

COMPLETE RESPONSES MADE BY RESIDENTS AND OTHERS FOLLOWING REGULATION 14 CONSULTATION 2024

1. Response #1 from a resident:

I would like to know why the plan doesn't cover the whole neighbourhood and is silent on areas outside the villages? Eg one of the biggest proposed developments at lodge farm and the various proposals around solar farms would significantly impact the rural character of the surrounding area and there is nothing in the plan to help guide decision making around that.

The plan also fails to acknowledge the upcoming change to the volume of water extracted from the river whitewater which could potentially lead to increased flooding in key areas, particularly if existing flood plains and ancient defences such as ditches are built over as is proposed. Removing these ancient natural defences itself is a major change in the character of the neighbourhood and the plan should make provision to ensure that flood plains and ditches are protected.

Also while I support biodiversity improvements I think the lack of emphasis on access and recreational utility of common land is unhelpful. For example, the vision should expressly include provision for improving access to share spaces such as odiham common, especially for those with restricted mobility as some of the pathways are now routinely boggy and impassable for much of the year. This damages the surrounding areas as walkers are forced off track and so is counterproductive.

2. Response #7 Content for Regulation 14 from Historic England Ref PL0036044 14 March 2024

Neighbourhood Plan Review for Odiham and North Warnborough

Thank you for consulting Historic England about your Neighbourhood Plan Review. As the Government's adviser on the historic environment, Historic England is keen to ensure that the protection of the historic environment is fully considered at all stages and levels of the local planning process.

Neighbourhood Plans are an important opportunity for local communities to set the agenda for their places, setting out what is important and why about different aspects of their parish or other area within the neighbourhood area boundary, and providing clear policy and guidance to readers – be they interested members of the public, planners or developers – regarding how the place should develop over the course of the plan period.

We welcome the production of this neighbourhood plan review and are pleased to see that the historic environment of your parish features throughout.

Your neighbourhood area does contain a number of designated heritage assets, however at this point we don't consider there is a need for Historic England to be involved in the detailed development of the strategy contained in your review.

We offer some general advice and guidance below, which may be of assistance. The conservation officer at your local Council will be the best placed person to assist you in the development of the Plan with respect to the historic environment and can help you to consider and clearly articulate how a strategy can address the area's heritage assets.

Paragraph 190 of the National Planning Policy Framework (2021) sets out that Plans, including Neighbourhood Plans, should set out a positive strategy for the conservation and enjoyment of the historic environment. In particular, this strategy needs to take into account the desirability of sustaining and enhancing the significance of all types of heritage asset where possible, the need

for new development to make a positive contribution to local character and distinctiveness; and ensure that it considers opportunities to use the existing historic environment to help reinforce this character of a place.

It is important that, as a minimum, the strategy you put together for your area safeguards those elements of your neighbourhood area that contribute to the significance of those assets. This will ensure that they can be enjoyed by future generations of the area and make sure your plan is in line with the requirements of national planning policy, as found in the National Planning Policy Framework.

The government's [National Planning Practice Guidance](#) on neighbourhood planning is clear that, where relevant, Neighbourhood Plans need to include enough information about local heritage to guide local authority planning decisions and to put broader strategic heritage policies from the local authority's local plan into action but at a *neighbourhood* scale. Your Neighbourhood Plan is therefore an important opportunity for a community to develop a positive strategy for the area's locally important heritage assets that aren't recognised at a national level through listing or scheduling. If appropriate this should include enough information about local non-designated heritage assets, including sites of archaeological interest, locally listed buildings, or identified areas of historic landscape character. Your plan could, for instance, include a list of locally important neighbourhood heritage assets, (e.g. historic buildings, sites, views or places of importance to the local community) setting out what factors make them special. These elements can then be afforded a level of protection from inappropriate change through an appropriately worded policy in the plan. We refer you to our guidance on local heritage listing for further information: HE Advice Note 7 - local listing: <https://www.historicengland.org.uk/images-books/publications/local-heritage-listing-advice-note-7>

The plan could also include consideration of any Grade II listed buildings or locally designated heritage assets which are at risk or in poor condition, and which could then be the focus of specific policies aimed at facilitating their enhancement. We would refer you to our guidance on writing effective neighbourhood plan policies, which can be found here: <https://historicengland.org.uk/advice/planning/plan-making/improve-your-neighbourhood/policy-writing/>

If you have not already done so, we would recommend that you speak to the staff at local authority archaeological advisory service who look after the Historic Environment Record and give advice on archaeological matters. They should be able to provide details of not only any designated heritage assets but also non designated locally important buildings, archaeological remains and landscapes. Some Historic Environment Records may be available to view on-line via the Heritage Gateway (www.heritagegateway.org.uk). It may also be useful to involve local voluntary groups such as a local Civic Society, local history groups, building preservation trusts, etc. in the production of your Neighbourhood Plan, particularly in the early evidence gathering stages.

Your local authority might also be able to provide you with more general support in the production of your Neighbourhood Plan, including the provision of appropriate maps, data, and supporting documentation. There are also funding opportunities available from Locality that could allow the community to hire appropriate expertise to assist in such an undertaking. This could involve hiring a consultant to help in the production of the plan itself, or to undertake work that could form the evidence base for the plan. More information on this can be found on the My Community website here: <http://mycommunity.org.uk/funding-options/neighbourhood-planning/>.

The Conservation Area may have an appraisal document that would ordinarily set out what the character and appearance of the area is that should be preserved or enhanced. The neighbourhood plan is an opportunity for the community to clearly set out which elements of the

character and appearance of the neighbourhood area as a whole are considered important, as well as provide specific policies that protect the positive elements, and address any areas that negatively affect that character and appearance. An historic environment section of your plan could include policies to achieve this and, if your Conservation Area does not have an up to date appraisal, these policies could be underpinned by a local character study or historic area assessment. This could be included as an appendix to your plan. Historic England's guidance notes for this process can be found here: [HE Advice Note 1 - conservation area designation, appraisal and management](#), and here: <https://historicengland.org.uk/images-books/publications/understanding-place-historic-area-assessments/>. The funding opportunities available from Locality discussed above could also assist with having this work undertaken.

The NPPF (paragraphs 124 - 127) emphasises the importance placed by the government on good design, and this section sets out that planning (including Neighbourhood Plans) should, amongst other things, be based on clear objectives and a robust evidence base that shows an understanding and evaluation of an area. The policies of neighbourhood plans should also ensure that developments in the area establish a strong sense of place and respond to local character and history by reflecting the local identity of the place – for instance through the use of appropriate materials, and attractive design.

Your neighbourhood plan is also an opportunity for the community to designate Local Green Spaces, as encouraged by national planning policy. Green spaces are often integral to the character of place for any given area, and your plan could include policies that identified any deficiencies with existing green spaces or access to them or aimed at managing development around them. Locality has produced helpful guidance on this, which is available here: <https://mycommunity.org.uk/resources/neighbourhood-planning-local-green-spaces>.

You can also use the neighbourhood plan process to identify any potential Assets of Community Value in the neighbourhood area. Assets of Community Value (ACV) can include things like local public houses, community facilities such as libraries and museums, or again green open spaces. Often these can be important elements of the local historic environment, and whether or not they are protected in other ways, designating them as an ACV can offer an additional level of control to the community with regard to how they are conserved. There is useful information on this process on Locality's website here: <http://mycommunity.org.uk/take-action/land-and-building-assets/assets-of-community-value-right-to-bid/>.

Communities that have a neighbourhood plan in force are entitled to claim 25% of Community Infrastructure Levy (CIL) funds raised from development in their area. The Localism Act 2011 allows this CIL money to be used for the maintenance and on-going costs associated with a range of heritage assets including, for example, transport infrastructure such as historic bridges, green and social infrastructure such as historic parks and gardens, civic spaces, and public places. As a Qualifying Body, your neighbourhood forum can either have access to this money or influence how it is spent through the neighbourhood plan process, setting out a schedule of appropriate works for the money to be spent on. Historic England strongly recommends that the community therefore identifies the ways in which CIL can be used to facilitate the conservation of the historic environment, heritage assets and their setting, and sets this out in the neighbourhood plan. More information and guidance on this is available from Locality, here: <https://mycommunity.org.uk/resources/community-infrastructure-levy-neighbourhood-planning-toolkit/>

If you are concerned about the impact of high levels of traffic through your area, particularly in rural areas, the "Traffic in Villages" toolkit developed by Hamilton-Baillie Associates in conjunction with Dorset AONB Partnership may be a useful resource to you.

Further information and guidance on how heritage can best be incorporated into Neighbourhood Plans has been produced by Historic England, including on evidence gathering, design advice and policy writing. Our webpage contains links to a number of other documents which your forum might find useful. These can help you to identify what it is about your area which makes it distinctive, and how you might go about ensuring that the character of the area is protected or improved through appropriate policy wording and a robust evidence base. This can be found here: <https://historicengland.org.uk/advice/planning/plan-making/improve-your-neighbourhood/>.

Historic England Advice Note 11- Neighbourhood Planning and the Historic Environment, which is freely available to download, also provides useful links to exemplar neighbourhood plans that may provide you with inspiration and assistance for your own. This can be found here:

<https://historicengland.org.uk/images-books/publications/neighbourhood-planning-and-the-historic-environment/>

The following general guidance also published by Historic England may also be useful to the plan forum in preparing the neighbourhood plan or considering how best to develop a strategy for the conservation and management of heritage assets in the area. It may also be useful to provide links to some of these documents in the plan:

HE Advice Note 2 - making changes to heritage assets: <https://historicengland.org.uk/images-books/publications/making-changes-heritage-assets-advice-note-2/>

HE Good Practice Advice in Planning 3 - the setting of heritage assets:

<https://historicengland.org.uk/images-books/publications/gpa3-setting-of-heritage-assets/>

If you are considering including Site Allocations for housing or other land use purposes in your neighbourhood plan, we would recommend you review the following two guidance documents, which may be of use: HE Advice Note 3 - site allocations in local plans:

<https://historicengland.org.uk/images-books/publications/historic-environment-and-site-allocations-in-local-plans>

HE Advice Note 8 - Sustainability Appraisal and Strategic Environmental Assessment :

<https://historicengland.org.uk/images-books/publications/sustainability-appraisal-and-strategic-environmental-assessment-advice-note-8/>

We recommend the inclusion of a glossary containing relevant historic environment terminology contained in the NPPF, in addition to details about the additional legislative and policy protections that heritage assets and the historic environment in general enjoys.

Finally, we should like to stress that this advice is based on the information provided by Odiham and North Warnborough Parish Council in their correspondence. To avoid any doubt, this does not reflect our obligation to provide further advice on or, potentially, object to specific proposals which may subsequently arise as a result of the proposed neighbourhood plan, where we consider these would have an adverse effect on the historic environment.

If you have any queries about this matter or would like to discuss anything further, please do not hesitate to contact me.

Yours sincerely,

Louise

louise.dandy@HistoricEngland.org.uk

Historic Places Advisor,

3. Response 20: Email from resident

1. The OPC team is congratulated on the substantial effort required to update the NP. The NP plays an important part in guiding planning as well as being valued and well used reference for parish residents.

2. The comments below are submitted for consideration as OPC polishes its draft.

Inappropriate industrial development

3. The threat to Odiham Deer Park north of the river Whitewater and unacceptability of warehousing there is a particular concern for local residents. All surrounding villages will be affected detrimentally and naturally look to Odiham to lead pre-emptive criticism. Could the NP include strong statements regarding the inevitable impact of industrial developments on neighbours, views - and especially traffic congestion and gridlock? The public will lose faith if planning authorities allow and ignore massive and unattractive industrial developments that are sited in prominent countryside locations, whilst strong policies prohibit housing beyond settlement boundaries.

4. The A272 and the B3347 are the gateways to the parish from the M3, Farnham and Alton. It may be worth stressing this.

Parking

5. Could the NP mention more about the problems of on-street parking in the parish: including pavement parking, on through roads, in the Bury etc? This is exacerbated as visitors; home working and deliveries increase and more houses are extended and enlarged. Could the NP encourage and support greater provision of parking above the minimum standards set by Hart?

Housing numbers and windfall developments

6. Mentioning the 50 recently-built windfall homes is welcomed and informative. Might more prominence be given to the total of new houses and extensions (windfall and NP sites) that have occurred and are likely to occur during the next 8 years.

7. Could the NP indicate likely future numbers that will result from recently- approved and future developments: in large gardens (eg Clevedge), utilisation of brownfield sites (eg Oast Garage and Albion Forge/Purcell Rooms) and opportunity developments (such as adjacent to the Mapletons) and rural exception sites?

Self and custom build (SCB) housing

8. Legislation to support SCB housing was introduced after the original NP was drafted and put out to consultation. SCB has now become a significant part of government policy regarding housing mix, with a published aspiration for 10% of new homes to be in this category. Registration on the Hart CSB register is restricted to local people and members of the armed forces, which supports local homes for local people.

9. The NPPF supports SCB in several ways, including stating that:

9.1. Within the context of establishing need, the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies.

These groups include should include people wishing to commission or build their own homes.

9.2. Under section 1 of the Self Build and Custom Housebuilding Act 2015, local authorities are required to keep a register of those seeking to acquire serviced plots in the area for their own self-build and custom house building. They are also subject to duties under sections 2 and 2A

of the Act to have regard to this and to give enough suitable development permissions to meet the identified demand.

9.3. Small and medium sized sites can make an important contribution to meeting the housing requirement of an area, and are often built-out relatively quickly. To promote the development of a good mix of sites local planning authorities should seek opportunities, through policies and decisions, to support small sites to come forward for self-build and custom-build housing.

10. Hart Local Plan also supports SCB in several ways:

1.1. A stated objective of HLP32 is to provide new homes of a mix of houses, including homes for other specialist groups such as self and custom build homes. The plan states that

HDC will plan for a mix of new homes based on current and future demographic and market trends, as well as on the needs of various groups within the community including those seeking plots for self or custom build properties.

1.2. HLP32 states that Plot providers should avoid fixing the details concerning the appearance of the homes and the council will negotiate design details, such as the external appearance of individual homes with the self or custom builders on a case-by-case basis; also stating that homes should comply with Policy NBE9 Design and with any agreed design codes.

1.3. HLP32 also states 'We will also support proposals for self-build and custom-build projects within settlement boundaries'

2. DLUHC funded research reports that CSB developments are greener and of higher quality than usual and support local builders and businesses.

3. Could support for CSB be included in the NP, highlighting NPPF and Hart policies?

Biodiversity and tree planting

11. Could the NP welcome and incentivise additional biodiversity enhancement over and above the statutory 10% though the NP?

M4(2)

12. Could the NP draw attention to the desirability of more homes being built to M4(2) standard to provide flexible and adaptable living for occupants and visitors who are older or coping with mobility issues or other disabilities. This might be supported and encouraged.

Working from home

13. Working from home is increasingly common, especially for families who have to juggle childcare with all parents working. This inevitably requires additional rooms or annexes. Could the NP reflect this in some way?

Housing mix and extensions

14. It is respectfully suggested that Policy 4 would benefit from updating.

15. The continuing need for extensions (eg 80% of Swan Mews), even of recently built houses, indicates unmet demand for larger homes. This is costly and continuously removes smaller houses from the market.

16. HLP32 is based upon an SHMA that was drafted in 2015 and relied on data up to 10 years old. As we recall, the Odiham and North Warnborough Housing Need Survey of 2015 was focused on the need for social housing and is not really applicable to market housing.

17. Might it be best to delete table 3.30, support updating surveys as the opportunity arises and update the text?4

Living space in roofs

18. Policies to prevent living space being built into the roofs of new houses on the allocated NP sites would be better understood if the reasons for those restrictions were explained. It is not clear whether the intention is to avoid steeply pitched roofs, dormers, velux windows or to restrict ridge heights. The situation becomes more confusing when living space in roofs is subsequently allowed as permitted development or given automatic planning permission once houses are occupied. Might it be possible to briefly explain the aim of this prohibition?

Rural Exception Sites

19. The success of the Warren Andrew Close development, which OPC is rightly proud of, demonstrates continuing demand for truly affordable rented housing for local people and key workers. Quite rightly the review has retained the aspiration for a further exception site.

20. It is suggested that the wording in the NP needs some minor updating here and there to reflect the latest district council and national policies and practice the have evolved of late.

Brownfield development and office/industrial conversion

21. It would be desirable to require that all such development should meet minimum space standards and provide and living conditions that are mandatory for new developments as well as complying with visual requirements of the NP.

Listed buildings

22. Many of the older listed terraced homes have been bought by young couples or families that are doing their best to improve the appearance, sustainability and character of those buildings. Could the NP acknowledge and encourage those owners to continue that good work?

23. Almost all listed buildings have been extended during their lifetimes, many during the last 25 years. In the main this has been undertaken to make them more habitable and sustainable. Others also merit sensitive and desirable works to improve energy efficiency, accessibility and improved living conditions and space. Could the NP give support to such proposals, of high quality, as continuation of natural evolution?

The Swan Inn

24. The Swan Inn has been an eyesore since the fire in 2010 and the rate of deterioration is accelerating (beneath the cover). Could the NP highlight the need for a satisfactory solution to restore the building and put it to good use during the lifetime of the NP.

Conclusion

25. Updating of the NP is welcome and is almost complete. The Parish Council has done a good job.

26. We hope the suggestions above are helpful.

Yours sincerely,

4. Response 24 from a Resident

The Deer Park as Local Green Space

The Examiner's Report for the Adopted Neighbourhood Plan (NP) of July 2017 recognised only one reason for denying adoption of the Deer Park for designation as a Local Green Space (LGS).

In a lengthy evaluation of his reasoning, the Examiner was well-satisfied with respect to all NPPF criteria, save for the requirement that:

'The land needs to be local in character, not an extensive tract of land'.

At Para 7.118 he said: *'However I am not satisfied that the proposed LGS is local in character. At 44 hectares in size I conclude that it is an extensive tract of land and that it is not local in character'*. Also: *'... the proposed LGS is well beyond what has been accepted as local in character in other neighbourhood plan examinations'*.

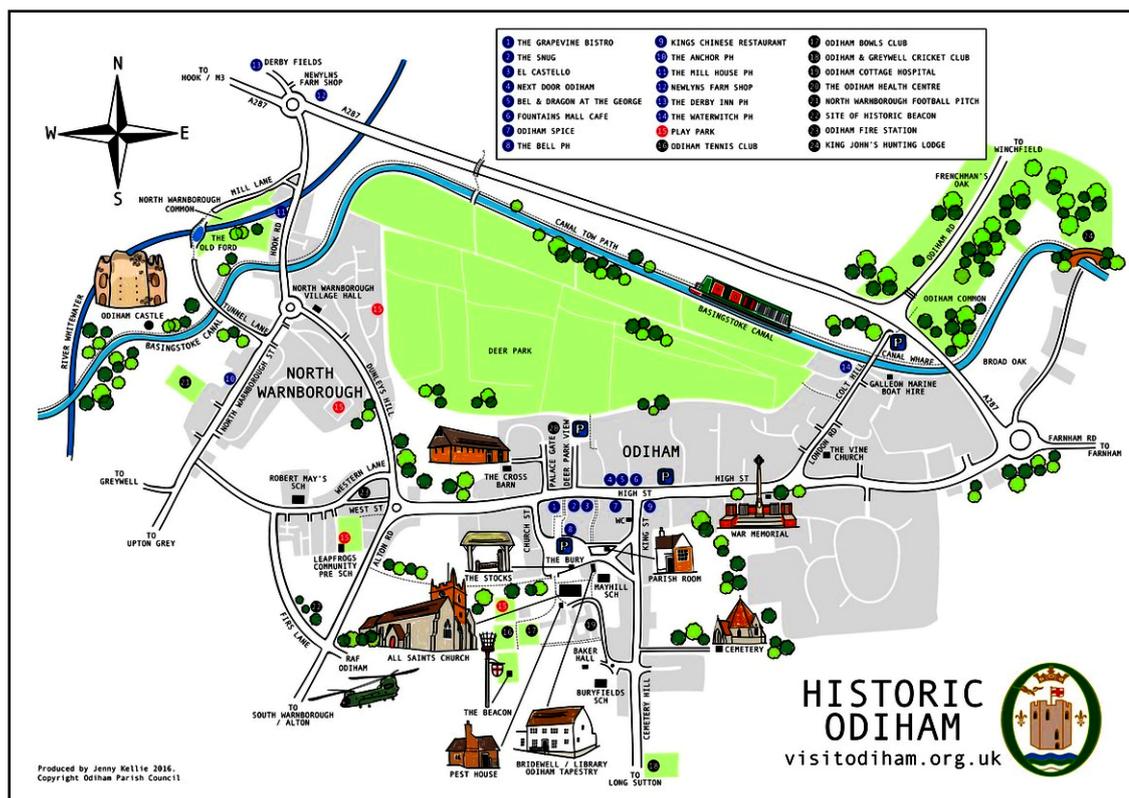
The evolution of LGS registrations over the last six years offers reconsideration grounds for both aspects embodied in this reasoning.

On scale; the Examiner noted that *'Planning Practice Guidance does not identify a maximum size for designation'*. In practice, similar sites have been agreed, as noted by the Open Spaces Society and CPRE, the latter having listed one at 46.5 hectares, while at Laverstock & Ford, Wiltshire, the adopted NP includes the Castle Hill Country Park as an LGS that *'extends to 55 hectares...'*. Closer to home, the Petersfield NP has an approved LGS of 36 ha.

With many LGS sites of different sizes in its area, Cheltenham Council reports that: *'MP, Martin Horwood, has provided some important guidance to the council on what the NPPF defines as an 'extensive tract of land', the ministerial view is that the LGS fall into the same category as those designated as Sites of Special Scientific Interest'*.

Examples are then given of 2 local SSI's of 63 and 55 hectares respectively.

On not being local in character; this warrants reconsideration, as prompted initially by the public map displayed in several places in Odiham:



As the first named town in the Domesday book of 1086, the once royal manor of Odiham and its Deer Park had long offered the Kings and Queens of England a haven half-way between Winchester and London. Owned by the Crown from 1130 to 1669 (HE Ref. 29364) the former Little Park or Town Lawn is the last surviving remnant of the original 513 acre Deer Park, still with the hedges and field pattern shown on Will Godson's post-enclosures map of 1739.

The **Historic Significance** of this Conservation Area has been augmented since the earlier Neighbourhood Plan consultation, with confirmation that King Henry VIII had ordered the now lost Odiham Place to be built in 1531 as a 'proper house' when hunting in the park with Anne Boleyn. The adjacent timber-framed Cross Barn dated to 1532 is now the village hall, with the boundary wall of Odiham Place to the park, although in disrepair, authoritatively confirmed as Tudor.

Further evidence of the significance of the park is that on the last of her six visits when staying at her Odiham house, Queen Elizabeth I attended an event in her honour at Elvetham in 1591, when the Earl of Hertford:

"with his traine well mounted, to the number of two hundred and upwardes, and most of them wearing chaines of golde about their neckes, he rode toward Odiham, and leaving his traine and companie orderlie placed, to attend her Majestie's comming out of Odiham Parke, three miles distant from Elvetham: himselfe wayting on her Majestie from Odiham House." [John Nichols (1745-1826)].

While the park is privately owned, its several accesses from the High Street to the many public footpaths that criss-cross its open landscape are appreciated by the community at large, as was recognised in the Examiner's report for the adopted Neighbourhood Plan.

As the 'Historic Odiham' plan confirms, far from being 'not local in character', the 'Land at the Deer Park' is close to the heart of Odiham, both in proximity and recreational value. Its setting is bounded for the most part by well-used public footpaths and the towpath of the Basingstoke Canal.

Given that much of the area of the parish is taken up by farmland and the very active RAF station - in effect on private land - there are no other areas of open landscape with the public access of the Deer Park.

Finally, together with informal observations of use of the Deer Park footpaths for recreation, as noted for the 2019 application as an Asset of Community Value (ACV), the pandemic has helped prioritise the value of open space for health and wellbeing. Greater use of the park since 2020 has been widely recognised, in line with many government reports, together with environmental, health and social commentary, that endorse such access as of heightened community importance.

Please reconsider this area as appropriate Local Green Space for Odiham.

5. Response 25 from Kember Loudon Williams (on behalf of Avant Homes)

Odiham and North Warnborough Neighbourhood Plan Review 2024

1. These representations have been prepared by Kember Loudon Williams on behalf of Avant Homes in response to the review of the Odiham and North Warnborough Neighbourhood Plan and the consultation being carried out by the Parish Council, in its capacity as the qualifying body responsible for preparing and reviewing the Neighbourhood Plan. These submissions are made in response to the Council's Regulation 14 Consultation Draft (January 2024)

2. Avant Homes hold a contractual interest in the land at Dunleys Hill, Odiham that is allocated for "approximately thirty dwellings" within Policy 2v (Site v) of the Neighbourhood Plan – made in June 2017. Policy 14 – Dunleys Hill Open Space seeks to make provision of public open space adjacent to Site v.

3. These two policies currently read as follows –

Policy 2v

"v. 1.00 ha - Land at Dunleys Hill, Odiham – approx. 30 dwellings (Site v):*

a. Vehicular access to the residential development shall be from Western Lane;

b. The residential layout shall include a mix of individual house size, type and design fronting onto the public open space to create an active frontage to the public open space and to represent organic growth. The buildings, including any apartments, shall be no more than two storeys high;

c. The residential layout shall retain open views into and out of the Odiham Conservation Area (including but without limitation relevant views as referred to in Policy 6);

d. The layout shall include trees, in both the communal and private amenity areas, to reflect the green rural character of this part of the village and a row of trees shall be retained and supplemented where required alongside the Dunleys Hill frontage;

e. The proposals shall include satisfactory mitigation of any ground water and/or surface water flooding risk on the site and to any off-site properties, as shown on Environment Agency and Hart District Council drainage maps, and to neighbouring and to any off-site properties;

f. A financial contribution will be sought from the developer towards the maintenance and upkeep of the public open space; and

g. A financial contribution will be sought from the developer (in accordance with SAMM principles in force at that time) towards monitoring measures across the Thames Basin Heaths Special Protection Area in the event that Site i, Site ii and Site v in combination deliver more than 50 new dwellings."

Policy 14: Dunleys Hill Open Space

"Land at Dunleys Hill as shown on the Proposals Map is allocated for public open space.

Proposals for the layout and construction of the public open space will be supported subject to the following criteria:

- i. Vehicular access into the site should be off Dunleys Hill and shall be consistent with the principles set out for the development of the proposed housing site to the north in Policy 2 iii of this Plan; and*
- ii. Associated car parking spaces should be sensitively designed and surfaced to respect the location of the site within the designated local gap; and*
- iii. Any associated recreational or maintenance buildings or structures should be essential to the operation of the open space and should comply with the design principles set out in Policy 5 of this Plan.”*

4. It is worth noting at this point that the Independent Examiner of the 2017 made Neighbourhood Plan recommended a number of modifications to the Submission Plan from July 2016, including several modifications to Policy 2v and the creation of Policy 14.

5. The modifications to Policy 2v included the following:

- Deletion of a duplicated requirement setting out the site area for the residential development and the area of public open space;
- Deletion of a requirement setting out the layout of the public open space and details of the transfer of the land for the public open space;
- Deletion of paragraph requiring a public car park for 6/8 cars and bicycle parking to serve the public open space, again transferred along with the public open space;
- Deletion of a requirement to provide an access to serve the public car park from Dunleys Hill;
- Deletion of a paragraph requiring a minimum of three additional public parking spaces to be provided on the south side of the public open space alongside the residential development; and
- Replacement of a reference to ‘SAMM’ with ‘in accordance with SAMM principles in force at that time’.

6. The Independent Examiner had also previously agreed to insert reference to provision of “approximately thirty dwellings” on the site to allow for some flexibility in the delivery of residential development for the site.

7. Subject to the recommended modifications at the time, the Independent Examiner found the Plan to meet the basic conditions for the preparation of a neighbourhood plan.

8. As part of this 2024 review of the Neighbourhood Plan the Parish Council is proposing additional wording to be added to both Policies 2v and 14 as follows –

Policy 2v – paragraph b “The residential layout shall include a mix of individual house size, type and design fronting onto the public open space to create an active frontage to the public open space and to represent organic growth. **The public open space shall be provided in accordance with Policy 14 as a planning gain arising from, and consequent to, any residential housing development at the site.**”

Policy 14

“Land at Dunleys Hill as shown on the Proposals Map is allocated for public open space **to be delivered as a planning gain from the housing development defined in Policy 2**

v. Proposals for the layout and construction of the public open space will be supported subject to the following criteria:

- i. Vehicular access into the site **and parking** shall be consistent with the principles set out for the development of the proposed housing site to the north in Policy 2v of this Plan; and
- ii. Associated car parking spaces should be sensitively designed and surfaced to respect the location of the **public open space** and within the designated local gap; and

iii. Any associated recreational or maintenance buildings or structures should be essential to the operation of the open space and should comply with the design principles set out in Policy 5 of this Plan.”

9. These amendments to the Neighbourhood Plan set out a retrospective requirement for the public open space identified in Policy 14 to be delivered as a “planning gain” arising from the housing development achieved by Policy 2v – Land at Dunleys Hill.

10. This requirement is considered to be unjustified and is an attempt by the Parish Council to retrofit the delivery of the open space to the housing allocation. This was not, and is not a requirement of the adopted policy for Site v. Nor was it a matter required by the Independent Examiner in assessing the current made Neighbourhood Plan. It was not required in the modifications of the Plan, as formally made in 2017. Had the Independent Examiner seen fit to put this mechanism in place; clearly the Examiner would have done so via the proposed modifications to the Plan. This was not done following Examination. Nor was it raised by the Parish Council or Hart District Council at that time: the latter as the Local Planning Authority.

11. The introduction, latterly, of this requirement is also considered to be unbalanced when viewed in the context of the remainder of the criteria that need to be met at the site. As set out below, the provision of the open space in addition to the other requirements of Policy 2v would make the development of Site v financially unviable: particularly as the ‘open space’ land is not owned by Avant Homes.

12. If this requirement were to enter into the Neighbourhood Plan, Avant Homes, and indeed any potential developer of the site, would be required to:

- a) provide the public open space;
- b) contribute financially to the maintenance and upkeep of the public open space; and
- c) contribute financially towards monitoring measures across the Thames Basin Heaths Special Protection Area.

13. These requirements go significantly above and beyond what is required to be delivered by the other sites identified in Policy 2 of the Neighbourhood Plan. This is inconsistent and there should, at the very least, be some form of equalisation requirement and contribution from the other allocated sites in Odiham that will benefit from this provision. No mechanism is in place or is planned.

14. As noted above, it must also be borne in mind that this approach has severe implications on viability when considering the relatively small scale of the site allocated for development. The requirement to provide the additional land for informal and formal recreation/play facilities, together with contributions and funding for management, extends far beyond what is proportionately deliverable/fundable, off the back of the provision of approximately thirty dwellings. This is a small site and allocation when the District Council policy requirement that 40% of the homes provided is affordable housing. For a thirty unit scheme, this equates to 12 affordable units and 18 open market units.

15. It is also the case that where there are delivery requirements in place for other sites, set out under Policy 2, these have not been followed through by Hart District Council. For example:

- (i) When the development of sixteen dwellings was approved by the District Council for the site identified by Policy 2ii, Land at 4 Western Lane, under application number 19/02541/FUL, the District Council did not require the applicant to make a financial contribution towards the maintenance and upkeep of the public open space identified by Policy 14. This is despite the policy requiring “A financial contribution will be sought from the developer, towards the maintenance and upkeep of the public open space on Dunleys Hill (Policy 14)”;
- (ii) Similarly, when the District Council approved eight dwellings under planning application 16/00635/FUL for the site identified by Policy 2iii, Land at Crumplins

Yard, the District Council did not require the applicant to provide a shared access from Dunleys Hill. This is required under policy to serve both the development and a public car and bicycle park for users of the adjoining public open space. Neither was there a requirement for the layout of the development to overlook the adjoining open space and to create an active frontage. Again, there was no requirement to make a financial contribution towards the maintenance and upkeep of the public open space identified by Policy 14.

16. Clearly, therefore, the approach being adopted by the Parish Council now, is seeking to 'fix the ills' of the past, and to retro-fit the provision of the public open space to the sole delivery of Site v at Dunleys Hill. This is wholly inconsistent, departs from the conclusion of the Independent Examiner in 2016 and, moreover, the provisions of the 2017 adopted policy. The latter formed the basis of negotiation and agreement between Avant Homes and the landowners on the option for the land.

17. The onus on Avant Homes in relation to the delivery of development for the site identified by Policy 2v is, therefore, disproportionate to the other Policy 2 sites and the scale of development proposed in this site, given the requirement to provide the public open space and contribute financially to the maintenance and upkeep of the public open space. Moreover, there is a requirement to contribute financially towards monitoring measures across the Thames Basin Heaths Special Protection Area and provide 40% of the homes as social housing in accordance with Hart District policy.

18. It is interesting to read, as part of their Health Check Report (October 2023) of the proposed Neighbourhood Plan Update, that Troy Planning + Design state in their commentary on Policy 2v that –

“The PC has requested that the Neighbourhood Plan Update consider the potential opportunity for linking Policy 14 (Dunleys Hill Open Space) with this policy Policy 2 (Housing Development Sites v).”

19. In addition, the modification type is noted by the Health Check Report as follows –

“N/A: No modification necessary based on the information available. However, if changes were required through further landowner / developer consultation and discussion this would likely be classified as B Material modifications which do not change the nature of the neighbourhood plan.”

20. Several points arise from these notes. The first is that the amendments to Policy 2v proposed by the Parish Council are not based upon any existing policy requirement or any baseline evidence. They are simply based upon a request that the Parish Council have put forward.

21. The second point to note is that no discussion has been held between the Parish Council and Avant Homes regarding their proposed modifications. Lastly, the proposed modifications to Policy 2v are significant, and would fundamentally change the nature of the Neighbourhood Plan. If these modifications were to be made, they would result in a failure to be able to deliver the housing allocated under Policy 2v because of the implications this would have as set out above.

22. The Health Check Report goes on to comment on Policy 14 as follows –

“Conformity with higher-level policies and associated guidance.

The Open Space site is not referred to in the Local Plan. It is understood from the Monitoring Report that there are no updates on this site / scheme.

Effectiveness and relevance

The policy remains effective and relevant.

The PC has requested that the Neighbourhood Plan Update consider the potential opportunity for linking Policy 2 (Housing Development Sites v) and Policy 14 (Dunleys Hill Open Space).”

23. The modification type for Policy 14 is defined by the Health Check Report as being –

“N/A: No modification necessary.”

24. It is, therefore, once again clear that the proposed modifications to Policy 14 are not based upon any existing policy requirement or any baseline evidence. Instead, they are simply a request made by the Parish Council.

25. The impact of the proposed modifications, however, are again significant and would fundamentally change the nature of the Neighbourhood Plan.

26. In view of this, for the reasons set out above, we are firmly of the view that the provision of Policy 2v – Land at Dunleys Hill, within the made 2017 Neighbourhood Plan, and previously assessed by the Independent Examiner remains sound and continues to meet the basic conditions for the preparation of a neighbourhood plan. There is no need or planning justification for Policies 2v and 14 to be amended as suggested by the Parish Council as part of this Neighbourhood Plan Review.

27. This provision and delivery of any open space(s) should have been correctly addressed in the current 2017 Neighbourhood Plan, together with appropriate means of proportionate, funded delivery across each of the Odiham sites. At the very least, the open space could have been included within the Policy 2v allocation with appropriate cross-referenced funding/delivery arrangements. This was not done. To endeavour to retro-fit the delivery solely onto Avant Homes – particularly when the company does not currently own the adjoining ‘open space’ land is naive and unjustified.

28. In conclusion, we would be grateful if the Parish Council could continue to keep us informed of the progress of the Neighbourhood Plan Review process. We would wish to appear at any forthcoming hearing to present to the Independent Examiner if the Parish Council intends on pushing ahead with the proposed modifications to Policies 2v and 14.

6. Response #29 from a resident

I am writing to express my disappointment with the recent neighbourhood plan review. While I appreciate the effort that has been put into the process, I must convey my concerns regarding several aspects that have not been adequately addressed, particularly concerning the land at Hook Road.

Firstly, I would like to express my disagreement with the outcomes of the health check conducted. I believe that significant issues have not been properly accounted for, such as the lack of review concerning the land at Hook Road. Despite its importance and the raised concerns from the community, it appears that this particular area has been overlooked in the review process.

The current plan fails to address crucial aspects such as the safety of residents and adequate car parking provisions. This oversight can have significant implications for the accessibility and convenience of the area, impacting both residents and the listed properties.

Another pressing concern that remains unaddressed is the issue of flooding. Given the environmental challenges we face, any neighbourhood plan must incorporate robust measures to mitigate the risks associated with flooding. In 2024 alone, the site has seen two floods from regular storms. Unfortunately, the current plans seem to lack sufficient provisions in this regard, still calling for the land's development of 15 dwellings.

Moreover, we firmly believe that the current plans lean excessively towards individual interests, neglecting the collective needs of the community. Since the plan was formulated in 2018, significant changes have occurred at this site, notably the infill of Jolly Miller Close, which seems to have been overlooked. Further development not only exacerbates the aforementioned risks but also threatens to erode the countryside ambiance of this

conservation area. It is imperative that any neighbourhood plan reflects the diverse needs and aspirations of all residents, thereby fostering a sense of inclusivity and unity within the community.

In light of these concerns, I urge the Parish Council to reconsider the neighbourhood plan review and ensure that all pertinent issues, including those concerning the land at Hook Road, are thoroughly evaluated and addressed. It is imperative that the revised plan reflects the best interests of the community and lays the foundation for a sustainable and vibrant future for Odiham.

Thank you for considering my feedback. I look forward to seeing positive steps taken towards addressing these issues and working together to create a neighbourhood plan that truly serves the needs of all residents.

Sincerely,

7. Response #30 Whitewater Valley Conservation Society

Dear Clerk,

RE: Odiham and North Warnborough Neighbourhood Plan Review

The review supports a number of significant planning and environmental issues which align with the objectives of the Whitewater Valley Conservation Society (WVCS). Therefore, the WVCS Committee, at a committee meeting on 4th March, unanimously voted to support the revised plan and suggested three possible extensions for the kind consideration of the Parish Council

- to improve protection of the Deer Park by re-considering it for Local Green Space status.
- to extend the margin of protection afforded, from inappropriate development to the canal and the river, to 25 metres on both sides.
- to emphasise the importance of the rural setting of the parish and conservation areas and the need to defend such settings from industrialisation caused by developments (such as significant warehouse structures).

The Whitewater Valley Conservation Society supports the plan and highlights the following:

- Protection against any impact on water quality.
- Increases in biodiversity in public open spaces.
- Protection of the numerous important views throughout the parish.
- Aims to deliver 10% net sustainable biodiversity gain from any development.
- Improvements and increases to wildlife habitats.
- Incorporation of OPC Environmental and Climate Change policies.
- Improved tree protection.
- The Plan reflects the latest Odiham and North Warnborough Conservation Area appraisal.
- The Plan improves support for the planned Public Open Space in Odiham/N Warnborough gap at Dunleys Hill.

The WVCS welcomes the fact that, once completed and accepted by HDC, the Plan becomes a formal policy document within the district's planning portfolio and will be used to support planning decisions and appeals to the benefit of the Parish and its residents and, consequently, the Whitewater Valley, its residents and visitors.

Yours sincerely,

8. Response #32 from a resident

I live at [REDACTED]

1. I am reaching out to express my disappointment with the recent neighbourhood plan review, particularly regarding the oversight of certain crucial aspects, such as the land at Hook Road. While I acknowledge the effort put into the process, there are significant concerns that have not been adequately addressed.
2. One major issue is the health check outcomes, which I believe have failed to account for important factors, including the situation at Hook Road. Despite community concerns and the significance of this area, it appears to have been disregarded in the review process.
3. The current plan lacks provisions for resident safety and sufficient car parking, which could greatly impact accessibility and convenience for both residents and properties in the area. Additionally, the issue of flooding remains unaddressed, despite the site experiencing two floods from regular storms in 2024 alone. This lack of attention to environmental challenges is concerning, especially with plans to develop 15 dwellings on the land.
4. Furthermore, there is a notable imbalance in the plans, favouring individual interests over the collective needs of the community. Recent changes, such as the infill of Jolly Miller Close, seem to have been overlooked since the plan's formulation in 2018. This further development not only increases risks but also threatens the countryside ambiance of the conservation area.

It is crucial that any neighbourhood plan reflects the diverse needs of all residents and I urge the Parish Council to reconsider the review process and ensure that all relevant issues, including those concerning Hook Road, are thoroughly evaluated, and addressed.

Thank you for considering my concerns. I am hopeful that positive steps will be taken to create a neighbourhood plan that truly serves the best interests of Odiham's residents.

9. Response #33 from Robert May's School

6th March 2024

By email: clerk@odhamparishcouncil.gov.uk

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

Dear Sir/Madam

Odiham and North Warnborough Neighbourhood Plan Review 2024 Pre-Submission Consultation

Thank you for the opportunity to comment on the pre-submission Plan documents.

Robert May's School serves Odiham, North Warnborough and the surrounding villages in a catchment

area of 100 square miles. The school recently expanded to 10 form entry and is now full, with 1,350 students.

One of our greatest challenges is to ensure all of our facilities meet students' needs, with historic

expansion largely benefitting general teaching space over more specialist areas. Among other things, the school is significantly under-landed for the numbers on roll and new accommodation is needed for outdoor and indoor sports.

Accordingly, we strongly support Policy 10: Education that safeguards land adjoining Robert May's School for educational purposes and community outdoor recreation facilities.

The school shares its existing sports facilities extensively with the community and we are well aware of the shortage of such spaces in our catchment area. The plan rightly seeks to "protect and ideally extend the provision of recreational opportunities and sporting facilities for community use". To emphasise this objective, may we suggest including a specific policy to this effect?

Yours faithfully
Headteacher

10. Response #35 from Odiham Consolidated Charities

1. Trustees of Odiham Consolidated Charities (OCC) appreciate all the work undertaken by the Parish Council in producing the consultation draft of the Neighbourhood Plan review. Trustees only wish to make comments on the paragraphs dealing with Rural Exception Sites. In the hope of a further rural exception site becoming available, OCC has a reserve of £1,000,000 to finance another project of this nature. That sum could, with good fortune, be supplemented by government funds drawn down through Hart District Council (HDC).

2. The Hart Local Plan (HLP) 32 and the latest NPPF have introduced changes that are pertinent to updating. OCC would like to submit the following comments, which trustees hope will be helpful in finalising the draft:

a. The paragraph mentioning the completed rural exemption site (in red in the draft) is a welcome addition. Naming the site and its approximate location could be valuable for readers unfamiliar with it.

A rural exception scheme for 12 houses (Warren Andrew Close near the Derby Inn) was completed in 2023 and is now fully occupied. Nine houses are for affordable social rent and 3 are for shared ownership. (Application 19/01749).

b. Continued enthusiasm of the Parish Council and retention of the short explanation of the benefits of a rural exception site is very positive. Trustees of OCC wish to suggest a few additional words (in purple) which could be included in the final draft.

Odiham Parish Council remains keen to identify another Rural Exception Site. A Rural Exception Site allows construction of a small number of houses on land outside (but adjacent to) the settlement boundary in places that might not satisfy the normal planning policies. All such houses may be allocated using local connection criteria. The Neighbourhood Plan consultation process and the Housing Needs Survey of 2008, updated in 2015, established that residents favour such local connection criteria. Further work to confirm continuing need may be required.

c. Since site identification is the greatest challenge in progressing another rural exception site, it is suggested that a paragraph with that focus would be helpful. It would also enable mention of Action Hampshire, which has recently established a fresh partnership with HDC Housing. A possible form of words, illustrated in purple text, is in the box below.

Identifying a suitable, viable and available site is the key challenge to be overcome when seeking a further rural exception site. The Parish Council will work with Hart District Council and Action Hampshire (which has funding to assist district and parish councils) to investigate suitable opportunities.

In the event of a Rural Exception Site being identified and the landowner's agreement secured, the Parish Council will work Action Hampshire, Hart District Council and Odiham Consolidated Charities to progress a project.

3. Trustees of OCC wish to commend the goals and work undertaken so far by the Parish Council and are keen to help in any way to assist the identification, and development of a further rural exemption site.

10. Response #37 from Odiham Society

The Odiham Society planning committee, which is charged with responding to planning consultations and applications, met yesterday afternoon, March 6th, and considered OPC's proposed changes to the Neighbourhood Plan.

These are the comments of the committee, on behalf of the Society:

We welcome:

The action taken by OPC to keep the plan current and material by doing this update

The reflection into policy in the plan of the changes to the recently updated CA appraisal (for O and NW), but see detailed comments below

The enhanced ecological and biodiversity provisions

We suggest that the plan pays more attention to any development in the open countryside which affects the rural setting and character of Odiham and North Warnborough.

We support the request of one of our members, Hugh Sheppard, to reconsider the designation of part of the Deer Park as Local Green Space, given other large designations elsewhere.

Paragraph 3.14 is unclear. It refers back to para 1.8 which has never existed so the explanation of housing numbers needs to be reviewed.

Policy 2. Most of the allocated sites require landscaping and tree planting but no mention is made of the need for early maintenance of such planting and replacement of it if it dies.

Policy 6 xv c we are unclear what is meant by "jettied gables" and suggest removal of this phrase for clarity

Policy 6 xvii and **Policy 7 vii** we suggest replacing "must seek to" with "shall"

Policy 7 vi c we suggest replacing "cleft-timber railing" with "fencing"

Design and conservation policies (5-8). Most clauses say "shall". All should say "shall" and not "should" or "seek to".

Para 3.77 add "to" between "expected" and "enhance"

Page 66. We suggest that both the Parish Room and the public toilets in King Street be added to the list of Assets of Community Value.

Yours sincerely,

Helen Fleming, Chairman of and secretary to the planning committee

11. Response #38 from a resident

Dear Parish Clerk,

As requested, I am writing with my comments on the recent neighbourhood plan review for full circulation to all Parish Council members.

It is noted within the Parish Council minutes of 22nd March 2022 *"The decision was taken this year that a full review of the NP plan was not needed this year in the light of Hart's ongoing review of their Local Plan and any new government initiative that might take place in the near future. However a full review will be undertaken at some point when sections will be changed to reflect changes in the parish and changes in district and central policies."*

The **Odiham and North Warnborough Neighbourhood Plan** was adopted into planning law in 2017 and included a 5-year review date. This was voted for by parishioners in the Parish in a formal referendum, yet has not been upheld. I would like to express my disappointment that we are now in 2024 and yet despite the review being 2 years overdue, only a Light Touch Health Check is being undertaken. Whilst appreciating the efforts and time that has gone into the process by volunteers in public office, this cannot be an excuse to not adhere to the processes voted for by the parishioners the Council serve.

Pressing concerns that remain to be addressed:

SAFETY & PARKING

A Parish-wide strategic assessment of parking and known danger spots should have been considered when selecting suitable future building sites in the original Neighbourhood Plan Review. Provisions in future planning need to be made to protect the longevity and sustainability of treasured listed buildings which are recorded as significantly contributing to the acclaimed character of the Parish.

The safety of residents and visitors, both as pedestrians, motorists and other road users including cyclists using Hook Road with increasing traffic and inadequate car parking provisions for existing residents should be anticipated, as additional housing will exacerbate these issues.

The historically important Grade II listed Castle Bridge Cottages have for many decades rented car parking spaces via a long term arrangement involving renewal of short term personal licences from Albion Farm on the opposite side of Hook Road. It is now feared this arrangement will not continue indefinitely, particularly as parcels of land on Albion Farm have recently been the subject of planning applications. Should this arrangement cease, it is foreseeable that residents will seek to park outside their properties on the road. Parking on this extremely busy road where available traffic lines of sight are affected will disrupt traffic and cause considerable inconvenience to local road users, including school transport and commuters coupled with the effect of narrowing access for emergency vehicles.

It is churlish for the Parish Council Planning Chair to state “one should not buy a house without parking” as stated at the Parish Council meeting on 20th June 2023. These heritage assets without parking exist and long predate motor vehicles and contribute highly to the acclaimed character of the Parish lying, as they do, within a conservation area of special architectural and historic interest. The Parish Council should want to preserve listed properties and these require protection through the Neighbourhood Plan review to avoid any scenario which could jeopardise their future. Modern life, the locale of the Parish and poor public transport options dictate car ownership and should all nearby land be built upon it is envisaged that those with no accessible parking will eventually become derelict. This omission would be short-sighted and would result in a negative impact on the Parish and its residents.

FLOODING & SEWERAGE

Environmental and climate challenges are not going to disappear any time soon, any neighbourhood plan must incorporate robust measures to mitigate these risks. In the short few months of 2024 alone, the site has seen two floods from regular storms as detailed and evidenced photographically on the current developer planning application for 22 houses. The 2017 Neighbourhood Plan fails to acknowledge that these sites lie within a flood-risk area and call for the land's development of 15 dwellings. HCC Local Lead Flood Authority have stated flood risk remains an issue at the site, thus calling into question the inclusion and suitability of these parcels of marshland in the Neighbourhood Plan.

Thames Water has stated any properties built in proximity to the already overstretched Pumping Station facility will be affected by odour, light, vibration and/or noise. A cramped site will exacerbate the already documented history of sewage spills at this site known locally as “Parsons Swamp”. How can the Parish Council reasonably consider that allowing housing next to known noxious smells enhances the quality of life for residents or the conservation area in a known area of flooding?

PROCEDURAL CONCERNS

i) Parish Council minutes 5 September 2023

"P53/23 Neighbourhood Plan Review There is a zoom meeting scheduled for Wednesday 13th September at 2pm with Troy Planning who are carrying out a health check. Cllr McFarlane and Cllr Verdon are attending. Cllr Woods and Cllr Seabrook also confirmed that they could attend. The clerks notes on funding for a review- It was decided that the outcome of the health check would need to be seen before deciding when to apply for funding as there is a tight time schedule once funding is agreed"

Development of Land East of Hook Road has repeatedly been refused planning permission. Since these refusals, the current prospective developers have stated *"In accordance with good planning practice, the applicant and planning consultants engaged multiple times with the Parish Council prior to the submission of this planning application and the planning application for development on the adjoining land. Details of this thorough pre-application engagement are set out within the Design and Access Statement and Planning Statement which was submitted in support of the application. It was a collaborative process, whereby various iterations of the evolution of the scheme design were tabled and discussed, with changes made in direct response to comments raised by the Parish Councillors. It is the applicants understanding that a mutual agreement was reached on the acceptability of the overall approach to the scheme design and in relation to the number of dwellings proposed"*.

The developer statement conflicts with the existing Neighbourhood Plan for approximately 15 houses. It is pleasing to see the Parish Council objecting to current plans, however, it is sought that this is reflected by a swift amendment to the Neighbourhood Plan. Given this and the Chair's

presence at the meeting with Troy Planning, assurances are required that the Chair was not present at Developer meetings as this could represent a conflict of interest. To my knowledge, there, are no minutes containing the content of the multiple engagements that the developers refer to.

The current Neighbourhood Plan allowed for approximately 15 houses on Land at Hook Road - it appears the use of the word "*approximately*" has provided developers licence to increase this. To any reasonable person a 47% uplift would not be considered to be "approximate or reasonable" to the 15 houses originally stated and voted for within the Neighbourhood Plan. At the very least it ought simply to read "*no more than*", should it be decided the site even merits inclusion which for the aforementioned reasons I believe it does not. Incorporating this phrase would align with the council's current objection made on 23 October 2023 on applications **23/02094/FUL and 23/02095/FUL**.

Since the Neighbourhood plan was published the infill of 11 additional properties, namely, Jolly Miller Close has been built. This seems to have been overlooked by the Light Health Check Review undertaken and ought to be taken into consideration. The addition of a further 15 or 22 houses adjacent to the canal will irrevocably change the canal landscape forever.

The addition of a possible 15-22 further houses represents a mass form of urbanisation from what was on the ground when the original Neighbourhood plan was ratified. Regardless that Jolly Miller Close is described as a windfall site the material fact remains that these new 11 properties at Jolly Miller Close were not taken into consideration in the 2017 plan. This seems to have been overlooked by the Light Health Check Review and ought to be taken into consideration. Further development not only exacerbates the risks but also threatens to erode the countryside ambience of this conservation area. This does not reflect the diverse needs and aspirations of current or future residents. A sense of inclusivity and unity within the community is requested when reaching such major decisions.

I appeal to the Parish Council to fully reassess the neighbourhood plan review and ensure that all pertinent issues are thoroughly evaluated and addressed. The revised Neighbourhood Plan must reflect the best interests of the whole community as it has evolved through new adjacent sites and lays the foundation for a sustainable and vibrant future for Odiham and North Warnborough.

I urge the Parish Council to act in the public interest to address these issues and work with the neighbourhood expediently to plan a parish that truly serves the needs of all residents now and into the future, particularly before Castle Bridge Cottages and Jolly Miller Close become, as described at the meeting on 20 June 2003 by the Parish Council Planning Chair the "scapegoats".

12. Response #39 from s.brown@woolfbond.co.uk ON BEHALF OF T A FISHER & SONS LTD

Email: from s.brown@woolfbond.co.uk 7th March 2024 Response to Odiham Parish Council The Bridewell The Bury Odiham RG29 1NB

Our Ref: JS/SB/8489

Dear Sir/Madam,

ODIHAM AND NORTH WARNBOROUGH NEIGHBOURHOOD PLAN REVIEW 2024:
REGULATION 14 CONSULTATION REPRESENTATIONS ON BEHALF OF T A FISHER &
SONS LTD

General Introduction

We refer to the above Regulation 14 Pre-Submission Consultation on updates to the Neighbourhood Plan (“NP”) and write on behalf of our client, T A Fisher & Sons Ltd, setting out a number of comments upon the amendments contained therein.

Our client has a controlling interest in land to the east of Hook Road, North Warnborough (Allocated for housing development under Policy 2 of the ‘made’ Neighbourhood Plan (“NP”)).

We suggest that some amended wording in the draft NP Review is revised to ensure consistency with the NPPF in terms of achieving housing delivery and making effective use of land.

The current approach of the draft NP Review effectively specifies the quantum of housing expected to be delivered on each of the allocated sites within the NP area. This does not reflect the wider wording within the NP Review document and is not consistent with the NPPF objective of significantly boosting the supply of housing and ensuring the best and most effective use of land. In this regard, and as drafted, it therefore would not accord with the basic conditions and other legal requirements. Details are set out below.

As an overarching comment, and general observation, TA Fisher & Sons Ltd are supportive of the plan-led approach to place-making and this includes in relation to neighbourhood planning.

We generally commend the Parish Council’s endeavours and proactive approach to updating the NP, and offer our comments on a positive basis in order assist the NP Team in preparing a Plan that continues to be fit for purpose and in line with current national planning policy, having regard to satisfying the basic conditions.

Supporting Plans and Particulars

Accompanying particulars comprise as follows:

Our detailed comments upon the policies and proposals contained in the draft NP Update are set out below.

Assessment of the Neighbourhood Plan Update against the Basic Conditions

General

In terms of assessing the appropriateness of the consultation draft Neighbourhood Plan Update (“NP”), it must meet the “Basic Conditions” set out in Law, namely paragraph 8[2] of Schedule 4B of the Town and Country Planning Act 1990. To meet the Basic Conditions, the NP must:

- Have regard to national policy advice contained in guidance issued by the Secretary of State;
- Contribute to the achievement of sustainable development;
- Be in general conformity with the strategic policies of the development plan for the area; and
- Be compatible with EU obligations.

The Hart Local Plan (Strategy and Sites) 2032 was adopted in April 2020. It provides the overarching spatial strategy and housing requirement for the District for the period 2014 – 2032.

The Council’s Local Development Scheme (“LDS”) anticipates updating the Plan by April 2025).

However, work on preparing that Plan has yet to commence. T

he NP as originally drafted was based on an earlier development Plan.

The key changes since the made version are the adoption of the Local Plan Strategy and Sites, and the updated versions of the NPPF (latest December 2023). North Warnborough is identified on Figure 2:

Hart’s Settlement Hierarchy as one of the District’s ‘Secondary Local Service Centres’.

The key policy in the Local Plan which sets the housing requirement for the District is Policy SS1: Spatial Strategy and Distribution of Growth.

This confirms that the housing requirement for the Plan period is 7,614 homes (432 per annum).

Part d) sets out that part of the housing supply will come forward through the delivery of new homes through Neighbourhood Plans, and Table 1 ‘Sources of Housing Supply’ specifies that 111

homes will come from 'Sites in the Odiham and North Warnborough Neighbourhood Plan without planning permission at 1st April 2018'.

Supporting paragraphs 91 and 92 are of importance;

91. The overall supply that is likely to come forward is set out at Table 1. At least 7,384 homes are expected to be built over the plan period from a combination of sources set out at Table 1. Appendix 2 includes further details on the sources of supply and a housing trajectory.

92. The anticipated housing supply falls short of the requirement by 230 dwellings. This shortfall arises in the final year of the Plan (2031/32) and will be addressed through a future review of the Plan.

Whilst it remains for the Local Plan to identify sites for the delivery of the remaining 230 dwellings, we consider that there is scope to re-phrase the NP allocations to ensure that each site is delivering its full potential of dwellings. This would assist in the District meeting the overall housing requirement, and would update the NP in line with the current NPPF.

Our comments on the draft wording of the emerging Neighbourhood Plan Update are outlined below.

The Planning Policy Context

Draft Paragraph 1.9

Re-drafted paragraph 1.9 is overly prescriptive in respect of the number of new homes that the neighbourhood area anticipates delivering over the Plan period. This could prove restrictive for housing delivery and problematic in community engagement with neighbours local to the allocated sites when developing schemes and preparing planning applications.

It also does not reflect one of the main objectives of the NPPF which is to ensure that housing delivery is forthcoming and responsive to various environmental and economic considerations. In the spirit of 'significantly boosting the supply of housing' as set out in paragraph 60 of the recently updated NPPF (2023), and in response to chapter 11 which supports 'making effective use of land', the paragraph should be redrafted to support the delivery of the stated numbers of dwellings as minimums rather than absolute numbers. This will allow flexibility at the time the development sites come forward into the planning application system.

Proposed amendment to paragraph 1.9

That this paragraph is amended to read:

"A minimum of 119 dwellings are allocated across seven sites in the Neighbourhood Plan".

This not only reflects the NPPF objectives, but also allows for flexibility on individual sites in respect of the number of homes which can be delivered.

Policy 1: Spatial Plan for the Parish

General

Over the NP period, the focus for growth will be the villages of Odiham and North Warnborough as the two principal settlements in the Parish.

The NP Policies Map amends the settlement boundaries to include the allocated sites. In spatial planning terms, development is directed to sites within the settlement boundaries in sustainable locations. It makes good planning sense to maximise the delivery of housing on sites already identified as suitable, and within sustainable locations within settlements. This would assist in delivering the deficit identified in the Local Plan as we near the end of the Plan period.

Paragraph 3.14

Paragraph 3.14 sets out the remaining housing requirement for the Neighbourhood Plan as two absolute figures; 65 still to be permitted and 95 still to be delivered. This wording is again too specific and should be similarly amended to;

“As is explained in paragraph 1.8 above, the remaining housing requirement for the Neighbourhood Plan is therefore a minimum of 65 dwellings still to be permitted and a minimum of 95 still to be delivered over the plan period.”

This would bring the wording in line with the NPPF.

Paragraphs 3.17, 3.20 and 3.21

We support the wording of paragraphs 3.17, 3.20 and 3.21 which state that the sitespecific policy for each allocated site will include an indicative yield for each site.

Para. 3.17 sets out that **“The respective figures should be treated with a degree of caution. The yield on each of the sites will be influenced by further technical work that will need to be undertaken. The development management process will ultimately determine the design, layout and yield of each site.”**

Proposed amendment

This wording and approach should be clearly included within the site-specific policies as it reflects the approach set out in the NPPF and provides the flexibility needed at the time of application for planning permission to respond to site-specific constraints and opportunities.

Policy 2: Housing Development Sites

Site vi – Land at Hook Road, North Warborough

Following on from the assessment and suggested changes earlier in the document, the wording for the site-specific policy in respect of Site vi – Land at Hook Road, North Warborough should be amended as follows;

“~~approx.~~ a minimum of 15 dwellings”.

This is particularly important given that there are two live planning applications on the Site for a total of 22 dwellings (LPA Ref: 23/02094/FUL and 23/02095/FUL), for which there are no technical objections from the statutory consultees. This demonstrates the acceptability of developing the Site for this number of dwellings.

Paragraph 3.22 and Table Paragraph

3.22 and the associated table should be amended to reflect the intention of the above supporting paragraphs (3.17, 3.20 and 3.21), that the development yield from each of the allocated sites should be determined based on technical work and final scheme design in accordance with relevant development management policies.

The table heading should therefore be re-titled ‘minimum number of dwellings’.

13. Response #41 from Hart District Council

7th March 2024

Dear Parish Clerk

Odiham Neighbourhood Plan Regulation 14 Consultation

Thank you for consulting us on the Odiham Neighbourhood Plan Review update, Regulation 14, January 2024. Please find our comments set out in the attached Appendix. This is an officer response subject to agreement by the Portfolio Holder for Planning Policy and Place.

The Council supports the neighbourhood planning process and we commend you on undertaking a review and seeking to ensure that your Plan is up to date.

Our comments, attached at Appendix 1, are made in a constructive spirit as we support you through the process. In some cases we have offered up suggested

wording changes where we can, and we are happy to engage in further discussions as required.

Our main focus has been on whether the plan is in general conformity with the strategic policies in the Hart Local Plan, which comprises 'The Hart Local Plan (Strategy and Sites) 2032' and the 'Hart Local Plan (Replacement) 1996-2006 Saved Policies'. In addition, we are mindful of the Council's Climate Emergency Declaration and the Corporate Plan 2023 – 2027.

Please feel free to contact me to discuss any of these comments and next steps.

Yours faithfully

Planning Policy and Economic Development Manager¹

Appendix 1

Odiham and North Warnborough Neighbourhood Plan 2014 – 2032

Regulation 14 Consultation Version: January – March 2024

General comments:

1. We commend the Parish Council for undertaking a review - it is good practice to review neighbourhood plans every five years or so. We recognise the original neighbourhood plan was made prior to adoption of the Hart Local Plan (Strategy and Sites) 2032 (HLP32), and there have also been updates to national policy.

2. The updated Plan, once made, will completely replace the previously 'made' plan. As set out below we would suggest that you look carefully at the introductory sections of the Plan so that it reflects the preparation process of this Plan, whilst still clearly referencing the previous Plan as appropriate. This Plan will, however, need to meet the regulatory requirements for preparation including consultation and the SEA/HRA process. At present it is not clear what relates to the preparation of the previous Plan and what relates to this update.

3. We would like to see Hart District Council's Declaration of a climate emergency made clearer within the document as an important element of the context in which the plan is prepared. Anything that reinforces a 'golden thread' of climate change throughout the document would be supported. For example, reference to the climate change declaration could be made in the Introduction (after the section on planning policy context) and in the supporting text to Policy 12 The Natural Environment.

4. The Council is due to adopt a Local Cycling and Walking Infrastructure Plan (LCWIP) at Cabinet on 7th March 2024. This includes a core walking zone at Odiham and cycle routes within the parish. We suggest this is referred to in the Introduction (along with the climate emergency) and elsewhere in the plan where relevant (see comment for Policy 9 in the table below).

5. We suggest that all of the supporting text to Policies is checked to ensure that it remains consistent with any proposed Policy changes.

6. Accessibility of the document. The next version will need to be published on the Hart website and will need to comply with compliance with [WCAG 2:1](#) as a minimum. Some guidance on this has already been provided to you.

7. The submission plan should be accompanied by an Equalities Impact Assessment.2

Detailed comments/suggestions:

Plan/page/map reference	Comment/suggestion
<p>General references to the current Neighbourhood Plan.</p>	<p>The Neighbourhood Plan preparation process needs to be clearer about what was undertaken in relation to the ‘made’ Neighbourhood Plan and this update – which will become the ‘made’ Neighbourhood Plan replacing that made in 2017.</p> <p>This is particularly relevant for the Sections on:</p> <ul style="list-style-type: none"> The Neighbourhood Plan Preparation Process The Pre-Submission Plan (ie this Plan) Submission Plan and Examination Referendum and Adoption Strategic Environmental Assessment Habitat Regulation Assessment <p>For instance, this review or update Plan is going through the same statutory process as the ‘made’ Plan and will have its own SEA and HRA process. Without further explanation it is misleading to say the Plan has an SEA. We would suggest that much of the text in these sections needs to be reviewed.</p> <p>We have set out below some examples of Neighbourhood Plan Reviews that you might find helpful in considering the wording of text in the above sections:</p> <p>Sheepy Neighbourhood Plan update (no referendum required) - Sheepy_Parish_Neighborhood_Plan_Review_Made_May_2022_V8.pdf</p> <p>Cuckney, Norton, Holbeck and Welbeck Neighbourhood Plan Review CNHW Review Neighbourhood Plan (bassetlaw.gov.uk)</p>
<p>Para 1.3</p>	<p>As a referendum may not be required perhaps delete ‘approved at a referendum’ and just say ‘Once formally ‘made’ by Hart District Council.’</p>
<p>Para 1.9</p>	<p>There is a date missing – it states “XX 2024”, presumably 31st March or 1st April 2024.</p>

Para 1.10	<p>4th sentence starting ‘This 2024 Neighbourhood Plan update...’ does not seem to make sense.</p> <p>We would suggest that the changes are more extensive than ‘minor text changes’ as there are also Policy updates and could therefore more accurately be described as ‘changes to a number of Policies and supporting text to improve.’</p>
Para 1.11	<p>The list of Strategic Development Plan policies is not complete and only includes those Policies from the HLP32. We would suggest either including a link to the list of Strategic policies that is on our website Strategic Policies of the Hart Development Plan for Neighbourhood</p>

Plan/page/map reference	Comment/suggestion
	Planning purposes or including the complete list if you want to retain a list in the Plan.
Para 1.13	Delete “Other interesting Parish profile facts can be found at Appendix 2” because you propose to delete Appendix 2. (Remove any other references to Parish profile).
Para 3.2	As per general comments above. This para describes the Pre-Submission process for the 2017 NP and not for this version.
Para 3.5	Could use ‘Hart Development Plan’ in the last sentence rather than Hart Local Plan.
Para 3.14	Should reference to Para 1.8 be to Para 1.9?
Para 3.15	As all policies in the HLP and saved Hart Local Plan policies 1996 – 2000 are adopted the last sentence is slightly confusing and could be reworded – again perhaps to reference policies in the Development Plan for Hart?
Para 3.18	As set out previously, there needs to be greater clarity between the preparation process of this Neighbourhood Plan and the 2017 NP. A separate HRA is being prepared for this update Plan.
Policy 2: Housing Development Sites	<p>It is not particularly clear from the small footnotes which sites have been completed. As discussed at our meeting, where sites have been completed or are under construction, you might want to either include as an Appendix with some supporting text in the main body of the Plan, or you could delete these altogether and just include a Table of the completed schemes – by way of example the Alton Neighbourhood Plan update removed existing allocations that had been completed – see page 33. download (easthants.gov.uk)</p> <p>These Policies will not be relevant now that the schemes have been completed.</p>

<p>Policy 2v Land at Dunleys Hill, Odiham</p>	<p>When the original neighbourhood plan was prepared this site was allocated on the understanding that the land identified at Policy 14 would become public open space brought into public ownership. The community accepted a reduction in the size of the local gap because in exchange they would gain a well located public open space which would also provide long term protection to the remainder of the gap. At the time the developer promoting the site supported this approach.</p> <p>We support efforts to clarify the requirement that the land allocated for public open space at Policy 14 must come forward with the development of this site (although we query whether the term ‘planning gain is the best wording).</p> <p>There is another important aspect that the policy (and Policy 14) needs to pick up. The public open space at Policy 14 serves as part of the SPA mitigation required to deliver Site 2v in conjunction with Site i</p>
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Plan/page/map reference	Comment/suggestion
	<p>Longwood and Site ii land at 4 Western Lane. This was the case under the original plan and it remains the case in this updated plan. It is explained at paragraph 3.23 of the plan, but it should be addressed in the policy itself.</p> <p>The appropriate assessment carried out under the Habitat Regulations (dated 28 February 2024, recognises this issue and at paragraph 1.21 makes a specific recommendation that “<i>Policy 2 is updated to include the requirement for the land to be managed as a public open space in perpetuity</i>”. It is important that the ‘in perpetuity’ requirement is picked up in the plan otherwise it falls short of adequate SPA mitigation. Natural England are being invited to comment on this appropriate assessment.</p> <p>In light of the above, the policy might benefit from similar wording to that contained in the submission version of the original neighbourhood plan e.g. “The public open space shall be laid out to include a circular perimeter footpath and other facilities, all to be agreed and transferred by appropriate legal obligation to suitable community ownership, in perpetuity, for the recreational benefit of the local community;”.</p> <p>With regards maintenance of the open space, criterion g. of the policy (unchanged over the original plan) states “A financial contribution will be sought from the developer, towards the maintenance and upkeep of the public open space on Dunleys Hill (Policy 14)”;</p> <p>If the intention is for the developer to fund the open space maintenance <i>in perpetuity</i>, so as to meet the requirements of SPA mitigation, this update to the plan presents an opportunity to make that clear in this policy.</p>

<p>Policy 4 Housing Mix</p>	<p>This policy seeks to ensure a suitable mix of sizes is provided on developments of new homes, for both market and affordable homes.</p> <p>There is one change shown over the current policy which is to remove the site size threshold of 5 homes. The reason given for this change is to comply with <u>Local Plan</u> Policy H1(Housing Mix: Market Housing). Policy H1 does not have a site size threshold which is presumably why this change has been proposed. This change raises no concerns.</p> <p>Regarding <i>market</i> housing mix, the policy requires a mix that reflects that set out at paragraph 3.30 (50% 1/2 bed, 30% 3-bed, 20% 4+ bed). This has been carried forward from the current neighbourhood plan without any changes. This mix was underpinned by evidence in the 2014 Strategic Housing Market Assessment (SHMA) and Odiham and the North Warnborough Housing Need Survey Report by Action Hampshire (December 2015).</p>
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Plan/page/map reference	Comment/suggestion
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	<p>This mix differs from that in the Local Plan at para.125 of the supporting text to Policy H1. The neighbourhood plan mix is more skewed towards 1 / 2 bed homes, at the expense of 3 bed homes.</p> <p>Policy 4 and the supporting text recognise that the mix should reflect more up to date evidence if/when this is produced. The 2016 SHMA, which underpins the mix in the local plan, is more recent, but the neighbourhood plan review is silent on this.</p> <p>We have no objection in principle to a neighbourhood plan having a bespoke housing mix policy. However, in this case questions arise as to whether the latest evidence base still supports this mix, and whether any deviation from the adopted local plan/2016 SHMA mix can be supported by up-to-date local evidence? At face value it would appear that the evidence pre-dates the 2016 SHMA and is insufficient to support a different approach to that at Local Plan Policy H1.</p> <p>With regards to <i>affordable</i> homes, the policy does not add anything to the adopted local plan. In fact, the supporting text is unhelpful at paragraph 3.29 where it states there is a particular need for small affordable homes. Unless the site is a rural exception site, only district wide housing needs would be considered (i.e. needs shown through the Hart Housing Register). A steer towards smaller affordable homes may mislead the developer.</p> <p>In conclusion, we recommend that you re-consider whether this policy is necessary, helpful, and can be justified now that the local plan has been adopted with policies to address market housing mix and the delivery of affordable homes, based on more recent evidence.</p> <p>If you do wish to retain this policy, you may need to demonstrate that the mix of market homes at para. 3.30 is still justified. We would also request that the supporting text is clarified with regards to the mix for affordable housing.</p>
3.32	<p>This paragraph refers to a desire to deliver a rural exception site. This reads as though there has not been a rural exception site delivered, when of course there was one delivered fairly recently for 12 homes (which you identify at para. 4.4). Suggest this is updated accordingly and clear as to whether there is an aspiration for a further rural exception site.</p>
Policy 5 General Design Principles	<p>We note the policy has been updated to emphasise the importance of open spaces identified in the latest Odiham and North Warnborough Conservation Area Appraisal.</p> <p>Has this acronym (ONWCAA) been used in full previously? If not suggest write it out in full.</p> <p>We support the reference to Building for a Healthy Life in the supporting text.</p>

Plan/page/map reference	Comment/suggestion
Policy 6: Odiham Conservation Area	<p>Criterion ii.a. – we would suggest using the wording in relevant legislation here. Section 72 of the Planning (Listed buildings and Conservation Areas) Act 1990 sets out the duty to pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area in exercising planning functions.</p> <p>Planning (Listed Buildings and Conservation Areas) Act 1990 (legislation.gov.uk)</p>
Policy 9: Odiham High Street	<p>There is reference in the 3rd Para to Clause 1 – it might be useful to number each section of the Policy.</p> <p>Paragraph 3.58 refers to the previous A1 retail Use Class and that part of Policy 9 which has been deleted. The supporting text needs to be updated in line with the changes to the policy.</p> <p>We request that reference be made to the Hart Local Cycling and Walking Infrastructure Plan (LCWIP) due to be adopted at Cabinet on 7th March 2024 (item 9). The LCWIP includes a core walking zone in Odiham centre as well as a primary cycle route. The next version of the Neighbourhood Plan should recognise LCWIP and what it says for the Parish of Odiham. This Policy could seek to ensure that development should not restrict the improvement of the walking zone and cycle routes in the LCWIP and where appropriate contributes to their delivery?</p>
Policy 12: The Natural Environment	<p>Policy criterion vi and para 3.77. It is not clear how this would be delivered or how new developments would deliver improvements to public space. It is not clear whether this in addition to BNG requirements. Further clarity is needed before this is consistent with the requirements for the wording to be clear to a decision maker.</p> <p>Criterion vii.c. does not seem to make sense and needs to be reviewed.</p> <p>Paragraph 3.70 - If you wish to cross-refer to HDC guidance on biodiversity it is probably better to do so under the new 'Biodiversity net gain' sub-heading in the supporting text. Rather than refer specifically to the TAN, suggest making reference to 'the latest Hart District Council planning guidance on biodiversity'.</p> <p>Para 3.77 'to' is missing between 'expected' and 'enhance'.</p>
Policy 14: Dunleys Hill Open Space	<p>This policy should be clear on the requirement for the open space to be provided and maintained 'in perpetuity' as part of the SPA mitigation for the three sites 2i, 2ii and 2v.</p> <p>See response to Policy 2v. There should be a good read-across between the two policies.</p> <p>As set out previously we would query whether the use of the phrase 'planning gain' is appropriate.</p>

Plan/page/map reference	Comment/suggestion
<p>Section 4 - Aims and proposals</p> <p>Rural Exceptions Sites</p>	<p>Revised wording has been added at Point 4.4 which provides an update on the RES which has recently been delivered in North Warnborough. However, the (original) wording within Points 4.2 and 4.3 still read as though it's a future intention to deliver a RES.</p> <p>Is it the Parish Council's intention to include wording within the updated Plan which sets out their interest in delivering a further RES? If so, could this be made clearer.</p>
4.3	<p>Point 4.3 references the HARA partnership, however, this arrangement doesn't exist anymore. It's suggested that alternative wording should say something like "to work with an RP chosen by the Parish Council and Hart District Council".</p> <p>We would highlight that the Rural Housing Enabler (RHE) may or may not be around in the future and so this reference may become outdated. The service that the RHE offers had ended. However, there is now funding for the next 18 months but after that we don't know whether the role will still be funded going forward.</p>
Aims and Proposals	<p>Consideration should be given to updating the wording in this section to reflect that this is a new Plan. This could still reference all the matters that are already set out but should somewhere acknowledge for example that they were identified as a result of consultation on the original NP but that they are still considered relevant – if there is any evidence that would support this through other community engagement that that should also be identified.</p> <p>With regards to rural exception sites, it could be clearer as to whether there remains an intention to deliver a second rural exception site.</p>
Appendix 1 Schedule of evidence	<p>We are unclear what the 11th bullet point and the 'Supplementary Planning Document (May 2023) for Strategic Environmental Assessment and Habitat Regulations Assessment Screening Determination refers to.</p>
Policies Map	<p>Reference is made on the inset maps to amendments made to reflect the revised settlement boundary. However, it is difficult for the reader to see where these changes are and why they have been made – for example to be consistent with the adopted Local Plan.</p>
Appendix 2	<p>Suggest delete Appendix 2. It is unnecessary. The Conservation Area Appraisal stands as a separate document, not part of the neighbourhood plan. Potentially a future update to the CAA would be at odds with the neighbourhood plan appendix.</p>