

Our ref: NP12276

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Hart District Council
Civic Offices,
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Dear Sir/Madam,

Plough Farm, Chalky Lane, Dogmersfield, Hook, RG27 8TD – Request for Pre-Application Advice in relation to Change of Use of Land to Park Home/Residential Lodges Site

On behalf of our client, Mr John French, we are pleased to submit a pre-application advice request to Hart District Council ('the Council') in respect of the above description of development.

This letter provides details of the site, the proposed development, the planning policy context as well as our view on the acceptability of the proposal in accordance with the Development Plan and material considerations. We would be grateful for the opportunity to meet with Council Officers to discuss the proposal, and subsequently obtain the Council's written view regarding the acceptability in principle of the proposed development. We would also be grateful for confirmation of the documents that would need to be submitted as part of a formal planning application.

To assist in your assessment, we enclose the following documents and information with this letter:

- The Covering Letter;
- Site Location Plan (Ref: 12276-0001-01);
- Appeal Decision APP/R0335/W/16/3163349 Warfield Park;
- Appeal Decision APP/C3810/C/19/3222033 Wisteria Heights;
- Appeal Decision APP/C1435/W/20/3265476 Deanland Wood.

Site Context

The site is located approximately 4 km to the south west of Fleet and 1.4km to the south west of Dogmersfield on the west side of Chalky Lane. There are several residential properties comprising Plough Farm, and the application the subject of this request is situated to the south east of these properties. It is accessed via secondary access 140m to the south of the access serving the residential properties.

The site is enclosed by low-level hedgerows and fencing. There is an open field immediately to the east, with small blocks of woodland to the north and south. The Four Seasons Hotel is situated on the opposite side of the road to the west.

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The site is not the subject of any historic ecological designations, although the site is 190m to the south of the Basingstoke Canal which is a Site of Special Scientific Interest. It is also recognised that the site is within 7km of the Basin Heaths Special Protection Area (SPA). None of the buildings at Plough Farm are listed, but several buildings on the opposite site of the road are listed, including the Grade I listed Dogmersfield Park House

Planning History

There is no recent relevant planning history relating to the site, according to the Council's website.

Proposed Development

The Council's pre-application advice is sought in relation to the siting of residential lodges/park homes on land to the south west of the existing buildings at Plough Farm. The proposed development will be marketed at the retirement market and will be set in extensively landscaped grounds. The lodges will all fall within the statutory definition of a 'caravan'. Section 29 of the Caravan Sites and Control of Development Act 1960 provides the definition of a caravan as follows

"caravan" means any structure designed or adapted for human habitation which is capable of being moved from one place to another (whether by being towed, or by being transported on a motor vehicle or trailer) and any motor vehicle so designed or adapted, but does not include—

"(a) any railway rolling stock which is for the time being on rails forming part of a railway system, or

(b) any tent"

The definition in section 29 above was amended by section 13 of the Caravan Sites Act 1968 to cover 'Twin-unit caravans'. Section 13 of the 1968 Act was further amended by 'the Social Landlords (Permissible Additional Purposes) (England) Order 2006 (Definition of Caravan) (Amendment) (England) Order 2006'. The definition of a 'caravan' is therefore as follows:

"(1) A structure designed or adapted for human habitation which—

(a) is composed of not more than two sections separately constructed and designed to be assembled on a site by means of bolts, clamps or other devices; and

(b) is, when assembled, physically capable of being moved by road from one place to another (whether by being towed, or by being transported on a motor vehicle or trailer),

shall not be treated as not being (or as not having been) a caravan within the meaning of Part I of the M1 Caravan Sites and Control of Development Act 1960 by reason only that it cannot lawfully be so moved on a highway when assembled.

(2) For the purposes of Part I of the Caravan Sites and Control of Development Act 1960, the expression "caravan" shall not include a structure designed or adapted for human habitation which falls within paragraphs (a) and (b) of the foregoing subsection if its dimensions when assembled exceed any of the following limits, namely—

(a) length (exclusive of any drawbar): 65.616 feet (20 metres);

(b) width: 22.309 feet (36.8 metres);

(c) overall height of living accommodation (measured internally from the floor at the lowest level to the ceiling at the highest level): 10.006 feet (3.05 metres)"

For planning purposes, both the 1990 Act and The Town and Country Planning (General Permitted Development) Order 2015 (as amended) ('the GPDO') both adopt this singular definition.

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Vehicular access will be provided via the existing secondary (southerly) access to the site. The site will be landscaped with opportunity to provide new wildlife habitats. The woodland to the north of the site (up to the canal) is in the Applicant's ownership, and opportunity exists to introduce a management scheme to enhance biodiversity net gain associated with the proposed development.

In terms of infrastructure, such as roads and caravan bases, these are implemented by a separate process of licensing. The form and layout of caravans and related infrastructure is controlled by a separate licensing process under the 1960 Act. The 1960 Act describes the relationship of the licensing process with planning control. The licensing process effectively determines and controls the form and layout of the internal site, such as caravan density and road infrastructure. This is a separate and distinct process to planning which addresses the principle of use only. Part 5 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) confirms that development required by the conditions of a site licence under the 1960 Act constitutes permitted development. Planning considerations should therefore only relate to the use of the land for the intended purpose (in this case, being the siting of mobile homes), and not make any assessment of any operational development that would accompany the development.

Planning Policy Context

Development Plan

Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. In this case, the relevant parts of the development plan is the Hart Local Plan (Strategy and Sites 2032) (HLPSS). Under Policy SS1 Development will be focused within defined settlements, on previously developed land in sustainable locations, and on allocated sites as shown on the Policies Map. Subject to the availability of deliverable avoidance and mitigation measures in respect of the Thames Basin Heaths Special Protection Area, the housing requirement in Hart is 423 homes per annum between 2014 and 2032 which equates to 7,614 homes.

The Policies Map shows that the site is outside a defined settlement, and is within the countryside where Policy NBE1 states:

“Development proposals within the countryside (the area outside settlement policy boundaries and designated Strategic and Locally Important Employment Sites, as defined by the Policies Map) will only be supported where they are:

- a) meeting the proven essential need of a rural worker to live permanently at or near their place of work; or*
- b) providing business floorspace to support rural enterprises (Policy ED3); or*
- c) providing reasonable levels of operational development at institutional and other facilities; or*
- d) providing community facilities close to an existing settlement which is accessible by sustainable transport modes; or*
- e) providing affordable housing on rural exception sites (Policy H3); or*
- f) providing specialist housing (Policy H4); or*
- g) providing either a replacement dwelling, an extension to an existing dwelling or the subdivision of an existing residential dwelling; or*
- h) converting previously used permanent buildings or redundant agricultural buildings for appropriate uses¹⁷; or*
- i) are for a replacement building that is not temporary in nature, or for an extension to an existing building, provided that the proposal does not require substantial rebuilding, extension or alteration; or*
- j) located on suitable previously developed land appropriate for the proposed use; or*

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k) proposals for small scale informal recreation facilities such as interpretation centres and car parks which enable people to enjoy the countryside; or

l) To secure the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets (Policy N BE8); or

m) Of exceptional quality or truly innovative in design and which significantly enhances its immediate setting and is sensitive to the local character; or

n) For traveller sites that comply with Policy H5.”

Policy H3 relates to rural exception sites, and states that small-scale developments of affordable housing on land adjoining or closely related to villages will be supported provided: a) they would address a proven local need for affordable housing; b) the affordable housing is available in perpetuity for those with a local connection; c) they include a mix of dwelling types, sizes and tenures that are informed by a discussion and agreement with the Council, including considerations of the current evidence of housing needs for the settlement; and d) the development is in keeping with the character and size of the settlement.

As noted above, it is also recognised that the site is within 7km of the Basin Heaths SPA, where under Policy NBE3 residential development of over 50 net new dwellings may be required to provide mitigation measures. This will be assessed on a case-by-case basis in consultation with Natural England.

Policy NBE9 is a multi-criteria policy relating to Design.

Otherwise, the site is not the subject of any specific allocations or designations. There are no policies in the HLPSS relating to caravan/residential lodge/park home sites.

The site is within the area covered by the Dogmersfield Neighbourhood Plan. Policy DNP1 states that development proposals in the countryside and outside the boundaries of the Conservation Areas will only be supported if they are designed to provide appropriate facilities for rural enterprise, agriculture, forestry, or leisure, and to do so in a manner which demonstrably benefits the rural economy without harming countryside interests. Any other proposals within the said areas which relate to greenfield land, or for the development of residential garden land which would not relate to the design, density, layout and character of the village will not be supported. Development proposals within the said areas should comply with the design and other policy requirements of the Neighbourhood Plan.

Other Material Considerations

National Planning Policy Framework

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)(paragraph 8):

- a. an economic objective;
- b. a social objective;
- c. an environmental objective.

Paragraph 11 states that plans and decisions should apply a presumption in favour of sustainable development. For decision-taking this means: approving development proposals that accord with an up-to-date development plan without delay; or 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 the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

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, that the needs of groups with

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specific housing requirements are addressed and that land with permission is developed without unnecessary delay.

Within this context, paragraph 62 states that the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies (including, but not limited to, those who require affordable housing and older people.

Assessment of Proposed Development

Principle of Development

The proposal will assist in meeting the District's housing needs. by Section 124 of the Housing and Planning Act 2016, which recognises mobile homes as having a role in contributing towards the supply of housing in a given area. Housing supply: Indicators of new supply, England Technical Notes, published by the Ministry of Housing, Communities & Local Government in September 2020 states that non-permanent (or 'temporary') dwellings are included in the definition of dwellings if they are the occupant's main residence and council tax is payable on them as a main residence, and that these include caravans, mobile homes (page 19).

While the site is outside of any settlement boundary, as noted above the proposal will be aimed at the retirement market, and the type of accommodation proposed represent a low-cost form of housing which can be sold in a way which is compatible with affordable housing, which is defined in the NPPF as:

"...housing provided for sale that provides a route to ownership for those who could not achieve home ownership through the market. It includes ...other low cost homes for sale (at a price equivalent to at least 20% below local market value)" (Glossary, Page 64).

The proposal would therefore satisfy the requirements of Policy BE1 (e). In terms of Policy H3 (a), the Hart, Rushmoor and Surrey Heath Strategic Housing Market Assessment 2014 -2032 (SHMA) notes that the strongest growth in population over the last decade has been amongst the older age groups. The older population (those aged 65+) make up around 15% of the population as a whole. There has been a significant increase in the number of people in advanced old age (85+). This is identified as a 'key issue'. Paragraph 14.31 states that it should be recognised that many older households in the private sector will have built up equity in their existing homes. In the private sector many older households may be able to afford a larger home than they need (and thus under-occupy housing). Some may look to downsize to release equity from homes to support their retirement or to move into somewhere more manageable. While the SHMA does not make specific references to retirement lodges/park homes, or indeed bungalows, as noted above, the proposed development would be aimed at the retirement market and at a section of the population that are looking to downsize to single storey accommodation in a managed environment.

There is therefore some compliance with the policies of the development.

Visual Impact

As noted above, the site screened and enclosed by existing mature trees and woodland. The site will nevertheless this will be enhanced through a detailed landscaping scheme.

Design

As noted above, the lodges will be manufactured off site and assembled from two parts on site. Noting the dual system of control with licencing described above, the proposal will comply with Policy NBE9. There is a wide variety of products available, however the Applicant will be looking for the lodges to blend in with its rural surroundings

Biodiversity

As noted above, the site is not the subject of any site specific statutory or non-statutory ecological designations. It is accepted that a full survey will be required prior to any planning application being determined. I would nevertheless be grateful to receive your comments on the proposal, with the caveat that the ecological impact of the proposal must be considered in further detail.

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Transport, Access and Parking

The proposed development will be accessed principally via the existing access off Chalky Lane. The access accesses has good visibility in both directions, and as noted above, is unrestricted in terms of its use. Parking will meet with the prevailing standards, and the Applicant will look to implement a Green Travel Plan. It is acknowledged given the scale of the development a Transport Appraisal/Statement will be required, and any input into the scoping of such a document in the response to this request would be gratefully received.

Flood Risk

While the site is in Flood Zone 1, given the size of the site, it is recognised that any application would need to be accompanied by a Flood Risk Assessment.

Sustainable development

In accordance with the NPPF, the proposal should be seen in the context of sustainable development. In this respect, the proposal is assessed against the three dimensions indicated in NPPF Paragraph 8.

Social Role

The proposal would provide significant social benefits, in improving access to the countryside and helping to maintain and enhance the vitality of local services and facilities, including public transport operations.

Economic Role

From an economic perspective, residents will support local businesses and services. It would also create some employment during the implementation phase, and local employment once operational, with some direct part-time and full time opportunities, and indirectly through the supply chain.

Environmental Role

In terms of environmental role, the proposal would introduce comprise a comprehensive landscaping scheme which would create new and enhanced wildlife habitats, with net biodiversity gains.

The proposed development can therefore be considered to represent a form of sustainable development

Planning Balance

As noted above, planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise.

Given the relative affordability of the units comprising the development, there is some conformity with the development plan in this regard. Should the Council decide that the proposal does not comply with the development plan when taken as a whole, there are material considerations which weigh in favour of allowing the scheme.

Central to this is the ability of the scheme to contribute to the supply of housing in the District. In the paragraph 41 of the Wisteria Heights appeal decision (APP/C3810/C/19/3222033) (attached). The Inspector noted that: *"The provision of 12 units of permanent residential accommodation through the removal of the condition would have a modest beneficial effect on the Council's overall supply of homes."*

In the Warfield Park case in Bracknell Forest for up to 82 mobile Homes (APP/R0335/W/16/3163349 - attached), the Inspector stated that against a sizeable housing deficit, the provision of "housing" would be a "benefit". In the Hermitage Caravan Park case (also in Warfield in Bracknell Forest (APP/R0335/W/19/3243351 - attached), the Inspector found that the additional 7 no. mobile homes comprising an extension to an existing caravan park was a marginal amount, "but would help maintain the delivery of the Government's target of 300,000 new units annually" (paragraph 48).

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In the Deanland Wood Park case in Wealden (APP/C1435/W/20/3265476 – also attached), the Inspector noted that the proposal for change of use of land at an existing retirement park to site 105 additional park home caravans for people over 50 years old “*would make a significant contribution to the supply of housing in the District*”, observing also that “*Although not constructed of traditional bricks and mortar, the new homes would be of good quality and they would be set within an attractive residential environment*” (paragraph 35).

Other benefits of the accommodation proposed include:

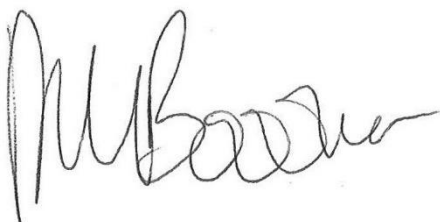
The units can be sited, serviced and occupied much more quickly than traditional ‘bricks and mortar’ housing. They require limited groundworks, and the noise and general disturbance during the implementation/construction phase is much less because a large proportion of the construction work is undertaken off-site. This means significantly fewer journeys for construction traffic which reduces the impact of construction on an area.

- They add to the variety of housing stock in any given area, and in particular single-storey ‘bungalow’ accommodation is rarely provided by volume housebuilders. Lack of single-storey accommodation is a major issue across the UK, meaning a reduced choice for those who either require or prefer this type of accommodation (which includes older people or those with reduced mobility). The growth in the development of this type of unit is beginning to redress that balance.
- Because they are built in a factory environment, the controls over fabrication are more controlled resulting in much better performance against environmental considerations than typical bricks and mortar houses. This includes selection and consumption of raw materials, the use of energy efficient appliances and fittings, right through to waste management.
- With a lifespan of 70+ years, the units require much less maintenance than a traditional dwelling.

As noted above, the opportunity exists with the woodland to the north and the wider landscaping of the site to significantly enhance the biodiversity value of the site as a whole.

I therefore look forward to receiving your pre-application on the points raised in this letter. I would be grateful to receive conform of the validation requirements for an application for the proposed development, in the event that an application is made. Should you have any queries in the interim, please do not hesitate to contact me.

Yours sincerely,
for RPS



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cc: John French