



Yateley, Darby Green and Frogmore Neighbourhood Development Plan

Regulation 16 Consultation

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1 INTRODUCTION

1.1 Context

- 1.1.1 These representations provide Gladman's response to the Yateley, Darby Green and Frogmore Neighbourhood Plan (YDGFNP) 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 YDGFNP and the policy choices promoted within the draft Plan. Comments made by Gladman through these representations are provided in consideration of the YDGFNP'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 YDGFNP 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 National Planning Policy Consultations

- 2.3.1 On 6th August 2020, Government published the Planning for the Future White Paper setting out proposals for how it is seeking to 'radically reform' the planning system. The proposals are seeking to streamline and modernise the planning process.
- 2.3.2 In her speech at the State Opening of Parliament in May 2021, the Queen announced that the Government will introduce "laws to modernise the planning system, so that more homes can be built, will be brought forward...". Notes accompanying the speech confirm that a future Planning Bill will seek to create a simpler, faster, and more

modern planning system that ensures homes and infrastructure can be delivered more quickly across England. Timings on the publication of the draft Planning Bill remain uncertain, however, subject to the outcomes of this process, the Government has signalled its intent to make rapid progress toward this new planning system through the swift introduction of new legislation to implement the changes.

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

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 YDGFNP and the Development Plan which the YDGFNP 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 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 Plan¹.

¹ NPPF – Paragraph 16

4 YATELEY, DARBY GREEN AND FROGMORE NEIGHBOURHOOD PLAN

4.1 Context

4.1.1 This section is in response to the YDGFNP consultation document and its supporting evidence base.

4.2 Vision and Objectives

4.2.1 In principle, Gladman support the Plan's vision and objectives. In particular, Gladman are supportive of the Plan's 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.

4.3 Policy YDFNP1 – Delivering Sustainable Development

4.3.1 Policy YDFNP1 above states development in the neighbourhood area will be supported within settlement boundaries as defined by the Hart Local Plan. Outside the settlement boundaries, development will not be supported unless it is in accordance with development plan policies relating to appropriate uses in the countryside and the avoidance of the visual and physical coalescence of settlements.

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 Indeed, the recent examination of the Burbage Neighbourhood Plan makes clear that the Framework states plans should not duplicate existing policies and in a number of instances, the Burbage Neighbourhood Plan policy required that development complies with existing adopted policies, which are already covered by the

Development Plan. The Examiner found that if land is already protected from a higher level document then it did not need to be duplicated within the neighbourhood plan. Instead, neighbourhood plans should add local context on how the policies should be applied. In the Burbage case, the Examiner suggested a modification which read:

“Residential development on land within or adjacent to the settlement boundary, as shown on Map 2, will be supported, subject to complying with other development plan policy.”

4.3.4 The context for the amendment in Burbage Neighbourhood Plan was because built development was already present in a number of areas beyond the existing settlement boundary but were excluded from the boundary, as is the case in Yateley notably to the south and east of Reading Road.

4.3.5 Gladman therefore recommend that Policy YDFNP1 is modified to be consistent with the above modification to ensure flexibility and 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. It is currently unclear therefore how the Town Council expect to deliver the objectives of the Plan when it is solely reliant on the delivery of windfall sites 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.

4.3.6 Indeed, further local context could be added to policy YDFNP that a larger scale of rural exception site would be supported to support local need, greater than the small-scale current restriction in Policy H3 of the adopted Local Plan. This could be in combination with our response below in relation to Policy 12.

4.3.7 Further, Gladman do not consider the use of wording in relation to the avoidance of the visual and physical coalescence to be appropriate. As currently worded this element of the policy is subjective and does little to build upon the requirements as set out in Policy NBE2 of the adopted Development Plan which states:

“Development proposals will be supported where there will be no adverse impact to...it does not lead to the physical or visual

coalescence of settlements, or damage their separate identity, either individually or cumulatively with other existing or proposed development.”

- 4.3.8 The delivery of land north of Reading Road would not lead to the coalescence of the Yateley and Blackwater settlements as it is already clear that the settlement have already merged given the existing development of the Yateley settlement to the south and east of Reading Road and the Blackwater settlement to the north and west of Reading Road. This is demonstrated on the below map, with the red area incorrectly excluded from the settlement boundary on the policies map.



Figure 1 – Settlement boundary

- 4.3.9 As such, it is considered that the above site is in accordance with NBE2 as it would not lead to the physical or visual merging of settlements and the land North of Reading Road should be included as an allocation in the draft neighbourhood plan, in order to meet the Plan’s vision and objectives.

4.4 Policy YDFNP2: Limiting Climate Change

- 4.4.1 Whilst Gladman sympathise with the Steering Groups concern regarding the need to plan sustainably to tackle climate change, the Written Ministerial Statement (2015) makes clear that neighbourhood plans should not be used as a means to implement standards relating to energy efficiency or performance of new dwellings. Accordingly, reference to the need for exceeding target emission rates of the most up-to-date dwellings is not appropriate as this would exceed statutory requirements and is not

possible for the neighbourhood plan to implement. Gladman recommend that this element of the Plan is deleted.

4.5 Policy YDFNP7: Important Views

4.5.1 Policy YDFNP7 identifies a total of 5 views considered to be of importance to the local community. The policy states that development proposals will not be supported which have an adverse impact on the characteristics of important views identified by the Plan.

4.5.2 Gladman object to the identification of view 5. The viewpoints identified on the policies map, supported by imagery, are not publicly accessible and should therefore be removed from the YDFNP7.

4.5.3 Additionally, identified views must ensure that they demonstrate a physical attribute that elevate a view's importance beyond simply a nice view of open countryside.

4.5.4 The supporting text and evidence base confirms that the reasoning in seeking to protect this viewpoint goes beyond being a landscape policy and there is not a significant physical attribute warranting protection, other than seeking to restrict future development in this area. The supporting text which does little to provide any detail as to why these views should be protected, other than providing a nice view of surrounding fields. This policy must allow a decision maker to determine whether particular locations such as land off Reading Road contain physical attributes that would 'take it out of the ordinary' rather than selecting views which do not have any landscape significance and are based solely on community support.

4.5.5 As there is a clear conflict with basic condition (a), Gladman state that viewpoint 5 should be deleted.

4.6 Policy YDFNP8: Green Infrastructure

4.6.1 In principle, Gladman support Policy YDFNP8 above which seeks to enhance existing biodiversity features and requires development proposals to include provision and maintenance of new green infrastructure assets.

4.6.2 However, Gladman consider this to be a missed opportunity of the Town Council. New sustainable growth opportunities often offer the potential to provide new and/or improvements to local green infrastructure assets for the benefit of existing and future generations. Gladman consider the Plan should be supportive of new development opportunities which provide new green infrastructure assets.

4.7 Policy YDFNP9: Flood Risk

4.7.1 The above policy states development proposals will be supported where, as appropriate to their scale, nature and location where at least one of the proposed mitigation measures shown in the Hart Causal Areas Pro-forma is delivered. Whilst development proposals will likely provide at least one form of provision listed in appendix 5 it is not appropriate to require development proposals to adhere to planning guidance which is not planning policy. Reference to the Hart Causal Area Pro-forma in the policy wording in effect elevates its status above guidance. Instead, the policy should be modified so that development proposals have regard to the pro-forma but are not required to adhere to it.

4.8 Policy YDFNP12: Housing Mix and Affordable Housing

4.8.1 In principle, Gladman support policy YDFNP12 above which seeks to support new housing developments which provide a mix of dwelling types. We recognise that the Town Council wishes to prioritise smaller housing types, starter homes, affordable housing products or those suitable for older people but this should be demonstrated by the most up to date evidence on housing need. Gladman suggest that this work should be undertaken by the Steering Group to support this policy.

4.8.2 The supporting text makes clear that local house prices are significantly higher than national average. Given this, Gladman suggest it would have been useful for the Steering Group to have undertaken a housing needs assessment to have a clear picture of their identified housing needs.

5 SITE SUBMISSION

5.1 Land North of Reading Road

- 5.1.1 Gladman are working with the landowners of land north of Reading Road (the Site), to promote the Site for residential development. The Site is located to the east of Yateley, approximately 1.2km from its centre and occupies an overall area of 4.84 hectares. A plan of the Site is provided at figure 2 below.



Figure 2: location plan

- 5.1.2 Environment Agency (EA) Flood Maps indicate that the Site falls within a high-risk flood zone; however, Gladman has agreed modelling work with the EA which has

established the amount of land subject to the higher risk classification is significantly less than shown on online maps and would not be prohibitive of development.

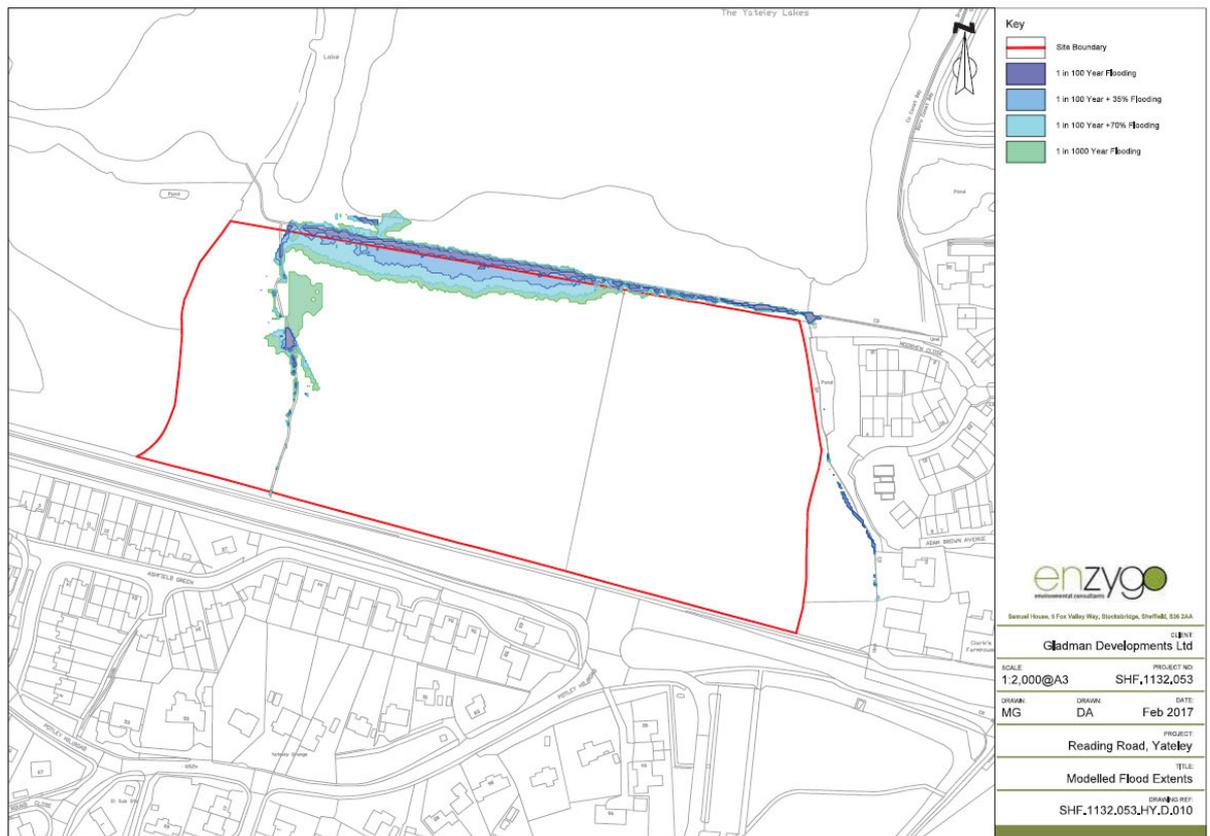


Figure 3: modelled flood map

- 5.1.3 Additionally, there are no statutory designations affecting the Site. There are no scheduled ancient monuments, SANG, SAC, SPA, TBHSPA, NNR, Conservation Area, SINC, historic parks and gardens, national nature reserves, local nature reserves, ancient woodlands, common land or public rights of way that would be affected by development on the Site.
- 5.1.4 It is acknowledged that there are listed buildings near to the Site (the closest being Clarks Farmhouse 130m to the east); however, there is sufficient separation between buildings to ensure development would not adversely affect their setting. Similarly, while there are also Conservation Areas to the east and west, area appraisals prepared by HDC do not identify any important views to or from the Site.
- 5.1.5 Yateley is noted in the adopted Local Plan as being the second largest settlement in the District, with a population of 20,471 and identified in policy ED4 as a District Centre. For this reason, Gladman consider the settlement to be highly sustainable and

capable of taking further growth. The Site benefits from a road frontage and represents a logical location to direct new housing as it is situated opposite the Potley Hill Primary School and community complex and is also adjacent to the "Swan Lake View" development. New residents would also benefit from a frequent bus services to Camberley and Aldershot. The nearest train station is only 2.2km away (Blackwater Station), which provides regular services to Reading.

- 5.1.6 After observing patterns of development on the ground and in the wider area, it is clear that this Site does not provide the function of a gap as the Yateley and Blackwater settlements have already merged due to existing development north and south of Reading Road. Similarly, any potential concerns around flood risk would be un-warranted as modelling work has shown far less of the site is at risk of flooding than EA maps would suggest.
- 5.1.7 The site is well related to the existing settlement, where new residents would benefit from easy access to services and facilities and these could be made by more sustainable modes of travel. The site is available, deliverable and suitable for residential development that could be delivered within the next five years, subject to the granting of planning permission.

6 CONCLUSIONS

6.1 Summary

- 6.1.1 Gladman welcomes the opportunity to comment on the draft YDGFNP. These representations have been drafted with reference to the revised National Planning Policy Framework (NPPF2021) and the associated updates that were made to Planning Practice Guidance.
- 6.1.2 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.
- 6.1.3 Through this consultation response, Gladman have provided comments on a number of policies being proposed through the draft YDGFNP 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.



