

EAST WOODHAY PARISH COUNCIL PLANNING COMMITTEE

5.30 p.m. WEDNESDAY, 16TH DECEMBER 2020

Virtual Meeting held on: Wednesday, 16th December, 17:30 via Zoom.

MINUTES

1. **Attendance:** Cllr. Susan Cooper, Cllr. Martin Hainge, Cllr. Philip Jarvis, Cllr. Karen Titcomb (Chair).
2. **Apologies:** Cllr. Andrew Watson.
3. **Minutes of last meeting:** Agreed.
4. **Matters arising from Minutes of last meeting:** None.
5. **T/00628/20/TCA - Yew Tree Cottage, North End Road, North End, RG20 0AY.**
T1/2 Yew: trim and lower to C.9ft. T3 Crab apple: crown reduce by approximately 2m leaving an approximate finished height of 4m with a crown spread of 5m.

Leave to expertise of Tree Officer.

6. **20/03046/LBC - Old Pines House, Ball Hill, RG20 0NN.** Variation of condition 1 of 19/02332/LBC and removal of conditions 4 and 5 of 19/02332.

No comments or objections.

7. **20/03355/PIP - Land Adjacent To Orchard House Ball Hill.** Application for Permission in Principle for the restoration of brownfield land back to open countryside including the demolition of existing barns and buildings and the redevelopment of land for up to nine residential dwellings (Use Class C3).

Object:

This Application follows closely on the heels of another application on an adjacent site, submitted by the same developer and landowner: 20/03045/PIP – Land at Ball Hill – residential development for up to four dwellings – which was refused by BDBC on 8th December 2020, for all the reasons which we would support.

As a preliminary point, the Planning Committee of East Woodhay Parish Council wishes to emphasise that it originally supported Application 20/03045/PIP in November 2020 on the basis that it had supported a similar application some four years previously – which was for smaller properties (2 blocks of semi-detached two bedroom properties). In respect of Application 20/03045/PIP, we reiterated the need for smaller dwellings within the Parish, if any.

However, Application 20/03045/PIP – which has been refused - has now been changed so much that it no longer constitutes small-scale development; nor, in the context of Application 20/03355/PIP, can it be considered as a discrete development.

Our overriding concern is to ensure that recent planning decisions (on which we elucidate below) should not be invoked to justify opportunist and unplanned development across the Parish.

We recommend refusal of application 20/03355/PIP, for the following reasons:

i) **The Application Site is Agricultural Land, not a Brownfield site**

We understand that the land referred to in this application has been used as agricultural land for grazing horses for at least the last 17 years, with permission to access the strip along the west side of the Application Site granted solely to enable access to, and use of the barns on land East of Ashley (on the Heath End Road). We note that this is discussed in detail in letter of objection from Mr. Brian Johnson.

Our understanding is strengthened by BDBC's conditional approval of the erection of those barns on 9 May 2003 (BDB/55092). Attention is drawn to Condition 3 of that letter, requiring the buildings not to be converted or used for any commercial purpose "other than for storage of hay and straw", the reason for the condition being to "ensure that residential amenities of neighbouring properties are not adversely affected".

Accordingly, it is wholly disingenuous for the applicant to describe the land as a Brownfield site. Moreover, it is unclear to us whether permission to use those barns for non-agricultural purposes (as currently seems to be the case) was ever sought or granted.

In any event, there is no reason to depart from BDBC's stipulation that the residential amenities of neighbouring properties should not be adversely affected. Approving Application 20/03355/PIP would clearly undermine BDBC's own stipulation and it should, therefore, be refused.

ii) **Major Development**

This proposed development is presented as being a small development (less than 10 houses), thereby requiring less scrutiny than a major development. However, this proposed development needs to be considered with reference to Application 20/03045/PIP – Refused on 8th December 2020. Both applications have been submitted in consecutive months, from the same developer and landowner. That the small strip of land between the two sites remains in the ownership of the applicant should not prevent the two applications from being considered together. On the contrary, the commonality of ownership of all three plots of land demonstrates to us that these two separate applications are designed to disguise what is in effect a single application by the same entities for what should therefore be classified as a major development.

Further, as we explain below, this Parish does not need any further development or new housing, and certainly not outside the SPB. The addition of a total of up to 13

new houses in the Ball Hill area is simply unnecessary and would have a **major** and destructive impact on the hamlet.

iii) **Absence of BDBC 5 Year Housing Supply /Protection of AONB/Building in the Countryside**

We are conscious of the arguments that the applicant has put forward in respect of BDBC's lack of a confirmed 5 year housing supply. However, we would draw attention to the letter of 10th August 2020 from the BDBC Planning Policy Manager in which she says in respect of Local Plan Policy SS5 (Neighbourhood Planning) housing requirement :

"The policy stipulates that sites /opportunities will need to be identified to provide at least 10 new homes in East Woodhay. The council has reviewed the planning permissions and newly built homes from the start of the Local Plan period in April 2011, through to March 2020.

As of 1 April 2020, 65 dwellings have been granted planning permission within and adjacent to the Woolton Hill SPB that satisfy the policy SS5 requirement, of these 52 have been completed. Therefore, the council considers that the 'at least' 10 requirement has been achieved."

This is perfectly clear, and confirms that the Parish has no need for further housing. BDBC's view is definitive and should prevent the proliferation of opportunist and haphazard applications such as those now under consideration.

In this context, we would briefly comment on paragraph 11 of the NPPF, to the effect that "...where ...the policies which are most important for determining the application are out-of-date, [permission should be granted] unless:

- (a) the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
- (b) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole."

It is the contention of the EWPC Planning Committee is that:

The absence of a 5 year housing land supply does not lessen the weight to be attached to the protection of an AONB. Paragraph 172 of the NPPF gives "Great weight to conserving and enhancing landscape and scenic beauty...." in such areas.

AONB considerations have just as much weight when applied to a PIP application as they do to any other planning application.

In addition, policy SS6 (Housing in the Countryside) should be considered in this context. The Application Site is clearly located in open countryside. Policy SS6 clearly states that only small-scale residential development will be permitted in the countryside in very limited circumstances, where it can be demonstrated that it would meet a local need. Since there is no "local need" (see above), no justification for building on the Application Site arises.

iv) **Appeal Decisions**

We note the Applicant cites three decisions in support of Application 03355, one of which is within this Parish (Land to the North West of Hollington Lane (19/02660/PIP). However, we believe this decision was made without addressing the content of BDBC's letter dated 10th August 2020 (see Attachment 'B'), and is therefore unreliable.

v) **Settlement Policy Boundary /Sustainability**

When the BDBC Local Plan 1990-2011 was adopted the Inspector removed the proposed settlement policy boundary from East Woodhay, in addition to a number of other small rural settlements. The Inspector's Report (2005) stated "I do not consider Ball Hill to be of such a scale or to offer sufficient local services and facilities to be defined in the Plan as a settlement suitable for even limited further development: its location is intrinsically unsustainable".

What was true then is certainly true now. Ball Hill simply cannot sustain development of the types proposed by these applications, whether from an environmental, amenity or facility perspective.

In particular, the Application Site is almost opposite a long established local business, Ball Hill Garage; the area being well known locally as problematic for parked cars and traffic congestion.

vi) **Conclusion:**

We recommend refusal of this application for the following reasons:

- The application does not meet the provisions of Local Plan Policy SS6 - New Housing in the Countryside, as it NOT:

a) On 'previously developed' land

*b) For a rural exception site for affordable housing
c) For the re-use of a redundant or disused permanent building*

d) For a replacement dwelling that is not temporary in nature, or an extension to an existing dwelling

f) For a new dwelling linked to an existing and viable agricultural, forestry, horse breeding and training, livery or equivalent rural business.

And it does NOT MEET a locally agreed need:

e) Small scale residential proposals of a scale and type that meet a locally agreed need

- The area is not sustainable and has been identified as not sustainable by a number of Inspectors in recent years. There is a very limited bus service; no shop, school or church within the settlement and access to such is along lanes without footpaths.
- The proposed development site is outside the Woolton Hill Settlement Policy Boundary and there are no material considerations indicating that the Local Plan should not be followed. Therefore, permission should not be granted (NPPF para. 12).
- The site is within the North Wessex Downs Area of Outstanding Natural Beauty. Para. 172 of the NPPF provides 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."

This proposal will not "conserve or enhance" the landscape but will form an unacceptable 'joining up' of land between the house known as Lindeen and Orchard House. Undeveloped fields of this type along the lanes and between sporadic groups of dwellings are fundamental to the rural character and sense of openness within this Parish and the AONB and should be protected at all times.

- The amenity of neighbouring properties will be harmed by development of this site, contrary to BDBC's stipulation that it be protected.
- The reasons for Refusal of Application 20/03045/PIP (up to 4 dwellings) are just as strong for Refusal of Application 20/03355/PIP (up to 9 dwellings). Whilst we appreciate they have to be considered separately by BDBC, there is commonality between them of land ownership and developer. If they were to be considered together they would of course be classified as a major development, with the associated requirements; but either way the effect of one or both of them on the hamlet of Ball Hill is unacceptable for all the reasons outlined in the Reasons for Refusal dated 8th December 2020 in respect of 20/03045/PIP.
- Permitting 'ribbon development' of this type in an unplanned and haphazard manner will result in unacceptable erosion of the countryside, as well as a hugely detrimental impact on the environment and on the character of the hamlet of Ball Hill.

8. 20/03095/HSE - Corner Lea, Woolton Hill, RG20 9UT. Rear extension to be built on the existing conservatory base.

No comments or objections.

9. T/00636/20/TPO - 16 Harwood Rise, Woolton Hill. 1 Pine: fell.

Leave to expertise of Tree Officer.

10. T/00603/20/TPO - 8 Harwood Rise, Woolton Hill, RG20 9XW. T1 (Oak) - Prune. T2 (Ash) - Fell to ground level.

Raise the issue that there appears to be no arboriculturalist report confirming that the tree is dead or dying. Otherwise leave the matter to the expertise of the Tree Officer.

11. **20/03170/HSE - 6 New Villas, Gore End Road, Ball Hill, RG20 0PF.** Erection of single storey rear extension with raised landing deck and two storey front extension (amendment to permission 20/01002/HSE).

No comments or objections.

12. **20/03119/FUL - Alma Farm, Westridge, Highclere, RG20 9RY.** Change of land to residential and installation of swimming pool. Erection of extensions to existing two storey garage block and S gable on SW elevation. Reconfiguring of all dormer windows to a traditional form and replacement of all other windows to a more traditional design. Removal of redundant chimney, new front and rear porch canopies and application of insulative lime render to all elevations.

No comments or objections.

13. **Planning Committee Terms of Reference:** Matter ongoing.

14. **Items for next Agenda:** Response to management plan for Malt House Woodlands.

15. **Date of next meeting:** 5.30 p.m. Monday 11th January 2021, via Zoom.