

**REDACTED COMMENTS**

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***FEEDBACK STARTS BELOW:***

I have confined my comments for the most part to the substance of the NDP in terms of its policies and proposals and have avoided, with one or two exceptions, grammatical, typographical and stylistic matters. Although understandable with a draft Plan, there appear to be a number of matters which will need refinement and my overall impression is that there is a formidable editing task necessary before the next stage, which I believe is submission to the Test Valley Borough Council. Without wishing to be critical, I believe that there is a need for greater accuracy and precision in some of the text, particularly where there are references to planning documents, plans, studies etc.

Although the NDP represents an enormous amount of work by local people, assisted by various specialists, there is so much material, and the way that it is presented makes the Plan very difficult to navigate. One problem results from the fact that material which is included in the main text is repeated in the appendix. An example, and there are others, is the E policies, which are all repeated in Appendix 1.0. This makes it difficult for the reader, who has to establish what material is duplicated. Another problem is the disparate way in which important back up material and evidence is collated and presented. For example, it is pity that housing site assessment information cannot be assimilated into a single document, to which reference is made later, which could form an appendix, with the work, say, of the South Downs NPA feeding into it. What the reader wants is a single, simple table or matrix with all the factors, from landscape impact to access and flooding constraints, set out so that comparative assessments of the relative merits of the different possible sites can be made

Should there not be an early reference in the Plan to the time period it covers, possibly in 1.1.1? I understand that the period is now reduced from 25 to 15 years, but it is not until one gets to the housing section and phasing is examined that this becomes clear. Also, should not the NDP process be outlined in Section 1, perhaps as amplification of 1.1.4? I don't think the Plan becomes part of the TVBC Local Plan, but when made, not adopted, it is part of the statutory Development Plan.

I don't find this policy very clear and am in some doubt whether it is sound. Does the reference to existing property mean all property or just residential property? Why should you need a landscape study for the smallest of free standing buildings? Is there guidance as to the precise circumstances where a landscape study is necessary and the form and scope that such a study should take? The repetition of the phrase 'planning application' doesn't help the reading of the policy or the language.

This may sound a trifle pedantic, but I would avoid the phrase 'for agricultural use' which implies requiring the land to be used for agriculture, which authorities are powerless to do. The object of the policy is to preserve openness and surely a better wording would be .... The agricultural field between Horsebridge and Romsey Road should be preserved in its open state to ensure positive separation between settlements. This would also bring the form of expression of the policy in line with the other E policies, which it isn't at present.

I think for clarity I would add the words KINGS SOMBORNE VILLAGE at the end of the policy

I am not persuaded that all new development should necessarily be kept below the 40m contour, but I refer to this in the context of the housing section and the site assessments.

Surely all new residential development should be sited close to existing development? I think the use of the term 'built-up landscape' is confusing and inappropriate.

I see no difficulty with this policy but would just ask whether this is now the commonly accepted standard for open space provision in development? It used to be by the number of dwellings.

It is understood from the local press that the Diocese of Winchester is going to sell the allotments site. The provisions relating to listed assets of community value are complex, but it would appear that if the owner wishes to cease its present use, that cannot be stopped in principle. Given that this site would surely be the least contentious and most suitable site for housing, and is even within the Kings Somborne settlement boundary as defined in the Local Plan, wouldn't the sensible course be to accept housing subject to establishing new allotments elsewhere? Given the public announcement by the Diocese surely the Parish Council should initiate exploratory, without prejudice, discussions immediately and if they prove fruitful, this would potentially change the whole complexion of the housing proposals in the NDP. I have heard that the allotment holders would be reluctant to move to another site because of fear of 'contamination' of the land by the application of chemicals etc. However, given the implications of this whole issue and the wider but significant public interest, I think we all know exactly what the response to the allotment holders should be.

I see nothing wrong with the principle of this policy, but surely a way must be found to avoid the use of the term 'Conservation Area' twice in the first sentence? Given the definition of conservation areas as 'Areas of Special Architectural or Historic Interest, the character or appearance of which it is desirable to preserve or enhance', would it not be appropriate to feed at least some of this wording into the policy?

I imagine that this is a fairly standard policy that is applied in all areas where there is flood risk. However, I assume it does not apply to 'all developments' (eg a small house extension, a shop front, a mobile phone mast etc, all of which are within the meaning of 'development' as defined in the Planning Act ), but those it does apply to need to be stated

The same point as in Policy E10 above applies; 'new development' covers everything, but the types of proposal where an appraisal is required should be specified. Otherwise, how does an applicant know whether to prepare an appraisal for his/her application?

On the matter of the housing requirement, I appreciate the difficulties in assessing this at Parish level. However, this notwithstanding, my view is that the whole approach in the NDP is misguided, and effectively is the result of the analysis of the answers to the questions of residents' specific housing needs in the 2016 KSPC NDP Survey, and to a lesser extent, in the later Housing Needs Survey carried out by Action Hampshire. The latter survey in my view was completely unnecessary and has produced no useful information, apart from delaying the Plan by several months. We are not planning for the specific housing needs of Parish residents in terms of market housing, unpalatable though that may be to many. This is basically because there can be no control over the occupancy of new market dwellings. Developers will sell their houses to whoever they can and must be able to do so. If residents want to upsize or downsize and remain within the village, then they see what existing or new dwellings are available. If nothing is available then they move elsewhere, or, depending on their circumstances, wait. And so there is limited point in asking residents questions about their future needs, other than perhaps to get a feel of whether significant numbers may seek to leave the village, and no justification for taking into account this kind of data when assessing need. By all means ask what type of any new housing they would like to see, but this is from the point of view of achieving a variety of dwelling types, which is generally seen as desirable, both from environmental and social standpoints. However, developers have a habit of building the type of dwellings that are the most marketable at the time.

Affordable housing is more complex, because there are different types of such housing needed and the locational needs may be tied to a particular parish, but more often anyone wanting an affordable dwelling is prepared to move to another parish. My understanding is that Test Valley's affordable housing policies allow persons who have demonstrated an affordable housing need to move well outside their Parish, if the house in question meets their specific need. So I accept that information on those residents in the Parish who need affordable housing should be gathered, and if this information is not available from the Borough Council, which I suspect much of it is, then possibly a tailored short questionnaire only to those parish residents might have been sent, but I realise this is too late now. I think one starts, as the NDP does, to look at the total minimum housing requirement in Rural Test Valley over the 18 year period of the Borough Local Plan. Obviously the 648 dwellings are not allocated to specific villages and any additional housing which is provided in this Parish would be seen as a contribution to that overall supply. So one needs to look at the village against that background; ie there is an accepted need overall for more housing in the rural area as stated in the Local Plan and is Kings Somborne both a sufficiently sustainable community and in broad terms capable physically of absorbing more development, having regard to environmental constraints, such as to make some contribution to this overall need?

A key question is whether more population is required to support local facilities and services, and in this respect there should be some assessment of their viability, as specifically provided for in the NPPF. For example, what does the Education Authority think in terms of future school rolls and what are the views of the proprietors of the two local shops, one of which of course includes the post office? This assessment should include all facilities and services, as well as the utilities such as broadband, potential gas supply etc.. Although Section 6 appears to be a very thorough assessment of the Parish's facilities and infrastructure, with helpful policies to safeguard them, I feel it is a shortcoming of the NDP that no attempt has been made to assess their viability, an assessment that could then be cross-matched to the question of housing need. The NPPF also provides that market housing can be justified to facilitate the provision of affordable housing, although this rather fundamental question is not directly addressed in the NDP either, other than following the relevant Local Plan policies. From all this a figure of housing need can be formulated, admittedly it can only be approximate, but you will never arrive at a precise unchallengeable figure, especially when there is 'no prescribed method for determining housing numbers' (NDP 4.4.1). But I suggest that this approach has more logic and is more defensible than the one used for the NDP. I have studied Appendix 2.1, but whilst national population forecasts, past trends in the Parish, and the present social balance provide interesting background material, I do not feel that they are especially relevant as factors from which we should derive a new housing requirement for Kings Somborne.

This policy is ingenious, but I don't think it is permissible. You cannot through planning controls compel a developer to impose restrictive covenants on new properties; that is entirely a matter for the developer. What does the LPA do if the developer refuses to apply covenants – refuse planning permission? I would strongly suggest that the Parish Council seeks legal advice on this. Some of the objectives listed in the preamble to policy H5 might be achieved in selected and appropriate cases by withdrawing permitted development rights by condition of the planning permission. There are also Article 4 Directions which withdraw specified permitted development rights over a whole area. However, central government requires special justification for approving such directions and I doubt whether to achieve compliance with Design Guidance over a whole Parish would be a justifiable reason. The essence of the Design Guidance, which I feel is very good, is that much of what it seeks to achieve is by persuasion at the negotiating stage, or by refusing planning permission if the design is clearly inappropriate.

In the light of the above, the following consideration of where to locate new homes must be qualified by the expression of some doubt as to whether the NDP has got the numbers right. And so only for the purposes of considering where houses should be sited, I assume here that something in the order of 40 houses are required over the 15 year Plan period. A point which is of concern to several with whom I have discussed the NDP is, as indicated, the vast amount of material that exists in relation to the assessment of sites suitability for development, and to anyone not versed in planning policies and procedures, how utterly time consuming and difficult to comprehend. Principally these are the Site Assessments carried out in accordance with the TVBC protocol (150 odd pages) and the Landscape Assessment by the South Downs NPA (nearly 50 pages). There are also other assessments at various stages of the preparation of the Plan. Surely a single 'Assessment' could be produced which succinctly embraced all this work and which could be much more easily accessed and assessed by those interested in the Plan. I would be surprised if this doesn't prove to be a problem with the Assessor.

In my experience, phasing such as over three discrete time periods of five years each and establishing an order of priority will never work. Phasing only works when there is a particular constraint such as the absence of necessary infrastructure, or, say, a road which needs to be constructed before housing can be built. Once the land has been identified as suitable for housing (and allocated in the statutory development plan) it will be incredibly difficult to resist applications to develop any phase as soon as the market dictates. There are, for example, unlikely to be grounds for refusing development in Phase 1 that is earmarked for Phase 3, ie grounds that would be supported on appeal. I know many residents responded to the main questionnaire that a few dwellings only year on year should be built, which all sounds very cosy but I do not believe there is any planning justification for this. There is no reason why the whole allocation for a 15 year plan period should not be built within the first three years. Should developers ever win an appeal on the Eldon Road site, which would provide many more houses than the NDP proposes, no Inspector will try to regulate the phasing of the development into specific time periods – if the housing is needed, the quicker it is built for all concerned, including local residents, the better. The Plan is then reviewed long before the end of the plan period. And so the NDP should only allocate that land which is required within that plan period. If five sites are identified and only three are needed, it just becomes a ‘developer’s charter’. The potential ‘re-ordering of the priority of sites’ as stated as a possibility in Policy H10 would, amongst other things, create a lack of confidence in the NDP and much disquiet amongst the public. Surely a key responsibility in preparing the Plan and assessing sites for housing development is to establish their availability, and the timing of that availability, before allocating them? See the Department of Communities guidance on SHEELAS.

By all means encourage a variety of dwelling types for both aesthetic and social reasons, but don’t seek to justify this on the basis of villagers’ specific housing needs, as the preamble to this policy suggests. I think the requirement to provide proportions of 2, 3 and 4 bedroom houses to every development is far too prescriptive

This is just not an acceptable planning policy. There is no justification for imposing these kinds of blanket prohibitions. Can one imagine what the reaction of a potential purchaser of a new dwelling would be to a limit on the size of any future extension and a total prohibition on additional storeys and loft extensions? It is effectively taking away people’s permitted development rights, or denying them the opportunity of seeking planning permission. Each case involving any of the three categories would be judged on its own merits, assuming of course that it required planning permission.

As far as the five preferred sites are concerned, as I have found it so difficult to navigate the various relevant appendices and documents I may not have fully appreciated the weight and significance of the professional guidance that is contained in the various studies. The responses below therefore are based more on my own assessments of each site taking into account my knowledge of the Parish. A general point of great concern with regard to all the suggested sites is the lack of clear guidance as to the implications of each development from a highway standpoint. The site access study at 2.4.6 is disappointing to say the least and I have found no evidence in the NDP and its attachments that the access arrangements for any of the sites is clearly known and is acceptable to the Highway Authority. This is crucial information, and should be known with certainty before any site is advanced for housing development, as is the availability of any of the sites. This then avoids the potentially disastrous consequences of identifying more sites than you need and having to reorder the priority.

KS5 and KS7 From what I have read, there appears to be no acknowledgement that development of both these sites will be visible from the A3057, the only SHLAA/SHEELAA sites in this category, and even development of the scale of these sites combined will have a profoundly adverse effect upon the setting of the village. To contemplate access to Muss Lane from KS5 is absurd and surely not acceptable to the Highway Authority. Access to KS7 via New Lane would completely change the character of this road from a country lane to an 'urban' distributor, and open up the land to the north for further development. I understand the methodology employed by the South Downs NPA, but I am not convinced that the traditional valley bottom is so significant that development must be kept within it, bearing in mind that much post war housing in the village has straddled away from it and is on much higher ground. There appears to be no recognition of the precedent implications of these sites; because of the hard boundary created by the A3057 and New Lane, it is inevitable that given the right market conditions there will be considerable and probably irresistible pressure to develop the remainder of the open land between these roads. However well designed, this scale of development would just urbanise this part of the village

KS3 This area was positively included in the 1987 Conservation Area review as an important open area because of the contribution it makes as open land to the character and setting of this part of the village. This can be fully appreciated from Froghole Lane. It is still an important open area, even though the Department of Communities has discouraged the use of local designations in future development plans. I do not consider that anything has changed in terms of the value of this site as open and the fact that it is on the valley floor does not enhance its case for development. I can appreciate the apprehensions of those who live in the immediate locality, apart from their concerns about flooding.

SHELLA 81 I can see no merit whatsoever in this land as a development site. Given its narrowness at the north eastern extremity, housing will appear as ribbon development stretching out along the Winchester Road, and will detract significantly from views towards the village from the Ashley and Little Somborne directions, as well as from higher ground to the south.

KS6 Historically this site has been excluded from the settlement boundary but included within the Conservation Area because as an open area it contributes to the special character of Winchester Road as it extends into the countryside. However, assuming the character and setting of the listed buildings Prospect House and Cruck Cottage can be fully respected and satisfactory access can be achieved, I would concede that it appears to be the least unacceptable of the sites advanced for development, although this would run counter to the policies of the still extant Conservation Area Appraisal. The informal view of the Highway Authority in the past was that access would be problematic; it would have to be sited away from Cruck Cottage because of the effect of the siting of that building on achieving satisfactory sight lines, and to bring it further eastwards would create an unacceptable virtual crossroads with Riverside Green. The highway position has to be clarified before the site is allocated. Contrary to what I understand has been assumed by the Steering Group, this site has never in the last 70 years been the subject of a planning permission for any form of housing. This can be verified by inspecting the Council's planning register.

On the matter of housing allocations generally, I feel that the likely availability of the allotments for housing development changes fundamentally the approach and possible solution to housing needs in the NDP, and I trust that this will be fully investigated by the Parish Council before the next stage.

It has always seemed to me since the introduction of NDPs that they must be capable of 'adding something' to the planning of the settlements they cover. After all, authorities have Local Plans, and if you really examine their content, they cover much of the ground in policy terms that is or will be included in the NDP. Test Valley has in my view, of the many that I have read over the years, a particularly robust and well written Local Plan, the 2016 version. And so what can our NDP give the community that is not covered by the Local Plan? Apart from addressing in more detail local housing needs and say, providing bespoke design guidance, I have always felt that identifying schemes for environmental enhancement of some of the 'blacker spots' would be beneficial, and was something pursued by Test Valley over the whole Borough many years ago. I did suggest this at an early stage of the NDP, and we could have asked the public for their ideas, but I am sad to say that it did not find favour.