

20190716-Major development within the NWD AONB - Burghclere Parish

Issue.

To consider whether development on 'Site A' within Burghclere Parish, adjacent to the Settlement Policy Boundary (SPB) and within North West Downs Area of Outstanding Natural Beauty (NWD AONB) might constitute 'major development'.

Recommendation.

That B&DBC confirm that development on Site A does not constitute major development within the NWD AONB.

Discussion.

Burghclere Parish is developing a neighbourhood plan in concordance with planning guidance provided by Ministry of Housing, Communities and Local Government (MHCLG) and the Localism Act 2011. In May 2016 Basingstoke and Deane Borough Council (B&DBC) adopted its Local Plan 2011-2029, in which Burghclere is one of 13 parishes required to deliver at least 10 homes over the lifetime of the Plan to meet its own target of 850/dwellings per year. At Paragraph 4.67 of the Local Plan it states: *"small residential development of less than 10 until (net gain nine units or less) within the Settlement Policy Boundaries of the settlements lists will not qualify towards the targets outlines in the policy. Outside of the Settlement Policy Boundaries, developments of less than 5 units (net gain four or less) will not qualify."* B&DBC wrote to the Parish Council on 20 Sep 18 stating that, as of 1 Apr 18, 6 dwellings have been granted permission within and adjacent to Burghclere's Settlement Policy Boundary (SPB) in the period 2011-2018 that satisfy the policy SS5 requirement. Therefore the policy requirement of Policy SS5 has not yet been met, and the 'at least 10 homes' requirement continues to need to be identified through appropriate means such as neighbourhood planning. Burghclere Parish Neighbourhood Plan Steering Group (BPNPSG) has set a target of 10-15 houses to meet the Local Plan target, noting that insufficient space for a development of 10 houses exists within the SPB and therefore any development has to be adjacent to it.

The BPNPSG confirmed from B&DBC's SHELAA a number of sites that conformed to the stipulated condition (being adjacent to the SPB). At Appendix 5 of SHELAA 2018 the potential impact of BUR006 (Site A) within the AONB is noted together with the need *"to consider the impact of development upon the landscape character and its visual quality, taking onto account the national importance of the AONB. Development would also need to be in keeping with the built character of the village, taking into account the visual importance of this site at the entrance of the village."* The SHELAA goes on to note: *"the site is likely to be achievable as it is a greenfield site and no particular factors have been identified that would affect the viability of development."*

The National Planning Policy Framework (NPPF) 2019 paragraph 172 confirms that the scale and extent of development in AONB's should be limited, and planning permission for major development should be refused. Paragraphs 172 Footnote 55 states...*"For the purposes of paragraphs 172 and 173, whether a proposal is 'major development' is a matter for the decision maker, taking into account its nature, scale and setting, and whether it could have a significant adverse impact on the purposes for which the area has been designated or defined."* There is no presumption in the SHELAA that development on this site might be construed 'major'.

B&DBC's Landscape, Biodiversity and Landscape SPD notes under Principle L2 (Para 4.13) that some developments will require a more detailed assessment than others. Based upon the Guidelines for Landscape and Visual Impact Assessment (GLVIA), it is generally advised that a full landscape character and visual amenity assessment will be required for the following types of development, inter alia most forms of development within NWD AONB, depending on the nature of development and its location.

BNPNSG has taken into account the feedback from the two December 2018 consultation sessions, which concluded that Site A was the preferred site for development. Subsequent discussion with the site owners, Highclere Estate, has confirmed its willingness to see development on the site that conforms to the BNPNSG target figure.

Legal opinion submitted in respect of a planning application for development of 49 dwellings within the NWD AONB at Woolton Hill in 2013, which was accepted, serves to illustrate factors that need to be taken into consideration, among which include: national significance, impact on landscape and greenfield sites, alternative sites and scale of development,

The case officer's report for the larger scheme of 67 dwellings concluded that "Whilst the proposed development would constitute major development within an Area of Outstanding Natural Beauty, given the contained nature of the site together with retention of existing boundary vegetation and associated new landscaping, the proposal would preserve the landscape character and scenic quality of the area and as such would accord with the National Planning Policy Framework and Saved Policy E6 of the Basingstoke and Deane Borough Local Plan 1996-2011". Noting Policy E6 has since been replaced by policy EM1 (Landscape) in the adopted Local plan.

North Wessex Downs Area of Outstanding Natural Beauty's (NWD AONB) new management plan (MP) has been circulated to local authorities for consideration. It is understood B&DBC has not raised concerns about language that quotes Statutory Instrument 2010 No 2194-The Town and Country Planning (Development Management Procedure (England) Order 2010. Nevertheless, the NWD AONB MP does not define major development as it would be contrary to the NPPF which states it is down to the LAs to define.

It is also noted that the South Downs National Park Pre-Submission Local Plan (page 60 / Policy SD3) confirms 'major development' is also not restricted to the Development Management Procedure Order (DMPO) definition.

Summary.

There is no evidence to suggest that development on this site would have national significance.

The proximity of existing domestic, business and road infrastructure, and the small-scale nature of the development on a site that fits the requirement of the Local Plan in both size and numbers, do not breach the core principles or fall foul of Para 172 of the NPPF.

NWD AONB has raised no objections to the potential development of the site.

The majority of respondents in the local survey considered Site A best met the development criteria proposed by the BNPNSG.

Other examples of significantly larger numbers of dwellings in the local area (Harwood Paddock, Woolton Hill) within NWD AONB have not been considered major developments.

See recommendation.