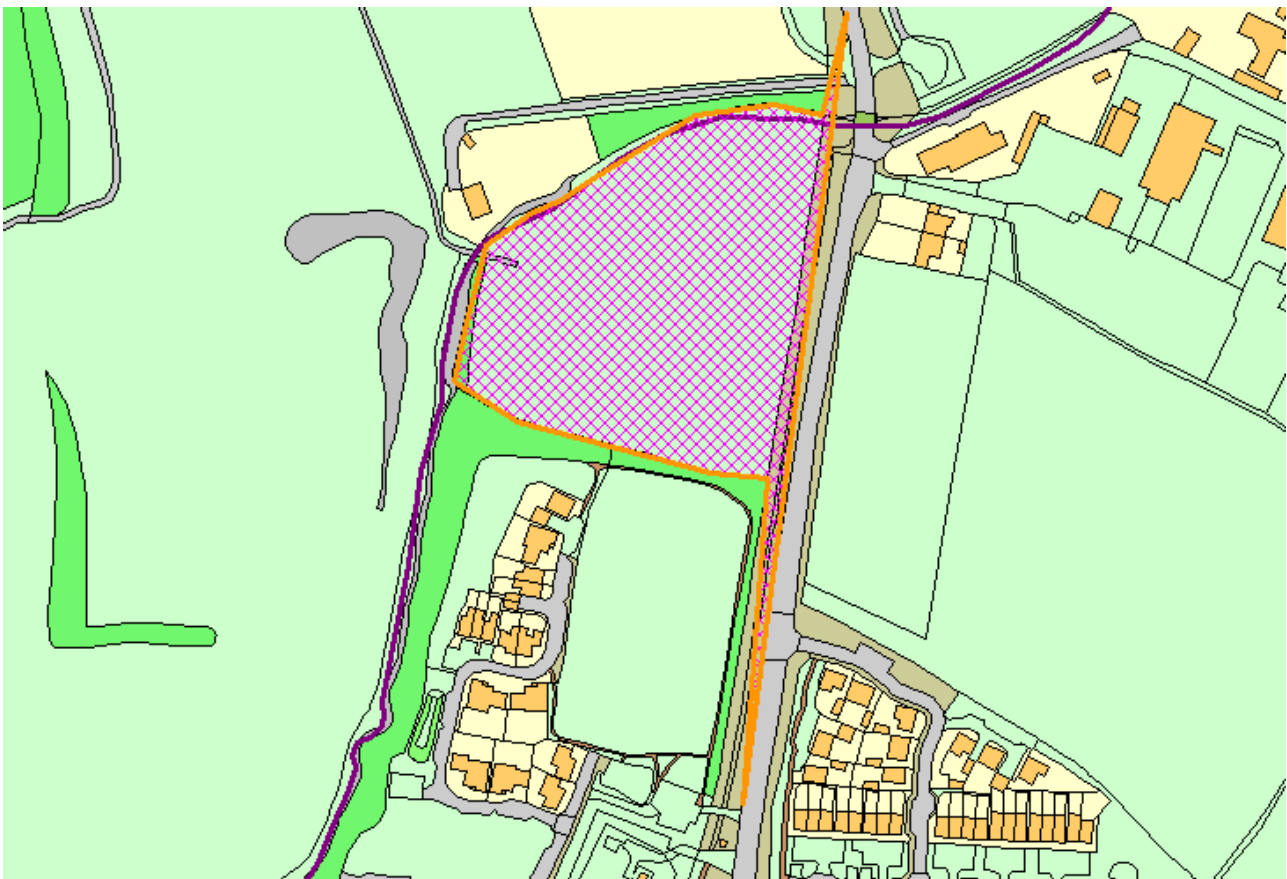


DRAFT OFFICER REPORT

APPLICATION NO.	21/01958/FUL
LOCATION	Land Adjacent to Reading Road Hook Hampshire
PROPOSAL	20 affordable dwellings on an entry-level exception site with vehicular access from Reading Road alongside landscaping, public open space, internal roads, parking and associated drainage infrastructure.
APPLICANT	Falcon Developments (SE) Ltd, Malcolm Gately and Vanesa Trilia
CONSULTATIONS EXPIRY	1 December 2021
APPLICATION EXPIRY	5 November 2021
WARD	Hook



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BACKGROUND

This is the first application received by the Local Planning Authority for an entry-level exception housing site in the district. Twenty public responses to consultation have been received, five in favour and fifteen against the proposal.

An appeal against non-determination of this application has been submitted by the applicant. The Planning Inspectorate has confirmed the appeal is a valid appeal therefore the jurisdiction to determine this application lies now with the Planning Inspectorate.

Members are asked to indicate what resolution they would have made on this matter to assist with the appeal process.

SITE

The site comprises an agricultural field with an area of 1.67 hectares. It is located north of Hook, outside and adjacent to the settlement boundary. The land has roughly a cone shape and features trees and vegetation along its perimeter which is denser along the western section of its boundary.

To the north and east of the site there are small clusters of commercial and residential development. Remaining surrounding land further north, east and west is open countryside.

SITE/ OTHER RELEVANT DESIGNATIONS

The site and immediate surroundings feature the following designations:

- The site falls within the Countryside.
- The north-western half of the site falls within Flood Zones 2 and 3.
- The site falls within the Thames Basin Heaths Special Protection Area 5km buffer zone.
- A Public Right of Way (PRoW) runs in close proximity to a section of the western boundary of the site (footpath no.24) and a number of PRoW's start on the opposite side of the B3344 at the north-eastern corner of the site (footpath nos. 14 & 15).
- A tributary of the Whitewater River (Great Sheldon's Stream) is located in close proximity to the western boundary of the site.

PROPOSAL

Full planning permission is sought for the construction of 20 affordable dwellings as an entry-level exception site with vehicular access from Reading Road alongside landscaping, public open space, internal roads, parking and associated drainage infrastructure.

The development proposes the following housing mix and provision:

Dwelling type /size	2 Bedroom	3 Bedroom	Total
Discount Market Sale (DMS)	7	3	10
Shared Ownership	7	3	10

(SO)			
Total	14	6	20

RELEVANT PLANNING HISTORY

None.

RELEVANT PLANNING POLICY

Section 38(6) of the Planning and Compulsory Purchase Act 2004 (as amended) requires applications for planning permission to be determined in accordance with the development plan unless material considerations indicate otherwise.

The relevant Development Plan for the Hart district includes the Hart Local Plan (Strategy & Sites) 2032 (HLP32), the saved policies of the Hart District Local Plan (Replacement) 1996-2006 (HLP06), the saved policies of the South-East Plan 2009 (SEP) and the Hook Neighbourhood Plan 2017-2032 (HNP32).

All of these adopted and saved policies are up-to-date and consistent with the July 2021 version of the National Planning Policy Framework (NPPF). The relevant policies are:

Hart Local Plan (Strategy & Sites) 2032 (HLP32):

- Policy SD1 - Sustainable Development
- Policy SS1 - Spatial Strategy and Distribution of Growth
- Policy H1 - Housing Mix: Market Housing
- Policy H2 - Affordable Housing
- Policy NBE1 - Development in the Countryside
- Policy NBE2 - Landscape
- Policy NBE3 - Thames Basin Heaths Special Protection Area
- Policy NBE4 - Biodiversity
- Policy NBE5 - Managing Flood Risk
- Policy NBE7 – Sustainable Water Use
- Policy NBE9 - Design
- Policy NBE11 - Pollution
- Policy INF1 - Infrastructure
- Policy INF3 - Transport
- Policy INF4 - Open Space, Sport and Recreation

Hart District Local Plan (Replacement) 1996-2006 'saved' policies (HLP06):

- Policy GEN1 - General Policy for Development
- Policy CON7 - Riverine Environments
- Policy CON8 - Trees, Woodland & Hedgerows: Amenity Value
- Policy CON23 - Development affecting public rights of way

Saved Policy from the South-East Plan 2009:

- Policy NRM6 - Thames Basin Heaths Special Protection Area

Hook Neighbourhood Plan 2017-2032 (HNP32):

- Policy HK1 - Spatial Policy
- Policy HK4 - Protecting and Enhancing the Biodiversity of Hook
- Policy HK5 - Landscape
- Policy HK8 - Control of Light and Noise Pollution
- Policy HK9 - Pedestrian and Cycle Paths
- Policy HK10 – Parking
- Policy HK11 – Residential and Mixed-use Windfall Development
- Policy HK12 - Design

Other relevant planning policy documents:

- National Planning Policy Framework 2021 (NPPF)
- Planning Practice Guidance (PPG)
- National Design Guidance (NDG)
- Building for a Healthy Life (BfHL, June 2020)
- Hart District Landscape Assessment (HLA, 1997)
- Hart Landscape Capacity Study (HLCS, 2016)
- Five Year Housing Land Supply at April 2021 (HLS21)
- Thames Basin Heaths Special Protection Area Delivery Framework (2009)
- Technical Housing Standards - nationally described space standard (DCLG 2015)
- BRE Report - Site layout planning for daylight and sunlight: a guide to good practice (2011)
- Parking Provision Interim Guidance (2008)
- Hart's Strategic Floodrisk Assessment (2016)
- Hart's Climate Change Action Plan
- Hart's Equality Objectives for 2021 - 2023

CONSULTEES RESPONSES

Hook Parish Council

No objection subject to the following:

- The tenure split remains as specified (10 units Shared Ownership and 10 units Discount Market Scheme) since this arrangement accurately reflects the specific housing needs of Hook Village.
- The enhanced footway proposed (165m in length and 2m wide) by the applicant is approved for inclusion in the interests of providing much needed pedestrian connectivity for the site.
- HPC disagrees with any educational levy requested by HCC on the basis that this is an exception site with demonstrated local need.
- SPA mitigation has been formally allocated by Hook PC at Bassett's Mead SANG.

Rotherwick Parish Council

No response received.

Thames Water Property Services

No objection with regards to foul water infrastructure capacity. It is indicated that surface water will not be discharged to the public network and approval from the Local Lead Flood Authority should be sought.

Natural England

No objection, subject to the applicant mitigating against potential adverse effects of the development to the integrity of the European site(s).

Tree Officer (Internal)

No objection, with the following comments:

- The proposed dwellings proposed close to / along the southern boundary of the site as they may cause future pressure to prune or remove trees.
- Recommendations on the arboricultural information submitted are sound.
- There is scope for tree planning on the site.

Environmental Health (Internal)

No objection, subject to planning conditions to secure:

- Hours of construction
- Construction Management Plan
- Noise assessment
- Informative to report unexpected land contamination, if found.

Landscape Architect (Internal)

Concerns raised but planning conditions recommended.

- Development will remove the good quality rural character of the existing pasture/meadow and replace it with a residential character.
- Landscape masterplan submitted with no specific details so is indicative at this stage.
- A landscape condition should be attached requiring full details of both hard and soft landscaping and that, once agreed, those details should be implemented.

Ecology Consult (Internal)

No objection subject to planning conditions to secure:

- Implementation of the Ecological Impact Assessment
- Provision of a plan showing proposed habitat features (bird/bat boxes, log piles and hedgehog homes/ fence gaps and swift bricks)

Policy (Internal)

Objection.

The comments are summarised as follows:

- The key thrust of the local plan is to focus development within settlements and at the Hartland Village allocation, and to protect the countryside. This proposal contravenes that approach and is contrary to local plan policies SS1 Spatial Strategy and NBE1 Countryside.
- The status of the entry level exception sites policy within the NPPF is in doubt. The Government introduced a First Homes policy on 24th May 2021 via a Written Ministerial Statement (WMS) and updated Planning Practice Guidance. There is a case to say that less weight should be placed on the entry level exception site policy in light of the WMS.
- The Council has an up-to-date local plan adopted in April 2020, and the plan is delivering. In fact, through its policies, it is delivering more housing, including affordable housing, than was originally envisaged when the plan was examined and found sound (discussed later under 'Test 1'). In other words, the Council is successfully delivering a plan-led approach to housing development in the district.
- The entry level exception site policy within the NPPF undermines the plan-led approach that is central to the NPPF. This is particularly true in Hart where the local plan was examined against the previous NPPF (2012) which did not contain such a policy; hence it is silent on entry level exception sites. This contradiction between a plan led system and the entry level exception site policy should be borne in mind when considering this application. The plan-led system should not be forgotten when focussing on the entry level exception site policy.
- The Strategic Housing Market Assessment published in 2016 pre-dates the concept of entry level homes. It is assumed that entry level homes for first time buyers (as opposed to first time renters) is a subset of the overall need for 'subsidised home ownership' which the SHMA identifies as 180 homes per annum over the plan period 2014 to 2032. Hart has 10.4 year of housing supply, and Hart 2021 Housing Delivery Test result is 210%. More affordable housing is now expected than predicted when the local plan was examined and found sound.
- The local plan inspector found the local plan found with an expectation that 1,633 affordable homes would be delivered. Latest predictions are that around 2,000 affordable homes will be provided from new development, which will increase even more than this as a result of other schemes coming through the planning system. Furthermore, the Council has approximately £7m of developer contributions for affordable housing to be spent on off-site provision.
- Even with within the vicinity of the site there is significant affordable housing delivery with the strategic extensions to Hook settlement. Over the plan period there have been 163 affordable units completed in Hook (excluding any affordable housing for the elderly) with a further 120 permissioned. So, delivery of affordable housing is happening at a scale in excess of that envisaged at the local plan examination and the Council is taking positive steps to maintain that delivery going forward. This context of positive affordable housing delivery, including homes suitable for first time buyers, beyond that originally envisaged when the plan was examined, reduces the benefits of an entry level exception site.
- Concern is raised regarding the discount market sale element of the proposed housing and whether the proposed 25% discount is sufficient for the homes to be affordable in

the Hart context. At a 25% discount these homes will not help those most in need of help to buy and this further reduces the benefits associated with this proposal.

- The application site is 1.67 hectares and so fails the NPPF test by virtue of being larger than 1 hectare. Planning policy team's interpretation of the 5% threshold is that applies in smaller villages where one hectare would be fairly large or 'disproportionate'. On appeal, it has been held that entry level exception sites are "geared towards smaller sites".
- Concerns were raised during the NPPF consultation (March 2018) regarding sites being located outside settlements, the potential for undermining local plans, inhibiting integration and the lack of transport infrastructure or facilities, and concerns as to whether the rural exceptions policy would be undermined. It is appropriate to adhere strictly to this threshold. The size limit was deliberately inserted into the policy in response to concerns raised and it should not be underplayed.
- The applicant relies on the NPPF entry level exception site policy to justify the proposal but falls foul of this test within the same policy. The purpose of local plans and national policy is to provide a degree of certainty to stakeholders and the wider public regarding proposals for new development. The fact that affordable housing delivery in Hart is so strong (see test 1) re-enforces the view that there is no case to depart from the NPPF approach.
- The applicant has argued that the developable area of the site is less than 1 hectare. However, the NPPF draws no such distinction between site area and developable area. The reference to site size in the NPPF should not be assumed to mean anything other than the site size as defined by the planning application, including any open space, landscaping, drainage etc, that forms part of the planning application.
- Concerns are raised regarding the relationship of the proposed housing to the adjoining site to the south particularly at this edge of settlement location. The open space within the site to the south fronts the main road and provides a good transition to the countryside beyond, which would be lost if the appeal scheme is granted. Concerns are raised regarding the sustainability of this site in accessibility terms, it being some distance from the village centre.
- It is understood that the Parish Council supports this development to help address local housing needs. However, it is contrary to the development plan for the area, in terms of site size it fails to comply with the very policy in the NPPF the scheme is predicated on, it could set an extremely unhelpful precedent should any similar proposals come forward in the district as the Council tries to deliver a plan-led system (in accordance with the NPPF), there is doubt as to the status of the entry level exception site policy in light of the Written Ministerial Statement on First Homes which clearly states that the Government is replacing this policy with a First Homes exception site policy.
- Any benefits arising from the development are tempered by the fact that Hart is delivering significantly greater numbers of affordable homes than was originally envisaged when the local plan was found sound at examination, and also by the low level of discount for the discount market homes (25%) which is lower than that required by the Government for First Homes which are intended to replace the notion of 'entry level' homes.

Housing (Internal)

No objection with the following comments:

- Provision of 100% affordable home ownership housing on this site is supported.
- There is a mix of affordable home ownership products being proposed.
- It will also help meet the need for affordable home ownership housing for residents which has been identified in the Housing Needs Survey.
- Tenures proposed are supported.
- It is welcomed that in order to improve affordability, the Discount Market Sale homes will be offered at 25% discount.
- 15% of the homes provided on this site will need to be accessible in line with Building Regulations Part M4(2). This would equate to 3 units on this site.
- All homes would meet Nationally Described Space Standards (NDDS).
- Pathways designed to manoeuvre bins and cycles from the rear garden to the front of the properties are step free.
- windows have not been included in some of the bathrooms which would improve ventilation.
- The homes on this Entry Level Exception Site will have eligibility criteria attached to them (including a first-time buyer criteria) and will need to follow agreed prioritisation criteria (such as local connection to Hook Parish).
- It is intended that these affordable homes should remain affordable in perpetuity. Appropriate measures will also need to be identified in the S106 legal agreement to ensure that initial sales and future re-sales adhere to the agreed eligibility criteria and in the case of the Discount Market Sale homes that the original percentage discount is passed onto future purchasers.

Streetcare Officer (Internal)

Concerns raised in terms of refuse collection for plots 5-6 and plots 14-16.

Hampshire County Council (Education)

No objection subject to securing:

- Planning contribution of £105,680.40 towards remodelling two Food Technology classrooms in order to improve the teaching and learning experience for students and create additional capacity.

Hampshire County Council (Highways)

Holding objection, with the following comments:

- Visibility splay (4.5m x 160m) to south is acceptable however overgrown of grass verge could obstruct visibility.
- Visibility splay to north is currently obstruct by two trees adjacent to the access on the northern bend of Reading Road. The trees are not shown on plans. Drawings should include the trees and demonstrate the impact on the visibility envelope.
- Car parking spaces need to measure 2.4m x 4.8m

- It is recommended that refuse vehicle tracking is re-run as currently they show a large portion of the refuse vehicle entering southbound side of Reading Road which could have potential conflict with oncoming traffic, impacting highway safety.
- It is recommended that 'slight severity' traffic accidents south of the proposed development are investigated and the specific information provided.

Any further comments received will be reported to committee.

Hampshire County Council (Local Lead Flood Authority)

No objection subject to planning conditions to secure:

- Compliance with the Flood risk Assessment and Drainage Strategy submitted.
- Details of long maintenance arrangements for the surface water drainage system (maintenance schedule for each drainage feature type/ownership and protection measures).

Environment Agency Thames Area

No objection subject to planning conditions to secure:

- Implementation of Flood risk Assessment and Drainage Strategy prior to occupation.
- Implementation of finished floor levels no lower than 66.315 metres AOD or provide at least 300mm freeboard to the modelled 1% Annual Exceedance Probability (AEP) (1 in 100 year) event flood levels, including 35% allowance for climate change; whichever is the highest.
- Details of a buffer zone scheme for its provision and management alongside the Great Sheldon's Stream (including extent/layout of buffer zone, planting scheme, protection of buffer zone during development and long-term management plan - financial provision, body responsible).

NEIGHBOUR COMMENTS

The statutory requirements for publicity, as set out within The Development Management Procedure Order (DMPO) 2015 (as amended) are in this case the notification of the adjacent properties together with a site notice and press advert being displayed/published.

The 21-day public consultation expired on 01.10.2021. At the time of writing the Officer report there were 20 representations received in response to the proposal including 15 letters of objection and 5 in support.

The support comments are summarised as follows:

- I support it, we would be able to buy a property in that development.
- I feel there is a need of this housing, I would be interested in buying a house there.
- The development would help the local community to stay in affordable housing.
- It would help first time buyers to get I the property ladder.
- It would be great for the village.

The objection comments are summarised as follows:

- Hook needs a coherent plan for regeneration and expansion of amenities.
- Urban sprawl.
- Greenfield inappropriate, more suitable brownfield sites to be considered in the area.
- Significant ongoing development in Hook, proposal clearly not needed.
- Hook needs more amenities, services and infrastructure not more housing.
- Adverse impacts to wildlife, displacement and loss of habitat
- If it goes ahead a greater buffer zone from the surrounding stream is needed.
- Greater protection of existing trees and scrub is required.
- Development threatens gap between Hook and Rotherwick.
- Housing is not affordable unless you are on £50k a year.
- Affordable homes should be retained as such in perpetuity.
- Development of purely affordable homes is not in keeping with a mixed society.
- Need for such a development is questionable with ongoing housing construction.
- Nuisance from construction including traffic and noise levels
- Proposal contrary to adopted HNP32, it is outside settlement.
- Flood risk assessment needs revising, ground is waterlogged 8 months/year.
- Cala development is connected to Thames Water network (manhole in Reading Road), this scheme proposes the same. On high rain events the sewer regularly overflows on Alderwood Drive and Hawthorn Rise.
- Overflowing sewage spills do not get reported to the Environment Agency, adding development to system will not help.
- It will increase traffic and car use as it is outside settlement and away from amenities or public transport.
- Unsustainable location, distance from facilities and services, unlit access.

CONSIDERATIONS

The following considerations are relevant in the assessment of this application:

- Principle of Development
- Housing need vs supply
- Quality of Accommodation and Housing Mix
- Landscape/ Visual Impacts
- Design/Character and Appearance
- Impacts upon Amenity
- Accessibility of the Site, Highway Safety and Parking
- Flood Risk and Drainage
- Biodiversity, Trees and Landscaping
- Thames Basin Heaths Special Protection Area
- Climate Change
- Equalities
- Planning Obligations
- Other Planning Considerations
- Planning Balance

PRINCIPLE OF DEVELOPMENT

The relevant adopted policies applicable to development of land in the district and in particular land outside settlement boundaries for development are policies SS1 and NBE1.

Policy SS1 deals with the spatial strategy and distribution of growth within Hart, stating that 'Development will be focused within:

- defined settlement boundaries;
- previously developed land in sustainable locations; and
- on allocated sites as shown on the Policies Map.'

Taking into account the above location for development, this policy also makes provision for new homes for the plan period 2014-2032 through:

- 'Development completions and committed development since October 2017;
- Permitting further development/redevelopment within defined settlement policy boundaries (subject to other plan policies);
- delivery of 1,500 homes at Hartland Village;
- through Neighbourhood Plans; and
- Permitting rural exception sites outside defined settlement policy boundaries that accord with emerging policy H3 and NBE1.

In terms of the requirements of Policy NBE1, eleven criteria are set out in this policy to allow development in the countryside, the relevant criteria to applicable to housing in the countryside are listed below:

- meeting the proven essential need of a rural worker to live permanently at or near their place of work;
- providing affordable housing on rural exception sites (Policy H3); or
- providing specialist housing (Policy H4); or
- providing either a replacement dwelling, an extension to an existing dwelling or the subdivision of an existing residential dwelling; or
- development of exceptional quality or truly innovative in design and which significantly enhances its immediate setting and is sensitive to the local character; or
- for traveller sites that comply with Policy H5.

The instances where adopted policies SS1 and NBE1 support housing development in the countryside are not applicable to the proposal, as the application site is outside, albeit adjacent to, the settlement boundary, is a greenfield site rather than previously developed land and is not an allocated site on the Policies Map in the HLP32.

Policies NBE1 and NBE3 allow housing outside settlement boundaries in the form of 'Rural Exception Sites', subject to specific criteria contained in Policy H3, which supports housing schemes containing solely or mainly affordable housing. The application is not, however, proposing a rural exception site. It is therefore contrary to Policies NBE1 and H3 in this respect.

The proposal would therefore conflict with the criteria set out in adopted policies SS1 and NBE1 of the HLP32, on the basis that it is a development proposal in the countryside (that is outside the settlement boundary) and does not fall within the categories of development supported by adopted Policy H3 which permits certain types of housing to be located outside of the settlement boundary. It is also noted that HNP Policy HK1 states that the focus for growth will be within the existing settlement boundary of Hook village, hence also conveying a clear presumption against development in the countryside.

The application makes clear it is seeking permission for an entry level exception site under Paragraph 72 of the NPPF and therefore is not specifically covered by any of the above policies. The starting point for assessment of planning applications is the development plan, following the plan-led system. The development plan in this instance comprises the Hart Local Plan (HLP32 and HLP06) and Hook Neighbourhood Plan (HNP32).

Planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise. The NPPF is a material consideration, and due regard needs to be made to it. Paragraph 72 of the NPPF states:

“Local planning authorities should support the development of entry-level exception sites, suitable for first time buyers (or those looking to rent their first home), unless the need for such homes is already being met within the authority’s area. These sites should be on land which is not already allocated for housing and should:

- (a) comprise of entry-level homes that offer one or more types of affordable housing as defined in Annex 2 of this Framework; and*
- (b) be adjacent to existing settlements, proportionate in size to them, not compromise the protection given to areas or assets of particular importance in this Framework, and comply with any local design policies and standards.”*

The NPPF therefore advises that entry-level exception sites should be supported subject to various tests and criteria. Breaking down these requirements of the above paragraph, they are referenced below.

The first criterion is that the homes need to be ‘suitable for first time buyers or those looking to rent their first home’. This is important as it is a subset of affordable housing need. This indicates it needs to be for people looking for smaller properties.

The second criterion is unless the need for such homes is being met within the authority’s area. These first two criteria matter are dealt with in detail below as part of next main consideration in this planning assessment.

The third criterion is that the proposed development must be on land which is not already allocated for housing and adjacent to existing settlements. The application site is not allocated for housing in the HLP32 or HNP32, and it is adjacent to the settlement boundary of Hook, hence this requirement is not breached but the site’s accessibility is assessed below.

The fourth criterion is that the development is comprised of entry-level homes that offer one or more types of affordable housing as defined in Annex 2 of the NPPF. An entry level exception site is defined in Annex 2 of the NPPF²¹ as: *“A site that provides entry-level homes suitable for first time buyers (or equivalent, for those looking to rent), in line with paragraph 72 of this Framework.”* Moreover, the types of housing defined in Annex 2 of the NPPF would comprise:

- Affordable housing for rent;
- Starter homes;
- Discount market sales;
- Other affordable routes to home ownership (e.g., shared ownership)

The proposal would offer Discount Market Sales and Shared Ownership homes, as such this requirement is, in principle, met.

The fifth criterion requires that an entry level exception site must be proportionate in size to the existing settlement to which it is adjacent. Footnote 35 provides further detail in relation to the proportionate in size requirement stating that:

“Entry-level exception sites should not be larger than one hectare in size or exceed 5% of the size of the existing settlement.”

The Council regards ‘Entry-level Exception Sites’ as constituting small sites that would incorporate themselves into the settlement which they adjoin as opposed to large sites that would represent an urban extension to the settlement. In this case the two parameters provided by the NPPF are quoted above and because of the size and characteristics of the settlement the application site adjoins (estimated population of 7,770 residents – Census 2011), it is therefore reasonable to assess the site against the smaller parameter provided, ‘sites that are no larger than one hectare’. If the development was 5% of the size of the existing settlement the exception site could be 388 homes in size.

Footnote 15 to Paragraph 72 of the NPPF confirms that entry-level exception sites must be no more than 1 ha. The application site comprises an area of 1.67ha, which would clearly exceed the NPPF parameter referred to above and as such it would fail this requirement. The application suggests the proposal complies with the site size requirements of the NPPF as the ‘developable area’ of the site is 0.73 ha. However, the wording of the NPPF refers to the ‘site’ (or ‘sites’) which would encompass the land outlined in red colour, it does not refer only to the area upon which the homes / built development would be constructed, and it does not contain any provision to split the site as a whole into smaller portions to fit the NPPF site requirement. The Officer view is that the applicant is inferring meaning to the NPPF which is not there.,.

The Council’s interpretation of the 5% size threshold is that it applies to smaller villages or settlements where one hectare would be fairly large or ‘disproportionate’, as it has been held in appeals that entry level exception sites are “geared towards smaller sites”. The importance of this criterion should not be underplayed. It was deliberately inserted into the NPPF in response to concerns raised through the consultation on the draft NPPF in March 2018. The size limit was deliberately inserted into the policy as the purpose of local plans and national policy is to provide a degree of certainty to stakeholders and the wider public regarding proposals for new development. As such the proposal would fail the NPPF ‘size’ requirement.

The NPPF requires that the proposed development does not compromise the protection given to areas or assets of particular importance in the NPPF. This is dealt with further later in the assessment of the main considerations under heading ‘Thames Basin Heaths Special Protection Area’ (SPA) as the site is within the zone of influence (within 5km) of the SPA.

It is also a requirement that the development must comply with any local design policies and standards. This is dealt with further later in the assessment of the main considerations under the headings ‘Design / Appearance and Visual Impacts’ and ‘Building for a Healthy Life’.

Overall, the Council’s assessment in terms of the principle of development is that the development would not meet the requirements of the spatial strategy of the HLP32 or the HNP32. The key thrust of the local plan is to focus development within settlements and at the

Hartland Village allocation, and to protect the countryside. This proposal contravenes that approach and is contrary to policies SS1 and NBE1 of the HLP32 and HK1 of the HNP32.

In considering in-principle matters, the proposal would not only conflict with the spatial strategy of the HLP32 as indicated above but also it would fail to meet the clear size requirement of 1 ha set out within NPPF for an entry-level exception site. As discussed above, other NPPF requirements are assessed below.

The proposal is considered to be fundamentally in conflict with the development plan and NPPF 2021.

HOUSING NEED vs SUPPLY

In this regard, paragraph 72 of the NPPF provides that entry-level exception sites should be supported unless *“the need for such homes is already being met within the authority’s area.”* It should be noted that this NPPF paragraph does not relate to an assessment of need within each individual parish / town, but rather whether the need is met across the whole of the authority’s area.

The application was originally accompanied by a housing needs assessment ‘First Time Buyer Housing Need Survey’ which was undertaken for the Parish of Hook. The survey took place between 07.09.2020 and 30.10.2020 and there were 55 respondents from the Parish (32% were living with family/friends, 32% renting privately and 23% were homeowners). In summary, 35 respondents were interested in buying a discount market sale unit in Hook, 30 of them would be first time buyers, 35 were interested in Discount Market Sale Homes (DMSH) and 15 were interested in Shared Ownership (SO). The report states that a proposed scheme with 20 homes that are prioritised for those with local connection to the Parish is considered necessary and the discount market homes would need to be priced below £250k.

It should be noted that any exception site under Paragraph 32 would not be eligible to households who are existing homeowners nor those renting privately.

It should also be noted to comply with Paragraph 72 of the NPPF the homes would need to be available to any household in the ‘local authority’s area’, and not linked to a particular town and parish.

The applicant subsequently submitted a Shared Ownership (SO) needs report for consideration. In addition to the 15 respondents interested in SO stated above, the report makes reference to the ‘Help to Buy’ register which currently has 507 applicants interested in buying SO housing within Hart (this contains applicants living outside the district wishing to live in Hart – which the Council considers to be unreliable in terms of the actual need for this type of accommodation), 402 are interested in 2 and/or 3-bedroom units. Also, 60 out of the 507 applicants are interested in buying housing in Hook. The report moves on to make reference to Hart delivery rates of SO for 2019-2020 and SO housing availability looking at consented schemes from 01.01.2019 to 04.11.2021. The applicant’s information states that a total of 343 dwellings are planned for delivery, this figure comprises consented schemes within the above dates and 4 strategic sites currently under construction.

The information the applicant submitted to support the application does not relate to district wide information on need / supply, which NPPF para. 72 deals with. The original submission focused on Hook Parish and subsequently, as discussed above, a further statement with

regards to Share Ownership was submitted seeking to provide a wider picture. It also focused on affordable housing delivery over a short period of time.

However, the NPPF requires authorities under paragraph 66 to establish a housing requirement figure for their whole area and strategic policies should show the extent to which their identified housing need (and any needs that cannot be met within neighbouring areas) can be met **over the Plan period** (Case Officer's emphasis). It is within this housing land supply context and timeframe that the need for entry-level exception sites should be considered. This is over a much longer period than the one the applicant has suggested.

In November 2021, the Council published an updated position statement on Housing Land Supply (HLS21), which not only sets out the overall housing land supply in Hart district at April 2021, but it also contains information on delivery up to 2032

The HLS21 shows the Hart district has a housing land supply of 10.4 years and a Housing Delivery Test result of 210%. Also, the housing trajectory contained in Appendix 9 comprising 2014 -2032 estimates a housing provision of 7,978 homes by 2032 overall which would be above the housing requirement figure set out for the Plan period. Within this overall delivery there would be provision of affordable homes in line with the Local Plan Policy H2 requirement of 40% provision (on qualifying sites) 65% affordable housing for rent and 35% affordable home ownership. These would include some homes suitable for first-time buyers and those looking to rent their first home.

In correspondence with the applicant, they are of the opinion that the need for subsidised home ownership units is not 'already' being met and have made reference to the Planning Inspector's report associated with the adoption of the HLP32. Specifically, the applicant makes reference to the evidence analysed by the Inspector showing there would be a need of some 5,500 affordable homes over the Plan period and it was acknowledged that the identified need is higher than the amount of affordable housing that is likely to be delivered. On this basis, the applicant considers that the LPA is not meeting needs of the type of housing proposed as part of this application.

However, it should be noted that it is unlikely there is a Local Authority in the Country that would fully meet their affordable housing needs within the plan period they adopt. For this to happen there would have to be a gross over- provision of market housing in each authority's area. The fact is that the Inspector regarded the strategy of the HLP32 sound to deliver an appropriate amount of housing in the district, considering future population projections, to the period ending in 2032. This delivery would include securing a proportion of affordable housing (40%), which is addressed through Policy H2 (affordable housing). Therefore, the applicant's approach to establish that the Council is not meeting needs on subsidised home ownership units is considered to be premature, and ultimately flawed.

The Planning Inspectorate assessed HLP32 with an expectation that 1,633 affordable homes would be delivered within the plan period. Latest predictions are that around 2,000 affordable homes would be provided from new development. Therefore, when following the plan-led approach to meeting housing need, it is evident that Hart will not only meet but exceed housing need over the plan period. From the allocations and current position on housing land supply, there would be no requirement for additional 'windfall' sites to fulfil overall housing need or affordable provision within that.

Estimate of affordable housing delivery at local plan examination	1,633
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Affordable housing completions from April 2014 to March 2021 (net)	932
Affordable homes with permission	889
Affordable homes anticipated from windfall sites between 10 and 99 homes ((i.e., 40% of supply from windfall sites of 10 to 99 units from 2024/25 to 2031/32 = 40% of 400 = 160 to 2032)	160
Total	1,981
Increase in expected affordable housing provision over original estimate	348

The numbers of affordable homes will increase even more than this as a result of windfall schemes however there is no reliance upon this. Windfall sites would be considered against the development plan as a whole.

Hook itself has seen considerable development in recent years with the commensurate affordable home provision. To date within the current Plan period there have already been 163 affordable homes completed in Hook (excluding any affordable homes for the elderly) with a further 120 having been granted within the current Plan period which have not yet been completed. Even within the vicinity of the application site there is significant affordable home delivery:

- The strategic release at north-west Hook (south of the site on the east side of Reading Road) for 550 homes in total is delivering 220 affordable homes (77 shared ownership, 143 affordable rent) – At 1st April 2021, 119 completed, 101 outstanding.
- 28 affordable units were completed at Land adjacent to Reading Road (immediately to the south of the site) including 10 units for shared ownership and 18 for affordable rent.

Delivery of affordable housing is on track for the Plan period and is in fact being delivered at a scale in excess of that envisaged at the local plan examination and the Council is taking positive steps to maintain that pace of delivery for the remainder of the Plan period to 2032.

Across Hart district as a whole there are major schemes delivering affordable homes, including:

- Grove Farm (also known as Netherhouse Copse and Hare Fields);
- Hartland Village;
- Hawley Park Farm; and
- Watery Lane.

In addition, sites at Crownfields, Odiham (due to be built and has a resolution to Grant subject to the completion of a legal agreement) and Buford, West Street, Odiham (currently under construction) are also delivering affordable housing.

In 2021 Cabinet adopted an Interim Planning Policy Statement on First Homes. In this the First Homes will be top sliced of the 40% affordable homes, and the remained will be split 65% affordable housing for rent and 35% affordable home ownership. This will significantly increase the supply of affordable homes suitable for first time buyers.

In addition to the work Hart District Council is doing as the Local Planning Authority to deliver affordable homes, there are other initiatives the Council is doing.

In 2021/22 Hart District Council made provision for 41 affordable flats for rent at Edenbrook, Fleet.

Furthermore, the Council published the Infrastructure Funding Statement 2020/21 (IFS) in December 2021. It identifies that the Council holds approximately £7m of developer contributions for affordable housing to be spent on off-site provision within the district as a whole. An elected Members' Working Group has been set up to explore how best to utilise those funds across the district. The IFS also identifies a number of sites where on-site provision of affordable homes took place in the 2020/21 monitoring year.

There are also various Government initiatives, such as the Help to Buy scheme to assist first-time buyers onto the property ladder.

The principle behind the entry level housing sites as set out paragraph 72 of the NPPF is to provide small scale provision in Districts where provision is not being made to meet the need. That is not the case in Hart district.

The applicants make reference to an appeal decision in Wiltshire relating to paragraph 72 of the NPPF. The position in Wiltshire is materially different to Hart district, in that Wiltshire did not have a 5-year housing land supply.

Even if the Council, or the Planning Inspectorate, were to grant planning permission for this scheme, it would require a S106 legal agreement. If permission were granted, the applicants would have 3 years to commence development. Potentially the homes would not be available for 4 or 5 years. This needs to be considered against the existing sites which are already delivering suitable homes for first time buyers and those looking to rent their first home.

Furthermore, the Discounted Market Sales housing proposed would be sold applying a 25% discount. Officers have concerns as to whether the discount is sufficient to alter the affordability of the homes proposed in a Hart district context. The Government has itself recognised, through its First Homes policy, that affordable homes for first time buyers should be discounted by a minimum of 30%, with scope to increase discounts to 50% if there is a need for this.

This infers that at a 25% discount these homes would not perform the intended function of assisting those who would not otherwise afford their first rental or purchase home. The applicant's submission also states that the shared ownership housing was better received in their findings. This further reduces the benefits associated with this proposal as shared ownership only accounts for half of the units proposed.

It is worth noting that the status of the entry level exception sites policy within the NPPF is in doubt. The Government introduced a First Homes policy on 24th May 2021 via a Written Ministerial Statement (WMS) and updated Planning Practice Guidance. The WMS states:

"Following the consultation, the Government is replacing this policy with a 'First Homes exception sites' policy, in order to encourage First Homes-led developments on land that is not currently allocated for housing..."

Therefore, given the overall delivery of housing (including affordable housing) in the district that has occurred since the commencement of the Plan period and that projected to be

delivered by 2032, it provides the basis for the Council to consider this application is not demonstrating an unmet need and is premature in that respect.

The need for subsidised home ownership units is currently being met in the Hart local authority area and there is no pressing need to release greenfield countryside land in this location for such housing. The proposal represents a material conflict with Policies SS1 and NBE1 of the HLP32, Policy HK1 of the HNP32 and the aims of the NPPF in this regard.

QUALITY OF ACCOMMODATION AND HOUSING MIX

The Council has adopted the Nationally Described Space Standards for dwellings in policy H6 of the HLP32. The space standards set out the minimum gross internal floor areas for dwellings as well as requiring certain minimum sizes of bedrooms. The proposed dwellings would comply with these minimum standards.

The proposed dwellings would provide acceptable internal standards as living spaces would benefit from natural light and ventilation. Externally, the dwellings would benefit from outdoor amenity space with adequate and useable area. Their relationship and siting would be acceptable and would not give rise to any impacts among them.

The scheme is proposing an outdoor space immediately adjacent to the west of the housing proposed. This area is within Flood Zones 2 and 3 but it would be capable of being used, nevertheless, as a communal amenity in summer months mainly. It is noted that the submission does not make any reference as to who would take ownership of this green space, as the Local Authority would not adopt this open space.

With regards to housing mix, the proposal comprises 14 x two-bedroom dwellings and 6 x three-bedroom dwellings. Policy H1 of the HLP32 seeks to achieve a market housing mix that satisfies a District need which is higher for 2- and 3-bedroom properties. The subject proposal would not comprise market housing but at a discount sale with 7 x two-bedroom and 3 x three-bedroom properties and the same mix is proposed for the Shared Ownership properties. As such no concerns are raised in respect of housing mix.

Policy H2 of the HLP32 requires that 15% of the dwellings should be accessible and adaptable as defined by the requirements of M4(2) of Building Regulations. The proposal does not contain details of these aspects. However, if all other matters were acceptable then a planning condition would have been recommended to secure compliance in line with Policy H2(b) of the HLP32.

The proposed quality of accommodation and mix would neither raise concern nor conflict with adopted planning policies in this regard. The proposal is compliant with Policies H1, H2 and H6 of the HLP32 and the aims of the NPPF in the above respects.

LANDSCAPE / VISUAL IMPACTS

Policy NBE2 of the HLP32 seeks to achieve development proposals that respect and wherever possible enhance the special characteristics, value, or visual amenity of the district's landscapes. This policy contains five criteria to assess development proposals in relation to landscape impacts. It also states that, where appropriate, proposals will be required to include a comprehensive landscaping scheme to ensure that the development would successfully integrate with the landscape and surroundings. Each criterion from Policy NBE2 of the HLP32 is dealt with in turn below.

Policy HK5 of the HNP32 requires that developments should respect and where possible enhance the small-scale lowland mosaic landscape of the Neighbourhood Area and the key characteristics of the Loddon Valley and Forest of Eversley West Character Area.

c) Impacts to landscape qualities identified in landscape character assessments.

Hart's Landscape Assessment (1997) locates the site within the character area 2 – Tylney. It acknowledges the main distinguishing features of the area to be patch works of mixed farmland and scattered blocks of woodland, strong landscape structure, dispersed patterns of rural settlements, scattered farms linked by a network of rural lanes and a rural character due to sparse road and settlement pattern.

The site currently contributes to the landscape quality of the area as it is a pleasant green field with landscape features along the perimeter. The site displays a weak tree/hedging structure in the perimeter section fronting onto the B3349. Long range views of the site from the surroundings are limited since it adjoins the settlement to the south and there are small blocks of woodland to the north, east and west of the site. The housing element of the proposal would be sited towards the south-eastern section of the site, which is the closest section to the settlement with the remaining area of the site proposed as a green space with additional planting proposed, this would serve as a transitional area to the countryside beyond. A landscape reinforcement of the site's perimeter is proposed with understorey hedging/shrubbery, hence the impacts on the wider landscape qualities would be limited.

b) the visual amenity and scenic quality of the landscape.

According to Hart Landscape Capacity Study (2016), the site lies within area HO-01. The study area is broader than the site and its immediate surroundings but nonetheless exhibits typical landscape characteristics evident across the whole of HO-01. This study area was determined to have a high visual sensitivity, medium/high landscape sensitivity and a medium landscape value. These resulted in an area (including the application site) considered to have a Low overall landscape capacity, which essentially means this landscape area cannot accommodate areas of new development without a significant adverse impact on landscape character.

As previously discussed, the site is an undeveloped edge-of-settlement field and the built-up area proposed would be adjoining the existing edge of the settlement and the green open space proposed to the northwest would reduce the landscape impacts the proposal would cause to the countryside.

It is noted that there are Public Rights of Way (ProW) in proximity to the site, a section of ProW no. 24 runs west to the Great Sheldon's Stream which adjoins the western boundary of the site. Also, a couple of ProWS start/end on the opposite side of the B3344 at the northeast corner of the site (nos. 14 & 15). The site would be largely screened from ProW no.24 as there is dense and mature vegetation along the banks of the stream, which, along with the open space from the site, would not result in any amenity impacts on this ProW.

With regards to ProW's nos. 14 and 15, the development would be clearly visible from where these ProW's end on the opposite side of the B3344. However, these ProW's run eastwards in between residential and commercial developments that adjoining the B3344, and, as such, the impacts from the development to the amenity of these two ProW's would be limited, given they adjoin developed sites and terminate adjoining the busy B3344.

As such, a limited harm to the visual amenity and landscape quality of the area is identified.

c) impacts to historic landscapes, parks, gardens, and features.

Neither the site nor the adjoining parcels of land have any historic significance or are designated as such. Therefore, no concerns are raised in this respect.

d) important local, natural and historic features such as trees, woodlands, hedgerows, water features e.g., rivers and other landscape features and their function as ecological networks.

As previously stated, the site's perimeter features dense/mature landscaping with only the eastern boundary of the site having a weak structure. The proposal would reinforce the perimeter as part of the landscaping works proposed. The Great Sheldon's Stream runs adjacent to the western boundary of the site. Neither the Environment Agency (EA) nor the Biodiversity Officer from the Council has raised any objection in relation to potential impacts of the development on this natural feature or the riverine environment adjoining it. However, the EA requested details of a buffer zone scheme & management alongside the Great Sheldon's Stream (including extent/layout of buffer zone, planting scheme, protection of buffer zone during development and long-term management plan – financial provision, body responsible). If all other matters were acceptable, a planning condition would have been recommended in this respect.

e) it does not lead to the physical or visual coalescence of settlements, or damage their separate identity, either individually or cumulatively with other existing or proposed development. The proposal would not lead to any physical or visual coalescence.

Furthermore, the proposal does not indicate whether the development would have external lighting along the internal road proposed, which along with light coming out of the properties themselves, would also add to the light pollution in this part of the countryside and increase the presence of the development on the subject site. Whilst external lighting along the internal road would add to visual impacts, it would not add significantly over and above to the lighting that would be perceived from the houses proposed and, in any event, the external lighting can be suitably designed to minimise effects.

In conclusion, considering my review of the proposal in relation to prevailing landscape policy, a limited harm to the visual amenity and landscape/scenic quality of the Tylney Character Area is identified. The level of harm would not amount to an adverse impact such as to conflict with the objectives of Policy NBE2 of the HLP32, Policy 5 of the HNP32 and the NPPF in this regard.

DESIGN / CHARACTER AND APPEARANCE

Policy NBE9 of the HLP32 and saved policy GEN1 of the HLP06 seek to ensure that development achieves a high-quality design and that it would positively contribute to the overall character of the area. The NPPF 2021 (para. 130) also reinforces the need to promote good design in developments and states that decisions should ensure that developments will:

- Function well and add to the overall quality of the area not just for the short term but over the lifetime of the development;
- are visually attractive as a result of good architecture, layout and appropriate

- and effective landscaping; and
- are sympathetic to local character ..., including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities).

Policy 11 of the HNP32, requires development proposal to consider design principles and Policy 12 states that development should make a positive contribution to Hook's character. It requires the use of good quality materials, building styles and features in keeping with Hook, suitable boundary treatments, high quality routes for people/wildlife to connect green infrastructure, variety in type/size of buildings, good quality, well designed outdoor green space (private /shared) providing native tree cover and improved biodiversity, discrete siting of ancillary features (bin stores, recycling storage, cycle stores, meter boxes, flues and ventilation ducts).

The residential development proposes a layout with a 'T' shaped internal road, the dwellings proposed would all address the internal road. There are 4 dwellings proposed along the B3344 frontage but only one has its main elevation facing it, the other three dwellings have their flank elevations facing onto it. However, no concerns area raised to this orientation as they are set well back from the B3344 (between 15m -23m away) with intervening landscaping. The rest of the properties in the development would have a satisfactory relationship with the public domain that is being proposed as they are facing onto it.

The scale of the properties is proposed at two storeys, which displays suitable proportions. The corner properties would have dual active frontages and the elevational design would display a range of materials which would be combined in a different manner to provide variety in character and appearance. The overall design of the houses would reflect that of adjoining development to the south on either side of the B3344.

The design proposed would be complemented with soft landscaping areas along the frontage and flanks of the dwellings to provide setting and soften associated impacts resulting from pavements, road, and parking. The green space proposed to the western end of the site would have footpaths integrated into it and the plans show there would be an attempt to link it to the ProW running south in proximity to the western boundary.

Therefore, the proposal would be in accordance with Policy NBE9 of the HLP32, saved Policy GEN1 of the HLP06, Policy 5 of the HNP32 and the aims of the NPPF 2021 in terms of design, character and appearance of the settlement edge.

IMPACTS UPON NEIGHBOURING AMENITY

Policy NBE11 of the HLP32 supports development which does not give rise to, or would not be subject to, unacceptable levels of pollution. Saved policy GEN1 of the HLP06 supports development that, amongst other requirements, causes no material loss of amenity to adjacent properties.

Paragraph 130 of the NPPF 2021 advises that planning decisions should ensure that developments achieve a high standard of amenity for existing and future users and also do not undermine quality of life for communities.

Whilst the site, adjoins residential development to the south, no material impacts are anticipated. The reason being that the adjacent properties to the south of the site would be at an approximate distance of 24.5m to the boundary of the site. The closest property to this

south boundary and these adjacent existing dwellings would be plot 5 at a distance of 10m. The existing properties and plot 5 are not facing each other and those properties of the development (plots 3-4) which rear elevation is facing south (towards existing adjacent properties) would be sited 16m away from the boundary. Additionally, it is noted there is intervening mature/dense landscaping all along the south boundary of the site.

Other existing residential/ commercial development to the north, east and southeast is at a sufficient distance from the proposed properties and therefore not impacts are anticipated.

As such, there would not be material neighbouring residential impacts arising from the proposal, it would therefore, be in compliance with policies of the HLP32, HLP06, the HNP32 and also the aims of the NPPF 2021 in this regard.

ACCESSIBILITY OF THE SITE, HIGHWAY SAFETY, PARKING

Policy INF3 of the HLP32 states that development should promote the use of sustainable transport modes prioritising walking and cycling, improve accessibility to services and support the transition to a low carbon future. Saved policy GEN1 of the HLP06 supports developments that do not give rise to traffic flows on the surrounding road network which would cause material detriment to the amenities of nearby properties and settlements or to highway safety.

The NPPF advises that sustainable development is at the heart of the planning system and in this regard, locational considerations are key to achieving it.

NPPF paragraph 110 requires that the assessment of specific applications for development should ensure that:

- appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location;
- safe and suitable access to the site can be achieved for all users; and
- any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.

Paragraph 111 of the NPPF advises that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Paragraph 112 of the NPPF requires development to give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second – so far as possible – to facilitating access to high quality public transport.

The site is located directly adjacent to the designated Settlement Boundary of Hook. The proposed development would be in countryside to the north of the settlement. The site is approximately 1 mile/1.6km to Hook District Centre, which is located to the south of the site via the B3344. The nearest bus stops are approximately 0.9 miles/ 1.4km to the south on London Road and Hook Railway Station is approximately 1.1 miles/1.8km to the southwest (southern end of Hook town centre). These facts are acknowledged in the applicant's submission, and it is noted that there is a modest error in the Local Highway Authority (LHA) comments which state an incorrect distance between the site and the town centre.

The site is not in an isolated location but is adjacent/close to the northern most section of the Hook Settlement Boundary. Currently pedestrian/cycling facilities to reach Hook town centre are extremely limited as the site is not easily or safely accessible. The existing connections with the settlement are via an existing unlit narrow footpath along the western side of the B3344, which improves slightly once it reaches and continues within the settlement. The one other connection is ProW no.24 to the west of the site; however, this is an unpaved/unlit connection. The B3344 features luminaires but directed to the road, not to the narrow footpath, which is also not overlooked for the most of its length. Both routes are currently unsuitable for children or prams/buggies. It is also noted that despite the settlement extensions immediately south of the site, there is no pedestrian/cycling infrastructure along the B3344 either connecting them to routes leading to Hook town centre. The site therefore is not easily accessible and would (noting that is currently undeveloped) mainly be accessible via private motor vehicles, as no public transport runs along the B3344.

The applicant's submission makes reference to the Manual for Streets (MfS), which is current and up to date guidance from the Department of Transport. This submission makes reference to statements contained in MfS stating that walkable neighbourhoods are typically characterised by having arrange of facilities within 10 minutes (0.5 mile/ 0.8km). This is consistent with the references made by the applicant to the IHT Guidance in 2.2 table included in their Transport Statement, which clearly shows that the preferred maximum distance to town centres to be 800m /0.8km.

From the distances set out above, the application site would be outside of typical 'walkable neighbourhood' distances as acknowledged by the applicant and considering the hostile / vehicle orientated environment along the BB3344 with vehicles moving at 40 m/hr or higher (in reality), the existing conditions are unsuitable for sustainable modes of transport. Access to local services is also constrained by the distances to them. As such prospective occupiers would rely on private motor vehicles for daily trips (e.g., primary schools are located south of London Road and east of town centre, 0.9 miles from site access point).

The submission proposes to upgrade 165m of the existing footpath along Reading Road by increasing its width to two metres. Whilst this is a positive of the proposal, the associated distances involved to reach facilities, the unlit footpath and lack of natural surveillance, would likely be a deterrent for prospective occupiers of the development to make walking/cycling journeys on a regular basis. Moreover, the submission states that distances that are almost twice as long as those advised as maximum /preferred by documents referred to above are 'acceptable distances', which is unacceptable.

Moreover, the extension to Hook settlement that is still under construction and is located the opposite side of the B3344 between the application site and London Road to the south, included the provision of a food retail store (potentially Sainsburys) on the corner north-eastern corner of the intersection formed by the B3344 and London Road. This intersection would be 0.5 miles/10-minute walk from the entrance to the site. However, the accessibility concerns raised above for the occupiers to this future facility would equally apply due to the lack of footpath/pavements and pedestrian crossings along the B3344.

It is noted that while paragraph 72 of the NPPF 2021 allows for entry-level exception sites to adjoin settlements, however they should still benefit from easy access to facilities, goods and services offered by the settlement they adjoin. Nevertheless, given the characteristics of the settlement and manner in which the settlement has grown in recent years to the north, the resulting distances involved above and more importantly the rather harsh environment along the B3344 for pedestrian/cyclists, the accessibility of the site and its relationship to the town centre of Hook and/or public transport facilities is not satisfactory.

With regards to Highway Safety, the LHA raised safety concerns in their holding objection about the swept path analysis provided for a refuse collection vehicle (RCV) entering/exiting the site, as the RCV turning into/out of the site would end up encroaching onto the carriageway with oncoming traffic. The applicant submitted revised swept paths analysis and further comments are awaited from the LHA.

Swept paths submitted along the internal road proposed would not raise concerns as a fire tender and the RCV would be capable to turn and reverse satisfactorily on the 'T' junction of the internal road. Neither of these vehicles would require reaching the end of each arm of the 'T' road to service the properties at either end as there are bin collection points proposed for the use of the properties located towards either end of the road. Therefore, no concerns are raised about manoeuvring of these large vehicles along the internal road proposed.

The LHA also raised concerns about the visibility splays for the site access proposed, as there are mature trees along the B3344 frontage that would restrict required visibility for vehicles coming out of the site.

Lastly, with regards to parking, the site is outside the settlement boundary of Hook, which according to Hart's interim Guidance the site would fall in parking standard zone 3. The applicant has used parking standard zone two. The resultant car parking provision is shown below.

Dwellings type	Number of units	Allocated Spaces	Visitor Spaces
2-bed	14	28	7
3-bed	6	18	2
Total	20	46	9

The car parking spaces would be located in close proximity of the main entrance to the properties in most cases. In other instances where this would not be possible, the spaces are provided as near as possible to their corresponding dwelling.

The submission provides cycle storage (2x cycles) within the rear gardens of the dwellings. This is not normally encouraged, however due to limited space available at the front of the dwellings, this is likely to be acceptable in this instance.

In conclusion, the development proposal would have an unsatisfactory relationship with the settlement in terms of access to the services/goods offered by Hook and its town centre. It would be remote and there is very limited access by sustainable modes of transport. The proposal would not meet the accessibility/sustainability objectives set out in policies SD1, SS1 and INF3 of the HLP32 and paragraphs 110 and 112 of the NPPF as to achieve a sustainable development in this regard.

Notwithstanding the above conclusion, in other respects the proposed development could

comply with highway safety requirements (subject to further confirmation from LHA) and whilst below the interim adopted guidance provision, adequate car parking provision would be provided.

FLOOD RISK AND DRAINAGE

Policy NBE5 (Managing Flood Risk) of the HLP32 sets out five criteria when development would be permitted, in this case the applicable criteria are:

- Over its lifetime it would not increase the risk of flooding elsewhere and will be safe from flooding;
- If located within an area at risk from any source of flooding, now and in the future, it is supported by a site-specific flood risk assessment and complies fully with national policy including the sequential and exceptions tests where necessary;

Flood mapping indicates that various parts of the application site falls within Flood Zones 1, 2 and 3. The built form of the proposal has been proposed in Flood Zone 1 and the open space proposed to the northwest of it is the area of the site that falls within Flood Zones 2 and 3. The proposal was accompanied by a site -specific assessment that has been analysed by the Environment Agency (EA) and the Local Lead Flooding Authority (LLFA) and have raised no objection. They are satisfied that the flooding and drainage strategy would satisfactorily deal with the flooding characteristics of the site and that adjoining land would not experience any increase of flooding. The Council's Drainage Officer has recommended planning conditions be imposed, as detailed in the Consultee comments section above.

If all other matters were acceptable, conditions recommended by the EA and the LLFA would have been included and as such the application is acceptable in terms of flood risk and drainage in line with Policy NBE5 of the HLP32 and the aims of the NPPF 2021 in this regard.

BIODIVERSITY, TREES AND LANDSCAPING

With regards to biodiversity, Policy NBE4 of the HLP32 states that: 'In order to conserve and enhance biodiversity, new development will be permitted provided:

- c) It will not have an adverse effect on the integrity of an international, national or locally designated sites.
- b) It does not result in the loss or deterioration of irreplaceable habitats, including ancient woodland and the loss of aged or veteran trees found outside ancient woodland, unless the need for, and benefits of, the development in that location clearly outweigh the loss;
- c) opportunities to protect and enhance biodiversity and contribute to wildlife and habitat connectivity are taken where possible, including the preservation, restoration and re-creation of priority habitats, ecological networks and the protection and recovery of priority species populations. All development proposals will be expected to avoid negative impacts on existing biodiversity and provide a net gain where possible'.

The Council's Biodiversity Officer is satisfied with the reports and recommendations contained therein to provide habitats for species that may use the open space proposed and adjoining green land. The Biodiversity Officer has raised no objection to the development subject to planning conditions to secure incorporation of habitat features, protection measures during construction and biodiversity enhancements to demonstrate biodiversity enhancements proposed in the Ecological reports.

With regards to trees, saved policy CON8 states that where development is proposed which would affect trees, woodlands or hedgerows of significant landscape or amenity value planning permission will only be granted if these features are shown to be capable of being retained in the longer term or if removal is necessary new planting is undertaken to maintain the value of these features.

None of the trees on site are afforded any protection (e.g., Tree Preservation Order). The submission proposes to remove one of the trees along the B3344 frontage, close to the southern boundary of the site and two small trees along the western boundary the site. The submission includes trees retention and protection measures. The Tree Officer raised concerns about pressure on mature trees along the southern boundary of the site that may be imposed by plots 2 and 5 which are the closest to the boundary, however most of the mature trees are located outside the application site. Had this application been recommended for approval, planning conditions would have been suggested requiring compliance with tree protection measures and other arboricultural information submitted.

Lastly, the submission is accompanied by an indicative landscape master plan, depicting a more strategic landscape strategy. The Landscape Architect raised concerns as the master plan lacks specific details and it currently shows an insufficient amount of tree planting in many areas across the site. The NPPF strongly encourages the planting of trees. The applicant submitted a revised masterplan showing an increase in tree planting in the open space, strategic tree planting in the rear gardens and additional trees on the internal road and along the B3344 frontage. The information however lacks detail in number of trees and details of tree pits. Had this application been acceptable, planning conditions would have been suggested to secure the submission of a detailed landscape strategy.

Overall, therefore, had this application been acceptable, planning conditions would have been suggested to secure implementation of biodiversity enhancements (mitigation), tree retention and protection and detailed landscape strategy, so the proposal could meet objectives of policy NBE2 and NBE4 of the HLP32, saved policy CON8, policies HK5, Hk11 and Hk12 of the HNP32 and the aims of the NPPF in this regard.

THAMES BASIN HEATHS SPECIAL PROTECTION AREA

Policy NBE3 of the HLP32 seeks to protect the Thames Basin Heaths Special Protection Area (SPA). South East Plan policy NRM6 requires adequate measures to avoid or mitigate any potential adverse effects on the Special Protection Area (SPA). The Habitats Regulations 2017 (as amended) and The Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019 require Local Planning Authorities (as the Competent Authority) to consider the potential impact that a development may have on a European Protected Site. In this case this relates to the Thames Basin Heaths Special Protection Area (TBHSPA).

The SPA is a network of heathland sites which are designated for their ability to provide a habitat for the internationally important bird species of woodlark, nightjar and Dartford warbler. The area is designated as a result of the Birds Directive and the European Habitats

Directive and protected in the UK under the provisions set out in the Habitats Regulations. These bird species are particularly subject to disturbance from walkers, dog walkers and cat predation because they nest on or near the ground.

Policy NBE3 of the HLP32 and saved policy NRM6 of the South-East Plan 2009, make clear that when considering development proposals for residential or similar forms of development, there is an 'zone of influence' set in between 400m – 5km linear distance from the TBHSPA boundary. Thus, mitigation measures are required for all net new dwellings and must be delivered prior to occupation and in perpetuity. Measures must be based on a combination of Strategic Access Management and Monitoring (SAMM) and access to or provision/maintenance of Suitable Alternative Natural Greenspace (SANG)

The application site falls within the 5km zone of influence around the SPA. The proposal therefore requires mitigation to comply with the objectives of the aforementioned policies. The submission conveyed and the applicant expressed through the planning application that access to the Hook Parish Council (HPC) strategic SANG would be secured. HPC confirmed in their latest set of comments that subject the LPA approving the proposal on the basis of their recommendations, then they would allocate SANG for the development.

As it stands, whilst the applicant can obtain access to a strategic SANG to secure SPA mitigation, including SAMM, it is not yet in place as it can only be legally secured through a legal agreement which does not accompany the application. As such, the proposal would conflict with the objectives of policy NBE3 of the HLP32, saved policy NRM6 of the South-East Plan 2009, policy HK11 of the HNP32 and the aims of the NPPF in this regard.

CLIMATE CHANGE

On 29th April 2021 Hart District Council agreed a motion which declared a Climate Emergency in Hart District. Policy NBE9 of the HLP32 requires at criteria (i) and (j) for proposals to demonstrate that they would:

- reduce energy consumption through sustainable approaches to building design and layout, such as through the use of low-impact materials and high energy efficiency; and
- they incorporate renewable or low carbon energy technologies, where appropriate.

The proposal as submitted did not contain any information to address these requirements of design policy NBE9. As part of discussions held with the applicant it was made clear that the major residential proposal under consideration was a candidate to make a meaningful contribution to address climate change. The applicant subsequently submitted an Energy Statement.

The statement indicates that the development proposed would make use of a highly efficient building fabric and mechanical specification to deliver an emissions reduction above those required by buildings regulations. It also states that the proposal would incorporate solar photovoltaic panels to add to the carbon emission savings, despite the proposal incorporating gas boiler heating systems. No information relating to other energy efficiency measures has been submitted. This is particularly relevant to policy NBE7 (Sustainable Water Use) which encourages water efficiency measures to be incorporated due to the proactive approach Hart has taken to Climate change. Members will be aware that the Government is introducing higher standards for home insulation through Building Regulations

(Part L) later this year.

The Transport Statement states that the dwellings would be provided with the necessary infrastructure as to provide occupiers with the opportunity to install Electric Charging Points, if they wish to, in the future. However, the national requirement for Electric Vehicle (EV) charging in new developments will become mandatory from 15 June 2022.

It is considered that a residential scheme of 20 homes is appropriate to incorporate renewable and low carbon energy (in line with Policy NBE9(j) of the HLP32). Members will be aware on recent schemes considered at Planning Committee that the Council has achieved reductions in the need for energy use through the fabric first approach, and then 20% of the resultant energy needs (both regulated and unregulated) via on-site renewable or low carbon technology.

This is important given the Council's declaration of a Climate Emergency, but also given the proposal is for affordable homes for people in housing need, that we seek to prevent the effects of fuel poverty.

The results of the applicant's calculations submitted show that the development would achieve carbon savings over the existing Building Regulations requirements of at least 25%. If the application had not been appealed the Council would have sought the provision of on-site renewable or low carbon technology.

EQUALITIES

With regard to equality, the Council has a duty to promote equality of opportunity, eliminate unlawful discrimination and promote good relations between people who share protected characteristics and those who do not under the Equalities Act. The application raises no concerns about equality matters.

PLANNING OBLIGATIONS

Policy INF1 of the HLP32 states that 'Where required to make otherwise unacceptable, development acceptable, development proposals must make appropriate provision for infrastructure, on and off-site, and/or through financial contributions to offsite provision.

Planning obligations secured through Section 106 of the Act. Agreements will be used to provide necessary site related infrastructure requirements such as new access arrangements, provision of open space and other community infrastructure, local highway/transportation mitigation and environmental enhancements.

The only consultee raising planning obligation matter was the Education Service from Hampshire County Council (HCC). Their feedback makes clear that the development would generate 6 additional primary age children and 5 secondary age children. They confirmed the potential children could be accommodated Hook Infant and Hook Junior School; however, they state that Robert Mays Secondary school is forecast to be full to its current published admissions numbers and therefore additional children will put a pressure on the schools teaching spaces.

HCC states that the cost per additional secondary school place is £25,162 and hence a total contribution of £105,680.40 (4.2 x £25,162) is required. However, it would appear that HCC would seek to use the contribution towards facilities improvements, as they state there is a priority to remodel/expand two food technology classrooms to improve the teaching/earning

experience of students.

The applicant, however, has cited other residential schemes recently granted planning permission, they are located in Hook Parish and children generated from them would attend the same schools referred to above. The applicant states that one of those developments (more than 10 dwellings) were not requested any education contribution and the other involving 30 dwellings, was requested to provide an education contribution of £50,000 towards improvement of facilities.

Notwithstanding this, each proposal is considered on its own merits, it would appear from the HCC comments that the money would not be specifically used to increase capacity to accommodate as a whole additional the secondary age children generated by the proposal, but it is acknowledged that it would improve the secondary school facilities. Considering the comments of the applicant, it appears that a scheme with less dwellings and one less forecasted secondary pupil would trigger a higher contribution than a larger scheme with only one more forecasted secondary pupil.

The LPA has the duty to consider the test for planning obligations set out in paragraph 57 of the NPPF, these being:

- a) necessary to make the development acceptable in planning terms;
- b) directly related to the development; and
- c) fairly and reasonably related in scale and kind to the development.

It is accepted that a) and b) above are met, as the development would result in additional pupils to primary/ secondary school in the parish. However, there are, at this stage, reservations in terms of c) above. As such had this application been recommended for approval, clarification would have been sought from HCC about the contributions requested, so costing details of the specific improvement/expansion project were provided. This would allow to determine whether the financial contribution requested from the scheme would be, for example, contributing towards the project or covering it in full to then establish what would be fairly and reasonably related to scale and kind of the development in front of the LPA for determination.

There would not be other financial contributions sought by consultees, but there are several other matters that would have had to be secured via a legal agreement if the application had been supported by the Council, namely:

- The in-perpetuity access and /or sale discount to the Housing proposed by prospective purchasers.
- Eligibility criteria to access the proposed housing and its management going forward.
- Management of communal areas (public domain within the site and open space)
- Improvements to footpath along the B3344
- SPA mitigation, including financial payment towards SAMM

OTHER PLANNING CONSIDERATIONS

- Building for a Healthy Life

This manual is a design tool to help create places that are better for people and nature.

Paragraph 133 of the NPPF requires Local Planning Authorities to make appropriate use of available tools for assessing and improving the design of development. The application has been considered against the three main assessment areas which break down in several considerations and are scored as a traffic light system Green, Amber and Red, these are below.

Integrated Neighbourhoods – Red Score	
Natural connections:	The road layout in the site is simple and logically connects all houses within the development. However, the development would largely sit on its own and would not be connected to the adjoining residential area to the south (within the settlement). The layout depicts a footpath towards the adjacent residential area but delivery of this is uncertain as no indication has been given by the applicant that adjoining landowner is in agreement to this plus there would have to be a section of footpath constructed within the adjoining land to connect to their footpath network. Other connections are footpath fronting the BB3344 (proposed for improvements) and ProW no. 24 west of the site, but as assessed in main report above at para. 94-98, the site is not well integrated to the settlement despite being adjacent to it.
Walking/cycling/public transport	The site is located adjacent to the northern most section of the settlement, whilst it may be possible to cycle in certain circumstances, safe/suitable routes to the core of the settlement are extremely limited. The site is located in a road where there is no public transport and occupiers would have to walk 0.9 miles to the nearest bus stop in London Road (south of the site). As such the site is located in an area with a lack of facilities to walking, cycling and public transport.
Facilities/services	The site is approximately 1 mile/1.6km to Hook District Centre, which is located south via the B3344. Bus stops are approximately 0.9 miles/ 1.4km to the south on London Road and Hook Railway Station is approximately 1.1 miles/1.8km to the southwest (southern end of Hook town centre). Primary Schools in Hook are just outside the town centre to the east along with other community facilities. Given the distances and the quality of environment along the B3344 which is the only available unlit paved narrow route linking the settlement (widening proposed), the occupiers would likely make use of private motor vehicles for most of their daily journeys.
Homes for everyone	The development provides a satisfactory mix of housing of 2 and 3 bedrooms with the associated facilities they require (gardens and parking).

	The housing provision is entry level homes as opposed to a typical mixed scheme with market/affordable housing.
Distinctive Places – Green Score	
Making most of what's there	<p>The development would be mainly contained within the site and takes advance of the landscape along the perimeter. The layout proposed provides opportunity to implement a robust landscaping strategy to reduce impacts on countryside and its visual landscape.</p> <p>The inclusion of open space to the north-western section of the site and landscape improvements to it would soften the most sensitive edge of the site as it adjoins countryside.</p>
Memorable character	The development would provide a well-designed residential environment. It would have housing styles/ architecture that is similar to adjoining residential areas that fall within the settlement. The use of robust materials with different colours/tones and textures would complement the overall character of the subject development to integrate it to adjoining housing.
Well defined streets/spaces	The internal road/ footpaths in conjunction with the arrangement, siting, scale, orientation of dwellings and boundary treatments; would all provide a good level of definition of the common and private spaces within the development.
Easy to find your way around	Because of the small scale of the development, it would not be difficult for residents or visitors to orientate themselves within the development.
Streets for All – Green Score	
Healthy streets	<p>The internal road would facilitate access to all highway users and the arms of the 'T' shape road would feature a section of shared space, the geometry of the internal road would contribute as a traffic calming feature.</p> <p>The housing proposed overlooks the internal road/footpaths to provide a sense of security to occupiers that of the development.</p>
Cycle/car parking	

	<p>The proposal provides car parking facilities mainly to the frontages which are conveniently accessible from the homes they serve. Unallocated parking is proposed throughout the development. They are interspersed between green areas and front gardens, which contributes to their integration.</p> <p>There is a small parking courtyard proposed and one of the dwellings would be accessed from it, and therefore overlooking it at close range.</p> <p>There would be provision of 2 cycle spaces per dwelling, the cycle storage provision is located to the rear garden which along with the lack of cycle infrastructure surrounding the site would unlikely encourage residents to use this alternative mode of transport.</p>
Green/blue infrastructure	<p>The layout of the development provides a satisfactory framework to achieve a robust soft landscaping within the site to enhance the setting/biodiversity that surrounds the development site.</p> <p>The site adjoins the Great Sheldon Stream and environmental improvements were requested by the EA to achieve a satisfactory buffer zone with improvements to landscaping along the section of the stream in proximity to the boundary of the site.</p>
Back of pavement/front of home	<p>The proposal provides defined frontages which are suitably defined with the car parking spaces, green landscaped areas between them All these features contribute to define public/ semi- private spaces.</p> <p>Private outdoor space is well defined from the public realm by robust boundary treatments including fences, some adjoin green areas which would also feature hedges and other planting.</p>

The above table also demonstrates that the proposed development would fail the Building for a Healthy Life assessment, the proposal would not be well integrated and connected to the settlement which would fail one of the three objectives of Building for a Healthy Life.

PLANNING BALANCE

Section 70(2) of the Town and Country Planning Act 1990 ("TCPA 1990") provides that the decision-maker shall have regard to the provisions of the development plan, so far as material to the application. Section 38(6) of the Planning and Compulsory Purchase Act 2004 (as amended) requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

The Hart Local Plan (Strategy & Sites) 2032 is a recently adopted and up to date development plan document. In determining an application, the decision maker must also have due regard to the NPPF. Paragraph 72 of the NPPF is relevant. It is appropriate to consider the public benefits which would arise from this proposal.

- Social Benefits.

The proposal would deliver affordable housing in the form of first-time buyers housing (Discounted Market Sale and Shared Ownership) comprising 2- and 3-bedroom dwellings. The provision of new housing in general and affordable housing is a significant benefit, however the weight afforded to the type of affordable housing provision is limited.

The reason being that HLS21 document shows the Council currently has a housing land supply of 10.4 years and a Housing Delivery Test result is 210%. Also, the housing trajectory contained in Appendix 9 of the HLS21 comprising 2014 -2032 estimates a housing provision of 7,978 homes by 2032 overall which would be above the housing requirement figure set out in the HLP32 for the Plan period. Also, there will be significantly more affordable housing expected than previously predicted when the HLP32 was examined and found sound.

Latest predictions are that around 2,000 affordable homes (around 350 more affordable homes) will be provided. This context of positive affordable housing delivery, including homes suitable for first time buyers, beyond that originally envisaged when the plan was examined, reduces the benefits of an entry level exception site. Also at a 25% discount, in Hart district's context, these homes will not help those most in need. Furthermore, there is doubt as to the status of the entry level exception site policy in light of the Written Ministerial Statement on First Homes which clearly states that the Government is replacing this policy with a First Homes exception site policy.

The social benefits arising from the development are significantly reduced by the fact that Hart is delivering significantly greater numbers of affordable homes than was originally envisaged when the local plan was found sound at examination and by the level of discount for the discount market homes (25%) which is lower than that required by the Government for First Homes which are intended to replace the notion of 'entry level' homes.

- Environmental Benefits

The proposal would develop countryside land, causing a limited harm to the visual amenity and landscape/scenic quality of the Tylney Character Area and the countryside as a whole. There would be landscape and biodiversity improvements as a result of the proposal, however they are mitigation measures by the introduction of built form on this greenfield site. Hence, they do not have any weight in the planning balance.

The site is not regarded to be in a sustainable location, given the characteristics of the settlement. The manner in which it has grown in recent years to the north has resulted in the site being located to significant distances to services/ goods and community/ public transport facilities. Even when considering the proposed improvement to a footpath along the B3344 (mitigation measure to connect the site to the edge of the settlement with a proper footpath), this route is within a harsh environment for pedestrian/cyclists, it is not overlooked and not directly lit, as such the location and accessibility of the site is not satisfactory.

The proposal, as it stands, has not legally secured SPA mitigation (SANG and SAMM) and

as such an adverse negative effect arising from the development to the ecological integrity of the Thames Basin Heaths Special Protection Area cannot be ruled out. In any event this is mitigation/avoidance measures, there is not benefit attracted thus no weight is given to this.

The proposal would provide carbon emission savings of at least 25% over the Building Regulations' requirements once completed and the houses would be provided with infrastructure to install electric charging point for any prospective occupiers owning electric vehicles. This, however, has to be considered along with the fact that currently the site is not contributing negatively to climate change as it is a green field. Given all the environmental impacts and carbon footprint arising from its construction, there are negative environmental impacts identified.

Therefore, given the above there would not be environmental benefits arising from developing this countryside land. It is acknowledged that the site and surrounding land is not exemplary landscape, however it displays a pleasant character and contributes positively to the setting of the settlement and therefore the limited negative effects to the environment would be caused by the development proposal and unsustainable location of the site would weigh heavily against the proposal.

- Economic Benefits

They would temporarily arise through the construction of the development, potential for sourcing resources from the locality and indirect effects through limited expenditure of wages of construction workers in the wider area. The expenditure arising from occupiers of the development would not, in this case, have any weight as the housing would be accessed by people already living and spending in the district.

Additional income from Council Tax would essentially mitigate for the public services required by the development, as such it is not an economic benefit. The economic benefits arising from the proposal, therefore, are very limited.

The presumption of sustainable development is not applicable in this case, as the housing policies of the development plan are up-to date, the Council can demonstrate a housing land supply provision of over 10 years and there are also protected assets of particular importance involved in the assessment of this proposal. The Council considers that the environmental harm arising from developing an unsustainable site and the material conflicts this presents with the objectives of the relevant policies of the HLP32 to be of significance and they would outweigh the limited benefits arising from this development proposal, as discussed above.

NPPF paragraph 15 states that 'The planning system should be genuinely plan-led. Succinct and up-to-date plans should provide a positive vision for the future of each area; a framework for addressing housing needs and other economic, social and environmental priorities; and a platform for local people to shape their surroundings.'

This entry level exception site policy within the NPPF would undermine the plan-led approach that is at the heart of the UK planning system and central to the NPPF. The contradiction between a plan led system, which sets out for a local area what is sustainable development, and the entry level exception site policy has been considered in the assessment of this application. The plan-led system should not be set aside when focussing on the entry level exception sites, particularly when considering that the Government is replacing the Entry-Level exception policy with a First Homes exception site policy.

The above planning assessment and planning balance has had regard to paragraph 72 of the NPPF and the NPPF as a whole. However, the proposal presents material conflicts with the adopted spatial strategy and sustainable development objectives, management of countryside land and housing policies of the adopted HLP32, which is sound, in-date and consistent with the NPPF.

Furthermore, there has been a strong delivery of affordable housing (including those suitable for first time buyers and those looking to rent their first home) and will continue for the remaining of the Plan period which is beyond that originally envisaged when the HLP32 was examined and found sound. As such there is no justification in this case to allow this residential scheme outside settlement boundary in an unsustainable location, in conflict with policy objectives of the HLP32.

CONCLUSION

The proposed development has been assessed against the relevant development plan policies and material considerations. If material considerations do not indicate otherwise than the Council should follow the policies of the adopted development plan. The provisions of the development plan, which include the spatial, countryside and affordable housing policies have been given full weight and consideration in the planning assessment process.

It is recognised that the proposed development would bring some planning benefits, most notably in respect of the delivery of homes for first time buyers and temporary job creation. There would be limited economic benefits. However, the conflicts with the development plan that have been identified in this report along with the identified harm resulting from the proposal would significantly outweigh the limited benefits discussed above.

Given the material conflicts set out within the report, it would have been recommended that Members refuse the application. In this case, whilst determination of the application is no longer possible, to assist progress of the appeal an indication of the likely decision member would have resolved is requested.

The officer recommendation with reasons for refusal are set out below:

OFFICER RECOMMENDATION – REFUSAL for the following reasons

1. The proposed development would fail to comply with the site size requirement as set out in paragraph 72 of the NPPF, as it is larger than 1 hectare (land included within the red outline of the location plan). As such the proposed development would conflict with paragraph 72 of the NPPF 2021.
2. The proposed development conflicts with the spatial strategy of the adopted Hart Local Plan (Strategy & Sites) 2032 as it is located outside designated settlement boundaries in countryside in an unsustainable location. The site lacks suitable pedestrian routes, highway crossings, cycling and public transport infrastructure, which along with the distances involved to reach services, goods and public transport within the adjoining settlement would result in a development being remote and residents would be likely to be reliant upon private motor vehicles for most journeys. The proposal would therefore represent unsustainable development in conflict with sustainable transport objectives to reduce reliance on motor vehicles. As such, the proposal is contrary Policies SD1, SS1, and INF3 of the Hart Local Plan (Strategy &

Sites) 2032, Policy HK1 and overall objectives of the Hook Neighbourhood Plan 2032 and paragraphs 110 and 112 of the NPPF 2021.

3. There is no exceptional justification to permit the proposal. Hart district has a current housing land supply of 10.4 years with a housing delivery test of 201%. The Local Planning Authority is satisfied that current need for homes suitable for first time buyers or those looking to rent their first home is being met through delivery of appropriate development in accordance with the adopted Spatial Strategy. As such, there is no justification to permit the proposal in countryside in an unsustainable location. The proposal is in conflict with Policies SD1, SS1 and NBE1 of the Hart Local Plan (Strategy & Sites) 2032 and the aims of the NPPF 2021.
4. The site is located within 5km of the Hazeley Heath Site of Special Scientific Interest (SSSI) which forms part of the Thames Basin Heaths Special Protection Area (SPA). In the absence of any evidence that the test of no alternatives under the Conservation of Habitats and Species Regulations 2017 can be satisfied, or evidence that there are grounds of overriding public interest, the proposed development without securing SPA mitigation, either alone or in combination with other plans or projects, would be likely to have a significant adverse effect on the SPA. As such the proposal is contrary to adopted policy NBE3 of the Hart Local Plan (Strategy & Sites) 2032, saved policy NRM6 of the South-East Plan, policy HK11(5) of the Hook Neighbourhood Plan and paragraphs 180b and 181c of the NPPF 2021.
5. In the absence of any legally binding obligation to secure the in-perpetuity provision, access to and management of subsidised home ownership units, management of communal areas within the site, financial contributions towards education, the proposed improvement to the footpath south of the site and SPA mitigation, including SAMM contribution, all reasonably necessary to make the development acceptable, the proposed development would conflict with the requirements of policy INF1 of the Hart Local Plan (Strategy & Sites) 2032 and paragraph 55 of the NPPF 2021.

INFORMATIVES

1. The Council works positively and proactively on development proposals to deliver sustainable development in accordance with the NPPF. In this instance, the proposed development was deemed to be unacceptable due to the above reasons and therefore the development was determined on the basis of the information provided.

RECOMMENDATION

That the Resolution of the Planning Committee in relation the abovementioned proposal is recorded.