



Winchester District Local Plan Part 2

Consultation Response on behalf of Whiteley Developments Ltd

Representation No 52089

Day 5 Tuesday 19th July 2016

Whiteley – Specifically the Definition of the Settlement Boundary
(and the Meon Settlement Gap)

Question ii

Are they clear and deliverable, including in respect of associated infrastructure requirements?

The definition of the Settlement Boundary is not 'clear' and requires adjustment and the boundary of the Meon Settlement Gap requires revision

1.0 INTRODUCTION

- 1.1 The need for a review of the established settlement boundaries was acknowledged at the Examination of the Local Plan Part 1 – Joint Core Strategy. This was required to accommodate the development requirements of LPP1.
- 1.2 At the LPP1 Examination the Inspector recognized individual land allocations and site specific issues as being matters for LPP2. He stated 'this includes the review of all MTRA2 settlement and gap boundaries' (paragraph 110: Inspector's Report). This includes Whiteley.

2.0 SETTLEMENT BOUNDARY REVIEW 2014

2.1 The publication of the 'Settlement Boundary Review' 2014 sets out an explanation and justification of the determination of the review of the settlement boundaries. The primary objective of the review is to accommodate new development allocations. However, the purpose of defining a settlement boundary is set out in the Review paper and it provides as an example, in paragraph 5:-

- Creating an edge to existing development thereby encouraging consolidation
- Helping to separate communities and therefore to retain their individual identities
- Defining the logical boundary between area with different features and purposes eg between area with environmental or landscape designations and those suitable for development.

3.0 THE SETTLEMENT BOUNDARY IN WHITELEY LANE

3.1 In paragraph 20, the Review states that **"In allocating sites for housing development the LPP2 has used the minimum site size of 0.3 hectares....Smaller sites could be released through a review of settlement boundaries rather than as an allocation."** The site in Whiteley Lane has a net development area of 0.3 ha.

3.2 The site is a left over piece of land that has been isolated from the countryside by the decision of the local planning authority to permit the development of an estate of 30 dwellings and a golf course between the site and the countryside (see Appendix 1).

3.3 The development is known as Skylark Meadows and it backs on to the site. This has left the site surrounded by development. There is housing on three sides and an SSSI on the northern boundary. This also means that the site is relatively remote from the countryside. Its limited size also means that it has limited alternative uses. Its remoteness from the countryside limits its usefulness as a paddock for horse.

3.4 No use has been found for the site. As a result, it has been the subject of a range of uses that the local planning authority has found unacceptable. A

series of S.215 Notices have been served on the site since 1999. On the other hand, eleven planning applications have been submitted seeking development and three appeals have been lodged and dismissed in the same period since 1999. This has resulted in difficulties between local residents and the site owners.

- 3.5 Agreement has been reached with Natural England that there is no impact upon the SSSI provided that a buffer of 15 metres is created from the common boundary. The protected intervening area will be subject to a Habitat Management Plan. The 15 metre buffer has been extended to 18 metres to include the Root Protection Area of the existing trees.
- 3.6 It was considered that one dwelling would be appropriate given the character of the area and the nature of the Lane. This is essentially that of large dwellings set in relatively spacious settings. This will be comparable to other properties in the vicinity and smaller than most of the dwellings in Skylark Meadows.

4.0 THE PLANNING APPLICATION

- 4.1 A planning application has been submitted in the intervening period since the objection to the Local Plan Part 2 was made in December 2015. The application was submitted in full for the erection of a detached dwelling and detached garage (16/00142/FUL) (see Appendix 1).
- 4.2 The application was refused on 17th March 2016. There are three reasons for refusal. These state that:-
1. **The proposed development is contrary to Policies MTRA4 and CP18 of the Local Plan Part 1 - Joint Core Strategy and Policy H3 of the Winchester District Local Plan Review and the National Planning Policy Framework in that the proposal relates to land which is outside the settlement boundary of Whiteley and within a Settlement Gap and would be a harmful intrusion into an area where residential development would not normally be acceptable.**
 2. **The proposed development is contrary to Policies CP20 and CP18 of the Local Plan Part 1 - Joint Core Strategy and Policy DP3 of the**

Winchester District Local Plan Review 2006 in that the addition of the dwelling in this countryside location would have an adverse impact on the landscape character of the area and physically and visually diminish the Settlement Gap.

3. The proposed development is contrary to Policy CP3 of the Local Plan Part 1 - Joint Core Strategy as no contribution for affordable housing has been provided.

- 4.3 It can be seen that the only substantive reason for refusal related to the position of the settlement boundary. **The local planning authority did not provide any landscape support for its decision.**

5.0 LANDSCAPE CONSIDERATIONS

- 5.1 It is evident that the appeal site is enclosed by surrounding development and it is at a considerable distance from the "countryside".
- 5.2 It is not in the Meon Valley but it is in the Hamble Valley. It is beneath the ridge line that separates these catchments. As a consequence, the proposed development could not physically or visually diminish the gap. The site cannot be seen from the countryside. Indeed, the only public viewpoints are from Whiteley Lane and these are limited to the frontage to the Lane and by the existing protected woodland behind the frontage. The land also rises from the Lane which further limits public views.
- 5.3 The site is not visible from any part of the countryside beyond Skylark Meadows.
- 5.4 The land owners recognised that the fundamental issues related to the fact that the site was beyond the settlement boundary and in the designated countryside and in the defined Meon Settlement Gap. As a result, the land owners instructed Sue Sutherland Landscape Architects to prepare a Landscape Visual Impact Assessment and a separate Report in respect to the objection to the boundary of the Meon Settlement Gap.
- 5.5 Sue Sutherland Landscape Architects report states in paragraph 5.9 that:-

While the site lies within the currently defined MEON GAP on paper, in reality there are no visual or physical connections between the site and the Meon Valley GAP. There are no views from the Meon Valley into the site and it doesn't even sit on the valley sides of the River Meon. The Meon GAP is unaffected physically or visually by the development of this site.

- 5.6 The analysis is comprehensive. It is noted in paragraph 2.2 that the site slopes down from 44.5m to 37m close to Whiteley Lane. In paragraph 3.1, it notes that the centre of the ridge is 45m AOD and it lies within the central part of Skylark Meadows Estate. As a consequence, the site actually lies within the Hamble Valley rather than the Meon Valley.
- 5.7 The Assessment records that the site is enclosed (paragraph 3.4) and the development of the housing on Skylark Meadows means that **the gap "boundary is no longer relevant"** (paragraph 5.6). In paragraph 5.7, the Assessment considers that **"the development of one large dwelling in a large garden fits the character perfectly"**.
- 5.8 The most important point is that the appeal site is not physically in the Meon Valley. Even if the boundaries of the gap are considered to be justified, development on the appeal site would not have any impact upon the gap. Sue Sutherland Landscape Architects report states in paragraph 3.1 (LVIA) that:-

Topographically the site is located to the north and west of a northeast/northwest ridge of land, which separates the valley of the River Hamble from the Meon Valley. The Golf Course development at Skylark Meadows occupies the centre of the ridge at a height of 45 metres AOD and this site lies to the north of Skylark Meadows on the North West facing River Hamble valley sides.

- 5.9 Sue Sutherland Landscape Architects support the provision of the Habitat Management Plan and regard it as an opportunity. The LVIA report states in paragraph 5.18 that buffer zone:-

This gives an opportunity to recreate woodland in this strip by re-introducing a native shrub layer and some ground flora of local provenance.

- 5.10 It is important to note that ***the local planning authority did not seek any advice from its landscape team and it has relied entirely upon the***

position of the policy boundary in its decision to refuse planning permission.

- 5.11 It should be recognised that the situation is unique. Its position is the consequence of the actions of the local planning authority to permit 30 dwellings and a golf course to the rear of the site. It is now an isolated and enclosed site remote from the wider “countryside”. The decision to amend the policy boundary would simply recognise the position on the ground. This change could not establish a precedent because of its unique situation.

6.0 CHANGES SOUGHT

- 6.1 The current boundary is not logically drawn. The settlement boundary should be revised to exclude the site and the adjoining property known as Lodge Green as shown on Appendix 3.

APPENDICES

- Appendix 1 Plan showing the Skylark Meadows development that separates the site from the “countryside
- Appendix 2 Planning application Site Plan
- Appendix 3 Plan showing suggested revised boundary of the Gap