

ODIHAM AND NORTH WARNBOROUGH NEIGHBOURHOOD DEVELOPMENT PLAN REVIEW - RESPONSES TO REG 16 CONSULTATION

This schedule summarises the comments made in the responses received by Hart District Council during the Regulation 16 consultation stage (22nd July to 16th September 2024). It also includes, in relation to each of these representations, Odiham Parish Council's (OPC) response. In some cases, this response also cross-refers to OPC's response to the Examiner's request for clarification on a number of matters.

Rep ID	Organisation	Summary of Comments	Parish Council Response
01	Edward Thomas	Supports the draft Neighbourhood Plan	OPC thanks the resident for this support
02	Surrey County Council	No comments on the draft Neighbourhood Plan	No comment
03	Winchfield Parish Council	Supports the draft Neighbourhood Plan	OPC welcomes this support from a neighbouring parish
05	Sport England	A generic response with guidance on how neighbourhood plans can make provision for sport and recreation.	<p>OPC believes it has adhered to the principles, policies and guidance set out by SE.</p> <p>In relation to formal provision, such as playing fields, OPC proposes to support their protection by proposing to designate the North Warnborough Football Ground (see also response to 020) and Odiham Cricket Club as Local Green Spaces.</p> <p>In recognition of the importance of facilitating social interaction and creating healthy, inclusive communities, the updated NP also proposes to designate other additional Local Green Spaces.</p>
06	Michael Conoley Associates	<p>The Land at Little Park does not satisfy criterion c) of NPPF para 106 so should not be designated as Local Green Space in Policy 11.</p> <p>No examples of failed or successful attempts at LGS designation elsewhere provide support for OPC's case.</p> <p>The site is in the conservation area and Recommendation 4 in the CAA provides a policy basis</p>	<p>OPC disagrees that criterion c) is not met and maintains that the Little Park is indeed 'local in character and not an extensive tract of land'.</p> <p>Please see response to Examiner's request for clarification for more on this.</p> <p>OPC disagrees and considers that the indisputable fact of acreage provides support for our case.</p> <p>This is only a recommendation and not a statutory limitation or policy. If LGS designation would not add any further protection, the landowner has no grounds for objecting to it. It would appear that the only reason to</p>

		<p>for resisting anything that would reduce its open, rural character.</p> <p>The site does not have a high recreational value, unlike other large sites, such as the Ashton Court Estate, the LGS at Laverstock & Ford and the Heath at Petersfield which have high value in these terms (and allow public access beyond defined rights way).</p> <p>Applications to have the site included in the National Register of Parks and Gardens and registered as an ACV have failed.</p>	<p>object is that, though the proposal to designate is made for positive reasons, it would have the incidental effect of inhibiting development.</p> <p>It is not the case that ‘for a larger site to be accepted as an LGS, it needs to have more use/facilities than rough footpaths through the site which make them suitable to be designated as such’. Such an analysis conflates two different matters – criterion b), which addresses recreational value, and criterion c), which addresses local character and size.</p> <p>Notwithstanding the fact that recreational value is not a consideration in respect of criterion c), the scale and strength of public reaction to the refused planning applications demonstrate the appreciation locally for the Little Park in its current form. The proposal to enhance facilities in the Little Park did not enhance its value to the community.</p> <p>These applications relate to the site’s particular features and not to whether or not it is an extensive tract of land (ie the focus of criterion (c)) or suitable to be designated as an LGS</p>
07	Historic England	A generic response with guidance on how heritage can best be incorporated into neighbourhood plans.	<p>In reviewing the NP (made in 2017), OPC believes it has adhered to the principles, policies and guidance set out by HE. In particular, it has updated the conservation area appraisals on which the made plan (was based with the much more recent Odiham & North Warnborough Conservation Area Appraisal (adopted in November 2022).</p> <p>OPC notes the comment (p4) that the plan provides an opportunity to designate Local Green Spaces and that such designations are encouraged by national planning policy. (See also the response to HCC’s representations quoted in relation to 006 above).</p> <p>It notes that such spaces are often integral to the character of place for any given area, and this is very much a theme in the Odiham & North Warnborough Conservation Area Appraisal.</p> <p>OPC also notes the comment (p4) that the plan provides an opportunity to identify any potential Assets of Community Value. A number of such assets have been identified.</p>

08	Rushmoor Borough Council	No comments on the draft Neighbourhood Plan	No comment
09	Thames Water	<p>Proposes the following new text dealing with water/wastewater infrastructure.</p> <p>“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.”</p> <p>“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.”</p>	Overall, the matters raised are largely for the local planning authority when dealing with planning applications. While OPC agrees with Thames Water’s proposals, it is not convinced that any of the proposed additional text (which is all generic and not specific to this plan) should be included in this plan, but will be guided by the Examiner.
10	Hampshire Swifts	<p>Proposes the following new wording to be added to Policy 12 to require the incorporation of swift bricks in new-build development:</p> <p><i>Swift bricks are a universal nest brick for small bird species, and should be installed in all new-build developments including extensions, in accordance with best-practice guidance such as BS 42021:2022 or CIEEM. Swift bricks are a significantly better option than external boxes due to their long lifetime, no maintenance requirements, improved thermal regulation, and aesthetic integration. Artificial nest cups for house martins may be proposed instead of</i></p>	Agree that wording could be added if the Examiner thinks it would be appropriate.

		<p><i>swift bricks where an ecologist specifically recommends it.</i></p> <p><i>Existing nest sites should also be protected and retained.</i></p>	
11	Shorewood Homes (LGS)	<p>The settlement boundary in the vicinity of Hatchwood Farm/Place does not align with the boundary shown on the Local Plan mapping.</p> <p>The paddock at Hatchwood Farm should not be designated as LGS. Planning permission has been granted for residential development. The proposed designation is not consistent with the first or second parts of NPPF paragraph 105.</p>	<p>The settlement boundary does not have to align with that in the Local Plan. It is not a strategic policy (as defined in the Local Plan) but a non-strategic policy dealing with more detailed matters. In fact the proposed delineation in the draft plan is UNCHANGED from that in the made NP. (See Proposed Changes to Policies Map). The Local Plan Inspector proposed the modification so that it would align with that in the made NP, which included within the settlement only the new development now known as Montfort Place and not Hatchwood Farm/Place. The change actually made was therefore <u>not</u> consistent with the made NP as proposed by the Inspector.</p> <p>A Permission in Principle (PiP) is not a ‘planning permission’. The proposed designation is therefore not contrary to the Planning Practice Guidance.</p> <p>Please see response to Examiner’s request for clarification for more on this.</p> <p>Although OPC did not object to the PiP application, it did subsequently (in response to representations made at the Reg 14 stage), decide to reconsider the provision of LGSs and, in this context, identified the paddock at Hatchwood Farm as such a site within a network of connected open spaces (see paras 3.68-69 of the submission version). The proposed designation is not inconsistent with the first part of NPPF paragraph 105 – or the second part because the NP does allocate sites for housing (as addressed in paras 3.71-72 of the submission plan).</p> <p>The representation reviews each of the considerations noted in NPPF paragraph 106b) as if each one needs to be demonstrably engaged for designation to be appropriate but this is not correct as they are simply examples of considerations that might be relevant. OPC has not argued, for example, that ‘beauty’ or ‘tranquility’ are considerations relevant to the site fulfilling a role as LGS.</p>

			<p>The site is an important part of the green infrastructure of the plan area. Its role is not simply that a well-used footpath runs across it but that the site contributes to a series of green open spaces that are, collectively, of great recreational value (see submission plan para 3.72 explaining the concept of a ‘portfolio of sites’).</p> <p>The officer’s report on the refused Technical Details Consent (TDC) application notes a number of concerns about the scheme’s impact on the footpath.</p>
12	Gladman	<p>Several policies should be modified to allow more flexibility, for example in terms of development proposals relating to land outside the settlement boundary and the allocation of additional sites for housing.</p> <p>Policies 6 and 7 (Odiham and North Warnborough Conservation Areas) include repetition and should be combined into one Conservation Area Policy.</p> <p>Policy 3 (Local Gap) Is unjustified.</p> <p>Parts of the proposed gap can support residential development without unacceptable impacts and perceived coalescence between Odiham and North Warnborough.</p>	<p>The Parish Council fundamentally disagrees with certain policy changes proposed by Gladman - as follows:</p> <p>The Parish Council confirms that the draft plan has been prepared having full regard to the current (December 2023) version of the NPPF.</p> <p>The Parish Council strongly disagrees with the suggestion that two of the three separate Conservation Area policies should be combined. The current policies all reflect differences. Duplication of some text does not mean any of it is unnecessary.</p> <p>Evidence supporting the inclusion and extent of the Local Gap is contained in the Locally Derived Evidence for the existing made plan. A link to this information is provided in the current Regulation 16 Consultation Statement:</p> <p>ONW-NEIGHBOURHOOD-PLAN-LOCALLY-DERIVED-EVIDENCE-JULY-2016-copy.pdf (odihamparishcouncil.gov.uk) and the original Consultation Statement (dated July 2016) published by Odiham Parish Council as a supporting document for the Regulation 16 consultation on the existing ‘made’ neighbourhood plan.</p> <p>The Examiner’s report (Dec 2016) on the existing made Neighbourhood Plan includes the following comments on Policy 3:</p> <p><i>“In 7.40 The policy has attracted considerable local support and landowner representation and objections. I have considered all the various representations in assessing the extent to which this policy meets the basic conditions.</i></p>

			<p><i>In 7.44 One of the representations comments that the local gap approach is contrary to national policy to the extent that it is clearly a strategic policy and outside the remit of neighbourhood planning.</i></p> <p><i>7.45 I am not convinced by these arguments. Firstly, the Odiham to North Warnborough Local Gap is plainly in general conformity to the strategic policies of the development plan. In any event the emerging strategy for the Hart Local Plan will address both the level of housing and other growth required in the District, its spatial allocation and the need or otherwise for the protection of gaps between settlements. In any event the continued retention of this local gap in the neighbourhood plan (as now proposed to be amended) is far from a ‘blanket policy restricting housing development in some settlements and preventing other settlements expanding’ in the reference to national policy to which my attention has been drawn.</i></p> <p><i>7.46 Secondly, I saw first-hand the sensitivity of the gap between the new settlements. The representations challenging the retention of the local gap provide no assessment of the impact of the deletion of the local gap policy in terms of the distinctiveness and identity of the settlements concerned. Thirdly the submitted neighbourhood plan has actively assessed the boundaries of the local gap and proposes a related package of Odiham and North Warnborough housing and open space in and around Dunleys Hill. This is innovative and proactive planning. Fourthly the longer-term retention of a local gap will not automatically frustrate the boost of housing supply in the Plan area. Several representations to the submitted plan have proposed other housing sites elsewhere in the neighbourhood area and unrelated to the local gap. These continue to be assessed as part of the emerging local plan.</i></p> <p><i>7.47 I am satisfied that the Odiham to North Warnborough Local Gap as identified in the submitted Plan meets the basic conditions.”</i></p> <p>The Parish Council believes the logic and conclusion of the Examiner at the time remain valid.</p> <p>Also note that Policy 3 has successfully been applied by Hart in their decision making on a number of (refused) planning applications – made within the context of both strategic and non-strategic policies in the Hart Local Plan.</p>
13	National Grid	Confirms that no assets are currently affected by the proposed allocations within the NP area	No comment

14	Jeremy Fellowes	Site 11 xiv Recreation Ground and Site 11 xii Montfort Place should be removed from Policy 11 so that both sites can be reassessed for community use. There could be problems in the future if residents or the Parish Council wish to do something else with the land.	The objective of LGS designation is to protect open green spaces going into the future. This is important both for residents to have access to green spaces and for biodiversity reasons. The fact that they are not used much is no reason to not have them designated as an LGS. The Steering Group considered all the proposed LGS sites against NPPF criteria and these sites were deemed to meet the criteria.
15	Charles Peal	Supports the draft Neighbourhood Plan	OPC thanks the resident for this support
16	Edwin Sheppard	Supports the draft Neighbourhood Plan and provides observations in relation to Policy 11 – Site 11xi Little Park	OPC thanks the resident for this support
17	David Kirkpatrick	Supports the draft Neighbourhood Plan	OPC thanks the resident for this support
18	Derek Spruce	Supports the draft Neighbourhood Plan	OPC thanks the resident for this support
19	Hamish Bullough	Supports the draft Neighbourhood Plan	OPC thanks the resident for this support
20	LRM Planning	<p>Site ii viii NW Football Ground Should not be designated as LGS because it is unnecessary to add a further layer of protection and unhelpful (because it could cause confusion).</p> <p>The ability to improve recreational facilities would be undermined by needing to demonstrate very special circumstances (as required by Green Belt policy).</p> <p>The criteria in NPPF para 106 are not all satisfied, although some of the criteria (ie that it is a playing field) are met.</p>	<p>It is not unusual for areas of land to be subject to more than one protective policy.</p> <p>The ability to improve recreational facilities would not be undermined because (per NPPF para 154) the provision of appropriate facilities for outdoor sport is specifically excluded from the categories of development regarded as ‘inappropriate’ development (for which it is necessary to demonstrate very special circumstances).</p> <p>These criteria are examples only and policy does not require that all the possible grounds for designation as LGS are satisfied. OPC considers that it is ‘demonstrably special’ to the local community and ‘holds a particular local significance’ and, as such, meets the criteria.</p> <p>Please see response to Examiner’s request for clarification for more on this.</p>
21	H Bourne-Taylor	Proposes the incorporation of swift bricks in new-build developments.	See no. 10 above

22	Avant Homes (Dunleys Hill)	The proposed amendments to Policy 2v and the rewording of Policy 14, which require the public open space to be provided as 'planning gain' arising from the housing development delivered by Policy 2v, are disproportionately onerous.	<p>OPC entirely disagrees with Avant Homes' comments.</p> <p>Please see response to Examiner's request for clarification for more on this.</p> <p>HDC has suggested some minor rewording (of paras 1.35, 3.16, 3.19 and Policy 2) for clarification. This clarification addresses the findings of the Habitats Regulations Assessment (HRA) in respect of the SPA. OPC supports the proposed changes suggested by HDC.</p>
23	Natural England	No comments on draft Neighbourhood Plan	No comment, but OPC notes that discussions took place with NE in relation to the requirement for SPA mitigation and the implications for Policy 2v and Policy 14 (see no. 22 above).
24	M Priaulx	Proposes the incorporation of swift bricks in new-build developments.	See no. 10 above
25	John Pattinson	Supports the draft Neighbourhood Plan	OPC thanks the resident for this support
26	J Morna	Proposes the incorporation of swift bricks in new-build developments.	See no. 10 above
27	Patricia Neate	Supports the draft Neighbourhood Plan	OPC thanks the resident for this support
28	Piers Beach	Pre-application discussions have taken place relating to the demolition of the existing property and its redevelopment together with site 2i of NP for a development of 34 apartments for older people.	The pre-application proposal does not comply with the policy in the made NP and the parish council has submitted its comments and objections to Hart District Council.
29	Hart DC	Supports the draft Neighbourhood Plan and suggests a number of minor changes to provide greater clarity, understanding or to better align with the policies/text with local and national guidance. Also identifies concern with implementation of Policy 12vi	OPC welcomes District Council support and agrees their minor proposed changes, if accepted by the Examiner.
30	Defence Org	Comments relate to safeguarding of aerospace with regard to biodiversity sites close to an airfield. Request when drafting policy and guidance which addresses biodiversity, ecology, and Biodiversity Net Gain to bear in mind that some forms of environmental improvement or enhancement may not be compatible with aviation safety. Where off-site provision is to provide BNG, the locations of both the host development and any other site should both/all be	OPC agrees to a change of wording in Policy 12 to address this issue which could be in the explanatory text.

		assessed against statutory safeguarding zones and the MOD should be consulted where any element falls within the marked statutory safeguarding zone.	
31	Hampshire CC	Supports objective 2.2iv, site 2vii (Crownfields), policy 4 – affordable housing, policy 11 – local green spaces	OPC welcomes HCC support for these policies.

6th November 2024

Odiham Parish Council,
The Bridewell,
The Bury,
Odiham,
RG29 1NB