

APPENDIX A – MINUTES 20TH JANUARY 2020

BEECH NEIGHBOURHOOD PLAN – PUBLIC HEARING – 12 FEBRUARY 2020

version 2

Parish Council Welcome and Introduction

On behalf of Beech Parish Council, welcome to our Village Hall for this Public Hearing in connection with our proposed Beech Neighbourhood Development Plan.

First, I must apologise to the Independent Examiner and to the representatives of Gladman Developments for the failings on the part of the Parish Council that have caused the need for this Public Hearing to come about. And we thank the Independent Examiner for convening this Public Hearing as a means of rectifying those failings.

This Public Hearing has been convened principally to permit Gladman Developments to put forward their observations and comments on the Beech Neighbourhood Plan, in full, direct to the Independent Examiner. The need for this step has arisen because Beech Parish Council failed to take into account Gladman's representations on the Neighbourhood Plan made at the pre-submission (Regulation 14) public consultation stage. As a result, the submission version of the Neighbourhood Plan (which EHDC published for further public consultation at the Regulation 16 stage) had not taken into account Gladman's previous comments. The error did not come to light until Gladman pointed it out in their response to the Regulation 16 consultation.

I can assure Gladman Developments and the Independent Examiner that this error was purely one of administrative oversight. Gladman's Regulation 14 representations somehow simply did not make the step from the Parish Council's email inbox to the Working Party that (on behalf of the Parish Council) reviewed the representations made at that stage. I can personally vouch for that, as I was on the Working Party, as well as being a parish councillor, and I did not see Gladman's representations until they emerged following the Regulation 16 consultation.

For the avoidance of doubt, I can confirm that Gladman's Regulation 14 representations, which were substantive, were not wilfully ignored. The Parish Council took into account many other substantive representations from other sources, not least from the District Council. We have assured ourselves that all other Regulation 14 representations were dealt with at the correct time.

Beech Parish Council takes full collective responsibility for this administrative and procedural error, from which we have all learned a hard lesson and, again, we apologise for the omission.

We, the Parish Council, thank Gladman Developments for their interest in Beech and for their considered observations on our Neighbourhood Development Plan. Again, we thank the Independent Examiner for convening this Public Hearing.

Beech Parish Council Response to Gladman Developments' Representations (Regulation 14)

Policy BPC02 – Development outside the Settlement Policy Boundary

Gladman stated that this policy treats land outside the settlement policy boundary as open countryside, where development will be carefully controlled. Gladman objected to the use of settlement boundaries in this way as they argue it could “preclude otherwise sustainable development from coming forward”. They consider it to be contrary to the Secretary of State’s policy, and overly restrictive and inflexible. Gladman suggested that additional housing sites adjacent to the settlement policy boundary should be considered.

Beech PC response:

Current Local Plan Policy CP19 (Development in the Countryside) defines the “countryside” as “the area outside Settlement Policy Boundaries”. It states that “the only development allowed in the countryside will be that with a genuine and proven need for a countryside location, such as that necessary for farming, forestry or other rural enterprises”. The BNP policy conforms fully with Local Plan Policy CP19 in its treatment of land outside the settlement policy boundary.

Current Local Plan Policy CP10 (Spatial Strategy for Housing) permits housing development outside a Settlement Policy Boundary only where it meets a community need or aspiration; reinforces a settlement’s role and function; and cannot be accommodated within the built-up area. The wishes of the community as a whole (supported by 88% of respondents to the 2017 Neighbourhood Plan Questionnaire) are to minimise new development outside the Settlement Policy Boundary. The BNP policy is drafted accordingly and so conforms to Local Plan Policy CP10, the spatial strategy for housing. The policy therefore meets the basic condition of being in general conformity with the strategic policies in the adopted development plan, whilst the suggested Gladman amendment would fail that test. The existing policy wording meets the Secretary of State’s requirements that neighbourhood plans should support the strategic policies in the local plan.

A similar approach to the countryside and settlement policy boundaries is continued in EHDC’s draft Local Plan 2017-2036 (Regulation 18 consultation document), proposed Policies S17 (Development in the Countryside) and S12 (New Homes in the Countryside). Therefore it is expected that the BNP policy will conform to the emerging new Local Plan.

No specific housing (or other) land allocation has been made to Beech parish by EHDC under the current Local Plan. Further, in its draft Local Plan 2017-2036 (page 112 of the Regulation 18 consultation document), EHDC proposes no housing allocation to Beech parish for that period, other than assuming a figure for windfall developments that, in the case of Beech, is already covered by existing planning permissions. Therefore the fact that the BNP does not allocate or contemplate any sites for new development outside the settlement policy boundary (but acknowledges that windfall new housing sites within the settlement policy boundary may crop up) is in conformity with both the current and emerging new Local Plans.

The Parish Council rejects the modification of Policy BPC02 proposed by Gladman in para 4.3.5 of its representations at the Regulation 16 consultation stage. The wording seeks to insert into the BNP a presumption in favour of development outside the settlement policy boundary, an outcome that runs directly counter to the overwhelming wishes of the community in Beech.

Furthermore, it is considered that the Gladman approach would not pass the basic conditions test of contributing to the delivery of sustainable development. Despite Gladman advancing this argument

in a number of neighbourhood plan examinations across the country, most neighbourhood plans retain the principle of having a defined settlement boundary. Having such a clear separation demarcated by a settlement policy boundary has the benefit of “recognising the intrinsic character and beauty of the countryside” which is one of the Secretary of State’s requirements of planning policy (para 170 of the NPPF).

Policy BPC03 – Preventing Coalescence with Alton and Medstead

Gladman claimed that there is a lack of justification for this policy, and that it goes beyond the requirements of current Local Plan Policy CP23 (Gaps between settlements) of the current Local Plan, as it is not one of the strategic gaps currently listed in that policy.

In its later comments at the Regulation 16 consultation stage, Gladman questioned the robustness of the Beech Landscape Character Assessment 2018. (Note that, contrary to Gladman’s assertion in para 4.4.5, this LCA **was** in fact in place prior to the Regulation 14 consultation and was referred to in the BNP version published for that consultation stage.)

Beech PC response:

This policy is specific to Beech and reflects the strong desire of the community to retain its integrity as a discrete settlement which is not to be subsumed into either an expanding Alton area, or to be joined to Medstead (which has been the subject of incremental growth over recent years). When canvassed on the proposed content of the BNP’s vision statement, the most strongly supported element (by 86% of respondents to the 2017 Neighbourhood Plan Questionnaire) was “Calm rural refuge from the urban expansion in Alton and Four Marks/Medstead”. Respecting these views is entirely consistent with the role of neighbourhood plans which “give communities the power to develop a shared vision for their area” (Para 29 of the NPPF).

In each case the ‘gap’ is less than 1 kilometre and, in the case of Alton, is set to shrink under proposals for development up to the Alton/Beech parish border contained in the draft EHDC Local Plan 2017-2036 (Regulation 18 consultation document).

Note that the area between Beech and Alton subject to this policy was reduced in size following other representations received during the Regulation 14 consultation. It is now only seeking to protect land which, if developed now, could undermine the role of having a gap between the settlements, i.e. land to the north east of the village was excluded.

The threat of coalescence with Alton is very real. Map 3 on page 19 of the BNP shows that housing allocation sites proposed by the draft EHDC Local Plan 2017-2036 (Regulation 18 consultation document) - most of which already have planning permission – would move the developed area of Alton up to the majority of its shared border with Beech parish. Furthermore, in late 2019 EHDC consulted on extending Alton’s housing (an extra c.1,200 dwellings) by about 1.75km westward along the Beech/Chawton parish border, within Chawton parish but abutting Ackender and Bushy Leaze Woods (both SINCs) which form Beech’s southern boundary.

The Beech/Alton gap regularly comes under pressure. Previously, sites on the Beech side of the gap have been put forward for housing, but EHDC has not deemed them suitable. There is also a current application for non-residential development at the junction of the A339 with Medstead Road.

The gap between Beech and Medstead is also under real threat. There is a current application for development along Abbey Road that would be the start of infill ribbon development and which, in

the absence of this policy, could set a precedent for further infilling proposals which could lead, in time, to coalescence.

Coalescence with Alton and/or Medstead, leading to the loss of Beech's distinct identity, is identified as a threat in the Beech Landscape Character Assessment (2018). In addition, the LCA supports the retention of these gaps as valued landscapes in their own right, and they comprise important wildlife corridors, with the gap between Beech and Alton also containing extensive woodland SINCs.

The LCA recommends that Beech should "retain the undeveloped rural road corridor along the A339", of which the Beech/Alton gap is a part. EHDC seems to agree; in its Land Availability Assessment of December 2018 it considered a proposed housing site on the Beech side of the gap (LAA/BEE-009) and concluded it was "undevelopable", with the comment that "residential development would have an adverse impact on the rural character of the area and the intrinsic character of the countryside. It would adversely affect the setting of the entrance to Beech".

The Parish Council rejects Gladman's assertion that the Beech LCA 2018 is not sufficiently robust, for which no evidence is provided. The same consultancy was used by EHDC to produce its Landscape Capacity Study, one of the pieces of supporting evidence for EHDC's draft EHDC Local Plan 2017-2036 (Regulation 18 consultation document).

The photographs below show the rural landscape in the proposed Beech/Alton gap, which also forms the gateway to Alton.



Photo 1: Gateway to Alton – View of Basingstoke Road/Whitedown Lane junction from the west. No housing is visible until vehicles reach the junction.



Photo 2: View north-east from Wyard's Farm (Beech) towards Hungry Copse on the skyline.



Photo 3: View east from Wyard's Farm (Beech) towards Whitedown Lane (on the left), over land in which Gladman Developments has an interest.



Photo 4: View south from Wyard's Farm (Beech) towards Ackender Wood.

The justification for this BNP policy is therefore that:

- (a) it is in line with the community's wishes for retaining a discrete settlement;
- (b) it combats threats identified by the Beech Landscape Character Assessment; and
- (c) it provides similar protection against coalescence to the gaps around Beech as that afforded by Local Plan Policy CP23 to the similar gaps listed in that policy.

It should be noted that, in the draft EHDC Local Plan 2017-2036 (Regulation 18 consultation document), proposed Policy DM24 (Gaps between Settlements) applies similar planning criteria to current Policy CP23 to **all** gaps between nearby settlements, and dispenses with a list of gaps. Therefore it is expected that the BNP policy will conform to the emerging new Local Plan.

Policy BPC04 – Preservation of Amenity of Historic Parkland

Gladman referred to the fact that Thedden Grange is not a listed building, nor are the grounds recorded as a listed park or garden, and it does not fall within a conservation area.

Beech PC response:

The NPPF Framework states that “Heritage assets range from sites of local historic value to those of the highest significance”. The BNP is entitled to identify particularly valued, historic landscape features that the community wishes to protect (supported by 89% of respondents to the 2017 Neighbourhood Plan Questionnaire). It is noted that Historic England supports the policy, and that EHDC also supports the BNP’s recognition of Thedden Grange and its parkland as a locally important heritage asset.

In fact the parkland at Thedden Grange is mentioned as a historic landscape within the East Hampshire Wooded Downland Plateau Landscape Character Area (as defined in the Hampshire Integrated Character Assessment 2012). (This note was added to the BNP policy following comments received during the Regulation 14 consultation.)

Note: Following comments received during the Regulation 14 consultation, including from EHDC, the BNP policy wording was amended so as to be less restrictive on development in the designated area. Now, development “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 the views to and from it.

Policy BPC06 – Development Setting and Scale

Gladman argued that this BNP policy’s requirements are “somewhat onerous” especially in relation to smaller developments.

In its later comments at the Regulation 16 consultation stage, Gladman considered that this BNP policy would be inappropriate if applied to new development in Beech parish away from the existing settlement, and in particular on the edge of Alton.

Beech PC response:

EHDC submitted extensive comments on this BNP policy at the Regulation 14 consultation stage, following which the policy was substantially revised.

Overall, this BNP policy translates the principles set out in the current Local Plan Policy CP20 (Landscape) into appropriate specific requirements for Beech.

Local Plan Policy CP20(b) states that “new development will be required to protect and enhance local distinctiveness, sense of place and tranquillity by applying the principles set out in the district’s Landscape Character Assessments, including the community/parish Landscape Character

Assessments”. The BNP policy as a whole implements the recommendations of the Beech Landscape Character Assessment 2018, in terms of:

- Retaining the linear character of the village within its valleys, by avoiding development encroaching further up hillsides;
 - Avoiding development breaching the skylines of mature green infrastructure within the valleys; and
 - Retaining the current densities of settlement throughout the village,
- which, together with the extensive mature green infrastructure, give Beech its “sense of place”.

Note that there is no requirement in the BNP to allocate new development outside the settlement policy boundary, and nor has EHDC allocated any housing to Beech parish outside the settlement policy boundary (in either its current or emerging new Local Plans). Therefore Policy BPC06 has naturally been drafted to apply principally to any development that takes place in the existing village settlement (whether inside or outside the settlement policy boundary). It is based on a clear and evidence based understanding of the landscape characteristics of the plan area. It does exactly as the Secretary of State requires in para 125 of the NPPF, namely that “neighbourhood plans can play an important role in identifying the special qualities of each area and explaining how this should be reflected in development”.

Policy BPC07 – Building Design and Character

Gladman argued that some of the issues raised by this BNP policy are a matter of taste rather than tested landscape provisions.

Beech PC response:

EHDC submitted extensive comments on this BNP policy at the Regulation 14 consultation stage, following which the policy was substantially revised.

Again, this BNP policy translates the principles set out in the current Local Plan Policy CP29 (Design) into appropriate specific requirements for Beech. It also meets the Secretary of State’s requirement that neighbourhood plans should “reflect aspirations in design policies”.

Local Plan Policy CP29(a) states that “new development will be required to seek exemplary standards of design and architecture with a high quality external appearance that respect the area’s particular characteristics”. CP29(d) states that “new development will be required to ensure that the layout and design of development contributes to local distinctiveness and sense of place, and is appropriate and sympathetic to its setting in terms of its scale, height, massing and density, and its relationship to adjoining buildings, spaces around buildings and landscape features”. The BNP policy conforms with CP29(a) and (d), providing more detail as to how they are to be achieved in the context of Beech.

We note that Gladman did not pursue its comments on this BNP policy when resubmitting its representations as part of the Regulation 16 consultation.

Policy BPC08 – Housing Mix

Gladman suggested that the policy wording should be amended to allow the flexibility to reflect changing housing needs, as evidenced through an up-to-date assessment.

Beech PC response:

As noted on page 41 of the BNP, the Parish Council will review and update, if necessary, the BNP in its entirety each time that EHDC revises its Local Plan, which is at a minimum of five year intervals (as prescribed by the NPPF). Any changing housing needs will be reflected in those reviews.

Policy BPC10 – Managing the Impact of New Development on Traffic

Gladman commented that the policy wording could be construed to mean that new developments should exclude pavements and include overhanging trees.

Beech PC response:

Following other comments made at the Regulation 14 consultation stage, the BNP policy was reworded to remove the issue highlighted by Gladman. The relevant Policy BPC10 clause (b) now merely states that “Vehicle access to new developments should be designed to reflect the rural character of the roads in Beech”.

We note that Gladman did not pursue its comments on this BNP policy when resubmitting its representations as part of the Regulation 16 consultation.

Policy BPC12 – Planning for Parking

In its later comments at the Regulation 16 consultation stage, Gladman claimed that the policy’s requirement for the number of parking spaces associated with new development is not supported by any evidence.

Beech PC response:

As there is no requirement in the BNP for new development outside the settlement policy boundary, and nor has EHDC allocated any housing to Beech parish outside the settlement policy boundary (in either its current or emerging new Local Plans), Policy BPC12 has naturally been drafted to apply only to the existing village settlement in Beech. The notes to the BNP policy provide full justification for the required level of off-street parking, specifically that the nature of the roads in the existing village settlement mean that on-street parking should not be relied upon at all. The Examiner will have appreciated the nature of the parish’s roads when she conducted her site visit.

General Comment around Flexibility

In its later comments at the Regulation 16 consultation stage, Gladman commented that, in general, more flexibility should be introduced into the BNP’s policies, in light of uncertainties arising from the future evolution of the emerging new Local Plan 2017-2036.

Beech PC response:

The NPPF effectively requires neighbourhood plans to be revised each time that a new Local Plan is adopted. Accordingly Beech Parish Council is already committed to revising the BNP once EHDC’s Local Plan 2017-2036 is adopted. It therefore makes no sense for Beech Parish Council to water down the current proposed BNP to take into account a wide range of theoretical possible outcomes that could arise in the adopted new Local Plan. We prefer to construct the BNP’s policies around the known current Local Plan and EHDC’s latest firm proposals for the emerging new Local Plan, and then later amend the BNP (if and where necessary) to conform to the actual adopted new Local Plan 2017-2036.