

Odiham and North Warnborough Neighbourhood Plan

Examiner's Note to Hart District Council requesting clarification on specific policies

Context

These issues and points for clarification arise from:

- **my initial reading of the submitted Plan and its associated documents; and**
- **my unaccompanied visit to the Plan area on 24 October 2016; and**
- **my reading of the representations received.**

I may seek further clarification once responses have been received and I have married them up with my own observations and the various representations.

Spatial Plan

Please can I have a plan showing the site of land at Archery Fields that now has planning permission for up to 35 dwellings.

Hart DC have provided this.

Is there any reason why the settlement boundary should not be redrawn to include this site as a factual update?

Detailed planning permission of reserved matters including layout is to be determined by Hart planning committee on 9 November (Hart planning application 16/00606 et al). Whilst there is no documented resistance to amendment of the settlement boundary any decision cannot be made until there exists some certainty on the final form of the development. We would anticipate any revised boundary would be drawn so that the open space and public right of way on the east of the site are not within the settlement boundary. This would help to protect the green space and maintain the important long view to the countryside beyond, two locally valued characteristics of the location which had resulted in the site being a proposed LGS in the May 2015 draft Plan <http://onwardplan.com/wp-content/uploads/2015/05/Odiham-NP-Draft-Plan-v9d.pdf>.

Housing Development Sites

2.1/ 2.2

What is the scale of the financial contribution sought to the public open space?

The financial contribution sought for future maintenance of the POS is expected to be in the form of a commuted maintenance sum. Recent experience has been that the LPA would negotiate a sum to cover not less than 20 years from the point of handing over of the open space.

What is SAMM and what is its scale?

SAMM – Hart DC has confirmed that they will be making a response to this question and what the scale is.

2.3

As the first point of 2.1/2.2

The financial contribution sought for future maintenance of the POS is expected to be in the form of a commuted maintenance sum. Recent experience has been that the LPA would negotiate a sum to cover not less than 20 years from the point of handing over of the open space.

SAMM – Hart DC has confirmed that they will be making a response to this question and what the scale is.

How have potential flooding issues been considered? Is criterion f) satisfactory to address this matter?

Yes, flooding issues have been carefully considered. The planning consultant (rCOH) examined the drainage maps provided by Hart DC and plotted any areas on the selected sites with potential for surface water/ground water flooding. These areas are marked on the indicative sketches of the selected sites where applicable and the layouts are designed to avoid houses being built in these areas.

It is considered that criterion f) when read in conjunction with criteria v and vi of Policy 12 will provide appropriate safeguards to ensure that satisfactory mitigation is adopted to address potential flooding issues. Please also see the drainage report submitted for planning application no: 16/00635/FUL on 19 October 2016 for this land (attached) which is in line with criterion f.

2.4

Is 'generous' needed or defined in c)?

This is needed as it is intended to convey the need to incorporate green spaces, which are proportionately large in relation to the site, to respect the rural setting and character of the surrounds. The area is described in the North Warnborough Conservation Area appraisal as having 'a sense of spaciousness with green spaces alternating with small groups of buildings' and 'loosely developed.... views across the village to and from the canal and across the surrounding fields are an important characteristic of the Conversation Area'. It is considered beneficial to retain an appropriate adjective to assist a developer and the planning authority in understanding this requirement.

'Generous' is not defined in the Evidence Base.

How have potential flooding issues been considered? Is criterion g) satisfactory to address this matter?

Yes, flooding issues have been carefully considered. The planning consultant (rCOH) examined the drainage maps provided by Hart DC and plotted any areas on the selected sites with potential for surface water/ground water flooding. These areas are marked on the indicative sketches of the selected sites where applicable and the layouts are designed to avoid houses being built in these areas. It is considered that criterion g) when read in conjunction with criteria v and vi of Policy 12 will provide appropriate safeguards to ensure that satisfactory mitigation is adopted to address potential flooding issues.

2.5

As 2.1/2.2

The financial contribution sought for future maintenance of the POS is expected to be in the form of a commuted maintenance sum. Recent experience has been that the LPA would negotiate a sum to cover not less than 20 years from the point of handing over of the open space.

SAMM – Hart DC have confirmed that they will be making a response to this question and what the scale is.

2.6

As 2.4

'Generous' is not defined in the Evidence Base.

Yes, flooding issues have been carefully considered. The planning consultant (rCOH) examined the drainage maps provided by Hart DC and plotted any areas on the selected sites with potential for surface water/ground water flooding. These areas are marked on the indicative sketches of the selected sites where applicable and the layouts are designed to avoid houses being built in these areas. It is considered that criterion g) when read in conjunction with criteria v and vi of Policy 12 will provide appropriate safeguards to ensure that satisfactory mitigation is adopted to address potential flooding issues.

2.7

Is there any reason why the nursing home is restricted to two storeys in height?

Yes, the nursing home will be sited on a prominent gateway site and adjoining open countryside opposite the open southern edge of the Odiham Conservation Area. It will also sit alongside a new housing development comprising a high proportion of smaller dwellings and adjoining an existing low rise pre-school building and traditional housing on a lower land level. In essence, it is considered that a two-storey building would relate better to the character of the area, surrounding buildings and land levels. Note was taken of the good design principles set out in Policy 7 of the NPPF which emphasises the importance of new development respecting neighbouring buildings and the local area more generally.

What is meant by criterion e)? Is something on the site being improved or will land be safeguarded for a future facility? If it is the latter what has driven the specific requirement for 0.25 hectares?

Criterion e) – 0.25Ha of land is to be safeguarded for future improvement of pre-school provision as outlined under Policy 4 (4.8, 4.9 and 4.10). This could for example be for a new pre-school facility or an extension to the existing adjoining pre-school either as built form, car parking and/or play areas dependent upon need, to support the growing population. The size of the site was established by consideration of information obtained from Hampshire County Council relating to recommended sites for pre-school buildings (see Hampshire County Council Early Years Planning Document – Appendix 1 Schedule of Evidence).

Local Gaps

The policy identifies a new Local Gap. I have read the justification in paragraph 3.24.

Is there any published evidence that underpins this new designation either in general terms or in Appendix 1 in particular?

Has the Parish Council relied on any elements of national planning policy to support this designation?

1. The Hart Landscape Assessment (Appendix 1), indicates that the proposed new local gap site falls within the Whitewater Valley character area which is described as Open Valley Side in the Lowland Mosaic character type, being one of the *“areas where the landscape takes on a distinctive valley side character, with a close visual relationship with the landscape of the valley floor”* with its *“sheltered, pastoral and rural character”* and *“sparse pattern of settlement”*.

2. The Hampshire County Council Integrated Landscape Character Assessment (Appendix 1) identifies some of the key characteristics that apply to the land in question:

“A secluded intimate feel and a sense the landscape has had a long history of small settlement and farms by the presence of timber framed and old brick small farm buildings.”

and

“A high density dispersed settlement pattern which has mid medieval origins and remains relatively little altered ...”

3. Hart Local Plan Saved Policy CON 21 provides for existing Local Gaps including that between Odiham and North Warnborough. It also states that: *“Gaps separating smaller settlements are also very important, but their significance is of more local value. They are important in maintaining the separate identities of smaller settlements, providing their setting and preventing coalescence.”*

As indicated in 3.24, the proposed new Local Gap has the purpose of retaining the strong sense of physical and visual separation between the oldest built-up area of North Warnborough and the parish boundary with Greywell. There is a clear sense of departure and arrival along Deptford Lane from both settlements due to their small scale and historic, rural characteristics. The open undeveloped nature of the proposed Local Gap is an important characteristic of the setting of the two settlements and their respective Conservation Areas. The proposed gap would perform an important role in maintaining the separate identity and local distinctiveness of North Warnborough Street with its tightly packed listed houses, cottages and farm from the rather more dispersed historic development of Greywell.

4. There was a strong concern from residents, and from residents within Greywell, that Greywell and North Warnborough should retain their specific rural character as separate settlements. This was strongly reflected in our consultation survey evidence. In addition, and following meetings addressing this issue, advice was received from Hart DC that there was no certainty that the new Local Plan would include a Local Gap policy. Accordingly, the indication from the meetings with Hart DC was to the effect that it would be possible for a Local Gap policy to be included in the Plan, subject to the evidence.

5. NPPF Policy. Reliance is placed upon the environmental role of planning in achieving sustainable development by protecting and enhancing the natural, built and historic environment (para. 7) and in particular Policy 11 paras 109 and 110 which allows for the

protection of valued landscapes and encourages policy to avoid development harming land of environmental and amenity value. Also Policy 12 para 126 encouraging the significance of the setting of heritage assets to be sustained.

6. Parallels can be drawn here with other Hampshire LPAs in designating strategic and local gap policies in conformance with national planning policy (Basingstoke and Deane adopted May 2016, Test Valley January 2016 among others).

Housing Mix

Does this policy apply generally within the Plan area or solely to the housing development sites identified in Policy 2? If it is the latter are the policy mix requirements on sites 2/5 and 2/7 consistent with this policy?

Yes, this policy is intended to apply generally to all new development sites and not just solely to the selected housing sites. The indicative sketch layouts for sites 2v and 2vii are consistent with this policy.

In the table at 3.26 am I correct in assuming that the Hart stock and Odiham stock rows are included merely as comparisons to the policy requirement itself (top row)?

Yes, the Odiham and Hart DC stock rows in table 3.26 are for comparative purposes.

Is the policy potentially too restrictive given the context of the 2014 SHMA?

Has any assessment been made of the policy's potential to restrict the supply of new housing in the Plan area?

Against the background provision of NPPF para 50, which emphasises the need to deliver a wide choice of high quality homes and to create sustainable mixed communities, the context of the 2014 SHMA advises the mix of housing should be based upon demographic trends and reflect local demands. The Odiham Parish profile taken from the 2011 census shows the following household composition: 22% one person (of which 64% is over 65 years), 37% two person, 17% three person, 18% four person...A demand for small properties is also derived from the Odiham and North Warnborough Housing Needs Survey 2015 (see summary report, Locally Derived Evidence). As such, the policy is not considered likely to restrict or to be too restrictive in the supply of housing in the Plan area.

General Design Principles

This policy reads very well

I have no questions

Odiham Conservation Area

This policy reads very well

I have no questions.

North Warnborough Conservation Area

This policy reads very well

I have no questions.

Basingstoke Canal Conservation Area

This policy reads very well

I have no questions.

Odiham High Street

As I read the policy it has three separate components as set out in its three paragraphs. I assume that each element would be applied to relevant proposals. Please can you advise?

Yes, it is intended that the three separate components of the Policy will apply to the extent applicable to each proposal.

In the second part is there any detailed justification for the 'one third' tipping point? How and by whom will this be monitored? How will a potential investor or the decision-maker be aware of any monitoring information and its availability?

The baseline position of A1 retail units (see April 2016 Odiham High Street "Uses" Survey in Locally Derived Evidence) showed 24 (42%) A1 ground floor retail units out of the 57 addresses surveyed (the Map in the Submission Plan Policy 9 defines the High Street boundary).

Recognising the recent trend for the change of use from retail to non-retail use and in response to residents' views, it was considered that a minimum one third (33% of A1 retail units) would be a reasonable objective.

It is expected that this will be monitored by the Parish Council, who will be able to maintain a simple table (such as the April 2016 Odiham High Street "Uses" Survey APPENDIX 1) as any changes of use in the High Street occur.

It is expected that the relevant information would be publicly available, for example, on the Planning section of the Parish Council website.

Educational Facilities

This policy reads well in general terms.

Would its first sentence be clearer if it specified safeguarding 'for educational use'? Is this the intended purpose of the policy?

Yes it would be clearer if the specified safeguarding said "for educational use" thank you.

The Policy safeguards land adjoining the secondary school, as shown on the Policies Map, for educational purposes but restricted to outdoor recreational use only.

Local Green Spaces

I looked at each of the six proposed sites on my recent visit to the Plan area. I have also read the Locally Derived Evidence.

I raise some general points and then some site-specific points:

General:

Has any assessment been undertaken on the overlapping designations issue as set out in Planning Practice Guidance ID 37-011- 20140306?

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

And in particular, the relationships to:

The existing Local Gap – Sites 11/2, 11/3 & 11/6

The Odiham Conservation Area – Sites 11/1, 11/4, 11/5 & 11/6

Both – 11/6

Has any assessment been undertaken of the scale of 11/3 and 11/6 against the advice in the Planning Practice Guidance ID 37 – 016 – 20140306? (this is also included in the link above)

Planning Practice ID 37-011-20140306 advises that different types of designation are intended to achieve different purposes and if land is already protected by designation then consideration should be given to whether additional benefit would be gained by designation as Local Green Space. Careful consideration was given to this and OPC was advised by our planning consultant (rCOH) and Hart District Council that as a general rule the Government does not support multiple layers of land use protection policies. Therefore, before any further designation is adopted, it first must be demonstrated whether any additional local benefit would be gained by designation of land as an LGS that was already designated as part of a Conservation Area, part of a gap, or both.

In addition to the discussion that took place with Hart our Steering Group consulted with planning consultant (rCOH) on the different functions that all three designations serve i.e. Local Gap, Conservation Area and Local Green Space.

There was no certainty that the existing gap designation would be retained by Hart in the emerging Local Plan and in any event the function of a gap is very specific i.e. to avoid physical and visual coalescence. Reference is made to this in the Plan in relation to LGS sites ii, iii and vi at paras. 3.48, 3.50 and 3.53. The function of these spaces as local green spaces is very different from that of the gap function, being more about how they are valued, viewed and used by the local community and whether they deserve special protection against development.

Similarly, the existing Conservation Area designation of four of the proposed LGS sites i, iv, v and vi are designations through separate legislation for very specific reasons unrelated to the local feeling and attachment to the spaces. The CA designations of these spaces are for historic and landscape reasons and this may not necessarily provide protection against future development on part or all of the space.

Scale. Careful consideration was given to the question as to whether the two largest LGS designations proposed (iii, vi) would comprise an 'extensive tract of land'. The guidance relating to interpretation of what comprises an extensive tract of land is set out in ID – 015-20140306 which advises that blanket designation of open countryside adjacent to settlements will not be appropriate. In particular, designation should not be proposed as a 'back door' way to achieve what would amount to a new area of Green Belt by another name.

Site vi in particular had a significant focus of discussion against the planning guidance that the Examiner has linked to.

Following the guidance of our planning consultant (rCOH) this site was initially discounted by our Steering Group against the NPPF guideline as outlined on page 36 of the attached draft consulted draft plan. <http://onwardplan.com/wp-content/uploads/2015/05/Odiham-NP-Draft-Plan-v9d.pdf>

Following feedback from our community, the issue of scale was discussed at length and in detail in an Extraordinary General Full Council Meeting on 15 September 2015 where this consideration against the planning practice guidance can be read in detail

<http://www.odiham.org.uk/wp-content/uploads/2016/01/150915-Minutes.pdf>

Guidance was also given by Hart DC to OPC and our Steering Group.

As outlined in the provided minutes of our Extraordinary General Meeting, OPC agreed by majority that it was for the Examiner to determine if the Deer Park is or is not extensive – and consequently included it in list of proposed LGS sites in the pre-submission consultation at that point.

The strong case for LGS is made for both sites with details outlined in the supporting evidence base. It was noted from other Neighbourhood Plans being made and various LPA guidance on LGS designation that the size of Local Green Spaces could vary significantly and that their need to be local in character and clearly defined/enclosed was more relevant than their hectareage in determining whether they comprise extensive tracts of land i.e. blanket designation of open countryside.

Both proposed LGS designations (iii and vi) are clearly defined local spaces being enclosed by natural features such as hedgerows, streams, property boundaries and in the case of land at Hockleys Farm (iii) a road. The size of these two spaces relate to their natural boundaries and enclosure and the way in which they are utilised and valued by the community. To reduce them in size would require an arbitrary and artificial boundary to be drawn which would bear little resemblance to their natural configuration or the way in which they are viewed and utilised.

Specific:

11/1

No comments

11/2

I saw on my recent visit that the proposed local greenspace is in arable use. This reinforces the detailed in the Local Evidence.

I can see from the combination of policies 2 and 11 that the intention is to develop the land at Dunleys Hill for open space as part of a package with housing sites at 2/1, 2/2

and 2/3 and 2/5. This is precisely the type of imaginative proposal that is appropriate to be included within submitted neighbourhood plans.

As I read the Plan and assess the evidence it appears that the site as shown on p58 and at 11/2 is not currently local green space. However, it will become open space (and potentially local green space) once the wider package has been developed. If this is correct it would be more appropriate to address the site in this fashion and identify it as a separate part of the policy. That element of the policy would support its use as an open space. Does this potential modification achieve the same objectives?

It was appreciated that the site will become open space as well as potentially local green space. It was considered appropriate that the open space element of the site should benefit from LGS status, in addition to being a public open space, in recognition of the value attached to it by the community. This approach was discussed at the time with the land agent for the site. A modification may assist in better achieving the intention of this Policy.

11/3

No further comments beyond the general point on the scale of the site.

11/4

Is there further information on the Chamberlain connection?

The Chamberlain connection was outlined in our supporting document "LGS Designation Evidence Section of Locally Derived Evidence, page 21" as follows:

"the Kitchen Garden is associated locally with the Chamberlain sisters who lived at Bury House for many years. Their brother Neville Chamberlain moved to Highfield Park near Odiham after resigning as Prime Minister in 1940 so as to be near his sisters as his health declined. The Chamberlain sisters donated land to the parish. This land included Chamberlain Gardens, immediately to the south of the Kitchen Garden. The Bury House, the Kitchen Garden and Chamberlain Gardens are thus regarded by residents as a single historical entity which links Odiham both to important benefactors to the parish and to the most significant event of 20th century world history. This historic connection illustrates the importance of this space to the community".

To expand in more detail in this connection from what was initially researched:

After the death of their father, Joseph Chamberlain, in 1914, Ida and Hilda moved to Odiham, Hampshire, and both sisters became involved in wartime welfare work. Ida assisted Beatrice in her work for the French Wounded Emergency Fund in London, and also worked during 1916 at the Belgravia War Hospital Supply Depot at Grosvenor Crescent. She decided to leave this work at the end of 1916 and take up a position organising the Odiham branch of the Growers Co-operative Union.

Ida was elected Councillor for the Harley Wintney Rural District Council in February 1918, and was chairman of the Housing committee for a number of years. She was also a member of the Guardians committee, and was involved in efforts to improve conditions for children living in 'Poor Law' institutions. She was elected County Councillor for Hampshire in 1922, and served on a number of committees that reflected her interest in housing and public health. She was the first woman to be appointed Alderman for Hampshire County Council in 1931, and returned from retirement to serve as acting chairman of the Health committee

during the Second World War, when she also helped to start a British Restaurant in Odiham. She died on 1 April 1943.

Has there historically been any public access into the land? At the time of my visit there was a locked gate adjacent to the footpath to the north.

Public access to the site has been limited to use for an events space at the owner's permission. For example as part of our 2015 Magna Carta Anniversary Celebration.

11/5

Please can I have a copy of the February 2016 Planning Inspector's decision letter.

Hart DC have supplied this.

11/6

No further comments beyond the general point on the scale of the site.

We hope this satisfies your requirements, but should you have any further questions, please do not hesitate to contact the Clerk at clerk@odiham.org.uk.