



Botley Submitted Neighbourhood Plan Consultation

RESPONSE FORM

Under Regulation 15 of the Neighbourhood Planning (General) Regulations 2012, Botley Parish Council has submitted their Neighbourhood Plan to Eastleigh Borough Council. In accordance with Regulation 16, Eastleigh Borough Council would like to invite comments from individuals and organisations on the submitted Neighbourhood Plan. Your comments should address whether the plan meets the basic conditions. These are that the plan:

- Must be appropriate having regard to National Policy
- Must contribute to the achievement of sustainable development
- Must be in general conformity with the strategic policies in the development plan for the local area
- Must be compatible with human rights requirements

This consultation runs from **Wednesday 4 September** to **Wednesday 16 October 2024**.

In order for your comments to be taken into account at the examination, and to keep you informed of the future progress of the plan, your contact details are needed. All comments will be made publicly available and identifiable by name and organisation (where applicable).

Please fill in your details in the boxes below:

Full Name:

Sophia Goodhead (tor&co)

Organisation represented (where applicable):

Bellway Homes Ltd. (Wessex)

Address and postcode:

[REDACTED]

Email address:

[REDACTED]

Telephone number:

[REDACTED]

Please state which part(s) of the Botley Neighbourhood Plan (i.e. section, objective or policy) or supporting document your representation refers to:

Please refer to the written statement attached with this form.

Do you support, support with modifications, object, or wish to comment on this part of the Plan? (Please tick one answer)

Support

Support with modifications

Object

Comments

Please add your response below and continue on a separate sheet if necessary:

Please refer to the written statement attached with this form.

**Botley Parish Neighbourhood Plan
2016-2036**

Regulation 16 Submission Consultation
Statement in respect of Land at
Woodhouse Lane and Broad Oak

Bellway Homes Ltd (Wessex)
October 2024

tor
&CO



Issue / revision	Prepared by	Sophia Goodhead
Reference 151086	Signature	SG
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Comments	Date	October 2024
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	Date	October 2024
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1.0 Introduction

- 1.1 This representation is submitted on behalf of Bellway Homes Ltd (Wessex) (Bellway) in respect to the second Regulation 16 consultation for the Botley Parish Neighbourhood Plan 2016-2036.
- 1.2 Botley Neighbourhood Plan Committee has resubmitted the draft Botley Neighbourhood Plan (NP) along with its supporting evidence and documentation to Eastleigh Borough Council. The resubmitted NP reflects the changes made by the Committee (following the pause of the examination in January 2024 by the examiner), to respond to representations made during the first Regulation 16 consultation (held August to October 2023), regarding the Habitats Regulation Assessment, the Sustainability Appraisal of the Plan and the site selection process.
- 1.3 In summary, the key changes the Committee have made to the overall package of information include:
 - Combining Policies 7 and 8 (Site Allocation at Woodhill School north and south) into one policy: 'Policy 7 Woodhill School' (*page 54*);
 - Addition of information regarding habitat mitigation in the 'Development in Botley' section (*page 53*), and evidence in Policy 7 (*page 57*);
 - Addition of Policy 8: 'Mitigation in Development' (*Page 61*)
 - Updates to the Strategic Environmental Assessment to reflect change to policies and appendices added to reflect new site assessments undertaken;
 - Updates to the Habitats Regulation Assessment to take account of new mitigation measures and the additional policy; and
 - New map of the Local Greenspaces included as Appendix 9.
- 1.4 It is understood that the examiner will address the resubmitted Plan and will take account of the representations received to the second Regulation 16 consultation.
- 1.5 In responding to this Regulation 16 consultation, due regard is had to the basic conditions. Paragraph 37 of the NPPF states that neighbourhood plans must meet certain 'basic conditions' and other legal requirements before they can come into force. These are set out in paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990 (as amended) as applied to neighbourhood plans by section 38A of the Planning and Compulsory Purchase Act 2004. All of the basic conditions must be met, and are as follows:
 - a. Must have regard to national policies and advice contained in guidance issued by the Secretary of State
 - b. Contribute to the achievement of sustainable development
 - c. Be in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area).
 - d. The making of the neighbourhood plan does not breach, and is otherwise compatible with, EU obligations.
 - e. Prescribed conditions are met in relation to the plan and prescribed matters have been complied with in connection with the proposal for the neighbourhood plan.

- 1.6 Bellway still has significant concerns that a number of the draft policies do not meet all the basic conditions, as required. In particular, it is considered that the strategic policy set out on affordable housing (Policy Fourteen) conflicts with the NPPF and adopted Eastleigh Borough Local Plan (EBLP). Other policies, as set out below, also do not meet the basic conditions.
- 1.7 Bellway has land interests in the land at Woodhouse Lane and Broad Oak, Hedge End, which is located within the Botley Neighbourhood Plan area (Appendix 1). The site lies to the east of the large urban settlement of Hedge End and south of the nearby consented west of Woodhouse Lane residential development for 605 homes. The latter also comprises community facilities including a new secondary school, a local centre, sports facilities within a Sports Hub and public open space. The site will also benefit from local investment into the new Botley Bypass, which will run between Woodhouse Lane and the A3051. As such, the site is in a highly sustainable and appropriate location for housing and Bellway consider that the site would help achieve sustainable growth and could help protect Botley against speculative development in less favourable locations.
- 1.8 This representation responds to specific policies in the order that they appear in the draft NP for ease of reference. In addition to the draft NP document, this second Regulation 16 consultation includes a list of submission and supporting documents including the following:
- Basic Conditions Statement
 - Designation Map
 - Equality Impact Assessment
 - Sustainability Statement
 - Appendix 1 - Listed Buildings in Botley
 - Appendix 2 - Demographic Data
 - Appendix 3 – Community Aspirations
 - Appendix 4 - Housing Needs Assessment
 - Appendix 5 – Consultation Statement
 - Appendix 6 – Strategic Environmental Statement (SEA) (includes site assessments)
 - Appendix 7 - Design Guide
 - Appendix 8 – Habitat Regulations Assessment
 - Appendix 9 – Local Green Space Map.
- 1.9 This representation provides our response to all of the above documents where relevant to Bellway's land interests.

2.0 Response to the Regulation 16 Consultation

- 2.1 The resubmission NP includes policies that will help shape future development up to 2036, focusing on objectives in four main areas: economy, environment and character, housing and transport. The NPPF states that neighbourhood plans should support the delivery of strategic policies contained in local plans or spatial development strategies and give communities the power to develop a shared vision for their area.
- 2.2 The 25 objectives of the NP, as identified through engagement with the community, are set out under the 4 themes referred to above which provide the “direction of travel” for the plan and provide the basis for the planning policies developed.
- 2.3 Bellway supports the ambition of the draft NP to meet the community’s diverse needs and seeks to ensure the policies meet the basic conditions required.
- 2.4 A few discrepancies within the NP were noted, which are commented on here, ahead of the response to specific policies below.
- 2.5 Under the Botley Today section (p.13) it is noted that slightly revised text mentions that the Strategic Growth Area (SGO – that had been promoted in the emerging Local Plan but deleted on recommendation of the Inspector) could be reinstated following the Local Plan review in 2027. Firstly, the Local Development Scheme (June 2023) for the Local Plan review confirms that work started in Spring 2023 and currently indicates adoption in 2029. The reference to 2027 should be removed as it is not clear what it is referring to. Secondly, it is not likely that the SGO, as previously put forward, would be reinstated as part of the review process, because the Inspector concluded that the SGO was not sound and recommended its deletion, which was actioned. At this time, Eastleigh Borough Council has concluded a ‘call for sites’ but has given no indication as to its future distributional strategy or sites to be selected for allocation. Hence the SGO has no planning status (adopted or draft) and all references to it should be removed.
- 2.6 It is noted on p.14 (Air Quality in Botley) and p.16 (Local infrastructure) that it stipulates enabling works for the construction of the Botley bypass have now started, aiming to be fully open in 2024. As a result of delays experienced, the latest timescale for the final phase of the bypass to be completed is now anticipated in 2027. This should be reflected in the text.
- 2.7 There are some discrepancies within Figure 3 (Development sites in Botley – also referred to as Figure 4 in the text which should be amended) on p.15, which sets out that Land south of Maddoxford Lane, Boorley Green proposes 49 dwellings, however a subsequent application on this site (ref. F/19/84937) was approved for 73 dwellings (72 net). Further, the text states that the figures used in the table are referenced by the most recent Monitoring Report from Eastleigh Borough Council dated 2022 and provides a link. However, when accessing the link there is no monitoring report from 2022 available, with the latest dated 2020-2021. It appears the NP text is incorrect and is meant to refer to the latest Five Year Housing Supply Position report (5YHLS) dated 2022. Even so, the table still does not fully align with the figures in this 5YHLS document. For instance, in one of the applications for Land north and east of

Boorley Green (ref. F/19/86233), Figure 3 refers to 67 net dwellings, however the Five Year Housing Land Supply Report specifies 66 net dwellings.

- 2.8 The title of Figure 3 should clarify that it refers to 'Development sites within the Botley Neighbourhood Plan Area', as it is noted that other development sites classed as within Botley (but outside of the NP boundary) are not included.
- 2.9 These applications and references need to be updated and a full review of site details within the policy and evidence base to ensure they reflect the latest/adopted position.
- 2.10 Bellway consider that it would be beneficial for the NP to include a plan that clearly identifies the current Eastleigh Borough Local Plan (EBLP) adopted allocations, as well as the new proposed allocations of the NP in order to show the spatial distribution of development planned within the NP area.

Policy Four: Infrastructure Investment Priorities

- 2.11 Draft NP Policy Four requires housing developments of 10 units or more to contribute to the local priorities set out, including a Botley museum, and parking and transport improvements (specifically access and linking routes between key services, schools and recreational areas between new and existing developments).
- 2.12 Paragraph 34 of the NPPF states that "*Plans should set out the contributions expected from development. This should include setting out the levels and types of affordable housing provision required, along with other infrastructure (such as that needed for education, health, transport, flood and water management, green and digital infrastructure). Such policies should not undermine the deliverability of the plan*".
- 2.13 Further, the National Planning Practice Guidance (NPPG) outlines that "*Proportionate, robust evidence should support the choices made and the approach taken*" (Paragraph: 040 Reference ID: 41-040-20160211).
- 2.14 Bellway consider that, in the absence of any evidence of need for a Botley museum to help achieve sustainable development, the inclusion of this as a contribution does not comply with national policy. Further, this contribution cannot meet all the tests for planning obligations set out in paragraph 57 of the NPPF, which would require demonstration that a museum is:
 - necessary to make the development acceptable in planning terms;
 - directly related to the development, and
 - fairly and reasonably related in scale and kind to the development.
- 2.15 Bellway would also highlight that a museum would not classify as 'other new and enhanced community infrastructure necessary to ensure the sustainability of the development' as outlined within Strategic Policy S10 (Community facilities) of the EBLP. Based on the above, Bellway consider that the need to contribute to a museum is untested (for viability) and unjustified and would undermine the deliverability of the NP and EBLP, the latter because the NP seeks to apply this policy to all relevant site allocations located within the NP area. It fails to have regard to national policy and is not in general conformity with strategic policies contained in the EBLP.

- 2.16 Bellway understands the wish for the NP to specify the local transport improvements required for developments to help contribute to. However, the EBLP allocations already include specific transport contribution requirements. Additional transport related requirements for the allocated sites will impact on their viability, and as a result, would obstruct the achievement of sustainable development and undermine the deliverability of the EBLP.
- 2.17 To ensure the plan meets the basic conditions, Bellway would suggest the deletion of the requirements or the addition of text to state that “all housing developments of 10 or more homes (except for those already allocated within the Eastleigh Local Plan) will be expected to contribute...”. In particular, Bellway would urge the removal of the requirement for contributions to a Botley museum, and to move this to the ‘Community Aspirations’ list in Appendix 3.
- 2.18 On a separate minor point, it is noted that on p.41 there is a yellow highlighted question for Figure 3 which will need to be addressed / removed.

Policy Seven: SLAA-3-20-C / SLAA-3-21-C Woodhill School

- 2.19 The general approach in the Botley NP is that growth will be focused within the settlement boundary on small scale infill sites and on new site allocations within the EBLP.
- 2.20 Draft Policy Seven (previously split between Policy Seven and Policy Eight on two small sites) allocates a total of 58 dwellings on this now combined site (which has increased from 40 dwellings in the first Regulation 16 draft NP document). This one site represents the total of new housing allocations within the NP, and could come forward as a windfall site without allocation. In this context, it appears that the NP is still being used to restrict and/or delay the development of this site. However, sites suitable for residential development should not be held back.
- 2.21 It is however welcomed that the requirements for the development to only come forward when it is needed and all existing strategic development commitments are completed has been removed. This was entirely contrary to the NPPF approach, which seeks to boost housing land supply. It is noted however that paragraph 62 of the supporting text still states that development on this site will be over and above the strategic development identified in the EBLP. If there are any issues with the EBLP allocations coming forward, this policy would restrict any future sustainable sites from being developed. This does not have regard to national policy and conflicts with paragraph 29 of the NPPF, which outlines that neighbourhood plans should not promote less development than set out in the strategic policies for the area, or undermine those strategic policies. This reference should be removed as it has from the main policy text.
- 2.22 The policy also still stipulates that proposals for development on the site will be supported subject to criteria c) the infrastructure being in place to support it. To avoid delaying sustainable development from coming forward, this should include reference to ‘or demonstrated will be in place to support development upon occupation’ to provide some flexibility. It is also noted that paragraphs 54 and 63 within the supporting text have policy and appendix references still to be confirmed and currently refer to Policy or Appendix ‘xx’. As a result it is currently unclear which evidence the policy is based upon.

- 2.23 Further, criteria a(i) of the policy states that a maximum of 50 dwellings is to be provided on the remainder of the site (following the 8 dwellings in the former school building), even though paragraph 63 within the supporting text recognises that the Eastleigh Borough SLAA recommends a density of 30ph on the 2.4ha site, which would indicate development of approximately 72 dwellings. It is noted that there may be constraints on site that could restrict this number, however this should be confirmed through further detailed development design rather than a restrictive policy, as the site could still support more development than the 58 homes allocated.
- 2.24 These restrictions do not plan proactively or positively to support and achieve sustainable development and do not comply with the NPPF's aim to boost the supply of homes. The sites is effectively a windfall site located within an urban area. This provision is not sufficient in terms of meeting paragraph 71 of the NPPF which states that neighbourhood planning groups should also give particular consideration to the opportunities for allocating small and medium-sized sites suitable for housing in their area. Only two small sites, which have been combined into one, have been allocated and in Appendix 5 (the Botley Sites Assessment) of the first Regulation 16 consultation as well as Appendix 2 in the SEA of this second Regulation 16 consultation, it appears only small sites have been properly considered with potential dwelling numbers of around 30 dwellings, this number of dwellings is even set out for large sites that could accommodate significantly higher densities. It is accepted that larger sites are a matter for the Local Plan, but again the NP makes assumptions and seeks to pre-determine the direction of travel for the Local Plan, for example with the erroneous reference to the reinstatement of the Strategic Growth Option – a development that was found unsound through the examination of the Local Plan and Eastleigh Borough Council has given no indication that it intends to pursue again this development, having only just completed a call for sites exercise.
- 2.25 It is relevant that Eastleigh Borough Council is required (through a Main Modification to the Plan) to complete an early review, and the NP should not put in place additional unjustified constraints that could hinder future sustainable development from coming forward. Clearly, medium size sites, such as land at Woodhouse Lane and Broad Oak, Hedge End, (with potential capacity of circa 120 homes) can and should be considered through the Local Plan review. To this end, and additionally, the NP should be explicit that only small sites have been considered, and medium – larger sites, as well as spatial/distributional policies, will be considered through the Local Plan process.
- 2.26 The evidence base of the policy includes the Botley Housing Needs Assessment 2019 (HNA) (Appendix 4), prepared by AECOM which is now over 4 years old. Paragraph 27 of the HNA acknowledges that Neighbourhood Plans are required to be in general conformity with adopted strategic local policies and that there is a need for the relevant elements of the Local Plan to be reviewed given that the assessment was undertaken ahead of its examination and subsequent adoption. As a result, the evidence is not based on the latest adopted local strategic policies, the latest 2023 version of the NPPF or the latest 2021 Census data.
- 2.27 The HNA covers the type of affordable housing tenure to be planned for in the housing mix over the NP period, what type and size of housing is appropriate, and what provision should be made for specialist housing for the elderly. Although the study is now out of date in terms of its assessment of what is

required, it does recognise that household affordability is an issue in the Neighbourhood Plan Area.

- 2.28 It is highly relevant that since the first Regulation 16 consultation took place, new proposed changes to the NPPF have been published. The new Labour government has stated that planning reform is key to delivering economic growth objectives. With bold promises to deal with a chronic housing shortfall, the government has set out its solution to the current crisis and published proposed changes to the NPPF. The consultation on the proposed changes recently ended on 24 September 2024 and it is anticipated that the revised NPPF will be published by early next year.
- 2.29 As part of the proposed changes, the draft removes reference to the housing target as 'an advisory starting point', requiring local planning authorities (LPAs) to plan for their identified housing need as calculated under the standard methodology.
- 2.30 Crucially, alongside the draft NPPF, a new draft standard methodology for calculating local housing need (SM LHN) has been published. Under the new SM, EBC's LHN would jump from 645 dpa to 942 dpa, representing an additional 297 dpa (40% increase). The EBLP currently seeks to accommodate 14,580 homes over the 20 year plan period (729 dpa), which is above the current SM LHN of 12,900 homes. The new SM LHN would increase this requirement to 18,840 homes over the plan period.
- 2.31 With regard to unmet need in neighbouring authorities, the Partnership for South Hampshire (PfSH) published an updated Spatial Position Statement (to replace the 2016 Statement) in December 2023 which sets out that the current level of unmet need is some 11,771 dwellings up to 2036 and continues to demonstrate a significant shortfall in the sub region. The statement also proposes that Eastleigh should be able to meet and potentially exceed the standard method to help with unmet need. Further, it identifies locations as broad areas of search for sustainable strategic-scale development to potentially deliver a combined total of approximately 9,700 homes, making a significant contribution to the shortfall in housing provision in South Hampshire. It is advised that the suitability and deliverability of these areas are to be considered in the relevant Local Plans and for Eastleigh the relevant broad areas are South-east/east of Eastleigh Town.
- 2.32 Further, following the draft NPPF changes, despite the deletion of the 35% uplift for Southampton, the unmet need position increases significantly, with Eastleigh's shortfall increasing to 5,566 homes (from 2,511 homes) up to 2036.
- 2.33 In order to address the affordability issue identified by the evidence base, the increase in local housing need within EBC as proposed by the new standard method and the additional unmet need of the sub region, rather than only allocating one small site in an urban area that is restricted in how many units, including affordable units, it can provide, the NP should allocate additional greenfield sites for residential development to boost the supply of both market and affordable homes.

Policy Eight: (Mitigation in Development)

- 2.34 Draft Policy Eight repeats the requirements of EBLP Policy DM11 in terms of mitigating impact on European nature conservation sites and as such is not required and should be removed.

Policy Nine: Site BO3 (Strategic Allocation)

- 2.35 Draft Policy Nine outlines further housing and infrastructure requirements than that set out in the EBLP Policy BO3. It is welcomed that the additional requirement for 40% affordable housing has been removed, however it is noted that criteria a) still requires a housing mix provision in line with the relevant draft policy of the NP and that criteria b) and c) seek additional infrastructure requirements over and above the EBLP requirements. Bellway's concern is that this policy and the other additional requirements could have an adverse impact on the viability of a sustainable site coming forward. These requirements do not comply with the EBLP (which seeks 35% affordable housing on sites) and do not have regard to national policy, being in conflict with paragraph 29 of the NPPF, which outlines that neighbourhood plans should not undermine strategic policies for the area. Further comments on the housing mix are set out under the response for Policy Fourteen below.

Policy Ten: Utilities provision

- 2.36 Draft Policy Ten repeats the EBLP Policy DM9 and as such is not required and should be removed. The policy does not identify additional infrastructure requirements above that which is already covered in the EBLP. Essentially both the draft NP plan policy and Policy DM9 require new development to ensure that utilities infrastructure (including water supply, waste water disposal, energy (electricity and gas) and telecommunications) are available and would be adequate to serve the development proposed. Further, that new and improved infrastructure to meet the needs of new and existing communities will be encouraged.
- 2.37 Further, it should be noted that utility providers have existing statutory functions and are consulted on by the council during the determination period for planning applications where relevant. The policy therefore places undue burden on the planning system for information that is not necessary. The EBLP policy is clear and concise and does not need to be repeated. The policy should be deleted.

Policy Eleven: Flood mitigation and water quality

- 2.38 Criteria c) of Policy Eleven repeats the requirement of criteria a) for new development to incorporate SuDS. The only difference is the requirement to indicate how schemes will be managed and maintained. This could be incorporated into criteria a) to avoid unnecessary additional wording and ensure the policy is clear and concise in accordance with the NPPG (Paragraph: 041 Reference ID: 41-041-20140306).
- 2.39 Criteria d) states that new development proposals will be required to provide appropriate design statements showing the method of discharge of surface water flows. A design statement to show surface water flows seems disproportionate and onerous, especially for minor development. To ensure the policy is unambiguous and precise as set out in the NPPG, Bellway would suggest making clear within the policy if this only relates to major development

and would also advise the following amendment is made to allow for multiple ways to provide the information required, which could include a specific design statement or a simple drawing submitted that would be proportionate to the development:

“New major development proposals will be required to provide appropriate design statements documentation showing the method of discharge of surface water flows”.

- 2.40 Criteria g) advises that geo-technical investigations are undertaken prior to developing a drainage strategy, however it is not clear when it refers to ‘if any uncertainty exists’ whether adequate space for attenuation and storage systems to restrict the rate of surface water run-off must be provided. Bellway suggest further clarity is provided as to what the ‘uncertainty’ refers to. It is assumed that it relates to whether infiltration is feasible, however the policy is currently unclear on this.
- 2.41 Generally, in order to be able to contribute to and not prevent the achievement of sustainable development, Bellway consider that the policy should include wording to state that the requirements set out would be subject to technical site feasibility and viability. Bellway is concerned that the policy as worded could prevent sustainable developments coming forward where the requirements may not be feasible, and could result in an increase of pressure for additional allocations impacting on the ability to demonstrate an efficient use of land as required by the NPPF.

Policy Twelve: Strategic high and intermediate pressure pipelines and high voltage electric cables

- 2.42 Draft Policy Twelve requires compliance with the existing safety requirements in relation to consultation distances around major accident hazard pipelines and refers developers to the guidance from the appropriate operator. There are existing standards and guidance which already cover this matter and in any case the operators would be consulted by EBC for relevant development proposals. As such, the policy is not necessary and should be removed.
- 2.43 Bellway note that the route shown in Figure 21 showing the ESSO and SGN pipeline routes appear to be incorrect in certain areas, including where it crosses the land at Woodhouse Lane and Broad Oak site, in comparison to the plan Bellway were provided dated 31 August 2023. This has been included at Appendix 2 for information. The NP Figure 21 map should be reviewed and amended with the latest pipeline routes.

Policy Thirteen: Parking standards for new residential developments

- 2.44 Criteria a) sets out minimum standards to apply for the provision of off-road parking in all new residential developments. It looks to require additional parking spaces to be available for larger dwellings than the adopted Eastleigh Residential Parking Standards SPD (2009), however the evidence cited in the supporting text provides commuting trip figures from the old 2011 Census data and does not include the source in the footnote for the car ownership figures at paragraph 136 of the NP. In any case, the evidence provided is not proportionate or robust to support this increase and the variation to Parking

Standards SPD approach taken and as such does not accord with the NPPG (Paragraph: 040 Reference ID: 41-040-20160211).

- 2.45 The SPD acknowledges that the level of car ownership varies between households and in some instances there will be under provision of spaces, and in others there will be overprovision of spaces.
- 2.46 EBLP Policy DM14 (parking) already confirms that the SPD sets out a minimum requirement for parking provision, therefore an increase in parking spaces can be provided where it is required and is based upon evidence. Bellway would highlight that the adopted policy states that “over provision relative to car ownership levels or which would create an ineffective use of space will be avoided”.
- 2.47 In this case, Bellway consider that the additional parking standards set out within the policy are not in general conformity with the EBLP, as they conflict with and undermine the adopted parking standards without robust evidence to justify it. Further, an increase in parking space requirements where it may not be required does not support the achievement of sustainable development or the promotion of active travel. It also conflicts with the EBC’s declaration of a Climate and Environmental Emergency and associated actions for the Council to achieve carbon neutrality across the Borough by 2030.
- 2.48 Criteria e) states that ‘roof storage space’ should be provided where feasible, although it is not clear what this is specifically in relation to and whether it is storage space in general or within any garage space. However, not all development may include garages so the wording will need to be more precise in accordance with the NPPG and state “where garages are proposed, separate storage space should be provided where feasibly possible, to encourage use of garage space for vehicle parking”.
- 2.49 Criteria f) outlines that parking spaces will be required to be constructed of permeable surfaces to minimise surface water run-off. Bellway is concerned that this requirement could have an adverse impact on viability and could prevent sustainable developments coming forward where this requirement may not be feasible. To avoid this, Bellway suggest including ‘where feasible’ after ‘permeable surfaces’.
- 2.50 Criteria g) should specify what type of development it relates to, for instance if this just applies to major development to ensure the policy can be applied consistently and with confidence as set out within the NPPG (Paragraph: 041 Reference ID: 41-041-20140306).

Policy Fourteen: Housing mix and affordable housing

- 2.51 This NP policy requires new residential developments to provide a range of dwelling types and sizes to meet the needs of the Neighbourhood Plan Area, taking into account the most up-to-date evidence. In contrast, EBLP Policy DM24 asks applicants to demonstrate how the proposal contributes to the overall mix of housing in the Housing Market Area, informed by the current need, current demand and existing housing stock (including approved developments) considering the context and character of the site.
- 2.52 Bellway is concerned that Criteria a), d) and e) of the draft policy do not appear to be in general conformity with EBLP Policy DM24 (Creating a mix of housing),

as the draft NP policy requires a distinct local approach to that set out in the strategic policy which undermines and conflicts with the EBLP policy on housing mix.

- 2.53 Bellway recognises the importance of providing a market housing mix to meet local needs, however, the supporting text of the draft policy refers to the 2019 Botley HNA prepared by AECOM, which as mentioned in the response to Policy Seven and Eight above is already out of date. The policy needs to enable flexibility in the approach as demand may change over time to reflect market conditions and the economic climate. As such the policy should allow flexibility to enable the housing mix to be agreed through the development control process rather than being prescribed through policy. Bellway objects to the current policy wording due to the lack of flexibility in the approach and subsequent conflict with EBLP policy.
- 2.54 Criteria b) appears to repeat the requirement of criteria (a in the need to provide a mix of housing types and sizes. In this case, to ensure the policy is clear and concise in accordance with the NPPG, criteria b) should be removed.
- 2.55 Criteria c) on higher national access standards repeats the requirement from EBLP Policy DM29 and as such is not required and should be removed.
- 2.56 Criteria g), j) and k) refer to the EBLP requirement for 35% affordable housing which is expected to be provided on site and integrated throughout the development. There is no need to repeat the requirements which are already set out within Policy DM28. Further, criteria g) is unclear about which type of development the 35% affordable requirement is applied to, which the EBLP sets out clearly (i.e 0.5ha or more / 10 dwellings or more) and the wording for this strategic requirement has already been agreed through the Local Plan examination. There is no evidence or justification provided to add the requirement for 'compelling' evidence for criteria g) and j) if the policy provision cannot be met, which would conflict with the EBLP policy and cause unnecessary ambiguity.
- 2.57 Bellway also strongly objects to criteria h) of the draft policy, which requires development of 50 dwellings and above to provide 40% affordable housing, unless credible robust evidence indicates convincingly this is not achievable. The wording sets a very high test with essentially no flexibility where this may be required and could adversely impact upon the viability of sustainable developments, preventing them from coming forward. There is no robust evidence base for this additional strategic requirement as required by the NPPG, it does not generally conform with the strategic EBLP Policy DM28 or paragraph 13 of the NPPF, which states that a NP should shape and direct development that is outside of strategic policies. In this case, the NP strategic policy on affordable housing is unjustified and not in accordance with the national policy or guidance.
- 2.58 The HNA 2019 evidence base, referred to in the supporting text of the policy (and which is already out of date), sets out within section 3 the research questions relevant to the study, which covered what type of affordable housing tenure should be planned for in the housing mix over the NP period, what type and size of housing is appropriate, and what provision should be made for specialist housing for the elderly. The study did not assess the amount of affordable housing to be provided over the NP period and as such does not set out a need for the 40% requirement included within the draft policy. There is no

evidence base to support this requirement and it should be deleted. The policy does not meet the basic conditions as it does not have regard to the NPPG which requires robust evidence to support the approach taken, it does not conform generally with the strategic EBLP policy on affordable housing, and could impact the ability to achieve sustainable development through potential viability issues as a result.

- 2.59 In order to address the affordability issue identified by the evidence base, rather than increasing the affordable housing requirement for 50+ dwellings to 40% and potentially impacting on the viability of sustainable sites, the NP should allocate additional greenfield sites for residential development to boost the supply of both market and affordable homes. As mentioned in response to policy eight above, the allocation of land at Woodhouse Lane and Broad Oak would represent sustainable development and can and should be considered as part of the Local Plan review. The NP should not seek unjustified requirements to be put in place that could hinder future sustainable development from coming forward through the Local Plan review.
- 2.60 Finally, criteria i) still refers to Policy Eight as Woodhill School and needs to be amended.

Policy Fifteen: Built form, design and materials

- 2.61 Criteria a) of the draft policy states that new development proposals should demonstrate how they are consistent with the requirements of the Botley Design Guide (Appendix 7). The Design Guide states that unlike a more stringent 'design code', the guide aims to assist in the decision-making process at an early stage rather than prescribe specific solutions or stifle innovation and creativity.
- 2.62 Criteria b) requires that where alternatives to the Design Guide are proposed, evidence identifying the reasons for the discrepancy will be required and must still be sympathetic to its surroundings. It is considered that this requirement is already covered by criteria a) and in order for the policy to be clear and concise in accordance with the NPPG, this criteria is not required and should be removed. If the criteria is not removed, the use of the word 'discrepancy' should be amended to 'variance' as the word discrepancy appears to suggest there is no degree of variety allowed for as is required by paragraph 133 of the NPPF.
- 2.63 Bellway notes that the Design Guide appears to primarily seek to protect the identity and character of Botley village rather than the NP area as a whole, where there is a variation in designs. In order for the Design Guide to have regard to the NPPF, the NP should also provide a level of detail and degree of prescription tailored to the circumstances and scale of change in each area of the NP (not just Botley village), and should allow a suitable degree of variety in accordance with paragraph 133 of the NPPF. Further, it must be recognised that new development in Botley also contributes to the character of the NP area.
- 2.64 Bellway is concerned that Principles 3, 4, 5, 6 and 7 of the Design Guide which provide specific materials and detailing could adversely impact on the viability of sustainable development. To avoid this and help achieve sustainable development, increased material costs and changing market conditions must be considered, and the Design Guide should avoid being highly prescriptive as there is a risk that it could stifle sustainable development. The guide and the

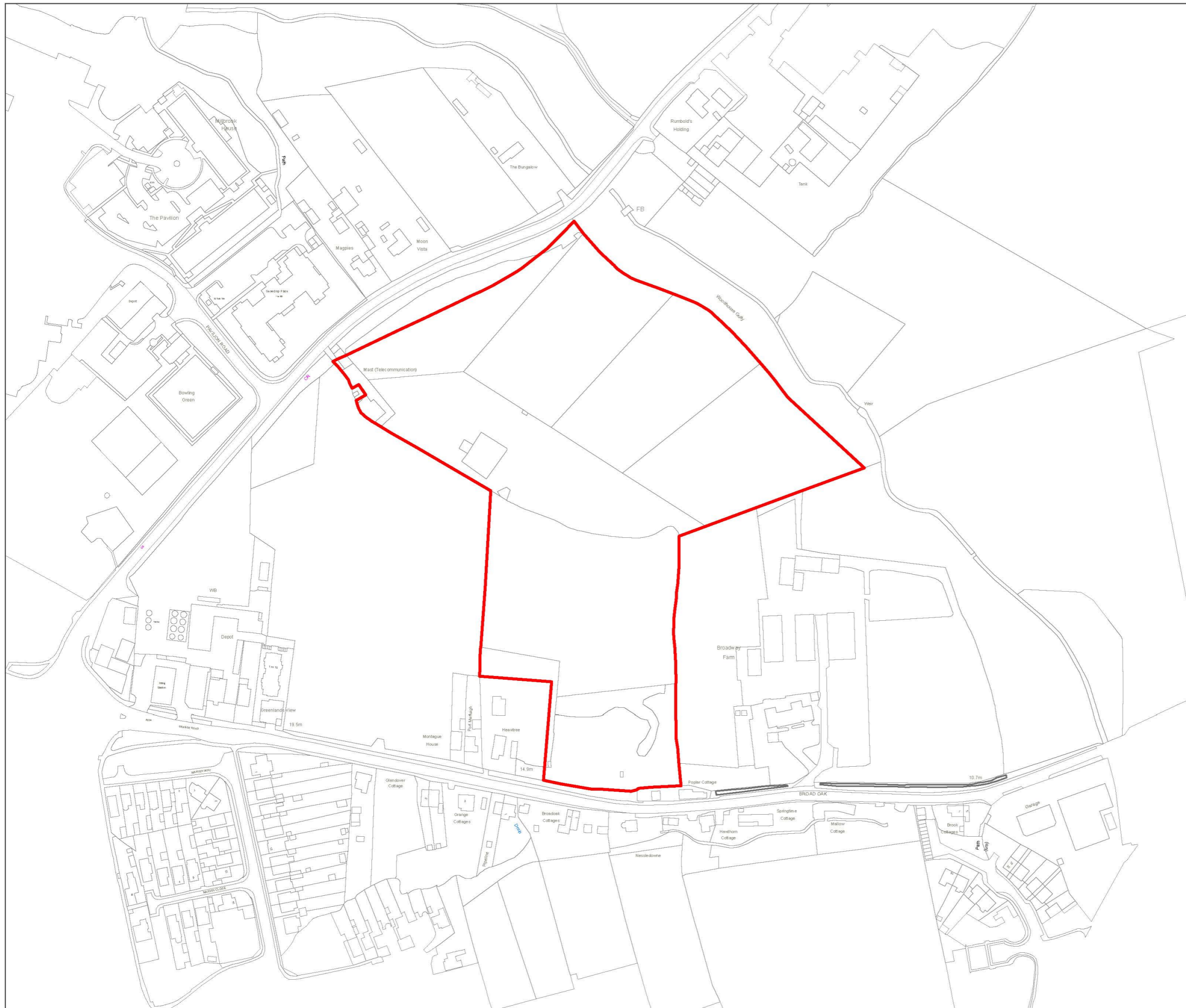
policy requirements should include that they would be subject to feasibility/viability.


- 2.65 The Design Guide also refers to the old 2019 NPPF, therefore it should be reviewed against the latest 2023 NPPF and amended as necessary.

3.0 Conclusion

- 3.1 This representation has been prepared on behalf of Bellway Homes Ltd (Wessex) and its land interests within the NP area. Bellway supports the ambition of the draft Neighbourhood Plan to create policies which establish appropriate sustainable development together with supporting infrastructure, however, there are significant concerns that a number of the draft policies do not meet all the basic conditions required. In particular, it is considered that the strategic policy set out on affordable housing (Policy Fourteen) conflicts with the NPPF, which states that a NP should shape and direct development outside of strategic policies, and undermines adopted EBLP policies on strategic matters that were considered sound through the EBLP examination. Further, there are other policies, as set out above, which also do not meet the basic conditions.
- 3.2 It is acknowledged that the evidence base confirms that the NP area has a household affordability issue. Further, the new draft standard method for local housing need increases significantly and the latest PfSH work indicates a significant level of unmet need within the sub region. In order to help address these issues, the NP should plan positively and allocate additional greenfield sites for residential development to boost the supply of both market and affordable homes. Bellway considers that land at Woodhouse Lane and Broad Oak would help achieve sustainable growth and could help protect Botley against speculative development in less favourable locations. It is in a highly sustainable and appropriate location for housing.
- 3.3 The response also highlights where information set out throughout the document and evidence base needs to be updated to reflect the latest/adopted position, in order to accord with national requirements and adopted local policies. In this context, it is important that the NP and its accompanying supporting documents are accurate and reflect the most up to date position.
- 3.4 Bellway supports the continued development of the Botley NP and wants to ensure that the policies meet the basic conditions required, given its important role in shaping the vision and ambition for the community of Botley into the future. In this regard, Bellway would welcome the opportunity to provide further comments or evidence as necessary as part of the examination process.

Appendix 1 – Site location plan for Land at Woodhouse Lane and Broad Oak



 Site boundary

Land East of Woodhouse Lane
Bellway



Site boundary

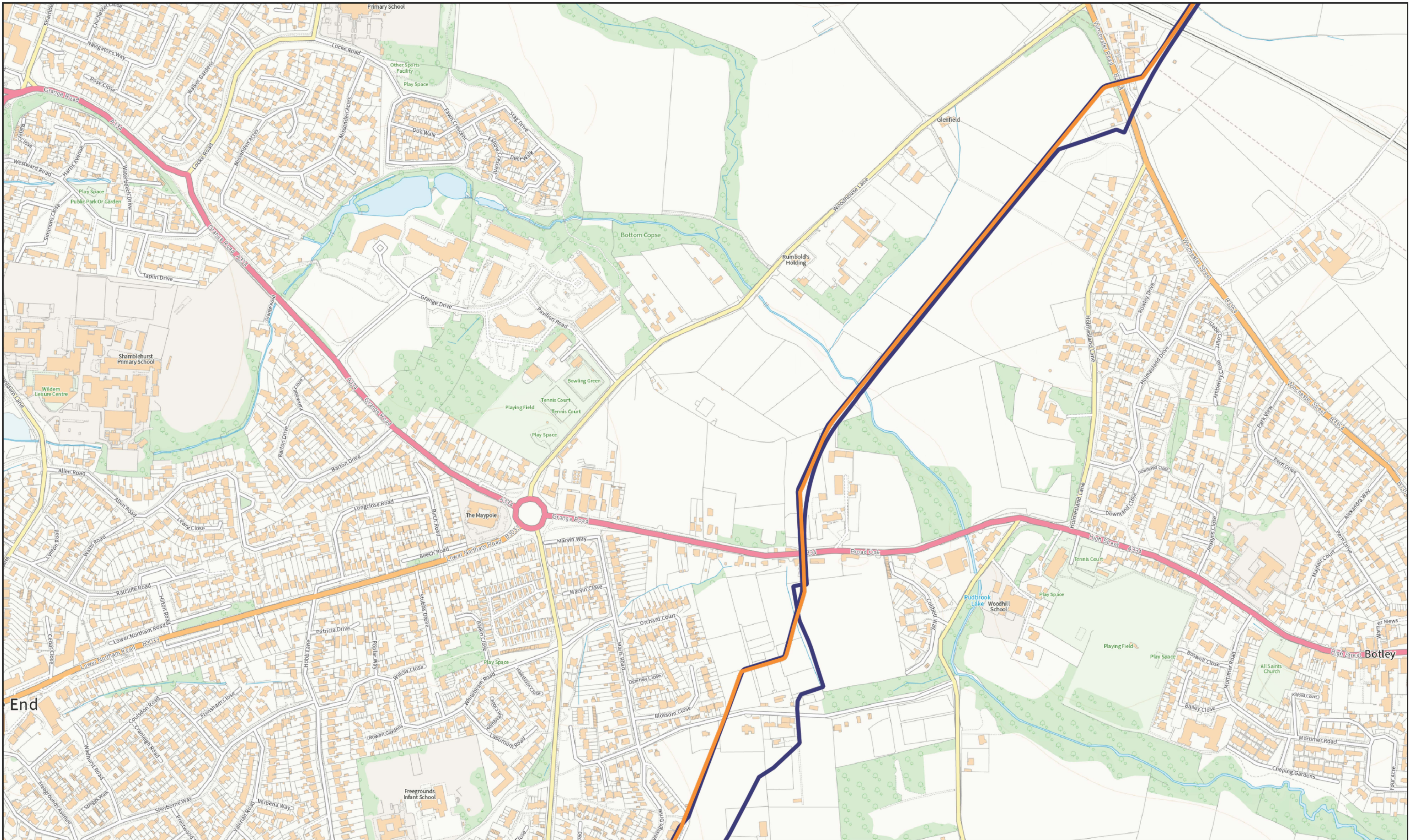
Dwg no/234910	Revision
Status	22 August 2023
Scale: 1:2,500 @A3	Drawn by: JC Checked by: SG

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Appendix 2 – ESSO pipeline routes



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WARNING

This drawing is not to be used for construction purposes. The location of the pipe must be verified and pegged by the pipeline operator before any excavation or construction begins.

For further details contact:
FISHER GERMAN on 0800 136 812



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FAWLEY TO WEST LONDON

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ATKINS

Issue

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North 113385

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Not to scale