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**THE DAIRY
ROADS HILL
HORNDEAN**

PLANNING STATEMENT

**IAN ELLIS
BA MRTPI**



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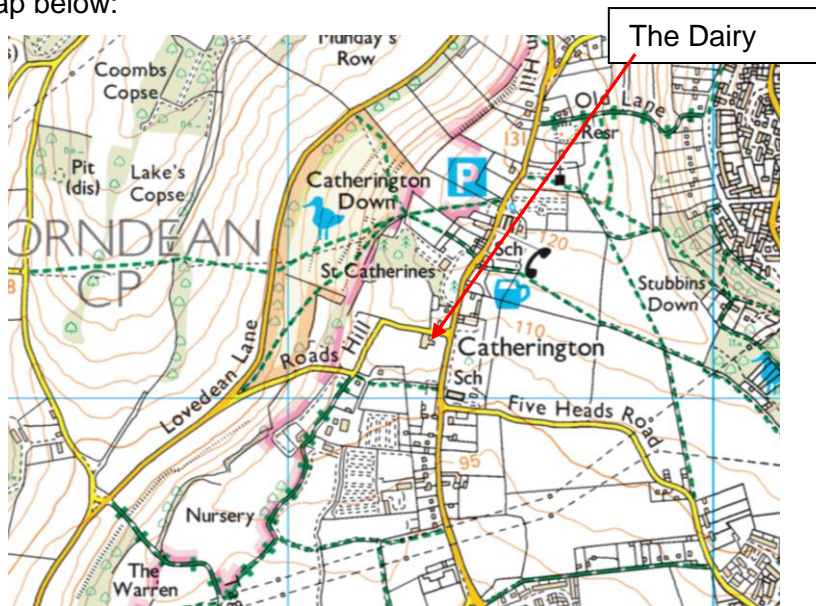
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1.0 INTRODUCTION

1.1 Southern Planning Practice has been instructed to prepare and submit an outline planning application advice request on behalf of Cornerstone Hampshire Ltd for a site owned by the Prescott family. The family has been considering the future of the site in the context of the 2016 appeal decision and current state of play with the emerging East Hampshire District Local Plan 2017 – 2036.

1.2 The site is at Catherington in the parish of Horndean – see map below:



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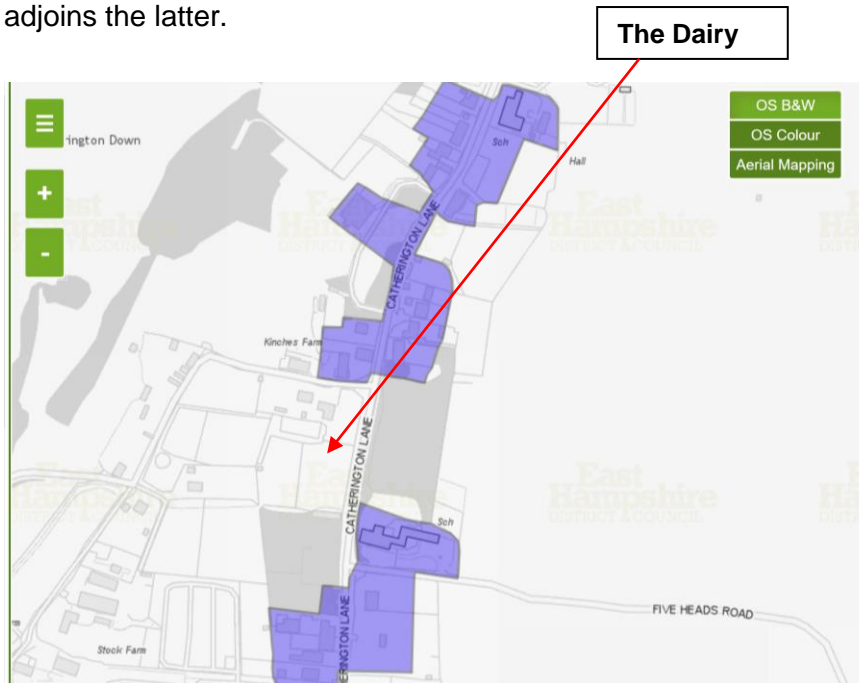
1.3 At present the site contains a number of former agricultural buildings some in workshop use and others in equestrian use together with a caravan used as a mess room for the equestrian use. A number of other activities use the land for storage of vehicles and materials in shipping containers, lightweight structures and in the open.

1.4 This Statement accompanies and explains the planning application. The application includes the technical reports on the following:

- Plans and drawings by Aquilla Architecture
- Arboricultural Report – Reports4planning
- Archaeology – Ecus Ltd
- Community Involvement – Cornerstone/ Southern Planning Practice
- Contaminated Land – Reports4planning
- Design & Access - Cornerstone/ Aquilla Architecture/ SPP
- Ecology – Reports4planning
- Flood Risk -
- Heritage – Ecus Ltd
- Landscape Assessment – David Hares Landscape
- Sustainability – Aquilla Architecture
- Transport – Nick Culhane
- and this Planning Statement

2.0 THE SITE AND ITS SURROUNDINGS

2.1 The site is located between two settlement policy boundary areas of Horndean and Catherington¹ – blue areas on the extract below from EHDC’s interactive map & adjoins the latter.



2.2 The settlement policy boundary to the south of the Dairy is expected to change in the emerging Local Plan to include land at Parsonage Farm – see Section 3.

¹ As per the East Hampshire District Local Plan: Second Review

2.3 The overall land ownership is approximately 2.5ha but The Dairy buildings occupy an area of 0.59ha. Given the commercial and equestrian uses at The Dairy that area of land would fall to be considered previously developed land. The aerial photograph below shows the buildings and structures at The Dairy. The overall visual impression is of a site that it looks a mess.



2.4 The site has three vehicular access points – see Transport Statement.² The first is on the junction of Roads Hill with Catherington Lane and the second is part way along Roads Hill. It has roadside boundary hedges to Catherington Lane and Roads Hill. There is a low bund on its southern boundary. The third is in the south west corner to Roads Hill.

2.5 The site and surroundings are reviewed in the Landscape and Visual Impact Assessment³ and can generally be described as follows. The site is located on the southern side of the junction of Roads Hill with Catherington Lane. The former dairy building is used as a vehicle repair and maintenance workshop (class B2 use) and the site contains numerous vehicles and shipping containers. A further building to the west is used in connection with equestrian uses, with a sand school and mess room (caravan) to the west of The Dairy buildings. To the south of the buildings is a sand school and paddocks and west are further paddocks and a lunge circle.

2.6 There are a variety of land uses in the locality including a private school, two travelling showmen sites, a small commercial site (Kinches Farm), houses and equestrian uses. Agriculture is not a significant land use.

2.7 To the east of The Dairy buildings, and part of the application site, is an area of land used for general storage in a mix of covered structures, shipping containers or in the open.⁴ The land to the south and west of The Dairy is used as paddocks/ pasture.

2.8 On the north side of Roads Hill is Kinches Farm where the former farm buildings have been converted to commercial use. Kings Court School is located on the opposite (east) side of Catherington Lane.

2.9 To the west of the site and served by Roads Hill are two travelling showpeople sites. These can be seen in the front cover aerial photograph.

2.10 The designated Conservation Area of Catherington comes to the northside of the junction of Roads Hill with Catherington Lane and includes land to the east and listed Kings Court School.

2.11 A public footpath runs along the southern boundary of the paddock land between Catherington Lane and Roads Hill with the agglomeration of buildings, structures and uses in full view therefrom.

² Transport Statement by Nick Culhane

³ LVIA BY David Hares Landscape

⁴ The planning authority has previously recognised that this is of an untidy nature (EHDC appeal statement for application 21864/018)

2.12 Submitted with this application are photographs of the site and following are photographs of the site from the public footpath.



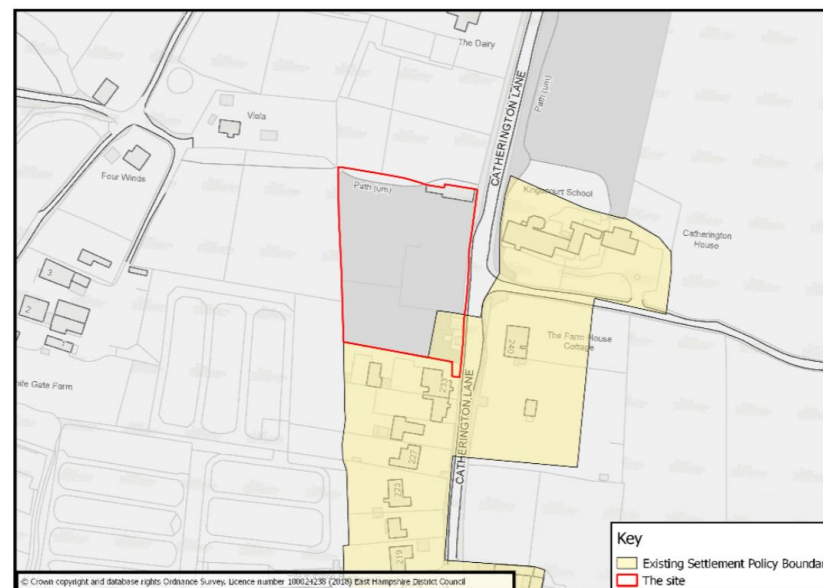
View from the public footpath leaving Catherington Lane

3.0 PLANNING HISTORY

3.1 The most recent relevant planning history is as follows.

Application	Development	Decision
21864/002	Use of part of farm building as a workshop for specialised motor cycle engine and frame development.	Temporary permission to 28/2/1987
21864/004	Outline – demolition of barn and erection of new barn / workshop for the repair of agricultural machinery, storage and stabling of horses.	Granted Dec 1987
21864/005	Use of land for the parking of two goods vehicles	Temporary permission to 31/1/1992
21864/009	Change of use from agricultural building to car repair and maintenance workshop.	Permitted March 1996
21864/012	Retention of temporary works depot/compound area	Temporary permission to 31/12/2000
21864/017	Outline - residential development, access road, car parking and landscaping provision.	Refused Aug 2005
21864/018	9 new dwellings with vehicular and pedestrian access, car parking, secure cycle storage and landscaping, following demolition of various outbuildings	Refused June 2015 Appeal dismissed June 2016

3.2 Relevant to the consideration of this application are the 2016 appeal decision – see [Appendix 1](#) and the emerging Draft Local Plan proposal to allocate a site (SA35) at Parsonage Farm to the south of this site for ‘about 5 dwellings’ – see map extract below and [Appendix 2](#).



3.3 The proposed development was the subject of a pre-application advice request ref: the response to which is at [Appendix 3](#).

4.0 PLANNING POLICY

4.1 The application site is adjacent to a settlement policy boundary and lies within the countryside.

A. National Planning Policy Framework (The Framework)

4.2 The Framework 2019 is a material consideration when determining planning applications. The following table summarises the key elements of the Framework so far as the site is concerned.

National Planning Policy Framework	
The Framework should be read as a whole (including its footnotes and annexes).	Paragraph 3
Section 2 Achieving Sustainable Development	
The purpose of the planning system is to contribute to the achievement of sustainable development	Paragraph 7
Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives). These are economic, social and environmental objectives	Paragraph 8
<i>Presumption in favour of sustainable development</i>	
At the heart of the Framework is a presumption in favour of sustainable of development. For decision making this means, approving development without delay that accords with an up-to-date development plan and where policies are out-of-date, granting planning permission unless 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.	Paragraphs 10 & 11
Section 4 Decision making	
Planning authorities should approach decisions on proposed development in a positive and creative way. They should work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.	Paragraph 38
Section 5 Delivering a sufficient supply of homes	
To support the Government’s objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed.	Paragraph 59

<p>Small and medium sized sites can make an important contribution to meeting the housing requirement of an area, and are often built-out relatively quickly. To promote the development of a good mix of sites local planning authorities should identify, through the development plan and brownfield registers, land to accommodate at least 10% of their housing requirement on sites no larger than one hectare; unless it can be shown, through the preparation of relevant plan policies, that there are strong reasons why this 10% target cannot be achieved and support the development of windfall sites through their policies and decisions</p>	Paragraph 68
<p>Section 11 Making effective use of land</p>	
<p>Planning decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions.</p>	Paragraph 117
<p>Planning policies and decisions should encourage multiple benefits from both urban and rural land, including through mixed use schemes and taking opportunities to achieve net environmental, give substantial weight to the value of using suitable brownfield land for homes and other identified needs, and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land</p>	Paragraph 118
<p>Section 12 Achieving well-designed places</p>	
<p>The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work</p>	Paragraph 124
<p>Planning decisions should ensure that developments function well and add to the overall quality of the area; are visually attractive as a result of good architecture, layout and appropriate and effective landscaping and are sympathetic to local character and history, including the surrounding built environment and landscape setting.</p>	Paragraph 127
<p>Section 15 Conserving and Enhancing the Natural Environment</p>	
<p>Planning decisions should contribute to and enhance the natural and local environment by: a) protecting and enhancing valued landscapes, sites of biodiversity or geological value (in a manner commensurate with their statutory status or identified quality); b) recognising intrinsic character and beauty and the wider benefits from natural capital – including trees and woodland;</p>	Paragraph 170
<p>When determining planning applications, planning authorities should apply the principle of if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts) the permission should be refused. The unwritten converse being that if significant harm does not arise permission should be granted</p>	Paragraph 175
<p>Section 15 Conserving and Enhancing the Historic Environment</p>	
<p>The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.</p>	Paragraph 197

4.3 The Framework is supplemented by the National Planning Practice Guidance (NPPG)⁵.

Development Plan

4.4 The development plan comprises the Joint Core Strategy (JCS) and those saved policies of the East Hampshire District Local Plan: Second Review (EHDLP: SR) that are still relevant. The JCS was prepared jointly with the South Downs National Park and adopted in May 2014. It guides development up to 2028. The JCS therefore could have significant weight in the consideration of development proposals but that weight is diminished by the fact that it has not been reviewed⁶ within five years of its adoption in May 2014.

4.5 The following JCS policies are relevant to this request.

Policy	Details
CP1	Presumption in favour of sustainable development - sets out EHDC's positive approach to planning in accordance with the Framework
CP2	Spatial strategy - sets out EHDC's approach to promoting and securing sustainable development in the period to 2028

⁵ Published as an on-line resource from 6 March 2014

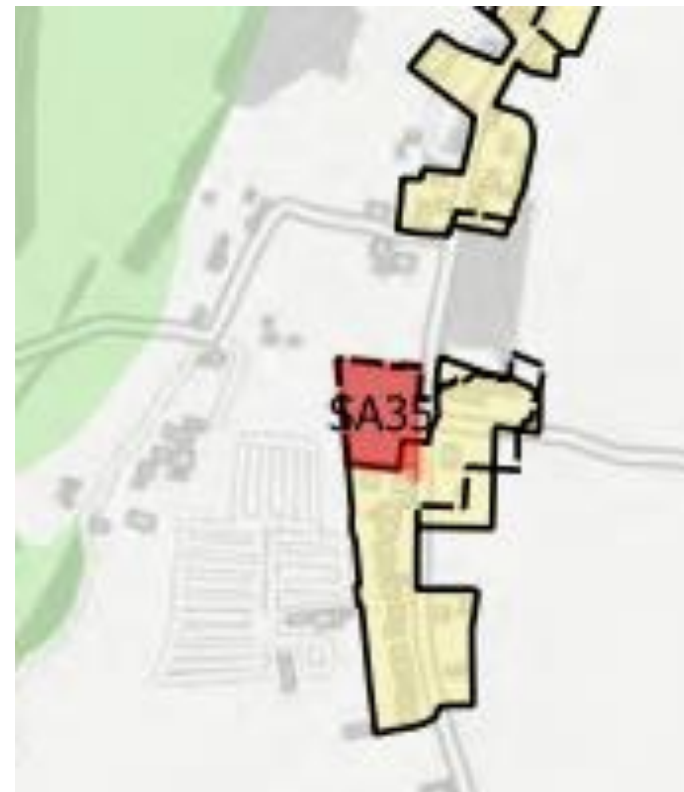
⁶ Required by The Town and Country Planning (Local Planning) (England) (Amendment) Regulations 2017

CP4	Existing employment land -the use of employment land for alternative uses will be permitted where the site can be shown to be no longer suitable for employment use of some form and the alternative use is in conformity and consistent with other policies and strategies of the Local Plan: Joint Core Strategy.
CP10	Spatial strategy for housing - in the period to 2028
CP11	Housing tenure, type and mix
CP13	Affordable housing on residential development sites
CP16	Protection and provision of social infrastructure - proposals for new and improved community facilities, will be supported.
CP19	Development in the countryside - a policy of general restraint will be applied in order to protect the countryside for its own sake.
CP20	Landscape – the special characteristics of the district's natural environment will be conserved and enhanced. New development will be required to meet a number of criteria
CP21	Biodiversity -Development proposals must maintain, enhance and protect the District's biodiversity
CP23	Gaps between settlements – for Horndean/Catherington/Clanfield the generally open and undeveloped nature of the gap between settlements will be protected to help prevent coalescence and retain their separate identity:
CP28	Green Infrastructure - development will be permitted

	that it maintains, manages and enhances the network of new and existing green infrastructure.
CP29	Design - sets out the planning authority’s approach to design requiring the built environment to be of an exemplary standard and highly appealing in terms of visual appearance
CP30	Historic Environment - development proposals must conserve and, where possible, enhance the District’s historic environment.

4.6 Where there are saved policies of the EHDLP: SR these are generally covered by the adopted policies of the JCS. And in any event the EHDLP: SR is almost ten years beyond its expiry date.⁷

4.7 Work on a new Draft Local Plan⁸ to replace the JCS and saved policies is under way and whilst it is not at a stage where it is a material planning consideration of any weight it serves to indicate the direction of travel the planning authority expects to take in the coming years. The draft plan indicates that the settlement policy boundary for Horndean will be extended towards Catherington and the application site – see area SA35 on the plan opposite.



**Extract from EHDC: Draft Local Plan 2017 – 2036
Draft policies maps page 30**

⁷ Paragraph 1.9 of the EHDLP: SR says *this document has been prepared as a statutory local plan to guide and control development in East Hampshire District until 31st March, 2011*

⁸ EHDC: Draft Local Plan 2017 – 2036 spring 2019

5.0 THE PROPOSALS

5.1 The applicant is well aware of the 2016 appeal decision concerning 9 dwellings on the site of The Dairy – a copy of that decision is at [Appendix 1](#). At the outset it needs to be explained that this proposal is not a re-run of that development proposal.

5.2 The appeal decision has been carefully considered and taken into account as has the pre-application advice response.⁹ As a result of the latter community consultation was undertaken to gauge public opinion about developing the site and to further inform the preparation of this application. A Statement of Community Involvement and full background papers is included with the submitted application documents.

5.3 At the heart of this proposal is the genuine intention of the applicant and landowners to resolve the future of this land and achieve a very significant improvement to the visual qualities of the area and meet a community need. The proposal, therefore, embraces the following:

⁹ The pre-application response fairly explained the obstacles any development proposal would face but gave the impression that a different form of development to that considered at appeal would be considered.

- A mixed-use development of housing, employment and community facilities/ scout hut
- The clearance of all extraneous buildings, structures, containers and open storage from the land to improve and enhance the countryside and the setting of the Conservation Area.
- The provision of two new replacement commercial units
- The provision of a site for a scout hut to meet a locally identified need
- To retain and enhance the present undeveloped gap between The Dairy buildings site and the extended area of Horndean after site SA35 is developed.
- To provide a future use of the undeveloped land that will improve and enhance the visual appearance of the countryside.

5.4 To that end, and following community consultation,¹⁰ the applicant/ owners are seeking to redevelop The Dairy site and sand school with commercial use buildings circa 240m², 3 single storey and 6 two-storey dwellings. This would be accompanied by the provision of a serviced community uses plot for local youth organisations such as guides and scouts. The submitted concept masterplan illustrates the development in broad outline. That is then amplified in the illustrative concept drawings.

¹⁰ See submitted Statement of Community Involvement and associated documents



5.5 The inclusion of the commercial use plot addresses the concerns raised in the appeal proposal about the loss of employment floorspace. At the time of the appeal, the B2 workshop use employed two people. That has since reduced to 1 person. The storage and shipping container uses do not provide direct employment as they are used by individuals and trades who carry out their business off-site. The state of the workshop buildings is such that they are not of modern standard and have limited appeal. Building a modern commercial unit would meet the planning policy, of not losing the site from employment use.

5.6 The remainder of the land would be retained in equestrian use to go with some of the residential properties as paddocks for private horse keeping. The applicants are willing to place covenants on the local gap land to retain it in an undeveloped state. Alternatively, this could be achieved by way of a Section 106 Obligation.

5.7 Vehicular access to the housing site would be via an improved access from Roads Hill with the access to the commercial buildings being close by and the access at the junction of Roads Hill with Catherington Lane being closed. The community services plot would have its own improved vehicular access from

Roads Hill towards the south west corner of the land. Users of the community plot also have the alternative of being dropped off in the layby on Catherington Lane and access the community land via the public footpath through to Roads Hill.

5.8 The accompanying concept plan illustrates the potential layout for the development.

5.9 It is intended that the development proposals would make provision and deliver enhancements for nature conservation in line with the Government's aim for the planning system to move away from minimising the impact on biodiversity with net gains to an approach where net gain is the policy objective.

5.10 This planning application includes the following plans and documentation:

- Site location plan
- Plans of the development
- Arboricultural Survey, Tree Report and initial Impact Assessment
- Archaeological assessment
- Design and Access Statement
- Nature Conservation – a Preliminary Ecology Survey and species surveys.
- Nature Conservation enhancement and net gain strategy

- Land Contamination Survey – a desk top study of available environmental information to establish any risk from potential contamination
- Landscape and gap assessment
- Parking statement – a summary of the required parking standards for the development and indication of the number of car, electric vehicle and bicycle spaces likely to be provided
- Sustainability Assessment – outline of the potential main elements of the scheme that address sustainable development issues
- Transport Assessment
- Planning Statement
- Community Infrastructure Levy forms

5.11 The outline application includes the development of a site of 0.59ha with nine dwellings and two commercial buildings and a detached site of 0.14ha with a community building in the form of a scout meeting room.

5.12 At the heart of the application are the following ten key principles:

1. Development makes the best use of **Brownfield Land** over Greenfield Land in line with Government and EHDC policy,
2. The existing commercial site has poor quality buildings and extensive ancillary structures and outside storage areas and is

currently **underused** with just 1 employee on 0.59 Ha of messy commercial land,

3. Provision is made for **land for the Scouts** to have a new badly needed facility with secure outdoor space,
4. The current views of the site as a whole are an **eyesore** and development will improve this including from the local listed buildings, the Conservation Area and footpath,
5. There is clear **community support** for an appropriate re-use of the land and this has been convincingly evidenced in a local consultation,
6. The proposal retains a commercial use element and **increases the employment** element of the land by providing two modest modern commercial units which aid and contribute to local employment and improved sustainability,
7. Three dwellings will be built to provide increased mobility 3 bedroom bungalows that can be retained **exclusively for Catherington residents** to release equity and downsize into,
8. Covenants on the equestrian portion of the land are offered C to secure and **protect the local gap** for the future,
9. A financial contribution of £77,000 is proposed towards the provision of off-**site affordable housing**,
10. The proposal offers several opportunities to **improve road safety** and the local public footpath.

6.0 PLANNING CONSIDERATIONS

6.1 Section 36(6) of the Planning and Compulsory Purchase Act 2004 requires development to be approved in accordance with the development plan, unless material considerations indicate otherwise. The Development Plan is thus the starting point. but other material considerations should also be taken into account.

6.2 The ability to consider material considerations provides flexibility to depart from the Development Plan where there are good reasons. One such material consideration is the Framework (National Planning Policy Framework) presumption in favour of sustainable development. Another could be where the delivery of key elements of the development plan, such as housing, is not being or may not be met through planning decisions. In addition, previously developed land, irrespective of its rural location, is regarded as a development opportunity.

6.3 The JCS and EHDLP: SR set out the adopted local planning policies for the District. But both are out of time. The EHDLP: SR pre-dates the original Framework and 'expired' in 2011 and thus only carries some weight in the determination of planning applications. Such weight will be substantially less where that Plan is inconsistent with the Framework.

Planning Policy - Analysis against the Framework

6.4 The key to understanding the applicant's approach to the development of the site can be found in paragraph 8 of the Framework and the three dimensions to sustainable development. The following highlights the key issues for those three dimensions.

Economic role: The proposal will provide employment during the construction phase and thereafter in the care and maintenance of the properties and in the two business units. Those two modern units will be more attractive to business than the tiered former agricultural building and associated ad hoc structures. They represent the opportunity for 4 or 5 people to be employed at the site compared to one worker at present. The dwellings would have provision for home working

Social role: The provision of nine additional households would support and contribute to a vibrant and healthy community in providing a supply of housing to meet the needs of present and future generations to continue to or live at Catherington. The provision for a new community building for the scouts adds to the achievement of the social role.

Environmental role: The appearance of the site and locality will be improved by the development and opportunities to add to and increase biodiversity further comply with the environmental role.

The development as a whole fulfils these mutually dependent roles.

6.5 Guidance on the application of the presumption in favour of sustainable development is set out at paragraphs 10 and 11. For decision-taking this means approving development proposals that accord with the development plan without delay; and where the development plan or relevant policies are out-of-date, granting permission unless:

- 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; or
- specific policies in this Framework indicate development should be restricted.

6.6 In light of this guidance, the starting point for consideration is the policies of the development plan. Where the relevant development plan policies are out of date or demonstrate a degree of conflict with the Framework, the presumption in favour of development should be applied. In any event housing applications should be considered in the context of the presumption in favour of development and the need to significantly boost the supply of housing land. Accordingly, in such instances proposals should be granted planning permission unless any adverse impact would

significantly and demonstrably outweigh the benefit. It is submitted that there are no significant adverse impacts to warrant refusal.

6.7 The presumption in favour of sustainable development remains a fundamental principle of the Framework. As to is the provision of affordable housing. The proposal makes a proportionate financial contribution towards affordable housing in line with supplementary planning guidance.

6.8 The proposal is consistent with the core objective of boosting housing supply and delivering sustainable forms of residential development which assist in addressing local circumstances. The context of this proposal is therefore set by the Framework and the need for planning authorities to identify and update annually a supply of specific deliverable sites sufficient to provide five-year's worth of housing against their housing requirements. It is the case that this site is available and deliverable now and achievable well within five years. The consistency of the proposal with the relevant dimensions of sustainable development and objectives of the Framework is a substantial material consideration in favour of granting planning permission.

6.9 A mixed-use development of this degraded site meets the national planning policy objectives in, inter alia, paragraphs:

- 59 and 68 Delivering a sufficient supply of homes
- 117 and 118 Making effective use of land
- 124 and 127 Achieving well-designed places
- 170 Conserving and enhancing the natural environment
- 197 Conserving and enhancing the historic environment

Assessment against the Joint Core Strategy

6.10 Policy CP1 sets the planning authority's commitment to the presumption in favour of sustainable development. Policy CP2 sets the spatial strategy for the district and has the aim of promoting and securing sustainable development to maintain the vitality and viability of existing communities, to meet the need for new resource efficient housing and economic growth. That aim requires that development is supported by necessary infrastructure and that it ensures the protection and the enhancement of the built and natural environment. Policy directs new development growth to the most sustainable and accessible locations and, in accordance with the Council's Spatial Strategy but not exclusively so.

6.11 It is acknowledged that the JCS made provision for 10,060 new dwellings in the plan period (JCS policy CP10) and that the Council has, until recently maintained an identified 5 year supply of land for housing. But that does not mean that no further housing should not be permitted; the 10,060 new homes is not a ceiling but, as the policy says, is a minimum. Whilst further development can be permitted within settlement policy boundaries it is highly relevant to note that this is: "where consistent with maintaining and enhancing their character and quality of life"

6.12 The same policy approach should also be taken to those windfall development opportunities that occur adjacent to settlement policy boundaries. This case is a case in point as it will provide nine decent homes and at the same time improve the quality of life for local residents. It should also be noted that policy CP10 goes on to say that housing should be accommodated through development and redevelopment opportunities within existing settlement boundaries in the **first instance** (author's emphasis) and in so doing clearly implies that there might be other development opportunities outside settlement policy boundaries.

6.13 In terms of the countryside the weight to be given to policy CP19 is significant but it is not proscriptive, it still requires a

judgement call. Whilst policy CP19 applies a general policy of restraint to development in the countryside in order to protect it for its own sake that policy has to be tempered by the fact that the houses and employment units would be on a 'brownfield' site. Furthermore, the requirement to find appropriate land and sites for the new housing stemming from and required by policies CP2 and CP10 needs also be considered in the context of the Government's drive to fix the broken housing market.

6.14 The JCS recognised that a large proportion of the new housing figure of 10,060 new homes will be found on greenfield sites and thus in the countryside. But here is a site that could be developed without taking greenfield land. Policy CP19 must therefore be approached with a degree of caution and not regarded as a total obstruction to appropriate and suitably located brownfield development. Despite not being within a settlement policy boundary this site is brownfield land largely surrounded by developed land uses, where the approach of policy CP19 to protect the countryside for its own sake is not compromised. Indeed, the proposal would not significantly harm the overall character, quality and tranquillity of the countryside; it improves those qualities. It would have positive benefits in that regard by replacing an unattractive agglomeration of buildings and structures

that is an anathema to its sensitive location affecting the setting of heritage assets.

6.15 A new replacement Local Plan is emerging, but it has currently been delayed because of issues about housing numbers and site availability. This has a knock-on effect on the Council's future 5-year housing land supply. An example of this is the delay in bringing forward the development of Land East of Horndean.

6.16 The Dairy has the potential to deliver 9 dwellings with associated environmental improvements to the character and appearance of the countryside and enhancement of the gap between Horndean and Catherington. This was recognised by the Community Consultation exercise that overwhelming supports development of the Dairy site and provision being made for community development. At the same time the Community does not wish to see the whole of the site developed – just the previously developed and unsightly land.

6.17 Maintaining the status quo and the use of the land and premises as they are, would pass up on the opportunities that the illustrative masterplan provides.

6.18 Coming back to the issue of five-year housing land supply, the latest published information for July 2019 showed a minor shortfall of 16 dwellings against the District's housing trajectory. That is not, necessarily, a reason to be overly concerned. However, the future housing provision in the south of the district relies on the site of Land East of Horndean coming forward with 150 homes being delivered in the next five years. The Council will be aware that the original outline permission 55562/001 for that development was granted in February 2016. The outline permission then expired. A second outline application 55562/005 for largely the same development was submitted in December 2018 and has not yet been determined. Given that there has been no progress towards delivering one house on that site in the near five years since the original hybrid planning permission was granted it cannot be assumed that housing delivery will take place in the next five years.

6.19 Bringing forward the development of The Dairy fits with the Government's most recent announcement and consultation to speed up the delivery of new homes commensurate with making the best use of previously developed and under-used land and maintain valued high-quality landscapes. The latter does not particularly apply to The Dairy but, the illustrative proposal does

represent a golden opportunity to deliver environmental improvements to the immediate locality and the setting of the adjacent Conservation Area.

6.20 It cannot be overlooked that planning policy at East Hampshire has fallen behind the times. The EHDLP:SR is now nearly ten years past its expiry date (31 March 2011) and the JCS coming up to two years beyond its review date (May 2019). The emerging Local Plan to replace both has fallen behind schedule¹¹ and as a result there is no Development Plan in place that carries great weight. In such circumstances the Framework can be seen to have paramount importance over the aged and ageing EHDLP:SR and JCS.

6.21 Turning to 2016 planning appeal decision the following favourable comparison can be made with two of the three main planning considerations set out in the decision letter:

- *Whether the loss of the existing employment use is acceptable;* This has been addressed by the inclusion of two business units within the development and accords with JCS policy CP4
and

¹¹ Somewhat understandable so, given the Government's intention to fundamentally change the planning system

- *Whether the proposal makes appropriate provision for affordable housing.* This has been addressed by the offer of a financial contribution towards off-site affordable housing to reflect the fact that the potential floor area of the housing development exceeds the 1,000m² threshold for affordable housing provision and accords with JCS policy CP13

6.22 That leaves the other main issue considered in the planning appeal namely:

- Whether the location of the site is suitable for residential development having regard to the development plan and the principles of sustainable development as set out in the National Planning Policy Framework (the Framework).

It is that issue that this Statement now addresses.

6.23 It is accepted that The Dairy site is not within a settlement policy boundary and is therefore in the countryside and ordinarily its development would be regarded as contrary to JCS policies CP1, CP2 and CP19. It is also within a local gap for the purposes of JCS policy CP23. Staying with local gap policy, whilst the locality of the gap is mentioned in policy (Horndean/ Catherington/ Clanfield) but as paragraph 7.33 stated, the precise boundaries for the gaps will be identified in future Local Plans. It was also the case that Settlement Policy Boundaries would be reviewed at the

same time. To date that has not yet happened; no reviews have been undertaken and concluded and it is over six years since the JCS was adopted.

6.24 The identification of an undefined local gap in a now time expired JCS is not a consideration of great weight (although it clearly was in 2016). Moreover, paragraph 7.29 explains that gaps have not been identified (sic defined) for the express purpose of protecting the countryside or landscape, but rather as a planning tool designed to shape the patterns of towns and villages. A clear break between settlements helps to maintain a “sense of place” for residents of, and visitors to, the communities on either side of the gaps. When passing from place to place (by all forms of transport) these gaps give a recognisable structure to a group of settlements, establishing in travellers’ minds that they have left one settlement before they arrive somewhere else. In the case of The Dairy, the agglomeration of buildings and structures lies at the side of the gap and is visually associated with Kinches Farm on the north side of Roads Hill. The only impact it has on the gap and the perception of the gap is to pose the question what is that mess and why isn’t something being done about it? It is the visual and perceptual appreciation of the local gap which this application seeks to

improve and make a positive contribution to the sense of place at this point.

6.25 That brings the case back to the consideration of countryside and landscape policy coupled with the issue of sustainable location of development – the remaining principal development plan considerations.

6.26 Weighed against the location of The Dairy site within the countryside is its unfortunate physical presence in the countryside landscape. The benefit of remedying the environmental effect of the existing development was recognised by the appeal Inspector. He accepted that there would be environmental benefits from the overall appearance of that scheme in relation to that of the existing buildings, including for the setting of the adjacent Conservation Area and nearby listed buildings. However, those benefits were insufficient to overcome his findings in the main three issues.

6.27 The position nearly five years on is that two of the main issues have been addressed and in the applicant's view overcome. Moreover the question of whether this is a sustainable location has moved on from when appeal Inspector expressed concerns about the site's sustainability in terms of its location and

access to services. Moved on because that objection is no longer credible given the planning authority's draft allocation of the close by Parsonage Farm site for about five dwellings. If that site is considered an appropriate, sustainable location then so too is The Dairy.

6.28 This is not a plain greenfield site where only grass and trees exist. The principle developable area is previously developed land ('brownfield land') where the Framework in Section 11 encourages planning authorities to:

- promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions.
- encourage multiple benefits from both urban and rural land, including through mixed use schemes and taking opportunities to achieve net environmental gains
- take a positive approach to applications for alternative uses of land which is currently developed but not allocated for a specific purpose in plans, where this would help to meet identified development needs.
- promote and support the development of under-utilised land, especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively

This is exactly the sort of case where these national planning principles should be applied especially when the identification and provision of future housing sites is up in the air.

6.29 The provision of land for a community building to satisfy an unmet need for local scouts is a factor that should be given great weight. No such community benefit was 'on the table' in 2016 and the Community Consultation established firm support for community uses in association with the redevelopment of The Dairy site. The submitted Scout Hut needs assessment ably explains the need for a purpose built meeting room that shared use of public halls cannot satisfy.

6.30 It is not the role of this statement to repeat the technical and professional reports and statements of others because they individually explain the issues they deal with. Suffice to say those documents clearly establish the following:

- Arboricultural Report – no significant impact on existing trees and their welfare and adverse consequences can be avoided.
- Archaeology – no identifiable archaeological interest at the site
- Community Involvement – strong local support for the approach being taken

- Contaminated Land – potential risks have been identified associated with past use(s) of the site. These would need to be investigated further and any confirmed contamination remediated.
- Design & Access – the proposal is a wholly appropriate architectural proposition for the site and its context
- Ecology – no international or national designations affected and local enhancement measures for ecology should be adopted.
- Flood Risk – the site is not within an area of flood risk
- Heritage – no harm to heritage assets
- Landscape Assessment – the development would replace existing unsightly buildings and the extent and scale of both landscape and visual impacts are relatively localised. Proposed mitigation measures will help to reduce these impacts within a period of between 4 and 7 years.
- Sustainability – the development would be undertaken in a sustainable manner.
- Transport - the development fully accords with the National Planning Policy Framework and the development plans

6.31 The landowners and applicant believe that the mixed-use approach to the development of the site as a whole represents a worthwhile and pragmatic future for the site. Moreover, the mix of community, employment and housing establishes a positive future for the site that the status quo could not.

7.0 PLANNING BALANCE AND CONCLUSION

7.1 The housing and business units can be accommodated within the built environs of the site and, with the community use building, deliver worthwhile environmental gains.

7.2 The proposal presents the opportunity to secure an appropriate environmental solution to poor visual quality of the dairy site and make a positive contribution to the local gap when the extent of that gap is reviewed and re-affirmed. This must be a material planning consideration of great weight.

7.3 The proposal goes well beyond the limited offer in the 2016 appeal proposal in that it includes business units, a community building and a contribution towards off-site affordable housing. The mixed-use development is the best of all worlds rather than being solely a housing proposal with no other tangible planning benefits. This is a fundamental change to the previously unsuccessful appeal proposal and should be given significant weight.

7.4 The Community Consultation exercise has clearly established local support for this form of development which the applicant is very happy to progress and accept any planning obligation to deliver the benefits and secure safeguards against any further development.

7.5 The windfall opportunity for nine additional houses in an area severely constrained by the National Park designation and where the National Park Authority will not meet its objectively assessed need for housing should be given significant weight.

7.6 This is previously developed land adjacent to a settlement policy boundary and largely surrounded by existing built development or intensively used land (showmen sites). The development would not be harmful to the landscape impact. Indeed, it would be a positive improvement in landscape terms. There would be positive benefits for the setting of the adjacent Conservation Area and listed buildings. This creates a strong case for granting permission.

7.7 Only where it can be shown that any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole, should permission be refused or development be restricted. No such adverse impacts arise in this proposal.

7.8 Settlement policy and local gap boundaries have been due to be reviewed since the JCS was adopted in 2014. The absence of the outcome of any such review in nearly seven years gives strong credence to the applicant's view that only modest weight

can be given to those two issues simply because the development plan from which they both stem, is well-beyond the sell by date of the plan. The East Hampshire District Local Plan: Second Review at paragraph 1.9 said:

This document has been prepared as a statutory local plan to guide and control development in East Hampshire District until 31st March, 2011.

We are fast approaching the tenth anniversary of its expiry. As a result little weight should be given to settlement policy boundary and extent of local gap issues.

7.9 As explained in Section 6 above it cannot be overlooked that planning policy at East Hampshire has fallen behind the times. The EHDLP:SR is now nearly ten years past its expiry date (31 March 2011) and the JCS coming up to two years beyond its review date (May 2019). The emerging Local Plan to replace both has fallen behind schedule¹² and as a result there is no Development Plan in place that carries great weight. In such circumstances the Framework can be seen to have paramount importance over the aged and ageing EHDLP: SR and JCS.

¹² Somewhat understandable so given the Government's intention to fundamentally change the planning system

7.10 The proposal represents change but the public consultation exercise has shown that local people are unanimously in support of the applicant's approach. This is a positive endorsement of the Government's policy approach of empowering local people to shape their surroundings and should be afforded significant weight.

7.11 The development can be accommodated in this locality with positive benefits and no ill effects. It is suitable, sustainable and deliverable. The proposals strike the right balance of finding an acceptable future for the site and accommodating development within the built environs of the site and its surroundings. It is of a form that that will successfully meld with its surroundings. The development would therefore accord with the environmental dimension that runs through the Framework sustainable development principles.

7.11 The development proposal has been very carefully considered and the constraints and opportunities analysed and assessed. It is supported by those villagers who commented on the options for development. For these and the above reasons it is considered that outline planning permission should be granted.