

**PLANNING & DESIGN STATEMENT IN  
RESPECT OF AN OUTLINE APPLICATION  
FOR A PROPOSED DWELLING &  
RELATED WORKS**

**AT**

**LAND AT OLD POTBRIDGE ROAD,  
WINCHFIELD RG27 8BT**

**MLP REF: OPR/23/188**

**OCTOBER 2023**

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### **1.0 Introduction**

- 1.1. This statement sets out relevant planning policies and the application of those policies. In so doing, the following conclusions are reached:
  - The proposal falls to be considered in the context of the relevant development plan policies and all other material planning considerations.
  - There are policies of the development plan which afford opportunities for housing outside of defined settlements. These are limited to exception sites for affordable housing and, in the case of the Made Neighbourhood Plan (NP), an acknowledgment that there is a need and scope for small scale housing developments outside of the defined settlement boundary. There is also scope in development plan policy for the reuse of previously developed land (PDL).
  - It is clear that the application site lies in a large “cluster of housing” relating to Winchfield Lodge and the houses on Old Potbridge Road. It is in close proximity to a larger settlements and related infrastructure as well as being proximate to a main line railway station. As such the application site is not “isolated” in so far as it is close to other dwellings and thus reflects a cluster in the terms of *Braintree*. This is wholly reflective of the approach to housing provision as set out in the July 2021 Framework which post dates the development plan.
  - In this case the landscape is not of any special designation and there are no other overriding biodiversity or other reasons for resisting the provision of the additional house. Where there are potential ecological constraints these can be addressed at reserved matters stage.

- In regard to tree constraints it is demonstrated with the indicative layout, that the retention of category A and B trees can be achieved with development outside of the RPA's. The tree felling which is necessary implicated only lower grade category C trees and the amenity of the woodland is retained whilst allowing for a garden area for the proposed dwelling.
  - The reserved matters of appearance, layout, scale and landscaping can be properly considered at a later date and can reflect the local vernacular. In this way it can fulfil the objectives of the development plan.
- 2.1. In light of the foregoing, the planning balance should fall in favour of the grant of planning permission so that the delivery of a dwelling can be achieved.

## **2.0 Planning & land use history**

- 2.1. Planning permission has been variously granted for residential development on the former Winchfield Lodge site and this now comprises the conversion to 4 dwellings and 12 other dwellings in various forms.
- 2.2. This permission was granted under reference 13/00720/MAJOR and has been implemented.
- 2.3. Under reference 19/01789/FUL planning permission was granted for Demolition of existing outbuilding and erection of a detached four-bedroom dwelling, detached double garage and a new access. This was at The Barn Old Potbridge Road and the permission has been implemented. The principle was established under reference 17/02778/FUL and 14/02922/LDCEX which had established the lawfulness of a dwelling.
- 2.4. Under reference 23/01380/FUL planning permission for a replacement dwelling at Four Winds was refused on grounds relating to design and character.

## **3.0 Planning policy**

- 3.1. The relevant development plan policies are set out in the adopted Local Plan Strategy and Sites 2032 (2020) and the Made Neighbourhood Plan (2017) Plan. The relevant policies are as follows:

### Adopted Local Plan

NBE1	Development in the countryside
NBE2	Landscape character
NBE3	TBHSPA
NBE4	Biodiversity
NBE7	Sustainable water use
NBE9	Design
INF3	Transportation
H6	Internal space standards

### Made Neighbourhood Plan (NP)

A1	Development size and location
A2	Car parking, gardens and utilities
A3	Height and type of housing
B1	Rural look and feel - Significant views.
B2	Rural look and feel - public rights of way and tranquillity.
C1	Local ecology and flood risk areas

- 3.2. These two parts of the development plan are up to date carry full weight in decision making.
- 3.3. In terms of the Framework the following policies and approach are relevant to the determination:
- 11 Achieving sustainable development which is a combination of the economic (a strong and competitive economy); social (healthy communities with a supply of housing to meet current and future needs); and environmental (safeguarding our natural and built environment, including biodiversity enhancement and a response to climate change).
  - 80 Planning policies and decisions should avoid **isolated** housing in the countryside (my emphasis).
  - 175 Distinguishing the level and hierarchy of landscapes with appropriate weight being afforded to them in decision making.
- 3.4. The following section applies these policies to consideration of this development proposal.
- 4.0. Applying planning policy**
- 4.1. In considering the relevant planning policies, we refer to the following:
- 1. Is the development acceptable in principle?
  - 2. Is the visual effect of a dwelling acceptable in the wider landscape?
  - 3. Is the effect on ecology, biodiversity and trees acceptable?
  - 4. Are there any other material planning considerations?

### **The principle of development**

4.2. The site lies outside of a defined settlement boundary and, as such, it falls within the “countryside” designation. It is not a site which is allocated for housing and the case for exception to these policies needs to be properly applied. The following matters apply:

1. Is the proposed dwelling isolated residential development; and does it reflect the policies of the Made NP?
2. What weight should be afforded to landscape impact?
3. Are there any other material planning considerations?

### **The concept of isolation**

4.3. The NP states as follows:

*There are two areas that our policy is designed to clarify: • We recognise that sustainable development in Winchfield will need to go beyond the current Settlement Boundaries. • Density, though mentioned is not defined in RUR 20, and is left open to interpretation*

*Our policy seeks to enhance the current Hart DC policies and facilitate suitable sustainable development even where it might be outside of the Winchfield Settlement Boundaries. Winchfield has two Hart recognised Settlement Boundaries – Winchfield Hurst and Winchfield Court – and several other areas of housing concentration (Station Road, Beauclerk Green, Old Potbridge Road and Odiham Road). It is important that new development should work with the essentially open character of the village and not adversely affect the natural beauty and landscape of the local or wider area. We recognise that sustainable development in Winchfield will need to go beyond the current Settlement Boundaries.*

4.4. Thus, following consultation and a referendum as is a Regulatory requirement in the process there is an acknowledgement in the NP that in order to meet its duty of housing provision there will be development outside of the settlement boundaries which are tightly drawn.

4.5. This aside, the separate parts of the development plan pre-date the 2021 Framework. This seeks to resist “isolated” housing in the countryside and the concept has been exercised in the Courts where *Braintree (Braintree District Council Appellant - and - (1) Secretary of State for Communities and Local Government (2) Greyread Ltd. (3) Granville Developments Case No: C1/2017/3292 (2018)* is to the effect that being outside of a settlement boundary is not, of itself, of determining character to consideration of the concept.

- 4.6. Policy NBE1 of the Local Plan has no criteria to allow for housing development outside of the defined settlement boundaries save for affordable housing on the edge of settlement boundaries (policy H3).
- 4.7. Thus, there is a tension between different parts of the development plan and the more recent Framework. It is clear that the NP acknowledges that new housing development will have to be provided outside of the defined settlement boundaries. Policy A1 states:
- Policy A1: Size and Location of New Developments As a general principle new housing developments should respect the existing scale of the village and should not result in a new development of more than seven homes. As an exception, a new housing development in excess of seven homes will be considered if on a carefully chosen site, similar in size and density to Beauclerk Green, respecting existing settlements and current local gaps which prevent coalescence with neighbouring villages. Appropriate redevelopment of brownfield sites will be supported in preference to greenfield sites.*
- 4.8. It is clear that the development of the application site in the manner proposed is compliant with policy A1 although the matters of visual impact and other development management considerations are determinative of the proposal.
- 4.9. On the consideration of isolation, it is undeniable that in terms of the case law Winchfield Lodge, as recently developed, along with other housing along Old Potbridge Road is a “cluster”. There is a public house at the station and a variety of socio-economic facilities in Hartley Wintney all of which are in close proximity of the application site. Importantly, the railway station and Hartley Wintney are linked by footpaths and dedicated cycle tracks which are shown in the Hart District Cycling and Walking Infrastructure Plan (2023) as a network for improvement. The railway station is a 10 minute walk from the application site; and Hartley Wintney (High Street) can be cycled in 10 minutes on relatively flat terrain; or driven in 4 minutes.
- 4.10. There are primary schools in Hartley Wintney and a secondary school in Fleet. Fleet as the principal settlement of the district is around a 10-minute drive and the new Hart Leisure Centre is less than 4.0 miles distance. There are also cycle routes shown in the Infrastructure Plan to these destinations.
- 4.11. The concept of isolation requires the application of judgement and it is acknowledged that the site is not immediately adjacent to day-to-day facilities. This said, reliance of the car is not wholesale and access to the train station and with the level of service is an important material consideration in so far as

this serves, Fleet, Basingstoke and London Waterloo with 30-minute services on Monday to Saturday and an hourly service on Sundays.

- 4.12. Critically and when considered in physical terms the application site is not “isolated” from housing and this is shown on the submitted plans. The NP recognises the merits of small-scale development to fulfil housing growth in Winchfield. As such it is compliant with Framework 80.
- 4.13. The other consideration is that of the status of the application site as PDL. It is occupied by a building and it is not, as per the Framework definition, part of a residential curtilage. This is a further aspect which is compliant with the NP (A1) and the use of PDL which is supported in the Framework.
- 4.14. In sum, the proposed development whilst at odds with NBE1 is compliant with other aspects of the development plan which is superseded by the July 2021 Framework. This tension in policy is material and, in our judgement, allied with the status as PDL and the July 2021 Framework, the proposal may be considered as policy compliant.

**Visual effect on the wider landscape**

- 4.15. Policies NBE2, NBE9, A3, B1 and B2 refer to matters of visual impact and design. The key aspects are that development should not materially harm the landscape character, views and public rights of way; and that design should be reflective of local character in terms of height, distinctive qualities of the local vernacular and the provision of sensitive infrastructure for parking and waste disposal/refuse.
- 4.16. Framework 175 states that the weight to be afforded to such landscapes is less than if they were of national designation such as AONB or a National Park. The landscape in this case is not listed as being of any note locally and has the lowest level of designation being countryside/rural area. This said the more immediate effect is not to be disregarded.
- 4.17. The NP sets out that housing should not exceed two stories and should be “harmonious” with the villages. This is mirrored in NBE9 in terms of scale, mass, height and the choice of materials.

- 4.18. In this case the reserved matters will cover aspects of design, scale and layout as well as landscaping. It is clear that the area is dominated by two storey housing and other buildings such as Winchfield Lodge. These are matters which can be acknowledged and responded to in the latter application.
- 4.19. In regard to impact on the landscape the proposed development will be seen in the context of the detached houses along Old Potbridge Road and the more recent development around Winchfield Lodge. As is shown by the photographs below, this is distinctive in terms of the generally large massing and consistency in architectural theme and the materials palette.



*Winchfield Lodge has been converted by reason of the 2013 application and forms a central feature of the housing cluster*

- 4.20 In terms of the effect on the wider landscape, this is minimal as a consequence of surrounding built development and the extent to which the application site is contained by verdant cover. Indeed, there are no public views to the application site and those which might be obtained are from the housing which surrounds the application site to the north and south.
- 4.20. The extract from the Definitive Map shown below details that distant views from the north and from footpath 254/1/1 would show glimpsed views at times of leaf fall and this would be of the development at Winchfield Lodge. In turn this blocks and views to the application site which is visually discrete.



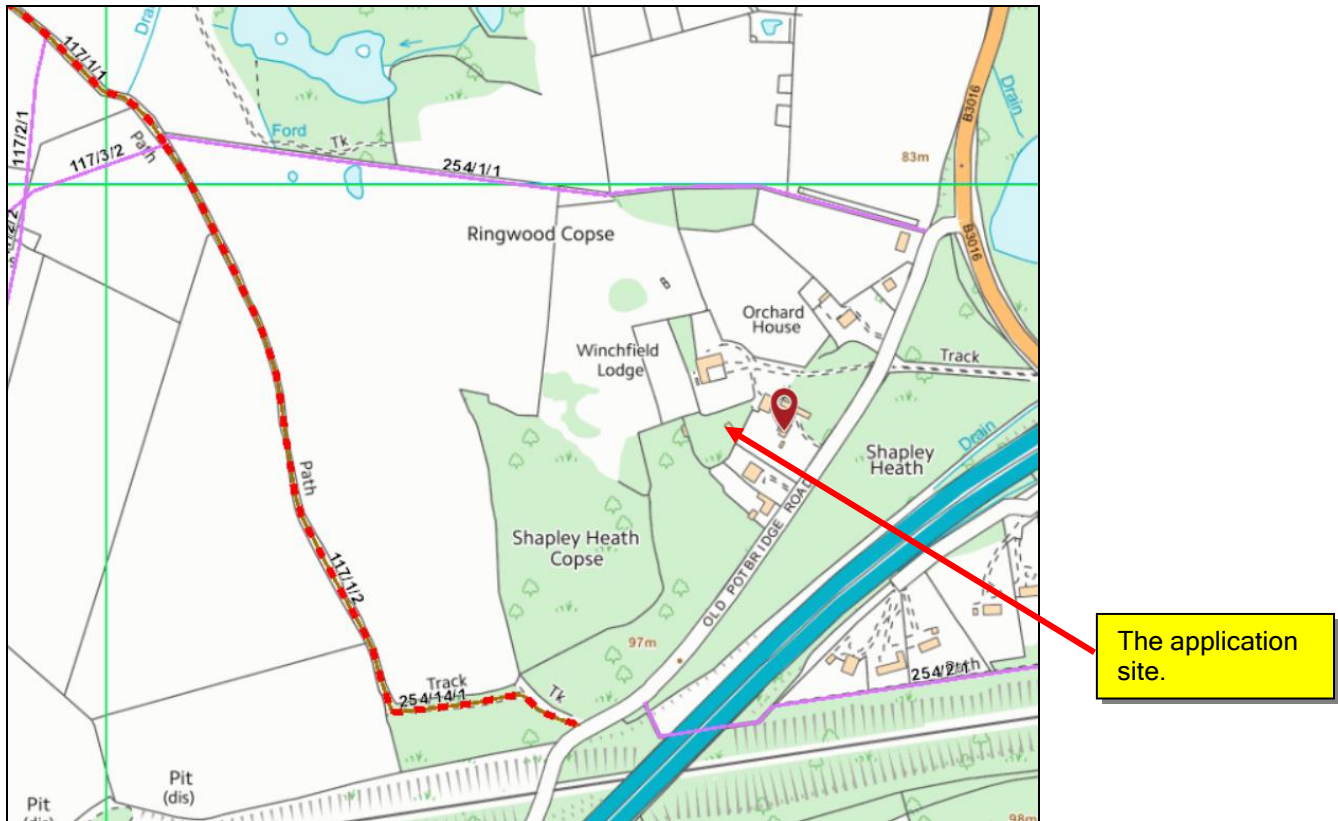


*Photographs 2 and 3 show the influence of the adjoining housing in terms of its built character and layout. This can be reflected with development of the application site.*



- 4.21. From the PROW 117/1/2 (currently closed) the effect of Shapley Heath Copse is such that there are no public views into the application site. Any views from the north west along the PROW are limited and are evident only of the housing development at Winchfield Lodge.
- 4.22. We do not make the case that visual enclosure overrides the acceptability or otherwise of the development which remains in a rural area designation. Rather, we say that the planning balance and related planning policies is required to consider the environmental effect of development on the wider

landscape. As is shown, this is minimal and there is no prima face conflict with the relevant planning policies.



*Extract from Hampshire Rights of Way map*

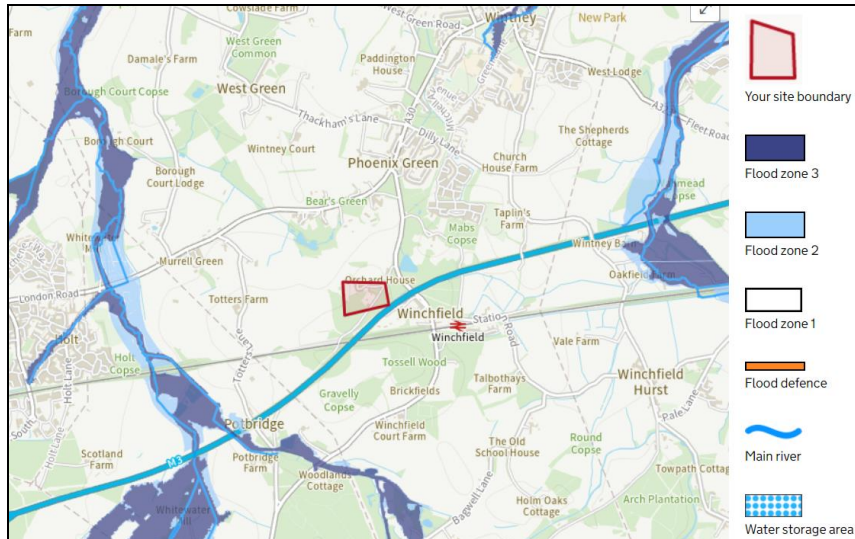
#### **Ecology, biodiversity and trees**

- 4.23. The application is accompanied by a PEA which details the possibility of and there are ongoing reptile surveys. The PEA confirms that there is no presence of ecology or habitat which would prevent development although precautionary measures along with good practice is required during construction and other survey work should be undertaken.
- 4.24. This is an outline planning application with all other matters apart from access being reserve for future consideration. It is reasonable that if the principle of development is found to be acceptable then conditions will be reasonable and necessary (the Planning Practice tests) for further ecological surveys to be submitted at reserved matters stage.
- 4.25. On this basis there is no prima face conflict with policies C1 or NBE4 in so far as they relate to material harm to ecological or biodiversity interests.

- 4.26. The policies and the Framework also refer to the need to enhance biodiversity interests and produce a 10 per cent gain. In this case the retention of the treed nature of the site and under storey planting represent a considerable opportunity for biodiversity gains and this can reasonably be achieved by the implementation of a conditional planning permission. This may include wildflower and indigenous planting as well as bird box and bee hotels provision.
- 4.27. The Arboricultural assessment which accompanies the application shows that there are a large number of trees on the site and the table and plan show the categorisation of trees along with the RPA's. It is shown that a dwelling can be sited outside of the RPA's of retained trees and all category A and B specimens can be retained whilst allowing the siting of a dwelling. Of the 29 trees identified around the north-eastern part of the site, it is shown that 11 could be removed to accommodate development and avoid the RPA's of the category A and B trees. The trees on the other part of the site can be retained whilst allowing for a reasonable garden area with a south-west orientation.
- 4.28. The other key aspect of planning policy is that referring to the effect on the TBHSPA (NBE3). The approach taken by the District Council is broadly that proposals have to be policy complaint to justify entering into an Obligation to mitigate the effects of development on the integrity of the SPA. For the reasons set out above the proposal is PDL and is policy complaint with NPA1 and the related text. On this basis the applicant is willing to enter into an Obligation to this effect.

**Other material planning considerations**

- 4.29. The other material planning considerations are as follows:
- Flooding, surface water drainage and infrastructure
  - Access, parking and related matters
  - Sustainable construction
- 4.30. The site of the proposed dwelling is outside of the identified flood risk zone and is distant from any watercourses as shown on the Environment Agency maps - extract below.



- 4.31. The site and other land within the applicants' ownership contain a substantial area for surface water drainage schemes and there is no requirement for these to be detailed at this stage. If considered reasonable such proposals can form part of a conditional planning permission.
- 4.32. Sewerage disposal for a single dwelling will not place an unreasonable demand on the existing system which was upgraded as part of the Winchfield Court development.
- 4.33. The proposal shows parking and this along with secure cycle provision will be detailed at Reserved Matters stage. Access for a single dwelling will pass by Stable Cottage where there is a right of way in perpetuity. This would serve the dwelling and refuse may be transported to a collection point at the intersection with Winchfield Crescent. In this way it is shown that the terms of Local Plan policy INF3 are met.
- 4.34. Sustainable construction is now enshrined in the new Building Regulations which are effective from June 2022. They include:
- Part F - Ventilation
  - Part L - Conservation of fuel and power
  - Part O - Overheating
  - Part S - Infrastructure for the charging of electric vehicles
- 4.35. Together they will require the sustainable construction of new dwellings such that they are energy efficient and are powered by renewable sources; have effective ventilation and air management systems; water saving infrastructure; and car charging points.

- 4.36. Whilst the development plan policy is limited to water saving (NBE7) all new housing development will be required to have this objective as well as others which meet the Government's commitment to carbon reduction. This is a matter which will be resolved at Reserved Matters stage and through the Building Regulations.
- 4.37. In this way the terms and objectives of relevant policies are satisfied.

## **5.0 The planning balance**

5.1. By way of summary, the following matters are set out:

- The proposal falls to be considered in the context of the relevant development plan policies and all other material planning considerations.
- There are policies of the development plan which afford opportunities for housing outside of defined settlements. These are limited to exception sites for affordable housing and, in the case of the Made Neighbourhood Plan (NP), an acknowledgment that there is a need and scope for small scale housing developments outside of the defined settlement boundary. There is also scope in development plan policy for the reuse of previously developed land (PDL) and this is a case in point for both eventualities.
- It is clear from observation and from the submitted plans that the application is within a large "cluster of housing" relating to Winchfield Lodge and the houses on Old Potbridge Road. Moreover, it is close to larger settlements and related infrastructure as well as being proximate to a main line railway station serving surrounding towns and London Waterloo.
- It follows that in terms of the framework, which post-dates the Local Plan the application site is not "isolated". On the contrary it is close to other dwellings and thus reflects a cluster in the terms of *Braintree*. This is material to consideration of the development proposal. This is wholly reflective of the approach to housing provision as detailed in national and Neighbourhood Plan policy.
- In this case the landscape is not of any special designation and there are no other overriding biodiversity or other reasons for resisting the provision of the additional house.

- Where there are potential ecological constraints these can be addressed at reserved matters stage and can readily form part of the planning process.
  - In regard to tree constraints it is demonstrated with the indicative layout, that the retention of category A and B trees can be achieved with development outside of the RPA's. The tree felling which is necessary implicated only lower grade category C trees and the amenity of the woodland is retained whilst allowing for a suitable and usable garden area for the proposed dwelling.
  - The reserved matters of appearance, layout, scale and landscaping can be properly considered at a later date and can reflect the local vernacular. In this way it can fulfil the objectives of the development plan.
- 5.2. In light of the foregoing, the planning balance should fall in favour of the grant of planning permission so that the delivery of a dwelling can be achieved. It is sustainable in all respects and the presumption in favour must be applied.