



# Odiham and North Warnborough Neighbourhood Development Plan

## Regulation 16 Consultation

September 2024



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# 1 INTRODUCTION

## 1.1 Context

- 1.1.1 These representations provide Gladman's response to the Odiham and North Warnborough Neighbourhood Plan under Regulation 16 of the Neighbourhood Plan (General) Regulations 2012.
- 1.1.2 Gladman specialise in the promotion of strategic land for residential development and associated community infrastructure and have considerable experience in contributing to the Development Plan preparation process having made representations on numerous planning documents throughout the UK alongside participating in many Local Plan and Neighbourhood Plan examinations. It is on the basis of that experience that these representations are made.
- 1.1.3 Through these representations, Gladman provides an analysis of the Odiham and North Warnborough Neighbourhood Plan and the policy choices promoted within the draft Plan. Comments made by Gladman through these representations are provided in consideration of the Neighbourhood Plan's 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 PPG.

## 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 Odiham and North Warnborough Neighbourhood Plan 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) Prescribed conditions are met in relation to the Order (or plan) and prescribed matters have been complied with in connection with the proposal for the order (or neighbourhood plan).”*

### 2.2 National Planning Policy Framework

- 2.2.1 The National Planning Policy Framework (the 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 for the preparation of neighbourhood plans to be in conformity with the strategic priorities for the wider area and the role they play in delivering sustainable development to meet development needs.
- 2.2.2 At the heart of the Framework is a presumption in favour of sustainable development, which should be seen as a golden thread through plan-making and decision-taking. This means that plan makers should positively seek opportunities to meet the development needs of their area and Local Plans should meet identified housing needs. This requirement is applicable to neighbourhood plans.
- 2.2.3 The recent Planning Practice Guidance (PPG) updates make clear that neighbourhood plans should conform to national policy requirements and take account of the most up-to-date

evidence. This is so that Town Council can assist Hart District Council (HDC) in delivering sustainable development and be in accordance with basic condition (d).

2.2.4 The application of the presumption in favour of sustainable development will have implications for how communities engage with neighbourhood planning. Paragraph 13 of the Framework makes clear that Qualifying Bodies preparing neighbourhood plans should develop plans that support strategic development needs set out in Local Plans, including policies for housing development and plan positively to support local development.

2.2.5 Paragraph 15 further makes clear that neighbourhood plans should set out a succinct and positive vision for the future of the area. A neighbourhood plan should provide a practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency. Neighbourhood plans should seek to proactively drive and support sustainable economic development to deliver the homes, jobs and thriving local places that the country needs, whilst responding positively to the wider opportunities for growth.

2.2.6 Paragraph 29 of the Framework makes clear that a neighbourhood plan must be aligned with the strategic needs and priorities of the wider area and plan positively to support the delivery of sustainable growth opportunities.

## 2.3 Emerging National Planning Policy Framework

2.3.1 On 30th July 2024, the new Labour Government published its proposed reforms to the National Planning Policy Framework for consultation until 24th September 2024. The proposed revisions include reversing changes introduced by the current December 2023 iteration and the proposed introduction of new policies.

2.3.2 These representations have been drafted with reference to the December 2023 NPPF and the associated updates that were made to the PPG; however, it is important to acknowledge the wider potential changes to the planning system in the short to medium term.

2.3.3 The Steering Group should be mindful of these changes and the potential impact to the Odiham and North Warborough's Neighbourhood Plan and the need to undertake a review of the neighbourhood plan following the adoption of the NPPF.

## 3 RELATIONSHIP TO LOCAL PLANS

### 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 Odiham and North Warnborough's Neighbourhood Plan and the Development Plan which the Neighbourhood Plan will be tested against is the Hart District Local Plan. The Plan was adopted in April 2020 and is the overarching planning policy document for the district and forms the basis for decision making process in relation to all planning applications looking forward to 2032, or such a time as it, or elements of it are superseded.
- 3.1.3 The plan does not allocate any sites within or adjacent to Odiham and North Warnborough's settlement boundaries. Development constraints around the settlement are recognised with the conservation and enhancement of the Sites of Special Scientific Interest (SSSI) in and around Odiham and North Warnborough (Butter Wood SSSI and Odiham Common with Bagwell Green and Shaw SSSI). Further constraints include flood zone 3 land northwest of the settlements and the larger conservation area's which contain many listed buildings and archaeological interests. Landscape constraints are also recognised.
- 3.1.4 The adopted Development Plan for Hart contains a housing requirement of 7,614 dwellings over the plan period (2014-2032) which equates to 423 dwellings per annum. One of the new Labour Government's proposed reforms to the NPPF is a change in how housing requirements for local authorities nationwide are calculated, using a stock-based approach as the basis. For Hart this would mean the requirement increases from 297 dwellings per annum to a proposed requirement of 734 dwellings per annum. Once the NPPF is adopted Hart District Council will have to take into consideration this increased requirement through a review of its Local Plan, thus both Odiham and North Warnborough may need to assist in the delivery of a greater quantum of housing to assist the Council.

3.1.5 To ensure compliance with national policy it is important that the neighbourhood plan is prepared with the objective of delivering sustainable development and policies serve a clear purpose, avoiding unnecessary duplication of policies contained in the Development Plan<sup>1</sup>.

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<sup>1</sup> NPPF – Paragraph 16



## 4 ODIHAM AND NORTH WARNBOROUGH NEIGHBOURHOOD PLAN

### 4.1 Context

- 4.1.1 This section is in response to the Odiham and North Warnborough Neighbourhood Plan consultation document and its supporting evidence base.

### 4.2 Vision and Objectives

- 4.2.1 Gladman are supportive of the Plan's vision and objectives which seeks to ensure housing, including affordable housing is delivered to meet the needs of the whole community and that development is of an appropriate type, size, density and quality that contributes to the community's needs.

- 4.2.2 It is imperative that the Plan's objectives are properly supported by the suite of policies in order to fulfil these ambitions for growth. The provision of housing in the settlement's supports other objectives and will enable them to be met, thus the contribution residential development can make should not be overlooked.

- 4.2.3 The Neighbourhood Plan visions states,

**'a key consideration in managing development will be to secure the preservation of the many special and significant views both within, from and towards the settlements and consequently retaining the essentially rural nature of the villages' location and surrounding landscape.'**

- 4.2.4 Gladman is concerned that the wording will restrict development and potentially create a barrier for needed development and growth in the Neighbourhood Plan area. The Conservation Area Appraisal for Odiham and North Warnborough states

**'Due to the open character of Odiham there are many views into and from the surrounding countryside and that the extent of identifying all views would be impractical.'**

- 4.2.5 While Gladman appreciates this rural character of the settlement we suggest there to be more flexibility to the policy to ensure the Plan supports growth, an example being 'with mitigation measures development may be deemed appropriate.'

## 4.3 Policy 1 – Spatial Plan for the Parish

- 4.3.1 Policy 1 states development will be supported **‘provided that they accord with National Policy, the relevant applicable Hart Local Plan and the policies of the Neighbourhood Plan. Development proposals outside settlement boundaries will be required to conform to National Policy, the policies of the relevant applicable Local Plan and the policies of the Neighbourhood Plan in respect of the control of development in the open countryside.’**
- 4.3.2 The above approach takes a restrictive approach towards development beyond the settlement boundary of a settlement. The approach taken is therefore not in accordance with the hierarchical requirements of national policy which sets out a presumption in favour of sustainable development and the national policy imperative which seeks to significantly boost the supply of housing.
- 4.3.3 Post implementation of a stock based approach Hart District council will have a housing shortfall within the authority. It is currently unclear therefore how the Town Council expect to deliver the objectives of the Plan when growth is fixed to within the settlement boundary. Such an approach does not provide assurance that housing needs will be met or indeed if there is a sufficient quantum of sites which could come forward.
- 4.3.4 It is additionally important to note that the draft Neighbourhood Plan requires that development complies with existing adopted policies, which are already covered by the Development Plan. As mentioned previously the Framework states plans should not duplicate existing policies.
- 4.3.5 Gladman therefore recommend that Policy 1 is modified to be consistent with the Frameworks requirements and ensure flexibility to enable the Plan to react to changes in circumstance over the plan period. Indeed, the need for greater flexibility is particularly important given the Plan’s objectives to meeting identified housing needs where the Plan makes no provision through the allocation of land to meet these objectives.

## 4.4 Policy 2- Housing Development Sites

- 4.4.1 The above policy in the Plan sets out that 119 dwellings are allocated to the Neighbourhood Plan area, with further dwellings expected through windfall development.

4.4.2 Recognising that the development quantum was established in light of development constraints around the settlement, allocated sites have been predominantly made through smaller sites. To ensure that the neighbourhood plan is capable of remaining up to date for the entirety of its plan period, Gladman suggest that the neighbourhood plan could either allocate more small to medium sized sites south of Odiham and North Warnborough or implement the flexible response to settlement boundaries as outlined in response to Policy 1. This will allow for the settlements to deliver more housing and allow sufficient flexibility towards changing needs especially with Hart's proposed increased housing requirements.

## 4.5 Policy 3- Local Gap

4.5.1 Gladman object to the inclusion of this Policy within the neighbourhood plan.

4.5.2 The use of settlement gaps was an issue that arose during the course of the Local Plan examination, a proposed policy in relation to the gaps was removed and modifications were made to the landscape policy were included so that the issue of coalescence would still be considered through development management.

4.5.3 The supporting text indicates that policies in regard to gaps between settlements can be incorporated through neighbourhood plans, however definitive boundaries still need to be supported by evidence. Gladman have not been able to find any evidence supporting the extent of the gap proposed, other than this being the reinstatement of the area previously designated as a gap but removed through the Local Plan examination for a lack of evidence.

4.5.4 This lack of evidential support is compounded by the fact that a number of site allocations are made within the proposed 'local gap' area. It is clear that there are parts of the proposed gap that can support residential development without unacceptable impacts and perceived coalescence between Odiham and North Warnborough.

4.5.5 In the context of the potential housing targets that the Council will be likely having to plan during the course of the plan period, to avoid future conflicts Gladman suggest that this policy is deleted with policy NBE2 of the Hart Local Plan sufficient to deal with any potential coalescence threat.

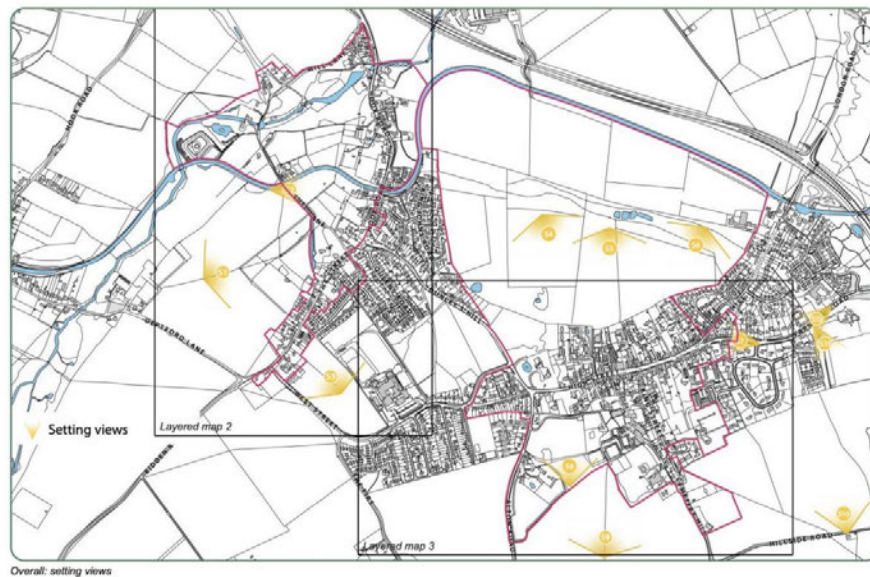
## 4.6 Policy 4- Housing Mix

4.6.1 This policy seeks to support new housing developments which provide a mix of dwelling types. It is important to note the evidence base supporting this policy is from the Odiham and North Warnborough Housing Need Survey Report which was published in November 2015. As these assessments only portray the need at a single point in time, this will likely have changed since the making of the original neighbourhood plan the requirements of table supporting this policy may already be outdated. This element of the policy should therefore be removed.

## 4.7 Policy 6 and 7- Odiham and North Warnborough Conservation Area's

4.7.1 Gladman are concerned with the identification of the views set out in this policy and the evidence this policy is reliant on. The significant views noted in the Neighbourhood Plan are that of which contribute to the character and appearance of the Conservation Area include 'Setting, Contextual and Townscape Views,' the setting views are shown in the below image.

*Setting  
across*



*Views*

*Odiham and North Warnborough*

4.7.2 While Gladman appreciate the historic and rural character of the above settlements, protected views must ensure that they demonstrate a physical attribute that elevate a view's importance beyond simply a nice view of open countryside nor views which are solely based on community support. Policy 6 states some of the further fortuitous or unplanned views involve in the Neighbourhood Plan as;

**‘the informal and varied presence of greenery: especially the many large trees visible above the houses, adding green to the skyline even in the centre of the village and giving evidence of the presence of open spaces and gardens in which the trees are growing.’**  
Furthermore that these views are **‘not always readily articulated or understood but which are nevertheless important and which should be retained.’**

4.7.3 Gladman believes the wording of these views to not qualify as a protected view and the policy to be too subjective for future application. The Open Space Assessment included in the Conservation Area Appraisal states open space contributes to protected views in two main ways:

**• It allows views across the conservation area and forms the setting to its historic buildings; and**

**• It defines the pattern of the historic settlement and its relationship to the landscape around, and it may be of historical interest in its own right.’**

4.7.4 Gladman support the above and that open space may contribute to a protected view alongside the presence of the historical settlement in the view, however open countryside in its own right should not constitute as a protected view.

4.7.5 Gladman notes that there are two separate policies which reference the Odiham and North Warnborough Conservation Appraisal (2022), this has caused most of each policy to be replicated between policies 6 and 7. Plans should avoid ‘unnecessary duplication of policies,<sup>2</sup> thus Gladman suggest these policies combined into one Conservation Area Policy.

## 4.8 Policy 12- The Natural Environment

4.8.1 Gladman broadly support Policy 12, with particular regard for the encouragement of early engagement of applicants with Hart District Council and Odiham Parish Council to discuss biodiversity net gain requirements for their developments early on.

4.8.2 Gladman agrees with Odiham Parish Council when stating their preference for biodiversity net gains for being delivered on site, however the policy should include wording to explain that where this is not possible to do so off-site contributions should be accepted.

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<sup>2</sup> NPPF – Paragraph 16

## 5 CONCLUSIONS

### 5.1 Summary

- 5.1.1 Gladman welcomes the opportunity to comment on the draft Odiham and North Warnborough Neighbourhood Plan. These representations have been drafted with reference to the revised National Planning Policy Framework (NPPF 2023) and the associated updates that were made to Planning Practice Guidance.
- 5.1.2 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 which are proposed to dramatically increase.
- 5.1.3 Through this consultation response, Gladman have provided comments on a number of policies being proposed through the draft Odiham and North Warnborough Neighbourhood Plan and its supporting evidence base and have highlighted a number of areas where the proposed approach does not accord with the requirements of national policy and/or guidance and submit modifications are necessary to ensure the Plan's compliance with the basic conditions.

