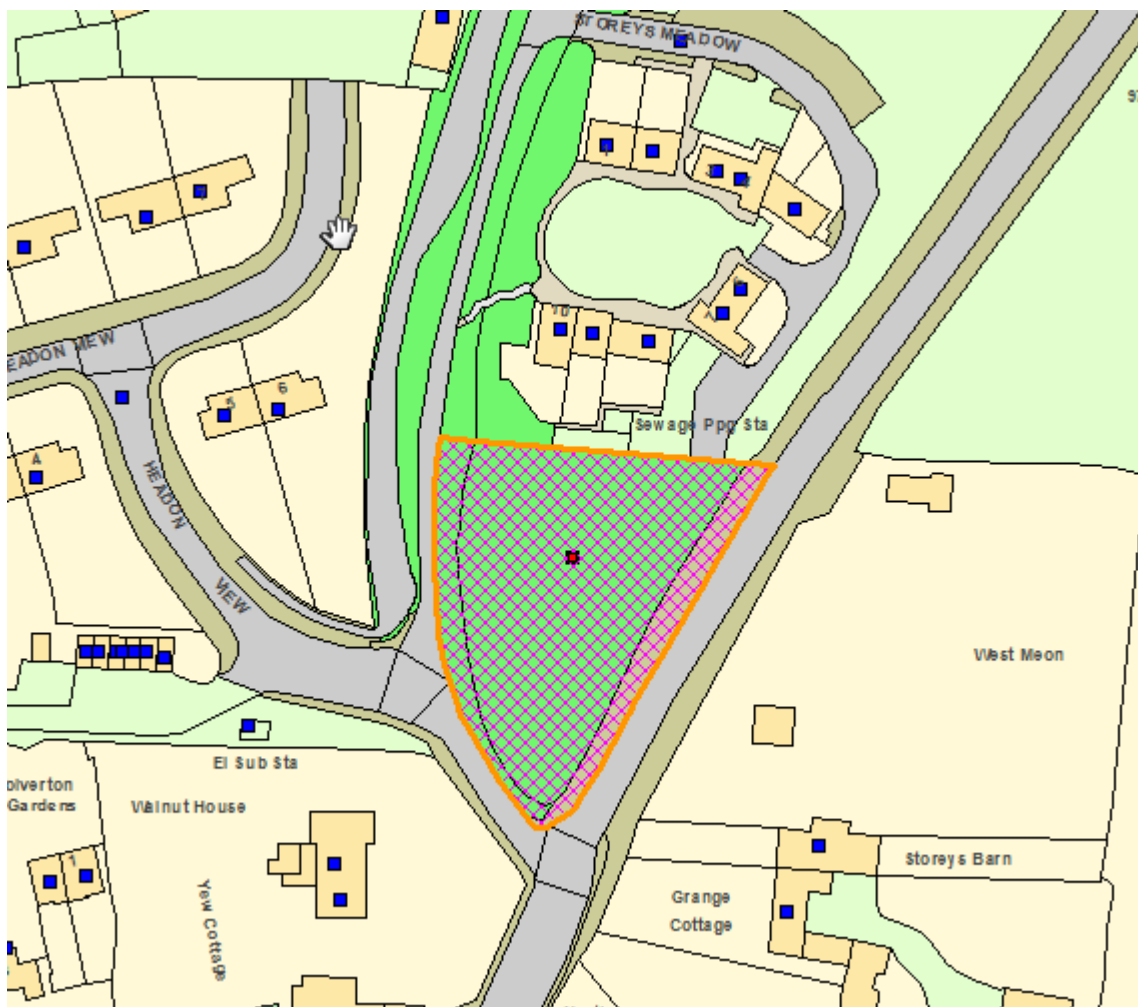


Case No: SDNP/18/05415/FUL
Proposal Description: Erection of dwellinghouse with access onto Marlands Lane
Address: Land Between Alton Road and Marlands Lane, West Meon, Hampshire
Parish, or Ward if within Winchester City: West Meon
Applicants Name: Naboth's Garden Ltd.
Case Officer: Mrs Sarah Tose
Date Valid: 22 October 2018
Recommendation: Application Refused



General Comments

This application is reported to the Planning Committee at the request of a Ward Member, whose comments have been attached as an appendix to this report.

1 Site Description

The site comprises a triangular area of land located in a corner position between Marlands Lane and Alton Road (A32). It lies to the north of the village of West Meon and sits immediately outside the settlement boundary and Conservation Area. To the west of the site is Headon View, a cul de sac development of semi-detached dwellings. To the northwest lies the West Meon Village Hall and immediately to the north is Storeys Meadow, an exceptions housing scheme of 10 dwellings.

Marlands Lane forms the western boundary of the site. This road forms a junction with the A32 Alton Road. Running towards the northwest, it has a junction with Headon Way after which it reverts to a typical rural lane, generally narrow in width with high verges of trees and hedgerows. The A32 runs along the eastern site boundary, and beyond this further east is a large single building in extensive grounds. The settlement boundary runs north to contain the dwellings along Doctor's Lane.

The site is elevated above the level of both roads on steep banks with boundary trees and vegetation. The site slopes downwards towards the centre of the village. A large quantity of vegetation/trees has been removed or coppiced from the centre of the site since the previous application but mature trees remain on the boundary. The site does not benefit from any existing vehicular access onto Alton Road or Marlands Lane.

The village centre is situated approximately 200 metres to the south of the site. The site is 0.22 hectares in size and is located within the South Downs National Park.

2 Proposal

The proposal seeks to erect a single storey dwelling of a modern design with undercroft parking with a new access off Marlands Lane.

3 Relevant Planning History

SDNP/15/01924/PRE - Erection of 6no. dwellings with associated access, parking and landscaping. STATUS: WDN 30th April 2015.

SDNP/15/05317/FUL - Erection of 3no. dwellings with associated access and highway works, parking and turning space, landscaping and private amenity space. STATUS: REF 22nd July 2016.

SDNP/16/05787/FUL - Erection of 3no. dwellings with associated access and highway works, parking and turning space, landscaping and private amenity space (amended scheme following refusal of SDNP/15/05317/FUL). STATUS: REF 14th March 2017. Appeal dismissed 13th March 2018.

SDNP/18/03780/PRE - Erection of dwellinghouse with associated access
STATUS: PRE 20th September 2018.

4 Consultations

Parish Council

OBJECTION on the grounds of:

- a) The site is outside the Settlement Policy Boundary of West Meon and sited in an important position at the gateway to West Meon.
- b) The single dwelling proposed is for open market housing - there is an established need for smaller affordable units in West Meon.
- e) The proposed visibility splays will require significant re-grading of existing topographical slopes onto Marlands Lane and highway concerns are raised.

WC - Drainage Engineer

The site is within Flood Zone 1 and is at very low risk of surface water flooding. The geology is chalk. The proposal for foul water drainage is to connect into a private sewer serving the development to the north. This can only be done with the permission of the owner of that system, for which we have no details. If an agreement cannot be reached with the owner of that system, a packaged treatment plant and drainage field must be investigated, and installed in accordance with building regulations. Soakaways are proposed for surface water drainage. These should be designed for the 1 in 100 year storm event plus an allowance for climate change. Infiltration tests are required. Hardstandings should be permeable where possible. Apply standard drainage condition.

WC - Ecologist & Biodiversity Officer

The Stark Ecology Extended Phase 1 Ecological Survey which has been submitted is from August 2015, and therefore out of date. Ecological survey data should be sufficiently up to date (eg. not more than 2/3 years old). The report itself states that it is only valid for 12 months as features of ecological value can change. Dormouse surveys were undertaken from August 2015, so again are out of date. It should be confirmed that, in line with The Dormouse Survey Handbook guidelines, sufficient survey effort was undertaken and will be undertaken in any update. Bat surveys for roosting features within the boundary vegetation, as well as foraging and commuting surveys (and potential lighting impacts) are required. Badger survey is required.

NB: Following the Ecologist's request, an updated Extended Phase 1 Extended Phase 1 Ecological Survey dated 17th January 2019 by Stark Ecology Ltd was submitted. The Ecologist is satisfied with the proposals subject to the recommendations within the updated report being conditioned.

WC - Winchester Highways

I have previously commented on an application for three dwellings on this site when I raised no highway objections. This application seeks just a single dwelling with access on to Marlands Lane. I am satisfied that adequate visibility can be provided at the site access, although there will need to be extensive regrading of the existing embankment to ensure that adequate

splays can be achieved. Any planning consent will therefore need to include the suggested highway condition.

WC Historic Environment (Archaeology)

Archaeological remains possibly associated with the Bronze Age barrow and Anglo-Saxon cemetery known to the north (or other periods) may be present within the application site. Whilst the existing tree and scrub growth within the site may have resulted in some damage to any archaeological remains present, they would not have been removed in their entirety.

Consequently, as the proposed development will involve extensive groundworks across the application site (as indicated by the submission drawings), it will adversely affect any surviving archaeological remains that may be present within the site.

While this does not present an overriding concern, a programme of archaeological work to investigate, record, analyse and subsequently report on the archaeological evidence that will otherwise be destroyed by the proposed development should be secured through the attachment of suitable conditions to any planning consent that might be granted.

WC - Landscape

I am happy with the proposed single dwelling, as the building form responds well to the site, in that its single storey nature will not result in an overly prominent building. However, the building will only be considered acceptable with a robust landscape scheme for the perimeter of the site, one that ensures that permanent boundary fencing/walls are provided and carefully sited with vegetation to the road side of it. This is because the site sits at a very prominent gateway to West Meon and the vegetated nature of the site forms an integral part of this. Planting should be native only, given its rural edge location, and boundary treatments need to reflect this character as well, but also be mindful of future residents' needs (e.g. potential for dog ownership and a secure boundary). I am satisfied that this can be dealt with by condition covering hard and soft landscape and boundary treatments. However, the applicant should note that no urbanising features (close boarded fencing/ ornamental planting or detailing of the entrance) would be accepted on this unique site.

5 Representations

4 representations have been received supporting the proposal for the following reasons:

- Brownfield site. Preferable option to green field site.
- Should be classed as 'infill development'.
- Would help the housing shortage and village requirement for new houses.
- Not in open countryside as the site is surrounded by houses on all sides.
- Site adds nothing to the National Park and would benefit from development.
- Would have little or no impact on the village.
- Site lies behind the Storeys Meadow development so will not change the look of the entrance to the village.
- Land is currently disused.

- Family home would be well suited as there is a great need for young children in the village to maintain the local school.
- Modern design which fits in well with the rest of the village.

1 representation has been received raising the following comments:

- The modern design is not in keeping with the existing design of village.
- The site is more prominent due to location as a gateway to the village.
- Provided sufficient vegetation remains to prevent property being visible from road is then not an issue.
- Design of building has extensive glass and roof windows which will cause light pollution.
- Echo pre application advice points raised that house may encourage later felling of trees.

6 Planning Policy Context

Applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise. The statutory development plan in this area is the **Winchester District Local Plan Review (2006) and the following additional plan(s):**

- Winchester District Local Plan Part 1 Joint Core Strategy (2013)
- South Downs National Park Local Plan - Submission 2018

Other plans:

- West Meon Village Design Statement (2002)

The relevant policies to this application are set out in section 7, below.

National Park Purposes

The two statutory purposes of the SDNP designation are:

- To conserve and enhance the natural beauty, wildlife and cultural heritage,
- To promote opportunities for the public understanding and enjoyment of the special qualities of their areas.

If there is a conflict between these two purposes, conservation takes precedence. There is also a duty to foster the economic and social well being of the local community in pursuit of these purposes.

7 Planning Policy

Relevant Government Planning Policy and Guidance

Government policy relating to National Parks is set out in English National Parks and the Broads: UK Government Vision and Circular 2010 and The National Planning Policy Framework (NPPF) which was issued on 24 July 2018. The Circular and NPPF confirm that National Parks have the highest status of protection, and the NPPF states at paragraph 172 that great weight should be given to conserving and enhancing landscape and scenic beauty in

national parks and that the conservation and enhancement of wildlife and cultural heritage are also important considerations and should be given great weight in National Parks.

National Planning Policy Framework (NPPF)

The following National Planning Policy Framework documents have been considered in the assessment of this application:

- NPPF12 - Achieving well-designed places
- NPPF15 - Conserving and enhancing the natural environment

Paragraph 2 states that planning applications must be determined in accordance with the development plan unless material considerations indicate otherwise.

The development plan policies listed below have been assessed for their compliance with the NPPF and are considered to be compliant with the NPPF.

The following policies of the **Winchester District Local Plan Review (2006)** are relevant to this application:

- H3 - Settlement Policy Boundaries
- DP3 - General Design Criteria
- DP4 - Landscape and the Built Environment
- T2 - Development Access
- T4 - Parking Standards

The following policies of the **Winchester District Local Plan - Part 1 Joint Core Strategy (2013)** are relevant to this application:

- MTRA4 - Development in the countryside
- CP11 - Sustainable Low and Zero Carbon Built Development
- CP13 - High Quality Design
- CP16 - Biodiversity
- CP19 - South Downs National Park
- CP20 - Heritage and Landscape Character

Partnership Management Plan

The South Downs Partnership Management Plan (SDPMP) was adopted on 3 December 2013. It sets out a Vision and long term Outcomes for the National Park, as well as 5 year Policies and a continually updated Delivery Framework. The SDPMP is a material consideration in planning applications and has some weight pending adoption of the SDNP Local Plan.

The following Policies and Outcomes are of particular relevance to this case:

- General Policy 1
- General Policy 3

The Draft South Downs National Park Local Plan

The Pre-Submission version of the South Downs Local Plan (SDLP) was submitted to the Secretary of State for independent examination in April 2018. The Submission version of the Local Plan consists of the Pre-Submission Plan and the Schedule of Proposed Changes. It is a material consideration in the assessment of this planning application in accordance with paragraph 48 of the NPPF, which confirms that weight may be given to policies in emerging plans following publication. The Local Plan process is in its final stage before adoption with consultation on relatively minor Main Modifications from 1st February 2019 to 28th March 2019. Based on the very advanced stage of the examination the draft policies of the South Downs Local Plan can be afforded significant weight.

The following policies are of particular relevance to this case:

- Strategic Policy SD25 - Development Strategy
- Core Policy SD2 – Ecosystems Services
- Strategic Policy SD4 - Landscape Character
- Strategic Policy SD5 – Design
- Strategic Policy SD8 - Dark Night Skies
- Strategic Policy SD9 – Biodiversity and Geodiversity
- Development Management Policy SD11 - Trees, Woodland and Hedgerows

8 Planning Assessment

Principle of development

The site lies directly adjacent to but outside of the settlement boundary of West Meon. Policy MTRA 4 of the LPP1 restricts development in the countryside to that which has an operational need to be located there, in order to protect the rural nature of the landscape. New housing is not normally permitted, unless there is an essential need for it to be there such as housing for rural workers or affordable housing to meet a proven need.

The previous planning application for 3 dwellings SDNP/16/05787/FUL was partly refused on the basis that the principle of the development was considered to be contrary to policy MTRA 4.

The decision was appealed against and the appeal was dismissed for the reasons of harm to the landscape and scenic beauty of the National Park and the 'poor housing mix'.

However, the Inspector considered that the site was in a sustainable location and would not result in isolated homes. The appeal decision concluded that the housing would be located where it would enhance and maintain the vitality of rural communities and would not result in isolated homes, which the NPPF states should be avoided.

It was considered during the pre application stage for the proposed dwelling that the Inspector's conclusions would make it difficult for the LPA to substantiate an objection to the proposed new dwelling in terms of the principle of development.

The South Downs Local Plan (SDLP) is at an advanced stage and is due to be adopted in July 2019. As such, the emerging policies can now be given nearly full weight and this is a new material consideration since the previous appeal. The proposal falls outside both the existing and new settlement policy boundary which has been tested through the local plan examination. Policy SD25 'Development Strategy' of the SDLP identifies towns and villages that are able to accommodate growth and generally limits new residential development to within settlement boundaries. As the application site does not fall within a settlement boundary, the proposal would therefore not accord with emerging policy SD25 in terms of the principle of development, nor with Policy MTRA 4 of the LPP1.

It is acknowledged that in this particular case the site is surrounded by existing residential development so would not be encroaching into open countryside. The proposal is considered acceptable in all other respects (as discussed in the following sections). However any wider benefits would appear to be limited due to the application being for a 4 bedroom dwelling to be sold on the open market.

In summary, the principle of development cannot be supported in this case and is therefore recommended for refusal on that basis.

Design, scale and layout

The house design is contemporary and has a flat green roof with a basement garage for two cars and storage. It also has a large chimney and a raised roof light with side glazing serving the dining/family room with a smaller roof light serving the living room.

The proposed external materials include Hampshire flint bricks and vertical shiplap timber boarding on the walls along with facing bricks on the east elevation.

The height of the dwelling would range from approximately 2.4m to 4.4m (5.4m including the chimney). The proposed floor area is approximately 278m². The accommodation is all on one level and the car parking area is on the basement level. The dwelling would have 4 bedrooms with the larger two having their own en-suites.

The dwelling is sited centrally within the plot with a garden area facing north. This orientation, along with the retained trees and shrubs, is likely to result in shaded areas. However, there is also a garden space to the south which provides for a terraced area. This south facing garden would receive more direct sunlight but is adjacent to the busy road and junction which would result in the need for fencing in addition to the 1-1.5m high wall to ensure privacy. A

small courtyard area is proposed in the middle of the dwelling with a pergola style roof that would provide a sheltered amenity space for future occupants.

The scale, design and layout of the development are considered acceptable. Although the dwelling would be large, its footprint is not dissimilar to other detached properties sited in large plots on the edge of the village. The contemporary design incorporates a number of flat roof and lean-to elements which would add interest to the building. A green roof is proposed, together with natural materials that are considered appropriate for the rural village location.

Impact on the landscape character of the South Downs National Park.

The site forms part of a wooded corridor that marks the northern entrance and exit from West Meon, along the A32 (Alton Road). It also forms part of the wooded surroundings to the village, as described in the West Meon Village Design Statement (2002), which states that West Meon is a settlement with a distinct core and naturally defined boundaries.

The proposed scheme would retain the existing boundary trees and vegetation which would be supplemented and strengthened by new planting. The single storey dwelling would be located centrally within the site and set away from boundaries. It would range in height from approximately 2.4m to 5.4m so would not be visually prominent in views into and out of the village along Alton Road (A32) as it would be largely screened by boundary planting.

The Landscape Officer has not objected to the proposal but emphasises the importance of a robust landscape scheme for the perimeter of the site, which ensures that any permanent boundary fencing/walls provided are carefully sited with vegetation towards the road side. The site sits at a very prominent gateway to West Meon and the vegetated nature of the site forms an integral part of this character.

The proposed access way from Marlands Lane would not significantly impact on the trees on the upper part of the bank. An image showing the proposed access has been submitted with the application. It is not considered that the works required to facilitate the access would result in an adverse impact on the character of the lane. Some regrading of the banks is inevitable to facilitate the formation of the access but the applicant's agent has confirmed that the visibility splays can be achieved without substantial regrading works.

The National Park is an International Dark Sky Reserve. The two roof lights are raised up with side glazing proposed instead of upward facing glazing, to reduce light spillage. However, large expanses of glazing are proposed on the west elevation of the dwelling so it is considered reasonable to request the use of low transmittance glass or black out blinds to minimise light spillage. This issue could be controlled by condition if the application was being recommended for approval.

The proposed development is therefore not considered to have a harmful impact on the landscape character and natural beauty of the South Downs National Park.

Impact on highways

The proposal includes a new access onto Marlands Lane. The Highway Engineer has raised no objection to the scheme subject to a condition securing adequate visibility splays. The development is therefore not considered to have an adverse impact on highway safety.

Local residential amenity

The proposed dwelling is not considered to result in any neighbour amenity issues as it would be sited a sufficient distance away from neighbouring boundaries and would be single storey in height. The existing and proposed boundary treatment would also help to screen the development from neighbouring properties.

Impact on trees

There are a number of trees and vegetation on site which contribute to the rural nature of the National Park and they must be protected and retained wherever possible. An Arboricultural Impact Assessment and Method Statement dated 17/10/18 has been submitted with the application and the recommendations within this report could be covered by conditions if the application was being recommended for approval.

Impact on ecology

An Extended Phase 1 Ecological Survey dated August 2015 by Stark Ecology Ltd has been submitted at the request of the Council's Ecologist. The Ecologist has reviewed the report and is satisfied with the proposals subject to the recommendations within the updated report being secured by condition.

Impact on archaeology

The application site is considered to have some archaeological potential as development to the north, Storey's Meadow, led to the discovery of a significant archaeological site in 2011 (a Bronze Age barrow which subsequently formed the focus of an Anglo-Saxon cemetery).

As the proposed development will involve extensive groundworks across the application site it will adversely affect any surviving archaeological remains that may be present within the site. The Council's Archaeologist has advised that while this does not present an overriding concern, a programme of archaeological work to investigate, record, analyse and subsequently report on the archaeological evidence that will otherwise be destroyed by the proposed development should be secured through the attachment of suitable conditions (if the application were to be recommended for approval).

Impact on drainage

The site is within Flood Zone 1 and is at very low risk of surface water flooding. The geology is chalk. The proposal for foul water drainage is to connect into a private sewer serving the development to the north. This can

only be done with the permission of the owner of that system, for which there are no details. If an agreement cannot be reached with the owner of that system, a packaged treatment plant and drainage field must be used. Soakaways are proposed for surface water drainage. The Council's Drainage Engineer has requested that further details regarding the drainage strategy for the site are secured via condition.

Sustainability standards

In March 2015 the Government announced updates to its policy on housing standards and zero carbon homes. These affect the Council's implementation of LPP1 Policy CP11. While policy CP11 remains part of the Development Plan and the Council still aspires to achieve its standards for residential development (Code for Sustainable Homes Level 5 for energy and Level 4 for water), Government advice now sets a maximum standard of 110litres/day for water efficiency and the equivalent of Code Level 4 for energy. Therefore, for applications determined after 26 March 2015, Local Plan policy CP11 will be applied in compliance with the maximum standards set out in Government advice.

The Design and Access statement does not specifically address the issue of sustainable design as set out in LPP1 policy CP11. However this is a matter that could be dealt with by planning condition if the recommendation was for approval.

9 Conclusion

The proposal would result in the provision of a new residential dwelling in the countryside, adjacent to the defined settlement boundary of West Meon, for which there is no overriding justification. The development is therefore contrary to policy MTRA4 of the LPP1 and emerging policy SD25 of the SDLP and as such is recommended for refusal.

10 Reason for Recommendation

It is recommended that the application be Refused for the reasons set out below.

1. The proposed development is considered contrary to Policy MTRA 4 of the Winchester District Local Plan Part 1 - Joint Core Strategy (2013) and emerging Policy SD25 of the Submission South Downs Local Plan (2018) in that it would result in the provision of a new residential dwelling in the countryside, adjacent to the defined settlement boundary of West Meon, for which there is no overriding justification.

Informatives:

1. The Local Planning Authority has taken account of the following development plan policies and proposals:-
Winchester District Local Plan Review (2006): H3, DP3, DP4, T2, T4
Winchester District Local Plan Part 1 - Joint Core Strategy (2013): MTRA4, CP11, CP13, CP16, CP19, CP20
South Downs Local Plan Submission (2018): Policies SD25, SD2, SD4, SD5, SD8, SD9, SD11

2. In accordance with paragraphs 186 and 187 of the NPPF the Local Planning Authority take a positive and proactive approach to development proposals focused on solutions. WCC on behalf of the SDNPA work with applicants/agents in a positive and proactive manner by;
-offering a pre-application advice service and,
-updating applications/agents of any issues that may arise in the processing of their application and where possible suggesting solutions.

- In this instance the applicant's agent was made aware of the Council's concerns regarding the proposal. As the sole issue was the principle of development, a solution was unable to be achieved in this case.

3. The applicant is advised that if this application had been acceptable in all other respects, the scheme would be liable to the South Downs National Park Authority CIL Charging Schedule which took effect on 1st April 2017. Therefore, if this decision is appealed and subsequently granted planning permission at appeal, this scheme would be CIL liable and to pay the South Downs National Park's CIL upon commencement of development. The CIL Schedule and all associated policies may be found online, here:

<https://www.southdowns.gov.uk/planning/community- infrastructure-levy/cil-charging-schedule-related-policies/>

11. Crime and Disorder Implications

- 11.1 It is considered that the proposal does not raise any crime and disorder implications.

12. Human Rights Implications

- 12.1 This planning application has been considered in light of statute and case law and any interference with an individual's human rights is considered to be proportionate to the aims sought to be realised.

13. Equality Act 2010

- 13.1 Due regard has been taken of the South Downs National Park Authority's equality duty as contained within the Equality Act 2010.

14. Proactive Working

The applicant's agent was made aware of the Council's concerns regarding the proposal. As the sole issue was the principle of development, a solution was unable to be achieved in this case.

Plans Referred to in Consideration of this Application

The application has been assessed and recommendation is made on the basis of the following plans and documents submitted:

Plan Type	Reference	Version	Date on Plan	Status
Plans - TOPOGRAPHIC SURVEY	MFwestTOPO			Not approved
Reports - Extended Phase 1 Ecological Survey dated January 2019 by Stark Ecology Ltd	Ecological Survey			Not approved
Reports - Arboricultural Impact Appraisal and Method Statement Dated 17 th October 2018	Project 796			Not approved
Plans - BLOCK PLAN	150203-04		18.10.2018	Not approved
Plans - LOCATION PLAN	150203-01		18.10.2018	Not approved
Plans - SITE PLAN & SECTIONS	150203-02		18.10.2018	Not approved
Plans - PLANS & ELEVATIONS	150203-03		18.10.2018	Not approved
Image - Proposed view from Marlands Lane			01.03.19	Not approved

Reasons: For the avoidance of doubt and in the interests of proper planning.

**City Councillor's request that a Planning Application be considered by
the Planning Committee**

Request from Councillor:

Councillor Hugh Lumby, Upper Meon Valley ward

Case Number: SDNP/18/05415/FUL

Site Address:

Land between Alton Road and Marlands Lane West Meon

Proposal Description:

Erection of dwellinghouse with access onto Marlands Lane

Requests that the item be considered by the Planning Committee for the following material planning reasons:

- (1) The property lies outside the settlement boundary of the village and so I understand is being recommended for refusal.
- (2) However the position of the settlement boundary is odd here as the application site is surrounded by houses on all sides. It is appreciated that Storeys Meadow is an exception site but it should not be isolated from the village.
- (3) The site itself is essentially derelict land and provides no benefit to the SDNP. It has become an isolated and disused island surrounded by other houses.
- (4) Use of this site for housing was previously considered by an inspector on appeal who supported the principle of residential use for this site. There is a real probability that this will therefore be appealed and this application be approved on appeal.
- (5) Given:
 - (1) the principle of this site being considered for residential use has already been supported by an inspector and
 - (2) it is completely surrounded by housing and is otherwise derelict.

I believe this site is suitable for residential use and that the application should otherwise be considered on its merits notwithstanding that it is outside the settlement boundary.

I therefore request that it is considered by the Planning Committee.