

Yateley Darby Green and Frogmore

Regulation 16 Submission Neighbourhood Plan 2020 – 2032

Hart District Council Comments January 2022

Abbreviations used:

NP = Neighbourhood Plan

LP= Hart Local Plan 2032

PPG = Planning Practice Guidance

NPPF = National Planning Policy Framework

Hart District Council welcomes the opportunity to comment on the Yateley, Darby Green and Frogmore Neighbourhood Plan submission version and are pleased to see that many of our previous comments have been taken on board. We do consider however, that some elements may benefit from further clarification and these are set out in the table below.

We welcome the publication of the Background Evidence document which provides further details to support a number of policies, which was not available when we made our comments at the Regulation 14 stage.

We also welcome the prominence of biodiversity features throughout the plan.

Detailed comments/suggestions :

Para/page/map	Comment / requested change	Reason
Page 5 para 3	Acknowledge that this para repeats the basic conditions – final bullet referring to Conservation of Habitat and Species Regulations 2017 has been updated post Brexit. https://www.legislation.gov.uk/ukxi/2018/1232/regulation/2/made	Update.
Page 8 Map 2	Suggest the title of the Map is changed from 'Yateley Special Protection Areas' to 'Yateley's Ecological Designations', to avoid confusion with the SPA itself.	Edit for clarity.

Para/page/map	Comment / requested change	Reason
Page 9 para 18	Consider referring to the impact of Covid on travel to work patterns.	Update
Page 11, para 21	<p>The Planning Bill has yet to be published – suggested edit :-</p> <p>Although Tthe Government <u>is in the process of publishing</u> has introduced a Planning Bill which will take forward proposed planning reforms it is unlikely that the majority of changes will be in place in the time frame within which the Neighbourhood Plan will be adopted.</p>	To reflect the current situation but recognize this could change during the course of the examination/adoption process.
Page 17 section on Vision and Objectives	Welcome the table on page 19 which illustrates the linkages between the objectives and policies, but query whether the detail in para's 37 – 41 is necessary	To clarify the intention of the NP through its vision and objectives
Page 20	para 44-45 The Council's Housing team has suggested reference to affordable housing exception sites that could be delivered outside of the defined settlement boundaries and/or insert reference to Hart's Local Plan Policy H2 and that affordable housing will only be provided on sites of 10 or more/0.5 ha.	Clarification
Page 21 section on Climate Change	<p>Para 50 and 51, question how the NP will achieve this.</p> <p>Para 52 – perhaps provide a link to the Government's website to aid the reader to understand the impacts of changes to the Building Regulations on this matter as new regulations will come into force from June 2022- all of which are outside the scope of the NP.</p> <p>https://www.gov.uk/government/publications/conservation-of-fuel-and-power-approved-document-l</p>	To clarify this section and the role of the NP on this matter

Para/page/map	Comment / requested change	Reason
	<p>Para 53 – 59 edit to focus on salient points relevant to Yateley parish and the NP as a land use planning document.</p> <p>Para 60 – amend first sentence to read “All <u>new</u> developments should minimize energy use and maximize the proportion of energy used from renewable sources <u>where possible</u>”.</p>	
Policy YDFNP2	<p>Policy YDFN2 (First sentence) is expressed to mitigate impacts of climate change in accordance with HDC’s Climate Change Action Plan – the purpose of this action plan is to deliver net zero carbon emissions from HDC operations by 2040. Whilst some of the actions could have wider impacts the focus is on HDC activities it is therefore suggested that this reference is deleted as follows:</p> <p><u>“As appropriate to their scale, nature and location</u> dDevelopment will be supported where it contributes to adapting and mitigating against impacts of climate change, in accordance with HDC’s Climate Change Action Plan. As appropriate to their scale, nature and location, developments will be supported which consume less energy than the development they are replacing and which minimise carbon emissions to the atmosphere by incorporating the following measures <u>where possible</u>:</p> <p>The remainder of the policy lacks clarity as to how each of the requirements specified will be measured and achieved. There is no indication if each bullet is to be</p>	To clarify application of the policy.

Para/page/map	Comment / requested change	Reason
	<p>complied with or if these are alternatives.</p>	
<p>Page 26 section on Natural Environment</p>	<p>Para 64 – update reference to the Environment Bill which became law on 9 November 2021 and there will be a mandatory requirement for developments to achieve a 10% biodiversity net gain in due course.</p> <p>Para 68 – this para only refers to the 5km restriction for the SPA, however a significant portion of the built up area along the southern edge of the parish and the settlements of Yateley and Darby Green lie within the 400m buffer. Policy NBE3 of the Hart Local Plan restricts development within the 400m exclusion zone. It is therefore suggested that this para is amended to reflect the 400m exclusion zone.</p> <p>Para 69 – the Council’s ecologist has suggested that as the Parish has many Habitats of Principal Importance (HPI) such as deciduous woodland, Floodplain Grazing Marsh, Purple Moor Grass and Rush Pasture & Lowland Dry Acid Grassland and hedgerows, that these could be mentioned in this section.</p> <p>Para 70 final sentence suggest this is edited to refer to species with ‘a known benefit to wildlife’ as planting schemes which include lavender for example are often easier to achieve and have broader benefits; – ‘New trees and landscaping should be of appropriate native species <u>or species with a known benefit to wildlife</u>.</p>	<p>Update</p> <p>Clarification</p> <p>Clarification</p> <p>Clarification</p>

Para/page/map	Comment / requested change	Reason
Policy YDFNP3	<p>Given the Environment Act and a greater emphasis in the future on connectivity and wildlife corridors as part of Nature Recovery Networks – consider including reference to the creation of wildlife corridors in the policy.</p> <p>The Council’s Housing team has commented that they are aware of instances where inappropriate trees have been planted in small gardens and suggest there is reference in the Policy to ‘Tree species to be planted in agreement with Hart District Council’s tree officer’ .</p>	Update
Page 29 section on Built and Historic Environment	<p>Map 10 – welcome clarity as to which areas are covered by Local Plan Policy ED4 and Yateley Village Centre SPD.</p> <p>Para 85 add map references for clarity - Yateley Green Conservation Area (Map 13) ; Cricket Hill Conservation Area (Map 11)</p> <p>Para 86 – add character areas listed to Map 10 as they are specifically referred to in Policy YDFNP5</p> <p>Para 89 3rd sentence Policy ED4 should read Policy ED6.</p> <p>Para 90 needs clarifying as to where main town centre uses will be encouraged – only within the area under the SPD or only within the area designated as a District Centre in the Hart Local Plan which post dates the SPD which was prepared in 2009.</p>	<p>see also comments below on SPD character areas.</p> <p>To clarify application of the policy.</p> <p>To clarify application of the policy.</p> <p>Correction</p> <p>To clarify application of the policy.</p>
Policy YDFNP4	Bullet d) suggest reference is also added to refer to affordable housing	To clarify application of the policy.

Para/page/map	Comment / requested change	Reason
	being interspersed amongst market housing	
Policy YDFNP5	<p>See comments above on map references – need clarity as to application of the policy in relation to ED4 and ED6 of the Hart local plan and the SPD adopted in 2009.</p> <p>Bullet b) sub bullet c) architectural detailing add ‘and use of materials’ to read ‘architectural detailing <u>and use of materials</u>’</p> <p>In the Western Entrance Character Area, development of the gateway site identified in the Hart Urban Characterisation Study will be supported which also: suggest ‘which also’ at the end of the sentence to be rephrased as ‘<u>where it also</u>’</p> <p>and bullet h) Clarify with ‘Respects the <u>its</u> role...’</p> <p>rephrase 5th para as ‘In the Eastern Entrance proposals will be supported which maintain and where appropriate enhance the <u>visual amenity provided by predominance of trees, hedgerows and boundary walls and maintain the semi-rural character of this area;</u></p> <p>Final para of policy insert ref to Map 17 which identifies flood zones.</p>	To clarify application of the policy.
Page 37 Heritage Policies	Para 92 The last adopted conservation area appraisal for Darby Green is a 2011 document not a 2001 version. However, the 2001 version is the one that has been in the public domain – HDC	Clarification

Para/page/map	Comment / requested change	Reason
	<p>are in the process of resolving this matter.</p> <p>Para 97 – map 12 the adopted 2011 appraisal includes a plan of the three character areas.</p>	
Policy YDFNP6	<p>First para - NPPF and Hart Local Plan refer to conserve not preserve, suggest also inserting '<u>character or appearance</u>' before '...the Conservation Areas.'</p> <p>Bullet b ; amend to read 'it protects the key views <u>within and of</u> the Darby Green....'</p>	To clarify application of the policy.
Page 47 Green Infrastructure	Map 15 Green Corridors – Blackwater Valley Path is difficult to distinguish in places on the map due to its proximity with the District/Parish boundary.	Clarification
Policy YDFNP8	<p>Policy 3rd para final sentence consider rewording to clarify the intention of this part of the policy :</p> <p>Delivery of additional riverside rights of way <u>between Sandhurst Road and Mill Lane</u>, along the Blackwater River will be actively encouraged, particularly along the stretch between Sandhurst Road and Mill Lane, the only section of the whole Blackwater River from its source to its confluence where this has not been achieved.</p>	To clarify application of the policy – reference to , <i>the only section of the whole Blackwater River from its source to its confluence where this has not been achieved.</i> Could be added to the supporting text if deemed necessary.
Policy YDFNP9	Bullet f – query how is a minor new build defined? Suggest this is quantified in number of dwellings and/or site area/floorspace for non residential.	To clarify application of the policy.
Policy YDFNP9	The Plan highlights the known flood risk accurately with good reference to local and recent flood events. The proposed Policy YDFNP9 – Flood	To note - comments from HDC Flood Risk Management Officer

Para/page/map	Comment / requested change	Reason
	Risk provides a reasonable request for developments and is in line with similar policies and information at National, County and District level.	
Para 146 section on Housing Mix/Affordable housing	<p>Consider adding reference to HDC Interim Planning Policy Statement on First homes adopted in December 2021.</p> <p>Various detailed comments have been received from the Council's Housing team these are set out in full at the end of this schedule.</p>	Update
Policy YDFNP12	<p>Clarify policy to ensure that affordable housing provision delivered on a site reflects the identified need rather than just smaller homes.</p> <p>See further detailed comments from the housing team at the end of this schedule.</p>	To clarify application of the policy.
Policy YDFNP13	Final sentence – consider land owner expectations/aspirations – is this part of the policy deliverable?	To clarify application of the policy.
Policy YDFNP15	<p>Bullet a) query how this will be achieved particularly if a development has no control over the land in question. Suggest 'provides' is replaced with 'contribute to' .</p> <p>Para 165 and the policy refer to Key Facilities – these are not defined anywhere – suggest this is added to the glossary for clarification.</p> <p>Bullet b) it is unclear as to what is envisaged by 'takes opportunities to connect to public and community transport provision'. Suggest this is rephrased along the lines of :</p> <p>'opportunities to connect to public and community transport provision</p>	To clarify application of the policy.

Para/page/map	Comment / requested change	Reason
	through improved pedestrian links will be supported.'	
Community Ambitions	Acknowledge these reflect a number of detailed comments made previously by HDC that fall outside the remit of the NP.	Noted.

Detailed comments from HDC Housing Team – section on Housing Mix/Affordable Housing

Para 140

This para states support for provision of starter homes and flats. It is felt that there is a danger that this wording could encourage an imbalance of First Homes proposals. It's also suggested that this may contradict the earlier statement within the Plan (Point 72) regarding the Plan wanting low-rise buildings/no more than two storeys. It is also felt that the wording does not emphasise strongly enough the point the Plan makes about having appropriate mix of affordable housing resulting in a danger that this may encourage developments of mainly flats for affordable housing. Additionally, Housing is aware that provision of flats is not always desirable for affordable or market housing, particularly for family sized homes (2+ bedroom), especially since Covid-19 and Grenfell. Flats also offer a lack of private outside space for residents. It would be welcomed if wording could be included to state that the affordable housing mix should be delivered in line with the identified housing need at that time (i.e. through the Hart Housing Register/Help to Buy Register).

Para 141

This para states that 123 people on the Hart Housing Register live in Yateley. However, Housing wish to highlight that there will also be other households on Hart's Housing Register who have a need/wish to live within Yateley due to some other form of connection (i.e. family, work), but do not currently live within the area. Also, just to note that affordable rented homes within Yateley will be open to all applicants on Hart's Housing Register to apply for (i.e. there is no need for a parish connection).

Para 142

This para advises of an imbalance of smaller homes within Yateley, however the mix of new-build affordable homes are negotiated by Hart's Housing Team to meet identified need and the required mix at that time (i.e. through Hart's Housing Register). It is requested that the wording in Point 142 is made clearer to reflect this. At present this point appears to read that the affordable housing is providing 3, 4 and 5 bedroom homes, however the 3, 4, and 5 bedroom homes will mainly be market housing. Therefore, it is suggested that this point could say "development currently being delivered in Yateley will provide 150 homes in total, of which just under two thirds will be 3, 4 and 5 bedroom properties. 60 of the homes are affordable housing providing 1 and 2 bedroom flats, and 2 and 3 bedroom houses".

Para 143

This para states that the threshold for affordable housing is 10+ properties, however Hart's Local Plan policy H2 also states that sites will meet the affordable housing threshold "if the site has an area of 0.5 hectares or more", and so Housing request that the wording within this point is updated to reflect this.

Para 146

As above (Para 143), it is felt that this point should also include information regarding the 0.5+ hectare threshold for affordable housing.

Policy YDFNP12 - This policy provides an emphasis on the provision of smaller homes. Housing would like to see this point being made clearer to clarify that this point relates to market homes and that affordable homes should be delivered at a mix in line with identified need. Policy YDFNP12 also states that affordable housing should be delivered to meet identified and evidenced local needs, and so Housing just wish to note that this will be District wide needs. Housing has concerns that this policy may encourage an imbalanced delivery of First Homes through the promotion of a need to deliver starter homes and flats. Housing feel that this will not best meet the overall needs of the local community and both a mix of affordable housing tenures as well as a mix of different sized and types of properties should be delivered on new sites.

Policy YDFNP14 - Home Working - Housing request that it should be advised that any requirements to allow for home working should apply to both market and affordable homes.

First Homes - The Plan appears to include a number of references to First Homes suggesting that the Town Council are in support of this provision of affordable housing (for example - the affordable housing definition mentions First Homes specifically as if to highlight the preference for First Homes), however we are unsure if this is intentional? Briefing papers about the implications of First Homes on sites and affordability have been circulated, and a paper taken to District Council committees where some concerns were raised by District Councillors. These were possibly after the Plan was drafted and so Housing suggest that it might be worth reviewing the emphasis on First Homes in light of these more recent papers. Housing would also just highlight that a high delivery of First Homes is likely to contradict the Plan's aspirations to have lower-level housing due to the £250K cap on initial sale for First Homes and high local housing prices, First Homes are likely to be delivered as flats rather than houses.

Community Ambitions - Housing developments – The Housing team has sought clarification as to the intention of a number of the comments "involvement of Town Council in affordable housing negotiations"- we're unsure how Yateley Council see their involvement in this? They are presumably currently consulted as part of planning applications. "Where off site affordable housing is secured, request that the location is discussed with the Town Council" - We're unsure what is meant by this? We think they are referring to off-site financial contributions, in which case there will be no location to discuss?