

EAST WOODHAY PARISH COUNCIL PLANNING COMMITTEE

WOOLTON HILL CHURCH HALL

6.00 p.m. Monday, 15th August 2022

MINUTES

1. **Attendance:** Cllr. Simon Bowden, Cllr. Susan Cooper, Cllr. Martin Hainge, Cllr. Karen Titcomb (Chair), Cllr. Andrew Watson, Alan Johnson, Bob and Frieda King, Ted Evelegh.

2. **Apologies:** None.

3. **Minutes of last meeting:** Agreed.

4. **Matters arising from Minutes of last meeting:** None.

5. **22/02019/PIP - Land South of Ashley Ball Hill.** Permission in Principle for residential development of 1 no. dwelling (Use Class C3).

Object:

1) **It is contrary to the provisions of the NPPF.**

As the local planning authority cannot currently demonstrate a five year supply of deliverable housing sites (with the appropriate buffer) the policies relating to housing delivery in the Local Plan are currently given limited weight, paragraph 11 of the NPPF applies to this application.

In this case the land is within the North Wessex Downs AONB. Therefore, as provided in paragraph 11(b)(i) of the NPPF, "the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for restricting the overall scale, type or distribution of development in the plan area". Footnote 7 to this paragraph states that, "The policies referred to are those in this Framework (rather than those in development plans) relating to.....an Area of Outstanding Natural Beauty.....".

At paragraph 176 of the NPPF 2021 it is stated that, "Great weight should be given to conserving and enhancing landscape and scenic beauty in.....Areas of Outstanding Natural Beauty which have the highest status of protection in relation to these issues."

For the purpose of plans and decisions applying a presumption in favour of sustainable development, the NPPF states, inter alia, at paragraph 11(d) that

decision taking means, "where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

(i) the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed".

It is clear that the NPPF regards land within an AONB as an area or asset worthy of the highest status of protection, and thus provides a clear reason for refusing the development proposed in this application, whatever the use class. The value of the site to the AONB derives from its contribution to the rural character of that surrounding area.

The Committee refer to the decision of the Planning Inspector regarding a previous application to develop this site, (20/03045/PIP, Appeal ref: APP/H1705/W/21/3267011). The key comments made by the Inspector are set out in and relied on in the applicant's Planning Statement to argue that, as the proposed development is for one property only, this will sufficiently reduce the harm which would have been caused to the character of the AONB; the harm which caused the Planning Inspector to reject the Appeal.

This application may be for only one property on part of the site concerned in 20/03045/PIP, but the development of any residential property will, as a matter of law and highway safety, require visibility splays, which alone would urbanise the appearance of the area. Further, the site would change from an undeveloped parcel of land to a developed space with associated domestic items such as vehicles, hardstanding, and potential outbuildings; significantly reducing the semi-rural nature of the surrounding area, thus harming the AONB.

As the Inspector stated on page 3 of his decision, "Footnote 7 of the Framework confirms that policies relating to the AONB can provide a clear reason for refusing planning permission. Even though the harm would be modest, when giving great weight to this matter, in my judgement, this provides a clear reason for refusal." Further, "Even if I were not to arrive at such a distinct conclusion, when giving great weight to the harm to the AONB as well as some moderate weight to the locational shortcomings of the proposal, I am entirely satisfied that the adverse impacts of allowing the appeal would significantly and demonstrably outweigh the benefits of the proposal."

The Appeal was dismissed on the 16th September 2021; there have been no changes in the intervening months that would mean the present application would not harm the AONB.

2) It is contrary to policies contained in the Local Plan.

The site is located in an unsustainable location with limited public transport, contrary to Local Plan policies SD1 (Presumption in Favour of Sustainable Development) and, as there is no locally agreed need for further housing in the Parish, SS6(e) (New Housing in the Countryside).

Further, the proposed development is contrary to Local Plan policy EM1 (Landscape) as it would be detrimental to the character and visual amenity of the area and policy EM10 (Delivering High Quality Development) as it would fail to respect the local environment and make a positive contribution to local distinctiveness.

3) It is contrary to policies in the emerging Neighbourhood Plan.

The Planning Committee is surprised to note the casual manner in which the emerging Neighbourhood Plan is dismissed in the applicant's Planning Statement; "... at this stage it is not considered that any weight can be given to the policies in this document."

Paragraph 48 of the NPPF makes it clear 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)..... and the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given)." (Emphasis added.)

The East Woodhay Neighbourhood Planning Steering Group worked extensively with Basingstoke & Deane Borough Council to ensure that the policies within the emerging Neighbourhood Plan are in conformity with the NPPF.

Further, the East Woodhay Neighbourhood Plan entered Regulation 16 consultation on Monday, 18th July 2022, the last stage before the plan is subject to formal examination by an Independent Examiner and then referendum. Clearly the plan may well carry some weight; it is for Basingstoke & Deane to decide.

In addition, Neighbourhood Plan Policy HO2, 10.30(a) does not support this development as it will "...result in significant and adverse effects on landscape character andvisual intrusion into open land that contributes to defining the form and character of the Parish."

Nor is it consistent with 10.30(b) in that the application is not ".....consistent with the Local Plan policies SS6 (New Housing in the Countryside), CN2 (Rural Exceptions for Affordable Housing)".

6. T/00289/22/TCA - Stargroves, Stargrove Lane, East End, RG20 0AE. Carry out tree works in a conservation area, as per schedule of work accompanying application form. (Note: deadwooding is exempt).

Decision left to the expertise of the Tree Officer.

7. 22/02091/PIP - Land North of Slade Hill, Woolton Hill. Permission in Principle for residential development up to 2 no. dwellings.

Object:

1) It is contrary to the provisions of the NPPF.

As the local planning authority cannot currently demonstrate a five year supply of deliverable housing sites (with the appropriate buffer) the policies relating to housing

delivery in the Local Plan are currently given limited weight, paragraph 11 of the NPPF applies to this application.

In this case the land is within the North Wessex Downs AONB. Therefore, as provided in paragraph 11(b)(i) of the NPPF, "the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for restricting the overall scale, type or distribution of development in the plan area". Footnote 7 to this paragraph states that, "The policies referred to are those in this Framework (rather than those in development plans) relating to.....an Area of Outstanding Natural Beauty.....".

At paragraph 176 of the NPPF 2021 it is stated that, "Great weight should be given to conserving and enhancing landscape and scenic beauty in.....Areas of Outstanding Natural Beauty which have the highest status of protection in relation to these issues."

For the purpose of plans and decisions applying a presumption in favour of sustainable development, the NPPF states, inter alia, at paragraph 11(d) that decision taking means, "where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

(i) the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed".

It is clear that the NPPF regards land within an AONB as an area or asset worthy of the highest status of protection, and thus provides a clear reason for refusing the development proposed in this application.

Paragraph 6.14 of the Planning Statement asserts that, "The development of up to two dwellings on the site would therefore not cause unacceptable harm to the landscape and scenic beauty of the AONB". On the contrary, this statement overlooks the fact that the application site is very obviously part of an area that is the start of countryside, as opposed to the somewhat more built up area to the south. The value of the site to the AONB derives from its contribution to the rural character of that surrounding area.

The Committee refer to the decision of the Planning Inspector regarding a similarly semi-rural site within the parish (20/03045/PIP, appeal ref: APP/H1705/W/21/3267011), when (inter alia) the following points, also relevant to this application, were made:

"•The proposal would fail to accord with the locational requirements of the Local Plan;

- the road has a semi-rural character which is punctuated by the presence of dwellings....
- views of the site can be achieved and it is prominent within its immediate context;
- the value of the Appeal Site to the AONB derives from its contribution to the semi-rural character of the surrounding area, which itself contributes in a positive manner to the AONB;
- the site would demonstrably change from an undeveloped parcel of land and

generous gap between dwellings, to a developed space with associated domestic items such as vehicles, hardstanding, and potential outbuildings..... Consequently, rather than contributing to the important and prevalent gaps between buildings, the proposal would introduce a more prolonged frontage of dwellings, at odds with the more intermittent built form;

- the loss of space between buildings would be to the detriment of the semi-rural qualities of the surrounding environment;
- the proposal would contrast with the prevailing pattern of development in a manner that would be harmful to the semi-rural character and appearance of the surrounding area. This in turn would cause some modest harm to the AONB;
- despite the modest level of harm in this regard, this matter weighs heavily against the proposal;
- The proposal would harm the character and appearance of the surrounding area;
- Footnote 7 of the Framework confirms that policies relating to the AONB can provide a clear reason for refusing planning permission. Even though the harm would be modest, when giving great weight to this matter, in my judgement, this provides a clear reason for refusal.”

The above points are all relevant to this application.

2) **It is contrary to policies contained in the Local Plan.**

The site is located in an unsustainable location with limited public transport, contrary to Local Plan policies SD1 (Presumption in Favour of Sustainable Development) and, as there is no locally agreed need for further housing in the Parish, SS6(e) (New Housing in the Countryside).

Further, the proposed development is contrary to Local Plan policy EM1 (Landscape) as it would be detrimental to the character and visual amenity of the area.

3) **It is contrary to policies in the emerging Neighbourhood Plan.**

The Planning Committee is surprised to note the casual manner in which the emerging Neighbourhood Plan is dismissed in the applicant’s Planning Statement; “... at this stage it is not considered that any weight can be given to the policies in this document.”

Paragraph 48 of the NPPF makes it clear 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)..... and the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).” (Emphasis added.)

The East Woodhay Neighbourhood Planning Steering Group worked extensively with Basingstoke & Deane Borough Council to ensure that the policies within the emerging Neighbourhood Plan are in conformity with the NPPF.

Further, the East Woodhay Neighbourhood Plan entered Regulation 16 consultation on Monday, 18th July 2022, the last stage before the plan is subject to formal

examination by an Independent Examiner and then referendum. Clearly the plan may well carry some weight; it is for Basingstoke & Deane to decide.

In addition, Neighbourhood Plan Policy HO2, 10.30(a) does not support this development as it will "...result in significant and adverse effects on landscape character andvisual intrusion into open land that contributes to defining the form and character of the Parish."

Nor is it consistent with 10.30(b) in that the application is not ".....consistent with the Local Plan policies SS6 (New Housing in the Countryside), CN2 (Rural Exceptions for Affordable Housing)....".

8. T/00301/22/TPO - 31 Harwood Rise, Woolton Hill, RG20 9XW. 1 Oak: prune.

Comment by 23rd August.

Decision left to the expertise of the Tree Officer.

9. 22/02144/FUL - Telephone Exchange, Mount Road, Woolton Hill, RG20 9QZ.

Provision of storage compound on hardstanding to front of telephone exchange for materials and equipment.

- Generally the principle of supporting local business etc. is supported by EWPC.
- However, this application has been submitted, but the infrastructure under discussion has already been installed.
- It is unsightly and untidy which is inappropriate in a rural and residential area.
- There is no indication of how long this "storage" is to remain on site.
- The BT building itself is out of keeping in its location and spoils the residential area / AONB – it should be screened.
- As the infrastructure is in place it is unlikely it will be removed - the concern being, of course, that a local resident would not get away with such an approach, and suggest that the planning is granted with two conditions:
 1. If possible a time limit is set on how long it can be in situ.
 2. The applicant is asked to plant appropriate screening around the whole site to shield this unsightly building and additional infrastructure from the road and to support the AONB. This would be welcomed by the local residents and would be an indicator from BT of the desire to work with and show consideration for the local community and for the common good.

10. 22/02199/FUL - Yew Tree Farm, Ball Hill Road, Hatt Common, RG20 0NG.

Conversion of existing function barn/pool house into 3 no. holiday lets.

Response not finalised.

11. 21/03038/TENO - Proposed Telecomms Site, Tile Barn, Woolton Hill.

Proposed 15.0m Phase 8 Monopole C/W wraparound Cabinet at base and associated

ancillary works. Basingstoke & Deane appeal reference 22/00014/RPD, Planning Inspectorate Appeal reference APP/H1705/W/22/3299004.

Cllr. Watson to draft a response.

12. Items for next Agenda:

a) 22/02263/TDC – Furzelea, Ball Hill Road, Hatt Common, RG20 0NQ.

Technical Details Consent for the demolition of an existing garage and erection of a single dwellinghouse pursuant to 21/00860/PIP.

b) 22/02289/OOBC - Land West Of Pumping Station, Enborne Row, Wash

Water. Change of use of land for 2 Gypsy/Traveller pitches comprising the siting of 1 mobile home, 1 touring caravan, and the proposed erection of 1 dayroom per pitch.

Application Number: 22/01899/FUL Case Officer: Cheyanne Kirby PLEASE NOTE THAT THE DECISION ON THIS APPLICATION IS MADE BY WEST BERKSHIRE DISTRICT.

c) 22/02279/HSE - Green Pastures, Tile Barn, Woolton Hill, RG20 9XE. First floor Bedroom extension.

13. Date of next meeting: 5.30 Tuesday, 30th August, Woolton Hill Church Hall.