

CHAPTER 4: COUNTRYSIDE & NATURAL ENVIRONMENT

4.1 General Comments

OBJECTIONS TO DEPOSIT PLAN

Proposal/ Paragraph	Rep Number	NAME
CH04OM	541/1	Clients of Strutt and Parker
CH04OM	487/1	Coil Master Ltd
CH04OM	539/4	F G Stephens and Sons
CH04OM	476/1	G Arturi
CH04OM	473/1	George Wimpey UK Ltd
CH04OM	479/3	J Brewer
CH04OM	501/2	James Judd
CH04OM	512/1	Nations Farm Ltd
CH04OM	474/5	Redrow Homes (Southern) Ltd
CH04OM	523/3	Winchester Growers
CH04OM	523/2	Winchester Growers
CHT.04	475/7	Clients of Southern Planning Practice
CHT.04	206/4	Compass Roadside Ltd
CHT.04	493/2	GHL Liftrucks Ltd
CHT.04	138/24	John Hayter
CHT.04	1216/3	Peter S Middleton
CHT.04	535/1	T Slowen
CHT.04	330/2	The Wildlife Trusts

OBJECTIONS TO REVISED DEPOSIT PLAN

Proposal/ Paragraph	Rep Number	NAME
RD0400	474/1	Redrow Homes (Southern) Ltd
RD0400	2275/1	Roger Secker
RD0400	851/1	Weatherstone Properties

OBJECTIONS TO PRE INQUIRY CHANGES

Proposal/ Paragraph	Rep Number	NAME
PIC0401	212/6	Bishops Waltham Society

ISSUES

1. Should the Proposals be designated CE, in line with the change to the chapter title to 'Countryside and Natural Environment' and the date be shown on the Key sheet and Plans? (138/24)
2. Should the 'current plan stage' and date also be added to the Proposals maps as well as to the Key Sheet and reference to CE6 be included in the Change? (212/6PIC)
3. Should the Plan include a policy making provision for new large country houses in the countryside, in accordance with PPG 7? (541/1, 491/1)
4. Should there be a policy allowing the replacement and expansion of commercial businesses in the countryside which are in lawful use, to accord with national and strategic advice? (487/1, 539/4, 476/1, 479/3, 501/2, 512/1, 523/3, 493/2, 535/1)
5. Should there be, in view of the new uses permitted on land at Morn Hill, a policy for rationalising existing uses and utilising the accessibility of this site for employment, redevelopment of old uses and landscape improvement? (475/7)
6. Should specified land be excluded from countryside proposals given its promoted suitability for development? (473/1, 474/5, 523/2, 206/4)

7. Should the Plan identify changes the Council would wish to see in the countryside, particularly those to meet National Park policy objectives and promote a partnership approach to achieving wider benefits from change in the countryside? (330/2)
8. Does the draft Plan recognise the need to retain and enhance the agricultural infrastructure, particularly livestock farming and to include proposals for its replacement if required? (1216/3)
9. Should land south of Winchester be excluded from the defined Local Gap, allocated for housing and included in the Winchester policy boundary? (851/1)

INSPECTOR'S CONSIDERATION AND CONCLUSIONS

- 4.1.1 Following the alteration of the Chapter title to Countryside and Natural Environment in the Revised Deposit Plan, the Council accepted the corollary to that by proposing re-labelling of the Proposals with the prefix CE in the Plan and on the Key Sheet by their Pre-Inquiry Change (PIC04.00). In addition, they have clarified that the general countryside policies CE.7 - CE.10 may apply within the policy boundaries and development frontages of settlements (PIC04.01). The Council also now accepts that the range of policies mentioned in PIC04.01 should be extended to include CE6 (FPC04.01). Although there were counter objections to PIC04.00 the Council indicate that they do not relate to the Change as such. I agree and consider these Changes represent a logical reflection of the renaming and provide additional clarification. I therefore support them in the interest of clarity.
- 4.1.2 The Council accepts that the objection leading to the second issue is also valid and agrees that in the final version of the Plan, all the Proposals Maps should be annotated with the Plan version and date in addition to the Key Sheet. Furthermore, in the light of its omission, the symbol and notation for conservation areas should be added to the Key Sheet. I agree that these measures would provide the clarity sought.
- 4.1.3 In issue three the objectors seek a specific policy to permit large new houses in the countryside pursuant to PPG7. However, that advice has been replaced by PPS7 and whilst such proposals are still referred to, it is clear that the intention is for these to be exceptional and to be considered on their own merits. Accordingly, I do not consider it is necessary or appropriate for a specific policy in the Local Plan to cover this contingency as any such proposal would be capable of being considered as an exception to the usual policy restriction on new housing in the countryside, and the principles involved are enshrined in national guidance.
- 4.1.4 Issue four concerns the replacement and expansion of commercial businesses in the countryside which are in lawful use, to accord with national and strategic advice. This has been addressed by the incorporation of a new policy and text (RD04.37- RD04.43) in the Revised Deposit Plan.
- 4.1.5 The objector in issue five suggests there should be a policy for Morn Hill to provide for further development. However, the Council indicated that existing development in that locality has been permitted in accordance with countryside policies or as acceptable exceptions thereto. They also indicate that the site adjoins the AONB and is within the proposed National Park boundary, where a policy promoting further development would be inappropriate. I accept the Council's stance.
- 4.1.6 Issue six arises as the corollary to objections relating to sites that are being advanced for various development proposals and their impact upon the countryside is discussed in relation to each of them as part of the detailed deliberation of the respective sites elsewhere in this Report.
- 4.1.7 Although in issue seven, the Hampshire and Isle of Wight Wildlife Trusts wish the Plan to identify changes in the countryside which the Council would seek, to meet National Park policy objectives, I agree with the Council that it is sufficient for them to highlight in the Plan (at paras 4.15 and 4.16) the current position and intentions in this regard. The outcome of the Inquiry into the South Downs National Park was not available at the time of this Inquiry, but if more up-to-date information is available for inclusion in the modified Plan, it is open to the Council to include it.
- 4.1.8 Administration of the matters referred to by the objector would be likely to fall under the purview of a possible future National park Authority and would need to have regard to the disposition of facilities within the entire National Park and not just within the Winchester District to which this Plan is confined.

4.1.9 Despite the objector's fears which led to issue eight, I accept the Council's response that para 4.29 *et seq* together with the accompanying policy (C12), adequately addresses the needs for new or replacement essential agricultural development.

4.1.10 Finally, issue nine is covered under Local Gaps (see 4.4 below).

RECOMMENDATIONS

4.1.11 That the Plan be modified:

- a) in accordance with Pre-Inquiry Change PIC04.00.
- b) in accordance with Pre-Inquiry Change PIC04.01 and FPC04.01.
- c) by the addition of the plan version and date to all the Proposals Maps and Key Sheets.
- d) by the addition of the symbol and notation for Conservation Areas to the Key Sheet.
- e) by updating the text relating to the matter of possible designation of the South Downs National Park.

4.2. Control of Development (paras 4.3 - 4.4, Proposal C.1)

OBJECTIONS TO DEPOSIT PLAN

Proposal/ Paragraph	Rep Number	NAME
4.3	176/5	Chris Slattery
C.1	1416/1	B R and E A Bull
C.1	227/4	Bewley Homes Plc and R C H Morgan-Giles
C.1	858/1	Braemore Investments Ltd
C.1	1405/1	C Butterworth
C.1	1412/1	C. W Eames
C.1	220/1	Cala Homes (South) Ltd
C.1	1419/1	English
C.1	491/1	Gardner Richardson Associates
C.1	1414/1	Geoff and Liz Cox
C.1	1415/1	Geoffrey Wickes
C.1	473/2	George Wimpey UK Ltd
C.1	234/1	Gleeson Homes
C.1	261/19	Government Office for the South East
C.1	214/5	Grainger Trust Plc
C.1	1434/13	Hampshire County Council
C.1	349/3	Ian White
C.1	1411/1	J Barnett
C.1	1401/1	J P English
C.1	1406/1	J. A Foreman
C.1	1413/1	James Cullen
C.1	1421/1	Joan Foreman
C.1	1404/1	Josianne Wong
C.1	289/4	Kris Mitra Associates Ltd
C.1	1403/1	Margaret Raw
C.1	1402/1	Mary E Butterworth
C.1	1409/1	N A McPherson
C.1	1410/1	P G Stubbs
C.1	1418/1	P S And S J Early
C.1	1137/1	R. W Short
C.1	474/4	Redrow Homes (Southern) Ltd
C.1	1420/1	S J Keigher
C.1	470/8	S McCowen
C.1	175/2	Save Barton Farm Group
C.1	353/9	Sparsholt College, Hampshire
C.1	290/2 & /3	Thompson Bros (Esher) Ltd
C.1	1417/1	V J and G M Denham

ISSUES

1. Does the MDA at Winchester City (North) contravene Proposal C.1 and paragraph 4.3 and should it be deleted from countryside designation? (175/2, 176/5, 349/3, 1401/1, 1402/1, 1403/1, 1404/1, 1405/1, 1406/1, 1407/1, 1408/1, 1409/1, 1410/1, 1411/1, 1412/1, 1413/1, 1414/1, 1415/1, 1416/1, 1417/1, 1418/1, 1419/1, 1420/1, 1421/1, 907/1, 468/10, 468/11)
2. Should countryside designation be deleted in respect of the following areas?
Trunk road service areas at Sutton Scotney and West Meon (206/4)
Land east of Main Road Littleton and the Conservation Area (220/1)
The existing and proposed recreational land east of New Alresford, (227/4)
Land at Teg Down Farm, Winchester (234/1)
Land at Cherry Hill Farm, Uplands Road Denmead (289/4),
Land at Court Farm West Meon (309/1),
Land at Church Farm, Clewers Hill, Waltham Chase (310/1)
Sparsholt College Campus (353/9),
Land at Cowdown Farm Micheldever (470/8),
Land at Albany Farm Bishops Waltham (473/2)
Land adjacent to Francis Gardens Winchester (474/4)
Land at Winnall Down Farm Winchester (523/2),
Land at Curdrige (855/1),
Land at Shawford (858/1)
Land at 10 Harestock Road, Winchester (1137/1)
Land at County Council sites eg. Perins school Alresford, playing field (1434/13).
3. Should the boundary of the countryside designation West of Waterlooville be re-examined and be more clearly defined as part of the Master Planning Process? (214/5)
4. Does C.1 duplicate the intent of other policies and consequently conflict with the advice of PPG 12 paragraph 3.1? (261/19).
5. Should the policy be amended to provide for the expansion of existing enterprises in the countryside? (290/2 & /3)

INSPECTOR'S CONSIDERATION AND CONCLUSIONS

- 4.2.1 With the exception of Cala Homes who submit that the Winchester City (North) Reserve MDA should be designated thus and the countryside notation omitted, all the objectors in the first issue consider the area should remain subject to countryside policies and that the Reserve MDA notation should be removed. The topic of the Reserve MDA is covered elsewhere in this Report (see Chapter 12), where it is concluded that the allocation should remain. In the circumstances, it is appropriate that the area is covered by the dual notation of Reserve MDA and countryside, to ensure the locality has countryside policies applied to it unless and until such time as the area is determined as being appropriate and necessary for development.
- 4.2.2 In issue two, the objectors are all seeking the deletion of countryside notation from the named sites as a corollary to their promotion for specific forms of development. The impact of the respective proposals upon the countryside is discussed in relation to each of them as part of the detailed deliberation of those site specific objections elsewhere in this Report under the relevant chapters.
- 4.2.3 The objection giving rise to issue three has largely been overtaken by events as the Master Planning process for West of Waterlooville MDA has proceeded and guided revisions that have been incorporated in the Revised Deposit Plan and Further Proposed Changes. These are discussed in greater depth in Chapter 12.
- 4.2.4 With regard to the fourth issue, the objector considers C1 contravenes advice in PPG12 which cautions against lengthy over-detailed plans. Whilst the Council disputes the objection and points to such a policy in the adopted Plan, it is generally regarded as good practice for policies to be succinct and free-standing and not to contain cross-references to other policies. Clearly, whilst this policy is succinct it is entirely a cross-reference to other policies and to that extent I consider it would suffice if it were to be a statement within the text rather than a discrete policy. I therefore recommend that the Plan be modified accordingly.
- 4.2.5 The fifth issue has been satisfactorily addressed by the inclusion of a new policy and text in the Revised Deposit Plan (RD04.37- RD04.43).

RECOMMENDATION

- 4.2.6 That the Plan be modified by deletion of Proposal C1 as a policy and including it as a statement in the text.

4.3. Strategic Gaps (paragraphs 4.5 - 4.6, Proposal C.2)

OBJECTIONS TO DEPOSIT PLAN

Proposal/ Paragraph	Rep Number	NAME
C.2	327/2	Esso Petroleum Co Ltd
C.2	261/20	Government Office for the South East

ISSUES

- 1 Whether C.2 and its accompanying text fully accords with the advice in PPG 7. (261/20)
- 2 Should the boundary of the Meon Gap be re-defined in the area of Fontley Road, to exclude the golf course, the related housing and the proposed Motorway Service Area? (327/2)

INSPECTOR'S CONSIDERATION AND CONCLUSIONS

- 4.3.1 GOSE correctly draws attention to the advice in PPG7 that Local Planning Authorities should only maintain or extend local countryside designations where there is good reason to believe that normal planning policies cannot provide the necessary protection. The locality is unquestionably subject to development pressures and the concept of Strategic Gaps emanates from the approved Structure Plan, which, to my mind accords it significant weight.
- 4.3.2 The Meon Gap designation forms part of one of 14 such Strategic Gaps in Hampshire under Structure Plan Policies G1 and G2 and is the only one falling within the District. These policies state that the precise boundaries of the Strategic Gaps will be defined in Local Plans with the objective of preventing coalescence and protecting the separate identity and amenity of the urban areas they separate. In PPS7, the Government accepts that there are areas of landscape outside nationally designated areas that are particularly highly valued locally and I am content that in principle there is justification for this form of local countryside designation in this locality.
- 4.3.3 In the second issue, the extent of the Strategic Gap is challenged. Whilst the objector seeks the exclusion of the golf course, its encircling housing and a suggested site for a Motorway Service Area (MSA), the Council state that a golf course is an entirely appropriate recreational use within the Gap. I am also aware that the related housing around the golf course was seemingly approved as enabling development although in practice that did not materialise as planned. Nevertheless, it does form part of a scatter of housing and other development within the defined Gap which does not have the same urban appearance as the area immediately to the west of the defined boundary. Furthermore, I am advised that the proposed MSA was not carried forward from the adopted Local Plan due to the absence of need and that a planning application subsequently submitted in 2003 was refused on grounds which included that fact.
- 4.3.4 The Gap boundary defined in the Revised Deposit Plan provides continuity with the Strategic Gap boundary in neighbouring Fareham Borough, which led to the withdrawal of that Authority's former objection. Whilst the area encompassed by the designation is extensive, the boundaries appear to relate to clear features in the landscape. Whilst the objector maintains that more land is included in the defined Strategic Gap than is strictly necessary for its function, they do not advance any alternative for consideration and I therefore have no substantive basis for varying its defined extent.

RECOMMENDATION

- 4.3.5 That no modification be made to the Plan.

4.4. Local Gaps (paragraph 4.7, Proposal C.3)

OBJECTIONS TO DEPOSIT PLAN

Proposal/ Paragraph	Rep Number	NAME
C.3	886/3	A. J Archard
C.3	360/2	Alfred McAlpine Developments Ltd
C.3	225/1 & 5	Anchor Developers
C.3	211/2	Bishops Waltham Parish Council
C.3	212/4	Bishops Waltham Society
C.3	219/1	Bryant Homes Ltd
C.3	431/1	Byng's Business Development
C.3	922/1	C Herridge
C.3	1448/3	C. Morgan and Sons
C.3	481/3	D Brosnan
C.3	1361/1	D Warren
C.3	839/1	David Wilson Estates
C.3	488/2	Elliott
C.3	236/1	George Wimpey Strategic Land
C.3	261/21	Government Office for the South East
C.3	214/6	Grainger Trust Plc
C.3	925/1	H Saull
C.3	1434/14 & 40	Hampshire County Council
C.3	1432/1	Hampshire County Council
C.3	349/4	Ian White
C.3	919/1	J. G. U Clark
C.3	877/6	Kier Land
C.3	288/7	Kings Worthy Parish Council
C.3	879/3	Littleton and Harestock Parish Council
C.3	474/6	Redrow Homes (Southern) Ltd
C.3	293/1	S and S Diesels
C.3	924/1	Shelly Grimwood
C.3	315/1 & 9	Simon Milbourne
C.3	347/3	Terence Jones
C.3	306/2	Ministry of Defence
C.3	1439/4	Shedfield Society
C.3	328/5	Twyford Parish Council
C.3	1036/1	Twyford Residents' Association
C.3	303/3	Twyford School
C.3	851/1	Weatherstone Properties
C.3	355/2	Welch
C.3	469/1	Westbury Homes (Holdings) Ltd

ISSUES

General

1. Whether the policy and accompanying text fully accord with advice in PPG 7? (261/21)
2. Should the Gap have Green Belt status or be extended (919/1, 1439/4)
Bishops Waltham-Swanmore-Waltham Chase-Shedfield-Shirrel Heath Local Gap
3. Should the following areas be excluded from the defined Local Gap:
Land north of Lower Chase Road, Waltham Chase (293/1, 315/1 & /9)
Land at Hill Pound and The Lakes, Swanmore (360/2)
Land at Pickets Hill, Shedfield (481/3)
Land at Jhansi Farm, Waltham Chase (839/1)
Land at Clewers Hill (1361/1)
Land at Swanmore School (1343/40)
4. Should Beeches Hill be added to the list of settlements for this Local Gap policy (211/2)
5. Whether the policy prevents enlargement of the settlements to meet local needs? (1448/3)
Denmead-Waterlooville Local Gap
6. Should the following areas be excluded from the defined Local Gap:
Land south of Closewood Road and Newlands Lane (219/1)
Land south of Closewood Road at Old Park Farm (236/1)
Land east of Denmead (421/1)

- Land south of Anmore Road (488/2)
7. Should the south east boundary follow a natural boundary rather than a man-made feature (214/6)
Kings Worthy-Abbots Worthy Local Gap
8. Should the following areas be excluded from the defined Local Gap
Land at London Road/Basingstoke Road, Kingsworthy
Land at Lovedon Lane, Kingsworthy
Winchester-Compton Street Local Gap
9. Should the following areas be excluded from the defined Local Gap:
Land at Olivers Battery (851/1)
Land at Olivers Battery Primary School (1432/1, 1434/14)
10. Should the area also be designated as an ASLQ (1013/1)
11. Does the Bushfield Camp Park and Ride proposal conflict with the policy
Winchester-Kings Worthy-Headbourne Worthy Local Gap
12. Should the following areas be excluded from the defined Local Gap:
Land at Barton Farm (468/12 & 13)
Land at Francis Gardens (474/6)
13. Does the Reserve MDA proposal conflict with the policy (349/4)
Winchester-Littleton Local Gap
14. Should the following areas be excluded from the defined Local Gap:
Land subject to Proposal RT4 (924/1)
Land at St John Moores Barracks/Kennel Lane/Harestock Road (306/2, 877/6, 355/2)
15. Should the following areas be included within the defined Local Gap:
Land to the north of Stockbridge Road and west of Harestock Road (922/1)
Land to the north extending to Andover Road (879/3)
Other
16. Should the hard play area of Twyford school be excluded from the Gap designation (303/3)
17. Should Local Gaps be defined for the following areas:
Bishops Waltham-Beeches Hill (212/4)
Harestock-The Worthies (288/7)
Twyford-Colden Common (328/5)
Twyford and Colden Common-Twyford and Winchester (1063/1)
Magdalen Down, Winchester-AONB/proposed National Park boundary (347/3)
Shedfield-Wickham and Curdridge-Shedfield/Waltham Chase (886/3)

INSPECTOR'S CONSIDERATION AND CONCLUSIONS

- 4.4.1 The objection by GOSE, leading to issue one is broadly the same as their objection to the preceding policy that it does not fully accord with Government advice in PPG 7 concerning local designations. The Hampshire County Structure Plan (Review) provides for Strategic Gaps in Policies G1 and G2, and also allows for Local Gaps to be defined in Policy G3. It states that the boundaries of both Strategic and Local Gaps are to be determined locally and defined in Local Plans. The process of defining the Strategic and Local Gaps in the District has been undertaken following a formal assessment of the areas concerned (as required by paragraph 4.16 of PPG 7), and therefore the District Council considers that the policy on Local Gaps is consistent with both Government and strategic advice. Para 4.16 of PPG7 refers to Local Countryside Designations, advising that they may be used where normal planning policies cannot provide the necessary protection. The more recent advice in PPS7 recognises that there are areas of landscape outside nationally designated areas that are particularly highly valued locally and it is apparent that there is considerable public support in the District for the concept of Local Gaps. I am satisfied that they are necessary in this area of high development pressure and serve a useful planning function of preserving the separate identities of smaller settlements at risk of coalescence and also prevent the consolidation of development in rural localities.
- 4.4.2 In the second issue, the objectors sought to extend the protection for the Shedfield area by the designation of a Green Belt or increasing the extent of the Gap designation to include land between the B2177 and A334 as they perceive the existing policy in the adopted Plan as having failed to adequately protect the countryside from inappropriate development. The designation of Green Belts emanates from strategic policy and as no Green Belt has been defined within the District by the County Structure Plan, the District Council has no mandate to designate one unilaterally. The Council highlighted that many of the developments that have given rise to the objections were

approved by the Council as appropriate countryside uses such as nurseries, horticultural enterprises and agricultural workers' dwellings. However, a problem of unauthorised developments connected with travelling show people has been subject to protracted enforcement action. Hence, my conclusion is that the perceived problems of development encroachment in the Gap are related more to inadequate control over unauthorised development than to a policy failure. The Council conceded that they had been understaffed in their enforcement department in the past, but this has now been remedied. As to the suggested extension of the Gap designation to the northwest of Shedfield, there is no settlement in that direction with which there is danger of coalescence and I can see no practical necessity for extending the Local Gap designation to cover open countryside lying between the settlement and the golf course.

- 4.4.3 In issues 3, 6, 8, 9, 12 and 14, the objectors are all seeking deletion of land from the Local Gap designation as the corollary to promoting development proposals at those named locations in the respective Local Gaps. These objections are dealt with in greater detail elsewhere in this Report under the relevant Chapter, but mostly as Omission sites in the Housing Chapter. In general, I have supported the retention of all the Local Gaps as defined. However, in the case of land at Francis Avenue, Winchester, which I recommend for allocation as a Local Reserve Housing site, it would not result in the overall width of the Gap between Winchester and Kings Worthy being diminished in the event of its implementation.
- 4.4.4 Turning to issue four, the Council confirms that the policy is intended to prevent the coalescence of identified smaller settlements. As Beeches Hill is not identified as a settlement, but rather is a scatter of development in the countryside north of Bishops Waltham, it does not warrant a Gap to protect its individual identity. I agree.
- 4.4.5 With issue five, the objection is ancillary to the promotion of development in Waltham Chase. Whilst the objector seeks enlargement of settlement boundaries in the Waltham Chase area to prevent the outward migration of younger people, I am content that the Plan provides for local needs housing under Policy H6.
- 4.4.6 Issue seven seeks the re-definition of the Denmead/Waterlooville Gap boundary to follow field boundaries rather than the line of pylons carrying a high voltage overhead electricity line. However, as the line is widely visible in the locality and forms the western limit for proposed development in the Waterlooville MDA, and will therefore form the edge of the built-up area, I consider it is entirely logical to use it as representing the edge of the settlement and the Local Gap.
- 4.4.7 The objector in issue ten seeks the addition of an ASLQ designation to the Winchester / Compton Street Local Gap, but these former designations in the adopted Local Plan have been superseded by the Landscape Character Areas covering all the countryside within the District.
- 4.4.8 Issue eleven raises the question of the potential conflict between the Local Gap designation and Proposal W3. However, whilst a Park and ride is proposed at Bushfield Camp under that policy, it is also governed by the provisions of Proposal W3, which requires development to be well integrated in the locality. Moreover, as the Council points out, the provision of Park and Ride facilities are an important part of implementing the integrated transport strategy and as they can only realistically be sited in the countryside, they consider it entirely appropriate to regard them as an exception to the usually strict control over development in the defined Gaps. I regard this as an appropriate response to an important requirement provided adequate mitigation measures are employed.
- 4.4.9 The objection in issue thirteen is an adjunct to the objection in principle to the Winchester City (North) MDA and it is evident that the land in question does not form part of any defined Local Gap designation.
- 4.4.10 I now turn to issue fifteen, where the objectors seek inclusion of additional areas within the defined Local Gaps. However, the first appears to have misread the proposals Map as land north of Stockbridge Road and west of Harestock Road is already in the defined Gap. The other seeks to include the entire Sir John Moore Barracks up to Andover Road. However, the excluded part does not lie between two settlements and I note that the previous LPI Inspector recommended its exclusion from the current adopted Local Plan.

- 4.4.11 In issue sixteen, the objector has misunderstood the notation of the Twyford Inset Map as there is no Local gap designation at Twyford. The confusion has arisen by the grey Conservation Area notation overlaying the green countryside notation, whereby it appears as a dark green. The Council recognises that this needs to be addressed and they intend to do so when the Plans are reprinted.
- 4.4.12 Finally issue seventeen relates to suggestions for new Local Gap designations. In the first, there is no Gap between Bishops Waltham and Beeches Hill as the latter is not regarded as a separate settlement for the purposes of the Plan. I regard that as being an entirely appropriate response in that Beeches Hill comprises no more than a small scatter of dwellings in the countryside that does not 'read' as a separate settlement. In the second, the Council do not understand the objection as there is already a Local Gap defined in this locality and I agree with them that its extent is appropriate for its purpose. In the third case of a suggested Gap between Twyford and Colden Common, the Council indicates that the two settlements are separated by a distance of over 1500m and there is no evidence of any development pressures that could not be addressed by countryside policies. I agree, and consider the physical separation is sufficient to prevent coalescence and preserve their individual identities. I reach the same conclusion in respect of the wider fourth suggestion in this locality.
- 4.4.13 The fifth suggestion relates to a suggestion for a Gap between the eastern side of Winchester and the AONB / proposed South Down National Park. However, as the Council explains, the purpose of the gaps is to separate settlements at risk of coalescence and there is no other settlement to the east of Winchester at such risk. Nevertheless, they are satisfied that the M3 forms a strong barrier to eastward extension of Winchester and a Local Gap designation is unwarranted. The sixth suggestion concerns Shedfield-Wickham and Curridge-Shedfield/Waltham Chase. The Council indicates that both were examined, with the former found to measure 1180m while in the case of the latter, the distance was in excess of 1250m. They considered there was a strong sense of separation between them, which they considered to be adequately safeguarded by countryside policies. As national guidance indicates that local designations should be used sparingly and only where countryside designations are regarded as being insufficient on their own to provide the necessary safeguards, I accept the Council's decision for not making Gap designations here.

RECOMMENDATION

- 4.4.14 That no modification be made to the Plan other than to address the confusion that can arise from overlaying notations on the Proposals Map.

4.5. Development in Gaps (paragraph 4.8, Proposal C.4)

OBJECTIONS TO DEPOSIT PLAN

Proposal/ Paragraph	Rep Number	NAME
C.4	481/2	D Brosnan
C.4	315/2	Simon Milbourne
C.4	266/1	House Builders Federation (Southern Region)
C.4	411/1	Venn

ISSUES

- 1 Would the Park and Ride site at Bushfield be in conflict with criterion (ii) of the requirements of C.4 and should there be acknowledgement that the criteria may be overridden where other policies take precedence? (224/6).
- 2 Is the policy over-restrictive, affording the same degree of protection to Strategic and Local Gaps? (226/1, 315/2, 481/2)

- 3 Does the policy restrict diversification and regeneration as encouraged by PPG 7 and the Rural White Paper? (411/1, 481/2).

INSPECTOR'S CONSIDERATION AND CONCLUSIONS

- 4.5.1 The policy seeks to restrict development in Gaps that would be otherwise acceptable in the countryside and criterion (ii) expressly indicates that proposals in Gaps should not include extensive hard surfaced areas. Specific objections relating to Bushfield Camp are addressed under W3 in Chapter 11. The Council indicates that Policy W3 seeks to ensure proposals would not be unduly intrusive or harmful to the landscape setting of Winchester. There are occasionally tensions between policies in the Plan whereby any consideration of proposals for a park and ride scheme within a defined Gap would have to balance the wider community benefits against any potential conflict with countryside policies. In my experience such competing demands are not unusual and the presence of the criterion serves to emphasise the need for extreme sensitivity regarding layout, design and landscaping to ensure the function of the Gap is not prejudiced by extensive hard surfaced areas.
- 4.5.2 In the second issue, objectors consider it inappropriate to exercise the same policy controls in both Strategic and Local Gaps having regard to their differing functions. A similar objection was raised at the last Local Plan Inquiry where the Inspector found that the difference between the two types of gaps relates to their strategic or local importance and that no purpose would be served by dividing the policy into two. I agree with the conclusion reached by my colleague and consider that its interpretation will be applied having regard to the nature and scale of the development proposals and their effects upon the respective functions and sensitivities of the Gaps. I also agree with the Council's contention that it is equally important to restrict inappropriate development within both Strategic and Local Gaps. I am also mindful that there is only part of one Strategic Gap within the District.
- 4.5.3 Turning to the third issue, there is a fear that the policy will be applied in an over-restrictive manner whereby the rural economy might be harmed. Whilst the Council highlights that activities requiring the open use of land are particularly appropriate in Gaps, they indicate that rural diversification enterprises permissible under C15 and C16 and other developments permitted by countryside policies are not precluded within designated gaps. Although the policy is aimed at being restrictive to safeguard areas of vulnerable countryside from incursion by inappropriate and prominent development, I am content there would remain sufficient latitude to avoid the rural economy being unacceptably fettered. I do not consider the policy unduly conflicts with advice in the Rural White Paper or PPS7 (the successor to PPG7)

RECOMMENDATION

- 4.5.4 That no modification be made to the Plan.

4.6. Essential Services - Criteria for Development (paragraph 4.9, Proposal C.5)

OBJECTIONS TO DEPOSIT PLAN

Proposal/ Paragraph	Rep Number	NAME
4.9	206/5	Compass Roadside Ltd
C.5	206/1	Compass Roadside Ltd
C.5	1434/15	Hampshire County Council
C.5	286/5	Itchen Valley Parish Council
C.5	353/10	Sparsholt College Hampshire
C.5	335/10	The Upper Itchen Valley Society

ISSUES

- 1 Should C.5 and paragraph 4.9 be expanded to include Trunk Road Service Areas? (206/1, 206/5).
- 2 Should the phrase "*local communities*" be defined and clarified? (286/5, 335/10).

- 3 Does the policy apply to Sparsholt College and should it be recognised as an existing settlement within the countryside? (353/10).
- 4 Does the policy restrict the rationalisation and increase of facilities at school sites? (1434/15)

INSPECTOR'S CONSIDERATION AND CONCLUSIONS

- 4.6.1 In response to the first issue, the Council indicated that the purpose of the policy is to provide facilities in the countryside to serve local communities where there is insufficient suitable land available within the settlement's defined built-up area. They regard Trunk Road Service Areas as being subject to entirely different considerations that are largely outside their jurisdiction. Insofar as they are not intended specifically to serve local communities but rather transient motorists, I agree. Hence, I do not consider the policy and text should be endorsed with a reference thereto.
- 4.6.2 The objectors in the second issue consider that "*local communities*" would be better defined as "*individual settlements*", so that it is clear that proposals under this policy are to serve towns or villages. However, the Council considers that the types of facilities envisaged could serve part of a large city or residents in a group of settlements or even residents living in the countryside. In these circumstances, I do not find the alternative advanced by the objectors provides greater clarity and I am content that "*local communities*" more accurately describes the different population catchments to which this policy concerning essential facilities is directed.
- 4.6.3 In the third issue, the objector seeks the designation of settlement status upon Sparsholt College to recognise there are 450 residential students, over 30 houses, 270 staff and more than 1000 daily visitors, so that it may benefit from this policy. The Council's stance is that it should remain designated within the countryside, but they do not specifically indicate whether they would regard it as a local community. Nevertheless, having regard to the Council's response to the preceding issue and the numbers of "residents" at this countryside enclave, I am content that it could fall to be considered as a local community when considering proposals for essential educational facilities. Hence, it is both unnecessary and inappropriate to designate it as a settlement.
- 4.6.4 Finally issue four relates to a request on behalf of the County Council for schools to be treated as an exception to this policy to recognise that many are situated in the countryside at the edge of settlements, as they may need to rationalise or expand facilities in response to demographic changes. It strikes me that this is precisely the type of circumstance at which this policy is aimed. Furthermore, I note that the Council have advanced PIC04/02 to para 4.9, to add *or expand* to the text. This has received the support of the objector and further clarifies the intention which, despite the requirement for their individual justification, is not to necessarily preclude the improvement or expansion of facilities where these are essential.

RECOMMENDATION

- 4.6.5 That no modification be made to the Plan other than in accordance with PIC04.02.

4.7. Landscape - Landscape Character (paragraphs 4.10 - 4.13, Proposal C.6)

OBJECTIONS TO DEPOSIT PLAN

Proposal/ Paragraph	Rep Number	NAME
C.6	176/4	Chris Slattery
C.6	1387/9	CPRE Mid Hampshire District Group
C.6	473/3	George Wimpey UK Ltd
C.6	349/5	Ian White
C.6	474/3	Redrow Homes (Southern) Ltd

OBJECTIONS TO REVISED DEPOSIT PLAN

Proposal/ Paragraph	Rep Number	NAME
RD0401	175/11	Save Barton Farm Group
RD0402	468/6	Cala Homes (South) Ltd
RD0402	2297/1	P Garber
RD0402	474/2	Redrow Homes (Southern) Ltd
RD0402	175/12	Save Barton Farm Group
RD0403	1413/2	James Cullen
RD0403	2297/2	P Garber
RD0403	474/3	Redrow Homes (Southern) Ltd
RD0403	175/13	Save Barton Farm Group

OBJECTIONS TO PRE INQUIRY CHANGES

Proposal/ Paragraph	Rep Number	NAME
PIC0403	212/7	Bishops Waltham Society

ISSUES

1. Should land at Winchester City (North) be retained as countryside and is there a conflict between the provisions of C.6 and the reserve MDA? (176/4), (349/5). Would the development of an MDA there contravene the wording in paragraph RD04.02, to 'protect, enhance and restore' the key characteristics of the landscape, and would it irreparably harm the landscape character, which C.6 seeks to prevent? (175/11RD, 175/12RD, 175/13RD, 1413/2RD)
2. Should the following sites be deleted from the countryside designation and Landscape Character Area?
land at Albany Farm, Bishops Waltham? (473/3)
land north of Francis Gardens, Winchester? (474/2 & /3)
3. Should the South Hampshire Lowland and Heath Landscape Assessment Area change to, respectively:
Durley Claylands Landscape Character Area and include land at Albany Farm, Bishops Waltham? (2297/1RD, 2297/2RD)
Upper Itchen Valley Landscape Character Area and include land north of Francis Gardens, Winchester? (474/1RD, 474/2RD, 474/3RD)
4. Should the comprehensive review of the landscape be delayed until the National Park Authority is formed? It may be appropriate for a joint exercise to be carried out at a later date. (1387/9)
5. Does RD04.02 fail to recognise that landscape character areas are only one of the important considerations needing to be carefully balanced in planning any significant development? (468/6RD)
6. Should the policy be amended to read 'Development that fails to ~~respect~~ maintain or enhance the ~~intrinsic~~ character of the landscape or harms the key characteristics of the Landscape Character Area? (212/7PIC)

INSPECTOR'S CONSIDERATION AND CONCLUSIONS

- 4.7.1 The Council undertook a comprehensive Landscape Character Assessment of the District based on guidelines published by the Countryside Agency and advice in PPG7 and the Structure Plan. The Revised Deposit was updated to reflect the fact that this information was published in 2003 as a background document for the Local Plan Review and the Landscape Character Areas are listed in Appendix 2 of the Plan. Their replacement of the former Areas of Special Landscape Quality (ASLQs) in the adopted Local Plan has attracted wide support not least from GOSE, Hampshire County Council and English Heritage.
- 4.7.2 The objections giving rise to the first issue are a corollary to the objections in principle to the allocation of the Winchester City (North) Reserve MDA. The landscape implications of that strategic proposal are assessed in Chapter 12.
- 4.7.3 Similarly, the objections in the second issue stem from proposals advanced by objectors to promote those respective sites for residential development. The landscape implications of these are appraised in respect of each of these omission sites in the Housing Chapter.

- 4.7.4 Issue three also arises from objections where sites are being promoted for development and in common with the preceding issues their merits are discussed in the Housing Chapter. However, there was also a criticism that the detailed boundaries of the Landscape Character Areas are not included in the Plan. The Council accepts that the Landscape Character Area Map in Appendix 2 is not sufficiently clear and hence they advanced PICAPP2.04 to address this by replacing it with a larger scale map on an OS base. I consider this would satisfactorily address the objection and provide the clarity sought, despite the concern by one objector that they have not had foresight of it.
- 4.7.5 In issue four, whilst the objector suggests the comprehensive review of the landscape be delayed until the National Park Authority is formed, with a joint exercise carried out at a later date, the Council correctly indicates that the establishment of the National Park and the Local Plan Review are proceeding to different timetables and legislative procedures. In the meantime whilst the Council indicate their willingness to co-operate with the National Park Authority on landscape matters if and when it is established, I am satisfied that the landscape appraisal they have adopted for the Local Plan Review conforms with national and strategic advice.
- 4.7.6 The fifth issue concerns Cala Home's perception that this new paragraph does not explicitly state that landscape character is but one of many important considerations that will be taken into account when considering development proposals. However, as the Council indicate, the text accompanies C6 which indicates that development must be acceptable to other relevant proposals of the Plan. Even without that reference, I consider it is implicit in all Local Plans that development proposals must be assessed against all relevant policies and it would be unwieldy and repetitious to insert such mention in all policies of the Plan. To that end, I regard the second part of the policy superfluous and consider it could safely be deleted.
- 4.7.7 Finally, in a counter objection to PIC0403, Bishops Waltham Society maintain the Change does not adequately address their original objection, in that removal of *intrinsic* does not provide sufficient clarity and certainty as to what is permissible. Insofar as the policy is a general one, aimed at any form of development and relates to all the Landscape Character Areas, which flow over settlements and whose boundaries are depicted by lines on a Plan when in practice there is frequently a transition between them, it would be difficult and in my view unnecessary to make it more prescriptive without becoming unduly onerous or excessively wordy. However, the Council conceded that it would be useful to indicate in the text that the Landscape Character Areas (LCAs) flow over settlements and that whilst the boundaries of the LCAs are depicted by a line on the Map there is frequently a gradual change between them. Further suggestions for additional LCAs by the objector fall outside the remit of this Local Plan Inquiry and in any event, the Council indicated that they were defined in close liaison with Hampshire County Council.

RECOMMENDATIONS

- 4.7.8 That the Plan be modified:
- in accordance with PICAPP2.04 and PIC0403;
 - by deletion of the second sentence of the policy.
 - by the addition of further text indicating that the Landscape Character Areas (LCAs) flow over settlements and that whilst the boundaries of the LCAs are necessarily depicted by a line on the Map there is frequently a gradual transition between them.

4.8. Area of Outstanding Natural Beauty (AONB) (paragraph 4.14, Proposal C.7)

OBJECTIONS TO DEPOSIT PLAN

Proposal/ Paragraph	Rep Number	NAME
C.7	967/1	D. W Briggs
C.7	228/3	Fiona Agombar
C.7	882/3	Keith Story

OBJECTIONS TO REVISED DEPOSIT PLAN

Proposal/ Paragraph	Rep Number	NAME
RD0405	212/7	Bishops Waltham Society

ISSUES

- 1 Should the policy include provision to allow the AONB Joint Committee and English Nature to veto development of the Bar End park and ride site: allow for termination of approval where development becomes redundant, and to prevent the presence of an existing development supporting new development proposals? (882/3).
- 2 Should designation of a South Downs National Park include those areas to the east, west and north of Winchester? (967/1)
- 3 Should the AONB boundary be revised to exclude land at South Hill, Droxford? (228/3)
- 4 Should the addition of the words 'unless it is essential for the economic or social wellbeing of the area' be deleted from C7 given that it has not also been deemed necessary for the areas of countryside covered by C6? (212/7RD).

INSPECTOR'S CONSIDERATION AND CONCLUSIONS

- 4.8.1 Alterations to the policy and text incorporated in the Revised Deposit have received the support of GOSE, Hampshire County Council and the East Hampshire AONB Office. The Park and Ride scheme at Bar End, Winchester referred to in issue one has been approved and implemented and is not the subject of a specific proposal in the Plan. The revocation of extant permissions is not a matter within the purview of this Local Plan Inquiry and the consideration of any future development proposals would necessarily need to have regard to all material factors, including any existing development and national landscape designations.
- 4.8.2 The objector in issue two seeks to include within the proposed National Park designation those areas to the east, west and north of Winchester identified in Appendix 2 as the South and Mid Hampshire Downs Landscape Character Areas. The consideration of the designation and extent of a South Downs National Park is the subject of a separate independent Inquiry and is beyond the remit of this Local Plan Inquiry.
- 4.8.3 Issue three arises from the objector's promotion of a site adjoining Droxford for development which is addressed as an omission site in the Housing Chapter.
- 4.8.4 Finally, the objector in issue four suggests that reference to the criterion of being essential for the economic or social wellbeing of the area should be deleted from Proposal C7 as it has not been deemed necessary to refer to that for the areas of countryside covered by C.6. However as the Council indicate, the wording of C7 accords with advice in PPG7 relating to AONBs, which is carried forward in its successor PPS7. There is no comparable requirement pertaining to Landscape Character Areas and hence the objector's perception that the two policies are directly comparable in this regard is misplaced.

RECOMMENDATION

- 4.8.5 That no modification be made to the Plan.

4.9. National Park Designation (paragraphs 4.15 - 4.16)

OBJECTIONS TO REVISED DEPOSIT PLAN

Proposal/ Paragraph	Rep Number	NAME
RD0406	2283/2	East Hampshire AONB Office

ISSUE

Whether the alterations made to paragraph 4.16 adequately address those areas that are currently outside the AONB but which may be included within the National Park. and should greater planning controls apply during the interim period pending confirmation of the National Park designation? (2283/2REVDEP)

INSPECTOR'S CONSIDERATION AND CONCLUSIONS

4.9.1 Although the question of the South Downs National Park designation is a material consideration in planning decisions, and some areas lying outside the AONB are proposed for inclusion within it, the matter is being actively pursued through a separate Inquiry. Unless and/or until that decision on designation is made, together with the confirmation of its boundaries, it would be inappropriate and unsatisfactory to afford additional protection to those areas of countryside outside the AONB within this Local Plan as a blanket approach. I am content that should any planning applications be submitted within the areas of countryside under scrutiny, they would be capable of detailed examination, taking account of the stage at which the process had reached, with appropriate weight attached to the subject of potential National Park designation. In these circumstances, I consider it would suffice if the text of para 4.16 were to be further updated with the inclusion of a statement to reflect the most current position regarding the subject of the National Park designation.

RECOMMENDATION

4.9.2 That the Plan be modified by including a statement to reflect the most up-to-date position regarding the National Park designation.

4.10. Nature Conservation - Wildlife Habitats (paragraphs 4.18 - 4.19)

OBJECTIONS TO DEPOSIT PLAN

Proposal/ Paragraph	Rep Number	NAME
4.18	261/24	Government Office for the South East

OBJECTIONS TO REVISED DEPOSIT PLAN

Proposal/ Paragraph	Rep Number	NAME
RD0407	175/14	Save Barton Farm Group
RD0408	2312/12	Kingfisher Housing Association
RD0409	2312/13	Kingfisher Housing Association
RD0409	175/15	Save Barton Farm Group

ISSUES

1. Should the Proposals Map identify nature conservation sites of all designations? (261/24)
2. Are paragraphs RD04.08 and RD04.09 consistent with advice in PPG 9? (2312/12 & 13 REVDEP)
3. Should there be more research to assess the full effect of the reserve MDA at Barton Farm and its effect on the Itchen Valley? (175/14 & 15 REVDEP)

INSPECTOR'S CONSIDERATION AND CONCLUSIONS

4.10.1 The Council indicated that whilst the adopted Local Plan includes a plan depicting all the locally designated Sites of Importance for Nature Conservation (SINCs), it was found that in practice that plan has proved to be too small scale to allow accurate identification of the boundaries. This is explained in the alteration that was incorporated in para 4.18 of the Revised Deposit Plan stating that a separate schedule can be inspected at the Planning Department. Nevertheless, the National and International designations remain depicted on the Proposals Map.

4.10.2 Whilst English Nature and the Wildlife Trusts support the alterations that have been incorporated in the Revised Deposit Plan, GOSE retain their concern that the Proposals Map does not identify all nature conservation sites. On balance, having regard to the advice in PPG9 (para 25) that the Plan

should identify the areas to which these policies apply and having inspected Appendix 4 of the adopted Local Plan, I consider it desirable that the Local Plan Review should include a similar plan depicting SINC's, as the absence of such a source of information (notwithstanding its shortcomings) could lead to it being overlooked by Plan users. Suitable modification of the text would also therefore be appropriate.

- 4.10.3 In the second issue, the objector considers the creation of areas of nature conservation value represents an unnecessary and inappropriate layer of protection. However, I agree with the Council that PPG9 indicates that local plans should include policies not only for designated areas but also in respect of other land of conservation value (undesignated areas), specifying the criteria against which development proposals would be assessed.
- 4.10.4 Finally, with regard to the Winchester City (North) MDA, although the Council indicated that nature conservation issues were taken into account before they decided to designate the MDA in line with strategic policy, they accept that further detailed studies would be required and the Plan refers to this in Chapter 12. Whilst the objectors maintain the Plan should recognise that one cannot minimise damage and provide compensatory measures in connection with development affecting the countryside and natural environment, this does not correspond with current practice where conditions and legal agreements are frequently invoked to cover such contingencies.

RECOMMENDATIONS

- 4.10.5 That the Plan be modified by the inclusion of an Appendix plan depicting the SINC's, with the fact suitably recorded in para 4.18 (retaining reference to where the more detailed plans may be inspected).

4.11. Sites of International and National Importance (paragraphs 4.20 - 4.22, Proposal C.8)

OBJECTIONS TO DEPOSIT PLAN

Proposal/ Paragraph	Rep Number	NAME
C.8	374/7	Hawthorne Kamm Ltd

OBJECTIONS TO REVISED DEPOSIT PLAN

Proposal/ Paragraph	Rep Number	NAME
RD0414	212/6	Bishops Waltham Society
RD0414	175/16	Save Barton Farm Group
RD0415	175/17	Save Barton Farm Group
RD0418	175/18	Save Barton Farm Group

ISSUES

1. Should the policy be divided to separate international and national designations (374/7)
2. Should the phrase '...and development proposals will be subject to special scrutiny' in RD04.14 be deleted? (212/6REVDEP)
3. Should there be more research to assess the full effect of the reserve MDA at Barton Farm and its effect on the Itchen Valley? (175/16, 17 & 18 REVDEP)

INSPECTOR'S CONSIDERATION AND CONCLUSIONS

- 4.11.1 Following consultations with Hampshire County Council's Biological Information Centre, the Council incorporated alterations to the policy and text in the Revised Deposit to create two separate policies reflecting the fact that international and national designations are covered by different legislation. This led GOSE, English Nature and the Wildlife Trusts to withdraw their former objections and support the Plan. Although there is one extant objection recorded to the deposit version, I regard that to have been addressed by the Revised Deposit alterations. I also accept the Change (PIC04.04) advanced in the interest of accuracy regarding the precise number of SSSIs that have

been designated.

- 4.11.2 In the second issue, the objector questions the deletion of *and development proposals will be subject to special scrutiny* in RD04.14. However, as the Council indicates, C8 now refers to international sites and the terminology used reflects the wording used in the Habitats Directive. The phraseology in question is retained in respect of the separate section on national sites to reflect wording used in PPG9.
- 4.11.3 With regard to issue three concerning the Winchester City (North) reserve MDA, although the Council indicates that nature conservation issues were taken into account before they decided to designate the MDA in line with strategic policy, they accept that further detailed studies would be required. Whilst the objectors indicate there are areas of conservation interest in the vicinity of Barton Farm, such as the River Itchen, I note the Plan already specifically refers to this in Chapter 12.

RECOMMENDATIONS

- 4.11.4 That no modification be made to the Plan other than in accordance with PIC04.04.

4.12. Sites of Local Importance (paragraph 4.23, Proposal C.9)

OBJECTIONS TO DEPOSIT PLAN

Proposal/ Paragraph	Rep Number	NAME
4.23	261/26	Government Office for the South East

OBJECTIONS TO REVISED DEPOSIT PLAN

Proposal/ Paragraph	Rep Number	NAME
RD0419	2273/1	Kier Land
RD0421	2312/14	Kingfisher Housing Association
RD0421	2285/1	Executors of E S Edwards (Deceased)
RD0422	261/4	Government Office for the South East

ISSUES

1. Should the Proposals Map identify locally designated sites of nature conservation importance? (261/26, 261/4REVDEP)
2. Should amendments to SINCs be undertaken through the local plan process? (2273/1REVDEP)
3. Should the policy and text be re-worded to clarify the requirements and to achieve consistency with paragraph 3.14 of PPG 12? (23121/14REVDEP, 2285/1REVDEP)

INSPECTOR'S CONSIDERATION AND CONCLUSIONS

- 4.12.1 The Council indicate that whilst the adopted Local Plan includes a plan depicting all the locally designated sites of importance for nature conservation (SINCs), it has been omitted from the Revised Deposit as it proved to be too small scale to allow accurate identification of boundaries. This is explained in the alteration that was incorporated in para 4.18 of the Revised Deposit Plan (see also 4.10.1 & 2 above). Whilst Hampshire County Council, HBF, English Nature and the Wildlife Trusts support the alterations that have been incorporated in the Revised Deposit Plan, GOSE retain their concern that the Proposals Map does not identify all nature conservation sites.
- 4.12.2 On balance, having regard to the advice in PPG9 (para 25) that the Plan should identify the areas to which these policies apply and having inspected Appendix 4 of the adopted Local Plan, I consider it desirable that the Revised Plan should include a similar plan depicting SINCs as the absence of such a source of information (notwithstanding its shortcomings) could lead to it being overlooked by Plan users. Suitable modification of the accompanying text at para 4.23 would also therefore be appropriate.

- 4.12.3 The objector in the second issue considers amendments to SINC boundaries and new designations should only be made through the Local Plan process. However, the procedure for amendment or designation of SINC is entirely separate from the Local Plan procedures and I agree with the Council that it would be impractical and inappropriate to restrict the making of such changes to Local Plan Reviews. I consider the statement in the text of the Revised Deposit that such changes will be incorporated in future revisions of the schedule is an entirely correct approach.
- 4.12.4 In issue three the objectors are concerned about precise wording used in the Revised Deposit. In particular, the terms: *harm; it can be demonstrated that; and is likely to* as used in the policy. Whilst one objector in this instance seeks the definition of specific criteria in the text against which this could be assessed, no suggested wording has been advanced. I agree with the Council that it would be difficult to define a meaningful set of criteria which would assist such a judgement being made and that it would be better to assess each on its merits and the local circumstances. The other objector considers this policy wording confers greater weight upon the local designations than is appropriate. The Council indicate that the word *harm* has been used to replace *adverse effect* at the suggestion of GOSE and it is not considered to alter the degree of protection afforded, while *it can be demonstrated that* has been added to clarify that it is the developer's responsibility to establish the pros and cons. I accept that both provide added clarity. Finally, *is likely to* in my view merely qualifies the tense of the sentence to reflect that it is an assessment of potential effect. In these circumstances, I consider the objectors' fears are unsubstantiated.

RECOMMENDATIONS

- 4.12.5 That the Plan be modified by the inclusion of an Appendix plan depicting the SINC, with the fact suitably recorded in para 4.23.

4.13. Other Sites of Nature Conservation Interest (paragraphs 4.24 - 4.25, Proposal C.10)

OBJECTIONS TO DEPOSIT PLAN

Proposal/ Paragraph	Rep Number	NAME
C.10	374/8	Hawthorne Kamm Ltd
C.10	1252/1	Mark Miller

OBJECTIONS TO REVISED DEPOSIT PLAN

Proposal/ Paragraph	Rep Number	NAME
RD0423	175/19	Save Barton Farm Group
RD0424	251/9	English Nature
RD0424	175/20	Save Barton Farm Group

ISSUES

1. Is the policy too restrictive and should it be revised to require relocation of habitats or species rather than replacement? (374/8)
2. Should there be a policy relating to protected species, to accord with the advice in PPG9? (251/9REVDEP)
3. Should the reserve MDA at Winchester City (North) be deleted as it would have a severe impact on wildlife habitats? (1252/1, 175/19 & 20REVDEP)

INSPECTOR'S CONSIDERATION AND CONCLUSIONS

- 4.13.1 In the first issue, alterations made at the Revised Deposit stage overcame objections made by English Nature, the Environment Agency and the Wildlife Trusts, whereby they withdrew their objections and now are supportive of the policy and text. Whilst the objector in the first issue regards the policy as too restrictive and unrealistic, they suggest it could be revised to require the relocation of the habitat/species. The Council concede that the implementation of this policy normally requires some relocation in addition to replacement and I therefore consider this could be usefully referred to in the policy for the sake of clarity.

4.13.2 In the second issue, although English Nature consider there should be a separate policy relating to protected species, and particularly refer to badgers, I am content that C10 refers to habitats and species in the context of land use and that other legislation exists (eg Badgers Act 1992) to provide suitable additional protection which the objector seeks to inappropriately secure through the Local Plan.

4.13.3 Finally in issue three, the objectors fear that the MDA proposal would destroy wildlife habitats and species of nature conservation interest at Barton Farm. It is apparent that the Council had regard to such matters when designating the reserve MDA pursuant to the requirement in the Structure Plan for such provision. Furthermore, I am mindful that much of the land is actively farmed, with the main nature conservation interest being at the field margins and I am content that existing hedgerows and trees could be taken into account in any development proposals for the site.

RECOMMENDATIONS

4.13.4 That the Plan be modified by rewording the final sentence of the policy as follows:

Where development is permitted that would result in harm to these habitats or species, provision should be made to minimise such harm or to replace/relocate them elsewhere in the locality.

4.14. Agricultural Land Quality (paragraph 4.28, Proposal C.11)

OBJECTIONS TO DEPOSIT PLAN

Proposal/ Paragraph	Rep Number	NAME
4.28	176/3	Chris Slattery
C.11	214/7	Grainger Trust Plc
C.11	1434/17	Hampshire County Council
C.11	349/6	Ian White
C.11	353/11	Sparsholt College Hampshire
C.11	397/22	Taylor Woodrow (was Bryant Homes)

OBJECTIONS TO REVISED DEPOSIT PLAN

Proposal/ Paragraph	Rep Number	NAME
RD0428	175/21	Save Barton Farm Group
RD0429	1401/1	J P English
RD0429	2248/1	Jenny Hurrell
RD0429	2312/15	Kingfisher Housing Association
RD0429	2287/1	Robert Roves
RD0429	175/22	Save Barton Farm Group

ISSUES

1. Does the policy reflect the advice in revised PPG 7? (214/7, 397/22, 2312/15REVDEP)
2. Is there a need to recognise the economic impact of the non-development of better farmland? (1434/17)
3. Does the Reserve MDA at Winchester City (North) conflict with the policy and should there be further impact assessment studies on agricultural land quality before the Reserve MDA site is determined? (176/3, 349/6, 175/21&/22REVDEP, 1401/1REVDEP, 2248/1REVDEP, 2287/1REVDEP)
3. Should Sparsholt College have a countryside status? (353/11)

INSPECTOR'S CONSIDERATION AND CONCLUSIONS

- 4.14.1 The first issue concerns PPG7, which has now been replaced by PPS7. However, I am satisfied that the alterations introduced in the Revised Deposit Plan suitably incorporate the need to balance land quality with other sustainability considerations. Whilst the objection to the Revised Deposit wording maintains there should not be a requirement to establish an overriding need for development, I am satisfied that is an appropriate test.
- 4.14.2 The objector in issue two considers there is a need to recognise the economic impact of the non-development of better farmland. As the Council indicates, the policy is aimed at the control of non-agricultural development rather than the promotion of rural enterprise. The avoidance of higher quality agricultural land where lower quality land is available is an inherent principle of criterion (ii).
- 4.14.3 With issue three, the Council indicate that impact assessment studies were undertaken before the Reserve MDA was designated, which included the agricultural land quality. The allocation results from the Structure Plan requirement with which the Local Plan must conform. Government advice in PPS7 provides for local planning authorities to decide whether the best and most versatile agricultural land can be developed, having carefully weighed the options in the light of competent advice. It is apparent that the Council have done this and the representations result from an objection in principle to the allocation of land at Barton Farm for development, which is addressed in detail in Chapter 12 and I do not regard them as being objections to the substance of the policy *per se*.
- 4.14.4 Finally, issue four does not amount to an objection to this policy and Sparsholt College's objection is dealt with elsewhere in this report.

RECOMMENDATIONS

- 4.14.5 That no modifications be made to the Plan.

4.15. Essential Rural Development (paragraphs 4.29 - 4.31, Proposal C.12)

OBJECTIONS TO DEPOSIT PLAN

Proposal/ Paragraph	Rep Number	NAME
C.12	490/1	DS And AB Gamblin
C.12	491/2	Gardner Richardson Associates
C.12	1434/18	Hampshire County Council
C.12	328/6	Twyford Parish Council
C.12	1248/4	East Hampshire AONB Joint Advisory Committee

ISSUES

1. Should the policy require removal of obsolete farm buildings before new ones are permitted, particularly in designated areas? (328/6)
2. Are the criteria necessary and appropriate? (490/1, 491/2)
3. Should the policy also include a viability test and require the submission of a whole farm plan in support of the application? (1284/4)
4. Is there a need to recognise the economic impact of the policy? (1434/18)

INSPECTOR'S CONSIDERATION AND CONCLUSIONS

- 4.15.1 In the first issue, the objector suggests the policy should require the removal of obsolete farm buildings before new ones are permitted, particularly in the designated AONB, but the Council indicate they can require this by the imposition of a condition where practicable and consider it is unnecessary to amend the policy in this regard. Whilst I consider the introduction of a criterion to remove redundant or obsolete farm buildings has some merit I am content that the first criterion would highlight the requirement to use any existing building as a first consideration. As the Council

indicate, where it is apparent that any existing building is obsolete and should be removed, this can then be imposed by a planning condition. I consider this fact could usefully be added to the text.

4.15.2 In issue two, the objectors question the need for the criteria. However, as I have indicated above, I consider the first criterion is entirely reasonable to establish whether any existing building can be utilised first in order to prevent the unnecessary proliferation of buildings in the countryside. Whilst the objectors argue the second criterion replicates policies DP13 – 15 and the matter of waste disposal is covered by other legislation, the Council maintain it is a reasonable requirement for buildings of this nature. I agree with the objectors and find it constitutes unnecessary duplication and therefore recommend its deletion. The third criterion represents a cross-reference to another policy and a Design Guide, both of which are inappropriate for inclusion in the policy, as with the former, it is inherent that any proposal is considered against all relevant Plan policies and the latter constitutes Supplementary Planning Guidance and is already referred to in the text. I therefore recommend deletion of criterion (iii).

4.15.3 In issue three, the Council accepts that an assessment of viability would frequently require the submission of a whole farm plan, but they indicate this cannot be a mandatory requirement and therefore it would be inappropriate to state it as a requirement. I am content with the fact that the accompanying text indicates the local planning authority must be satisfied that any development proposal is essential to the proper functioning of the farm unit and I consider the means by which this can be shown can be left to the applicant.

4.15.4 Finally, the objector in issue four considers there is a need to recognise the economic impact of essential rural development. I am unclear as to precisely what concerns the objector, but consider the policy implicitly recognises there are potential economic implications arising from development proposals and I thus consider no further modification of the text or policy is necessary.

RECOMMENDATIONS

4.15.5 That the Plan be modified by:

- a) the deletion of criteria (ii) and (iii)
- b) adding a mention in the text that where it is apparent that any existing building is obsolete and should be removed, the Council will seek to secure this through a planning condition or legal agreement.

4.16. Agri-Industry and Agri-Distribution (paragraphs 4.32 - 4.36, Proposal C.13)

OBJECTIONS TO DEPOSIT PLAN

Proposal/ Paragraph	Rep Number	NAME
4.32	1434/19	Hampshire County Council
C.13	1386/6	New Alresford Town Council

ISSUES

1. Should the policy be amended, or a new policy added, to control development associated with watercress and salad production? (1386/6)
2. Should the policy be subject to landscaping? (1434/19)

INSPECTOR'S CONSIDERATION AND CONCLUSIONS

4.16.1 Although the objector seeks a specific mention of watercress and salad production, the Council indicate that the policy would already cover such enterprises. In these circumstances I consider no modification of the Plan is necessary.

4.16.2 Whilst the objector in the second issue has supported the policy in part, they also suggest landscaping should be addressed. However, the Council indicate that the matter of landscaping is covered by other policies in the Plan and therefore again, I consider no modification is necessary to address the objection.

RECOMMENDATION

4.16.3 That no modification be made to the Plan.

4.17. Fish Farms and Water Areas (paragraphs 4.37 - 4.38, Proposal C.14)

OBJECTIONS TO DEPOSIT PLAN

Proposal/ Paragraph	Rep Number	NAME
C.14	1386/7	New Alresford Town Council
C.14	353/12	Sparsholt College Hampshire

ISSUES

1. Should the policy have an additional criterion to require no adverse impact from increased traffic? (1386/7)
2. Should the policy be amended to allow for developments required for education purposes? (353/12)

INSPECTOR'S CONSIDERATION AND CONCLUSIONS

4.17.1 In response to the objection in the first issue, the Council have incorporated an alteration in the Revised Deposit Plan (RD04.31) which refers to impact on the rural road network. I consider this has suitably addressed the objection.

4.17.2 Although the objector in issue two seeks to add the requirements of educational establishments to this policy, the Council considers the needs of educational establishments in the countryside are covered by the policy they inserted in the Revised Deposit Plan by alteration RD08.20. Whilst I am mystified as to why a new policy and text dealing with educational establishments in the countryside has been placed in the Chapter Town Centres, Shopping and Facilities, I agree that the matter is adequately addressed in the Plan. The Council may however like to consider whether it has been appropriately positioned in the document.

RECOMMENDATION

4.17.3 That no modification be made to the Plan.

4.18. Rural Economy - Farm Diversification (paragraphs 4.39 - 4.40, Proposal C.15)

OBJECTIONS TO DEPOSIT PLAN

Proposal/ Paragraph	Rep Number	NAME
C.15	212/6	Bishops Waltham Society
C.15	411/4	Venn

ISSUES

1. Should paragraph 4.39 be amended by adding licensed lorry parking to the list of diversification activities? (212/6)
2. Is the policy too restrictive and should criterion (i) be revised to encourage diversification? (411/4)

INSPECTOR'S CONSIDERATION AND CONCLUSIONS

4.18.1 With regard to the first issue, the Council states that the list of diversification activities in para 4.39 reflects those in PPG7 and is not intended to be exhaustive. Furthermore, they do not consider lorry parking to be an appropriate activity to add to the list because whilst it may not be an efficient use of land within the confines of a settlement, it would be likely to result in visual intrusion in the countryside. In these circumstances, I agree with the Council that it is not an appropriate use to

add to the illustrative list and I am not persuaded that it is either a sustainable use or one that is likely to comply with criterion (iii) relating to additional traffic on rural roads.

4.18.2 In the second issue, the objector suggests the replacement of the word *consistent* with *compatible* in criterion (i), but the Council does not regard that to offer any greater clarity. I share the Council's view, particularly as PPS7 refers to Councils being supportive of such proposals where, amongst other things, they are *consistent in their scale with their rural location*.

RECOMMENDATION

4.18.3 That no modification be made to the Plan.

4.19. Re-Use of Non-Residential Buildings in the Countryside (paras 4.41 - 4.49, Proposal C.16)

OBJECTIONS TO DEPOSIT PLAN

Proposal/ Paragraph	Rep Number	NAME
4.41	470/1	S McCowen
4.42	1387/8	CPRE Mid Hampshire District Group
4.43	470/2	S McCowen
4.44	470/3	S McCowen
4.46	470/4	S McCowen
4.47	470/7	S McCowen
4.49	470/5	S McCowen
C.16	886/2	A. J Archard
C.16	304/1	A. J. Sellick
C.16	224/7	Church Commissioners
C.16	539/5	F G Stephens and Sons
C.16	476/2	G Arturi
C.16	1133/1	G Humphrey
C.16	499/3	Humphrey Farms Ltd
C.16	259/1	Hydro Agri (UK) Ltd
C.16	502/1	I King
C.16	479/5	J Brewer
C.16	289/3	Kris Mitra Associates Ltd
C.16	512/3	Nations Farm Ltd
C.16	470/6	S McCowen
C.16	315/3	Simon Milbourne
C.16	335/8	Upper Itchen Valley Society

OBJECTIONS TO REVISED DEPOSIT PLAN

Proposal/ Paragraph	Rep Number	NAME
RD0433	373/1	Bryan Jezeph Consultancy
RD0433	475/2	Clients of Southern Planning Practice
RD0433-04.35	328/5	Twyford Parish Council

OBJECTIONS TO PRE INQUIRY CHANGE

Proposal/ Paragraph	Rep Number	NAME
PIC0405	212/8	Bishops Waltham Society
PIC0405	1433/3	Hampshire County Council
PIC0405	328/2	Twyford Parish Council
PIC0406	2207/3	South Coast Fencing (manufacturing) Ltd

ISSUES

1. Does the policy accord with advice in PPG7, and should it provide more flexibility either in the types of buildings that can be proposed for conversion or in the uses to which they may be converted? (87/2, 259/1, 289/3, 304/1, 315/3, 411/5, 470/1-5, 476/2, 479/5, 499/3, 502/1, 512/3, 539/5).
2. Should criterion (iii) be re-worded to refer only to *important* features? (224/7)
3. Are the criterion (iv) requirements appropriate? (224/7, 335/8, 411/5, 470/6, 470/7, 373/1REVDEP)
4. Should development be limited to avoid generation of traffic inappropriate to country lanes? (886/2)
5. Should the word "*settlements*" in paragraph 4.42 be clarified? (1387/8)
6. Should "*large buildings*" be defined and be dealt with comprehensively. (328/5REVDEP, PIC212/8, PIC1433/3, PIC328/2, PIC2207/3)
7. Should the policy also allow converted buildings to be replaced when they have reached the end of their useful life? (1133/1, 475/2REVDEP).

INSPECTOR'S CONSIDERATION AND CONCLUSIONS

- 4.19.1 Whilst some objectors sought to extend the purview of this policy to also encompass land, extensions and the construction of new buildings, and to uses other than employment, the Council indicated that the policy is solely aimed at the re-use of suitable non-residential rural buildings for employment uses. As such, it is intended to elaborate advice in PPG7 and Structure Plan Policy C2 which expresses a preference to re-use existing rural buildings for economic development purposes, which is carried through to the successor national advice in PPS7. They have accepted that PPG7 (and PPS7) encourages a wide range of business uses in existing buildings in the countryside and accordingly deleted the reference to the term exceptionally for B2 and B8 uses in the Revised Deposit Plan, particularly as they also added a criterion to ensure that the type of traffic generated would avoid harm to rural roads. Potential residential use is covered separately by Policy C23, while conversion to hotel, recreation or institutional uses is provided for in Policy C24. Furthermore, leisure and tourism uses are addressed in RT15 and a new section and policy has been added to address extension or replacement of established business uses in the countryside (see 4.20 below).
- 4.19.2 In the second issue, the objector seeks to add *important* before *features*, in the third criterion, but the Council considers this would not be appropriate as it would imply that such features would be worthy of designation, which might not always be appropriate. On balance, I accept the Council's stance, particularly as if there were features worthy of designation for their architectural, historical or visual importance, they would already be suitably safeguarded by being Listed.
- 4.19.3 In issue three, the Council has incorporated new wording for criterion (iv) in the Revised Deposit Plan, in response to assertions that it was unclear as to what was being sought and because in certain circumstances the relocation of a business activity can be a benefit. Although there is an objection to the revised wording on grounds that the planning system should afford choice and not be used to stifle competition, the Council consider the revised text conforms to national guidance in this respect. I generally regard the revised wording as suitably clarifying the intent and providing the added clarity sought, but I feel it could be further refined to meet the objection by reference to: *the vitality of existing employment uses or the viability of proposed employment sites*
- 4.19.4 In response to issue four the Council introduced a new criterion (vi) in the Revised Deposit Plan specifically addressing the matter of traffic generation, which I consider to overcome the objection.
- 4.19.5 With regard to issue five, in the Revised Deposit Plan, the Council replaced the word *settlements* with *nearby towns, villages or other urban areas*, which I regard as having suitably addressed the objection.
- 4.19.6 In issue six, the objector fears that adequate safeguards have been omitted concerning the potential impact of converting large buildings in the countryside. However, as the Council indicates, the wording states that large buildings are unlikely to be suitable for conversion, with the onus placed on the developer to demonstrate there would be no adverse impacts. I agree with the Council that it would be inappropriate to attempt to prescribe a size, as the impact of any given floor area or volume would vary depending upon the proposed use and its location. The Council have however advanced a Pre-Inquiry Change (PIC04.05) to introduce a further paragraph advocating

the use of comprehensive assessment of larger complexes having regard to sustainability issues. I consider that suitably overcomes the objection and serves to highlight the matters that would be taken into account when considering such proposals. The proposed Change attracted general support but some objectors suggested further amendments to have regard to potential different ownerships and sustainability principles, to incorporate resource management issues and also the addition of criteria. Another objector questioned its enforceability. The Council argue that such considerations are inappropriate, unnecessary or are already embodied in the policy or other policies in the Plan. I share that view and would comment regarding enforceability that the Change relates to text in the Plan rather than a policy.

4.19.7 Finally, in response to objections that buildings converted to employment use should be permitted to be replaced when they have reached the end of their useful life, the Council highlight that as a prerequisite to being converted, a building has to be of permanent and sound construction. Hence, such an occurrence is unlikely to occur in the short term and in any event if the replacement of such buildings/uses were to become necessary, it would be covered by the policy relating to existing businesses that was introduced at Revised Deposit stage (see 4.20 below).

RECOMMENDATIONS

4.19.8 That the Plan be modified

a) In accordance with PIC04.05;

b) by incorporating the following in criterion (iv)

the vitality of existing employment uses or the viability of proposed employment sites ...

4.20. Existing Established Businesses (New paragraphs and Proposal; RD04.36-RD04.43)

OBJECTIONS TO REVISED DEPOSIT PLAN

Proposal/ Paragraph	Rep Number	NAME
RD0439	373/2	Bryan Jezeph Consultancy
RD0440	373/3	Bryan Jezeph Consultancy
RD0441	373/4	Bryan Jezeph Consultancy
RD0442	373/5	Bryan Jezeph Consultancy
RD0442	2207/1	South Coast Fencing (manufacturing) Ltd
RD0443	373/6	Bryan Jezeph Consultancy
RD0443	2108/2	BT Plc
RD0443	475/3 & 4	Clients of Southern Planning Practice
RD0443	476/1	G Arturi
RD0443	2295/1	G Moyse
RD0443	493/1	GHL Liftrucks Ltd
RD0443	314/1	Grove Farms (Hampshire) Ltd
RD0443	374/4	Hawthorne Kamm Ltd
RD0443	2294/1	J Seale
RD0443	501/1	James Judd
RD0443	504/1	M Madgwick
RD0443	506/1	Mitchell Properties
RD0443	2283/5	East Hampshire AONB Officer
RD0443	328/3	Twyford Parish Council

ISSUES

1. Should *existing established businesses* be more clearly defined? (328/3REVDEP, 373/2REVDEP, 475/4REVDEP, 476/1REVDEP, 493/1REVDEP, 501/1REVDEP, 504/1REVDEP, 506/1REVDEP, 2294/1REVDEP, 2295/1REVDEP)
2. Whether it is reasonable for businesses in the countryside wishing to expand to demonstrate that there are no other sites suitable in nearby settlements as stated in RD04.39? (314/1REVDEP, 373/2REVDEP, 475/4REVDEP, 476/1REVDEP, 493/1REVDEP, 501/1REVDEP, 504/1REVDEP, 506/1REVDEP, 2294/1REVDEP, 2295/1REVDEP)

3. Whether the requirements for redevelopment in RD04.40 are reasonable? (373/3REVDEP, 475/4REVDEP, 476/1REVDEP, 493/1REVDEP, 501/1REVDEP, 504/1REVDEP, 506/1REVDEP, 2294/1REVDEP, 2295/1REVDEP)
4. In RD04.41, is it acceptable that some businesses will not be allowed to continue, expand or redevelop? (373/4REVDEP)
5. Whether the requirements in RD04.42 for the replacement of buildings used by businesses operating in converted rural buildings are clear and reasonable? (328/3REVDEP, 373/5REVDEP, 475/3REVDEP, 475/4REVDEP, 476/1REVDEP, 493/1REVDEP, 501/1REVDEP, 504/1REVDEP, 506/1REVDEP, 2294/1REVDEP, 2295/1REVDEP, 2207/1REVDEP)
6. Is the new policy at RD04.43 appropriately worded?
 - Should it be amended to apply to business sites other than those in B1, B2 and B8 uses? (373/6REVDEP, 475/4REVDEP, 476/1REVDEP, 493/1REVDEP, 501/1REVDEP, 504/1REVDEP, 506/1REVDEP, 2294/1REVDEP, 2295/1REVDEP)
 - Are the locational requirements in criterion (i) appropriate? (475/4REVDEP, 476/1REVDEP, 493/1REVDEP, 501/1REVDEP, 504/1REVDEP, 506/1REVDEP, 2294/1REVDEP, 2295/1REVDEP)
 - Is criterion (ii) inconsistent with the text or sufficiently clear? (314/1REVDEP, 374/4REVDEP)
 - Should the policy be amended to add the requirements in the AONB and proposed National Park to the environmental benefits required by criterion (iii)? (328/3REVDEP)
 - Should a new criterion be added to allow replacement or expansion of public utility buildings? (2108/2REVDEP)
 - In the sub-paragraph commencing “Applicants should submit a comprehensive plan...” is the requirement to demonstrate how natural features are to be managed necessary? (475/4REVDEP, 476/1REVDEP, 493/1REVDEP, 501/1REVDEP, 504/1REVDEP, 506/1REVDEP, 2294/1REVDEP, 2295/1REVDEP)
 - Is the requirement that buildings should have outworn their useful life reasonable, as it will encourage neglect and discourage the provision of more efficient buildings? (373/6REVDEP)
 - Should the Proposal be amended to ensure extension or re-development does not bring a significant increase in noise? (2283/5REVDEP)

INSPECTOR'S CONSIDERATION AND CONCLUSIONS

- 4.20.1 The Council introduced this policy and text in the light of objections at the First Deposit stage that the extension or replacement of existing businesses in the countryside had not been adequately addressed. In the first issue, the Council conceded at the Inquiry that the term *existing established businesses* was insufficiently clear and indicated that it was intended to apply to those businesses that were in lawful employment use and they agreed the text should be modified accordingly, and subsequently issued Further Proposed Changes (FPC04.A, B C & F) to this effect. I agree and also consider the definition should be included in the Glossary for the sake of clarity.
- 4.20.2 In issue two, objectors maintain the stipulation that a business cannot be located in a nearby settlement is contrary to Government guidance and is also unreasonably restrictive for existing businesses in the countryside and could lead to a business being split between two locations. At the Inquiry, the Council accepted that the wording could be viewed as being contrary to the desire to support countryside based enterprises which contribute to the rural economy and that this could be remedied by the insertion of *satisfactorily* before *located* in the first sentence of RD04.39. (Also in FPC04.C). I regard such a measure as suitably overcoming the objection and providing the clarity sought. The concern that there is an apparent inconsistency between this text and the policy is addressed in 4.20.6 below.
- 4.20.3 In issue three, the objectors question whether it is reasonable to require that redevelopment will only be considered where buildings have outworn their useful life and significant environmental improvements would be secured by their replacement. Whilst it was suggested that these could be expressed as alternatives, the Council remain of the view that it is appropriate for both requirements to be met. Whilst I agree with the Council that both can be regarded as essential prerequisites for redevelopment of commercial premises in the countryside, PPS7 cites environmental improvement as a single example of how such a proposal would result in a more acceptable and sustainable development. I therefore propose the addition of */or* after *and* to set them as potential alternatives. Although the Council agreed at the Inquiry to the removal of the sentence commencing *Alternative B1, B2 or B8 Uses may be appropriate ...*, and subsequently issued a Further Proposed Change to this effect (FPC04.E), I regard that as being worthwhile to

retain as an indication that the policy is centred on employment uses rather than any other uses, which some objectors sought to bring within its purview.

- 4.20.4 In the fourth issue, the Council agreed at the Inquiry to replace *established firms* in RD04.41 with *lawful employment uses*. They also agreed to delete reference to *if employment use continued on the site, and or expansion* in view of the legitimate and reasonable right to do so. I accept both modifications (subsequently issued as FPC04.E) would provide improved accuracy and clarity. However, that would leave the paragraph merely stating that some lawful employment uses which cause harm will not be permitted to be replaced. As it strikes me that the replacement of such uses with another in the same use category could not be reasonably prevented and that the alternative of replacing the use with one that removes the harm could be beneficial, I can see no useful purpose for retaining the paragraph.
- 4.20.5 Objectors to the new text at RD04.42, consider that its purpose is unclear and the requirements are unreasonable. The Council indicated that it is intended to apply to converted buildings that have reached the end of their useful life and that by definition this would be rare and some considerable time after its conversion, as the building would need to have been of sound construction when the use was approved. It occurs to me that the use would have also been regarded as appropriately located otherwise permission would presumably not have been granted. In view of the Council's concession that the instances they envisaged when drafting it would be rare and occur many years after initial implementation, I cannot see how the businesses referred to here are any different than those lawful established employment uses already mentioned in RD04.38 – RD04.40. Accordingly, I find it serves no useful purpose and should be deleted.
- 4.20.6 Finally, in issue six objections were lodged to the detailed wording of the new policy on grounds of reasonableness and clarity. Taking the bullet points in turn, the first is the corollary of the matter discussed in issue three where I have agreed with the Council that the policy should be confined to employment uses. Whilst the second questions the locational requirements of criterion (i) the Council correctly highlight advice in Government guidance to ensure development is sustainable, with which I agree and I consider PPS7 particularly encourages support for appropriately located proposals. With regard to the third bullet point, the Council conceded that policy criterion (ii) is unclear and capable of being interpreted as being contradictory to the text and they advanced PIC04.06 to address this. The Council upon further reflection advanced a Further Proposed Change at the Inquiry (FPC04.G) to address remaining shortcomings of criterion (ii). I consider that meets the objections relating to clarity.
- 4.20.7 The fourth bullet point concerns a suggestion that criterion (iii) should be modified to include recognition of the special requirements in the AONB and proposed National Park. However, as the Council indicate, these are amongst other policy considerations that are covered elsewhere in the Plan and there is no need to repeat them in respect of every policy. I agree. However, in accordance with similar observations I have made elsewhere, the cross references to Proposals DP.3, C.6 and C.7 in this policy should be deleted.
- 4.20.8 In the fifth bullet point the objector seeks the addition of a further criterion to address public utility sites in the countryside. In particular they indicate some of these may not generate employment and are *sui generis*. The Council indicate that the policy is specifically aimed at employment uses and where such sites might become surplus to requirements they would be considered on their merits as with all other non employment buildings, having regard to their status as previously developed land. Accordingly, I consider no modification is required to address public utility sites. In the sixth bullet point objectors question whether, in view of Policy DP3, the requirement to demonstrate how natural features are to be managed is necessary. The Council regard the management of trees, hedgerows and watercourses etc in conjunction with the operation of a business use as an entirely separate issue from the design policies. On that basis, I am content that the clause should remain.
- 4.20.9 Bullet point seven questions whether it is reasonable that buildings should have outlived their useful life before redevelopment is considered, as it is feared this will encourage neglect and discourage the provision of more efficient buildings. However, I am content that neglect does not equate with being outmoded or the need to ensure buildings are energy efficient and worker friendly. The eighth bullet point seeks an amendment to ensure extension or re-development does

not bring a significant increase in noise, but the Council consider this aspect is already sufficiently covered by other policies in the Plan, and I regard the latter part of the first policy criterion adequately incorporates such consideration by mention of the avoidance of harm to local environment or neighbouring uses. The only modification I consider necessary to the last two clauses is their re-numbering in accordance with the second part of PIC04.06 and the insertion of *and* between them.

RECOMMENDATIONS

4.20.10 That the Plan be modified:

- a) in accordance with FPC04.A, B, C & F inserting *lawful employment uses* in RD04.37, 38, 39 & 42 and by including a definition thereof in the Glossary.
- b) in accordance with FPC04.C inserting *satisfactorily* before *located* in the first sentence of RD04.39
- d) by replacing *and* in the fourth line of RD04.40 with *and/or*
- e) by deleting paragraph RD04.41
- f) by deleting paragraph RD04.42
- g) in accordance with FPC04.G
- h) by deleting *in accordance with Proposals DP.3, C.6 and C.7* from the end of criterion (iii)
- i) by renumbering the last two clauses of the policy in accordance with the second part of PIC04.06 and the insertion of *and* between them.

4.21. Housing - General (paragraph 4.50, Proposal C.17)

OBJECTIONS TO DEPOSIT PLAN

Proposal/ Paragraph	Rep Number	NAME
C.17	1209/1	Alan Spencer
C.17	956/1	Derek Veneuam
C.17	972/1	E Fitzgerald
C.17	1434/22	Hampshire County Council
C.17	287/9	Holmes and Sons
C.17	349/7	Ian White
C.17	289/5	Kris Mitra Associates Ltd
C.17	315/4	Simon Milbourne
C.17	353/13	Sparsholt College Hampshire

ISSUES

1. Is the policy too restrictive and/or should land on the edge of settlements, currently designated as countryside, be allowed for housing for local needs? (315/4, 956/1, 1209/1)
2. Should land at Barton Farm continue to be designated as countryside even though it lies within the 'area of search' for the reserve MDA? (349/7)
3. Should the Local Plan allow for housing or other appropriate uses in the countryside where there are long term problems due to noxious uses? (972/1)
4. Should the policy include the caveat 'except where land is allocated within the Local Plan'? (287/9)
5. Should the policy include reference to C.16 within the special defined circumstances? (289/5) and/or be worded more positively towards conversion of buildings to residential use? (1434/22)
6. Should Sparsholt College be afforded settlement status and / or allowed residential development in exceptional needs? (353/13)

INSPECTOR'S CONSIDERATION AND CONCLUSIONS

- 4.21.1 All the objections lodged in respect issues 1, 2, and 6 relate to specific sites (Wardle Road, Durley, Barton Farm and Sparsholt College), that are dealt with elsewhere in the Plan. The remaining issues relate to detailed objections to the policy wording.

- 4.21.2 In issue three the objector seeks to permit housing to replace noxious or otherwise unsympathetic uses in the countryside. However, I agree with the Council who consider this does not constitute satisfactory grounds to warrant permitting residential use in the countryside. Moreover, there are powers under Public Health legislation to control such activities.
- 4.21.3 As the Council indicate in issue four that there are no allocations in respect of land designated as countryside, I agree that such a caveat would be inappropriate.
- 4.21.4 With regard to issue five, the matter of conversions are dealt with under C23 and the suggestion of adding a cross-reference to C16 would be inappropriate as it refers to non residential use. In any event it is not good practice to include cross-reference to other policies within the body of a policy. As it is apparent that this policy consists entirely of a cross-reference to other policies, I consider it should be deleted or relegated to text.

RECOMMENDATIONS

- 4.21.5 That the Plan be modified by the deletion of the policy or its incorporation as text.

4.22. Housing for Essential Rural Workers (paragraphs 4.51 - 4.60, Proposal C.18 - C.19)

OBJECTIONS TO DEPOSIT PLAN

Proposal/ Paragraph	Rep Number	NAME
C.18	411/6	Venn
C.19	315/5	Simon Milbourne
C.19	411/7	Venn

ISSUES

- 1 Should the policies refer to horticultural workers and criterion (iv) of C18 define “near”? (411/6)
- 2 Is C19 over-restrictive? (315/5)
- 3 Does the reference to the productivity of the holding in criterion (v) of C19 have any relevance to the size of the dwellings? (411/7)

INSPECTOR'S CONSIDERATION AND CONCLUSIONS

- 4.22.1 In the first issue, whilst the objector considers the policies should be extended to refer to horticultural workers, the Council maintain, horticulture is included within the definition of “agriculture” for planning purposes and hence there is no need to add such wording. With regard to the definition of “near”, I consider that that would vary dependent upon the enterprise and relative accessibility, with the critical points concerning matters such as a need to be within sight and sound of livestock and also travel distance and time cost practicalities. In these circumstances it would be difficult to be prescriptive and it is a matter that is best assessed individually.
- 4.22.2 The objector in issue two considers the policy should allow for conversion of buildings to residential use, but as the Council indicate, the accompanying text already clearly refers to exploring the availability of existing dwellings in the locality or opportunities of providing accommodation by sub-division or conversions, before considering the erection of new dwellings.
- 4.22.3 In issue three, the matter of the size of the dwelling is clearly relevant to the productivity of the holding and the functional test of PPG7 has been carried through to PPS7, where, in Annex A, it recognises that the size and construction cost of any agricultural dwelling should be commensurate with the established functional requirement, to prevent any potential abuse.

RECOMMENDATIONS

- 4.22.4 That no modification be made to the Plan.

4.23. Removal of Occupancy Conditions (paragraphs 4.61 - 4.62, Proposal C.20)

OBJECTIONS TO DEPOSIT PLAN

Proposal/ Paragraph	Rep Number	NAME
4.62	1248/6	East Hampshire AONB Joint Advisory Committee

ISSUE

Should paragraph 4.62 be moved to the section dealing with C19? 1248/6

INSPECTOR'S CONSIDERATION AND CONCLUSIONS

4.23.1 The Council indicate that many of the details required to support a proposal for a new agricultural dwelling (C19) are the same as would be necessary to justify the removal of an agricultural occupancy condition and they state that there has been no error in the positioning of the paragraph. However, I share the objector's sentiments about the apparent misplacing of this text, particularly with regard to the fact that it requires details of current and proposed investment in the holding and specifically refers to the need for the accommodation in relation to the criteria of C19. I therefore find it difficult to accept the Council's assertion that it appropriately accompanies the policy dealing with the removal of an agricultural occupancy condition. I therefore consider the paragraph should either be deleted or re-worded to more accurately indicate the information they would require to support a proposal to remove an agricultural occupancy condition.

RECOMMENDATIONS

4.23.2 That the Plan be modified by either deleting paragraph 4.62 or rewording it to more accurately indicate the information the Council would require in support of any application to remove an agricultural occupancy condition.

4.24. Extension and Replacement of Dwellings (paragraphs 4.65 - 4.71, Proposal C.22)

OBJECTIONS TO DEPOSIT PLAN

Proposal/ Paragraph	Rep Number	NAME
4.67	226/1	R. P. Hill
4.68	1387/11	CPRE Mid Hampshire District Group
4.70	366/1	C. I. Ward
C.22	480/1	A Bristow
C.22	486/1	Clarke
C.22	1379/4	Richard Bayley
C.22	1360/4	Robert Tutton

OBJECTIONS TO REVISED DEPOSIT PLAN

Proposal/ Paragraph	Rep Number	NAME
RD0444	386/4	Bewley Homes
RD0444	374/5	Hawthorne Kamm Ltd

OBJECTIONS TO PRE INQUIRY CHANGES

Proposal/ Paragraph	Rep Number	NAME
PIC0407	373/2	Bryan Jezeph Consultancy
PIC0407	138/2	John Hayter
PIC0408	138/3	John Hayter

ISSUES

1. Whether the term 'local needs' is too vague in paragraph 4.66 and whether the alterations to the text are too inflexible? (1360/4, 386/4/REVDEP, 374/5/REVDEP, 138/2/PIC, 138/3/PIC, 373/2/PIC)
2. Should paragraph 4.67 clarify the intention that where the use has been abandoned, permission will not be granted for replacement dwellings? (226/1)
3. Whether the wording of paragraph 4.68 is contradictory? (1387/11)
4. Is the 25% limit on extensions to small dwellings in paragraph 4.70 justified? (366/1)
5. Is the policy socially unjust as it would not retain a stock of affordable dwellings and/or would it be preferable to allocate land for affordable housing in suitable settlements? (480/1, 486/1, 1379/4)

INSPECTOR'S CONSIDERATION AND CONCLUSIONS

- 4.24.1 The Council indicates that the principle involved in this text stems from Structure Plan Policy H10, which seeks to retain a range of housing in the countryside and to protect the stock of small dwellings. This purpose was incorporated in the alterations to the text of para 4.66 (RD04.44) in the Revised Deposit Plan. Whilst the Council maintain their stance in this regard, there is criticism that it fails to recognise that 2-bedroom dwellings may not be small and assertions that there is no evidence of an oversupply of large dwellings in the countryside. However, in recognition that the text could be further clarified, and repetition at para 4.70 should be removed, the Council have advanced Pre-Inquiry Changes PIC04.07 and PIC04.08 which combine the two paragraphs at 4.66 and delete para 4.70. I consider the mention of up to 120sq m floorspace clearly highlights the emphasis upon smaller dwellings, while studies undertaken by the Council show there is an oversupply of 4+ bedroom houses and a shortage of 1 and 2 bedroom dwellings throughout the District. While a counter-objector to the Changes suggests there should be a reference to agricultural workers here, the Council disagrees as that topic is already covered separately. I agree with the Council and for that reason I am thus at a loss to understand why the final clause of the policy relating solely to agricultural workers' dwellings has been inserted. I therefore propose that it be deleted. Furthermore, I consider criterion (iii) should also be deleted as it is merely a cross-reference to other policies.
- 4.24.2 The Council also do not consider it appropriate to provide increased flexibility either to allow for larger extensions to meet family needs or the replacement of large dwellings with a number of smaller ones, as these would either reduce the existing stock of small dwellings or lead to a potentially damaging proliferation of housing in the countryside. I share the Council's view in this regard. Also whilst it is further suggested by an objector that the policy could be applied to H2 and H3 settlements and the imbalance addressed by permitting new small dwellings in the countryside or affordable housing on rural exception sites, I disagree as the intention of the policy is clearly to address pressures upon the existing housing stock in the countryside. I thus find the text has been suitably clarified by the Pre-Inquiry Changes.
- 4.24.3 In the second issue, I agree with the Council that the final sentence of para 4.67 already clearly indicates a dwelling must have been continuously occupied before consideration is given to its replacement or extension. Moreover, the subject of abandonment is a notoriously difficult area, with highly individual circumstances involved and in practice seldom encountered. Accordingly, I consider no modification is either necessary or appropriate in this regard.
- 4.24.4 The objector in issue three questions whether sound buildings should be permitted to be replaced if they are re-useable. However, the Council maintains that they do not have the power to resist the replacement of such buildings and state that the reasons why owners may wish to replace a dwelling vary and may not necessarily be related to its condition. I find the Council's response surprising and agree with the objector that the text of paragraph 4.68 is contradictory, not only within itself but also with the preceding paragraph. I fail to find any obvious logic for it and accordingly consider it should be deleted.

4.24.5 The objector in issue four considers para 4.70 should be deleted, which has been secured by PIC04.08. However, the reference to the quantitative limitation upon size remains. I consider the 25% limit is appropriate to safeguard the stock of small rural dwellings in the District and in my experience it is a measure used by many authorities for this purpose and I do not regard it as being unduly restrictive or onerous.

4.24.6 The objectors assert in issue five that the policy is socially unjust, as small rural dwellings carry a cost premium, whereby they are not necessarily “affordable”. However, I do not regard it as inequitable and I agree with the Council that smaller dwellings are relatively more accessible than larger dwellings to households on lower incomes. Moreover, other measures exist for providing new affordable housing on rural exception sites where there is a demonstrable need. Although an objector maintains it would not act to depress house prices, and the policy should be deleted, I find it does serve the valid planning function of preserving a range of dwelling types and particularly of smaller dwellings. I consider the objector’s observation that that there is frequently ample space to expand such dwellings amply serves to illustrate the need for the policy rather than for its deletion.

RECOMMENDATIONS

4.24.7 That the Plan be modified:

- a) in accordance with PIC04.07 and PIC04.08
- b) by deletion of the final clause of the policy and criterion (iii)
- c) by deletion of para 4.68

4.25. Conversions and Changes of Use (paragraph 4.72, Proposal C.23)

OBJECTIONS TO DEPOSIT PLAN

Proposal/ Paragraph	Rep Number	NAME
C.23	305/3	BT Plc
C.23	539/2	F G Stephens and Sons
C.23	356/2	Fay And Son Ltd
C.23	958/1	H. C. R. Starkey
C.23	1434/42	Hampshire County Council
C.23	877/9	Kier Land
C.23	289/6	Kris Mitra Associates Ltd
C.23	512/4	Nations Farm Ltd
C.23	302/7	R. L. Stubbs and Clients

OBJECTIONS TO REVISED DEPOSIT PLAN

Proposal/ Paragraph	Rep Number	NAME
RD0445	2283/6	East Hampshire AONB Office
RD0446	373/7	Bryan Jezeph Consultancy
RD0447	373/8	Bryan Jezeph Consultancy
RD0447	1434/2	Hampshire County Council
RD0447	374/6	Hawthorne Kamm Ltd

ISSUES

- 1 Should the policy be amended to accord with advice in PPG7 and allow for residential re-use of rural buildings? (289/6, 302/7, 305/3, 356/2, 512/4, 523/1, 539/12, 877/9, 958/1, 1434/42)
- 2 Should paragraph RD04.45 clarify that conversion or re-use may not be appropriate in remote locations? (2283/6/REVDEP)
- 3 Whether the text is unclear and contrary to PPG7? (373/7/REVDEP, 373/8/REVDEP)
- 4 Are the revised text and policy inconsistent with PPG3 which encourages the re-use of vacant land and buildings for residential purposes where appropriate? (1434/2/REVDEP)
- 5 Should the term ‘long-term business re-use’ in criterion (ii) be defined? (374/6/REVDEP)

INSPECTOR'S CONSIDERATION AND CONCLUSIONS

- 4.25.1 In order to address the valid points raised by the objectors in the first issue, the Council introduced new text (RD04.45 and RD04.46) and substantially redrafted the policy (RD04.47) in the Revised Deposit Plan to permit the residential use of such buildings where its preferred re-use for economic development purposes has been deemed inappropriate. This not only accords with the advice in PPG7 but also with its successor PPS7. Although an objector also suggested the policy could provide for conversion of buildings contiguous with village policy boundaries for low cost housing, the Council response is that Policy H6 already provides for affordable housing in respect of rural exception sites and conversion of suitable buildings in appropriate locations for this purpose is not precluded. I accept that the Plan already addresses the matter of affordable housing in Chapter 6 and that it is unnecessary to include such provision in this policy.
- 4.25.2 With regard to issue two, the objector seeks to add wording to indicate that in remote rural areas conversion or re-use may not be acceptable and some eventual dereliction of buildings may need to be accepted. However, the Council state that as the policy is applicable to high quality buildings requiring no substantial work, some re-use should be capable of being made and residential use would generally be more appropriate than employment use in remote locations as it would generate less activity. While I am mindful of the need for development to be sustainable, I do not consider most parts of the District to be so remote that this would be a factor by itself likely to warrant a building being left unused. Moreover, PPG7 indicated that re-use of existing buildings reduces the pressure for new buildings in the countryside and avoids the existing structure falling prone to vandalism and dereliction. I note the objection is by the East Hants AONB Office and I consider their fears about inappropriate forms of development within their area of jurisdiction are capable of being scrutinised against other considerations, such as conserving and enhancing the natural beauty of the AONB.
- 4.25.3 In issue three the objector considers the text is unclear and imprecise due to the uncertainty of interpreting what constitutes a building '*of high quality and worthy of retention*'. While the Council indicates this can vary with each individual building, they would expect the applicant to demonstrate that this applies to their particular proposal. I do not consider the Council have been particularly helpful in their response and it is apparent from the final sentence of RD04.46 that it is not intended to apply to historic buildings. PPS7 refers to the re-use of appropriately located and suitably constructed existing buildings and the Council subsequently introduced Further Proposed Change (FPC04.H) to provide greater clarity by replacing the offending phraseology with: *a design and construction that is suitable for conversion without substantial alteration...*, with similar terminology advanced in FPC04.I for criterion (i) of the policy. I recommend the Plan be modified thus.
- 4.25.4 In the fourth issue, the County Council is concerned with the negative wording of the policy and text which could unnecessarily restrict the rationalising of its properties, such as schools in the countryside, which may become surplus to requirements. However, I agree with the District Council that Government advice regarding development in the countryside in PPG7 clearly indicates that employment use should be explored in the first place. This is carried through to PPS7 which states that re-use for economic development purposes will usually be preferable, but residential use may be appropriate in some locations and for some types of building. I consider the policy and text reflect this advice.
- 4.25.5 Finally, in issue five, the Council do not regard it necessary to define what they mean by *long term business re-use* as they maintain this could vary with different proposals. I find this lack of clarity to be unsatisfactory and unhelpful to Plan users. They nevertheless indicate that what they would be seeking is a demonstration that the building has been marketed for employment use over a reasonable period of time. Accordingly, I consider the criterion should be expressed in terms of the inability to secure such use following a demonstrable concerted effort to do so. Also, in line with good practice and as all proposals should be assessed against all relevant policies in the Plan, the cross-reference to another policy within the policy criterion should be deleted. I thus propose the re-wording of criterion (ii) as follows: *it can be demonstrated that all reasonable efforts to secure a re-use for economic development purposes have been unsuccessful*.

RECOMMENDATIONS

- 4.25.6 That the Plan be modified:
- a) in accordance with FPC94.H & FPC04.I.

- b) by re-wording criterion (ii) as follows: *it can be demonstrated that all reasonable efforts to secure a re-use for economic development purposes have been unsuccessful.*

4.26. Conversion of Larger Buildings in Extensive Grounds (paragraphs 4.73 - 4.74, Proposal C.24)

OBJECTIONS TO DEPOSIT PLAN

Proposal/ Paragraph	Rep Number	NAME
C.24	286/6	Itchen Valley Parish Council
C.24	963/1	R Ling
C.24	335/7	Upper Itchen Valley Society

ISSUES

- 1 Is criterion (i) ineffective? (286/6, 335/7)
- 2 Should the policy allow for on-site expansion for established institutions of social value? (963/1)

INSPECTOR'S CONSIDERATION AND CONCLUSIONS

- 4.26.1 The objectors in issue one consider criterion (i) should be amended to prevent further development for 5 years where a change of use is permitted. However, it is apparent that the objection is based on the perception that the existing policy in the adopted Local Plan was ineffective in respect of a specific development where a further application was submitted for additional proposals within a year of approving the change of use despite assertions that they had no plans for further development. I am unaware of the precise circumstances of that case, but if a proposal submitted 5 years after first approving the change of use were to be deemed acceptable, I can see no justifiable reason why such approval could reasonably be withheld during the intervening period. I therefore agree with the Council that it would be unreasonable to attempt to impose such a time restriction in the policy.
- 4.26.2 The objection giving rise to the second issue relates to the concern raised by a provider of housing for the frail elderly that on-site expansion of such established institutions in converted rural buildings could be prevented by the policy. However, as the Council have indicated, the text of paragraph 6.80 in the Housing Chapter refers to the need for extensions to residential care homes in the countryside to be designed particularly sensitively to minimise the impact on the setting of the building and the wider locality. Also, I regard the reference and emphasis to "*harmful*" that is made in criterion (i) as being the salient point when considering proposals for the change of use to such buildings.
- 4.26.3 Although not subject of any objection, I recommend deletion of criterion (ii) for reasons I have frequently espoused elsewhere in this report.

RECOMMENDATION

- 4.26.4 That the Plan be modified by deletion of policy criterion (ii).

4.27. Sites for Gypsies and Travelling Showpeople (paras 4.76 - 4.77, Proposal C.26)

OBJECTIONS TO DEPOSIT PLAN

Proposal/ Paragraph	Rep Number	NAME
C.26	1432/2	Hampshire County Council
C.26	218/1	Mr & Mrs P. Burton and Mr & Mrs A. Bond

OBJECTIONS TO REVISED DEPOSIT PLAN

Proposal/ Paragraph	Rep Number	NAME
RD0452	1432/1	Hampshire County Council

ISSUES

- 1 Does the policy accord with Circular 1/94 and PPG12? (1432/2, 1432/1REVDEP)
- 2 Should the policy be amended to reflect the needs of travelling showpeople? (218/1)

INSPECTOR'S CONSIDERATION AND CONCLUSIONS

- 4.27.1 The Council incorporated alterations to the policy and text in the Revised Deposit Plan to address objections by GOSE and the County Council. These met GOSE's concerns and they subsequently withdrew their objection. The County Council maintain their objection insofar as criterion (ii) requires prospective sites to currently (or recently) have buildings upon it, which they regard as being contrary to government guidance. Winchester District Council maintains the requirement is reasonable in the interest of protecting the countryside from inappropriate development and was supported by the Inspector at the last Local Plan Inquiry. Whilst I agree with the County that this criterion has no basis in government advice regarding gypsy site provision and should thus be deleted from the policy, I nonetheless consider that in pursuance of the sustainability principles upon which the Plan has been based, it is appropriate to indicate in the text that preference will be given to utilising previously developed land for this purpose. I would suggest that this is best incorporated at the end of para RD04.48.
- 4.27.2 In response to the second issue, the Council incorporated a separate paragraph concerning travelling showpeople in the Revised Deposit Plan. They also indicate that planning permission has been granted in respect of a site in Micheldever specifically for this purpose. I consider that in these circumstances the objector's concerns have been addressed.
- 4.27.3 However in giving further consideration to this matter the Council will need to have regard to recent Government announcements regarding changes to the policies covering provision for gypsies and travelling showpeople.

RECOMMENDATIONS

- 4.27.4 That the Plan be modified by:
- a) deleting criterion (ii);
 - b) adding a sentence to the end of paragraph RD04.48 indicating that in pursuance of the sustainability principles upon which the Plan has been based, preference will be given to utilising previously developed land for this purpose.

4.28. Recreation - Sustainable Facilities (paragraphs 4.78, Proposal C.27)

OBJECTIONS TO DEPOSIT PLAN

Proposal/ Paragraph	Rep Number	NAME
4.78	1434/23	Hampshire County Council
C.27	468/18&/19	Cala Homes (South) Ltd

ISSUES

- 1 Does the policy appropriately gauge the impact recreation is likely to have in the future? (1434/23)
- 2 Should the policy restrict tourist facilities in the 'countryside' including land at Barton Farm, which would otherwise be appropriate for forms of development related to recreation and tourist facilities? (468/18 & /19)

INSPECTOR'S CONSIDERATION AND CONCLUSIONS

- 4.28.1 There is an absence of further elaboration by the objector in issue one, and the Council correctly indicate that the text of para 4.78 clearly states that development will only be permitted if it can be accommodated without long-term detriment. Accordingly, I find the objection has no substance.
- 4.28.2 Similarly, I do not understand the objector's fears in connection with the second issue, as any recreational proposal in respect of land at Barton Farm would, in common with any such proposals in respect of any other areas of countryside, need to demonstrate the site and the surrounding countryside could accommodate the change of use without detriment to the wider environment. Moreover, the policy is worded positively to state permission will be permitted provided the various criteria are met.

RECOMMENDATION

- 4.28.3 That no modification be made to the Plan.