

DEVELOPMENT BRIEFS

PARAGRAPH 5.17

Objections

First Deposit

1924/9145 Erringham Investments Ltd
1666/9890 Councillor Mr D Clegg

Main Issue

Whether the Local Plan should include information about development briefs.

Inspector's Reasoning and Conclusions

- 5.7.1 This paragraph is deleted in the SDDP. Nevertheless, development briefs can provide useful guidance for prospective developers and can result in a better scheme than otherwise might be the case. They could be especially helpful in the development of a sensitive site, as in or near a Conservation Area. They could complement a Village Design Statement for Rowlands Castle and elsewhere. I would suggest that the Local Plan include a sentence or so about them, accepting the valid point that **Erringham Investments Ltd** makes about the weight that should be accorded them.
- 5.7.2 They should be produced as soon as possible after the publication of my Report, with priority given to base-line sites. It would be unreasonable to expect the parties to prepare them before then, as some of the work might be abortive. They should always be prepared in consultation with the prospective developer where there is one.

Recommendation

- 5.7.3 I recommend that the SDDP be modified by the inclusion of a paragraph along the following lines:

The Council will publish Development Briefs for sites where especial guidance for developers is merited. They will be prepared in consultation with interested parties, as appropriate, including for example the Parish Council, members of the public and the prospective developer, and will be taken into account as Supplementary Planning Guidance (SPG) in the determination of any planning application for the land concerned.

VILLAGE DESIGN STATEMENTS

PARAGRAPH 5.18

Objection

First Deposit

1886/9696 Ushers of Trowbridge Plc

Main Issue

Whether the status of, and weight to be accorded, Village Design Statements should be made clear.

Inspector's Reasoning and Conclusions

5.7.4 The paragraph is reasonably clear as it is. It would be unnecessary for the Local Plan to repeat national policy in Planning Policy Guidance (PPG) 1 or elsewhere, but I accept that the second sentence of the paragraph could provide a little more clarity about the weight to be accorded to these Statements.

Recommendation

5.7.5 I recommend that the SDDP be modified by the deletion of the second sentence of this paragraph and its replacement as follows:

Village Design Statements that the Council adopts as Supplementary Planning Guidance will carry more weight in the determination of planning applications than others that are not adopted.

DEVELOPERS CONTRIBUTIONS

PARAGRAPH 5.19

Objections

First Deposit

1921/9092 Rydon Homes Limited
1924/9143 Erringham Investments Limited
18741/10151 House Builders Federation

Main Issue

Whether the text should include *directly attributable to the development*.

Inspector's Reasoning and Conclusions

5.7.6 This phrase is similar to *directly related to the proposed development* which is one of the tests of reasonableness set out in Circular 1/97. It is a matter that I examine in my consideration of Policy GS4 where I recommend a modification to the SDDP to take more account of the tests in that Circular. The Local Plan should be read as a whole, and Policy GS4 in the adopted Local Plan will be of greater consequence than either Paragraph 5.19 or “A Guide to Developers” which is presumably Supplementary Planning Guidance. In any event, the Circular or any replacement of it will remain a material consideration in the negotiations to which the SDDP refers. With these provisions, there is no need to modify this paragraph.

Recommendation

5.7.7 I recommend that no modification be made to the SDDP.

RESIDENTIAL DEVELOPMENT WITHIN SETTLEMENT POLICY BOUNDARIES

POLICY H2

Objections

As set out in the Annex at page 125.

Main Issues

- 1) Whether the promotion of housing on previously-developed land would encourage landowners to allow its dereliction;
- 2) Whether the Policy conflicts with Policy IB4 for the retention of industrial land.

Inspector's Reasoning and Conclusions

5.7.8 An owner or occupier of land would be most unwise to allow his or her land, which includes buildings, adversely to affect the amenity of a neighbourhood. The Town and Country Planning Act 1990 Section 215 enables a local planning authority to serve a notice on the owner and occupier requiring such steps for remedying the condition of the land as may be specified in the notice to be taken within such period as may be specified. There are penalties for non-compliance. I have no doubt that the Council would act in this manner if it thought right to do so, and so I do not share the **Buriton Parish Council's** fears.

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5.7.9 On the second issue, it could be inferred that there is a conflict between these 2 policies, but that would be an incorrect impression. Land used or previously used for industry or business can on occasion be beneficially re-cycled for residential development, especially where it would otherwise generate excessive traffic, noise or other disturbance. On other occasions, it would be prudent to retain the land for employment-generating uses. And so it is not so much conflict between the policies as the need to accord appropriate weight to each one, depending upon the particular circumstances. Neither Policy should be changed on this count.

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5.7.10 There are other matters. In some settlements, Conservation Area policies will be of substantial importance as **Mr Janson** makes clear in his reference to Selborne. Those for the protection of Listed Buildings and their settings will be relevant where they might be affected. Density, design and appearance will always be important matters as a means of preventing the type of development to which **Mr and Mrs Lawrence**, the **CPRE** and the **Lindford Parish Council** refer. In this respect, the Village Design Statements can be useful, especially when adopted by the Council as Supplementary Planning Guidance (SPG).

- 5.7.11 There is no need for the Policy to refer to other policies because the development plan should be read as a whole. But in this exceptional case it would be useful and perhaps go some way towards meeting the concerns of Objectors for the supporting text to refer to Policy H4, and I recommend that it be modified accordingly.
- 5.7.12 **Mrs Logan** and the **Liss Residents' Association** query the strategy of the SDDP and in particular the amount of development proposed in both the AONB and Liss. I deal with these matters in more detail in my consideration of the distribution of residential development throughout the District and in my examination of objections to proposals for Liss, Four Marks and for other settlements.
- 5.7.13 The **Medstead Parish Council** is concerned about the possible effect of substantial development in its village on inadequate sewerage. This, and other matters of infrastructure, would be material considerations where relevant.
- 5.7.14 I deal with Holybourne in my consideration of Policy H10, agreeing with the points that **Mr Bounds** makes. In Chapter 5.1 of my Report I examine the potential of empty homes and the sub-division of dwellings to contribute to the District's housing needs.
- 5.7.15 **Erringham Investments Ltd** seeks clarification of the statement that not all sites will be deemed suitable for development. This supporting text appends Policy H2 and so it must apply to sites within Settlement Policy Boundaries. No clarification is needed.

Recommendation

- 5.7.16 I recommend that the SDDP be modified as follows:

POLICY H2

WITHIN SETTLEMENT POLICY BOUNDARIES, PLANNING PERMISSION WILL BE GRANTED FOR RESIDENTIAL DEVELOPMENT PROVIDED THAT IT WOULD COMPRISE:

- A) THE RE-USE OR REDEVELOPMENT OF PREVIOUSLY-DEVELOPED LAND OR BUILDINGS;***
- B) THE RE-USE OF VACANT OR UNDER-USED LAND OR BUILDINGS;***
- C) THE CONVERSION, SUB-DIVISION OR CHANGE OF USE OF BUILDINGS; OR***
- D) INFILLING.***

In its determination of such planning applications, the Council will pay particular attention to the criteria set out in Policy H4.

CREATING A MIX OF HOUSING TYPES, SIZES AND TENURES

POLICY H3

Objections

As set out in the Annex at page 127.

Latest Proposed Change

As set out in Document CD11/12 at FPC44 (page 107).

Main Issues

- 1) Whether the range of house size, type and tenure to which the Policy refers should apply to individual sites and/or to the settlement which includes it;
- 2) Whether all new dwellings should be of 2-3 bedrooms and sold only to people who work locally;
- 3) Whether the Policy and/or its supporting text should place greater emphasis on the need for balanced communities.

Inspector's Reasoning and Conclusions

5.7.17 Much will depend upon the size of the site and its location. No doubt the Parish Profiles and Village Design Statements, prepared in consultation with Parish Councils and others as appropriate, will provide the Council with useful guidance as it determines particular planning applications. I agree with **George Wimpey (UK) Ltd** that the range and balance that the Council seeks should not necessarily be achieved on a site by site basis. That would be too prescriptive. Similarly, the **Whitehill Town Council** considers that the range of dwellings should be sought on a District-wide basis. There is merit in this approach, but national policy includes the creation of balanced communities, and that implies that there should be a range of house size, type and tenure within all or most settlements.

5.7.18 There would be no point in the Council insisting on a certain mix of dwellings in a particular proposal if that resulted in a scheme that was not commercially viable. That could prevent an otherwise acceptable development from taking place in a suitable location and the loss of much needed accommodation. That is self evident, and I am in no doubt that the Council appreciates it. It is more a matter for consultation and negotiation leading up to, and at, the planning application stage. There is no need to spell it out in the Local Plan. I agree with the Council that *commercial viability* has too often been interpreted as *most profitable*, and the approach in negotiations should be to ensure both marketability and public interest.

5.7.19 As the **House Builders Federation** points out, one and 2 person households do not always result in an increased demand for small dwellings. Space, and demand for it, can often be regarded as a commodity in much the same way as consumer durables. For that reason, the change in the SDDP from *housing needs* to *housing requirements* and the deletion of much of the original Policy is to be commended. Even so, it is predicted that there will be an increasing number and percentage of one and 2 person households nationally and it is reasonable to expect that this trend will be reflected in East Hampshire. The general emphasis should be, therefore, on small dwellings and the higher densities that usually attend them. Although there is a need for some larger houses in Whitehill/Bordon, for reasons given by the **Whitehill Town Council** and accepted by the District Council, I am not persuaded that every development in this town should be of that type.

5.7.20 **Erringham Investments Ltd** points to the need in some settlements for various forms of housing like bungalows, warden-assisted accommodation and larger family homes. That is probably true, but the Local Plan should not seek to anticipate every eventuality. It would be better to leave proposals of these types to the planning application stage rather than to promote them in the Local Plan.

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5.7.21 On the second issue, whilst there is no doubt a considerable demand for 2-3 bedroom dwellings, it would be wrong to restrict the supply of housing in this fashion. The present variety of housing should be maintained as a way of meeting the reasonable expectations of purchasers. Nor am I in favour of the Council's seeking to impose the equivalent of an agricultural restriction on new dwellings, tying them to people who work locally. It would be difficult to enforce and unduly limit the mobility of labour and the housing market, and all to doubtful advantage.

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5.7.22 On the third issue, the creation of, and contribution towards, balanced communities is an important aspect of Government planning policies. Planning Policy Guidance (PPG) 3 urges the provision of choice and a better mix in the size, type and location of housing to meet the housing requirements of the whole community. Policy GS1 acknowledges this emphasis, as do other parts of the SDDP, and it would be an important factor in the determination of all planning applications. I would expect especial weight to be accorded to this objective in the case of proposals for residential development. There is no need for more repetition, although I suggest an addition to paragraph SD5.299 that might go some way towards meeting the objection of the **Whitehill Town Council** in its case for larger dwellings at Whitehill/Bordon.

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5.7.23 On other matters, I see no need in the Policy to change *tenures* to *affordability*. Affordability is the subject of Policy H11 and it includes matters of tenure. But the Policy should be redrafted to ensure that the Parish Profiles, Village Design Statements or similar, though in many cases material considerations, do not have the same status as policies in an adopted Local Plan. It is against those policies that planning applications should primarily be judged. I recommend accordingly, taking into account the Latest Proposed Change (FPC44).

Recommendation

5.7.24 I recommend that the SDDP be modified as follows:

POLICY H3

PLANNING PERMISSION WILL BE GRANTED FOR RESIDENTIAL DEVELOPMENT WITHIN SETTLEMENT POLICY BOUNDARIES PROVIDED THAT IT COMPRISES, OR CONTRIBUTES TOWARDS, A RANGE OF HOUSE SIZES, TYPES AND TENURES IN ACCORDANCE WITH LOCAL HOUSING REQUIREMENTS.

In applying this Policy, the Council will have regard to the particular requirements of each settlement as indicated in the Parish Housing Profile. This approach is intended to create, contribute towards, or sustain, a balanced community.

by deleting the last sentence of Paragraph 5.299, including FPC46, and replacing it with:

In PPG 3, the Government generally encourages the greater provision of smaller dwellings, although they may not be appropriate in every case.

and by adding the following to SDDP Paragraph SD5.299:

In the case of a new or extended dwelling designed to incorporate space for home-working, the Council may attach conditions and/or seek to enter into an agreement to restrict the type of commercial activity undertaken in it and to allow only for the personal use of the building by its owner or occupier.

HIGHER DENSITIES OF RESIDENTIAL DEVELOPMENT POLICY H4

Objections

First Deposit

1620/8210 Whitehill Town Council
1306/8554 Government Office for the South East
1591/9111 Rowlands Castle Parish Council
1835/9292 Medstead Parish Council
1666/9893 Cllr Mr D Clegg

Second Deposit SD5.304

511/11682 Headley Parish Council
1306/12753 Government Office for the South East
1673/13065 The Alton Society
1835/13080 Medstead Parish Council

First Deposit 5.29

1867/7994 Mrs K Kimber
1620/8212 Whitehill Town Council
1306/8556 Government Office for the South East
1666/9895 Cllr Mr D Clegg

Second Deposit SD5.306

1926/12301 Squires Bridge Homes Ltd
1620/13489 Whitehill Town Council
3886/13831 Squires Bridge Homes / Wates Landmark
1960/14008 Liss Village Design Group

First Deposit 5.30

1306/8555 Government Office for the South East
1666/9897 Cllr Mr D Clegg

Second Deposit SD5.307

1620/13491 Whitehill Town Council

Main Issues

- 1) Whether the enhancement of the environment is too high a test against which proposals should be judged;

- 2) Whether the Policy should stipulate densities of 30-50 or more dwellings per hectare (dph);
- 3) Whether this, or a modified Policy, should be applied to Rowlands Castle;
- 4) Whether the absence of mains drainage in Medstead should determine the permitted density of development there;
- 5) Whether higher density development would generally be inappropriate at the edge of settlements;
- 6) Whether communal gardens would be suitable in proposed developments.

Inspector's Reasoning and Conclusions

5.7.25 The enhancement of the environment is a worthy objective, but a key test in the determination of a planning application is whether the proposed development would cause demonstrable harm to interests of acknowledged importance. The Policy in this respect is somewhat vague and of limited assistance to those preparing their applications. It would be better to have a more precise criteria-based policy that includes the matters usually most relevant in the determination of planning applications for residential development. It should also enable the Council to resist schemes of less than 30 dwellings per hectare within Settlement Policy Boundaries, and this calls for a negatively worded start to the Policy. I recommend accordingly.

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5.7.26 On the second issue, local planning authorities should avoid the inefficient use of land, defined as developments of less than 30 dph. National policy encourages schemes of 30-50 dph, although a greater intensity should be sought at places with good public transport accessibility such as city, district and local centres or around major nodes along good quality public transport corridors. I see no reason why this national policy should not be generally applied in East Hampshire. That does not mean that it should prevail in every case. There may be instances where, on certain sites in certain settlements, such matters as landscape, tree cover and the need to contribute towards a range of dwellings should outweigh that general advice and the provisions of relevant local policies. Whitehill/Bordon is an example of a settlement where, on some sites, a low density scheme may be appropriate owing to such considerations as the contribution towards a balanced community. No doubt the Masterplan will look at this matter in some detail.

5.7.27 The Policy should acknowledge that in some locations schemes of more than 50 dpa would, in principle, be acceptable. The approach should be to take account of the Policy in every application for residential development, and then to accord appropriate weight to it in the light of other policies like Policy H3 and the relevant local circumstances that apply. As I keep saying, the Local Plan and indeed the development plan should be read as a whole. In the case of Whitehill/Bordon, for example, national policy in Planning Policy Guidance (PPG) 3 that local planning authorities should ensure that new housing developments help to secure a better social mix by avoiding the creation of large areas of housing of similar type may be especially relevant. But the overall, general objective should be to achieve a higher density of development than has hitherto usually been the case.

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5.7.28 The third issue concerns Rowlands Castle. Provided that local circumstances are taken into account, there is no reason why the Council should not apply the Policy to proposals for residential development in this settlement. I doubt that there would never be an occasion when a high density development or redevelopment scheme would be unacceptable, and the criteria that I recommend should assist in the judgement as to whether or not a proposal was acceptable. The Local Plan should not, therefore, exclude Rowlands Castle from the Policy.

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5.7.29 Medstead is the subject of the fourth issue. It is suggested that the absence of mains drainage in the village should ensure that the density of any new development reflects the existing pattern. I deal with this matter in Chapter 7, policy VI 1. Infrastructure, existing and proposed, is often a material consideration and presumably would be so in the determination of applications for residential development in this village. It might well restrict the number of dwellings permitted, but would not necessarily determine density. I recommend that no land be allocated for residential development in Medstead. Any scheme would therefore normally take place within the Settlement Policy Boundary. That might include the low cost, smaller units to which **Mrs Kimber** refers.

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5.7.30 I turn now to the fifth issue. As a general rule, I would expect densities to be higher the nearer a site is to a good range of facilities. That will usually mean near town, district and local centres. That does not mean that sites at the edge of settlements would never be suitable for high density schemes. The main point is that the density of a residential development should not be governed solely by location and access, although they are often important considerations. I would not go so far as to say that high density schemes are never suitable at the edge of a settlement. That would be too prescriptive.

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5.7.31 Communal gardens generally save space and so can result in a more efficient use of land than might otherwise be the case. Even though a very high proportion of East Hampshire is rural in character, this type of garden should not be ruled out in principle. It may be suitable in some urban schemes.

Recommendation

5.7.32 I recommend that the SDDP be modified as follows:

POLICY H4

PLANNING PERMISSION WILL NOT BE GRANTED FOR RESIDENTIAL DEVELOPMENT WITHIN A SETTLEMENT POLICY BOUNDARY FOR SCHEMES OF LESS THAN 30 DWELLINGS PER HECTARE. SCHEMES OF 30-50 DWELLINGS PER HECTARE, OR MORE IN THE CASE OF SITES CLOSE TO LOCAL FACILITIES AND/OR A GOOD PUBLIC TRANSPORT SERVICE, MUST:

- A) CONTRIBUTE TO A MORE SUSTAINABLE PATTERN OF DEVELOPMENT;**
- B) BE IN SYMPATHY WITH THE CHARACTER AND APPEARANCE OF THE AREA AND BE SUITABLE IN SCALE, MASSING, DESIGN, APPEARANCE, MATERIALS, LAYOUT AND SITING, BOTH IN ITSELF AND IN RELATION TO NEARBY BUILDINGS (INCLUDING PARTS OF BUILDINGS), SPACES AND VIEWS;**
- C) NOT DETRACT FROM THE LIVING CONDITIONS OF EXISTING AND FUTURE OCCUPANTS AS A RESULT OF, FOR EXAMPLE, NOISE, DOMINANCE AND LOSS OF LIGHT AND PRIVACY;**
- D) INCLUDE ENOUGH SPACE FOR PRIVATE AND PUBLIC USE (INCLUDING CHILDREN'S PLAYSPACE) AND VISUAL AMENITY; AND**
- E) INCLUDE ADEQUATE PARKING AND TURNING SPACE ON SITE AND/OR NEARBY AND NOT RESULT IN DANGER AND INCONVENIENCE ON THE PUBLIC HIGHWAY.**

DWELLINGS DESIGNED TO INCORPORATE HOME WORKING

POLICY H5

Objection

First Deposit

1272/7442 East Hampshire Chamber of Commerce & Industry

Main Issue

Whether the Policy should provide space for home working in new and extended dwellings in the countryside.

Inspector's Reasoning and Conclusions

5.7.33 The Council is keen to protect the countryside in line with national policy that is to protect it for the sake of its intrinsic character. There might be exceptions to this policy, as for dwellings for agricultural workers. Whilst I accept that some rural dwellers may wish to work from home, and should be encouraged to do so as a means of reducing commuting, the Policy should not be used as a way of allowing new dwellings in the countryside contrary to national and local policies for its protection. Extensions to rural dwellings and their replacements might provide sufficient working space, but proposals for such development should be determined primarily in the context of the amalgamated Policies H16 and H17 which I support. This relates to the retention of a range of dwelling sizes outside settlement policy boundaries, and would not necessarily prevent home working in rural/countryside locations.

5.7.34 The Policy should not be widened to apply to those parts of the District beyond Settlement Policy Boundaries. In fact, due to my recommended modifications to Policies H2 and H3 and their supporting texts, there is no need for Policy H5. The supporting text to Policy H5 should be retained apart from its last sentence which refers to Policy H5.

Recommendation

5.7.35 I recommend that the SDDP be modified by the deletion of Policy H5 and the reference to it in Paragraph 5.32.

LOSS OF RESIDENTIAL ACCOMMODATION POLICY H6

Objection

First Deposit

1927/9193 Consignia

Main Issue

Whether the Policy should thwart the conversion of the former Liss delivery office to other uses.

Inspector's Reasoning and Conclusions

5.7.36 This is more a matter for the Council in its determination of a planning application for the change of use of the building or for a more ambitious scheme. On the evidence before me, it would seem that the wider regenerative and economic benefits that are claimed for such a scheme could be material considerations that outweighed the Policy. Alternatively, the scheme might accord with the letter or spirit of Criterion c.

5.7.37 There is no need to qualify beneficial. Like harm, any benefit must be more than trivial. And presumably other uses might benefit the locality. This should meet the Objector's concerns. I recommend accordingly.

Recommendation

5.7.38 I recommend that the SDDP be modified as follows:

POLICY H6

- C) *THE CHANGE OF USE OR RE-DEVELOPMENT WOULD RESULT IN A NEW RETAIL, COMMUNITY OR OTHER ACCEPTABLE USE THAT WOULD BE OF BENEFIT TO THE LOCALITY.***

SUB-DIVISION OF DWELLINGS

POLICY H7

Objections

First Deposit

1578/8860 The Petersfield Society

First Deposit 5.35

1895/9738 English Heritage

Second Deposit SD5.316

1278/14705 CPRE (East Hampshire Branch)

Main Issues

- 1) Whether the Policy should give more encouragement to the sub-division of dwellings;
- 2) Whether there should be additional criteria referring to landscape, Listed Buildings and Conservation Areas.

Inspector's Reasoning and Conclusions

5.7.39 A policy in a development plan should concentrate on those matters that are likely to provide the basis for the consideration of planning applications or for determining conditions to be attached to planning permissions. That is what this Policy does. Prospective developers will need little encouragement to promote a scheme that would be to their advantage. They will prefer the certainty of a suitably drafted policy.

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5.7.40 The Local Plan will have to be read as a whole. There are adequate policies dealing with such matters as landscape, within and without an Area of Outstanding Natural Beauty, as well as Listed Buildings and Conservation Areas. They, too, would be brought to bear in the determination of planning applications for the subdivision of existing dwellings where those considerations were relevant. The supporting text usefully explains.

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5.7.41 There are 2 other matters. The Policy should be re-drafted to make it sharper and more precise, and it should be entitled as I recommend.

Recommendation

5.7.42 I recommend that the SDDP be modified as follows:

POLICY H7 –

SUBDIVISION OF DWELLINGS OUTSIDE SETTLEMENT POLICY BOUNDARIES

PLANNING PERMISSION WILL BE GRANTED FOR THE SUB-DIVISION OF EXISTING DWELLINGS OUTSIDE SETTLEMENT POLICY BOUNDARIES PROVIDED THAT:

- A) THE SITE IS CLOSE TO A TOWN OR VILLAGE CENTRE OR OTHER COMMUNITY FACILITIES BY PUBLIC TRANSPORT, WALKING OR CYCLING AND THE PROPOSAL WOULD NOT RESULT IN:***
- B) OVER-INTENSIFICATION OF USE: THE PROPOSAL WOULD NOT RESULT IN THE OVER-INTENSIFICATION OF USE, LOSS OF RESIDENTIAL AMENITY OR DETRIMENT TO THE CHARACTER AND APPEARANCE OF THE BUILDING, ITS SETTING OR WIDER SURROUNDINGS, AND***
- C) THE DESIGN AND CONSTRUCTION OF THE NEW DWELLING(S) INCLUDES MEASURES TO OPTIMISE ENERGY EFFICENCY.***

HOUSES IN MULTIPLE OCCUPATION

POLICY H8

Objection

First Deposit

1306/8558 Government Office for the South East

Main Issues

Whether the Local Plan should set out the relevant parking standards.

Inspector's Reasoning and Conclusions

5.7.43 The Council's car parking standards are Supplementary Planning Guidance (SPG) and should be reviewed on a regular basis. Accordingly, they should not be elevated to the status of part of a policy in an adopted Local Plan but should be cross-referenced as advised in Planning Policy Guidance (PPG) 12. Criterion f) in the Policy should be excised. In any event, its contents are suitably included in SDDP paragraph 5.40.

Recommendation

5.7.44 I recommend that the SDDP be modified by the deletion of Criterion f) from Policy H8.

AREAS OF SPECIAL HOUSING CHARACTER

POLICY H9

Objections

First Deposit

404/5690	Petersfield Town Council
143/6072	Mr P. Holland
740/6450	Mr D Holland
760/6635	Mrs C Burns
1019/6672	Mr R A Hargreaves
511/7011	Headley Parish Council
1549/7397	Mr D R Yellop
1620/8214	Whitehill Town Council
827/8296	Ms D Watts
1306/8560	Government Office for the South East
910/8745	Headley Residents' Association
959/9712	Mr R J Caunter
984/10368	Mr & Mrs J Spear
1752/10369	Mr B & Mrs D Knight
1971/10370	Mr T Pinchen
158/5169	P J Hurr
1416/7070	Mr G M Craig-McFeely
1635/7620	St Lawrence Parochial Church
761/8587	Mr S J Craig-McFeely
1960/10277	Liss Village Design Group

Second Deposit SD5.322

1904/13370 Mr Edney

Second Deposit SD5.327

3874/11762 The Classic Home Company Ltd

Main Issues

- 1) Whether the Policy is appropriate in principle; and if so, whether it is too restrictive;
- 2) Whether it should apply to The Spain and Sheep Street, Petersfield;
- 3) ...to the Winchester Road/Mounters Lane area, Alton;
- 4) ...to Headley Fields, Headley;

- 5) ...to Walldown Road, Whitehill/Bordon, between its junction with Liphook Road and Forest Lodge Cottage; and
- 6) ...to dwellings at St Mary's Road, Liss.

Inspector's Reasoning and Conclusions

5.7.45 The Areas to which the Policy applies do have a special character and it is well worth protecting. It derives in most cases mainly from the low density nature of the residential development, the attractive trees, shrubs and general landscaping and in some instances from the imposing appearance of the dwellings. The protection of these Areas is justified not only on an individual basis but also because of their valuable contribution to the range of dwellings and residential areas in the District. In principle, therefore, I support the Policy and its objectives.

5.7.46 My inspections convince me that there is little, if any, scope for development within these Areas apart from those schemes of modest scale and limited effect that the Council envisages. There might be some opportunity for the subdivision of existing dwellings, and the SDDP does not preclude it. It is difficult to imagine any change of use requiring planning permission that would not have a detrimental effect upon the character and appearance of these residential areas. Similarly, there is serious risk that infilling would appear cramped in these low density surroundings or otherwise undermine the high quality environment, and I have yet to be convinced that any such dwellings could be accommodated in a satisfactory manner. I do not therefore support the setting of a minimum plot size for additional dwellings as is suggested.

5.7.47 There are 19 representations in support of this Policy in so far as it applies to Hill Brow, Liss. These local residents make good points. Their views about access and highway safety, the Area of Outstanding Natural Beauty and the lack of mains drainage accord with their desire to protect the generally low density nature and quality of this locality that the Policy seeks to protect. It is, however, this latter point that is the more convincing reason for the designation.

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5.7.48 On the second issue, these attractive streets are included within the Petersfield Town Centre Conservation Area, and rightly so. The Planning (Listed Buildings and Conservation Areas) Act 1990 Section 72 places a duty on the Council, in the exercise of its planning functions, to pay special attention to the desirability of preserving or enhancing its character or appearance. This gives ample protection to these 2 delightful streets, and there is no need for more.

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5.7.49 Thirdly, the Winchester Road/Mounters Lane area of Alton is mainly a ribbon of development with the dwellings along Winchester Road relatively close together. Those at Mounters Lane are in plots of a generally different shape. Nevertheless, the residential area as a whole, though pleasant and undoubtedly appreciated by those who live there, does not have the pronounced spacious and landscaped appearance and character that is so evident in other localities where the designation applies. There is no case for applying the Policy to it.

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5.7.50 The fourth issue concerns land west of Headley Fields, Headley. This is a most attractive residential area, its quality deriving from the considerations outlined in paragraph 5.27. The number of dwellings, though modest for the extent of the area, renders it more part of the mainly built up area than of the countryside. The Council is correct, therefore in acknowledging this fact by including the locality within the Settlement Policy Boundary. This approach accords with the Structure Plan requirement that built up areas should be identified in Local Plans. But I am not convinced that this area could accommodate any additional dwellings without undermining its sylvan, spacious character. Whilst it differs from most other areas subject to this designation in that they are more suburban in nature, the description in paragraph 5.27 equally well applies to it. This land at Headley Fields should be made the subject of Policy H9.

5.7.51 Access to this area is by way of a narrow, mainly unmade track with only 2 or 3 places where vehicles can pass each other, although not easily. I accept the point made by **Mrs Burns** and others that most residents use this approach rather than the alternative access along Taylors Lane which would remain less direct even if improved. The poor standard of this track, together with the restricted visibility at its junction with Crabtree Lane which is the often busy B3002 road, also greatly reduces the scope for additional dwellings. The Council refused planning permission for the erection of one dwelling at Fieldfare, Headley Fields (Taylors Way), one of the reasons being the inadequate capacity/width/alignment to accommodate safely the additional traffic that just one more dwelling would generate. That reason does not surprise me, and is relevant irrespective of the other reasons for refusal and the stage or status of the Local Plan.

5.7.52 The track is sometimes no more than 2.8 m or less in width and is comparable with a private drive. This is a type of access to which the Council will normally accept no more than 5 dwellings. This, too, precludes any additional dwelling being served from it, and I agree with the local residents who make this point. Nevertheless, it is the low density, sylvan quality of this locality that is the more persuasive reason for bringing the area under the protection of Policy H9. This is not the same as placing an unduly restrictive ceiling on the amount of housing that could be accommodated in this locality. There are compelling reasons for preventing the sub-division of plots for additional dwellings.

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5.7.53 Fifthly, I turn to Walldown Road. This is perhaps the most attractive residential area in Whitehill/Bordon, but that is insufficient on its own to qualify the area for notation under Policy H9. Although many of the dwellings are well set back from the road in large plots, those nearest the junction with Liphook Road are more modest in size and setting. Between the Settlement Policy Boundary and up to and including Forest Lodge Cottage, the land is protected by local and national policies for protecting the countryside for the sake of its intrinsic character. Owing to the smallness of the area, the limited number of dwellings in large, landscaped plots and the extent to which countryside policies apply, there is neither sufficient quality of surroundings nor need for the application of Policy H9. General policies designed to protect such considerations as residential amenity, character, appearance and the countryside should suffice.

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5.7.54 Lastly, I deal with St Mary's Road, Liss. There is a variety of dwellings along this road in both size, style and age and this results in a pleasant residential environment. The overall impression, however, is not sufficiently of a low density neighbourhood with substantial homes set in large plots, often with mature trees around them. Its character and appearance, as well as the living conditions of residents is, of course, well worth protecting, but I consider that national and local policies and the normal exercise of the Council's development control functions should be enough to achieve that worthy objective. Nor are concerns about harmful development proposals near the River Rother any justification for applying the Policy to this part of the village. They should be prevented by other considerations.

Recommendation

5.7.55 I recommend that the SDDP be modified by the inclusion of Headley Fields in Policy H9.

SPECIAL HOUSING AREAS

POLICY H10

Objections

First Deposit

1292/8036 Bentley Parish Council
1620/8215 Whitehill Town Council
1306/8561 Government Office for the South East
959/9713 Mr R J Caunter
1644/10236 Alton Town Council
587/6786 Mr & Mrs G.F. Bishton

Second Deposit SD5.328

1000/10718 W.H MacKenzie
511/11593 Headley Parish Council
511/11631 Headley Parish Council
511/11684 Headley Parish Council
653/11890 Mr J G King
4084/12260 Mr R Morgan
1523/12911 Mr A J Williams
509/14214 Mrs J Green
910/14409 Headley Residents' Association
810/14443 Ms B Roberts
3861/14665 Mr J Grant

Second Deposit SD5.329

68/14932 Environment Agency

Second Deposit SD5.331

760/14389 Mrs C Burns
910/14410 Headley Residents' Association

Second Deposit SD5.333

910/14411 Headley Residents' Association

Second Deposit SD5 336

910/14412 Headley Residents' Association

Main Issues

- 1) Whether the Policy is too restrictive by preventing an increased density of development;
- 2) Whether it suitably applies between Church Land and Howards Lane, Holybourne;
- 3) Whether it should apply to Winchester Road and Mounters Lane, Alton;
- 4) ...and to Hogmoor Road between The Red House and Oakhanger Road, Whitehill/Bordon.

Inspector's Reasoning and Conclusions

5.7.56 Whilst the general thrust of national policy is to increase housing densities, it is also important to protect the character of high quality residential areas and to retain a range of dwelling types. The latter consideration applies to the areas to which the Policy applies, and I therefore support it in principle. Higher densities cannot be justified in every circumstance.

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5.7.57 Map H10(2) rightly excludes the Church Pond at Holybourne from the area to which the Policy applies. I agree with the **Alton Town Council** that a cramped form of development should be avoided in the area between the Church and Howards Lane, but the Policy suitably applies in this locality. A minimum plot size of 0.2 ha should be a useful start in the consideration of any planning applications for residential development, as the SDDP implies, but the emphasis should be on the effect on surroundings rather than just plot size. Plot size alone is a blunt tool. The Council and other interested parties will note the views of the **Environment Agency** about the watercourse within this designated area and other considerations.

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5.7.58 Thirdly, the dwellings along Winchester Road, Alton comprise a ribbon of development set in deep plots. The front gardens are long, especially those towards the south. Trees at and near the rear gardens can be seen through the gaps between the dwellings. This is a pleasant residential area, but the closeness of these substantial dwellings to each other limits the air of spaciousness that is so evident in those residential areas to which the Policy applies. Dwellings at Mounters Lane are arranged in a different pattern, but again this neighbourhood does not have the spaciousness upon which the designation so much relies. It is difficult to see how any additional building forming a new dwelling could be satisfactorily accommodated in these surroundings, but any applications for planning permission for development or redevelopment would be better determined in the context of such policies as GS1, GS2, H2 and H4, as I recommend that they be modified.

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5.7.59 Fourthly, much of the land along Hogmoor Road, Whitehill/Bordon, is a proposed allocation. The essential purpose of the Policy is to protect certain existing residential areas owing to their particular character and appearance. There are 3 dwellings, Souriya,

Fairylands and Amanulla, within the Settlement Policy Boundary and 7 chalets/bungalows close to the road frontage that are beyond it. Whilst they are attractive in appearance and no doubt provide good accommodation, I am not persuaded that they have such special character and are in sufficiently extensive gardens to justify a notation under Policy H10.

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5.7.60 There are other matters. I have recommended that Headley Fields be the subject of Policy H9, and so it should be deleted from Policy H10. **Mr Grant's** objection relates to land at The Paddock that comprises Fieldfare and Penmaen. These 2 dwellings are similar in plot coverage, setting and wider surroundings to others to the west and north west. In view of my recommendation concerning the Council's Reserve Site south of The Paddock (HAR15), the Settlement Policy Boundary should be re-defined to exclude these 2 properties. They should not, therefore, be subject to Policy H9.

5.7.61 As the Policy seeks to protect existing special residential areas, it would not be appropriate to apply it to the proposed allocation at Walldown Road, Whitehill/Bordon. In any event, I recommend that the allocation be deleted.

5.7.62 Finally, I regard Policies H9 and H10 as complementary, although in some respects overlapping. Both should stay.

Recommendation

5.7.63 I recommend that the SDDP be modified by the deletion from Policy H10 of Headley Fields.

AFFORDABLE HOUSING WITHIN SETTLEMENT POLICY BOUNDARIES

POLICY H11

Objections

First Deposit

763/6930	Mr J Leathes
1901/8143	Martin Grant Homes Ltd
1276/8183	David Wilson Estates
1620/8216	Whitehill Town Council
1304/8743	Country Landowners Association
1921/9094	Rydon Homes Ltd
1926/9183	Squires Bridge Homes Ltd
1886/9698	Ushers of Trowbridge plc
1874/10154	House Builders Federation

Second Deposit SD5.337

1862/13121	Chawton Parish Council
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Second Deposit SD5.363

3879/13427	Mr Philip Short
1906/13551	The Brows Farm Partnership

Latest Proposed Change

As set out in Document CD11/12 at PIC044.5 (page 114), FPC32 (page 115), FPC34, FPC33 (page 116), FPC35, FPC41, FPC39 and PIC045.5 (page 117), FPC42 and FPC13 (page 118) and FPC43 (page 119).

Main Issues

- 1) Whether the Policy suitably accords with national policy on affordable housing;
- 2) Whether the emphasis in the provision of affordable housing should be on young people who need starter homes and why more use is not made of “trailer parks”;
- 3) Whether the Policy should be amended to cover the provision of affordable housing in settlements other than where development occurs;
- 4) Whether more affordable housing is required in rural areas and whether provision should be based on recognised need rather than targets;

- 5) Whether the requirement for affordable housing on individual sites should be based upon a proper, recent survey of housing need in the locality;
- 6) Whether the general provision of 30% of affordable homes is justified;
- 7) Whether the matter of affordable homes would be better considered in Supplementary Planning Guidance (SPG) instead of the Local Plan.

Inspector's Reasoning and Conclusions

Introduction

5.7.64 A Round Table Session (RTS) on this topic was held on the 22 September 2003. In arriving at my Conclusions and Recommendations I have taken account of the matters discussed at the Session, the Position Statements prepared for it by the participants and other written representations that Objectors and the Council have made. As with the other RTSs on housing topics, I have taken into account national, regional and strategic guidance and policies. The Council's background evidence is set out in its "Affordable Housing Topic Paper" (Document CD16/8), "Housing for Key Workers Policy" (Document CD16/9) and Additional Comments (Document RTS3/1/EHDC). The representations raise a considerable number of points, hence many main issues. Some points are common to both Policy H11 and H12 and so, as I would expect most affordable housing to be provided within Settlement Policy Boundaries, I deal with these points in my examination of Policy H11.

The Main Issues

5.7.65 There are many aspects to the first issue. Objection is made to the prospect of affordable housing being sought on sites smaller than those to which Circular 6/98 refers. In essence, this national policy advises that, subject to site suitability and the economics of provision, its provisions should be applied in areas such as East Hampshire only to housing developments of 25 or more dwellings or residential sites of one hectare or more irrespective of the number of dwellings. It continues that it may be appropriate for local planning authorities, where exceptional local restraints can be demonstrated, to adopt lower thresholds. On this basis, FPC13 reduces the applicable site/size thresholds so as to secure more affordable housing. Those thresholds are: 15 dwellings or 0.5 ha in settlements of more than 3000 people and 5 dwellings or 0.15 ha in settlements of less than that number.

5.7.66 The Council's justification for lowering the thresholds is primarily based on the substantial shortage of, and need for, affordable housing. The adverse implications for the economy are recognised at the national, regional and county level (RPG 9, paragraph 8.7), and the Council's Housing Needs Survey confirms that they apply in East Hampshire. The need is estimated to be some 730 dwellings net per annum compared with a level of housing completions required to meet the Structure Plan baseline plus reserve provision of 565 dwellings pa (398 + 167) (Document CD16/8 paragraph 3.8). Notwithstanding the scale of need, the Council considers that it would be unrealistic to set an annual target for affordable housing of more than 100 units (Document CD16/8 paragraph 3.3 and SDDP paragraph 5.49). The Council's reasons are convincing, and here I note the high price of housing in the District. I agree that its annual target of about 100 affordable dwellings is a reasonable balance between the undoubted need for this type of accommodation and the likely rate of completions of all types of housing.

- 5.7.67 Even with an annual target of 100 dwellings there will be an increasing need up to the end of the plan period. This existing and growing need demands a robust set of Local Plan policies to reduce it. This would include affordable housing for key workers to support the local economy and essential services. Having studied the 2002 Housing Needs Survey, I am in no doubt that the intensity of need in East Hampshire and such matters as high property prices constitute exceptional local circumstances that justify the lower thresholds that the Council proposes. They are adopted in other Districts in this part of the Region (Document CD16/8 paragraph 4.5) where I suspect that circumstances are similar, and this consistent approach serves to confirm the validity of the Council's stance, for which national policy allows.
- 5.7.68 I see negotiation between the Council and developer as vital in securing a suitable number of affordable dwellings on a site. The Policy includes *as agreed* and *will negotiate*. That suggests flexibility, and so I do not regard the Policy as too prescriptive as is alleged. The economics of provision, especially in small sites, will no doubt feature in the negotiations. Nor does the text imply that the provision of affordable housing is a pre-requisite of the grant of planning permission. Although the Policy does not refer to conditions to ensure that the accommodation remains affordable in perpetuity, this method is not ruled out and remains an option by virtue of Circulars 6/98 and 11/95.
- 5.7.69 The Council defends the use of *legal agreement* as its preferred means, and I rely on its experience in my support of this aspect of the Policy. It would be for the developer to convince the Council that a condition would be as good as, or better than, the seeking of a legal agreement in meeting the objectives of the Policy in the particular case. It is the Council that should be party to the legal agreement to secure the accommodation in perpetuity for local people, because the registered social landlord might not operate for the long term and could be taken over by a financial institution. Legal agreements have teeth, and I see no need for even firmer guidelines for keeping affordable homes available in perpetuity for local people.
- 5.7.70 I see nothing wrong with the Policy applying to *local people who need to stay in the area*. In most cases that would be a reasonable requirement. There may be instances, however, where a person coming into the District to take up a job vital to the local economy or services would need affordable accommodation. Presumably that would make the person concerned local according to the meaning ascribed to the term. That is, *people who are or have previously been connected with the Parish, adjoining Parish or District through work or residence* (SDDP Appendix A - Definition of Affordable Housing). The final arbiters on qualification are the managing social landlords (Document CD12/21 page 106), and I agree with the Council that the decision thereon is not a matter for the Local Plan. The SDDP goes as far as it should in this respect.
- 5.7.71 Neither the SDDP nor SPG addresses the concept of "cascading". Circular 6/98 paragraph 19 recommends it to ensure that occupants will always be found for any accommodation, thus safeguarding an adequate stream of revenue for those managing the development. Although the Council confirms that it *adopts the cascade approach as a matter of course*, the absence of that confirmation should be remedied. I see no objection to the Policy including *local people* provided that the supporting text makes it clear that cascading will be adopted to prevent properties remaining empty because of an absence of people who meet the local qualification. That might mean offering the accommodation to persons from elsewhere in East Hampshire or beyond the District. An addition should be made to paragraph 5.51 to confirm the matter of cascading. I recommend accordingly.

5.7.72 The supporting text confirms that the mix of tenures will be determined on a scheme by scheme basis, depending on local demand, but that housing for rent will continue to predominate. Given that almost 86% of the new households are unable to purchase in their own right because of the relationship between local incomes and house prices (Document CD16/17 paragraph 1.10.1), this is not surprising. This is in spite of the fact that the freehold interest of low cost market housing is the preferred tenure for those in housing need (Document CD16/17 paragraph 1.10.2). SD5.345 recognises that there is a role for low cost market housing in meeting the need for affordable housing. This accords the Policies with Circular 6/98 and meets the objection by the **House Builders Federation**.

5.7.73 It is not necessary to specify “homebuy” schemes as a tenure that will be considered in the provision of affordable housing. The supporting text at SD5.345 acknowledges that there is a limited role for such alternative tenure types as shared ownership and low cost market housing. There is no reason for it to specify the whole range of tenure and ownership options. No modification is needed on this score.

5.7.74 The preference for registered social landlords to manage rented affordable housing is not surprising. They perform that important role and have long experience in doing so. The findings of the Housing Needs Survey, moreover, confirm that they are the best agencies to meet the need for rented affordable accommodations. There is no evidence to support a contrary view.

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5.7.75 The second issue concerns young people who need starter homes and the potential of “trailer parks”. National guidance (Circular 6/98, paragraph 4) describes affordable housing as both low-cost market and subsidised housing (irrespective of tenure, ownership – whether exclusive or shared - or financial arrangements) for people who cannot afford to rent or buy houses generally available on the open market. The guidance suggests that local assessments may reveal particular needs for sections of the community, for instance those with special needs or the elderly who cannot afford sheltered housing provided by the market (Circular 6/98, paragraph 2, footnote 2).

5.7.76 It will be for the Council to decide, in consultation with the developer, the priorities for particular types of affordable housing in the light of its most recent Housing Needs Survey 2002 (Document CD16/7) and the needs of the settlement in which the development is to take place. It would not be reasonable for the Local Plan to favour any section of the community or for it to be too prescriptive. Such overt preference, unrelated to local circumstances, could prevent the needs of a particular settlement or section of the community being given its reasonable and due consideration in the light of the most up-to-date housing needs survey.

5.7.77 The 2002 Housing Needs Survey (CD16/7) shows that there will be significant growth in the over 65 age group (some 10%) by 2011. The “older” retirement group, those of 80 or more years, is expected to grow by 22% during the same period. The Survey concludes that they are likely to need sheltered accommodation (CD16/8, paragraphs 1.7.8 and 1.7.9). People of all ages may need affordable housing whether or not it is in the form of, or associated with, sheltered accommodation. On this evidence there is no good reason why the Policy should not apply to sheltered housing schemes.

5.7.78 Policy H18 acknowledges the important part that mobile homes can play in meeting the need for low cost accommodation, and it therefore seeks to protect the existing stock. Proposals for new mobile homes will be treated on their merits and rightly subject to the

same criteria as will those for permanent housing. Given the design and environmental considerations that need to be applied to development of all types, that is the correct approach. In conclusion, therefore, Policy H11 enables consideration to be given to all relevant parts of the community, and to the various means of meeting their needs in the matter of affordable housing. That is the right approach.

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- 5.7.79 On the third issue, the **Whitehill Town Council** considers that its area is a centre of deprivation in the District. Apart from its Defence Estates properties and other tied accommodation, Whitehill/Bordon already has a higher proportion of affordable housing than any other settlement in East Hampshire. It accounts for some 20% compared with 16% for Alton and 13% for Petersfield and a District average of 12% (Document RTS3/3/1620, WTC5). The Town Council is concerned that deprivation begets deprivation. It argues that, with an already high proportion of affordable housing, the Policy is likely to generate more affordable housing within the town unless deliberate steps are taken to prevent it. If this is not done, it is alleged, an objective of Policy H3 of seeking to secure balanced communities will be defeated.
- 5.7.80 I have considerable sympathy with these views. It would be pulling against Policy H3 if Whitehill/Bordon were required to receive more affordable housing thereby creating a greater imbalance in the make up of the local community than already exists. It is a fact that whereas, generally, there has been an apparent bias towards the provision of larger houses in the rest of the District (SDDP paragraph 5.24), Whitehill/Bordon has experienced a trend in the opposite direction towards smaller, higher density development. There are difficulties, however, in meeting these concerns.
- 5.7.81 In exceptional circumstances, the Policy allows financial contributions to be made in lieu of the provision of affordable housing (SDDP paragraphs SD5.372 and SD5.373), but this would not provide land for this type of accommodation in other settlements. Given the undisputed need for affordable housing in the District, it would make sense to seek to provide for it on large tracts of Defence Estates land, such as the Bordon Garrison, should they be declared surplus and made available for redevelopment within or beyond the plan period. Thus, if commuted payments were sought with little prospect of land being available elsewhere, it may be a choice between securing affordable housing in the settlement where the development is to take place or not at all.
- 5.7.82 No reasonable opportunity should be lost in securing more affordable housing. I agree with the Council that there could well be residents of Whitehill/Bordon who do or will need affordable housing and wish to remain there. I therefore see no reasonable means of meeting the wishes of the Town Council without undermining the identified and urgent need for affordable housing in that particular settlement. In the circumstances, it might be better if the Town Council's preferences could be explored at the pre-application discussion stage. Given the shortage of suitable land for housing of all types in the Group 1 Settlements, however, it will not be easy to secure the balance that the Town Council seeks within the immediate future.

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- 5.7.83 The fourth issue concerns affordable housing in rural areas and the relative importance of need and targets. As explained, the need for affordable housing in the District far exceeds the likely supply of all types of housing up to the end of the plan period (Document CD16/8 paragraph 3.8). The Council's annual target of 100 affordable dwellings compares with an annual need of some 780 units. In the circumstances, and especially the environmental constraints of a predominantly rural area and the relative

lack of jobs, services and facilities in the villages, I see this as a reasonable and realistic response to the need.

- 5.7.84 The safeguarding of the countryside for the sake of its intrinsic character and to ensure that those needing affordable housing do not become isolated in places lacking a good range of amenities means that it is not always possible or beneficial to meet the need for this type of accommodation in the rural settlements. This is a matter which I discuss in Chapter 5.2 of my Report. The SDDP identifies the Group 1 settlements as being the most sustainable (Document CD13/2 Appendix 3). Rightly, the bulk of provision of affordable homes will be on the larger sites allocated for housing and within the medium to large windfall developments. This is a reasoned and measured response to the need for affordable housing.

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- 5.7.85 I come now to the fifth issue. This is whether the requirement for affordable housing on individual sites should be related to a substantiated and audited housing need in the locality. Circular 6/98 requires assessments of housing need to be kept up to date during the plan period. Policies H11 and H12 are based upon a Housing Needs Survey carried out in 2002 (Document CD16/7) and SDDP paragraph 5.5 confirms that the data will be regularly updated through the Council's Joint Housing Register. In FPC34 and paragraph 5.55/SD5.370, the Council acknowledges that regular monitoring of housing need is required during the plan period to inform and validate the policies. I have no doubt that the Council will do so, so it can rely on the latest information. FPC35 summarises the findings of the Housing Need Survey. These Changes meet the objections on these matters. To avoid confusion, however, the Local Plan and the supporting documents should use the same title for the Survey. At present it is referred to variously as an *assessment*, *survey* and *study*. I recommend accordingly.

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- 5.7.86 Sixthly, the matter of the 30% provision. The proportion of affordable housing that the Council seeks is set out in its Supplementary Planning Guidance "Implementation for the Policy of Affordable Housing" (Document CD16/10). Its paragraph 4.6 states that the Council is likely to want to achieve 35% affordable housing on any site meeting the site size thresholds. The revised percentage figure is in response to the Conclusions of the Housing Needs Survey 2002 (Document CD 16/7 paragraph 1.15.4).

- 5.7.87 The SPG confirms that it will not seek to apply the percentage target rigidly, but that it would be used as a start in negotiations. Given that the amount of affordable housing sought will be negotiated on a site by site basis, taking into account site conditions and other constraints, I do not find the Council's approach unreasonable. The urgent need for affordable housing in this part of the country where house prices are high underlines that conclusion. The Council proposes amendment to the supporting text to *include an appropriate element of affordable housing in accordance with proven local need and adopted SPG*. I support those Changes and recommend accordingly.

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- 5.7.88 The seventh issue concerns the respective roles of Local Plan and SPG in the provision of affordable housing. Circular 6/98 paragraph 9b says that local planning authorities should seek to set indicative targets for affordable housing on specific suitable sites expressed either as numbers or a percentage of the homes on the site. There may also be instances, however, when windfall sites become available and it is not possible for

obvious reasons to indicate at present the number or proportion of affordable homes that would be sought on them.

5.7.89 The Council’s response to objections that the Local Plan should state the percentage of affordable homes on suitable sites is that it would lack the flexibility to change relatively quickly should monitoring of housing needs and circumstances suggest that changes were needed. It argues that greater flexibility could be more suitably incorporated if this aspect of the Policy were amplified in SPG. This is a persuasive argument. Provided the SPG has been prepared in accordance with best practice and the advice in PPG 12 paragraph 3.16, I see no objection to the Council’s approach. Indeed, I commend it.

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5.7.90 There are other matters. The Council confirms that it carried out its Housing Needs Survey 2002 (Document CD16/7) in accordance with DETR good practice (Document CD16/8 paragraph 3.2). FPC34 and FPC35 bring a selection of its Conclusions into the Local Plan, and I endorse this approach (see my recommendation concerning Policy H11).

5.7.91 The SDDP contains 2 definitions of affordable housing, at its paragraph SD5.345 and Glossary). There is yet another in the Council’s SPG. It would be sensible to have just one. I suggest the one in the Glossary be used, since it contains the reference to “local households”. As local need is basic to the assessment of affordable housing it seems prudent to adopt a definition that recognises that fact in the supporting text to the policies. It can appear again in the Glossary together with a definition of *local*.

5.7.92 The proposed management structure for a sheltered accommodation scheme might be a matter to be taken into account in the application of the Policies. That would be a matter for negotiation at the pre-application stage but should not render either Policy inapplicable to this type of accommodation.

5.7.93 Another matter relates to the baseline site south of Winchester Road, Four Marks. I would expect Policy H11 to be applied to any site falling within its site size thresholds, including this one. Affordable housing on a development of the scale envisaged here would make a useful contribution to the need.

5.7.94 I see that the explanatory (supporting) text follows the policies to which it relates. This applies throughout the SDDP. In my experience, it is general practice and has much to commend it. I see no reason to change it in this particular case.

5.7.95 I do wonder if there is any realistic chance of affordable housing being provided within areas to which Policies H9 and H10 apply. The Council may wish to reconsider whether the second part of Latest Proposed Change (FPC13) should continue to apply to Areas of Special Housing Character and Special Housing Areas.

5.7.96 The last sentence of the Policy explains how it will be applied. It should be supporting text.

Recommendation

5.7.97 I recommend that the SDDP be modified in accordance with the first and second parts of the Latest Proposed Change (FPC13) that relate to national size site thresholds and settlements of more than 3000 population; and

- A) by the deletion of references to 30% in the Housing site description text as set out in the Latest Proposed Change (FPC14-FPC31) in respect of baseline and reserve sites to be retained in the adopted Local Plan;

- B) in accordance with the Latest Proposed Change (FPC32, FPC33, FPC34 and FPC35) subject to:

FPC34

The Council undertakes a comprehensive District wide survey of housing need every 3 to 4 years, and in September 2002 the fifth survey since 1989 was undertaken. The latest survey, called the Housing Needs Survey 2002, was carried out by consultants and looked at income, house prices and other local data in order to assess the overall picture of housing and its affordability. It is important that this information is regularly updated, therefore further Housing Needs Surveys will be undertaken during the Plan period. The detailed results of the Housing Needs Survey are important but will change over the plan period as further assessments are completed. The Council's Housing Team should be contacted for details of the latest Housing Needs Survey.

- C) by the adding to the end of Paragraph 5.51:

In applying control over occupancy under both Policy H11 and H12 a cascading approach will be adopted to avoid properties remaining empty and to safeguard an adequate stream of revenue for managers.

- D) and by relegating the last sentence of the Policy to supporting text.

AFFORDABLE HOUSING OUTSIDE SETTLEMENT POLICY BOUNDARIES

POLICY H12

Objections

As set out in the Annex at page 129.

Latest Proposed Change

As with Policy H11.

Main Issues

- 1) Whether the Local Plan should identify all sites to which the Policy will apply, and whether the Policy should be further changed to ensure that affordable housing is provided outside SPBs;
- 2) Whether the provision of key worker housing should be additional to negotiated elements of affordable housing and whether shared ownership development should meet Housing Corporation Development Standards.

Inspector's Reasoning and Conclusions

Introduction

5.7.98 Some of the Objections relate more to the principle of affordable housing, rather than to whether it should be provided within or without Settlement Policy Boundaries. Where practicable, and for conciseness, I deal with such matters in my discussion of Policy H11.

The Main Issues

5.7.99 The Local Plan cannot identify all the sites that will subject to the affordable housing policies. Windfall and rural exception sites, by their very nature, are not predictable. Annex B of PPG 3 explains the provision of rural exception sites. It will be inappropriate, it says, for policies to identify particular sites and allocate them for affordable housing. The Council follows that advice, and there are no local circumstances to warrant departure from it. It would not be appropriate, therefore, to identify land at Alton, or at any other settlement, for this purpose. I deal with the land concerned, however, in more detail in Chapter 5.3 of my Report in my consideration of objections relating to Alton.

5.7.100 For reasons given in Chapter 5.2 of my Report, the Local Plan should not anticipate the expansion of villages outside SPBs to accommodate growth. Any proposals for expansion would need to take place as part of the Local Plan process and, where circumstances supported it, by means of rural exception schemes.

5.7.101 Policy H12 should not be modified to facilitate village growth in the way that **Persimmon Homes (South Coast) Ltd** suggests. Indeed, the countryside would suffer irreparable harm if an encouragement for growth were to be incorporated within the

Policy, since it could apply to virtually every small settlement in the District. It would seriously undermine the objective of protecting the countryside for the sake of its intrinsic character.

5.7.102 Previously-developed land outside SPBs may or may not be suitable for affordable housing, generally for the same reasons that make it suitable or unsuitable for general market housing. There is no need for the Policy to distinguish between previously-developed and other land. Either or both might be used for affordable housing, depending upon such considerations as location and accessibility.

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5.7.103 On the second issue, FPC39 deletes the requirement that the provision of housing for key workers be negotiated as an addition to the other types of affordable housing. Thus their accommodation becomes part of the more general provision for affordable housing that would be the subject of negotiation in respect of suitable sites. I support this simpler approach and recommend accordingly.

5.7.104 The Council accepts, and I agree, that references in the supporting text to technical building standards are inappropriate. Rightly, PIC045.5 deletes them.

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5.7.105 There are other matters. The Council's justification for lower thresholds on small windfall sites, i.e. those likely to come forward in the smaller rural settlements, is set out in paragraphs 4.2-4.5 of its Affordable Housing Topic Paper (Document CD16/8). It concludes that this is likely to produce a small, but useful, contribution to affordable housing needs. And since the threshold and its product would be kept under review, I see no reason to recommend any modification to this approach.

5.7.106 For reasons of viability, small rural schemes may be unable to support an element of affordable housing. At this stage, therefore, it may not be sensible to remove thresholds entirely, as the **Binsted Parish Council** and **CPRE** suggest. That position may need to be reviewed following monitoring.

5.7.107 I have already concluded that the Local Plan, subject to the modifications that I recommend, will make adequate provision for Structure Plan baseline and reserve housing requirements. There is therefore no reason to prevent a reduction in site size thresholds because of an inadequate housing supply.

5.7.108 The Local Plan should ensure that affordable housing outside SPBs will be permitted only as an exception to the general strategy of protecting the countryside for the sake of its intrinsic character. I therefore recommend a negatively-worded policy.

5.7.109 I am concerned that the first criterion would have the unacceptable effect of elevating survey information to the status of being part of an adopted local plan policy.

5.7.110 I see no need for Criterion g). It seems to duplicate Criterion e). PIC044.5 is therefore unnecessary. In any event, there is no need to quality *harm*.

Recommendation

5.7.111 I recommend that the SDDP be modified as follows:

A) POLICY H12

***PLANNING PERMISSION FOR RESIDENTIAL DEVELOPMENT
OUTSIDE SETTLEMENT POLICY BOUNDARIES WILL NOT BE***

PERMITTED UNLESS IT WOULD PROVIDE AFFORDABLE HOUSING FOR LOCAL PEOPLE WHO ARE UNABLE TO OBTAIN ACCOMMODATION ON THE OPEN MARKET AND:

- A) THERE IS A PROVEN NEED FOR IT;**
 - B) as set out in the SDDP;**
 - C) as set out in the SDDP;**
 - D) THE SITE IS CONVENIENTLY ACCESSIBLE BY PUBLIC TRANSPORT, WALKING OR CYCLING TO A GOOD RANGE OF SERVICES AND FACILITIES SUFFICIENT TO SUPPORT THE NEW RESIDENTS AND TO PROVIDE FOR THEIR DAILY NEEDS;**
 - E) as set out in the SDDP; AND**
 - F) ITS LAYOUT, DESIGN AND CONSTRUCTION INCORPORATES MEASURES TO OPTIMISE ENERGY EFFICIENCY;**
 - G) delete.**
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- B) By adding to the supporting text: *In ascertaining whether or not there is a proven need for the proposed development, the Council will have regard to any recent relevant survey information.,***
 - C) by using the same definition of affordable housing in paragraph SD5.345 and SPG (Document CD16/10) as that used in the Glossary (Appendix A),**
 - D) as set out in the Latest Proposed Change (FPC39). This has the effect of deleting SD5.358, and**
 - E) by the deletion of SD5.360 and SD5.361 as proposed in the Latest Proposed Change (PIC045.5).**

ACCOMMODATION FOR THE ELDERLY REST AND NURSING HOMES POLICY H13

Objection

First Deposit

1692/9319 Alton Friends of the Earth

Main Issue

Whether a local plan policy should promote this type of accommodation.

Inspector's Reasoning and Conclusions

5.7.112 The Objector says that this type of accommodation caters for a nation-wide demand, not a local need. Suitable sites in Alton, it states, have been used for sheltered accommodation that is nationally advertised instead of for small town houses or flats that do meet a local housing need. I think it reasonable to presume, however, that some sheltered accommodation will meet a local need and the Council should anticipate it with a planning policy. There is a limit to the extent that the Council can control the housing market and the need and demand within it. Provided that proposals for this type of accommodation meet reasonable tests in a criterion-based land use policy, there should be no objection in principle to them. Affordable housing is the subject of other policies, and the Council's commitment to it should go some way towards providing for it.

5.7.113 There is no need for the Policy to refer to Policy IB4 for the retention of industrial or business uses. In its determination of any planning application for the change of use from such floor space to sheltered accommodation the Council would have to take account of this, and any other, relevant policy and material consideration. The development plan must be read as a whole.

Recommendation

5.7.114 I recommend that no modification be made to the SDDP.

REMOVAL OF ~~AGRICULTURAL~~ OCCUPANCY CONDITIONS POLICY H15

Objection

First Deposit

1304/8765 Country Landowners Association

Main Issue

Whether Alternatives 1 and 2 of the Policy are reasonable.

Inspector's Reasoning and Conclusions

5.7.115 There have been many changes in agriculture during the last few decades that have resulted in fewer people being employed in it. Nevertheless, it is still an important industry in many rural areas and accommodation should be provided and retained for agricultural workers where necessary. This usually means resorting to agricultural occupancy conditions to retain it for that purpose. Dwellings subject to them, or similar restrictions, have usually been permitted as justified exceptions to local and national policies for protecting the countryside for the sake of its intrinsic character.

5.7.116 It therefore seems reasonable to me that, if no longer required for agriculture or a similar purpose, these dwellings should remain as part of the housing stock available if needed for accommodation for which the market does not provide. If not needed within the foreseeable future for low cost or similar accommodation, possibly for key workers, there would presumably be no objection to the lifting of the occupancy condition, as the Policy suitably allows. The Policy is reasonable in intent and drafting.

5.7.117 In considering the removal of such a condition, agricultural or otherwise, the Council may nevertheless wish to replace *b. significant attempts have been made to sell or lease the dwelling..* with *convincing attempts....* This would usefully strengthen the Policy.

Recommendation

5.7.118 I recommend that the SDDP be modified as follows:

POLICY H15

B) CONVINCING ATTEMPTS HAVE BEEN MADE TO SELL OR LEASE THE DWELLING,.....

MAINTAINING A RANGE OF DWELLING SIZES OUTSIDE SETTLEMENT POLICY BOUNDARIES

~~REPLACEMENT DWELLINGS OUTSIDE SETTLEMENT~~

~~BOUNDARIES~~

POLICY H16

~~EXTENSIONS TO DWELLINGS OUTSIDE SETTLEMENT~~

~~BOUNDARIES~~

POLICY H17

Objections

As set out in the Annex at page 133.

Latest Proposed Change

As set out in Document CD11/12 at FPC47 (page 125) and PIC047.5, FPC50 and PIC048.5 (page 127).

Main Issues

- 1) Whether the amalgamated Policies H16 and H17 is too inflexible and restrictive;
- 2) Whether 1st April 1974 is a reasonable date for calculating *original floor space*;
- 3) Whether much of the contents of this part of the SDDP would be better as Supplementary Planning Guidance (SPG);
- 4) Whether the Policy should apply to dwellings the subject of agricultural occupancy conditions.

Inspector's Reasoning and Conclusions

5.7.119 A policy that relies upon numerical limits is bound to be somewhat arbitrary. This means that the Council should apply it in acknowledgement of that fact and taking account of any other relevant matters. The test of demonstrable harm to interests of acknowledged importance is always applicable as is the requirement to determine each application on its merits in the context of relevant policies and other material considerations. In view of the objections by **Robert Shaw and Partners** and **Mr Sheppard**, this usual approach may be especially appropriate in the determination of an application for an extension or replacement of a dwelling of just under the 400 sq m to which Criterion 2 refers.

5.7.120 Nevertheless, I support the objectives of the Policy and the Council's laudable desire to retain the stock of smaller dwellings in the countryside as a contribution towards a

range of accommodation in the District as a whole. I agree with the Council that it is difficult to say what constitutes a balanced housing market in the countryside, but one general intention of this Policy is to complement others for the provision and retention of affordable housing in the urban areas. The Council's determination to control the effect of large dwellings upon the rural scene and the potential erosion of its quality also merits support. The comparisons that certain Objectors make with extensions and replacements in the urban areas is of limited assistance.

- 5.7.121 The **Bell Cornwell Partnership** suggests a criterion based upon proportion in size and scale, but that would not be of sufficient certainty, precision or rigour. Some occupants may wish to extend or replace their existing dwellings, often for good personal reasons, but as is often the case in land use planning those reasons must be weighed in the balance with the wider public interest. National policy in Planning Policy Guidance (PPG) 2 concerning extensions and alterations to dwellings in Green Belts is that development plans should make clear the approach that local planning authorities will take, including the circumstances (if any) under which replacement dwellings are acceptable. The spirit of that advice is a helpful start in considering the East Hampshire countryside, and the floor spaces set out in the SDDP appear reasonable to me and not unduly complicated.
- 5.7.122 I would resist a policy based upon Council Tax Bands because I consider that floor space is a more relevant consideration than monetary value in controlling the size of extensions and replacements. The figures that the Council proposes on the basis of its experience should provide a sound basis for the determination of planning applications. I endorse them. Other local planning authorities no doubt have differently drafted policies as a response to different local circumstances. Their policies do not oblige this Council to adopt them. The representations on that score do not persuade me that there are better figures.
- 5.7.123 I do not share the fears of the **Medstead Parish Council** that the District Council will not apply the Policy consistently. Again, however, the development plan must be read as a whole and it may be necessary to rely on such other policies as those concerning design and appearance. This is especially the case with dwellings with an original floor space of more than 400 sq m whose extensions and/or replacement should not be seen as automatic. Nor must one lose sight of the potential importance of material considerations other than relevant development plan policies. They might include garden size and site coverage, as **Mr Burgess** implies.
- 5.7.124 **Mr Sheppard** refers me to a development at Froxfield Drive and Kitcombe Wood, Farringdon, for which planning permission was granted in October 2002. Two existing dwellings were replaced by 2 new ones with a floorspace extended by 50%, another dwelling was remodelled and enlarged and an area of nearly 4,000 sq m of concrete kennels/cattery was replaced with one new dwelling. The advice to members was that in visual/landscape terms the removal of the extensive kennel structures would be a clear improvement. This seems to me to be a good reason for permitting the replacement dwelling as an exception to policies for the protection of the countryside in this part of the Area of Outstanding Natural Beauty. Perhaps also significantly, Condition No 15 of the planning permission requires the demolition of all existing buildings on the site (unless otherwise indicated for retention on the approved plans). Presumably those to be demolished included an existing residential building.

- 5.7.125 I have given careful consideration to the documents submitted on **Mr Sheppard's** behalf including Mr Niner's letter of 4 November 2003. It is not, however, my task to adjudicate on past planning decisions but to recommend to the Council those steps that I think should be taken to ensure that it has a Local Plan that will provide a firm and suitable basis for the making of future decisions. The circumstances of the development described in this case persuade me that it is of limited relevance in the drafting of a new policy to be included in the adopted Local Plan.
- 5.7.126 **Mr Sheppard** raises the matter of retrospective legislation. This, however, validates acts that were illegal when undertaken or invalidates acts that were legal when undertaken. In contrast, this Policy would change the circumstances upon which future decisions would be made. I support it. It would be strange indeed if planning policies were to remain the same for all time. In the absence of this Policy as proposed to be amalgamated, the consequences for the environment or the community would be likely to be unacceptable.
- 5.7.127 Planning policies must be drafted to secure different land use objectives in different localities, and it is not surprising that those for the countryside are different from those for the urban areas. That is not the same as discrimination. There is no infringement of the Human Rights Act 1998 Article 14 as **Mr Sheppard** suggests.

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- 5.7.128 I turn now to the second issue. As with floor space figures, any original date for the basis of the calculations will smack of arbitrariness. The Council first proposed that the original dwelling house should be defined as that which existed on 1st July 1948, the day when the Town and Country Planning Act 1947 came into operation. I do not remember that day, and I am not surprised that the Council's records of that time are not entirely reliable. The **Headley Parish Council** suggests 1st January 1960, but the Council says that a significant number of extensions and replacement dwellings were built between 1948 and 1974, and I agree that this latter date would be a more generous basis for the calculations. It would lessen the restriction on the absolute amount of new floor space, giving those who wished to extend or replace their dwellings more scope to do so than would otherwise be the case.
- 5.7.129 A more recent date, as **Mr Wright** would prefer, could encourage the building of unduly large extensions and replacements, owing to an often larger floor space as the basis for the calculations. **Mr Burgess** suggests that the effective date be 25 years prior to the date of any current planning application. This has an initial attraction, but a firm date throughout the life of the Local Plan is preferable to a moving one, and could in any event be re-assessed when the Plan is reviewed in presumably a few years time. The Council has steered a convincing course between these competing interests and it should keep with 1st April 1974.

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- 5.7.130 On the third issue, a Policy of this type is bound to be somewhat lengthy. Inevitably a substantial amount of supporting text is required to explain and justify it. Often, as the **Government Office for the South East** suggests, these aspects call for SPG. But the 2 main objectives of the Policy are of considerable importance. In particular, the East Hampshire countryside is an asset of great beauty. Unduly large extensions and

replacement dwellings would erode it and could eventually destroy parts of it. Significantly, the CPRE supports the Policy. The Council is right to set out an admittedly detailed policy with an appropriate amount of supporting text in its Local Plan. I would, however, ask the Council to have another look at these provisions to see if they could be expressed in more succinct terms.

- 5.7.131 Like the **Medstead Parish Council**, I have my doubts about Criterion d). The re-use of materials might not always be desirable, even if possible, and other legislation is more appropriate in the disposal of unwanted materials. The statement in the SDDP on this matter is as strong as it should be, but it is better kept in the supporting text rather than put in the Policy.

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- 5.7.132 Fourthly, I support the Council's stance of normally refusing planning permission for extensions to, and replacements of, agricultural dwellings. It makes the valid point that planning permission for agricultural dwellings is granted only to enable a farming enterprise to function and, I would add, usually as an exception to national and local policies for the protection of the countryside. It is important to retain an adequate stock of these generally small dwellings which may accommodate a succession of families as circumstances change. I accept that there may be instances where an agricultural worker may need more accommodation for the same personal or other reasons as anybody else, but that would be a material consideration to be weighed in the balance with the Policy, its context and objectives. The thrust of SDDP paragraph SD5.420 should stay.

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- 5.7.133 There are other matters. The Table usefully explains the Policy. Rightly it is couched as supporting text rather than part of the Policy itself.
- 5.7.134 I share the Council's concern about the creation of large, extended and hence more expensive dwellings within SPBs. It is important to retain a substantial stock of small dwellings in these settlements so that all members of the community have a better chance of acquiring their own accommodation. That is especially the case in a District like East Hampshire where property prices are high. SDDP paragraph SD5.413 should stay.
- 5.7.135 I suggest that paragraphs SD5.416 and SD5.421 state "The Policy....." rather than *The New Policy*. There is no need for Criterion e), as the Council agrees. I would expect the siting of an extension to be a matter of discussion between the applicant and the Council with regard to energy efficiency and any other relevant matters.

Recommendation

- 5.7.136 I recommend that the SDDP be modified in accordance with the Latest Proposed Change (FPC47, PIC047.5, FPC50 and PIC048.5) and in the light of my comment at paragraph 5.6.130 that suggests the possibility of a more succinct exposition of this Policy and its supporting text, with especial reference to:

- A) deletion of Criteria d),
- B) and of e), in accordance with the Latest Proposed Change (FPC47); and
- C) **The Policy**, not *The New Policy*.

TRAVELLING SHOW PEOPLE

NEW POLICY SD5.431

Objection

Second Deposit SD5.431

1622/12382 English Nature, Hampshire & Isle of Wight

Latest Proposed Change

As set out in Document CD11/12 at PIC049.5 (page 129).

Main Issue

Whether the Policy should refer to candidate Special Areas of Conservation as areas where planning permission for sites for travelling showpeople would not be granted.

Inspector's Reasoning and Conclusions

5.7.137 Yes, it should, as the Latest Proposed Change provides.

Recommendation

5.7.138 I recommend that the SDDP be modified in accordance with the Latest Proposed Change (PIC049.5).