

Report to	Planning Committee
Date	8 August 2013
By	Director of Planning
Local Authority	East Hants District Council
Application Number	SDNP/13/02650/OUT
Applicant	Mr H Janson
Application	Outline Application - Residential development comprising 30 two storey dwellings with new access to Selborne Road, garages, parking, landscaping and re-routing of public footpath. (Appearance to be reserved)
Address	Burlands Field, Selborne Road, Selborne, Alton, GU34 3JA

Recommendation: That planning permission be refused for the reasons set out in paragraph 10.1 of this report

Executive Summary

This outline application is for a major residential development comprising of 30 dwellings outside of the settlement boundary of the village of Selborne. It is proposed that 12 of the dwellings (40%) would be affordable homes.

The application is recommend for refusal because:

- It is major development which has a detrimental impact on landscape, wildlife and cultural heritage,
- The development is outside of the settlement policy boundary and is predominantly for market housing,
- The provision of affordable housing would not outweigh the harm to the natural beauty, landscape setting, ecology, cultural heritage, PRow network, social and economic well-being and tourism.
- Inadequate visibility splays for pedestrians and vehicles and impact on highway and pedestrian safety

The County Highway Authority have raised an objection as have Selborne Parish Council and a number of consultees including SDNPA Landscape Officer, SDNPA Design Officer and Design Review Panel. Comments and concerns raised by the community relate to the impact on the landscape, lack of need, development being outside of settlement boundary, overdevelopment, the impact on the setting of the conversation and listed building, concern over highway safety and congestion, impact on ecology and residential amenity. Support comments have also been received primarily from those employed at Newton Valence and focused on meeting affordable housing need.

The application is reported to committee due to the number of representations received.

I. Site Description

- I.1 The village of Selborne sits astride the B3006 which links Alton to the north with the A3 to the south. Selborne Common SSSI and the Hangers frame the western side of the village and rolling fields frame the eastern side and provide Selborne with a rural setting. The application site is referred to as Burlands Field (but is also known as Culver Croft or Culverscroft). It is located to the north of the village of Selborne and is outside of the

designated settlement boundary. The Selborne Conservation Area runs along the southern and western boundary of the application site. The application site has an area of 1.77ha and is a meadow with mature hedgerows on its northern and eastern boundary.

- 1.2 The South Downs Integrated Landscape Character Assessment (SDILCA) identifies the site as being within the Wealden Greensand Character Area. The SDILCA describes and acknowledges the importance of the setting and cultural heritage of Selborne and how the landscape setting inspired the writings of Gilbert White.
- 1.3 A public footpath crosses the application site from east to west linking Selborne Road to Gracious Street and links through to the public right of way network. There is also a public footpath along the sunken lane (known as Cow Lane) adjacent to the northern boundary of the site within a belt of trees.
- 1.4 The topography of the site is such that the land slopes gently downwards from the north east corner to the south and south west. An overhead electricity line enters the field at the north east corner of the site and crosses the eastern part of the land.
- 1.5 The western and southern boundary of the site border existing residential development along Gracious Street including, Lythe House to the south and Appletree House, The Grange (which is grade II listed) and Grange Farm to the west. There are residential properties on the opposite side of Selborne Road including a development known as Goslings Croft.

2. Relevant Planning History

- 2.1 No recent planning history relevant to the site

3. Proposal

- 3.1 The proposal is for a residential development of 30 dwellings comprising 12 affordable homes and 18 market homes.
- 3.2 This is an outline application; the means of access is included for consideration as is the scale of the development with the number, height, type and number of bedrooms of the dwellings. In accordance with the provisions of article 4(2) of the Town and County Planning Procedure Order 2010 a request was made for further details to be submitted to be able to assess the development in terms of the purposes of the National Park. As a result of this request the landscaping and layout are also for consideration leaving the appearance of the dwellings as a reserved matter. Cross sections have been provided to illustrate what the development could look like. The applicant has indicated that the design and material finish would accord with the Selborne Village Design Statement.
- 3.3 The proposed layout shows vehicular access to Selborne Road within the 20mph zone which leads into an informal road arrangement of cul-de-sacs and private drives. The width of the access road would be 6m reducing down to a shared surface. The internal roads would then split to provide access to the north-east and south-west of the development. The application form indicates 60 parking spaces would be provided on the site.
- 3.4 The application proposes that the residential units would be:
 - 6 one bed houses (all affordable)
 - 3 two bed bungalows
 - 8 two bed houses (3 of which affordable)
 - 8 three bed houses (3 of which affordable)
 - 5 four bed houses12 of these units would be affordable (40% of the total) and would all be social rented.
- 3.5 The layout of the scheme proposes that plot 9 would be a bungalow closest to the Grange which is a grade II listed building (plots 10 and 22 would also be bungalows). The remaining dwelling would all be two storeys, including 6 x 1 bed (plot 14-19) and the remainder 2 and 3 bedroom dwellings. Based on the cross section the height of the two storey dwellings would range between 7-8m, whilst the bungalows would be 4m in height.

- 3.6 The existing public footpath which crosses the western part of the site is proposed to be diverted and re-aligned within the site. The layout shows open space within the development shaped around the re-routed public footpath. A footpath link is also proposed to the bus shelter to the northeast corner of the site. Pedestrian access from Selborne Road would be at the southern and northern end at defined crossing points. It is intended that the overhead power lines would be put underground.
- 3.7 The application is submitted with a landscaping plan which shows that all boundaries delineating residential curtilages would be mixed hedgerows. The landscaping plan also shows planting of a mix of native trees throughout the development and the existing boundary vegetation to be primarily retained. An ecology zone is proposed around the northern and western perimeter of the development.
- 3.8 The dwelling would be designed to Code level 4 for Sustainable homes standard. The application form and drawings have been submitted with:
- Design and Access Statement
 - Planning and Exceptional Circumstances
 - Heritage Statement
 - Affordable housing statement
 - Open space and recreation
 - Landscape assessment
 - Ecology report
 - Transport report
 - Flood risk and water quality
 - Statement of Community involvement

4. Consultations

4.1 **Selborne Parish Council:** Objects for the following reasons:

- no justification to build significant number of houses outside of settlement,
- conflicts with SDNP purposes and planning policy,
- exceeds Joint Core Strategy which estimates 10 affordable houses for Selborne village,
- conflicts with Local Landscape Character Assessment, Selborne Village Community Plan and Village Design Statement,
- proposal would cause severe damage to the landscape, setting of conservation area, nature conservation, loss of ancient hedgerows, impact on dark skies, loss of footpath number 20, damage to ancient sunken lane and environmental damage to wildflower meadow,
- dangerous new road access,
- no safe route to schools – would be especially dangerous in winter months,
- concern over water supply and increased sewage.

4.2 **SDNPA Landscape Officer:** Objects for the following reasons:

- the development would have an unacceptable impact on the landscape setting of Selborne contrary to both of the purposes of the National Park,
- site omitted at the Local Plan 2nd Review examination stage,
- negative impact on the enjoyment of the landscape from public rights of way,
- the LVIA does not give due consideration to the National Park purposes and fails to adequately measure the likely impact of the proposal on landscape character and visual receptors,

4.3 **Hampshire County Highways:** Objects for the following reasons:

- inadequate visibility splays are proposed at the junction of the access with the highway,
- unclear how surface water will be discharged, unacceptable to be discharged to the public highway,
- diverted footpath does not follow desire line,

- insufficient information to demonstrate the development can be accommodated in a manner that would not cause increased danger and inconveniences to highway users.
- 4.4 **EHDC Ecology Officer:** Comments
- site is in close proximity to designated sites for nature conservation – Hanger SAC and Selborne Common SSSI, such sites are at risk from increased residential development. Disagree with ecology report that there would be ‘no impact’ – the proposal adds 30 dwellings close to the SAC and increased recreational pressure,
 - full Phase 2 dormouse survey required to be undertaken,
 - outstanding issues need to be addressed and additional information needed.
- 4.5 **EHDC Drainage Officer:** No objection in principle subject to satisfactory drainage system
- site in groundwater protection zone
- 4.6 **Scottish and Southern Energy:** Objects for the following reasons:
- site is crossed by 11,000 volt overhead lines –development beneath the overhead lines or diversion/undergrounding of lines may not be possible,
 - agreements will need to be made with Southern Electric Power for moderation prior to permission.
- 4.7 **Countryside Access Team:** Comment
- Selborne footpath 20 runs through the site. Would require an s257 legal diversion. This diversion would be required before any development takes place.
- 4.8 **Environment Agency:** No objection
- 4.9 **EHDC Archaeologist:** Comments
- an area of archaeological interest – none known on the application site but surrounding area is rich. Therefore lack on site possible reflection of absence of investigation rather than low archaeological potential,
 - Oakhanger stream focus of human activity from Mesolithic period onwards,
 - given scale of development likely previous unidentified archaeological remains will be disturbed,
 - site is of archaeological potential – recommend conditions.
- 4.10 **EHDC Contaminated Land:** No objection subject to conditions and make following comments:
- site lies on and/or adjacent to potential contaminated land: a Pit Quarry c1870 and Cement Lime manufacture c1872,
 - no desk top study has been submitted – conditions required.
- 4.11 **EHDC Arboricultural Officer:** No objection subject to a condition
- require the submission of an Arboricultural Method statement and Tree Protection Plan at the reserved matters stage.
- 4.12 **SDNPA Design Review Panel:** made the following comments:
- layout of very poor design quality and design has not responded to comments from previous DRP – ‘a development layout’ imposed insensitively on the site. Not responding to settlement pattern, layout type and building type.
 - insufficient analysis of how site would be occupied. Houses around wiggly roads no consideration of village context.
 - evidence of design show no intention to meet sustainable development needs of the village
 - landscape strategy not present in the layout
 - without needing to refer to appearance clear site layout and building type bears no relationship to the characteristic qualities of Selborne,
 - scheme does not respond to the organic needs of the village – 30 houses too many for Selborne.

4.13 **SDNPA Design Officer:** Objects for the following reasons:

- fails to achieve high level of design quality,
- fails to respond to characteristic of Selborne, the site and its setting and conflicts to first purpose,
- harming local distinctiveness of the village and proposal diminishes its attractiveness to visitors contrary to duty.

4.14 **EHDC Landscape Officer:** Objects for the following reasons:

- outside settlement policy boundary – forms part of the countryside setting of Selborne
- site in elevated location so open character of field has significance
- contrary to Selborne Village Design Statement
- proposed layout very poor – standard suburban layout- fails to reflect character of the area of National Park

5. Representations

5.1 **Councillor David Ashcroft:** Objects for the following reasons:

- application is for too many houses and would detrimentally effect the balance of the village,
- there is a small need for both market housing and low income housing constructed over time – this is too many too quickly,
- highway issues need to be addressed.

5.2 **County Councillor Mark Kemp-Gee:** Objects for the following reasons:

- endorse County highway Officer comments, especially in relation to pedestrian safety on the B3006,
- devastated at proposed loss of hedge to create visibility splays,
- additional traffic movements,
- note the comments for the County Ecologist.

5.3 **National Trust:** Objects for the following reasons:

- the planning for Selborne is a matter of conservable importance to the National Trust,
- this is a premature planning application,
- applicants documents re-run points appropriate for a core strategy examination – not a planning application,
- application contrary to the development plan,
- applicant places considerable emphasis on duty – but not standalone and cannot be to the detriment of natural beauty,
- site visible from the Hangers and Zig-Zag path.

5.4 **CPRE:** Objects for the following reasons:

- support provision of affordable housing but this is not an appropriate site
- development contrary to purposes of the National Park
- the Emerging Joint Core Strategy makes it clear that sites should emerge through Neighbourhood Plans and have community support – here there is strong opposition
- the footpath that crosses the site is a greatly loved local amenity – the proposal would destroy the rural tranquillity
- the topography of the area means the site is very visible
- development would be visually intrusive when entering the village from the north
- damage to and loss of hedgerow
- loss of wildflower meadow and wildlife corridor
- would erode historic character of the sunken lane, known as Cow Lane, on the northern boundary
- harm to setting of conservation area
- inappropriate design – not in keeping with the historic linear character of the village
- impact on dark skies

5.5 **Selborne Association:** Objects for the following reasons

- the Selborne Association led production of the Selborne Village Community Plan (SVCP) and Local Landscape Character Assessment,
- the applicants agent makes disparaging and inaccurate statements about the SVCP. The process of producing the SVCP was at all stages monitored by EHDC and was endorsed,
- the SVCP was only ever meant to be a community plan, (not a Neighbourhood Plan) the SVCP is compliant with the appropriate legislation.

5.6 95 third-party representations have been received objecting to the proposal. The representations raised the following issues:

- proposal being pushed through under the pretext of affordable housing,
- development would be at the expense of existing residents and character of Selborne - loss of community if development allowed,
- the school is already oversubscribed,
- developing the field will ruin the linear structure of the village,
- the village infrastructure and road system already beyond capacity,
- B3006 has high level of traffic – the new highway access would be dangerous,
- existing traffic calming measures would have to be removed,
- pedestrian access proposed onto Gracious Street – has no pavements,
- unable to achieve sightlines without loss of ancient hedgerow,
- loss of privacy to neighbouring properties,
- SDNPA have to preserve the beauty of the countryside – contravenes purposes,
- the estate would be completely wrong for a village context,
- proposal conflicts with Selborne Village Plan,
- Selborne does not require further housing – apart from a few low cost affordable housing within existing village,
- the development is outside of the settlement boundary,
- inadequate drainage, flooding and sewage issues,
- would set a dangerous precedent,
- no need for such large houses,
- loss of public footpath,
- physical impact on the landscape would be appalling and damaged irreparably,
- Selborne internationally known for Gilbert White – a great conservationist – such a development to the detriment of ecology and detriment of the tourist attraction,
- visitors to the museum are very important to the village – this design erodes special character of Selborne and lifeblood of the community which the SDNPA has a duty to uphold,
- no EIA completed in line with Equality Act 2010,
- accommodation impractical for elderly or those with mobility impairments,
- unsafe for
- impossible to negotiate a wheelchair safely through the village due to traffic
- additional pressure on local services
- would add 10% to the housing stock of Selborne and would destroy the integrity of the historic village
- applicant claims 20 affordable houses needed in the parish of Selborne – in Joint Core Strategy settlement hierarchy allows for up to 10 dwellings per settlement – no more.
- unsafe cycle routes
- night sky would be affected from light pollution
- severe damage to ecology
- harm to setting of the Selborne Conservation area
- impact on the setting of Grade II listed property ‘The Grange’
- Ecology report fails to make reference to the badger sett in the sunken lane
- greater density than Gracious Street (6dph) and Goslings Croft (15 dph)
- inadequate parking

- 5.7 One report objecting to the proposed development has been submitted on behalf of 77 local residents and is accompanied by an independent Ecology Report by Azure Environmental Consultants and Fabrik Landscape Consultants. The reports raised the following issues:
- does not display high quality, high standard of design,
 - site layout and density fails to respond to the grain of development in the village,
 - harm local distinctiveness and sense of place,
 - out of character with the area and would harm high quality landscape,
 - harm setting of conservation area,
 - have an adverse impact on designated heritage assets,
 - submitted LVIA has inadequate baseline assessment and consequently has lack of context and harm to the environment,
 - the independent ecology report notes badger activity – outer sett in garden of Lythe house, badger run in south-eastern boundary of Burlands and two runs on northern boundary,
 - site could also support bats, breeding birds, reptiles and dormice – no phase 2 survey and inadequate mitigation,
 - inadequate visibility splays onto highway,
 - Selborne economy relies on tourism and ability to attract tourist – harmed by proposal,
 - proposed development contrary to policy and conflicts with the purposes of the National Park.
- 5.8 33 third-party representations have been received supporting the proposal (5 of which are copies of the same letter individually signed). The representations raised the following issues:
- support application
 - would like to live closer to work
 - allow young people to stay in the village and provide a good balance
 - site well located to the school and village shops
 - site can hardly be seen from anywhere in the village and would have little impact
 - would very much like the opportunity to rent or buy a affordable home
 - always struggle to recruit new staff due to high cost of living in the area – affordable housing will make it easier to recruit staff in the future
 - site is screened from the road
 - direct access to the road – most traffic would not need to go through the village
 - as long as the developer is sympathetic to local concerns and does not overdevelop the site then in support
 - will secure the long term future of the village,
 - the proposed design is attractive and sympathetic to the surrounding area
 - provide much needed local housing for potential employees and compliment the expanding industrial space in Selborne.

6. Planning Policy Context

- 6.1 Applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise. The statutory development plan in this area is the East Hampshire District Local Plan: Second Review 2006.

National Park Purposes

- 6.2 The two statutory purposes of the SDNP designation are:
- To conserve and enhance the natural beauty, wildlife and cultural heritage of their areas;
 - To promote opportunities for the public understanding and enjoyment of the special qualities of their areas.
- 6.3 If there is a conflict between these two purposes, conservation takes precedence. There is also a duty to foster the economic and social well being of the local community in pursuit of these purposes.

National Planning Policy Framework and Circular 2010

- 6.4 Government policy relating to National Parks is set out in English National Parks and the Broads: UK Government Vision and Circular 2010 and The National Planning Policy Framework (NPPF) which was issued and came into effect on 27 March 2012. The Circular and NPPF confirm that National Parks have the highest status of protection and the NPPF states at paragraph 115 that great weight should be given to conserving landscape and scenic beauty in the national parks and that the conservation of wildlife and cultural heritage are important considerations and should also be given great weight in National Parks. Paragraph 116 states that planning permission for major developments within National Parks should be refused except in exceptional circumstances and where it can be demonstrated that they are in the public interest and include an assessment of:
- the need for the development, including in terms of any national considerations, and the impact of permitting or refusing it, upon the local economy;
 - the cost of, and scope for, development outside the designated area, or meeting the need for it in some other way; and
 - any detrimental effect on the environment, the landscape and recreational opportunities and the extent to which that could be moderated.

- 6.5 Paragraphs 54 and 55 are further relevant to this application:

Paragraph 54 states that Local Planning Authorities should be responsive to local circumstances and plan housing development to reflect local housing needs, particularly rural exception housing. Local Planning Authorities should consider whether allowing an element of market housing would facilitate provision of additional affordable housing;

Paragraph 55 promotes sustainable development in rural areas and housing should be located where it will enhance or maintain the vitality of rural communities. It is advised that Local Planning Authorities should avoid new isolated homes in the countryside unless there are special circumstances, such as an essential need for a rural worker to live near their place of work, the re-use of redundant or disused buildings or securing the optimal viable use of a heritage asset.

7. Planning Policy

- 7.1 There are three policies in the EHDC Local Plan 2006 which conflict with the NPPF, these are: Policy H12 which relates to affordable housing outside of settlement policy boundaries this conflicts as it does not allow for market housing to bring forward affordable housing. Policy C1 relates to the AONB and Policy H5 relates to housing density also conflict with the NPPF. The development plan policies listed below have been assessed for their compliance with the NPPF and are considered to be compliant with the NPPF.
- 7.2 The following saved policies of the East Hampshire Local Plan: Second Review 2006 are relevant to this application:
- GS1, GS3 & GS4 – set out the requirement for Sustainable Development and relate to creating sustainable communities within the built up areas that take into account the character and appearance of the area.
- C3, C4, C5, C7, P5 – relate to either preserving or enhancing the character and setting of the former Area of Outstanding Natural Beauty along with the ecology of the area
- HE1, HE8, HE12, HE17, HE19, E1 – relate to general development principles such as design and impact on the setting of Conservation area, setting of listed buildings, ancient tracks and lanes and archaeology and include measures to conserve energy
- P6 – relates to impact of the development on the amenities of neighbouring properties
- GS4, R3 – relate to the requirement of infrastructure provision for new development
- T1, T3, T4, T5, T6, T9, T10 & T12 – relate to transport and access requirements of development, seeks protection of recreational footpaths
- H4 – relate to creating a mix of housing types, size and tenure
- 7.3 The SDNPA is working jointly with East Hampshire District Council on a Joint Core Strategy (JCS) for East Hampshire District. The Joint Core Strategy was published on 3

February 2012. The document was submitted to the Secretary of State in late May 2012. The examination took place in November and December 2012. The Inspector advised that further work was required to the Joint Core Strategy to make sure it was sound. In particular due to absence of an up-to-date Strategic Housing Market Assessment (SHMA). The Examination was suspended and is due to recommence in October 2013.

- 7.4 Within the JCS the relevant emerging policies are CP8, CP10 and CP12 which deal with affordable housing in rural areas, including the National Park. These outline the key tests and provides explanatory text of how to apply the policies. Policy CP8 identifies that 100 dwellings are to be provided in villages (including Selborne) across the District. The JCS sets a housing target figure of 10 dwellings for Selborne up to 2028 and outlines that sites are to be identified through the SDNP Local Plan and pending comprehensive review by District Council, local community and SDNPA, the best options for meeting Selborne housing need. Policy CP8 only allows development outside of settlement policy boundary following an assessment of capacity within built up area show no suitable sites and the proposal reinforces a settlement role and function or meets a community need. Policy CP12 relates to affordable housing for rural communities, the intention is to not allow more than 30% of the total dwellings on sites to be market housing and that this market housing should be low cost and starter homes. The aim is to maximise affordable housing. Only limited weight can be attached to these policies at this stage.
- 7.5 The Selborne Village Design Guide was adopted by EHDC in March 2001 as Supplementary Planning Guidance (SPG). The Local Landscape Character Assessment (LLCA) March 2013 has been endorsed by East Hants District Council. Both of these set the landscape context and the importance of protecting open space within Selborne as well as providing a design code and the views of the local community.
- 7.6 The Selborne Village Community Plan 2013 has not been formally adopted but has been endorsed by EHDC. This document provides the views of the local community and outlines local problems and opportunities and identifies the need for some affordable dwellings but that the need has to be balanced against the landscape, cultural heritage and natural beauty of the area, traffic implications and community needs.

8. Planning Assessment

Principle

- 8.1 The National Planning Policy Framework (NPPF) advises that major development should not take place in National Parks unless there is clear and compelling justification of need. Moreover, the government recognises that National Parks are not suitable locations for unrestricted housing and does not therefore provide general housing targets for them. The expectation is that new housing will be focused on meeting local affordable housing need, supporting local employment opportunities and key services.
- 8.2 EHDC cannot currently demonstrate a 5 year housing land supply, however the development must be assessed against paragraph 115 and 116 of the NPPF and the presumption against major development in National Parks. The site is located with a sensitive and nationally designated landscape and any proposal for development must conserve and enhance the natural beauty, wildlife and cultural heritage of the SDNP. The lack of a 5 year land supply does not outweigh the impact on the SDNP. This is the approach taken by the Inspector dealing with the recent appeal at Inwood Road, Liss (APP/Y9507/A/13/2190512) reported elsewhere in this agenda.
- 8.3 This site is not allocated for housing and is outside of a designated settlement boundary. The application is for predominantly market housing (60%). The applicant states that the proposal would meet 60% of the parish's housing need by providing 12 affordable homes. On the submitted layout plan it has not been indicated which of the units would be affordable or how these would be integrated. The EHDC Housing Officer has indicated that in the Selborne Parish there is a need for 26 affordable dwellings, (this includes for the villages of Blackmoor and Oakhanger as well as Selborne itself). The applicant states that there is nowhere within the present settlement policy boundary where an affordable housing scheme could be accommodated and that any affordable housing scheme would have to be

outside the settlement boundary. Paragraph 54 of the NPPF allows cross subsidy with some market housing to facilitate the provision of affordable housing to meet local need. The proposed scheme is predominantly for market housing (60%) and is not an affordable housing scheme. No viability assessment has been submitted to justify the level of market housing. The proposed development of predominantly market housing outside of a settlement boundary is contrary to policy.

Impact on landscape and natural beauty of the SDNP

- 8.4 The landscape setting of Selborne is highly complex. The village nestles into the surrounding countryside, in part because of its scale which is reflected in its linear character. The relationship of the village to its surrounding landscape setting is embedded in the building, settlement layout and local distinctiveness of Selborne. It is part of the fundamental qualities which make Selborne a key visitor destination. The historic environment, cultural heritage and natural environment assets of the village create altogether a landscape of the highest sensitivity to development.
- 8.5 The application site is outside of the settlement policy boundary of Selborne and adjacent to the Selborne Conservation Area. The proposed development site defines part of the village settlement pattern owing to its location on the settlement boundary and its relativity adjacent to the historic core of the village. The proposed layout would suburbanise the village and does not respect the linear street pattern as set out in the Local Landscape Character Assessment (LLCA) March 2013, Selborne Village Design Statement (VDS) and SDILCA.
- 8.6 The Inspectors report on the EHDC Local Plan 2nd Review in 2006 rejected the inclusion of the application site within the settlement policy boundary (prior to SDNP designation) commenting *“the site lies in the valley of the Oakhanger stream and is part of the natural and historic edge of Selborne. ...development here would destroy the integrity of this sensitive and important open space.”* The Inspector stressed the importance of the scenic value of the surrounding fields of the settlement and that they deserve the strongest possible protection to ensure that the very special qualities of the historic and attractive village are preserved.
- 8.7 The site lies on rising ground on the north edge of the village. The meadow slopes upwards away from Oakhanger stream towards the north east corner. By positioning the higher density housing away from the Conservation Area, towards Selborne Road, the bulk of development would be on the highest ground and most prominent in the landscape and views into the site. There would be views into the site from the west on the footpaths to and from the Hanger, from Gracious Street and from footpaths and bridleways at Grange Farm. In winter views from Selborne Road and from Gilbert White’s historic 18th century zig-zag path would increase. The approach to the village along Selborne Road to the north of the village is visually important. A view of 30 sub-urban style houses would harm the experience and setting of Selborne.
- 8.8 The undeveloped application site due to its location plays a pivotal roll to the setting of Selborne. The location of the site and the impact of any development on the landscape setting of Selborne which is described in the Countryside Commons National Character Assessment of England as being *‘one of the most attractive villages in Hampshire’* leads to the conclusion that the proposed development would be contrary to the first purpose of designation and would neither conserve of enhance the natural beauty of the area.

Impact on cultural heritage

- 8.9 The Planning (Listed Buildings & Conservation Areas) Act 1990 requires Planning Authorities to have special regard to preserving or enhancing the character, appearance and setting of conservation areas and listed buildings. Selborne has a long history as a settlement, dating from the Mesolithic and is of historical significance and is an area of high archaeological potential. There is an ancient sunken lane along the northern boundary of the application site, known as Cow Lane. The site is adjacent to the Selborne Conservation Area and also lies adjacent to the Grange, a grade II listed building, which is set below the level of the application site. The heritage statement outlines that the closest proposed dwelling to this listed building would be a bungalow. Notwithstanding the appearance of the dwellings, based

on the scale and layout of the development it would harm the significance and setting of the conservation area and listed building. This was the same conclusion reached by the Inspector in his 2006 report which outlined the development of the application site would affect the setting of the conservation area and that of the village. The Village Design Statement also stresses the importance of the open fields surrounding the village and the contribution they make to the sense of tranquillity and setting.

- 8.10 Development in rural areas needs to be of appropriate scale and form, adding 10% to the housing number of the settlement would not be appropriate and is not justified. The layout is of a very poor quality design which has been imposed insensitively on the site and is not in keeping with the historic linear character of the village. The houses are grouped in a suburban pattern with the development laid out according to a suburban cul-de-sac road arrangement, which has no relationship to the characteristic street and lanes in Selborne. Whereas the streets and lanes in Selborne have gradual 'low frequency' curves that respond to the gentle curves of the topography, the proposed roads are wiggly with 'high frequency' curves that respond to nothing apart from the desire to apply a sense of irregularity. The traditional local houses and cottages in the village are very close to and often face the lanes, rather than set back behind driveways, parking areas and lawns. The parking arrangement suburbanise the proposal and emphasise the role of the car in the layout. The proposed roads are not ordered by the same hierarchy as the street and lanes of Selborne. There are front-to-side and front-to back arrangements that conflict with the characteristic spatial structure of the village. This contributes to the creation of an illegible, confusing and unattractive environment.
- 8.11 The proposed development has paid little regard to the cultural heritage of Selborne and neither conserves or enhances the cultural heritage of the area. Furthermore as the appearance of the dwellings is a reserved matter it cannot be shown that the development can be accommodated in a way which does not adversely impact on the natural beauty of the South Downs National Park in compliance with the requirements of paragraph 116 of the NPPF.

Impact on wildlife

- 8.12 A phase 1 ecology survey has been undertaken which indicates the presence of dormice towards the northern boundary of the site. The applicant acknowledges that a phase 2 survey would be required but argues that the layout, inclusion of the 'ecology zone' and retention of northern boundary would prevent a loss of potential dormouse habitat. No phase 2 survey has been completed to support this view. The submitted ecology report indicates the site may also support bats, slowworms and nesting birds. An independent ecology survey submitted on behalf of the local residents and a number of representations have reported the presence of badgers in particular within Cow Lane to the north of the site (the sunken lane). The ecology report states that there are no setts within 30m of the site. An 'ecology buffer zone' has been indicated on the submitted layout plan, it is understood that the intention is that residents would maintain this and the open space within the development through a management company however no details of this have been submitted. As submitted the proposed development would neither conserve or enhance the wildlife of the area.

Exceptional circumstances

- 8.13 In accordance with paragraph 116 of the NPPF the applicant has submitted the following exceptional circumstances to justify the proposed development:
- The lack of any provision/policy to fulfil the duty to foster the social and economic well-being of communities within the SDNP,
 - The lack of a sufficient identified 5 year housing land supply,
 - The substantial contribution towards affordable housing,
 - The contribution the development would make to the vitality and viability of the settlement,
 - The lack of any environmental constraints,

- The acknowledgement through the EHDC SHLAA process that the site is suitable, available and achievable.
- 8.14 The Sandford principle outlines that the first purpose of designation takes precedence and that the duty is not at the expense of the purposes. Furthermore as set out within the letters of representation the village of Selborne is a thriving community with a primary school, village store and post office, public houses, antique shop, village hall and recreation ground. As well as tourist attractions including Gilbert White's House and the Oates Museum. The existing economic well-being of Selborne is derived from tourism associated with Gilbert White and the landscape setting of Selborne. The social well-being is derived from the close-knit community of Selborne. The proposed development does not have the communities support. A development of the scale proposed outside the settlement would impact on the setting of the settlement and consequently could adversely impact upon on tourism and the social and economic well-being of the local community.
- 8.15 The submitted 'exceptional circumstances' do not outweigh the harm to the SDNP, would not be in the public interest and would not conserve or enhance the natural beauty, landscape setting and cultural heritage of the area.

Impact on rights of way

- 8.16 The existing public footpath which crosses the site would have to be diverted to accommodate the development. The re-routed footpath as shown on the layout plan does not follow the likely desire lines. The Inspector Report on the EHDC Local Plan 2nd Review 2006 described the site when considering for housing and experience of the users of the public footpath "*That enjoyable rural experience of walking along the path would be replaced by a more urban or suburban one. The present views and character need to be retained and protected in their entirety. Because the site plays an important role in the countryside setting of the village, the proposal would fail to preserve or enhance the natural beauty of the AONB*". The subsequent designation of the AONB as SDNP creates a further purpose over and above the AONB designation of the SDNP to provide outdoor recreation. This therefore places further emphasis on the potential impacts on the rights of way network. The LVIA assessment in relation to the public footpath states that the impact would be '*negligible – the development would cause very limited change to the footpath and its context.*' This is not an accurate assessment, the setting of the footpath and the experience of the users of the footpath would be significantly altered by the proposal to the detriment of amenity of local community, cultural heritage and would have an adverse impact on tourism being part of a circular walk of the village. The negative impact on the enjoyment of the landscape from the public rights of way which would be caused by the development would be contrary to the second purpose of designation.

Highways and pedestrian access

- 8.17 The vehicle access into the site would be from Selborne Road (B3006) which is subject to a 20mph speed limit at the proposed access and 30mph speed limit to the north. The only pedestrian footway is on the eastern side of Selborne Road. On the west side the mature hedge has no verge and would leave pedestrians with no option than to cross the road. No visibility splays for pedestrians wishing to cross the road have been provided. The County Highway Authority have advised that the visibility splays of 2.4m by 43 metres are insufficient and should be 59 metres in each direction. This combined with the similar visibility requirements for pedestrians at the crossing points would result in the loss of 25-30 metres of the hedgerow. The County Highway Authority have also raised concerns in relation to the 6 metres radii kerb being insufficient to allow refuse vehicles to entire without crossing the centreline. The proposed shared surface would result in conflict between motorists and pedestrians. No details have been provided in relation to disabled access and mobility around and through the development. It has not been demonstrated that the development can be accommodated in a manner that would not cause increased danger and inconvenience to highway users and pedestrians.

Sustainability

- 8.18 The Inspector in 2006 concluded that the settlement of Selborne has 'limited sustainability'. The application site is located outside of the settlement boundary of Selborne, but is within 300m of the village centre which offer a number of local services. There are bus stops within walking distance of the site. There is a bus service (number 38) between Alton and Petersfield. It is therefore considered that the development would have access to limited services and other modes of transport but would be predominantly dependant on the private motor vehicle to access key services and employment.
- 8.19 The proposal is to build the units to achieve Building for Life and Code for sustainable homes level 4. At this stage there are no specific details demonstrating specific energy efficient measures.

Impact on residential amenity

- 8.20 The western and southern boundary of the site border existing residential properties, Lythe House to the south and Appletree House and The Grange (grade II listed) and Grange Farm to the west. The proposal includes the retention of the group of trees to the west of Lythe house; the other boundary treatments to these properties consist of a wall and close board fencing. The layout and siting of the development would result in a separation distance of 25m between the proposed chalet bungalow and The Grange, Appletree House and Lythe House. It is considered that given the degree of separation from neighbouring properties that on balance it would not have a significant adverse impact on the amenity of neighbours in terms of privacy or daylight.
- 8.21 The residential properties on the opposite side of Selborne Road would have a separation distance of at least 30m, when coupled with the mature hedgerow which is to be predominantly retained no loss of privacy or daylight would occur to these properties.

Infrastructure contributions

- 8.22 Policy GS4 requires financial contributions towards public open space, transport and environmental improvements. Hampshire County Council Transport Contribution Policy would require a contribution of £110,280 based on the multi-modal trips generated by the development. The supporting documents indicate that the applicant is willing to pay the contributions. As the proposal is not considered to be acceptable no contributions have been sought at this stage. In the absence of a completed legal agreement this constitutes another reason for refusal.

Community Involvement

- 8.23 The applicant first held discussions in 2010 with Selborne Parish Council. The applicant held a public consultation on Monday 20th May 2013 in the village hall, 70-80 people attended. The applicant also sent a questionnaire to households, 70% of those who responded were opposed to Burlands field being developed. The Selborne Village Community Plan, Local Landscape Character Assessment and Village Design Statement set out the wishes and aspiration of the local community. The development has limited community support.

Other matters

- 8.24 The site is in a groundwater protection zone, the District Council drainage consultant and the Environment Agency have considered the Flood Risk Assessment which has been submitted with the application and have raised no objections, subject to conditions to secure a satisfactory drainage strategy.
- 8.25 EHDC Environmental Health have advised that a desk top study would be required as the site is potentially contaminated due to its historic use. The EHDC Arboricultural Officer has raised no objection.
- 8.26 It is proposed that the existing electricity cables would be undergrounded but no discussion with the power company have been undertaken.

9. Conclusion

- 9.1 The proposal for a major development of predominantly market housing outside the settlement boundary of Selborne of this size would neither conserve or enhance the natural beauty, wildlife or cultural heritage of the SDNP due to the inappropriate location and layout which would impose a sub-urban and alien form on the natural landscape. The provision of 12 affordable homes within the development would not outweigh the harm to the natural beauty, landscape setting, cultural heritage, ecology, public rights of way, social and economic well-being of the community and tourism of Selborne. No exceptional circumstances have been demonstrated, including that the development would be in the public interest.
- 9.2 Inadequate visibility splays for pedestrians and vehicles have been provided to demonstrate that the development would not cause increased danger and inconvenience to highway users and pedestrians.

10. Reason for Recommendation and Conditions

- 10.1 The reasons it is recommended that the application be refused is:
1. The proposal for a major development of predominantly market housing outside the settlement boundary of Selborne of this size would neither conserve or enhance the natural beauty, wildlife or cultural heritage of the SDNP due to the inappropriate location and layout which would impose a sub-urban and alien form on the natural landscape. No exceptional circumstances have been demonstrated, including that the development would be in the public interest. The proposal is therefore contrary to paragraphs 115-116 of the NPPF, the DEFRA Visions and Circular on National Parks and the Broads, the South Downs Integrated Landscape Character Assessment, policies GS1, GS3, GS4, C5, P5, HE1, HE8, HE12, HE19, T4, T5 and H4 of the East Hampshire District Local Plan: Second Review 2006, policies CP8, CP10 and CP12 of the East Hampshire District Local Plan: Joint Core Strategy, Selborne Village Design Guide SPG and Local Landscape Character Assessment March 2013.
 2. In the absence of a biodiversity mitigation strategy the proposed development would result in the loss of habitat for protected species in the form of dormice and potentially bats, badgers, reptiles, slowworms and nesting birds. The proposed development would therefore have a significant adverse impact on the ecology of the area and is contrary to the NPPF and policy P5 of the East Hants District Local Plan: Second Review 2006.
 3. In the absence of details relating to the appearance of the development it cannot be shown that the development can be accommodated in a way which does not adversely impact on the natural beauty, wildlife or cultural heritage of the South Downs National Park in compliance with the requirements of paragraphs 115 and 116 of the NPPF.
 4. The proposed development by reason of its scale and sub-urban layout fails to respect the historic characteristics or cultural heritage of the village and would harm the significance and setting of the adjacent conservation area and listed building. Furthermore in a recognised area of high archaeological potential the absence of an archaeological survey results in the potential for disturbance of archaeological remains, contrary to policies GS3, HE8, HE12, HE17 of the East Hants District Local Plan: Second Review 2006, Selborne Village Design Statement and paragraphs 115, 126 -134 of the NPPF.
 5. The proposed development would result in the existing public right of way which crosses the site being re-routed to the detriment of the setting of the footpath, cultural heritage and experience of users, both the local community and tourists, which would be significantly altered and eroded by the proposed development, contrary to policies T4 and GS4 of the East Hants District Local Plan: Second Review 2006 and paragraph 116 of the NPPF.
 6. Inadequate footways and visibility splays are proposed at the junction of the new access with the highway and pedestrian crossings. Therefore from the information available it cannot be shown that the development can be accommodated in a manner that would not cause increased danger and inconvenience to highway users and pedestrians. This is

contrary to policies T4, T6, T9, T10 of the East Hants District Local Plan: Second Review 2006.

7. In the absence of a completed legal agreement, no provision has been secured for financial contributions towards transport, public open space or environmental improvements, which is contrary to policies GS4, R3 and T2 of the East Hampshire District Local Plan: Second Review 2006 and the Councils 'Guide to Developers' Contributions.
8. In the absence of a completed legal agreement no provision has been secured for affordable housing, including the mix of units, sizes and tenures, contrary to paragraph 50 and 54 NPPF, policy CP8 of the emerging Joint Core Strategy and adopted non-statutory planning guidance on Affordable Housing.

11. Crime and Disorder Implication

- 11.1 It is considered that the proposal does not raise any crime and disorder implications.

12. Human Rights Implications

- 12.1 This planning application has been considered in light of statute and case law and any interference with an individual's human rights is considered to be proportionate to the aims sought to be realised.

13 Equalities Act 2010

- 13.1 Due regard, where relevant, has been taken to the South Downs National Park Authority's equality duty as contained within the Equalities Act 2010.

14 Proactive Working

- 14.1 In reaching this decision the Local Planning Authority has worked with the applicant in a positive and proactive way, in line with the NPPF. This has included the provision of pre-application advice from the SDNPA Development Management Officer and SDNPA Design Review Panel. The opportunity to provide additional information. A meeting was also held during the consideration of the application.

Tim Slaney
Director of Planning
South Downs National Park Authority

Contact Officer:	Tim Bettany-Simmons
Tel:	01730 234110
email:	tim.bettany-simmons@southdowns.gov.uk
Appendices	1. Site Location Map
SDNPA Consultees	Director of Planning & Legal Services.

