

Report to	<b>Planning Committee</b>
Date	<b>9 August 2018</b>
By	<b>Director of Planning</b>
Local Authority	<b>East Hampshire District Council</b>
Application Number	<b>SDNP/18/01777/FUL</b>
Applicant	<b>CALA Homes (Thames Ltd), Vortal Properties Ltd, Matthew Atkinson and Tina Louise Atkinson</b>
Application	<b>Erection of 30 dwellings and village hall together with car parking, open space and landscaping following demolition of existing buildings.</b>
Address	<b>Land south of The Seven Stars, Ramsdean Road, Stroud, Petersfield, Hampshire, GU32 3PJ.</b>

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**Recommendation: That planning permission be approved subject to:**

- 1) The completion of a legal agreement to secure:**
  - **12no. affordable dwellings on site (40%);**
  - **A contribution of £4,000 towards provision of a footbridge and pathway on land to the north of the application site delivering a link between the residential development and the public house**
  - **Completion and transfer of village hall and curtilage (including land up to northern boundary of the site) to the Parish Council**
- 2) The conditions as set out in Paragraph 10.1 of this report.**
- 3) And that authority be delegated to the Director of Planning to refuse the application with appropriate reasons if the S106 Agreement is not completed or sufficient progress has not been made within 3 months of the 9 August 2018 Planning Committee meeting.**

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### **Executive Summary**

The application site is a greenfield site of 1.4ha that is located approximately one mile to the west of Petersfield. The application proposes 30 dwellings and a village hall, within the village of Stroud outside of the designated settlement policy boundary (SPB).

A previous application was refused at Planning Committee in October 2017 for 26 dwellings and a village hall. This application was refused due to concerns about landscaping and design, affordable housing and housing mix provision and the development was, at that point, being considered major with exceptional circumstances for the scheme not having been demonstrated.

The site in question has been put forward as an allocation for residential development within the Submission version of the South Downs Local Plan, which could only be given limited weight at the time of the previous decision given that the first public consultation was still underway at that time. Since then, a second full public consultation has been carried out and the emerging Local Plan has now been submitted for examination. Whilst the East Hampshire Joint Core Strategy (2014) should

still be afforded greater weight at present, other material considerations in relation to our Local Plan must also be taken into account, such as the limited number of representations and minor concerns raised to the allocation policy (7 in total) and Paragraph 48 of the NPPF (2018), which confirms that weight may be given to policies in emerging plans following publication unless other material considerations indicate otherwise. Greater weight can therefore be given to the current application than at the time the previous application was determined.

In light of this, the application is recommended for approval having considered the above policy considerations, which would deliver 40% on-site affordable housing and community benefits, including the provision of a village hall, accessible areas of green space/green infrastructure. Officers consider the proposed design and layout of the scheme has significantly improved since the previously refused application and would conserve and enhance the landscape character of the National Park.

This application is placed before Planning Committee due to previous consideration of a scheme for the site, the scale of the proposal in the locality, policy considerations and due to local interest.

## **1. Site Description**

- 1.1 The site is located in countryside outside of the defined settlement policy boundary (SPB) for Stroud (in the East Hampshire District Local Plan: Joint Core Strategy 2014).
- 1.2 The site comprises a roughly rectangular parcel of agricultural land, which is currently used for the keeping of horses. The only built form at present are the existing brick built stables in the north-western corner of the site.
- 1.3 To the north of the application site is The Seven Stars Public House and the northern boundary of the site itself is defined by a small watercourse. The Seven Stars pub is located on the A272, which runs east to west as a main arterial road between Petersfield and Winchester. To the south of the site is a row of terraced houses with long rear gardens. The terraced houses front on to Ramsdean Road and the rear gardens extend significantly to the east. Further to the south of the terraced houses is Langrish Primary School. A playing field, associated with Langrish School, wraps around the south-eastern corner of the site. To the south of the School is a public right of way (PRoW) running in a west to east direction.
- 1.4 The site is bounded by Ramsdean Road to the west and a field boundary to the east. There are detached residential dwellings set behind large front gardens to the west of Ramsdean Road. To the north-east of the site (approximately 180 metres from the site) is a Roman Villa, which is a Scheduled Ancient Monument.
- 1.5 The application site is generally flat but has a gradual slope up from north to south on the southern half of the site. There are two existing tree belts along the northern and eastern boundaries of the site comprising mature trees, the subject of a Tree Preservation Order (TPO), which are visible from wider views.
- 1.6 The South Downs Integrated Landscape Character Assessment 2011 identifies the site as being within the Rother Valley Mixed Farmland and Woodland Vale Landscape Character Area. This is a gently undulating landform with irregular fields and a sense of enclosure due to thick hedgerows.

## **2. Relevant Planning History**

- 2.1 SDNP/17/06010/PRE: Erection of 30 dwellings and a village hall. Advice was given on 28.03.2018. It was advised that the general principle of development was likely to be supported, subject to the criteria of allocation policy SD94 being met.
- 2.2 SDNP/17/01744/FUL: Erection of 26 dwellings and a village hall. Refused by Members at Planning Committee on 12.10.2017 following concerns about landscaping and design, affordable housing & housing mix provision and the development being considered major with exceptional circumstances for approving the scheme not having been demonstrated.
- 2.3 SDNP/16/05076/PRE: Pre-application for the development of the site to incorporate a) the erection of 20 dwellings (8 affordable) or; b) the erection of 26 dwellings (8 affordable) and a village hall or; c) the erection of 30 dwellings (12 affordable) and a village hall at land to the

south of The Seven Stars. Advice was given on 16.12.2016. In principle concern that it was unlikely that the proposed development would comply with the second aspect of policy CP10 of the East Hampshire Joint Core Strategy (2014) in relation to small-scale development. Also contrary to affordable housing policy CP14 of the East Hampshire Joint Core Strategy (2014) in regard to rural exception schemes.

- 2.4 SDNP/14/00064/PRE: Pre-application for the development of open market housing to enable the provision of needed affordable housing and a village hall. Several schemes were suggested including a development of 30 dwellings or a development of 24 dwellings with a village hall, public open space and recreational space for the school. Advice was given on 30.05.2014.

### **3. Proposal**

- 3.1 The application proposes the provision of 30 residential dwellings and a village hall that has had significant input from the local community and key stakeholders following numerous public consultations starting back in 2016.
- 3.2 The mix of accommodation proposed is as follows:
- 18 no. open market dwellings (60%) comprising 9 x three bed dwellings, 7 x four bed dwellings and 2 x five bed dwellings;
  - 12 no. affordable dwellings (40%) comprising 2 x one bed flats, 3 x two bed flats, 3 x two bed dwellings and 4 x three bed dwellings.
- 3.3 The affordable dwellings would be dispersed across the site.
- 3.4 Each of the residential dwellings would be two-storeys in height and the open market dwellings would include a mixture of single-storey garages and car barns.
- 3.5 The development has a cul-de-sac arrangement, which would be accessed from Ramsdean Road via a new private road to be managed by a private management company (except those required as part of a section 278 agreement). The access road would be located near the northern end of the site, serving both the residential dwellings and the village hall.
- 3.6 The proposed dwellings would generally incorporate small front gardens and would predominantly include parking to the sides of the dwellings. All of the dwellings would incorporate private rear gardens. The building containing the four flats (plots 1-4) in the north-eastern corner of the site would be surrounded by a communal area. The fifth flat fronting Ramsdean Road (plot 19) would have no private outdoor space except for a small garden area to the front of the flat.
- 3.7 The materials used for the dwellings would comprise of a mixture of hanging tile, render, brick, timber boarding and clay or red concrete tiles with slate roof tiles being used on only four of the properties. The windows would be off-white with slim profile window frames. The village hall is the only building on site proposed to be constructed from flint.
- 3.8 In order to keep light spill to a minimum no rooflights have been proposed in the main roofslopes of the dwellings and street lighting is proposed to be kept to a minimum.
- 3.9 Proposed ecological enhancement measures to be incorporated within the built form would include the installation of appropriate bird boxes on the dwellings as well as the installation of bat bricks, bat access tiles and bat boxes.
- 3.10 The provision of a village hall for Stroud is a long-held aspiration of Stroud Parish Council and the local community, which would be positioned at the northern end of the site.
- 3.11 The village hall would be a single-storey building of a traditional design, which would front on to Ramsdean Road and the open space adjacent to the village hall (to the west) would be bounded by a low hedge with some tree planting. Parking for the village hall would be sited to the east of this building.

#### Key changes between the refused scheme (SDNP/17/01744/FUL) and the current proposals:

- 3.12 The key changes between the scheme that was previously refused at Planning Committee in October 2017 (SDNP/17/01744/FUL) and the current proposals are as follows:

- The current proposals are for 30 dwellings and a village hall. The refused scheme was for 26 dwellings and a village hall.
- The current scheme would provide a total of 40% on-site affordable housing compared to the refused scheme which only achieved 30% on-site affordable housing.
- The affordable housing is dispersed across the site under the current scheme. Previously all of the affordable housing was located at the northern end of the site.
- The current scheme incorporates a greater mix of housing types and some terraced housing, which was not incorporated within the previous scheme.
- The siting of the village hall and associated green space has been revised under the current scheme.
- The current scheme would incorporate only one vehicular access road into the site off Ramsdean Road. The previous scheme incorporated two vehicular access points; one to serve the residential dwellings and the other to provide access to the village hall.
- There is no lay-by proposed along Ramsdean Road under the current scheme.
- There is an aspiration to secure connection to the north by the provision of a footbridge and pathway.

#### 4. Consultations

4.1 **Archaeology:** No objection subject to conditions.

4.2 **Crime Prevention:** Comments provided.

- Recommended that rear garden access to Plots 13, 14 and 16 to 18 is within the curtilage. If this is not possible, the rear garden access gates should be fitted with a key operated lock.
- Little natural surveillance of the Public Open Space to the north of plots 1 – 4.
- Potential for parking spaces for plots 1-4 to be vulnerable to crime and anti-social behaviour.
- It is possible to access the development from Ramsdean Road using a footpath leading towards the village hall. Limited natural surveillance of the footpath leading towards the village hall.
- The cycle anchor points for the village hall have little natural surveillance

4.3 **Dark Night Skies:** No objection subject to conditions.

- Although the proposal would be in an existing area of housing and the impact would be lessened by what is already there, the proposal size and scope would probably reduce the sky quality in the area.
- The updated lighting specification for the bollard and that particular design would appear to be consistent with dark night skies.
- The lights should be on proximity or curfews.

4.4 **Design:** Holding objection.

- The latest iteration of development has improved and has responded to some of the previous design concerns.
- Unit 28 should be removed and units 29 and 30 reconfigured to create a much less intense south-eastern corner of the site.
- Units 16-19 should be redesigned to remove the unacceptable underpass under the flat on plot 19 fronting Ramsdean Road.
- Members will be updated on any further comments from the Design Officer

4.5 **Ecology:** No objection subject to a condition.

4.6 **Environment Agency:** No comments to make on the proposed development.

4.7 **Environmental Health (Contamination):** No objection subject to conditions.

4.8 **Environmental Health (Pollution):** No objection subject to conditions in relation to noise and the provision of a construction management plan.

4.9 **Flood and Water Management Team:** No objection.

*Officer Note: Additional information has been received in relation to surface water drainage. A verbal update will be provided at Planning Committee.*

- 4.10 **Highways:** No objection subject to securing a Section 106 Agreement to obtain a financial contribution and conditions. *Officer Note: This is considered later in the report – Paragraph 8.68.*
- 4.11 **Historic Buildings Officer:** No objection.
- 4.12 **Historic England:** No comments to make on the proposed development.
- 4.13 **Housing Officer:** Objection.
- The site is outside of but adjacent to the settlement policy boundary of Stroud. Therefore, policy CP14 of the East Hampshire Joint Core Strategy applies, which seeks to maximise affordable housing for local people with the requirement of a minimum of 70% affordable housing.
  - Although this application does not meet the affordable housing criteria of policy CP14 (rural exception scheme), it is positive to see that the applicant has increased the number of affordable homes on site to 12 (40%), as well as a village hall for the local community.
  - It is also positive to see the land allocated in the emerging SDNPA Local Plan. However, this should only carry limited weight in the determination of the application until it is formally adopted.
  - Due to the low local need it is unlikely that many of the homes would be occupied by local people. However, if this application is deemed to be acceptable, there are currently 1,311 households registered on Hampshire Home Choice with a connection to the East Hampshire district, so a cascade in the legal agreement would ensure the homes could be let.
- 4.14 **Landscape:** Holding objection.
- The site design has moved on enormously and the vast majority of changes are positive in landscape terms. Particularly successful is the area along the stream to the north and the area to the east is now beginning to address the countryside more positively.
  - Plot 28 is not successful – it delivers an intensification of the south-eastern edge of the site.
  - In order to deliver access to rear gardens a number of narrow paths have been proposed. This is not a pleasant environment to design into a scheme.
  - The car ports to some of the plots (5, 6, 7, 8, 9, 10, 11 and 12) are all set back. They take up a significant amount of space, which could be better provided to rear gardens.
  - The proposed garages on site should be made into car ports to help fit cars sensitively within the scheme.
  - Hedging should be the primary boundary treatment. Close boarded fencing is not appropriate.
  - Lots of different materials proposed (hard landscaping).
  - Currently the proposals utilise a number of ‘standard’ species used on countless schemes. The soft landscaping should reference the existing local characteristics of the site. Species choices must be determined by the evidence already gathered for this site. Ash is clearly dominant here and typical of this character area, but a suitable alternative will be needed given ash dieback.
  - The details of materials and planting can be left to a condition and a Landscape and Environmental Management Plan (LEMP) is recommended.
  - Members will be updated in relation to any further comments which are received from the Landscape Officer.
- 4.15 **Natural England:** No objection.
- 4.16 **Public Rights of Way:** No objection subject to a Section 106 Agreement to provide a financial contribution.
- To support sustainable travel and mitigate for the likely increased use of the route which the development will generate, a contribution would be required towards

surfacing, infrastructure and future maintenance of Stroud footpaths 703 and 708.

*Officer Note: This is considered later in the report – Paragraph 8.68.*

4.17 **Children’s Services Department:** No objection.

- The development sits in the catchment area of Langrish Primary School and will yield an anticipated 8 primary school age pupils. Although the School is full it does accept out of catchment applications. As there are a few surplus places available in the area in other schools, a contribution from this development towards educational facilities will not be sought.

4.18 **Stroud Parish Council:** No objection to new development in this location with a village hall but the following comments have been made:

- No account has been taken of the Stroud Village Design Statement of the Parish Plan. The current design does not represent the rural village.
- The houses fronting Ramsdean Road with off-street parking are likely to create a danger to traffic and pedestrians during school arrival and departure times, by cars reversing into oncoming traffic or pedestrians using the footpath.
- The previous design layout for traffic management in Ramsdean Road provided a layby to alleviate traffic congestion. The layby should be reinstated.
- Housing plot no. 28 should be removed or sited further into the development allowing the continuation of the green open space.
- The Parish Council are in direct discussions with the Parent Governors to provide a rear access to the school next to plot 28. This would link up with the pathway from The Seven Stars public house car park, subject to their consent, to the rear of the development and into the rear access for the school.
- Parking at the village hall needs to be increased to 20 spaces in accordance with Hampshire County Council Highways guidelines.
- An independent Traffic and Highway Assessment of the proposal has been undertaken on behalf of Stroud Parish Council.
- HCC Highways department should install traffic calming measures including flashing school road signs. The Parish Council also has concerns regarding the five point junction where Ramsdean Road meets the A272.
- All parking for workers during the construction phase of the development should be included on site and as part of the planning permission. Site access by lorries should be restricted to certain times of the day.
- Ramsdean Road and the junction with the A272 should be kept clear of debris and soil from the build at all times.
- The submitted ecology report refers to the development site as a grazed paddock. Since the last application the site has turned into an ungrazed field. Small reptiles such as slow worms have now populated the paddock.
- The Parish Council would like further information regarding the revised landscape scheme and the purpose for the small pond within the southern edge of the site.
- There does not appear to be a revised sustainable drainage scheme although it is mentioned in the plan.

4.19 **Trees:** No objection subject to conditions.

4.20 **Southern Water:** Comments received – conditions and informatives recommended.

**5. Representations**

5.1 14 third-party representations have been received. These comprise of 13 objections and 1 neutral comment.

Objection:

- The open space along the brook should be retained as is.
- Large increase in the number of cars using the junction with the A272 will cause problems. At present it is hazardous dodging the cars at peak times.

- The assessment check for car numbers and noise in Ramsdean Road was done during school half term and would not give a fair result.
- Too much existing traffic along Ramsdean Road at present. The proposed development would exacerbate this.
- Parking spaces for the village hall and within the development seems inadequate. Significant parking issues in the area already, particularly at school drop-off and collection times. Also, the road is used by local farmers on a daily basis with large agricultural vehicles often having difficulty getting through.
- The safety of children in particular is a concern, also during the construction phase.
- The provision of a village hall is not necessary.
- The development would be a contrast to the existing semi-rural character of the area.
- The plots fronting Ramsdean Road should be set back from the road. The green space would be better to the front of the site.
- Overdevelopment for a hamlet the size of Stroud. A lower number of houses should be provided.
- Insufficient financial support and infrastructure to support this development.
- No single storey houses proposed that would be suitable for elderly or disabled people.
- Inclusion of extended green infrastructure is very welcome but does need to extend around the whole boundary.
- The streetscape could be improved, allowing for more trees.
- Further clarification needed on how the benefits of the scheme's green infrastructure and public realm improve the overall footpath system and cycleway provision. Community assets should be delivered i.e. affordable housing, village hall, improved traffic management and footpath/cycleway extensions – all as set out in the Parish Plan.
- The Parish Plan Housing Needs Survey and landscape capacity study appear to have been overlooked by the SDNPA.
- The adjacent field to the east would be left without access except for a gate through another landowner's private drive. Though not mentioned, the submitted plans clearly show that forward thinking to access and develop the adjacent and much bigger field to the east is anticipated.
- Loss of light and privacy.
- If this field must be built on, a tree buffer should be provided along the length of no. 2.
- Noise, air and light pollution.
- What are the job opportunities for 30 additional families?
- Potential upstream flooding. This is an area based largely on heavy clay soil. There are many underground streams in this area.
- Objection to the four new exits to be created on to Ramsdean Road, some of which have no off-road turning space.
- Awkward narrow paths to back gardens.
- Odd arrangement between plot 18 and no. 2 Ramsdean Road.

Neutral:

- The various traffic impact surveys have failed to take into account the nature of the A272 passing through Stroud. The significant speeds attained by traffic coming along the A272, particularly at commuting times of the day make this a difficult junction. The addition of the Seven Stars car park adds to some confusion amongst motorists competing to join the main road. The excessive speeds are well recognised by the Parish Council.
- More permanent speed reduction measures should be included for the A272.

## 6. Planning Policy Context

- 6.1 Applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise. The relevant statutory development plan comprises the **East Hampshire District Local Plan: Joint Core Strategy 2014** and the saved policies of the **East Hampshire District Local Plan: Second Review 2006**. The relevant policies are set out in section 7 below.

### National Park Purposes

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.

If there is a conflict between these two purposes, conservation takes precedence. There is also a duty to foster the economic and social wellbeing of the local community in pursuit of these purposes.

### National Planning Policy Framework and Circular 2010

- 6.2 Government policy relating to National Parks is set out in English National Parks and the Broads: UK Government Vision and Circular 2010 and the revised National Planning Policy Framework (NPPF) which was issued and came into effect in July 2018. The Circular and NPPF confirm that National Parks have the highest status of protection and the NPPF states at paragraph 172 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.
- 6.3 The development plan policies listed below have been assessed for their compliance with the NPPF and are considered to be compliant with it.

### The South Downs National Park Partnership Management Plan

- 6.4 The South Downs National Park Partnership Management Plan 2013 is a material consideration in the determination of the application. The following policies are relevant: 1, 2, 3, 5, 9, 25, 28, 34, 38, 39, 40, 49 and 50.

### Other relevant guidance

- South Downs Integrated Landscape Character Assessment (2011)
- East Hampshire Landscape Character Assessment (2005)
- South Downs National Park Strategic Housing Land Availability Assessment (SHLAA) (2016)
- South Downs National Park Strategic Housing Market Assessment (SHMA) (2015)
- Housing and Economic Development Needs Assessment (HEDNA) (2017)
- Stroud Parish Plan (2013)
- Stroud Parish Council Housing Need Survey (2014)
- Stroud Village Design Statement (2000)

## **7. Planning Policy**

- 7.1 The following saved policies of the **East Hampshire District Local Plan: Second Review 2006** are relevant:

- C6: Tree preservation, Forestry Operations, Management Plans
- C8: Flood Protection
- HI4: Other housing outside Settlement Policy Boundaries
- HC2: Provision of facilities and services with new development
- HC3: Public Services, Community, Cultural, Leisure and Sport Facilities, Community Facilities.
- HEI7: Archaeology and Ancient Monuments
- HEI9: Ancient Tracks and Lanes
- T2: Public Transport Provision and Improvement
- T3: Pedestrians and Cyclists
- T4: Pedestrians and Cyclists, Cycling, Walking/Horse-riding

- 7.2 The following policies of the **East Hampshire District Local Plan Joint Core Strategy (JCS) 2014** are relevant:

- CPI: Presumption in favour of sustainable development.



- CP2: Spatial Strategy
- CP10: Spatial Strategy for Housing
- CP11: Housing Tenure, Type and Mix
- CP13: Affordable housing on residential development sites
- CP16: Protection and provision of social infrastructure, open space, sport and recreation
- CP18: Provision of Open Space, Sport and Recreation and Built Facilities
- CP19: Development in the Countryside
- CP20: Landscape
- CP21: Biodiversity
- CP24: Sustainable Construction
- CP25: Flood Risk
- CP27: Pollution
- CP28: Green Infrastructure
- CP29: Design
- CP30: Historic Environment
- CP31: Transport
- CP32: Infrastructure

#### South Downs Local Plan: Submission Version

7.3 The Pre-Submission version of the South Downs Local Plan (2017) was published under Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations (2012) for public consultation from 26 September to 21 November 2017, and the responses considered by the Authority. The Plan was submitted to the Secretary of State for independent examination in April 2018. The Submission version of the Local Plan consists of the Pre-Submission Plan and the Schedule of Proposed Changes. It is a material consideration in the assessment of this planning application in accordance with paragraph 48 of the NPPF, which confirms that weight may be given to policies in emerging plans following publication. Based on the current stage of preparation, along with the fact that the policies are compliant with the NPPF, but also that the adopted East Hampshire JCS policies are relatively recent and post-date the NPPF, the policies within the Submission version of the Local Plan referenced below are currently afforded *some* weight. In the case of the site allocation, the site in question has now been subject to a full consultation process and based on the limited number of objections and nature of the representations the weight of the policy allocation is therefore increased. The context in relation to this application is explored in more detail in section 8 of the report.

7.4 The relevant planning policies of the emerging SDNP Local Plan are:

- SD1: Sustainable Development
- SD2: Ecosystem Services
- SD3: Major Development
- SD4: Landscape Character
- SD5: Design
- SD8: Dark Night Skies
- SD9: Biodiversity and Geodiversity
- SD11: Trees, Woodland and Hedgerows
- SD12: Historic Environment
- SD16: Archaeology
- SD17: Protection of the Water Environment
- SD19: Transport and Accessibility
- SD21: Public Realm, Highway Design and Public Art
- SD22: Parking Provision
- SD25: Development Strategy
- SD26: Supply of Homes
- SD27: Mix of homes
- SD28: Affordable Homes

- SD43: New and Existing Community Facilities
- SD46: Provision and Protection of Open Space, Sport and Recreational Facilities and Burial Grounds/Cemeteries
- SD48: Climate Change and Sustainable Use of Resources
- SD49: Flood Risk Management
- SD50: Sustainable Drainage Systems
- SD54: Pollution and Air Quality
- SD55: Contaminated Land
- SD94: Land at Ramsdean Road, Stroud (Allocation policy)

## 8. Planning Assessment

8.1 The main issues for consideration with regard to this application are as follows:

- Background information and the weight that should be given to the policies within the Submission version of the emerging South Downs Local Plan
- Principle of development
- Major development in regard to paragraph 116 of the NPPF
- Affordable housing
- Housing mix
- Impact on the National Park landscape
- Design
- Highways, access and parking
- Public rights of way (PRoW)
- Archaeology and impact on the setting of the adjacent Scheduled Monument
- Ecology
- Trees
- Residential amenity
- Flood risk and drainage
- Environmental Health
- Financial contributions and CIL

8.2 Amended plans and additional information were received on 26.07.2018 prior to the completion of the committee report. The amendments relate to the design of plot 19 and the siting and details of the proposed pathway towards the northern boundary to allow a possible future link with the adjacent land to the north. The relevant consultees have been consulted and a verbal update will be provided on these points at Planning Committee.

Background information and the weight that should be given to the policies within the Submission version of the emerging South Downs Local Plan:

8.3 In October 2017 Members considered an application for the erection of 26 dwellings and a village hall. Committee at this time refused the application on five grounds. For reference, the previous Committee report (October 2017) is attached at **Appendix 2** (with meeting minutes attached at **Appendix 3**).

8.4 At Planning Committee, Members raised the following key points:

- There was opportunity for improvement of design.
- The size of the development was appropriate for the site.
- Recognition that the proposal would further support housing needs within the wider East Hampshire area, not just the community in Stroud.
- The need to respect policy in regard to the consultation on the Local Plan at that time.
- The potential community benefits of a village hall and some affordable housing.
- Development on a green field site in the National Park should be of a very high design standard.
- Concern regarding the amount of affordable housing being proposed (30%) when the viability assessment showed that 40% affordable housing could be provided. Also concern that the affordable housing was not spread throughout the development.

- Concern surrounding the water course to the north and access to the Public House from the site.
- 8.5 Given the status of the emerging Local Plan at that time, which was still undergoing public consultation, limited weight was given to the emerging policies.
- 8.6 Notwithstanding this, the Local Plan process has advanced since the previous Committee decision in that the Submission version of the South Downs Local Plan has now been submitted for examination to the Secretary of State. As such, greater weight can now be applied to the emerging policies within the South Downs Local Plan than at the time of the earlier approval.
- 8.7 Paragraph 48 of the NPPF, states that “Local Planning Authorities may give weight to relevant policies in emerging plans according to:
- The stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
  - The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
  - The degree of consistency of the relevant policies in the emerging plan to the NPPF (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given)’.
- 8.8 Consideration therefore must be given to the level and nature of objections received. At the time that the previous application was determined, the emerging Local Plan had only been through one consultation exercise. However, the Local Plan has now been through a full consultation process, whereby only 7 responses were received to the allocation policy for the land at Ramsdean Road (policy SD94: Land at Ramsdean Road, Stroud), most of which were supportive of the proposed allocation. The main issues raised were:
- Historic England welcomes the policies in the wider plan in relation to Heritage Impact Assessment and Archaeology Assessment but would prefer that criteria were added to each site allocation policy.
  - Southern Water note there is currently sufficient capacity in the water and sewerage networks to accommodate the development but that an easement is required, which should inform the site layout.
  - Hampshire County Council supports the pedestrian and cycle access criteria and the pedestrian link to Stroud footpath 703.
  - Stroud Parish Council support the allocation and as well as the ecosystems services policy. However, the Parish Council have requested early and better engagement with local communities and have queried the reduction in the settlement boundary on the eastern side of the Parish.
  - Other organisations and individuals have shown support for the allocation and the additional housing to support the existing settlement (Hall and Woodhouse Ltd). CALA Homes have shown support but request that the policy is amended as the ability to provide pedestrian and cycle links would be outside of the allocated site and not in control of the applicant. An objection has also been received to the inclusion of the site as the site scores poorly in the SDNPA Settlement Facilities Assessment Report and a LVIA has not been carried out. It has been suggested that the site should be deleted and Barlavington Road, Midhurst be included instead as a more sustainable location.
- 8.9 Subsequent to the refusal of the previous planning application (SDNP/17/01744/FUL) Officers engaged in further dialogue with the applicants and took a new scheme to the Design Review Panel (DRP) in December 2017 for further review.
- 8.10 Having considered the above, Officers consider that whilst the current Submission version of the Local Plan does not carry as much weight as when the plan is adopted, given the nature and number of representations received to the emerging policy it is unlikely that the allocation of this particular site is likely to change. As such, Officers consider that greater weight can now be given to the emerging Local Plan policies, including the allocation policy, than was applied to the previous decision in October 2017.

It is worth noting that Paragraph 49 of the revised NPPF goes on to say ‘However, in the context of the Framework, and in particular the presumption in favour of sustainable development, arguments that an application is premature are unlikely to justify a refusal of planning permission other than in the limited circumstances where both a) the development proposed is so substantial, or its cumulative effect would be so significant, that to grant planning permission would undermine the plan-making process by predetermining decisions about the scale, location or phasing of new development that are central to an emerging plan; and b) the emerging plan is at an advanced stage but is not yet formally part of the development plan for the area.

Principle of development:

- 8.11 The development of this site is considered to be acceptable in principle given its allocation for 26 to 30 residential dwellings and a community building (class D1 use) in the emerging Local Plan: Submission version (allocation policy SD94). The Local Plan has been submitted for examination and therefore greater weight can now be applied to the emerging policies than at the time of the earlier refusal in October 2017.
- 8.12 Technically, the JCS should be given primacy as it is a reasonably up to date Plan, which the SDNPA have been involved in and it post-dates the earlier NPPF (2012) and the designation of the National Park. Considering the development solely against the JCS policies, it would be contrary to the Development Plan, resulting in a market-led scheme in the countryside outside of any designated settlement policy boundary (SPB).
- 8.13 However, taking into consideration all other material considerations, including paragraphs 48 and 49 of the revised NPPF, allocation policy SD94 now carries more weight than when the previous application was determined (refer to paragraph 8.7). It is considered on balance that the proposal is acceptable in principle but the proposed development does however need to accord with the criteria listed under the allocation policy.

Major development in regard to paragraph 116 of the NPPF:

- 8.14 Notwithstanding refusal reason 1 of the previous application (SDNP/17/01744/FUL) in relation to major development, Officers are of the view that the current proposal, whilst having a larger number of residential dwellings than the previous scheme, does not constitute major development for the purposes of new paragraph 172 of the NPPF and its footnote 55 advising on ‘major development’ in designated landscapes, which is different from that previously referred to in the old NPPF and accompanying National Planning Policy Guidance – Natural environment published in Jan 2016.

Affordable housing:

- 8.15 Outside of settlement policy boundaries (SPB’s), current policy CPI4 of the JCS is applied, which relates to rural exception schemes. This policy aims to maximise the level of affordable housing for local people with the requirement of a minimum of 70% affordable housing. The previous scheme was refused in regard to the site being outside of the SPB of Stroud on the basis that only 30% affordable housing was proposed. However, the new scheme can be considered against the submitted Local Plan Policy.
- 8.16 An Affordable Housing and Economic Viability Assessment was submitted as part of the application, which outlines that the scheme would provide 40% on-site affordable housing in addition to the delivery of a village hall. Additional financial information has been subsequently received, which concludes that the scheme would be able to provide 40% affordable housing on site (12 units comprising 2 one bed and 3 two bed flats and 3 two bed and 4 three bed houses) in addition to the village hall and CIL. It is acknowledged by Officers that policy SD28 of the emerging South Downs Local Plan advises that a minimum of 50% of new homes created shall be provided as affordable homes on-site. However, given the level of objection received to this particular policy at the full consultation stage, only limited weight can be given to this policy at present. Moreover, the viability assessment demonstrates that more than 40% provision on site is likely to make the development with the village hall unsustainable. For these reasons it is considered that it would be unreasonable to seek more than 40% on-site affordable housing at this stage, and there are

exceptional circumstances pertaining to the provision of a community facility of some scale that ensures this is not a precedent.

- 8.17 The Housing Officer has advised there is limited need at present to provide housing for applicants with a local connection to Stroud. Notwithstanding this, there are currently 1,311 households registered on Hampshire Home Choice with a connection to the East Hampshire district. It is therefore expected that priority should be given to people with a local connection to the parish in the first instance, with a cascade mechanism to the surrounding rural parishes within the East Hampshire district within the National Park boundary, which would be secured through the legal agreement.

Housing mix:

- 8.18 Policy CPII of the East Hampshire JCS provides a number of relevant criteria applicable to new residential development, including the provision of a range of dwelling tenures, types and sizes to meet housing needs. Although policy CPII is not specific about the required size of new dwellings, the SDNPA's SHMA (2015) would also be relevant in this instance, which concludes that the general pattern emerging within the National Park in terms of sizes of accommodation is that there is a majority need for two and three bedroom homes in the market sector and one and two bedroom homes in the affordable sector.
- 8.19 Similarly, policy SD27 of the emerging South Downs Local Plan: Submission version also requires a predominant mix of smaller units (mainly one and two bedroom units for affordable housing and two and three bed units for market housing). As advised above the current proposal comprises a mix of units including:

Unit type - beds	Affordable Housing	Market Housing
1 (flats)	2	0
2 (flats)	3	0
2 houses	3	0
3 houses	4	9
4 houses	0	7
5 houses	0	2

- 8.20 Whilst the mix proposed for the current scheme does not strictly accord with policy SD27 of the emerging South Downs Local Plan, only limited weight can be attached to this policy at present given the level of objection received to it during the consultation period. Given this, and the financial information received throughout the course of the application, it is considered that the scheme would prove to be unviable if the proposed housing mix is altered.

Impact on the National Park landscape:

- 8.21 The previous application for 26 dwellings and a village hall was refused on landscape grounds because it was considered that the proposals failed to conserve and enhance the landscape character of the National Park. In particular, it was considered that the proposed layout of the scheme had failed to use key elements that inform the site, such as the watercourse to the north, the design failed to speak of Stroud and the landscaping proposals did not serve to deliver any conservation or enhancement features within the National Park.
- 8.22 Under the current scheme, the Landscape Officer has considered the amendments to the plans, advising that the site has advanced greatly with respect to refining the layout since the original pre-application was submitted, and that the vast majority of changes are considered to be positive in landscape terms. In particular, the area along the stream at the northern end of the site is considered to be an improvement, which has aimed to address the countryside more positively.

- 8.23 However, the Landscape Officer has currently raised a holding objection in regard to the points raised under paragraph 4.14 of this report.
- 8.24 Notwithstanding the landscape objection, Officers are supportive of the proposed layout which overall responds sensitively to the site constraints. The policy criteria required under allocation policy SD94 has been considered in more detail below under the design section of this report. It is clear however, that the applicants have made an effort to address the concerns raised on the previous refused application, as well as those raised during the current application process.
- 8.25 It is accepted that a greater separation distance could have been maintained between plot 28 and the eastern tree-lined boundary to help create a more sensitive transition with the countryside. However, amendments have been received, which now show that the swathe of green infrastructure (GI) now continues all the way down into the south-eastern corner, contrary to the earlier submissions. This is an improvement along the eastern edge. The dwellings on plots 28 to 30 have also been re-configured to allow the removal of the detached garage from the eastern boundary/trees, to assist in delivering the GI corridor. The garage is now shown to be relocated to the rear of plot 30. It has also been confirmed that the area of land adjacent to plot 26 will comprise of native planting and shrub/ground cover planting to support pollinators and provide seasonal interest, which would be a positive contribution.
- 8.26 The provision of narrow access paths to serve rear gardens, as can be seen to the rear of plots 16 to 18 and plot 13, does have a function to allow rear access for bikes and bins for example, instead of having to take such items through the house. This would also not be apparent from the streetscene or from wider views and whilst not encouraged, this would not result in a negative impact on the landscape character.
- 8.27 Regarding the proposed boundary treatments, use of materials and species choice, it is considered that this could all be addressed through conditions.
- 8.28 As previously advised, Officers received further amendments to address the design of plot 19 and in relation to the possible future footpath connection to the public house to the north prior to the completion of the report, which are covered in detail within the design section of this report. The landscape officer has been re-consulted on the information relating to the footpath connection in particular, which will be verbally reported to Members at Planning Committee.
- 8.29 In light of the above comments, it is considered that the proposed development would not be detrimental to the landscape character of the National Park, subject to appropriate conditions.

Design:

- 8.30 The previous application was considered to be unacceptable from a design perspective for numerous reasons, including the lack of consideration of the watercourse at the northern end, the suburban nature of the development, failure to incorporate local design characteristics such as terraced housing similar to the existing terraced row to the south of the site, siting the affordable units in one area on the site and the provision of tandem parking.
- 8.31 All of these previous concerns have now been addressed and the Design Officer has acknowledged that the current scheme does incorporate many positive characteristics, such as the transition between the more intense terraced development to the west to less intense semi-detached properties to the east, a strong GI that wraps along the stream and down along the eastern boundary, strong perimeter block development, a strong building line to the south, which is continued with plots 12-19, relatively well integrated car parking and an appropriately located village hall with associated flatted development.
- 8.32 The proposed scheme was not reviewed by the Design Review Panel (DRP) on this occasion but has been considered by the DRP on numerous other occasions through both pre-applications and at the previous application stage. Enough information has been provided for officers to take the design forward.

- 8.33 Notwithstanding the above comments, the Design Officer has raised a holding objection to the proposed scheme for the following reasons:
- Unit 28 should be removed and units 29 and 30 reconfigured to create a much less intense SE corner of the site.
- 8.34 Units 16-19 should be redesigned to remove the unacceptable flat over the garage fronting Ramsdean Road (plot 19).
- 8.35 As has previously been considered under the landscape section of this report, the proposed arrangements in the south-eastern corner of the site are considered to be acceptable, particularly now that the GI has been continued all the way along the eastern boundary. It is not considered that a refusal on this basis could be justified.
- 8.36 The second point of concern raised by the Design Officer relates to the proposed flat over the garage for plot 19. Although Officers would prefer not to have a design element such as this fronting Ramsdean Road, this particular arrangement would help to screen the parked cars to the rear of this building. It would be important to ensure that the materials on this particular building are properly considered, which would be covered via a condition. Amended plans have also recently been submitted for plot 19 with an aim of improving its overall design. A verbal update will be provided at Planning Committee.
- 8.37 Officers have had regard to each of the criteria listed under parts 1 and 2 of the allocation policy (SD94) within the emerging Submission version of the Local Plan and are satisfied that the majority of the criteria has been met. Points 1) h, l and j all relate to flood risk, which has been considered by HCC Flood and Water Management Team. Officers are currently awaiting a further response from them in regard to the amendments to the SUD's. The other point that needs further consideration is 1) b, which requires proposed development to provide suitable pedestrian and cycle links to the adjacent open countryside.
- 8.38 The applicants have shown that the layout has considered neighbouring uses and possible future connections with adjacent land. In particular, a pedestrian access route within a break between the mature trees across the small watercourse to the Seven Stars Public House to the north has been considered and the other long terms aspiration would be to connect Langrish Primary School and the public footpath immediately to the south, to avoid using the pavements along Ramsdean Road. The proposed site layout does not prevent this being achieved in the future.
- 8.39 In the event that the landowner to the north decides not to pursue this approach, the public house along the A272 would still be easily accessible for the future occupants of the proposed development given the close proximity between the two and the presence of a footpath that runs up to and along the A272. Notwithstanding this, the applicants have shown willing to comply with this particular policy criteria, which will require on-going work outside the scope of this application.
- 8.40 In conclusion, it is considered that the layout and design of the scheme has vastly improved on the previous submission and is considered to conserve and enhance the character of the National Park and the immediate surrounding area.

Highways, access and parking:

- 8.41 One vehicular access point is proposed to access the site, including pedestrian links from Ramsdean Road. The proposed access is located at the northern end of the site, which would form a shared access used to serve both the residential dwellings and the village hall. The applicant has confirmed that the internal highway network would not be adopted by HCC and instead would be managed by a private management company.
- 8.42 HCC Highways Authority have raised no objection to the proposed development subject to securing a financial contribution to help mitigate the impact of traffic generated from the development through the promotion of sustainable transport measures, namely towards provision of a cycle path from Stroud to Petersfield and subject to conditions.
- 8.43 Under the current proposals the development does not incorporate a lay-by along Ramsdean Road, which was previously proposed as part of the refused scheme

(SDNP/17/01744/FUL) to improve traffic flow on Ramsdean Road.

- 8.44 Local residents and the Parish Council have raised concerns over the existing level of traffic congestion in the area, particularly during school drop-off and collection times. They are concerned that the proposed development will exacerbate traffic congestion in the area, particularly in the absence of a proposed lay-by to help improve traffic flow along Ramsdean Road.
- 8.45 Given the current concerns, an independent Traffic and Highway Assessment of the proposal has been carried out on behalf of the Parish Council. Concerns from local residents and the Parish Council also relate to the level of parking proposed at the village hall (now a total of 13 spaces) and safety concerns due to the creation of additional vehicular access points (4 in total) along Ramsdean Road to provide off-street parking for the proposed dwellings.
- 8.46 The Traffic and Highway Assessment submitted on behalf of the Parish Council has been considered by HCC Highways Authority and in their view, the potential traffic generation from the proposed development would not have a significant detrimental impact on the operation and safety of the highway network. The Parish Council have highlighted the fact that the Highways Assessment submitted with the application was completed during school half term and would therefore not give a fair result. In response, HCC Highways Authority have confirmed that the Highways Assessment was undertaken within school term, although this included Good Friday with the school holidays starting the following week. The survey was considered acceptable for the previous refused scheme and the capacity of the assessed junctions are predicted to be within capacity. It should also be noted that the development cannot be expected to resolve existing congestion issues.
- 8.47 Regarding the parking provision proposed for the village hall, it is acknowledged that this would result in fewer parking spaces than that proposed for the previous refused scheme. However, HCC Highways Authority have not objected on this basis, nor has an objection been raised to the aforementioned points of egress along Ramsdean Road on safety grounds. It is expected that the hall would serve the local community and therefore visitors should be able to walk to the site or attendees could car share if they need to drive. However, it is for the operator of the village hall to manage vehicular trips and the pub and/or school car park, outside of school hours, could also be used to assist with parking issues should this become an issue in the future.
- 8.48 Officers therefore consider that subject to conditions, the proposed development would comply with both current and emerging policies in terms of access and Highways. The proposed development would also comply with parts 1c, d and e of Allocation policy SD94 of the South Downs Local Plan - Submission version.

Public rights of way (PRoW):

- 8.49 Stroud footpath no. 703, which forms part of a key route to the countryside to the east and west, is located approximately 75 metres to the south of the site. Additionally, Stroud footpath no. 704, is located less than 100 metres to the north. Despite the proximity of the aforementioned PRoW's to the application site, given the screening that would be provided by the existing mature vegetation along both the northern and eastern site boundaries (although to a lesser extent during the winter months) in conjunction with intervening built form such as the school to the south and the public house to the north, it is considered that the proposed development would be unlikely to negatively impact upon the nearby PRoW's.
- 8.50 The requested contribution towards the surrounding rights of way network will be covered in more detail below under 'Financial Contributions and CIL'.

Archaeology and impact on the setting of the adjacent Scheduled Monument:

- 8.51 It is not considered that the proposals would have an unacceptable impact on archaeological issues or historic assets in the locality subject to appropriate conditions.

Ecology:

- 8.52 The County Ecologist has advised that the ecological issues on site have been understood to



a satisfactory level and has therefore recommended a condition to secure all ecological mitigation, compensation and enhancement measures through the submission of a single site-wide ecological mitigation and management strategy. The proposal will include bat and bird boxes and other measures to promote ecology on the site.

- 8.53 Stroud Parish Council commented that the grassland within the site had become overgrown and they raised concerns that reptiles such as slow-worms may be present. Notwithstanding, no reptiles were encountered during the surveys undertaken and the bulk of the site is unsuitable for reptiles. Since then the grass has been trimmed in any case. On this basis, there is no objection on ecology grounds.
- 8.54 Additional information was received prior to the completion of the Officer report showing the proposed location and details of the pathway taken towards the northern boundary. A verbal update will be provided at Planning Committee.

Trees:

- 8.55 The site contains important mature trees along the northern and eastern boundaries, which are the subject of a Tree Preservation Order (TPO) made in February 2017. There are also some additional trees, albeit fewer in number, along the southern site boundary. There are no trees located within the centre of the site.
- 8.56 A total of 15 trees would be removed, all of which are Category C or lower with the exception of tree T9 (Ash), which is a B category tree. The trees to be removed are indicated on the tree removal plan within the amended Arboricultural Report and Tree Condition Survey document (dated May 2018). The amended report also confirms that there are no structures proposed within the root protection areas (RPA's) of the trees to be retained. New trees are proposed to be planted as part of the landscaping scheme.
- 8.57 The Tree Officer at EHDC is satisfied with the level of information provided at this stage and has recommended a condition to ensure that any works carried out on the site are undertaken in accordance with the submitted updated Arboricultural Report and Tree Protection Plan if planning permission is granted.

Residential amenity:

- 8.58 The closest residential properties to the site that are most likely to be impacted upon by the proposed development are the row of terraced dwellings immediately to the south of the site fronting onto Ramsdean Road.
- 8.59 No. 2 Ramsdean Road is an existing end of terrace two-storey dwelling. The northern side elevation of this dwelling runs parallel with the southern boundary of the application site. The closest proposed dwelling to no. 2 would be a flat over a garage on plot 19, which would have a two-storey southern side elevation facing no. 2. This plot is located within the south-western corner of the application site.
- 8.60 The front and rear building lines of the proposed unit of accommodation on plot 19 would broadly align with those of no. 2 Ramsdean Road. Both of these properties would have a side to side relationship with separation distances of approximately eleven metres between both main flank walls and approximately four metres between the building on plot 19 and the side wall of the garage attached to no. 2 Ramsdean Road. No. 2 Ramsdean Road does have a second floor window in the side gable facing plot 19. However, given the satisfactory separation distances and the orientation of both dwellings, it is considered that an acceptable relationship would be achieved between both dwellings in terms of loss of outlook, light and privacy.
- 8.61 The majority of the existing residential properties located on the western side of Ramsdean Road fronting the site are set well back on their individual plots. No. 7 Ramsdean Road however appears to be an anomaly in the street given that it is sited much further forward on its plot. No. 7 Ramsdean Road would directly face the new unit of accommodation on plot 19 opposite. Although a separation distance of only 16 metres would be achieved between the front elevations of the existing and proposed dwellings, the relationship is considered to be acceptable in this instance given that Ramsdean Road is intervening.

- 8.62 The relationships between the dwellings within the development are also considered to be acceptable in terms of separation distances.

Flood risk and drainage:

- 8.63 A Flood Risk Assessment (FRA) has been submitted with the application given that the site area would exceed 1 hectare in Flood Zone 1. The Assessment states that the run-off from the site is naturally drained, partially by infiltration, with the majority of the run-off drained by the network of existing watercourses adjacent to the northern and eastern site boundaries. As is referred to in the SHLAA (2016) the northern end of the site adjacent to the existing watercourse is prone to surface water flooding.

- 8.64 Within the submitted FRA it is acknowledged that there will be an increase in the rate and volume of run-off generated by the site, which would be disposed of by Sustainable Urban Drainage (SuD's) techniques within the boundary of the site, ensuring that there would be no impact off-site. The submitted report advises that the flood risk both on and off site would remain unchanged following completion of the proposed development.

- 8.65 The revised plans have a level of permeable paving and include a new balancing pond in the north-east corner and south-east edge of the development with an additional swale.

Environmental Health:

- 8.66 According to Environmental Health records the application site is not sited on historic contaminated land, although it is located adjacent to historic contaminated land. As such, no objection has been raised subject to the attachment of conditions and informatives in the event that planning permission is granted.

- 8.67 In regard to noise, the Environmental Health Officer has advised that the submitted acoustic report demonstrates that some of the site is adversely affected by road traffic noise from Winchester Road. On this basis, conditions have been recommended to secure a scheme for protecting the proposed dwellings from noise from traffic on the adjacent roads, a Construction Environmental Management Plan and a scheme to be agreed which specifies the provisions to be made for the control of noise emanating from the village hall.

Financial contributions and CIL:

- 8.68 As has already been referred to above, financial contributions of £90,000 and £20,159 have been requested by HCC towards transport and the local rights of way network respectively. However, Officers consider that the contributions sought after would be seeking to support a wider piece of infrastructure that would not be site-specific infrastructure and would not be directly related to the proposed development. On this basis, financial contributions would be met by the developments CIL contribution and therefore the aforementioned financial contributions cannot be sought as part of this application.

## **9. Conclusion**

- 9.1 The proposed development is outside of the defined settlement policy boundary for Stroud but the site has been allocated for housing under policy SD94: Land at Ramsdean Road, Stroud, in the Submission version of the emerging South Downs Local Plan, which can be given weight following the submission of the Local Plan for examination.

- 9.2 Officers are supportive of the principle of development at this site based on the current level of weight attached to the allocation policy within the emerging South Downs Local Plan. The proposals are broadly in accordance with both adopted and emerging policies as well as the aims and objectives of the revised NPPF (2018) and the scheme is well designed and laid out.

- 9.3 The application is therefore recommended for approval.

## **10. Reason for Recommendation and Conditions**

- 10.1 The application is recommended for approval subject to the completion of the legal agreement to secure the following:

- 12no. affordable dwellings on site (40%)

- A contribution of £4,000 towards the footbridge and pathway on land to the north of the application site to help deliver a link between the residential development and the public house.
- Completion and transfer of village hall and curtilage (including land up to the northern boundary of the site) to the Parish Council.

And subject to the following conditions and informatives:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with the provisions of Section 91 (1) of the Town and Country Planning Act 1990 (as amended). To comply with Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out strictly in accordance with the approved plans unless otherwise agreed in writing by the Local Planning Authority.

Reason: For the avoidance of doubt and in the interests of proper planning.

3. No development shall commence until details of site levels and longitudinal and latitudinal sections through the site of the dwellings have been submitted for approval in writing by the Local Planning Authority to show how the buildings shall be set into the topography of the site.

Reason: To ensure a satisfactory development which responds to the characteristics of the site in accordance with policy CP29 of the East Hampshire District Local Plan Joint Core Strategy 2014, policy SD5 of the Submission version of the emerging South Downs Local Plan, the National Park Purposes and the revised NPPF (2018).

4. No development shall be commenced unless and until a schedule of materials and samples of such materials, finishes and colours to be used for external walls, windows and doors, roofs, chimneys and rainwater goods of the proposed building(s), garage doors and surfacing have been submitted to and approved in writing by the Local Planning Authority. All materials used shall conform to those approved.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of the character and appearance of the area and the quality of the development, in accordance with policies CP20 and CP29 of the East Hampshire District Local Plan Joint Core Strategy 2014, policies SD4 and SD5 of the Submission version of the emerging South Downs Local Plan, the National Park Purposes and the revised NPPF (2018).

5. No development shall be commenced unless and until details and samples of the flint work to be used on the village hall, including the type of flints, coursing, density of stones, and the mortar's colour, texture, composition, lime content and method of pointing, have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved flint details, which must be undertaken by a qualified professional and must not be laid in panels.

Reason: To ensure a satisfactory appearance to the development in accordance with policies CP20 and CP29 of the East Hampshire District Local Plan Joint Core Strategy 2014, policies SD4 and SD5 of the Submission version of the emerging South Downs Local Plan, the National Park Purposes and the revised NPPF (2018).

6. Notwithstanding the details shown on the landscape proposals plan, no development above slab level shall take place until a further detailed Scheme of Soft and Hard Landscape Works has been submitted to and approved in writing by the Local Planning Authority. These details shall include:

- i) Written specifications (including cultivation and other operations associated with plant and grass establishment);
- ii) Planting methods, tree pits & guying methods;

- iii) Schedules of plants, noting species, planting sizes and proposed numbers/densities where appropriate;
- iv) Retained areas of grassland cover, scrub, hedgerow, trees and woodland;
- v) Manner and treatment of watercourses, ditches and banks;
- vi) A landscape schedule and management plan designed to deliver the management of all new and retained landscape elements to benefit people and wildlife for a minimum period of 5 years including details of the arrangements for its implementation;
- vii) Details of all hard-surfaces, including paths, kerb edges, access ways, boundary treatments, bin and cycle stores and parking spaces, including their appearance, dimensions and siting;
- viii) Details of the siting, specifications and management of the Sustainable Urban Drainage systems;
- ix) A timetable for implementation of the soft and hard landscaping works.

The scheme of Soft and Hard Landscaping Works shall be implemented in accordance with the approved timetable. Any plant which dies, becomes diseased or is removed within the first five years of planting, shall be replaced with another of similar type and size, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To achieve an appropriate landscaping scheme to integrate the development into the landscape and mitigate any impact upon the amenities of neighbouring properties and biodiversity, and to ensure new landscape elements are managed appropriately to deliver the function they've been designed to, in accordance with policies CP20 and CP29 of the East Hampshire District Local Plan Joint Core Strategy 2014, policies SD4 and SD5 of the Submission version of the emerging South Downs Local Plan, the National Park Purposes and the revised NPPF (2018).

7. Prior to the first occupation of the development, the parking shall be completed in accordance with the approved plans and thereafter be used for such purposes at all times.

Reason: In the interests of highway safety, in accordance with policy CP31 of the East Hampshire District Local Plan Joint Core Strategy 2014, policy SD19 of the Submission version of the emerging South Downs Local Plan, and the revised NPPF (2018).

8. No development shall be occupied until the access, including the footway and/or verge crossing shall be constructed and lines of sight of 2.4 metres x 40 metres south and 2.4 metres x 41 metres north have been provided in accordance with the approved plans. The lines of sight splays shown on the approved plans shall be kept free of any obstruction exceeding 600mm in height above the adjacent carriageway and shall be subsequently maintained so thereafter.

Reason: To provide satisfactory access and in the interests of highway safety, in accordance with policy CP31 of the East Hampshire District Local Plan Joint Core Strategy 2014, policy SD19 of the Submission version of the emerging South Downs Local Plan, and the revised NPPF (2018).

9. No development shall commence until the applicant has secured the implementation of a programme of an archaeological assessment in accordance with a Written Scheme of Investigation that has been submitted to and approved in writing by the Local Planning Authority. The assessment should take the form of trial trenches located across the location for the proposed new ponds and any other landscaping activity that involves excavations below current ground levels, to ensure that any archaeological remains encountered within the site are recognised, characterised and recorded.

Reason: To assess the extent, nature and date of any archaeological deposits that might be present and the impact of the development upon these heritage assets in accordance with policy CP30 of the East Hampshire District Local Plan Joint Core Strategy 2014, policy SD16 of the Submission version of the emerging South Downs Local Plan, the National Park Purposes and the revised NPPF (2018).

10. No development shall commence until the applicant has secured the implementation of a programme of archaeological mitigation of impact, based on the results of the trial trenching, in accordance with a Written Scheme of Investigation that has been submitted to and approved in writing by the Local Planning Authority.

Reason: To mitigate the effect of the works associated with the development upon any heritage assets and to ensure that information regarding these heritage assets is preserved by record for future generations in accordance with policy CP30 of the East Hampshire District Local Plan Joint Core Strategy 2014, policy SD16 of the Submission version of the emerging South Downs Local Plan, the National Park Purposes and the revised NPPF (2018).

11. Following completion of archaeological fieldwork a report shall be produced in accordance with an approved programme submitted by the developer and approved in writing by the Local Planning Authority setting out and securing appropriate post-excavation assessment, specialist analysis and reports, publication and public engagement.

Reason: To contribute to our knowledge and understanding of our past by ensuring that opportunities are taken to capture evidence from the historic environment and to make this publicly available in accordance with policy CP30 of the East Hampshire District Local Plan Joint Core Strategy 2014, policy SD16 of the Submission version of the emerging South Downs Local Plan, the National Park Purposes and the revised NPPF (2018).

12. Prior to the commencement of any development activities, an ecological mitigation and enhancement strategy shall be submitted for approval to the Local Planning Authority. This strategy shall be in accordance with the measures detailed within the Ecological Assessment (Ethos, March 2018) and shall include, but not necessarily be restricted to, details of: measures to protect and buffer existing boundary features; artificial lighting; ecological enhancements such as biodiverse plantings, bat and bird boxes. Development shall proceed in strict accordance with the approved details.

Reason: To protect and enhance biodiversity in accordance with the Conservation Regulations 2017, the Wildlife and Countryside Act 1981, the NERC Act 2006, policy CP21 of the East Hampshire District Local Plan Joint Core Strategy 2014, policy SD49 of the Submission version of the emerging South Downs Local Plan, the National Park Purposes and the revised NPPF (2018).

13. The grassland vegetation within the site shall be kept short (i.e. at approximately 5cm) until ground clearance works are commenced, in order to render the working area unsuitable for reptiles. Ecological supervision of ground clearance works shall be carried out in order to capture any remaining reptiles. Any reptiles captured shall be placed within suitable habitat, outside the developable area, at the site boundaries.

Reason: To avoid harm to reptiles in accordance with the Wildlife and Countryside Act 1981, the NERC Act 2006, policy CP21 of the East Hampshire District Local Plan Joint Core Strategy 2014, policy SD49 of the Submission version of the emerging South Downs Local Plan, the National Park Purposes and the revised NPPF (2018).

14. Prior to the commencement of the development hereby permitted, the protection measures for the trees outlined in the amended Arboricultural Report and Tree Conditions Survey dated May 2018 (referenced 1216-2051 Rev. 1) and tree protection plan no. 0317-2097 TPPI Rev. 2 dated 12.06.2018 shall be implemented in accordance with these details.

Reason: In the interests of the amenity of the landscape character of the area. in accordance with policy CP20 of the East Hampshire District Local Plan Joint Core Strategy 2014, policy SD11 of the Submission version of the emerging South Downs Local Plan, the National Park Purposes and the revised NPPF (2018).

15. Notwithstanding the provisions of Part 1, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking, re-

enacting or modifying that Order) no extension or alteration to the approved development shall be made under Schedule 2, Part 1 - Classes A, B, C, D, E, F and G and Schedule 2, Part 2 - Classes A and C, except with the prior written consent of the Local Planning Authority.

Reason: It is considered that extensions/alterations of the dwellings could result in an adverse effect upon the properties and the visual character of the area, in accordance with saved policies CP20 and CP29 of the East Hampshire District Local Plan Joint Core Strategy 2014, policies SD4 and SD5 of the Submission version of the emerging South Downs Local Plan, the National Park Purposes and the NPPF (2018).

16. No development shall commence above slab level until a scheme for protecting the amenities of the future occupants of the proposed dwellings from noise from traffic on the adjacent roads has been submitted to and approved in writing by the Local Planning Authority. The approved details shall be completed before any of the dwellings are occupied unless otherwise agreed in writing with the Local Planning Authority.

Reason: To protect the amenities of the future residential occupiers, in accordance with policy CP27 of the East Hampshire District Local Plan Joint Core Strategy 2014, policy SD54 of the Submission version of the emerging South Downs Local Plan, and the revised NPPF (2018).

17. No development above slab level shall commence until a scheme has been submitted to and approved in writing by the Local Planning Authority, which specifies the provisions to be made for the control of noise emanating from the village hall.

Reason: To protect the amenities of the future residential occupiers and nearby residential premises, in accordance with policy CP27 of the East Hampshire District Local Plan Joint Core Strategy 2014, policy SD54 of the Submission version of the emerging South Downs Local Plan, and the revised NPPF (2018).

18. No development shall commence, including any works of demolition, until a Construction Environmental Management Plan has been submitted to, and approved in writing by, the Local Planning Authority. The approved Plan shall be adhered to throughout the construction period. The Plan shall provide for:

- a. An indicative programme for carrying out of the works;
- b. The arrangements for public consultation and liaison during the construction works
- c. Measures to minimise the noise (including vibration) generated by the construction process to include hours of work, proposed method of piling for foundations, the careful selection of plant and machinery and use of noise mitigation barrier(s);
- d. Details of any floodlighting, including location, height, type and direction of light sources and intensity of illumination;
- e. The parking of vehicles of site operatives and visitors;
- f. Loading and unloading of plant and materials;
- g. Storage of plant and materials used in constructing the development;
- h. The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- i. Wheel washing facilities;
- j. Measures to control the emission of dust and dirt during construction;
- k. A scheme for recycling/disposing of waste resulting from demolition and construction works;
- l. Working hours.

Reason: To protect the amenities of nearby residential premises during the construction phase of the development, in accordance with policies CP27 and CP31 of the East Hampshire District Local Plan Joint Core Strategy 2014, policies SD19 and SD54 of the Submission version of the emerging South Downs Local Plan, and the revised NPPF (2018).

19. Notwithstanding the details of the lighting information submitted, no development shall commence above slab level until a scheme has been submitted to and approved in

writing by the Local Planning Authority, which specifies the type and location of all external lighting to be installed throughout the site, including the proposed external lighting for the village hall and car park. All external lighting on the houses shall be restricted to downlighters that do not exceed 1000 lumens, which shall be designed and shielded to minimise upwards light spillage.

Reason: To protect the character of the countryside, and the designated International Dark Night Reserve, in accordance with policies CP20, CP27 and CP29 of the East Hampshire District Local Plan Joint Core Strategy 2014, policies SD4, SD5 and SD54 of the Submission version of the emerging South Downs Local Plan, the National Park Purposes and the revised NPPF (2018). Prior to the commencement of development, if the report submitted as part of the application (Draft Desk Study Report by Southern Testing Environmental and Geotechnical – reference J12659 dated 10 August 2016) identifies potential contaminant linkages that require further investigation then no development shall commence until a Phase 2 intrusive investigation report has been submitted to and approved in writing by the Local Planning Authority, detailing all investigative works and sampling on site, together with the results of the analysis. The findings shall include a risk assessment for any identified contaminants in line with relevant guidance.

20. Prior to the commencement of development, if the report submitted as part of the application (Draft Desk Study Report by Southern Testing Environmental and Geotechnical – reference J12659 dated 10 August 2016) identifies potential contaminant linkages that require further investigation then no development shall commence until a Phase 2 intrusive investigation report has been submitted to and approved in writing by the Local Planning Authority, detailing all investigative works and sampling on site, together with the results of the analysis. The findings shall include a risk assessment for any identified contaminants in line with relevant guidance.

Reason: In the interests of amenity and to protect the health of future occupiers of the site from any possible effects of land contamination in accordance with policy CP27 of the East Hampshire District Local Plan Joint Core Strategy 2014, policy 55 of the Submission version of the emerging South Downs Local Plan and the revised NPPF (2018).

21. If the Phase 2 report submitted pursuant to condition 20 identifies that site remediation is required then no development shall commence until a Remediation Scheme has been submitted to and approved in writing by the Local Planning Authority detailing how the remediation will be undertaken, what methods will be used and what is to be achieved. Any ongoing monitoring shall also be specified. A competent person shall be nominated by the developer to oversee the implementation of the Remediation Scheme. The report shall be undertaken in accordance with national guidance as set out in DEFRA and the Environment Agency's Model Procedures for the Management of Land Contamination CLR I I. Thereafter the approved remediation scheme shall be fully implemented in accordance with the approved details.

Reason: In the interests of amenity and to protect the health of future occupiers of the site from any possible effects of contaminated land in accordance with policy CP27 of the East Hampshire District Local Plan Joint Core Strategy 2014, policy SD55 of the Submission version of the emerging South Downs Local Plan and the revised NPPF (2018).

22. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme must be prepared, which is subject to the approval of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority

Reason: In the interests of amenity and to protect the health of future occupiers of the site from any possible effects of land contamination in accordance with policy CP27 of the East Hampshire District Local Plan Joint Core Strategy 2014, policy SD55 of the Submission version of the emerging South Downs Local Plan and the revised NPPF (2018).

23. No building hereby permitted shall be first occupied until the sustainable drainage scheme for the site has been completed in accordance with detailed plans and specifications which shall be submitted to and approved in writing by the Local Planning Authority. The sustainable drainage scheme shall be managed and maintained thereafter in accordance with an agreed management and maintenance plan which shall also be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of sustainable development, in accordance with policy CP24 of the East Hampshire District Local Plan Joint Core Strategy 2014, policy SD50 of the Submission version of the emerging South Downs Local Plan and the NPPF (2018).

24. No development above slab level shall take place until details of the proposed photovoltaic panels, including their siting, number and design specifications, have been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be undertaken in accordance with the approved details and at no time shall photovoltaic panels be installed without written consent from the Local Planning Authority.

Reason: In the interests of sustainable development and to ensure that the proposals do not result in an adverse effect upon the properties and the visual character of the area, in accordance with policy CP29 of the East Hampshire District Local Plan Joint Core Strategy 2014, policy SD5 of the Submission version of the emerging South Downs Local Plan the National Park Purposes and the NPPF (2018).

### **Informatives**

1. Your attention is drawn to the provisions of the Countryside and Rights of Way Act 2000 and Wildlife and Countryside Act 1981 (as amended) and in particular to Sections 1 and 9. These make it an offence to:
  - kill or injure any wild bird,
  - damage or destroy the nest of any wild bird (when the nest is being built or is in use),
  - damage or destroy any place which certain wild animals use for shelter (including all bats and certain moths),
  - disturb certain wild animals occupying a place for shelter (again, all bats and certain moths).
2. The onus is therefore on you to ascertain whether such birds, animals or insects may be nesting or using the tree(s), the subject of this consent, and to ensure you do not contravene the legislation. This may, for example, require delaying works until after the nesting season for birds. The nesting season for birds can be considered to be March to September. You are advised to contact Natural England for further information (tel: 0845 601 4523).
3. For the avoidance of doubt, the applicant is advised to review the guidance provided by HCC Flood and Water Management Team, Southern Water and Natural England in relation to the proposed scheme, which is available to view on-line on the SDNPA website.
4. For the avoidance of doubt, the applicant is advised to discuss the Highway works with HCC Highways Authority that that would require a Section 278 Agreement.
5. To protect the character of the countryside, and the designated International Dark Night Reserve, the applicant is advised to install blinds/curtains on all of the windows in the village hall, which should be fully closed at dusk each day and remain fully closed during hours of darkness.



## 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. Equality Act 2010

13.1 Due regard has been taken of the South Downs National Park Authority's equality duty as contained within the Equality 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.

### TIM SLANEY

#### Director of Planning

#### South Downs National Park Authority

Contact Officer: Victoria Corrigan  
Tel: 01730 819261  
email: [Victoria.Corrigan@southdowns.gov.uk](mailto:Victoria.Corrigan@southdowns.gov.uk)

Appendices

1. Site Location Map
2. Application SDNP/17/01744/FUL (Committee report – October 2017).
3. Application SDNP/17/01744/FUL (Committee meeting minutes – October 2017).

SDNPA  
Consultees  
Background Documents

Legal Services, Development Manager, Director of Planning

All planning application plans, supporting documents, consultation and third party responses

<https://planningpublicaccess.southdowns.gov.uk/online-applications/applicationDetails.do?keyVal=P6E3DQTUJFX00&activeTab=summary>  
SDNP/17/06010/PRE Pre-application response

<https://planningpublicaccess.southdowns.gov.uk/online-applications/applicationDetails.do?keyVal=OZV2J7TU0GK00&activeTab=summary>  
National Planning Policy Framework (2018)

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/728643/Revised\\_NPPF\\_2018.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/728643/Revised_NPPF_2018.pdf)  
South Downs National Park Partnership Management Plan (2013)

<https://www.southdowns.gov.uk/national-park-authority/our-work/key-documents/partnership-management-plan/>  
South Downs Integrated Landscape Character Assessment (2005 and 2011)

<https://www.southdowns.gov.uk/planning/planning-advice/landscape/>  
East Hampshire District Local Plan: Second Review (2006)

<http://www.easthants.gov.uk/planning-policy/local-plan>  
East Hampshire District Local Plan Joint Core Strategy (JCS) (2014)

<http://www.easthants.gov.uk/sites/default/files/documents/DP01EastHampshireDistrictLocalPlanJointCoreStrategy.pdf>  
South Downs Local Plan: Submission version (2017)

<https://www.southdowns.gov.uk/planning/national-park-local-plan/>  
South Downs National Park Strategic Housing Market Assessment (2015)

<https://www.southdowns.gov.uk/wp-content/uploads/2015/09/SDNP-SHMA-2015.pdf>  
South Downs National Park Strategic Housing Land Availability Assessment (2016)

<https://www.southdowns.gov.uk/wp-content/uploads/2016/12/Appendix-D-Sites-with-potential.pdf>  
South Downs National Park Housing and Economic Development Needs Assessment (HEDNA) (2017)

<https://www.southdowns.gov.uk/planning/national-park-local-plan/local-plan-examination/core-document-library/>

Site Location Map



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