordable housing; or**
- **Opportunities for new business facilities through new or expanded premises;**
or
- **Infrastructure to ensure the continued vitality and viability of the neighbourhood area.**

Development adjacent to the existing settlement will be permitted provided that any adverse impacts do not significantly and demonstrably outweigh the benefits of development.”

4.3.6 Indeed, this approach was taken in the examination of the Godmanchester Neighbourhood Plan. Paragraph 4.12 of the Examiner's Report states:

“...Policy GMC1 should be modified to state that “Development ...shall be focused within or adjoining the settlement boundary as identified in the plan.” It should be made clear that any new development should be either infill or of a minor or moderate scale, so that the local distinctiveness of the settlement is not compromised. PM2 should be made to achieve this flexibility and ensure regard is had to the NPPF and the promotion of sustainable development. PM2 is also needed to ensure that the GNP will be in general conformity with the aims for new housing development in the Core Strategy and align with similar aims in the emerging Local Plan.”

4.4 Policy BP03: Preventing Coalescence with Alton

4.4.1 The above policy states that development will not be permitted in the non-coalescence areas identified on Maps 3 and 4 if, individually or cumulatively, they would increase the risk of coalescence between Beech and Alton or between Beech and Medstead/Wivelrod and that any development should not diminish the separate identify of each settlement by reducing the openness and visual breaks between settlements.

4.4.2 Gladman reiterate the comments submitted to the Regulation 14 consultation. The adopted Joint Core Strategy does not identify any land in this location as a Green Gap. Gladman submit that the identification of a Local Gap is considered to be a strategic policy that should only be confirmed in an adopted Local Plan based on robust evidence. A Local Gap has not been identified in the adopted Development Plan and it is unlikely that one will be adopted in the emerging Local Plan given the Council's preference to the continued western expansion of Alton. Indeed, there is conflict between the BNP and the emerging Local Plan which actually seeks to allocate a site within the proposed area of non-coalescence.

4.4.3 Gladman note the Examiner's Report to the Tarvin Neighbourhood Plan which dealt with a similar issue. Paragraph 4.20 states:

"Furthermore, Policy HG5, as drafted, would prevent the building of any new housing development and other significant built structures, except for leisure facilities. This policy would be more restrictive on development than that for Green Belts and would be tantamount to an unacceptably extensive tract of Local Green Space. In my opinion, the policy designation would be equivalent to a "back door" way to try to achieve what would amount to a new area of Green Belt by another name. This is explicitly discouraged by national guidance...."

4.4.4 All settlements can play a role in delivering sustainable development in rural areas and should not seek to prevent the ability of neighbouring settlements from expanding. Indeed, the PPG clearly states:

"A wide range of settlements can play a role in delivering sustainable development in rural areas, so blanket policies restricting housing development in some types of settlements will need to be supported by robust evidence of their appropriateness."³

³ PPG Reference ID: 67-009-20190722

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- 4.4.5 Whilst Gladman note that a Landscape Character Assessment has now been prepared to support the submission version of the Plan, Gladman do not consider that this piece of evidence is sufficiently robust to support the proposed designation as it does not provide an evaluation of their relative performance in preventing coalescence. As such, Gladman do not consider that the above policy is supported by proportionate and robust evidence and is therefore inconsistent with the approach required by national policy and guidance.
- 4.4.6 Gladman submits that new development can often be located in countryside gaps without leading to the physical or visual merging on settlements, eroding the sense of separation between them or resulting in the loss of openness and character. Gladman would therefore question the purpose of this policy given that it is of a strategic nature and goes beyond the remit of the neighbourhood plan.
- 4.4.7 Notwithstanding the above, if this policy is to be retained then it will need to be supported by robust evidence and be modified so that it allows for a balancing exercise to be undertaken which assesses any harm to the visual or functional separation of settlements against the benefits of a proposal rather than a blanket restriction of many forms of development as is currently the case.

4.5 Policy BPC04: Preservation of Amenity of Historic Parkland

- 4.5.1 The above policy in effect seeks to create an artificial 'setting' surrounding the 'historic parkland' of Thedden Grange using defined field margins as its boundaries. The setting of heritage assets is discussed at NPPF paragraphs 190 and 194, whilst definitions are provided in the NPPF glossary. Here, the NPPF states that the setting of a heritage asset is not fixed and may change as the asset and its surroundings evolve.
- 4.5.2 Further, it should be noted that Thedden Grange is not a listed building, nor are its grounds recorded as a listed park and garden. The location is not part of or adjacent to a conservation area and it is not a locally listed building. Accordingly, there is little historical or landscape importance to protect, that is not already contained by the immediate setting of the property's curtilage.
- 4.5.3 Policy BPC04 is therefore contrary to national policy by attempting to define the extent of a setting surrounding a building which is not considered to be a heritage asset and is therefore in conflict with basic condition (a).

4.6 Policy BPC06: Development Setting and Scale

- 4.6.1 The above policy sets out a list of criteria-based design principles for development proposals to be acceptable within the neighbourhood plan area. In this regard, Gladman submit that planning policies should not be overly prescriptive and need flexibility in order for schemes to respond to site specifics and character of the local area. There is no 'one size fits all' solution in relation to design and sites should be considered on a site by site basis with consideration given to various design principles.
- 4.6.2 The stipulations of Policy BPC06 appear to be somewhat onerous in relation to smaller developments which may have adverse effects on development viability. Furthermore, criteria (a) states that development proposals should not change the predominately linear character of the settlement. This will likely have an unintended consequence of limiting sustainable growth opportunities on the edge of Alton which fall within the BNP area. Despite some parcels of land being located in the BNP area, Gladman consider that sites on the edge of Alton would be delivering housing needs to meet the needs of Alton, an area identified for future sustainable growth opportunities and their delivery should not be unduly restricted. It is therefore fundamental to the Plan's compliance with the basic conditions that sufficient flexibility is included within this policy to allow growth in these locations.
- 4.6.3 Alton has a scale of housing need owing to its role in the settlement hierarchy and its importance in delivering strategic policies and the housing requirement proposed in the emerging Local Plan. The likelihood is that some of this need will need to be delivered on edge of settlement sites as confirmed in the draft emerging Local Plan. Gladman consider that the BNP as currently drafted (whether intentional or not) would act to constrain the growth of Alton. Constraining growth to retain the linear character of the area does not have regard to the wider impacts this will have on the delivery of sustainable development opportunities and would be completely at odds with the whole ethos of the Framework and is inconsistent with basic conditions (a) and (d) in its current form.

4.7 Policy BPC08: Housing Mix

- 4.7.1 The above policy states that development within the plan area will be encouraged to provide for the housing need in Beech and seeks to encourage development of 2-3-bedroom homes, suitable for starter homes or those wishing to downsize.
- 4.7.2 In principle, whilst Gladman support the inclusion of the above policy which seeks to provide a mixture of housing types, it is important to note that housing mix will inevitably change over

a period of time and this policy should seek to secure a greater degree of flexibility going forward given that the evidence supporting the above policy is predominately based on a questionnaire survey as opposed to a robust assessment of housing needs of the parish. As housing mix can change over time, there is a risk that this policy will become outdated as new evidence of local need comes to light and the neighbourhood plan should contain suitable measures (i.e. if up-to-date evidence is provided) so that it can respond positively to changes in circumstance which may occur over the plan period.

4.8 Policy BPC12: Planning for Parking

4.8.1 The above policy requires the delivery of a minimum of one parking space per bedroom on new development sites. Whilst Gladman acknowledge the need to incorporate parking provision within development proposals it is unclear from the information provided why this policy requirement is being pursued as it is not supported by any evidence. The policy is considered too prescriptive in its current form and therefore may not allow for the most appropriate layout of schemes. In any event, this matter will be considered through the determination of development proposals through the decision-making process on the advice of the Council's highways team. Gladman recommend the deletion of Policy BPC12.

5 GENERAL MATTERS

5.1 Consultation Statement

- 5.1.1 In accordance with the PPG, a qualifying body must consult any consultation bodies whose interest it considers may be affected by the draft Neighbourhood Plan. This should include other public bodies, landowners and the development industry to ensure that the Plan provides for sustainable development which benefits the local community whilst avoiding placing unrealistic pressures on the cost and deliverability of development⁴. The PPG further states that the Consultation Statement submitted with the draft neighbourhood plan should reveal the quality and effectiveness of the consultation that has informed the plan proposals. All representations on the proposals should have been submitted to the local planning authority⁵.
- 5.1.2 The principles of fair consultation proceedings have been set out for many years and confirmed by the Supreme Court in *R(Moseley) v LB Haringey* [2014] UKSC 56. In this instance, the Supreme Court endorses the Sedley principles which state that in order for a consultation to be fair, a public body must ensure:
1. That the consultation must be at a time when proposals are still at a formative stage;
 2. That the proposer must give sufficient reasons for any proposal to permit of intelligent consideration and response;
 3. That adequate time is given for consideration and response; and
 4. That the product of consultation is conscientiously taken into account when finalising the decision.
- 5.1.3 The fourth Sedley requirement is pertinent to this current consultation as the supporting Consultation Statement does not make any reference to Gladman's submission. A copy of Gladman's submission can be found at Appendix 1 of this submission. At present, it is unclear whether Gladman's response to the Regulation 14 consultation was lost or has been deliberately ignored. In any event these representations have not been taken into account. This is a fundamental breach of the fourth Sedley requirement set above (as followed in *R(Silus Investments SA) v LB Hounslow* [2015] EWHC 358 (Admin), [57]) which make clear that all representations must be taken into account.

⁴ PPG Reference ID: 41-048-20140306

⁵ PPG Reference ID: 41-007-20190509

6 SITE SUBMISSION

6.1 Land at Whitedown Lane, Alton

- 6.1.1 Gladman has land interests in the neighbourhood area at land at Whitedown Lane, Alton. A location plan is contained in Appendix 2 of this response.
- 6.1.2 Gladman are actively promoting the site for residential development and associated community infrastructure and previously submitted the site to the Local Planning Authority in response to the Draft Local Plan consultation in March 2019.
- 6.1.3 The site measures approximately 9.04ha and can accommodate approximately 200 dwellings, including policy compliant affordable housing, with new public open space and play facilities.
- 6.1.4 The site lies on the southwestern edge of Alton located within the Beech neighbourhood plan area. As such, the site will assist in delivering the housing needs associated with Alton and should not be unduly restricted by the policies contained in the BNP as is currently the case.
- 6.1.5 Alton offers a wide range of local services and facilities within walking and cycling distance to the site. Gladman submits that it is inappropriate for the BNP to attempt to restrict growth to the west of Alton. It is inevitable that in order to deliver sustainable patterns of development, some housing and other growth will need to occur on land contiguous with higher order settlements but outside of their respective parish boundaries. The consequence of this could undermine the delivery of sustainable development opportunities and would not accord with the basic conditions.

7 CONCLUSIONS

7.1 Assessment against Basic Conditions

- 7.1.1 Gladman recognises the Government’s ongoing commitment to neighbourhood planning and the role that such Plans have as a tool for local people to shape the development of their local community. However, it is clear from national guidance that the BNP must be consistent with national planning policy and the need to take account of up-to-date housing needs evidence and the direction of growth outlined in the emerging Local Plan Review. If the plan is found not to meet the Basic Conditions at Examination, then the plan will be unable to progress to referendum.
- 7.1.2 The Steering Group must ensure that the policies in the BNP allow for sufficient flexibility and are based on robust and justified evidence. As detailed through these submissions, it is not considered that the Plan is in accordance with the basic conditions in a number of instances. Gladman consider that flexibility must be included into the BNP’s proposals given the current uncertainty over the direction of growth in the Local Plan Review and to ensure that the Plan does not prevent the delivery of sustainable development opportunities on the edge of Alton.
- 7.1.3 Should the SNP fail to plan for the flexibility required, then there is a real risk that its proposals will need to be reviewed upon the emerging Local Plan’s adoption.
- 7.1.4 Should the Examiner decide it is necessary to hold public hearing session(s) to discuss the issues raised, then Gladman respectfully request that we are afforded the opportunity to participate at the hearing sessions.

[REDACTED] – Parish Clerk

By email only to: [REDACTED]

2nd April 2019

Re: Beech Submission Consultation

Dear Sir/Madam,

This letter provides Gladman Developments Ltd (Gladman) representations in response to the draft version of the Beech Neighbourhood Plan (BNP) under Regulation 14 of the Neighbourhood Planning (General) Regulations 2012. This letter seeks to highlight the issues with the plan as currently presented and its relationship with national and local planning policy. Gladman has considerable experience in neighbourhood planning, having been involved in the process during the preparation and examination of numerous plans across the country, it is from this experience that these representations are prepared.

Legal Requirements

Before a neighbourhood plan can proceed to referendum it must be tested against a set of basic conditions set out in §8(2) of Schedule 4b of the Town and Country Planning Act 1990 (as amended). The basic conditions that the BNP must meet are as follows:

- (a) Having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the order.
- (d) The making of the order contributes to the achievement of sustainable development.
- (e) The making of the order 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) The making of the order does not breach, and is otherwise compatible with, EU obligations.
- (g) The making of the neighbourhood plan does not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017.

Revised National Planning Policy Framework

On the 24th July 2018, the Ministry of Housing, Communities and Local Government (MHCLG) published the revised National Planning Policy Framework. The first revision since 2012, it implements 85 reforms announced

Directors: [REDACTED]

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previously through the Housing White Paper. On 19th February 2019, MHCLG published a further revision to the NPPF (2019) and implements further changes to national policy.

§214 of the revised Framework makes clear that the policies of the previous Framework will apply for the purpose of examining plans where they are submitted on or before 24th January 2019. Submission of the BNP ultimately occurred after this date, and the comments below reflect the relationship between Neighbourhood Plans and the National Planning Policy Framework adopted in 2018 and corrected in February 2019.

National Planning Policy Framework and Planning Practice Guidance

On 24th July 2018, the Ministry of Housing, Communities and Local Government (MHCLG) published the Revised National Planning Policy Framework (NPPF2018). This publication forms the first revision of the Framework since 2012 and implements changes that have been informed through the Housing White Paper, The Planning for the Right Homes in the Right Places consultation and the draft NPPF2018 consultation. On 19th February 2019, MHCLG published a further revision to the NPPF (2019) and implements further changes to national policy.

The Revised Framework sets out the Government's planning policies for England and how these are expected to be applied. In doing so it sets out the requirements of the preparation of neighbourhood plans within which locally-prepared plans for housing and other development can be produced. Crucially, the changes to national policy reaffirms the Government's commitment to ensuring up to date plans are in place which provide a positive vision for the areas which they are responsible for to address the housing, economic, social and environmental priorities to help shape future local communities for future generations. In particular, paragraph 13 states that:

"The application of the presumption has implications for the way communities engage in neighbourhood planning. Neighbourhood plans should support the delivery of strategic policies contained in local plans or spatial development strategies; and should shape and direct development that is outside of these strategic policies."

Paragraph 14 further states that:

"In situations where the presumption (at paragraph 11d) applies to applications involving the provision of housing, the adverse impact of allowing development that conflicts with the neighbourhood plan is likely to significantly and demonstrably outweigh the benefits, provided all of the following apply:

- a. The neighbourhood plan became part of the development plan two years or less before the date on which the decision is made;**
- b. The neighbourhood plan contains policies and allocations to meet its identified housing requirement;**

c. The local planning authority has at least a three-year supply of deliverable housing sites (against its five-year supply requirement, including the appropriate buffer as set out in paragraph 73); and

d. The local planning authority's housing delivery was at least 45% of that required over the previous three years."

The Revised Framework also sets out how neighbourhood planning provides local communities with the power to develop a shared vision for their area in order to shape, direct and help deliver sustainable development needed to meet identified housing needs. Neighbourhood plans should not promote less development than set out in Local Plans and should not seek to undermine those strategic policies. Where the strategic policy making authority identifies a housing requirement for a neighbourhood area, the neighbourhood plan should seek to meet this figure in full as a minimum. Where it is not possible for a housing requirement figure to be provided i.e. where a neighbourhood plan has progressed following the adoption of a Local Plan, then the neighbourhood planning body should request an indicative figure to plan taking into account the latest evidence of housing need, population of the neighbourhood area and the most recently available planning strategy of the local planning authority.

In order to proceed to referendum, the neighbourhood plan will need to be tested through independent examination in order to demonstrate that they are compliant with the basic conditions and other legal requirements before they can come into force. If the Examiner identifies that the neighbourhood plan does not meet the basic conditions as submitted, the plan may not be able to proceed to referendum.

Planning Practice Guidance

Following the publication of the NPPF2018, the Government published updates to its Planning Practice Guidance (PPG) on 13th September 2018 with further updates being made in the intervening period. The updated PPG provides further clarity on how specific elements of the Framework should be interpreted when preparing neighbourhood plans.

Although a draft neighbourhood plan must be in general conformity with the strategic policies of the adopted development plan, it is important for the neighbourhood plan to provide flexibility and give consideration to the reasoning and evidence informing the emerging Local Plan which will be relevant to the consideration of the basic conditions against which a neighbourhood plan is tested against. For example, the neighbourhood planning body should take into consideration up-to-date housing needs evidence as this will be relevant to the question of whether a housing supply policy in a neighbourhood plan contributes to the achievement of sustainable development. Where a neighbourhood plan is being brought forward before an up-to-date Local Plan is in place, the qualifying body and local planning authority should discuss and aim to agree the relationship between the policies in the emerging Neighbourhood Plan, the emerging Local Plan and the adopted Development Plan¹. This

¹ PPG Reference ID: 41-009-20160211

should be undertaken through a positive and proactive approach working collaboratively and based on shared evidence in order to minimise any potential conflicts which can arise and ensure that policies contained in the neighbourhood plan are not ultimately overridden by a new Local Plan.

It is important the neighbourhood plan sets out a positive approach to development in their area by working in partnership with local planning authorities, landowners and developers to identify their housing need figure and identifying sufficient land to meet this requirement as a minimum. Furthermore, it is important that policies contained in the neighbourhood plan do not seek to prevent or stifle the ability of sustainable growth opportunities from coming forward. Indeed, the PPG emphasises that;

“...blanket policies restricting housing development in some settlements and preventing other settlements from expanding should be avoided unless their use can be supported by robust evidence”

With further emphasis that;

“.... All settlements can play a role in delivering sustainable development in rural areas – and so blanket policies restricting housing development in some settlements and preventing other settlements from expanding should be avoided unless their use can be supported by robust evidence.”²

It is with that in mind that Gladman has reservations regarding the BNP’s ability to meet basic condition (a) and this will be discussed in greater detail throughout this response.

Relationship to Local Plan

To meet the requirements of the Framework and Neighbourhood Plan Basic Conditions, neighbourhood plans should conform to the strategic policy requirements set out in the adopted Development Plan. That relevant to the preparation of the BNP is the East Hampshire Joint Core Strategy - with South Downs National Park Authority, which sits alongside the Housing and Employment Allocations DPD. The Local Plan determined that East Hampshire would be required to deliver 10,060 homes between 2011 and 2028.

The Council has just consulted on the Draft Local Plan Regulation 18 stage, during February and March. It is therefore important that the BNP provides flexibility to ensure that the policies contained in the BNP are not overridden upon the adoption of any future Local Plan; as section 38(5) of the Planning and Compulsory Purchase Act 2004 states:

‘if to any extent, a policy contained in a development plan for an area conflicts with another policy in the development plan the conflict must be resolved in favour of the policy which is contained in the last document to be adopted, approached, or published (as the case may be).’

² Paragraph: 044 Reference ID: 41-044-20160519 (Revised 19/05/2016).

Beech Neighbourhood Plan

This section highlights the key issues that Gladman would like to raise with regards to the content of the BNP as currently proposed. It is considered that some policies do not reflect the requirements of national policy and guidance, Gladman have therefore sought to recommend a series of modifications to the plan to ensure compliance with the basic conditions.

Policy BPC02 – Development outside the Settlement Policy Boundary

BPC02 identifies a settlement boundary for Beech and states that land outside of this defined area will be treated as open countryside, where development will be carefully controlled.

Gladman object to the use of settlement boundaries if these preclude otherwise sustainable development from coming forward. The Framework is clear that sustainable development should proceed. Use of settlement limits to arbitrarily restrict suitable development from coming forward on the edge of settlements does not accord with the positive approach to growth required by the Framework and is contrary to basic condition (a).

As currently drafted, this is considered to be an overly restrictive approach and provides no flexibility to reflect the circumstances upon which the BNP is being prepared. Greater flexibility is required in this policy and Gladman suggest that additional sites adjacent to the settlement boundary should be considered as appropriate.

Policy BPC03 – Preventing Coalescence with Alton and Medstead

The Beech neighbourhood Plan defines two specific areas, *“where development will not generally be permitted if, individually and cumulatively, it would result in an increase in coalescence between Beech and Alton or between Beech and Medstead”*. There appears to be no supporting evidence to support this policy.

There is no justification within the BNP for the additional protection of land between Beech and its neighbouring settlements, above and beyond the requirements of Policy CP23 (Gaps between settlements) of the East Hampshire Joint Core Strategy (JCS) at district level. CP23 of the JCS sets out a list of gaps between named settlements where coalescence will be prevented. This list does not encompass the gap between Beech and either Alton or Medstead, as proposed in the BNP.

There is also no evidence base to inform the extent of the Green Gap proposed and no assessment of land parcels between Beech and Alton or Medstead, nor an evaluation of their relative performance in preventing coalescence. Furthermore, both proposed ‘non-coalescence areas’ contain existing farmsteads with significant levels of built development.

The existence of this intervening built-form serves to undermine the justification for policy BPC03, the implementation of which would prevent the inherent economic growth and development potential of these farms, if their owners aimed to pursue a similar strategy to the Departure Lounge site to the north of Beech, which is explicitly excluded from the non-coalescence area. The opportunities afforded to the Departure Lounge site for expansion and diversification should also be provided to those existing farm businesses washed over by Policy BPC03.

Each development proposed within these areas should be weighted on its own merits, depending on landscape impact, especially since applications will be accompanied by a more robust evidence base in the form an LVIA.

The imposition of Policy BPC03 would effectively create a lesser form of Green Belt by the back door. East Hampshire found no justification for protecting the gaps between the settlements which are proposed in the BNP and therefore, BPC03 is in conflict with basic condition (e).

Policy BPC04 – Preservation of Amenity of Historic Parkland

BPC04 effectively creates an artificial 'setting' surrounding the "historic parkland" of Thedden Grange using defined field margins as its boundaries. The setting of heritage assets is discussed at NPPF paragraphs 190 and 194, whilst definitions are provided in the NPPF Glossary. Here, the NPPF states that the *Setting of a Heritage Asset* "is not fixed and may change as the asset and its surroundings evolve".

Furthermore, it should be noted that Thedden Grange is not a listed building, nor are its grounds recorded as a listed park and garden. The location is not part of or adjacent to a conservation area and it is not locally listed. There is little of historical or landscape importance to protect, that is not already contained by the immediate setting of the property's curtilage.

In order to understand the historic importance of Thedden Grange and its parkland, one would expect a heritage assessment and LVIA to have been prepared respectively. The evidence base contains no justification for the imposition of such a buffer.

Policy BPC03 is therefore clearly contrary to the NPPF in attempting to define the extent of a setting surrounding a building which is not considered to be a heritage asset and therefore in conflict with basic condition (a).

Policy BPC06 – Development Setting and Scale

This policy sets out criteria based design principles for development proposals to be acceptable within the setting of the neighbourhood plan area.

Planning policies should not be overly prescriptive and need flexibility in order for schemes to respond to site specifics and character of the local area. There is no 'one size fits all' solution in relation to design and sites should be considered on a site by site basis with consideration given to various design principles. As such, some stipulations of Policy BPC06 appear somewhat onerous, especially in relation to smaller developments.

Policy BPC07 – Building Design and Character

This policy contains criteria for assessing the suitability of development proposals in the Parish, particularly in the linear valley containing Beech. Requirements listed under b), c), d) would appear to be matters of taste, rather than tested landscape provisions. Gladman suggests that this is a subjective issue and the policy does not provide support for a decision maker to apply the policy predictably and with confidence.

Policy BPC08 – Housing Mix

The policy conflicts with the Policy BPC06 requirement that, "*within the Special Housing area (shown in Map 7) ... there will be a presumption against the creation of a plot with an area of less than 0.2 ha*". This area largely coincides with the lowest density housing in the Parish, representing the greatest opportunity for intensification.

Whilst Gladman note the housing mix proposed through this policy, it should be recognised that housing needs do change over time. We suggest wording is added to the policy to allow flexibility for changing needs. Gladman suggest adding the wording, 'This should be evidenced through an up to date assessment' to this policy.

Policy BPC10 – Managing the Impact of New Development on Traffic

This Policy states, "vehicle access to new developments should be designed to reflect the rural character of the roads in Beech, i.e. there are no pavements and there are overhanging hedges and trees.

The policy is not explicit as to whether new developments must also exclude pavements and include overhanging trees. Clearly, new development should be suitable for pedestrians, whilst overhanging trees are the result of a mature landscape. The policy should clarify the type of planting required, whilst the exclusion of pedestrian facilities should certainly not be considered a positive attribute to be used as an exemplar. It is inconsistent with the Manual for Streets and inconducive to sustainable development.

If such an approach were followed by the BNP, a safety audit should be undertaken, to ascertain whether this road layout typology is a justified approach to addressing the needs of the most vulnerable road users, in a location with the quantum of road movements experienced in Beech Parish.

Conclusions

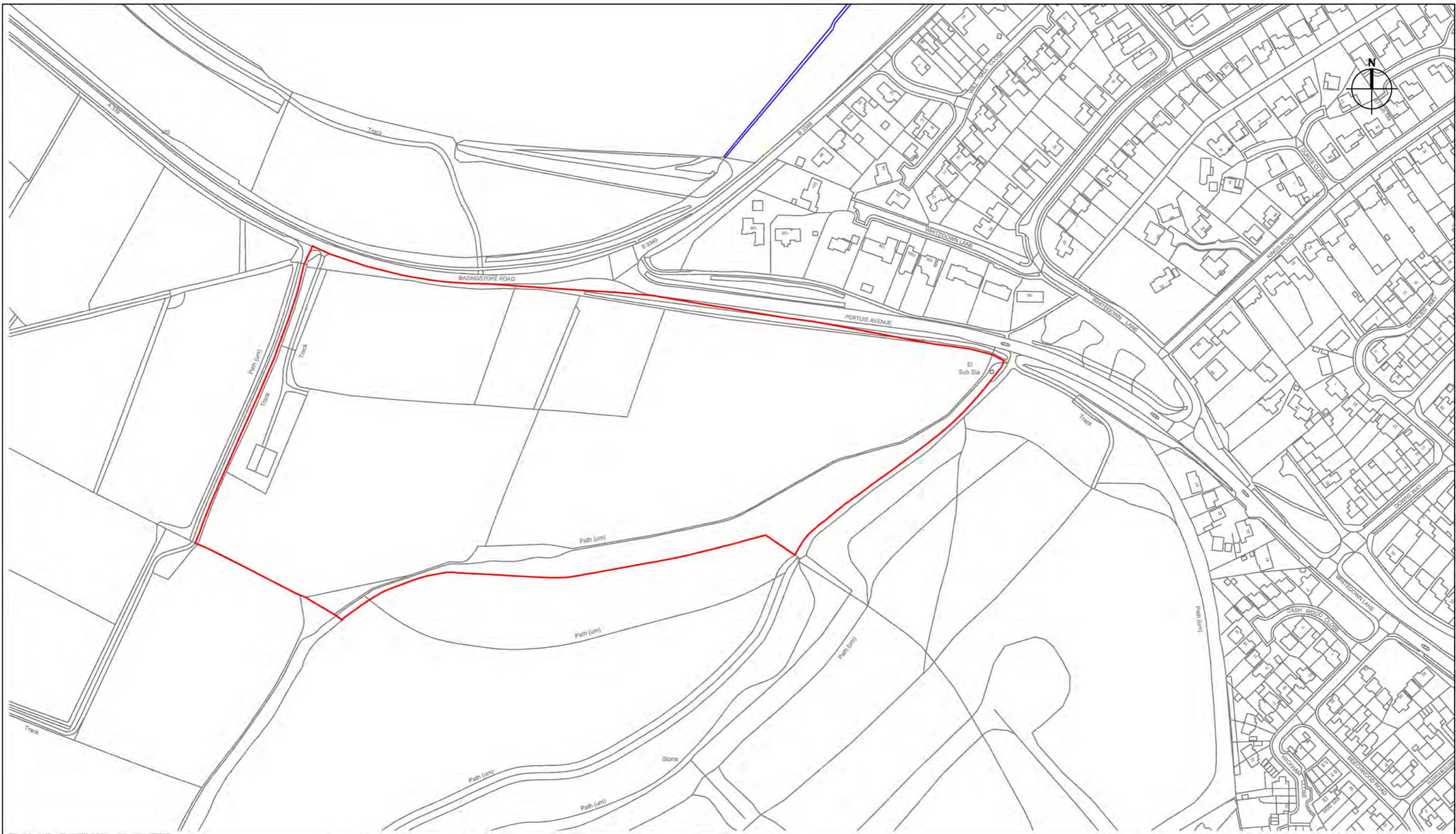
Gladman recognises the role of neighbourhood plans as a tool for local people to shape the development of their local community. However, it is clear from national guidance that these must be consistent with national planning policy and the strategic requirements for the wider authority area. Through this consultation response, Gladman has sought to clarify the relation of the BNP as currently proposed with the requirements of national planning policy and the strategic policies for the wider area.

Gladman is concerned that the plan in its current form does not comply with basic condition (a) in its conformity with national policy and guidance and (e) in its general conformity with the development plan for the authority for the reasons set out above. Gladman hopes you have found these representations helpful and constructive. If you have any questions do not hesitate to contact me or one of the Gladman team.

Yours faithfully,



Gladman Developments Ltd.




GLADMAN
 Gladman House, Alexandra Way
 Congleton Business Park
 Congleton, Cheshire
 CW12 1LB
 www.gladman.co.uk

Rev	Date	By	Revision notes
*	*	*	*
STATUS			
INFORMATION			

Project	WHITEDOWN LANE, ALTON
Title	LOCATION PLAN

Drawn by SCB	Issue date 24-10-18
Title checked by SCB	Title checked date 24-10-18
Highways checked by	Highways checked date
Topo checked by	Topo checked date
Scale(s) 1:2500 at A3	
Drawing No 2018-115-101	

Beech Neighbourhood Plan Response

BEHNP-10

[REDACTED]
Mon 02/09/2019 12:57

To: EHDC - Neighbourhood Plans Shared <neighbourhoodplans@easthants.gov.uk>

📎 1 attachments (3 MB)

190209 Beech Neighbourhood Plan Response Final.pdf;

Dear Sir/Madam,

I am emailing in response to the Regulation 16 Consultation for Beech Neighbourhood Plan. These representations have been made on behalf of my Client, Hallam Land Management Limited.

Please can you acknowledge and confirm receipt of these Representations?

Kind regards,

[REDACTED] Graduate Planner
BSc (Hons) MSc

[REDACTED]
website: lrmpanning.com
twitter: @lrmpanning

Correspondence Address: 22 Cathedral Road, Cardiff CF11 9LJ

Registered Address: Nyewood Court, Brookers Road, Billingshurst RH14 9RZ



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02 September 2019

Our Ref: KC/18.209

Beech Parish Council
Beech Village Hall
Beech
Alton
GU34 4AQ

Sent by email

Dear Sir/Madam,

Beech Neighbourhood Plan Regulation 16 Consultation Response on behalf of Hallam Land Management Limited

These Representations have been prepared on behalf of Hallam Land Management Limited (Hallam) and are in response to the Regulation 16 Consultation of the draft Beech Neighbourhood Plan.

Hallam are promoting development of land at Brick Kiln Copse and Basingstoke Road. The site is a proposed allocation within policy SA19 of the draft Local Plan for East Hampshire District Council. This site is for residential development to the north west of Alton, bordering the boundary of Beech Parish Council. The accompanying landscape masterplan presents the proposals for development. The plan demonstrates how the site layout has been considered in relation to the boundary with Beech Parish.

Draft Beech Neighbourhood Plan

The Vision of the Neighbourhood Plan includes the aim of preserving the character of Beech as a spacious village set in a rural landscape. This Vision is then aided by the policy framework within the plan which seeks to prevent coalescence between Beech and Alton or Beech and Medstead, including the retention of the existing gap between settlements.

As stated within paragraph 1 on page 18 of the draft Neighbourhood Plan, since its settlement foundation in 1982 Beech has been a separate geographic entity from Alton. The aim of policy BPC03 is to retain this separation and prevent coalescence between these settlements.

As mentioned above there is the prospect of future development and expansion of Alton. The accompanying Map 3 for this policy illustrates the relationship of proximity of the settlements of Beech and Alton and the gap between them. This map indicates the “non coalescence area” which should be maintained in the future.

The accompanying landscape masterplan illustrates that the site layout has considered this boundary with Beech Parish through green infrastructure to the south western corner of this site, demonstrating no development within Beech.

The masterplanning process will allow Alton Town Council and Beech Parish Council to have input to the development proposals. This allow the Vision of the Neighbourhood Plan to be considered in detail.

Conclusions

Hallam are committed to working with the Parish and Town Councils as well as the District Council as part of the masterplanning process. This will ensure it is the most suitable scheme for the site which will not have an impact on coalescence between Alton and Beech as defined in Map 3.

Accordingly, these representations are in support of this Neighbourhood Plan and its relevant policies, including policy BPC03 relating to settlement gaps.

Yours faithfully,




Graduate Planner
LRM Planning Ltd





KEY

- Application Boundary c.20Ha**
- Neighbouring Development (under construction)
- Proposed Vehicular Access**
- Potential Footpath Connections**
- Residential Plots: 245 Dwellings**
- Roads
- Private Drive
- Footpaths
- Equipped Play Area
- Green Infrastructure c.8Ha**
- Proposed Trees
- Drainage Attenuation Pond



261-P-011 Landscape Masterplan
 Alton, East Hampshire
 1:2500 (A3)

SDJ
 19 Jul 18

Beech Neighbourhood Plan Consultation Submission



Mon 02/09/2019 14:43

To: EHDC - Neighbourhood Plans Shared <neighbourhoodplans@easthants.gov.uk>

1 attachments (461 KB)

Beech Neighbourhood Plan Submission 020919.pdf;

For the attention of the East Hampshire District Council Planning Policy Team:

Good afternoon,

Attached is a representation to the Planning Policy Team in respect of the Beech Neighbourhood Plan Regulation 16 Consultation.

This submission has been made to the Council prior to the 5pm deadline and we respectfully ask that this is taken into consideration as part of the consultation process.

Thank you

Kind Regards



Senior Planning Consultant

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For the attention of:

East Hampshire District Council
Planning Policy

██████████
██████████
Goldcrest Homes
Unit 2, Barley Business Park,
Duncan Road, Park Gate,
Southampton SO31 1ZT

30th August 2019

Re: Consultation of Beech Neighbourhood Plan

I wish to make a representation in respect of the Beech Neighbourhood Plan and specifically in regard to Policy BPC06: Development Setting and Scale.

Part g of this policy notes:

g) Within the Special Housing Area (shown in Map 7) there will be a presumption against the creation of a plot with an area of less than 0.2 hectare

This reflects the 0.2 hectare minimum new plot size threshold of Policy H10 of the currently adopted Local Plan: Second Review (2006).

e) Within the Beech and Holybourne Special Housing Areas plot sizes are more than 0.2 hectares (0.5 acres) excluding land in the highway

However, the emerging Draft Local Plan 2017-2036 does not include this plot size restriction under Policy DM30: Residential design in low-density neighbourhoods. Policy DM30 comprises a more comprehensive assessment of sites and how new development relates both to the site and to neighbouring properties, as the new benchmark for development potential in the emerging Local Plan.

The plot size restriction as detailed in Policy BPC06 of the Beech Neighbourhood Plan relates to Policy H10 which predates the NPPF. The NPPF does not advise prescriptive policies such as this moving forward. As such, it is considered that the East Hampshire District Council also see this policy as being out of kilter with the NPPF.

In light of this, it is proposed that the plot size requirement of the Beech Neighbourhood Plan is contrary to the aspirations and direction of the emerging Draft Local Plan.

I respectfully request that this consultation is taken under advisement as part of the assessment of the Beech Neighbourhood Plan.

Yours sincerely



Managing Director
Goldcrest Homes

2019-09-02 Beech Neighbourhood Plan Submission Version HE RLS Comments

BEHNP-12

Mon 02/09/2019 16:10

To: EHDC - Neighbourhood Plans Shared <neighbourhoodplans@easthants.gov.uk>

To whom it may concern:

Thank you for inviting Historic England to comment on the Beech Neighbourhood Plan Submission Version.

I am happy to confirm that Historic England do not wish to raise any objections to the plan or its policies and that, as such, our comments are limited to areas where we feel that plan policies could be enhanced to better secure the consideration for the historic environment and heritage that the community have sought.

Policy BPC04: The steering group have identified the parkland surrounding Theden Grange Park in particular for consideration planning. In justifying this policy requirement they make reference to its identification as an historic landscape and the association with the early 19th century mansion (with earlier origins) as Thedden Grange. From the description it would appear that both the park and the house could be considered as non-designated heritage assets that meet the government's definition as set out in the National Planning Policy Framework. The updated National Planning Practice Guidance is clear that Neighbourhood Plans are an appropriate means of identifying non-designated heritage assets (See in particular paragraph 40 of the NPPG: Historic Environment) that, therefore, engage the additional policy requirements set out for such features of the environment in the NPPF at chapter 16.

Given the focus on conserving the contribution of the buildings and land to the amenity of the parish through the protection of their historic character based on the value of their architectural, historic and possibly artistic (where garden design is seen as a form of artistic expression) interest, we would suggest that these should both be considered as non-designated heritage assets and that this status should be clearly identified in the policy and the requirement for decisions to include consideration of the need to sustain or enhance their significance is highlighted. As such we would suggest an amendment to the policy wording as follows:

"In order to protect the historic parkland at Thedden Grange, any development located in the area coloured grey on Map 5 should only be permitted where the type and scale of development is appropriate to Thedden Grange and its parkland and does not harm the parkland's amenity value or views to and from it.

In addition the House, stable buildings, walled garden, pleasure gardens and parkland including ornamental and structural tree planting at Thedden Grange are considered to be non-designated heritage assets as defined in the National Planning Policy Framework. Any proposals that could result in harm to their significance should include clear and convincing justification demonstrating that any harm to their significance is: a. unavoidable; and b. justified by the delivery of public benefits that could not otherwise be secured.

Proposals that support the conservation of the heritage assets and/or better reveal their significance will be supported"

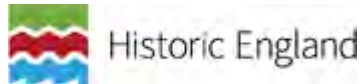
We feel that this addition provides strength to the policy and secures the community's desire to conserve this important part of the plan area's heritage.

We hope these comments are of assistance to the examiner but would be pleased to answer queries relating to them.

Yours faithfully

[REDACTED]

[REDACTED] | Historic Places Adviser | South East England | Historic England
Cannon Bridge House | 25 Dowgate Hill | London | EC4R 2YA
Mobile: [REDACTED]



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