

Form submission from: Yateley, Darby Green and Frogmore Neighbourhood Plan Form

Hart District Council via Hart District Council [REDACTED]

Tue 11/01/2022 15:44

To: Neighbourhood Planning <neighbourhoodplanning@hart.gov.uk>

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Submitted on Tuesday, 11 January, 2022 - 15:44

Submitted values are:

I would like to be notified of Hart District Council's decision whether to 'make' the Plan (to bring it into legal force): Yes, please notify me

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To which part of the Neighbourhood Plan does your representation relate? Part document

Paragraph Number:

Policy Reference: Policy YDFNP3 – Encouraging Diversity

Do you support, oppose or wish to comment on this paragraph? Oppose

Please give details of your reasons for support/opposition, or make other comments in the box below, including any specific changes you wish to see to the Plan. Please be as precise as possible and use a new form for comments on different policies/parts of the Plan.:

Policy P3 seeks to preserve and increase biodiversity, providing guidance for residents to enhance their gardens as well as requirements for new developments. Claremont Planning, on behalf of European Property Ventures, is concerned with respect to the prescribed requirements for new developments, as whilst the rationale is understood and supported, the feasibility of some of these requests is questionable. It is noted that some modifications have been made to the Policy since the previous version of the Plan, including the reduction in required replacement tree planting to 1:1

rather than the previous requirements of 3:1 tree planting. Rather than focusing on the number of trees, it would be more appropriate for this policy to encourage the planting of quality trees in appropriate locations. It should direct support towards the provision of mature specimens of a higher quality and suitable species rather than ensuring the same number of trees are planted to compensate for lost trees.

It should also be acknowledged that replacement planting in the vicinity of the tree to be lost is not always feasible or appropriate, and in some cases it may be more appropriate to provide replacement planting elsewhere on the site or off-site to bolster existing habitats or create new habitat areas.

As such the issues raised previously by Claremont Planning have not been adequately addressed and the proposed policy will be ineffective at delivering biodiversity enhancements and adequate tree planting provision as a result of developments at Yateley.

It is therefore considered that the Policy wording should be changed from:

Where trees must be lost as a result of development or for safety reasons, these must be replaced at a minimum ratio of 1:1 within the vicinity of the lost tree and of a species appropriate to the area.

To:

Where trees must be lost as a result of development or for safety reasons, development must ensure appropriate replacement tree planting of native species is provided.

To which part of the Neighbourhood Plan does your representation relate? Part document
Paragraph Number:

Policy Reference: Policy YDFNP7 – Important Views

Do you support, oppose or wish to comment on this paragraph? Oppose

Please give details of your reasons for support/opposition, or make other comments in the box below, including any specific changes you wish to see to the Plan. Please be as precise as possible and use a new form for comments on different policies/parts of the Plan.:

This policy provides that proposals for development will not be supported that would have an adverse impact on the characteristics of important views identified on Map 14 in the Plan. This includes identification of View 03 described as 'Towards Love Lane', which is the only identified view that extends beyond the parish boundary. The identified view that is contained within the parish extent as identified by the plans on Page 43 identifies views from residential areas on the northern side of Eversley Road looking south to south east. Notably the illustrated span of this view includes the residential areas of the Fallowfield Estate and Castor Court, which do not relate to the prescribed nature of the viewpoint. The photo illustrating this viewpoint does not include views of any of the land that is actually within Yateley Parish.

As set out in previous representations made by Claremont Planning to the Pre-Submission Consultation, this policy to protect View 03 seeks to influence land that lies outside of the Neighbourhood Plan Area boundary and does not address any of the areas of the parish adjacent to the viewpoint that are within the parish and could actually be influenced. The Parish boundary extends along the edge of the urban area to the south of Eversley Road, excluding the field which lies to the south west of View 03 and even the Town Sign on the grass verge frontage as shown in the photograph illustrating the view, therefore affording no control through the Neighbourhood Plan to securing the views from the viewpoint identified. This does not accord with the basic conditions for Neighbourhood Plans and is not consistent with the policy set out in the National Planning Policy Framework.

Seeking to influence land outside of the Neighbourhood Plan Area has been considered in the examination of other Neighbourhood Plans, including in respect of Wheatley, Oxfordshire. In that case, Policy SPOBU sought to influence development across the entire Oxford Brookes University Campus, despite the designated Neighbourhood Plan Area only including part of the campus. Within the Examiner's report, published in February 2020, it confirms that the Plan cannot do this and modifications were required to amend the policy so that it relates only to the part of the campus that lies within the Neighbourhood Plan Area. As such, the Yateley Neighbourhood Plan as currently drafted fails the basic conditions by seeking to influence land beyond the plan's limits and requires modification.

Furthermore, the supporting text with respect to View 03 includes commentary upon the function of the field adjacent to Love Lane inappropriately describing the field as providing open space and falsely referring to matters of coalescence. The field, owned by European Property Ventures, is farmland and has no function as open space and therefore it is factually incorrect to identify the field for such purposes in the Neighbourhood Plan. The fields at Love Lane are not considered to contribute towards maintaining separation and avoiding coalescence between Eversley and Yateley, given the distance of over 680m that separates existing development at Fox Lane and Crosby Gardens. This is particularly the case given the recent planning permission for Suitable Alternative Natural Greenspace parkland within that area, which is to be maintained as open and undeveloped. The failure of the Neighbourhood Plan to appropriately take into account these influences when assessing the wider !

context of Eversley Parish further demonstrates why it is completely inappropriate for the Love Lane viewpoint to be included.

In order to ensure that the Neighbourhood Plan complies with the Basic Conditions, policy YDFNP7 must be modified and View 03 should be deleted. This would acknowledge that due to the extent of the Parish boundary and the designated Neighbourhood Plan Area, the Neighbourhood Plan is unable to influence the setting of this viewpoint or indeed provide commentary upon purposes and coalescence factors on land beyond the plan's extent. It is considered that following modification to remove View 03, Policy YDFNP7 would accord with the requirements of the basic conditions and ensure that the Neighbourhood Plan is consistent with national policy requirements.

To which part of the Neighbourhood Plan does your representation relate? Part document
Paragraph Number: View 03 – View of Fields Near Love Lane (p44)

Policy Reference:

Do you support, oppose or wish to comment on this paragraph? Oppose

Please give details of your reasons for support/opposition, or make other comments in the box below, including any specific changes you wish to see to the Plan. Please be as precise as possible and use a new form for comments on different policies/parts of the Plan.:

As set out in Comment 2 above, and in prior representations to previous consultations on the Neighbourhood Plan, Claremont Planning on behalf of European Property Ventures has consistently maintained that View 03 should not be included in the Plan, as it seeks to influence land which is outside of the designated Neighbourhood Plan Area. It is therefore asserted that View 03 should be deleted from Policy YDFNP7, with the associated supporting text on page 44 of the Plan. This describes the land within View 03, specifically including the field between the edge of the urban area and Love Lane, which is identified as 'vital open space between the two parishes'. This includes land which is beyond the boundary of Yateley Parish, and the Plan does not have the ability to influence what happens here.

Claremont Planning also identify that the description of the Love Lane viewpoints is factually incorrect as it has suggested that existing dwellings have 'spilled untidily' over the parish boundary into Eversley parish to the south of Eversley Road; when the only place that the existing settlement of

Yateley crosses the parish boundary at this location is to the North of Eversley Road, at Crosby Gardens.

In order for the Plan to meet the basic conditions and accord with national policy, it is considered that this supporting text, along with View 03, should be deleted.

Additional comments:

Policy YDFNP12 – Housing Mix and Affordable Housing - Support

Claremont Planning on behalf of European Property Ventures, previously objected to this policy as it included requirements that were considered unnecessary and inappropriate. However, the policy has been modified in the Submission Version of the Neighbourhood Plan, and now identifies that proposals for older persons accommodation will be supported 'where a need can be demonstrated'. This accords with the requirements of Policy H4 in the adopted Local Plan, and ensures consistency between the Neighbourhood and Local Plans.