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<b>APPLICATION NO.</b>	21/01959/FULLS
<b>APPLICATION TYPE</b>	FULL APPLICATION - SOUTH
<b>REGISTERED</b>	30.06.2021
<b>APPLICANT</b>	Trustees of the Captain Busk Grandchildren Settlement
<b>SITE PROPOSAL</b>	Houghton Allotments, Houghton, <b>HOUGHTON</b> Erection of 4 dwellings with parking, landscaping and access, retaining part of existing allotments
<b>AMENDMENTS</b>	None
<b>CASE OFFICER</b>	Sarah Barter

Background paper (Local Government Act 1972 Section 100D)

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## 1.0 INTRODUCTION

1.1 This application is presented to the Southern Area Planning Committee at the request of the Local Ward Councillor due to the public interest in the application.

## 2.0 SITE LOCATION AND DESCRIPTION

2.1 The application site is located on the western side of Houghton Road within the Houghton Conservation Area. The site as existing is a rectangle, generally flat piece of land and is a privately owned allotment used by the community. A public right of way is located along the western boundary. The application site is located within the Houghton settlement boundary as set out within inset map 24 of the Test Valley Revised Borough Local Plan 2016.

## 3.0 PROPOSAL

3.1 The proposal is for 4 dwellings with associated parking, landscaping and access. The proposal also includes the retention of part of the allotment use to the north of the site.

## 4.0 HISTORY

4.1 No planning history is identified on this site.

## 5.0 CONSULTATIONS

### 5.1 Policy – Objection

LHW1 - the second part of this policy sets out the criteria when the loss of existing open spaces or other recreation facilities would be permitted. As the application site is currently providing allotments (also identified within the Council's Public Open Space Audit, 2018), some of which are to be lost through the proposed development, the application would need to satisfy criteria d), e) or f) of this policy.

### 5.2 Ecology – Objection

I would advise that planning consent should not be granted until full surveys have been submitted, which are in accordance with best practice guidelines, and appropriate mitigation measures have been outlined.

5.3 Conservation – No Objection subject to conditions

5.4 Landscape – Comment

As a developed plot it will have a minor impact in local views on the lane and from the road with more built development, but not substantial harm to the local character provided that the hedges as boundaries are all retained and maintained, and that internal new landscaping is simple and appropriate to the site and setting.

5.5 Highways – Objection

There are elements of the assessment that are considered to be outstanding and these should be submitted for review.

5.6 HCC Flood Water Management – Comment

This is a residential site less than 0.5 hectares in size and less than 10 dwellings as such this is a minor application outside our remit.

5.7 Archaeology – No Objection subject to conditions

6.0 **REPRESENTATIONS** Expired 10.08.2021

6.1 **Houghton Parish Council – Objection**

Local Plan and housing land supply

- The starting point for the Borough Council, as local planning authority (LPA), in considering proposals for development is the Development Plan for the area. Applications should be determined in accordance with the development plan unless material considerations indicate otherwise ref section 38(6) of the Planning and Compulsory Purchase Act 2004. The Development Plan for the area is the Test Valley Borough Revised Local Plan adopted in January 2016. TVBC at its Cabinet meeting of March 2021 resolved that following a review, with reference to para 33 of the NPPF (July 2021), it remained up-to-date. TVBC is at the early stages of preparation of a new local plan publishing an issues and options consultation in 2020.
- In terms of housing land supply, local planning authorities are required to have a five-year supply of housing land. As at the 1st April 2020 for the housing area within which the application site falls i.e. Northern Test Valley, it can demonstrate that it has 6.27 years supply.
- The Parish Council considers that the Local Plan is up-to-date for the purposes of decision-making

6.2 Neighbourhood Plan

- A neighbourhood plan is being prepared covering the parish. Once it is made it becomes part of the Development Plan for the Borough. It is at an early stage in the process with a Regulation 14 consultation closing on the 7th June 2021. The Parish Council considers that its content should be taken into account in the consideration of the application. It should be noted that the applicant has referenced the draft neighbourhood plan in their submissions. The Parish Council's objections are presented under the heading of the relevant Local Plan Policy. The objections also include a reference to the corresponding draft Neighbourhood Plan policy.

### 6.3 Sustainable development

- The applicant argues that the site can be considered sustainable development because it is located within Houghton which has range of services. The applicant has listed a number of facilities available at Houghton in support of its position. However, the Parish Council considers the list misleading as it includes businesses which are located outside of the village itself, and inaccurate as there is no bakery and no shop in the village.
- The applicant describes Houghton's location as being close to other larger settlements such as Stockbridge, which provides a range of facilities and services. There is a very limited bus service linking the village to Houghton but most journeys would be undertaken by car.
- The proposal would result in a substantial loss of land used as allotments at a time when the case for locally grown produce is getting stronger as part of the move towards a low carbon economy and reducing 'food miles'. The role of heathy outdoor activity in supporting the health and wellbeing of communities is also well documented. The Parish Council consider that the loss of allotments would not be consistent with the purpose of the planning system which is to contribute to the achievement of sustainable development and be contrary to Policy SD1

### 6.4 Policy COM2, COM14, and LHW1 of the Test Valley Borough Local Plan (TVBLP) and policy HTN1 of the draft Neighbourhood Plan

- The Policy COM2 establishes the principle of development within the settlement boundaries defined on the inset maps. Although the principle of development is established its implementation is subject to the application of the other policies of the Local Plan.
- The Borough Council can demonstrate that it has a five-year supply of housing land. The addition of four dwellings would add 0.01 years to the supply based on the Local Plan annual requirement of 394 dpa. The marginal increase in supply should be a factor to be considered in the decision-making process.
- Policy COM 14 Community Services and Facilities seeks to avoid the loss of cultural and community facilities. The loss of any facilities would need to be justified by demonstrating that there was no longer a need for them. The Local plan considers that any change to the quantity or range of facilities could have an impact on the sustainability of a settlement and the impact of the loss of facilities is likely to be greater in respect of smaller rural villages.
- The issue of the loss of the allotments is addressed in this response under Policy LHW1, which covers public open space. However, the Parish Council considers that Policy COM14 is relevant as it reflects the positive role that the allotments play as a focus for the local community

### 6.5 Policy E1 of the TVBLP and policy HTN4, HTN8 and LHS6 of the draft Neighbourhood Plan

- Policy E1 and the supporting text paras 7.7-7.16 provides a framework for considering the application in design terms. New development under Policy E1 should complement the character of the area within which it is located, should respect and enhance its surroundings and be similar in

scale to other buildings. The proposal layout for four dwelling set back from the highway is of a very different character to that part of the village within which it is located. The adjoining dwellings and those further away are significantly larger and set in larger plots. By comparison the proposed dwellings appear to be out of scale and cramped.

- The draft Houghton Neighbourhood Plan recognises the importance of undeveloped areas make to the character of the village and has identified a number of local green spaces. Policy LGS6 is specific to the application site and along with Policies LGS5 is important to the character of this part of the village.

#### 6.6 Policy E9 of the TVBLP and policy HTN5 of the draft neighbourhood plan

- This policy seeks to manage the impact of change on the historic environment within the context of the duty under the 1990 Act. It is clear that the setting of the listed building immediately adjacent to the site (Beam End Cottage) would be affected as a consequence of the change arising from the proposed development. There would also be an impact on the Conservation Area itself from the loss of the open area and introduction of a form of development out of character with the surrounding development.
- It is considered that there would be harm in respect of the setting of the listed building and the conservation area. The NPPF (2021) para 200 is quite clear in advising what the process should be when there is any harm to the significance or setting of designated assets i.e. that any harm should require clear and convincing justification.
- The Parish Council considers that there is no clear and convincing justification for the development. In respect of considering the benefits of the development the marginal addition to the supply of housing land does not outweigh the harm to the heritage of the area or the loss of allotments.

#### 6.7 Policy LHW1 of TVBLP and policy HTN2 of the draft neighbourhood plan

- The Policy seeks to protect existing open space and other recreation facilities including allotments. Where development would result in the loss of existing provision justification would be needed to demonstrate that it was not required to meet the full range of leisure and recreation needs of the local community or it was to be replaced by an equivalent or better provision.
- The allotments have been used by the community for a number of years. They are currently all in use with a waiting list. The proposed development would see a substantial reduction in the existing provision of approximately 75%.
- In terms of the existing provision of open space, the village has a shortfall in all of the categories set out in the policy with the exception of allotments, ref TVBC Open Space Audit 2018. If a case were made that not all of the land was needed for allotments, then, under Policy LHW1d), it would need to be demonstrated that it could not address the shortfalls in other forms of open space. That case has not been made.

## 6.8 **45 Letters / emails from various addresses – Objection (summarised)** Houghton Neighbourhood Plan

- The development of this site is in conflict with the proposed Houghton Neighbourhood Plan which designates the site to be preserved as 'Local Green Space' with a priority of retaining the balance between nature and the built environment.
- This site is listed as an Open Green Space in the emerging Houghton Neighbourhood Plan; although this fact cannot be given as much weight as it would if the Neighbourhood Plan had been formally ratified and adopted, it must surely be a material consideration in any planning decision.

### Housing need

- There are ample (or arguably too many) other recent approvals for housing development in the village and under construction and thus adding to this cannot be justified as meeting Housing Needs which are already adequately provided for. Test Valley Borough Council already has a 5 year supply of housing land and so a development like this is not needed or justifiable.

### Overdevelopment

- In the past few years, the village of Houghton has seen substantial development and as such it has already contributed to the need for housing in the valley. These developments have added between 10% and 15% of dwellings in the village which has NO shops, one pub, a village hall and church; this means that residents MUST travel to survive, adding to their carbon footprint.

### Loss of allotments

- This site is clearly a public open space, even if privately owned, and none of the listed reasons that would allow for its loss appear to have been satisfied by this application. The application site is valued by the community who, in 2007, signed a rental agreement with the Busk family to use the land for allotments, quiet space and a community orchard.
- The Village Allotments are a community environment allowing provision for growing produce for people who have small or no gardens helping also with physical and mental health particularly important during the lockdown of COVID-19. Plans are also underway to plant a community orchard in a poor quality corner of the site. This area has never been used for housing and used to be pastureland before being cultivated as now. The proposed dwellings plan for the allotments to be pushed to the back in a much reduced capacity squashed inbetween sewerage works and the boundary in an less accessible area. The current users have built up their plots to a highly regarded state of horticulture and would takes years to replicate!
- The allotments are a very important part of village life by allowing villagers to plant their own produce and gain the satisfaction of doing so and especially during the last year or more when life has been difficult and restrictive due to the pandemic this area has been a vital place for the holders to go - good for mental health and general well-being. Policy

LHW1 states when open space is lost it needs to be shown that it was not required which clearly is not true as there is a waiting list for the allotments as they are very popular.

#### Landscape and setting of listed buildings

- The proposed development contravenes Policy E1 which requires that new development should complement the character of the area, enhance the surroundings and be similar in scale to other buildings. This proposed development for 4 dwellings squeezed between larger houses on larger plots will look cramped and over developed. It will also harm, contrary to Policy E9, the existing setting of Listed Buildings such as Beam Cottage.

#### Green Infrastructure

- This greenfield site is long established and benefitting from allotment use by the local community featuring extensive trees and shrubs and a mature hedge along the road frontage all of which contribute to the rural character of the village and is an important break between dwellings. Development of this site would be contrary to Green Infrastructure Policy E6 and Community Facilities Policy 14 of the Test Valley Revised Local Plan adopted 2016.

#### Impacts on Conservation Area

- The Conservation Officer reports that the “boundary hedge is a positive feature” and also that “the design of the buildings is not particularly inspiring” and therefore the status of the Houghton Conservation Area is not enhanced by the proposed development and is in conflict with Policy E1 which states that ‘development will not be permitted if it is a poor design and fails to improve the character, function and quality of the area’.

#### Traffic generation

- Adding more potential traffic to access the Houghton Road on a blind bend is unsafe and should be avoided. The site is not suitable for such intense development
- The access to the site is immediately adjacent to the single track access from the six large properties now being constructed immediately behind this development. With the number of cars that will use this access point this could end up being a dangerous entry on and off the main road.

#### Archaeology

- The site is listed as having High Archaeological Potential which might retain many mediaeval features of interest and which could be lost to development.

#### Ecology

- The proposed development will conflict with Biodiversity and Ecology Policies in the Test Valley Revised Local Plan 2016 and it is noted that no Environmental Impact Assessment has yet been submitted.

## Drainage

- There is no available mains drainage available to collect surface water (rainfall) or foul drainage (sewerage). The site slopes uphill by approximately 2 metres front to rear and thus any surface water soakaways for each house would have to be excavated well below ground level. The foul drainage will require pumping up to the back of the development site into a buried 'package treatment plant' (cess pit) and thence "treated effluent will infiltrate into the ground via an on site drainage field". This effluent drainage field is stated to be "relatively shallow" and is adjacent to the boundary of Plum Tree Barn. Sub soil contamination and above ground odours are risks which should not be permitted.

## 7.0 **POLICY**

### 7.1 Government Guidance

National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

### 7.2 Test Valley Borough Revised Local Plan (2016)(RLP)

SD1 – Presumption in favour of sustainable development

COM2: Settlement Hierarchy

COM14: Community services and facilities

E1: High Quality Development in the Borough

E2: Protect, Conserve and Enhance the Landscape Character of the Borough

E5: Biodiversity

E7: Water Management

E9: Heritage

LHW1: Public Open Space

LHW4: Amenity

T1: Managing Movement

T2: Parking Standards

## 8.0 **PLANNING CONSIDERATIONS**

### 8.1 The main planning considerations are:

- Principle of Development
- Impact on Landscape Character and Visual Amenity
- Heritage assets
- Design
- Highway impacts
- Impact on Neighbouring Amenities
- Ecology
- Nitrate neutrality
- Trees
- Water management
- Archaeology
- Other matters

## 8.2 Principle of development

The scope and extent of the proposal encompasses a number of issues of 'principle'. For ease, this report deals with each issue separately, with an overall conclusion on the matter reached at the end. The main issues of principle comprise:

- Providing for new residential development in the defined settlement boundary;
- Providing for new residential development resulting in the direct loss of existing allotment provision;

## 8.3 Test Valley Revised Borough Local Plan 2016. Policy COM2: Settlement Hierarchy

This Policy states:

*Within the boundaries of the settlements identified in the hierarchy (Table 7) and identified on inset maps 1 - 55 the principle of development and redevelopment will be permitted provided that it is appropriate to the other policies of the Revised Local Plan.*

*Development outside the boundaries of settlements in the hierarchy (as identified on map 1 - 55) will only be permitted if:*

- a) it is appropriate in the countryside as set out in Revised Local Plan policy COM8-COM14, LE10, LE16- LE18; or*
- b) it is essential for the proposal to be located in the countryside.*

## 8.4 Providing for new residential development in the defined settlement boundary;

The TVBRLP 2016 inset map 24 includes the existing allotment site within the settlement boundary of Houghton. As such, and in compliance with Policy COM02 the principle of development for new residential development is acceptable subject to the proposal being appropriate in relation to other policies in the Local Plan.

## 8.5 Providing for new residential development resulting in the direct loss of existing allotment provision;

A significant "other" policy of the TVBRLP that COM02 alludes to and which is relevant to the determination of the current application, is in respect of the proposed loss of allotment space and this is included in Policy LHW1 "Public Open Space". This policy falls into two parts (i) the requirement for the delivery of new public open space, and (ii) the framework by which existing open spaces or recreational facilities could be lost. Only Part (ii) is relevant to this part of the appraisal and an extract from Policy LHW1 is set out below:

*Development proposals that would result in the loss of existing open spaces or other recreation facilities will only be permitted if:*

- d) the space or facility is not needed to meet the full range of leisure and recreational needs of the local community;*
- e) the proposed development is for an alternative open space, sport or recreation facility for which there is such a need as to outweigh the loss; or*

f) *any space or facility to be lost would be replaced by an equivalent or better provision in terms of quantity and quality and be in a suitable location*

8.6 An assessment of the proposal against these criteria, together with an assessment of compliance is, as follows:

Criterion D – there is no suggestion in the applicant’s case for redeveloping the site for residential use that allotment provision within the community of Houghton is not needed or, required. Indeed, during the course of this application it is clear that evidence arising from both community representations and the views of the Parish Council demonstrate such a need exists now and will continue to be so into the future. As such it is considered that the value of the allotment space to the community is significant and in the absence of any evidence to state otherwise the proposal must therefore be assessed against either criterion E or F.

8.7 Criterion E – the proposal is for, principally, residential development and whilst it is proposed to retain allotment space to the north of the application site the submission does not propose a different form of open space to that which exists on the land where the dwellings are proposed at present i.e. allotment land. This part of the Policy is not therefore relevant or engaged for this proposal.

8.8 Criterion F - Compliance, or otherwise, with this criterion is therefore critical to the outcome of the current application. It is clear from the representations made by the community on this application that the existing site is a much valued resource within the community. Significant effort has been made to maintain the quality of the allotment environment infrastructure, soil, environment, bio-diversity and community cohesion to provide for the social, recreational and culinary needs of parts of the community. Indeed there is a strong desire within many of the representations received that there is value/preference to the existing situation remaining and the existing allotment site preserved.

8.9 That said, the Policy does not explicitly protect existing facilities, or the land on which they sit. The policy is ‘permissive’ in that it does permit a proposal to come forward that replaces the existing ‘open space’, subject to certain criteria being met. In that sense it is for the applicant to demonstrate that an alternative site will provided for “...*an equivalent or better provision in terms of quantity and quality and be in a suitable location*”. No such site is proposed within this submission. Paragraph 6.2 of the submitted Design and Access Statement sets out that *The site is privately owned and in full control of our client. This site is not owned by the Parish of Borough Council and does not form a statutory site under the allotments act 1925. This means that the site does not benefit from special protection. Notwithstanding this, the proposals will retain a portion of the allotments for the community.* The application site is currently providing allotments (identified within the Council’s Public Open Space Audit, 2018), some of which are to be lost through the proposed development. The policy makes no distinction between public and privately operated allotment sites. In the absence of any consideration of this policy within the submission the proposal does not comply with criterion f) of policy LHW1 representing a net loss of allotments plots/land.

8.10 Policy COM14 – Community Services and facilities

Representations received state that regard should be had to policy COM14 which concerns the loss of community facilities. Given the use being lost – an allotment – is an open space or recreational facility it is considered that policy LHW1 is relevant to this proposal. The criteria covered in COM14 requests similar actions in respect of demonstrating that the facility is no longer required for the community but then makes reference to ‘the building’ which does not ‘fit’ with the community asset under consideration at this site.

8.11 Emerging Houghton Neighbourhood Development Plan (NDP)

The administrative area of the parish of Houghton was designated as a Neighbourhood Plan Area in 2017. A Regulation 14 stage draft NDP was published for consultation between April and June 2021. This sets out a number of proposed policies. Proposed policy HTN2 considers community services, facilities and recreational open space – it makes specific reference to the Houghton allotments. Proposed policy HTN8 seeks to designate the Houghton allotments as a local green space, with additional information provided in Appendix C. The planning application submission indicates that objections have been raised on behalf of the applicant to aspects of this consultation document. Paragraph 48 of the National Planning Policy Framework (NPPF) indicates the considerations when giving weight to relevant policies in emerging plans. In this context, limited weight can be given to the draft NDP.

8.12 Assets of Community Value (ASV)

Assets of Community Value are derived from the Localism Act 2011. The principal idea behind the legislation is that, once an asset is registered as an ASV (pub, shop or whatever it may be), then there is a moratorium on the land owner disposing of the ASV to allow the local community an opportunity to purchase – though the land owner is not obliged to accept any offer. In principle, registration as an ASV is a material planning consideration to be weighed in the balance along with all other considerations relevant to a proposal. In this instance the land has not been listed as a ASV. As such it is not considered to carry any significant weight in the overall planning balance of this application.

8.13 Conclusion on principle of development

There is a principle for the development of housing on the allotment site due to the sites location within the settlement boundary of Houghton. The Houghton neighbourhood plan is still at draft stage and is not adopted resulting in little weight being put on its content during the course of determining this application. Whilst the existing allotment site offers a principle for residential development the proposal results in the direct loss of an established, and well used allotment site that is meeting, and would continue to meet, local demand for this community resource. The loss of an established allotment site within the settlement results in the unacceptable loss of allotments to serve the needs of the community to the detriment of their health, welfare and leisure needs, contrary to Policy LHW1(f) of the Test Valley Borough Revised Local Plan (2016) and Paragraph 97 of the National planning Policy Framework.

In reaching this conclusion the Council recognises the social, environmental and economic benefits that might otherwise arise from the proposal, including the delivery of both open market to meet the general housing requirements of the Borough, but these factors are not sufficient to outweigh this principle issue.

#### **8.14 Impact on Landscape Character and Visual Amenity**

Policy E2: Protect, Conserve and Enhance the Landscape Character of the Borough reads as follows:

To ensure the protection, conservation and enhancement of the landscape of the Borough development will be permitted provided that:

- a) it does not have a detrimental impact on the appearance of the immediate area and the landscape character of the area within which it is located;
- b) it is designed and located to ensure that the health and future retention of important landscape features is not likely to be prejudiced;
- c) the existing and proposed landscaping and landscape features enable it to positively integrate into the landscape character of the area;
- d) arrangements for the long term management and maintenance of any existing and proposed landscaping have been made; and
- e) it conserves the landscape and scenic beauty of the New Forest National Park or the North Wessex Downs Area of Outstanding Natural Beauty where applicable; and
- f) does not result in the loss of important local features such as trees, walls, hedges or water courses.

8.15 The application site is seen from the Houghton road gated access and sporadically from the public right of way that runs to its rear (west). Any views along the PRoW are generally of mixed gardens and dwellings/plots. Frontage views are limited by the existing hedge, which hosts several hawthorn trees but forms a dense boundary. The timber gated access is on the north eastern corner and would be used for access into the new development and rear maintained allotments. The land rises slightly to the rear of the site.

8.16 The proposed development of two storey dwellings formed of a semi-detached pair and a detached two dwelling maisonette would sit between existing development of semi-detached properties to the south and a private access to the north. A further access is also located to north with a thatched listed cottage – Beam Cottage – located beyond that. The proposed houses front onto, and have a clear relationship with the road, which reflects the overarching pattern of development in this part of the village. Given the size of the properties proposed it is considered that the dwellings being accessed from one access point is appropriate particularly as it allows for the retention of the hedge, which is an important feature in the street scene.

8.17 A car barn is proposed forward of the front elevations of the proposed properties but there are examples of garages set forward in the local context and set behind the hedge the barn would not be substantially overbearing in the street scene. As a developed plot it would have a minor impact in local views on the lane and from the PRow with more built development, but not substantial harm to the local character provided that the hedges as boundaries are all retained and maintained, and that internal new landscaping is simple and appropriate to the site and setting

8.18 Had the recommendation been for permission it is considered that the development could be provided here without significant harm to the landscape of the area in accordance with policy E2 of the Revised Borough Local Plan. This would have been subject to appropriate conditions. These conditions would have included a detailed finished levels plan and detailed hard and soft landscaping plans together with management and maintenance information.

8.19 **Heritage assets**

The proposed site lies within the Houghton Conservation Area and is adjacent to a listed cottage, Beam Cottage. The Conservation Officer advises that the allotments do not make a particularly important contribution to the special interest of the Conservation Area – though the boundary hedge is a positive feature. Beam Cottage (Grade II listed) is viewed as a village house on the village street, and therefore appropriate additional housing should not harm its setting. Furthermore due to the existing access tracks which are present, there is reasonable separation between Beam Cottage and the proposed development. It is considered that the development can be provided without significant harm on the character and appearance of the Conservation Area or the setting of the adjacent Listed Building in accordance with policy E9 of the Revised Borough Local Plan 2016.

8.20 **Design**

In terms of built form the proposal is for a semi-detached pair of dwellings and two maisonettes which take the appearance of one detached dwelling. The buildings are simple in style with gable roofs, timber cladding, timber porches, chimneys and clay tile roofs. Given this simple appearance and with the use of quality materials proposed it is considered that the design of the dwellings would be sympathetic to the mixture of house types found in Houghton and would not draw undue attention to the development. It is considered that the proposal in this respect would integrate and respect the character of the area in accordance with policy E1 of the Revised Borough Local Plan 2016. Had the recommendation been for permission, conditions would have been sought for the submission of material details and window detail.

8.21 **Highways**

Highway safety

The application is supported by a Transport Assessment (Tetra Tech – June 2021). In order to inform the assessment, an ATC was in place for a 7-day period within May 2021. The ATC recorded both speed and volumetric data and recorded 8th percentile speeds of 30.9mph and 31.6mph northbound and

southbound respectively along with average two-way flows of 1,119 vehicle movements. A review of Highway PIA data has shown no recorded accident history in the vicinity of the site for the most recent 5-year period.

- 8.22 The application site is currently utilised as allotments and is in private ownership. The application proposes to modify the existing vehicular access which serves the allotments to serve the new dwellings as well as continuing to provide access to a portion of retained allotments to the rear of the site. The existing allotments are not served by an existing drooped kerb, instead vehicular access is shared with an adjacent dropped kerb with the adjacent vehicular access which serves existing residential properties to the rear. It is considered that the existing allotments are a low traffic generator for vehicular traffic with predominant traffic being pedestrian footfall.
- 8.23 In regard to vehicular traffic generation, whilst the submitted assessment contains an interrogation of the TRICS database, the Highway Authority is satisfied that the proposed development would not lead to a material increase in traffic generation which would have any adverse impact upon the efficiency of the public highway network in this location. In regard to vehicular visibility, whilst the ATC data is included, the Highway Authority advises that the assessment should include a plan and photos demonstrating where the ATC loops were situated upon the carriageway. This should be provided by the applicant for review. Notwithstanding the above, the submitted assessment states that visibility can be achieved in excess of 2.4m x 43m, however the visibility splay to the north has been measured to an offset of 1.54m. This is not considered to be acceptable and the Highway Authority requests clarification from the applicant in this regard. Whilst visibility can be measured to the nearside vehicle track, 1.54m is well in excess of this position.
- 8.24 The creation of the access would result in an excessively wide cross over and the applicant is required to demonstrate the acceptability of this, in line with both an assessment of the use of the existing residential access to the north and should also be supported by a Stage 1 Road Safety Audit. Turning to internal site layout, vehicle tracking has been provided for a car and this is considered to be acceptable in principle, however the submitted assessment states that vehicle tracking has been provided for a refuse vehicle. This however appears to be missing from the relevant Appendix and the Highway Authority request that the applicant should submit this for review. Given that the access is to be shared for the retained allotments, details of parking and turning should also be included in this regard. Given the outstanding matters set out above the proposal is not considered to comply with policy T1 of the Revised Borough Local Plan 2016.
- 8.25 The application fails to demonstrate that the layout, access and highway network is safe, functional and accessible for all users and that the development does not have an adverse impact on the function, safety and character of and accessibility to the local highway network. The development is contrary to policy T1 of the Revised Borough local Plan.

#### 8.26 Parking Standards

The proposed development includes two 1 bedroom properties which require one parking space each and two 2 bedroom properties requiring 2 spaces each in accordance with the parking standards in the Revised Borough Local Plan. This results in a requirement for 6 spaces in total. 7 parking spaces are proposed and as such the development meets the requirements of policy T2 of the Revised Borough Local Plan 2016.

#### 8.27 **Impact on residential amenity**

##### Plum Tree Cottages

This semi-detached pair is located to the south of the development site and as such it is not considered that there would be any significant impacts created as a result of the proposed development in terms of overshadowing or loss of light at this neighbouring property. The closest element of the proposed development to this neighbour would be the proposed single storey car barn located approximately 8m from the boundary with this neighbour. There are no windows proposed on the car barn and as such no overlooking would occur. The southern side elevation of the semi-detached property would partially face the garden of the property at Plum Tree Cottages located closest the development site. However, there are no first floor windows facing this neighbour and so no elevated views towards this neighbour would be provided. A ground floor window is present on this elevation but the proposed boundary treatment to be retained and further landscape information would ensure that no overlooking would occur as a result.

#### 8.28 Plum Tree Barn

This property is located to the south west of the application site and shares a boundary with the allotment through the proposed retained allotment area, the area for drainage and ecological enhancement and plot 4s garden and part of the side elevation of plot 4. The boundary between the barn and the allotment is limited to a post and wire fence and low level shrubs. Clear views into the barn and the garden at the barn are currently possible from the allotment site. The presence of the retained allotment space and ecological enhancement would not significantly change the current relationship between the two sites. The proposed plot 4s garden would be positioned alongside the rear garden space at the Barn but with appropriate boundary treatment agreed it is considered that any mutual views given between the two neighbours could be screened. No direct views at first floor are given due to the lack of first floor windows on the southern elevation of plot 4. Oblique views may be given from first floor windows on the rear of plot four but the direct view given from these windows would be to the rear of the application site only. Due to the application sites position to the north of these neighbour it is not considered that any significant impact would occur in respect of overshadowing or loss of light.

8.29 New properties at Four Winds to the north

Due to the separation distance the retained allotments and ecological field offer together with the public right of way it is not considered that there would be any significant impact on the newly erected properties at the four winds site to the west of the application site.

8.30 Ashley House

This property is located to the north of the application site on the other side of the existing access track to properties to the west. This property is positioned opposite the retained allotment area and ecological and drainage area. Plots 1 and 2 would be separated from this neighbour by approx. 8m at the closest point. The actual dwelling at plots 1 and 2 would be approx. 9m away at the closest point. There are two first floor windows which face this direction but in respect of this neighbour views would be towards the driveway only. Given the separation distance it is not considered that any significant impact would be created as a result of the proposed development at this neighbouring property in terms of overshadowing or loss of light.

8.31 Beam Cottage

This neighbour is located to the north of the application site approx. 16m from plot 1 and 2. As described above given the separation distance it is not considered that any significant impact would be created as a result of the proposed development at this neighbouring property in terms of overshadowing or loss of light. Also as set out above there are two first floor windows facing this direction towards this neighbour however due to the distances involved it is not considered that there would be any significant impacts created at this neighbouring property in respect of overlooking.

8.32 Future Occupiers

The development has been laid out in a way that no significant overlooking or overshadowing would occur as a result of the proposed development at any of the proposed properties.

The proposal is considered to comply with policy LHW4 of the Revised Borough Local Plan 2016.

8.33 **Ecology**

There are a number of internationally protected sites within the zone of influence for this proposed development. The impacts of developments on such sites are a material planning consideration under the National Planning Policy Framework and the Revised Test Valley Local Plan DPD, and therefore adverse impacts on these sites are likely to be contrary to local and national planning policy unless appropriately mitigated.

8.34 *Mottisfont Bats SAC*

The property is within 7.5km of the Mottisfont Bats SAC (Special Area for Conservation) which is an internationally designated site, and as such is protected under the EU Habitats Directive, and subsequently under the Conservation of Habitats and Species Regulations 2017. As a result of research, suitable habitats (e.g. hedgerows and trees) within 7.5km of the site

are considered important for foraging, commuting and roosting opportunities for this species. Any removal of suitable foraging habitat should be avoided and, where it is required, appropriately mitigated to prevent an adverse impact on this internationally protected site. In this case the Borough Ecologist advises that further surveys in relation to foraging and commuting bats are advised in order to assess the likely impacts on this protected site and species. These will need to be conducted in full accordance with measures outlined within best practice guidelines issued by the Bat Conservation Trust (Collins, 2016), and must be submitted prior to planning consent.

8.35 *On site ecology*

This application is supported by an Ecological Appraisal (Tetra Tech, June 2021), which advises that further surveys are required in relation to Great crested newts, bat activity surveys and reptiles. Circular 06/2005 requires that planning decisions are based on full, up-to-date ecological information and it is essential that all necessary survey, assessment and mitigation information is available to the Local Planning Authority (LPA) prior to determination, particularly in the case of protected species, which are a material planning consideration. This will enable the LPA to determine the application on the basis of full knowledge about the ecological impacts of the proposal and to ensure that any impacts can and will be mitigated, and are acceptable. Surveys cannot be deferred under a condition of a planning application. The Borough Ecologist therefore advises that planning consent should not be granted until full surveys have been submitted, which are in accordance with best practice guidelines, and appropriate mitigation measures have been outlined.

8.36 Inadequate survey and mitigation information has been submitted in order for the local planning authority to conclude that the proposed development would not have an adverse impact on protected species. The proposed development is therefore considered contrary to Policy E5 and Policy COM2 of the Test Valley Borough Revised Local Plan (2016) and the Conservation of Habitats and Species Regulations 2017 (as amended).

8.37 **Nitrate Neutrality**

There is existing evidence of high levels of nitrogen and phosphorous in the water environment across the Solent, with evidence of eutrophication at some designated sites. An integrated Water Management Study for South Hampshire was commissioned by the Partnership for Urban South Hampshire (PUSH) Authorities to examine the delivery of development growth in relation to legislative and government policy requirements for designated sites and wider biodiversity. This work has identified that there is uncertainty regarding whether any new housing development would require measures to address this issue to ensure that overall new development does not contribute to net increases in nutrients entering these designated sites.

8.38 As such, the advice from Natural England (June 2019 version 2 and March 2020 version 3) is that the applicants for development proposals resulting in a net increase in dwellings are required to submit the nitrogen budget for the development to demonstrate no likely significant effect on the European designated sites due to the increase in waste water from the new housing.

8.39 The applicant has submitted calculations to demonstrate that as a result of the current use of the land and the use of a PTP the site can provide a nitrate neutral scheme. Given the recommendation is for refusal an HRA has not been completed for this scheme at this time and therefore a consultation has not been sent to Natural England to confirm agreement to the submitted proposal for a nitrate neutral development. Furthermore a legal agreement to secure and monitor the proposed mitigation measures enabling the achievement of nitrate neutrality, the proposed development by means of its nature, location and scale could have likely significant effects upon the nearby Solent and Southampton Water European Designated Site which is designated for its conservation importance, has not been completed. Consequently, the application has failed to satisfy the Council that the proposal would not adversely affect the special interest of the Solent and Southampton Water European Designated Site, therefore the application is contrary to Policies COM2 and E5 of the adopted Test Valley Borough Revised Local Plan (2016) and the Conservation of Habitats and Species Regulations 2017 (as amended).

8.40 **Water management**

Water consumption

Policy E7 of the RLP seeks to ensure that all new residential development achieve a water consumption standard of no more than 110 litres per person per day. Had the application been recommended for permission a condition would have applied to ensure that this requirement was fulfilled.

8.41 Drainage – surface water

It is proposed to infiltrate surface water runoff from the site into the ground. Runoff from each house will be drained into a soakaway located within the curtilage of the property. The soakaway tanks will be located a minimum of 5m from any building. The shared access drive and parking bays will drain via a permeable block paving (of similar permeable surface). Runoff from the proposed garage roofs will connect into the sub-base storage layer under the permeable pavement and soak into the underlying soil. A drainage layout has been submitted and had the recommendation been for permission would have been conditioned to ensure compliance with this detail.

8.42 Drainage - Foul

Due to the lack of sewers in the area, it is proposed to drain foul flows to an onsite package treatment plant, which will be located at least 7m away from the proposed dwellings. The treated effluent will infiltrate to ground via an onsite drainage field. Since both the inlet to the package treatment plant and

the drainage field will be at relatively shallow depth, a package pumping station will be required to lift flows into the treatment plant. The information for this is submitted within the drainage strategy and further information would be requested via condition in respect of noise levels for any pumping equipment had the recommendation been for permission.

8.43 Flood risk

The application site area falls within Flood Zone 1. The site is at low risk of flooding from all sources.

8.44 **Archaeology**

The site lies within the historic core of Houghton, within an area of high archaeological potential related to the medieval origins of the settlement. The submitted heritage statement does not cover below ground archaeological matters, however the Hampshire historic environment record, records the presence of earthworks within the field. These earthworks are described as 'humps and bumps' with a 'ridge which runs parallel to the road before returning towards the road'. These types of earthworks are consistent with the remains of medieval settlement, as might be expected in this location. Historic mapping indicates that the site has remained undeveloped over the last 200 years. The current use of the site, as allotment gardens, may have impacted upon traces of the previously identified earthworks but is unlikely to have caused significant damage to any below ground archaeological remains. It is therefore likely that the site retains its potential for any below ground archaeological remains. The proposed development, four houses, will likely negatively impact any archaeological remains which might be present.

8.45 The Hampshire County Council Archaeologist advises that there is no indication that archaeology would present an overriding concern, however the Officer would advise that the assessment, recording and reporting of archaeological deposits be secured by suitably worded conditions attached to any planning consent that may be granted.

8.46 **Other matters**

Misleading information

Representations received make reference to sustainable development and the misleading information provided by the applicant listed are located outside of the village itself, and inaccurate as there is no bakery and no shop in the village. The applicant also describes Houghton's location as being close to other larger settlements such as Stockbridge, which provides a range of facilities and services. There is a very limited bus service linking the village to Houghton but most journeys would be undertaken by car.

8.47 Whilst the detail is noted the presence or not of facilities in the village does not alter where the settlement boundary edge has been drawn. The Revised local plan 2016 remains current, up to date and relevant to the proposals.

## 9.0 CONCLUSION

9.1 The area where the proposed housing is to be sited lies within the Settlement Policy Boundary, where such development is considered to be acceptable in principle, in accordance with policy COM2 of the Revised Borough Local Plan 2016. The site is currently used for allotments and the proposal seeks to site 4 dwellings on part of the allotment site. The application fails to demonstrate why no alternative provision of equivalent or better standard in quality, quantity and location, compared to the existing allotment has been provided. The proposal results in a net loss of allotments plots and therefore fails to comply with Policy LHW1 of the TVRBLP. The proposal also fails to demonstrate how the development will be provided without impacts on highways safety, biodiversity and nitrate neutrality and as such the development is contrary to policies COM2, E5, T1 and the Conservation of Habitats and Species Regulations 2017 (as amended).

## 10.0 RECOMMENDATION

### **REFUSE for the reasons:**

- 1. The proposed development results in the direct loss of an established, and well used allotment site that is meeting, and would continue to meet, local demand for this community resource. The loss of an established allotment site within the settlement results in the unacceptable loss of allotments to serve the needs of the community to the detriment of their health, welfare and leisure needs, contrary to Policy LHW1(f) of the Test Valley Borough Revised Local Plan (2016) and Paragraph 97 of the National planning Policy Framework. In reaching this conclusion the Council recognises the social, environmental and economic benefits that might otherwise arise from the proposal, including the delivery of both open market to meet the general housing requirements of the Borough, but these factors are not sufficient to outweigh this principle issue.**
- 2. The application fails to demonstrate that the layout, access and highway network is safe, functional and accessible for all users and that the development does not have an adverse impact on the function, safety and character of and accessibility to the local highway network. The development is contrary to policy T1 of the Revised Borough local Plan.**
- 3. Inadequate survey and mitigation information has been submitted in order for the local planning authority to conclude that the proposed development would not have an adverse impact on protected species. The proposed development is therefore considered contrary to Policy E5 and Policy COM2 of the Test Valley Borough Revised Local Plan (2016) and the Conservation of Habitats and Species Regulations 2017 (as amended).**
- 4. In the absence of a legal agreement to secure and monitor the proposed mitigation measures enabling the achievement of nitrate neutrality, the proposed development by means of its nature, location and scale could have likely significant effects upon the nearby Solent and Southampton Water European Designated Site which is designated for its conservation importance. Consequently, the**

**application has failed to satisfy the Council that the proposal would not adversely affect the special interest of the Solent and Southampton Water European Designated Site, therefore the application is contrary to Policies COM2 and E5 of the adopted Test Valley Borough Revised Local Plan (2016) and the Conservation of Habitats and Species Regulations 2017 (as amended).**

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