

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)
TOWN AND COUNTRY PLANNING (DEVELOPMENT
MANAGEMENT PROCEDURE) (ENGLAND) ORDER 2015

SHERFIELD-ON-LODDON PARISH COUNCIL

OBJECTIONS TO PLANNING APPLICATION BDBC 17/02190/OUT

SENTINEL HOUSING AND GLADMAN DEVELOPMENTS LIMITED

ERECTION OF UP TO 95 DWELLINGS, WITH PUBLIC OPEN SPACE, LANDSCAPING
AND SUSTAINABLE DRAINAGE SYSTEM (SUDS), THE DEMOLITION OF GARAGES
TO FORM A VEHICULAR ACCESS POINT FROM BOW DRIVE AND REPLACEMENT
GARAGING. ALL MATTERS RESERVED EXCEPT FOR MEANS OF ACCESS.

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Section 1.0

Instructions and Introduction

1.1 Portchester Planning Consultancy (PPC) is Instructed by Sherfield-on-Loddon Parish Council to undertake an analysis and prepare OBJECTIONS in respect of an outline planning application (Ref: 17/02190/OUT) submitted by Sentinel Housing and Gladman Developments (i.e. *'the Gladman proposals'*) in respect of:

'Erection of up to 95 dwellings, with public open space, landscaping and sustainable drainage system (SUDS), the demolition of garages to form a vehicular access point from Bow Drive and replacement garaging. All matters reserved except for means of access.'

(Planning Application form question 3)

on land **North of Goddards Lane, Sherfield-on-Loddon, RG27 0EG.**

1.2 The Parish Council opposes the proposed development for the reasons set out in these objections, and requests that Basingstoke and Deane Borough Council (*'the Council'*) rejects the application and refuses outline planning permission.

1.3 PPC has undertaken a detailed analysis of the submitted planning application documentation; has undertaken an inspection of the site and surrounding area; has discussed the application with Members of the Parish Council; has reviewed letters of representation submitted by local people and has inspected the site and surrounding area. PPC was engaged by the Parish Council to object to the previous application 16/00265/OUT in 2016.

1.4 Section 1.4 of the ***'Planning Statement'*** explains that the main changes made to the proposals following the refusal of application 16/00265/OUT are:

- Reduction in developable area to reduce landscape impact;
- A greater offset of development from the Carpenter's Farm complex and the reinstatement of an historic field boundary in this area, which will allow the farm complex to remain legible as a discrete complex, close to Sherfield but separated from it;
- A greater offset from Goddard's Lane, reducing the impact on the conservation area;

- Further assessment of the Bulls Down Scheduled Ancient Monument, demonstrating no harm to this heritage asset.

1.5 In summary the objections of the Parish Council relate to matters of planning policy (i.e. at National and Development Plan levels), matters of principle, and in respect of the site specific impacts the development would have on the landscape, heritage assets, highways, the local community, and its amenities.

Section 2.0

The Planning Application

- 2.1 The planning application is submitted jointly by Sentinel Housing (an RSL) and Gladman Developments Limited (a company concerned with the acquisition and sale of land for development). The application was registered on 23 June 2017.
- 2.2 The submitted application is in outline with all matters reserved except means of access.
- 2.3 The application comprises a suite of plans/documents/reports including, a Planning Statement; Design & Access Statement; Development Framework Plan; a Landscape and Visual Impact Assessment; a Transport Assessment and a Flood Risk Assessment; Heritage Assessment; Biodiversity report; Socioeconomic report; Affordable Housing statement; archaeological report; arboricultural report; soils and agriculture report, etc.
- 2.4 Section 2.3 of the *'Planning Statement'* explains that as the application proposal is for urban development on a site of more than 0.5 hectares, the proposals therefore fall within Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2017, and that such projects only require an EIA if the development is likely to have significant effects on the environment by virtue of factors such as its nature, size or location. The statement states:
'The applicant does not consider that the proposed development would have significant effects on the environment that require consideration through the EIA process.' It is not known whether the applicant has submitted a formal request for a *'Screening Opinion'* from the Council.
- The Site:**
- 2.5 The application relates to an agricultural field of approximately 6.65ha located to the north of Goddards Lane, to the south-west of the village, and located outside the defined confines of the village. The site is being used for arable purposes. The site is open in character with no internal features of note. The boundaries of the site are enclosed by established hedgerows with trees.
- 2.6 To the south of the site, accessed from Goddards Lane lies Carpenters Farmhouse, a Grade II Listed Building, located within the Sherfield-on-Loddon Conservation Area (designated in 1981). Both the Listed Building and the Conservation Area are *'Heritage Assets.'*

- 2.7 To the north of the application site lies Bow Brook which is flanked by belts of trees. Beyond Bow Brook is Bull's Down Copse and Bullsdown Iron Age Hill Fort (a Scheduled Ancient Monument - SAM), which are both significant features in the local landscape. The Archaeological report submitted with the planning application notes that '**Bullsdown Hillfort is a nationally important site....**'(paragraph 4.4.2 CgMs – Archaeological Desk-Based Assessment, January 2016).
- 2.8 To the west of the application site lies open undeveloped countryside of significant landscape character.
- 2.9 To the east of the application site lies existing residential development in Goddards Close, Bow Drive and Bow Grove, which together form a through-route from Goddards Lane in the south to Bramley Road in the north. This route is a narrow residential road which is heavily parked with vehicles to the extent that the full-size bus that travels along this route struggles to get through.
- 2.10 The application site slopes gently from south to north towards Bow Brook.

The Proposal:

- 2.11 The planning application proposes the creation of a new vehicular access from Bow Drive following the demolition of 2 blocks of lock-up garages. The access would be 6m in width with 2 x 2m wide footways along either side and visibility splays of 2.4m x 43m.
- 2.12 The proposed housing would occupy 3.93ha of the site and would provide a range of house types from 1 to 5 bedrooms with an overall density of 24dph. The dwellings will be 2 storey in height with a maximum of 2.5 storeys or 9m. An area of Public Open Space (2.59ha) comprising green space to the northern, western and southern edges of the site including an Equipped Area of Play Space in the south-west part of the site. A balancing pond (0.10ha) and a pumping station would be situated in the northern (lowest) part of the site.
- 2.13 In relation to footpaths the '*Development Framework*' plan appears to show a circular footpath through the open space areas from Goddards Lane in the south-east and south-west, turning northward through the western open space area then turning eastward joining Bullsdown Close. There does not appear to be any footpath links proposed to other existing countryside footpaths in the wider area.

- 2.14 The Design & Access Statement indicates that the proposed houses would be of traditional design and materials, and would be arranged in a site layout which focused on a circular '*Main Street*' with '*Green Edges*' on the southern and northern edges of the site.

The Sustainability Appraisal:

- 2.15 It is noted that the SA states at paragraph 4.2:

'Sherfield-on-Loddon Parish Council is active and meets on a monthly basis in the Liddell Hall. The Parish Council comprises 10 Members, 6 representing Sherfield-on-Loddon Ward and 4 representing Taylor's Farm Ward.'

It should be noted that following the 2017 Elections this is no longer the case. Sherfield-on-Loddon Parish Council has now been separated from Taylor's Farm, and now has 8 Members.

It appears that the SA has not been updated.

Section 3.0

National Policies

- 3.1 National planning policies comprise, primarily, of the National Planning Policy Framework (NPPF) published in 2012, and the Government's Planning Practice Guidance (PPG) website launched in 2015. National planning policies are '*material considerations*' that have to be taken into account in the determination of planning applications and appeals.

STATUS OF THE NPPF:

- 3.2 Paragraph 1 of the NPPF states:

'The National Planning Policy Framework sets out the Government's planning policies for England and how these are expected to be applied'.

DECISION-TAKING AND THE DEVELOPMENT PLAN:

- 3.3 NPPF paragraph 2 explains that:

'Planning Law requires that applications for development must be determined in accordance with the development plan, unless material considerations indicate otherwise.¹ The National Planning Policy Framework must be taken into account in the preparation of local and neighbourhood plans, and is a material consideration in planning decisions.

Analysis:

- 3.4 Paragraph 2 means that if a planning application is found to be in conflict with a Policy of an adopted Development Plan, it *must* be refused *unless* material considerations indicate otherwise. Paragraphs 11 and 196 of the NPPF reaffirm this requirement.

SUSTAINABLE DEVELOPMENT:

- 3.5 Paragraph 6 of the NPPF states that the purpose of planning is to contribute to the achievement of sustainable development. Paragraph 7 explains that sustainable development has 3 dimensions:

¹ S38(6) of the Planning and Compulsory Purchase Act 2004

- **An economic role** – contributing to building a strong responsive economy;
- **A social role** – supporting strong, vibrant and healthy communities, by providing the supply of homes needed to meet the needs of the present and future generations; and
- **An environmental role** – contributing to protecting and enhancing our natural, built and historic environment.

Analysis:

3.6 For example, an applicant for planning permission may argue that house building would contribute to the economy by way of the construction jobs provided by the house building process, and purchase of materials etc.

3.7 In contrast, and in relation to the *'planning-balance'* that has to be achieved, the Parish Council consider that the Gladman proposals directly conflict with the *'Environmental Role'* of achieving sustainable development because of the harm that would be caused by:

- The loss of valuable agricultural land;
- The loss of an area of open countryside that should be protected for its own sake;
- The loss of open countryside that contributes significantly to the *'setting'* of Sherfield-on-Loddon, Bow Brook and the Bullsdown Iron Age Hill Fort (a Scheduled Ancient Monument);
- The impact of the proposed development on the Sherfield-on-Loddon Conservation Area in relation to which the Council has a statutory duty to conserve or enhance.²
- The impact of the proposed development on the open countryside *'setting'* of Carpenters Farmhouse, a Grade II Listed Building (i.e. substantial harm would be caused to this important Heritage Asset).

and, therefore, the application should be refused planning permission because of the conflict with paragraph 6 of the NPPF, and the policies of the 2011-2029 adopted local plan, in accordance with S38(6) of the Planning and Compulsory Purchase Act 2004.

² S72(1) of The Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 (As Amended).

SUSTAINABLE DEVELOPMENT – GAINS:

- 3.8 It is relevant to note that paragraph 8 of the NPPF explains that to achieve sustainable development, economic, social and environmental ‘*gains*’ should be sought jointly and simultaneously through the planning process.

Analysis:

It is the opinion of the Parish Council that the Gladman proposals would result in significant ‘*environmental harm/loss*’ contrary to the requirements of paragraph 8 of the NPPF.

STATUS OF THE DEVELOPMENT PLAN IN DECISION-TAKING:

- 3.9 Paragraph 12 of the NPPF explains that the NPPF does not change the status of the development plan as the starting point for decision making. Proposed development that accords with an up-to-date Local Plan should be approved, and proposed development that conflicts should be refused, unless other material considerations indicate otherwise.

Analysis:

- 3.10 In the case of the Gladman proposals, the Council has an up-to-date local plan covering the period 2011 to 2029 which was adopted as recently as May 2016. Further, the Council’s 2016 AMR (i.e. covering the period April 2015 to March 2016), taking into account the newly adopted local plan housing requirement, demonstrates a 6.2 year supply of land for housing.
- 3.11 The Gladman proposals lie in the open countryside outside the settlement policy boundary (adopted local plan Policy SS6) and in a Strategic Gap (adopted local plan Policy EM2), and there are no ‘*other material considerations*’ that would justify a departure from the policies of the just-adopted local plan.
- 3.12 There is no basis for the applicant to argue that the Council cannot demonstrate a five year supply of housing land and that therefore policies for the supply of housing are out-of-date and that NPPF paragraphs 49 and 14 are engaged.
- 3.13 It is clear that because the recently adopted local plan makes adequate provision to meet the housing needs of the Borough for the period up to 2029, and can demonstrate a 6.2 year supply of housing land, the impacts of development in open countryside, in a strategic gap, and with impacts on designate heritage assets, the local landscape, highways and local amenity, the adverse impacts of

granting planning permission would significantly and demonstrably outweigh the benefits, when assessed against NPPF paragraphs 14 and policies in the framework, taken as a whole.

- 3.14 It is the Parish Council's view that the significant adverse environmental, landscape and heritage impacts of the proposed development fall within the 'caveat' set out in bullet-point 4 of paragraph 14 of the NPPF, and justifies the refusal of planning permission.

THE PRESUMPTION IN FAVOUR OF DEVELOPMENT:

- 3.15 Paragraph 14 of the NPPF begins by stating:

'At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking.'

Analysis:

- 3.16 This guidance must be read in conjunction with paragraph 7 of the NPPF and considered in the content of the Parish Council's analysis in this report.
- 3.17 The presumption in favour of granting planning permission in cases where relevant local plan policies are out-of-date has been dealt with earlier in this report. It not sufficient for Gladman to argue that the application should be approved because it (Gladman) contends that the Council cannot demonstrate a five year supply of housing land in circumstances where the 2011-2029 local plan has only been just adopted and the 2016 AMR clearly shows that the Council can demonstrate a 6,2 year supply of housing land.
- 3.18 The Gladman proposal clearly *flies-in-the face* of the evidence. Further, it is noted that the Gladman proposal does not include a *Five Year Housing Land Supply Report* setting out on what basis it considers the Council's 2016 AMR report to be incorrect.

THE CORE PLANNING PRINCIPLES:

- 3.19 Paragraph 17 of the NPPF sets out 12 'Core Planning Principles', the following are relevant to the Gladman proposals.

Core Principle 2 states that planning should not simply be about scrutiny but be a creative exercise in finding ways to *‘enhance and improve the places in which people live their lives’*.

Analysis:

- 3.20 This encapsulates the way in which the Parish Council and many local residents feel about their village – i.e. that planning decisions should result in the enhancement and improvement of the village, not impose upon the local community large scale development, out of proportion to the size of the village, which will bring with it adverse environmental, landscape, heritage and infrastructure impacts which would reduce the quality, character and functioning of the village.
- 3.21 The Government’s recent introduction of Neighbourhood Plans³ is a new tier of the Development Plan designed specifically to empower local communities to be able to plan for the future of their area and decide locally where new development should go. Sherfield-on-Loddon is in the consultation stage of preparing a Neighbourhood Plan. The Gladman proposals have no regard to the neighbourhood planning process, or indeed the adopted 2011-2029 local plan policies SS3 and SS5, wherein no additional specific housing allocations are made at Sherfield-on-Loddon.
- 3.22 **Core Planning Principle 5** – states that planning should take account of the different roles and character of different areas – *‘recognising the intrinsic character and beauty of the countryside and supporting thriving rural communities within it.’*

Analysis:

- 3.23 The Gladman proposals are for up to 95 houses. The existing village comprises around 700 homes. A development of 95 additional houses, in a single location, on green field land on the edge of the village would be out-of-scale with the village and would overwhelm local roads, schools, medical and other facilities, and would have no respect or regard for the character of the village nor the intrinsic qualities of the application site itself, and its role in forming an essential part of the rural **‘setting’** of the village, and should be refused planning permission.
- 3.24 **Core Planning Principle 7** – states that planning should contribute to conserving and enhancing the natural environment.

³ Localism Act 2011

Analysis:

3.25 As set out earlier in this report, the Gladman proposals would fail to conserve and enhance the environment of the village and would cause significant harm due to:

- The loss of valuable agricultural land;
- The loss of an area of open countryside that should be protected for its own sake;
- The loss of open countryside that contributes significantly to the **‘setting’** of Sherfield-on-Loddon, Bow Brook and the Bullsdown Iron Age Hill Fort (a Scheduled Ancient Monument);
- The impact of the proposed development on the Sherfield-on-Loddon Conservation Area in relation to which the Council has a statutory duty to conserve or enhance.⁴
- The impact of the proposed development on the open countryside **‘setting’** of Carpenters Farmhouse, a Grade II Listed Building (i.e. **‘harm’** would be caused to this important Heritage Asset)⁵

The planning application should be refused planning permission for these reasons.

3.26 **Core Planning Principle 10** – states that planning should **‘conserve heritage assets’**.

Analysis:

It is the Parish Council’s view that the Gladman proposals would result in harm to the open countryside **‘setting’** of Carpenters Farmhouse a Grade II Listed Building, and to the essential countryside **‘setting’** of Bullsdown Iron Age Hill Fort, contrary to Core Planning Principle 10.

SUSTAINABLE TRANSPORT:

3.27 Chapter 4 of the NPPF addresses the topic of **‘Promoting Sustainable Transport’** and includes a requirement for the submission of a Transport Statement or Transport Assessment (NPPF paragraph 32) to accompany proposals for development that will generate significant amounts of movement.

3.28 A Transport Assessment (TA) has been submitted as part of the planning application.

⁴ S72(1) of The Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 (As Amended).

⁵ Paragraph 133 of the National Planning Policy Framework.

Analysis:

- 3.29 Whilst the conclusions of the TA are that the proposed development could be provided with a technically satisfactory highway access, and that the development would have a minimal effect on the performance of junctions close to the site or result in any highway safety issues on the local highway network, this does not remove the concerns of the Parish Council, nor local residents that have expressed their view to the Parish Council, and PPC.
- 3.30 Officers and Members of the Council should be aware, and take into consideration, that the highway impacts of the proposed development are not limited to the technical arguments put forward in the TA (based on theoretical computer modelling) but are, more importantly, related to the actual physical impact the additional traffic generated by the development would have on local roads and the community.
- 3.31 It is well known in the village that Goddards Lane is of limited width and already experiences significant on-street parking which restricts its operational width and causes congestion, particularly in relation to the full-size buses that have to travel along the road.
- 3.32 Further, the road infrastructure provided to serve the existing houses in Goddards Close, Bow Drive and Bow Close (i.e. which together form the through-route from Goddards Lane to the Bramley Road) is limited and suffers from extensive on-street parking (i.e. because most of the houses do not have any off-street parking provision). The level of parking, even in day-time, is such that the bus service that takes this route has difficulty in being able to travel from Goddards Lane to the Bramley Road. On-street parking in the evenings, at night-time and at weekends is at such a level that the roads are, in effect, reduced to a single width carriageway.
- 3.33 It is the Parish Council's view, notwithstanding the applicants TA, that to load these roads with the significant amount of new and additional traffic that would be generated by the proposed development would not only exacerbate the congestion in Goddards Lane, Goddard's Close, Bow Drive and Bow Grove, to an unacceptable extent, it would also impede the ability of the local bus service to operate effectively.
- 3.34 There are also highway concerns relating to the local road network, including, in particular Bramley Road, which takes an increasing volume of traffic routing from Bramley to the A33, movements that will increase in number and frequency as new development takes place in Bramley, and which will

affect the ability of vehicles exiting from Bow Grove onto Bramley Road to make that manoeuvre safely and without undue delay.

3.35 The Parish Council's view is echoed by local residents who have contacted both the Parish Council and PPC.

3.36 So whilst it may be the case that the applicants TA report concludes that the proposed development could be accommodated within the calculated capacity of the junctions and links in the vicinity of the site, highway impacts also have to be considered in **'the real world'** and the day-to-day knowledge and experience of the Parish Council and local residents should be afforded considerable weight by the Council when determining the planning application.

3.37 It is the Parish Council's contention that their local knowledge of the day-to-day highway issues affecting the village and the likely estimated adverse impacts of the Gladman proposals, together with the views of local people, are plainly a **'material consideration'**⁶ to be taken into account by the decision-taker, and should be afforded substantial **'weight'** in the decision-taking process.

SUSTAINABLE DEVELOPMENT IN RURAL AREAS:

3.38 Paragraph 55 of the NPPF states that to promote sustainable development in rural areas housing should be located where it will enhance or maintain the vitality of rural communities.

Analysis:

3.39 It is the Parish Council's view that the Gladman proposals will do little to enhance or maintain the vitality of the village and will have significant adverse environmental, landscape, heritage, highway and infrastructure impacts.

FLOOD RISK ASSESSMENT:

3.40 Paragraph 100 of the NPPF states that inappropriate development at risk of flooding should be avoided by directing development away from areas at highest risk. Paragraph 103 states that flood risk should not be increased elsewhere (i.e. off-site).

⁶ Planning Practice Guidance ID 21b-008-20140306 & ID 21b-009-20140306

Analysis:

- 3.41 Notwithstanding the Flood Risk Assessment submitted with the application, there is considerable concern locally that the proposed development could exacerbate existing flooding problems encountered within the village.

CONSERVING THE NATURAL ENVIRONMENT:

- 3.42 Chapter 11 of the NPPF deals with '*Conserving and Enhancing the Natural Environment*'. Bullet-point 1 in paragraph 109 states that the planning system should contribute to and enhance the natural and local environment by – '*protecting and enhancing valued landscapes, geological conservation interests and soils*';.

Analysis:

- 3.43 It is the Parish Council's view that the Gladman proposals would adversely affect the landscape quality of the village and would result in an incongruous incursion into the open countryside onto land which makes an important contribution to the rural '*setting*' of the village and the essential '*setting*' of the Bullsdown Iron Age Hill Fort, and that planning permission should be refused on the grounds that the development would conflict with NPPF paragraph 109.

CONSERVING THE HISTORIC ENVIRONMENT:

- 3.44 Chapter 12 of the NPPF deals with '*Conserving and Enhancing the Historic Environment*'. In considering development proposals that would affect heritage assets paragraph 132 of the NPPF states: '*When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be attached to the asset's conservation.*' Paragraph 133 explains that where '*substantial harm*' would be caused to a heritage asset by proposed development planning permission should be refused.
- 3.45 Paragraph 134 states that where a development proposal will result in '*less than substantial harm*' to the significance of a designated heritage asset, this harm should be '*weighed*' against the public benefits of the proposal, including securing its optimum use.

Analysis:

- 3.46 Whilst it is noted that the Council's Conservation Officer and Historic England, when commenting on the previous application(16/00265/OUT), concluded that the proposals would result *in 'less than substantial harm'* to the setting of the Grade II Listed Carpenters Farmhouse, it does not follow that less than substantial harm equates to acceptable harm. Such applications have to be assessed against the 'test' in NPPF paragraph 134 and the '*duty*' set out in S66 of the 1990 Listed Buildings and Conservation Areas Act.
- 3.47 The Parish Council considers that *substantial harm* would be caused to the setting of the Sherfield-on-Loddon Conservation Area as a result of the urbanisation that the proposed development would cause. Further, *substantial harm* would be caused to the rural setting of Carpenters Farmhouse a Grade II Listed Building. In addition, the application site forms part of the rural open countryside setting of the Bullsdown Iron Age Hill Fort and would adversely affect its context. The planning application should therefore be refused as being contrary to paragraphs 132 to 134 of the NPPF.

NATIONAL PLANNING POLICY SUMMARY:

- 3.48 **The Parish Council considers that the Gladman proposals are in conflict with NPPF paragraphs 2, 6 (Bullet-point 3), 7, 8, 12, 14 (Bullet-point 4 – 'caveat'), 17 (Core Principles 2, 5 and 7), 32, 55, 100, 109, 132-134, 196, and PPG paragraphs ID 21b-008-20140306, ID 21b-009-20140306, ID-21b-014-20140306 and ID 50-001-20140306, and should be refused planning permission on the grounds of being contrary to National planning policies.**

Section 4.0

Basingstoke and Deane Local Plan 2011-2029

- 4.1 The new local plan was adopted on 26 May 2016 and covers the period 2011 to 2029.
- 4.2 In the context of S38(6) of the Planning and Compulsory Purchase Act 2004, the plan can be given '*full weight*', and decisions on planning applications and appeals must be made in accordance with the plan unless material considerations indicate otherwise (see also paragraphs 2, 11 and 196 of the NPPF).
- 4.3 The Parish Council considers that the following policies are relevant to the determination of the Gladman planning application:

SD1 Presumption in favour of sustainable development;

SS1 Scale and Distribution of Development;

SS3 Greenfield site allocations;

SS4 Ensuring a supply of deliverable sites;

SS5 Neighbourhood Planning;

SS6 New Housing in the Countryside;

CN1 Affordable housing;

CN3 Housing mix for market housing;

CN6 Infrastructure;

CN7 Essential Facilities and Services;

CN8 Community, Leisure and Cultural Facilities;

CN9 Transport;

EM1 Landscape;

EM2 Strategic Gaps;

EM3 Thames Basin Heaths Special Protection Area;

EM4 Biodiversity, geodiversity and nature conservation;

EM6 Water quality;

EM7 Managing Flood Risk;

EM9 Sustainable water use;

EM10 Delivering high quality development;

EM11- The Historic Environment;

EM12 Pollution.

Also relevant is the:

Annual Monitoring Report 2016.

4.4 The '**Key Policies**' considered by the Parish Council to be most relevant are analysed in the following paragraphs.

4.5 **Policy SD1 – Presumption in Favour of Sustainable Development** – this is the overarching sustainable development policy the Government requires to be in every local plan.

Analysis:

4.6 The Parish Council considers that Sherfield-on-Loddon is an unsustainable location for a large scale development of up to 95 dwellings. Sherfield-on-Loddon is a small village with limited, shops, facilities and services and its essential physical and social infrastructure would be overwhelmed by development of this scale.

4.7 Further, new residents would have to travel, mainly by car, to other locations such as Chineham District Centre, Basingstoke and/or Reading to access higher order services and facilities.

4.8 In addition, whilst the applicant seeks to argue that notwithstanding whether the Council can or cannot demonstrate a five year supply of housing sites as required by paragraph 47 of the NPPF, that given the National shortage of housing completions, the application should be considered against the requirements of paragraph 49 (and 14) of the NPPF and granted planning permission.

4.9 The Parish Council rejects this contention. This is because the Council has an up-to-date local plan which makes provision for housing for the period 2011 to 2029 at a quantum which the local plan Examination Inspector found to be appropriate and would result in sustainable development across the plan period. Further, the Council can demonstrate more than a five year supply of housing sites (i.e. 6.2 years AMR 2016) and there are therefore '**no other material considerations**' of such weight to override the normal application of S38(6) of the Planning and Compulsory Purchase Act 2004.

4.10 The proposed development conflicts with Policy SD1 and the planning application should be refused.

4.11 **Policy SS1 – Scale and Distribution of New Housing** – the policy makes provision for a total of 15,300 additional houses between 2011 and 2029. In addition, criterion a) in the policy states:

‘Sites outside defined Settlement Policy Boundaries will be considered to lie in the countryside.’

Analysis:

4.12 The draft local plan proposes no housing allocations in Sherfield-on-Loddon. The Gladman site lies outside the Settlement Policy Boundary in open countryside, and development here would conflict with Policies SS1 and SS6. The application should be refused for these reasons.

4.13 **Policy SS3 – Greenfield Site Allocations** – the policy sets out the detail of the main Greenfield site allocations in the local plan.

Analysis:

4.14 It is relevant to note that the application site Land north of Goddards Lane is not allocated for housing in policy SS3. As such, its development for up to 95 dwellings would conflict with adopted Policy SS3 and should be refused planning permission.

4.15 **Policy SS4 – Ensuring a Supply of Deliverable Sites** – the policy explains that the delivery of residential development will be managed to ensure a five year supply of sites can be maintained over the plan period.

Analysis:

4.16 It is relevant to note that the Council can demonstrate more than a five year supply of housing land. (AMR 2016 – paragraphs 4.4 to 4.9 and Table 4). In considering the robustness of the five year supply it is relevant to note that the local plan Examination Inspector endorsed the use of the **‘Liverpool Method’** of spreading the shortfall across the remaining plan period and of the use of a 5% buffer rather than a 20% buffer (Inspector’s report paragraphs – 90, 93 to 97, and 98 to 102).

4.17 It is therefore clear that the Council’s five year supply calculations are robust.

4.18 Notwithstanding the applicant seeks to argue that the Council cannot demonstrate a five year supply of housing sites and that, therefore NPPF paragraphs 49 (and 14) are engaged.

- 4.19 The presumption in favour of granting planning permission in cases where relevant local plan policies are out-of-date has been dealt with earlier in this report. It not sufficient for Gladman to argue that the application should be approved because it (Gladman) contends that the Council cannot demonstrate a five year supply of housing land in circumstances where the 2011-2029 local plan has only been just adopted and the 2016 AMR clearly shows that the Council can demonstrate a 6,2 year supply of housing land.
- 4.20 The Gladman proposal clearly *flies-in-the face* of the evidence. Further, it is noted that the Gladman proposal does not include a *Five Year Housing Land Supply Report* setting out on what basis it considers the Council's 2016 AMR report to be incorrect.
- 4.21 The applicants contention is therefore rejected and the application should be refused in accordance with S38(6) of the Planning and Compulsory Purchase Act 2004, because there is an up-to-date local plan which makes adequate provision to meet the housing needs of the Borough for the period 2011-2029, endorsed by the local plan Examination Inspector, and in the absence of *any 'other material considerations'* that would justify overriding the Development Plan polices with which the Gladman proposals conflict (i.e. Policies SD1, SS1, SS3, SS5, SS6, CN6, CN7, CN8, CN9, EM1, EM2, EM7 and EM11), the application should be refused planning permission.
- 4.22 **Policy SS5 – Neighbourhood Planning** – the policy states that the Council will support Parish/Town Councils and other organisations, through the Neighbourhood Planning process. The policy then allocates specific amounts of housing to 5 named villages. Sherfield-on-Loddon is not in this list and has no new housing allocated to it in the draft plan.
- 4.23 However, the policy allocates a total of 150 houses to be identified in areas outside the listed villages and states that it will be necessary to identify sites/opportunities to deliver at least 10 homes in and around each of the settlements with defined Settlement Policy Boundaries (i.e. this will include Sherfield-on-Loddon) (see also paragraph 4.37 of the draft Plan).

Analysis:

- 4.24 The policy states that it will be necessary to identify sites /opportunities to deliver at least 10 homes within and adjacent to each of the settlements with defined Settlement Policy Boundaries (i.e. this includes Sherfield-on-Loddon (see paragraph 4.66 of the supporting text to the policy).

4.25 The Parish Council considers this approach to be reasonable, given the size of Sherfield-on-Loddon and its limited range of local services and facilities.

4.26 It is clear, that the local plan does not allocate land for, or support, any housing development in or adjacent to the village at a scale of more than 10 dwellings. The Gladman proposal of up to 95 dwelling clearly conflicts with Policy SS5 and should be refused planning permission.

4.27 **Policy SS6 – New Housing in the Countryside** – the policy states that proposals for new housing outside Settlement Policy Boundaries will only be permitted where they are on previously developed land; on a rural exceptions site; for the re-use of a redundant or disused permanent building; a replacement dwelling; small scale development to meet a locally agreed need; for agricultural needs, and if allocated in a Neighbourhood Plan.

Analysis:

4.28 The Gladman proposals fall into none of the above categories, and clearly conflict with the Policy, and would result in an alien intrusive urban form of development in the open countryside.

4.29 Having regard to the fact that the recently adopted local plan makes adequate provision to meet the housing needs of the Borough for the period 2011-2029, endorsed by the local plan Examination Inspector in his report, and taking into account the fact that the Council can demonstrate more than a five years supply of housing sites (AMR 2016 Table 4), there is no justification for granting planning permission for the Gladman proposals or making an exception to the normal application of Development Plan policies, taken in the context of S38(6) of the Planning and Compulsory Purchase Act 2004, the planning application should therefore be refused.

4.30 **Policy CN6 – Infrastructure** – the policy states that new development will be required to contribute towards the provision of additional services, facilities and infrastructure the need for which is generated by the development.

4.31

In the event that the Council were minded to grant planning permission, the applicant should be required to make contributions towards – transport, school transport, education, community facilities, health provision, open space, playing fields, play areas, affordable housing, landscape management, allotments, public realm improvements, fire and emergency services provision,

community safety, flood defences, waste management and recycling, and to enter into a legally binding legal agreement prior to planning permission being granted for the proposed development.

- 4.32 In the absence of a signed S106 Agreement there is no certainty that the applicant/developer will make adequate provision to meet the need for additional/improved local infrastructure. As such the planning application should be refused.
- 4.33 **Policy CN7 – Essential Facilities and Services** – the policy states that development proposals will be permitted where they provide or improve essential facilities or services and sustain and enhance the vitality and viability of communities.
- 4.34 **Policy CN8 – Community, Leisure and Cultural Facilities** – the policy requires development proposals to retain and maintain existing facilities which are valued by the community, to improve the quality and capacity of such facilities and where there is evidence of need, provide new facilities.
- 4.35 Policies CN7 and CN8 underpin Policy CN6 and therefore similar comments apply – i.e. in the event that the Council were minded to grant planning permission, the applicant should be required to make contributions towards – transport, school transport, education, community facilities, health provision, open space, playing fields, play areas, affordable housing, landscape management, allotments, public realm improvements, fire and emergency services provision, community safety, flood defences, waste management and recycling, through the mechanism of a binding legal agreement, triggered upon implementation of the planning permission.
- 4.36 Further, that in the absence of a signed S106 Agreement there is no certainty that the applicant/developer will make adequate provision to meet the need for additional/improved local infrastructure. As such the planning application should be refused.
- 4.37 **Policy CN9 – Transport** – the policy states that development should seek to minimise the need to travel, promote opportunities for sustainable travel modes, improve accessibility to services, to integrate into existing movement networks, provide safe, suitable and convenient access for all potential users, provide an on-site layout suitable for all users and not result in inappropriate traffic generation or compromise highway safety.

Analysis:

- 4.38 The Parish Council considers that notwithstanding the TA submitted with the planning application, the Gladman proposals would result in significant adverse highway impacts in the areas immediately surrounding the site, and in the village generally, and that the planning application should be refused.
- 4.39 **Policy EM1 – Landscape** – the policy states that development will only be permitted where it can be demonstrated that the proposals are sympathetic to the character and visual quality of the area concerned, and that development proposals must respect, enhance and not be detrimental to the character or visual amenity of the landscape affected.

Analysis:

- 4.40 Notwithstanding the findings of the Landscape and Visual Assessment submitted with the planning application, the Parish Council considers that the Gladman proposals would result in an alien intrusive urban form of development being imposed on an attractive area of open countryside which plays a significant and important role in the essential rural ‘*setting*’ of the village and that significant landscape and visual harm would be caused. The development proposals would not be sympathetic to the character and visual quality of the area and that therefore, planning permission should be refused.
- 4.41 Having regard to the fact that the recently adopted local plan makes adequate provision to meet the housing needs of the Borough for the period 2011-2029, endorsed by the local plan Examination Inspector in his report, and taking into account the fact that the Council can demonstrate more than a five years supply of housing sites (AMR 2016 Table 4), there is no justification for granting planning permission for the Gladman proposals or making an exception to the normal application of Development Plan policies, taken in the context of S38(6) of the Planning and Compulsory Purchase Act 2004, the planning application should therefore be refused.
- 4.42 **Policy EM2 – Strategic Gaps** – the application site lies in the ‘*Basingstoke/Chineham to Bramley/Sherfield-on-Loddon*’ Strategic Gap. The policy states that permission will not be granted for development which would diminish the physical and/or visual separation of settlements, unless it is land allocated for development in a Neighbourhood Plan.

Analysis:

- 4.43 The Gladman proposals would introduce a large scale urbanisation within the strategic gap and would significantly physically and visually diminish the gap, contrary the objectives of the policy. Policy EM2 (together with Policy SS6) is main policy tool to prevent the coalescence of settlements and ensure the separate identity of the areas rural villages is maintained.
- 4.44 Having regard to the fact that the recently adopted local plan makes adequate provision to meet the housing needs and the fact that the Council can demonstrate more than a five years supply of housing sites (AMR 2016 Table 4), there is no justification for granting planning permission for the Gladman proposals or making an exception to the normal application of Development Plan policies, taken in the context of S38(6) of the Planning and Compulsory Purchase Act 2004, the planning application should therefore be refused.
- 4.45 Policy **EM4 - Biodiversity, geodiversity and nature conservation** – the policy states that development proposals will only be permitted if significant harm to biodiversity and/or geodiversity resulting from a development can be avoided or adequately mitigated.

Analysis:

- 4.46 The Gladman development would be within 500m of ponds identified in a recent environmental study which recorded the presence of a population of a European protected species. It is suggested that the applicant be required to provide updated surveys and reports.
- 4.47 **Policy EM7 – Managing Flood Risk** – the policy requires that a sequential approach is taken in assessing development proposals, in accordance with National policy, and that wherever possible development should be located in areas of lower or no flood risk (i.e. Flood Zone 1). Where development has to take place with Flood Risk Zones 2 or 3 it will be required to ensure that appropriate mitigation measures are put in place.

Analysis:

- 4.48 Notwithstanding the findings of the Flood Risk Assessment (FRA) submitted with the planning application (i.e. that surface water run-off from the site will be maintained at pre-development flow rates or less) the Parish Council and local residents have experience of localised flooding within the village, particularly affecting the Bow Bridge area and fear that the Gladman proposals which will drain into Bow Brook, could exacerbate flooding along the Bramley Road, and its associated ditches.

Should the Council be minded to grant planning permission the Parish Council considers that further detailed investigation of local flooding risks should first be undertaken, and the developer required to mitigate/resolve such risks prior to development commencing.

- 4.49 **Policy EM11 – The Historic Environment** – the policy states that all development must conserve or enhance the quality of the Borough’s heritage assets in a manner appropriate to their significance.

Analysis:

- 4.50 As set out in this report it is considered that ‘*substantial harm*’ would be caused to the setting of the Sherfield-on-Loddon Conservation Area as a result of the urbanisation that the proposed development would cause. Further, ‘*substantial harm*’ would be caused to the rural ‘*setting*’ of Carpenters Farmhouse a Grade II Listed Building. In addition, the application site forms part of the rural open countryside setting of the Bulldown Iron Age Hill Fort and would adversely affect its context. The planning application should therefore be refused.

LOCAL PLAN 2011-2029 POLICIES SUMMARY:

- 4.51 **The Parish Council consider that the Gladman proposals are contrary to adopted Local Plan Policies SD1, SS1, SS3, SS4, SS5, SS6, CN6, CN7, CN8, CN9, EM1, EM2, EM7 and EM11, and that there are no material considerations of sufficient weight to override the application of the statutory Development Plan, having regard to S38(6) of the Planning and Compulsory Purchase Act 2004, and the application should be refused.**

Section 5.0

Sherfield-on-Loddon Neighbourhood Plan

5.1 Sherfield on Loddon parish is a designated neighbourhood planning area and the Parish Council consulted on a pre-submission version of their neighbourhood plan between 3 April and 22 May 2017. The Parish Council are now considering the consultation responses to the draft plan before moving forward to the submission stage.

5.2 Whilst the neighbourhood plan remains at a relatively early stage in the plan-making process, its policies do indicate the '*direction-of-travel*' in relation to the approach of the emerging plan. As such it is relevant to have regard to the draft policies of the plan.

5.3 It is considered that some weight can be attached to the policies of the draft plan.

5.4 The following policies are relevant to the Gladman proposals:

H1 New housing;

H2 New housing developments adjacent to and outside the settlement policy boundaries;

H3 Provision of housing to meet local needs;

D1 Preserving and enhancing the historic character and rural setting of Sherfield on Loddon;

D2 Design of new development;

G1 Protection and enhancement of the natural environment; and

G3 Reducing flood risk.

5.5. **Policy H1 – New Housing** – the policy explains that proposals for new housing within the defined settlement policy boundary will be supported, but that new housing outside the settlement policy boundary would not supported except where it meets the criteria set out the neighbourhood plan.

Analysis:

5.6 The Gladman application site lies outside the settlement policy boundary and its development is not supported by any other policies in the plan. As such the Gladman application is in conflict with draft Policy H1.

- 5.7 **Policy H2 – New housing developments adjacent to and outside the settlement policy boundary** – the policy explains that in order to meet the local plan requirement for at least 10 dwellings to be delivered within and/or adjacent to the settlement policy boundary, the policy sets out a list of 5 criteria that must be met and that once the 10 unit quota is reached further development will only be supported if it is in accordance with the relevant local plan policies for new housing in the countryside.

Analysis:

- 5.8 The Gladman proposals of up to 95 dwellings on land outside the settlement policy boundary would be in conflict with draft Policy H2.

- 5.9 **Policy H3 – Provision of housing to meet local needs** – the policy states that all new housing developments must demonstrate how the types of homes provided will contribute to a balanced mix of housing and meet the needs identified by Action Hampshire. Further, the policy states that affordable housing will follow the proportion criteria set out in the local plan.

Analysis:

- 5.10 As the Gladman application is in outline only the exact mix of housing is not known at this stage and will be the subject of a reserved matters submission. In relation to affordable housing it is noted from the submitted Affordable Housing Statement that a total of 38 affordable units would be provided (27 affordable rented and 11 intermediate) a total of 40% which would comply with adopted local plan Policy CN1.

- 5.11 **Policy D1 - Preserving and enhancing the historic character and rural setting of Sherfield on Loddon** – the policy states that new development must protect, complement or enhance the character areas identified in the Character Assessment within or adjacent to where it is located.

Analysis:

- 5.12 The Gladman proposals would result in the urbanisation of an area of open countryside which makes an important contribution to the essential rural setting of the village. This urbanisation would do nothing to protect, complement or enhance the character of the area.
- 5.13 Further, as set out in paragraph 4.48 of this report it is considered that ‘*substantial harm*’ would be caused to the setting of the Sherfield-on-Loddon Conservation Area as a result of the urbanisation

that the proposed development would cause. Further, '*substantial harm*' would be caused to the rural '*setting*' of Carpenters Farmhouse a Grade II Listed Building. In addition, the application site forms part of the rural open countryside setting of the Bullsdown Iron Age Hill Fort and would adversely affect its context. The planning application should therefore be refused.

- 5.14 **Policy D2 – Design of new development** – states that new developments must reflect the rural character and historic context of existing dwellings within the parish. New development must deliver good quality design.

Analysis:

- 5.15 The proposed development would result in the urbanisation of an area of open countryside which makes an important contribution to the essential rural setting of the village. This urbanisation would result in an alien and intrusive form of development and would do nothing to respect the rural character and historic context of the village.
- 5.16 In particular, in respect of the historic context of the village, and as set out in paragraph 4.48 of this report it is considered that '*substantial harm*' would be caused to the setting of the Sherfield-on-Loddon Conservation Area as a result of the urbanisation. Further, '*substantial harm*' would be caused to the rural '*setting*' of Carpenters Farmhouse a Grade II Listed Building. In addition, the application site forms part of the rural open countryside setting of the Bullsdown Iron Age Hill Fort and would adversely affect its context. The planning application should therefore be refused.
- 5.17 **Policy G1 – Protection and enhancement of the natural environment** – the policy states that new development will be required to ensure that there is no net loss of biodiversity and where possible provide a net gain. Where there is a net loss of biodiversity compensatory measures must be put in place.

Analysis:

- 5.18 The application site extends to 6.5ha of which 3.93ha will be developed for up to 95 dwellings. It is inevitable that with the replacement of almost 4ha of open agricultural land with build form that there will be a substantial loss of biodiversity habitat. It is hard to see how the remaining area (i.e. 40%) which will have to accommodate an equipped area for children's play a drainage pond and pumping station, can effectively include compensatory measures of such an extent as to compensate for the loss of habitat.

- 5.19 **Policy G3 – Reducing flood risk** – the policy explains that planning applications for developments which are located within an area at risk from flooding must include mitigation measures giving priority to the use of sustainable drainage systems.

Analysis:

- 5.20 Whilst the findings of the Flood Risk Assessment (FRA) submitted with the planning application (i.e. that surface water run-off from the site will be maintained at pre-development flow rates or less) the Parish Council and local residents have experience of localised flooding within the village, particularly affecting the Bow Bridge area and fear that the Gladman proposals which will drain into Bow Brook, could exacerbate flooding along the Bramley Road, and its associated ditches. Should the Council be minded to grant planning permission the Parish Council considers that further detailed investigation of local flooding risks should first be undertaken, and the developer required to mitigate/resolve such risks prior to development commencing.

DRAFT NEIGHBOURHOOD PLAN POLICY SUMMARY:

- 5.21 **The Parish Council considers that the Gladman proposals conflict with emerging neighbourhood plan Policies H1, H2, D1, D2, G1 and G3, and that some weight can be attached to these policies in the determination of the planning application.**

Section 6.0

The Planning Balance

- 6.1 The Government emphasises that the purpose of planning is to help achieve sustainable development. The planning system is based on a plan-led approach and states, in law, that applications for planning permission must be determined in accordance with the Development Plan, unless material considerations indicate otherwise.⁷
- 6.2 Basingstoke and Deane Borough Council has an up-to-date Local Plan adopted in May 2016 covering the period 2011 to 2029. The plan was endorsed by the local plan Examination Inspector and makes provision for all the housing needed in the Borough up to 2029.
- 6.3 The 2016 Annual Monitoring Report (AMR) indicates that the Council can demonstrate more than a five year supply of housing land.(AMR 2016 – paragraphs 4.4 to 4.9 and Table 4). In considering the robustness of the five year supply it is relevant to note that the local plan Examination Inspector endorsed the use of the *‘Liverpool Method’* of spreading the shortfall across the remaining plan period and of the use of a 5% buffer rather than a 20% buffer (Inspector’s report paragraphs – 90, 93 to 97, and 98 to 102).
- 6.4 It is therefore considered that the Council’s five year supply calculations are robust.
- 6.5 Notwithstanding the applicant seeks to argue that the Council cannot demonstrate a five year supply of housing sites and that, therefore NPPF paragraphs 49 (and 14) are engaged. However, it is not sufficient for Gladman to argue that the application should be approved because it (Gladman) contends that the Council cannot demonstrate a five year supply of housing land in circumstances where the planning application does not include a *Five Year Housing Land Supply Report* setting out on what basis it considers the Council’s 2016 AMR report to be incorrect.
- 6.6 The Gladman proposal clearly *flies-in-the face* of the evidence.
- 6.7 Having regard to the fact that the Council has an up-to-date local plan and can demonstrate a robust five housing land supply, there is no basis for Gladman’s contention that the local plan policies concerned with the supply of housing are out-of-date and that therefore, NPPF paragraphs 49 and 14 are engaged.

⁷ S38(6) Planning and Compulsory Purchase Act 2004.

- 6.8 Further, in relation to S38(6) of the Planning and Compulsory Purchase Act 2004, there are no ***'other material considerations'*** that would justify overriding the normal application of Development Plan policies and therefore the application ***'must be'*** determined in accordance with the plan.
- 6.9 There are numerous policy conflicts at National and Development Plan levels.
- 6.10 The ***'planning balance'*** clearly and justifiably lies with the determination of the planning application in accordance with the up-to-date 2016 adopted local plan.

Section 7.0

Conclusion

- 7.1 The Parish Council concludes that there are sound, defensible and robust grounds for the refusal of planning permission for the Gladman proposals, when assessed against national planning policies, the policies of the up-to-date recently adopted Local Plan and taking into account site specific considerations.
- 7.2 The Council is therefore requested to refuse planning permission for application 17/02190/OUT on the basis of the conflicts with:

National Policies:

NPPF paragraphs 2, 6 (Bullet-point 3), 7, 8, 12, 14 (Bullet-point 4 – ‘caveat’), 17 (Core Principles 2, 5 and 7), 32, 55, 100, 109, 132-134, 196, and PPG paragraphs ID 21b-008-20140306, ID 21b-009-20140306, ID-21b-014-20140306 and ID 50-001-20140306, and should be refused planning permission on the grounds of being contrary to National planning policies.

Basingstoke and Deane Borough Local Plan 2011-2029:

Policies SD1, SS1, SS3, SS4, SS5, SS6, CN6, CN7, CN8, CN9, EM1, EM2, EM7 and EM11, and that there are no material considerations of sufficient weight to override the application of the statutory Development Plan, having regard to S38(6) of the Planning and Compulsory Purchase Act 2004, and the application should be refused.

Emerging Sherfield-on-Loddon Neighbourhood Plan:

Policies H1, H2, D1, D2, G1 and G3, and that some weight can be attached to these policies in the determination of the planning application.

END