



Appeal Decision

Site visit made on 28 January 2025

by **B Davies MSc FGS CGeol**

an Inspector appointed by the Secretary of State

Decision date: 23 May 2025

Appeal Ref: APP/C1760/W/24/3352327

Land Adjacent Stanbury Close, Thruxton, Hampshire, SP11 8QD

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant outline planning permission.
 - The appeal is made by Orchard Homes against the decision of Test Valley Borough Council.
 - The application Ref is 23/03026/OUTN.
 - The development proposed is an outline application for erection of 14 dwellings with all matters reserved except access, layout and scale.
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Decision

1. The appeal is allowed and outline planning permission is granted for erection of 14 dwellings with all matters reserved except access, layout and scale at land adjacent to Stanbury Close, SP11 8QD in accordance with the terms of the application, Ref 23/03026/OUTN, subject to the conditions in the attached schedule.

Procedural matters

2. The application to which the appeal relates was submitted in outline form with all matters reserved except for access, layout and scale. Plans and documents that relate to appearance and landscaping are therefore for illustrative purposes only and I have not relied upon them.
3. A revised National Planning Policy Framework (the Framework) was issued on 12 December 2024. The main parties were given the opportunity to comment on the implications of this for their cases. References to the Framework in this decision relate to the latest version.
4. A signed planning obligation in the form of an agreement between the owner, the developer and the Council pursuant to section 106 of the Town and Country Planning Act 1990 (s106) dated 5 February 2025 was received on 17 February 2025. I return to this below.
5. A copy of the Solent Nutrient Budget Calculator was received on 26 March 2025. However, the information required for a Habitats Regulations Assessment was incomplete and, after asking the parties for further evidence, it was necessary to consult Natural England (NE), a reply from which was received on 29 April 2025. The appellant subsequently provided details of the proposed mitigation scheme and evidence of NE support for this on 9 May 2025.
6. The original conditions appended to the Council's statement were incomplete and listed the wrong reserved matters. It was therefore necessary to consult both the

main parties on a revised set of conditions, to which they have both since given written consent.

Main issues

7. The main issues are:

- whether the proposed mix of affordable housing would meet identified local needs
- the effect on the character and appearance of the landscape and area
- the effect on the living conditions of the occupants of Stanbury Close and Lambourne Close, with particular regard to privacy and outlook
- the effect on highway safety, and
- the effect on the integrity of European Sites.

Reasons

Proposed mix of affordable housing in the context of the identified local need

8. The site is located beyond the Thruxton settlement boundary and is therefore defined as being in the 'countryside'. Policies COM2 and COM8 of the Test Valley Borough Revised Local Plan (2016) (the LP) allow development of rural affordable housing in the countryside if there is an unmet need within the parish for people with a local connection or a demonstrable need to live there. Policy COM8 also requires that the proposed mix of housing meets the identified need.
9. The proposal is for 14 affordable dwellings, of which 10 would be affordable/social rental tenures and 4 shared ownership houses. This housing mix would be secured in perpetuity through the s106 agreement.
10. The Hampshire Home Choice waiting list recorded a demand for 14 affordable/social rented houses in the parish of Thruxton in November 2023. The last recorded demand in Thruxton was for 2 shared ownership units in March 2023. Information on the demand for shared ownership demand was provided by Help to Buy, which has since ceased. The Parish of Thruxton Neighbourhood Plan (2020) (the NP) does not contain specific policies on the affordable housing mix but does identify a lack of smaller affordable properties.
11. The proposal would therefore make a sizeable contribution towards the requirement for affordable/social rental housing in the area. Based on the numbers above, it is possible that it would provide 2 excess shared ownership units. However, the information is not up to date, the difference is small, and the NP highlights a general requirement for smaller affordable properties.
12. The adopted Affordable Housing Supplementary Planning Document (2020) (SPD) encourages consultation with the Parish Council and local community during the process. I note that the appellant may have tried to contact the Parish Council but ultimately no consultation took place. This lack of consistency with the SPD weighs against the proposal to a small degree.
13. The appellant would also ideally have demonstrated that all reasonable alternative locations had been considered, as recommended in the supporting text to COM8.

However, this is not a policy requirement, and the lack of this can therefore only be a matter of very minor weight against the proposal.

14. It has been clearly demonstrated that there is an unmet need for affordable housing within Thruxton Parish, which this proposal would go a considerable way towards fulfilling. The proposal is also consistent with the NP in so far as it provides smaller units of accommodation. The development would potentially provide more shared ownership properties than are needed, but this is a small discrepancy based on evolving data. The lack of consultation and consideration of alternative locations also weigh against the scheme to a small degree. Overall, I find that the proposed mix of affordable housing would largely meet the identified local needs and the benefit of this outweighs the minor shortcomings identified above. I conclude that the proposal is consistent with Policy COM8 of the LP.

Character and appearance of the landscape and area

15. The site is a large, open, sloping agricultural field bisected by overhead power lines supported by 2 pylons. The rear gardens of houses on Stanbury Close and Lambourne Close, which mark the edge of the village, back onto the two lower sides of the site. The remaining site boundaries cut across the field and are unmarked. A public right of way (PROW) runs across the proposed access road and then behind the partially hedged field boundary above the site.
16. The immediate area is not assigned any specific landscape designations. However, it displays key characteristics of the various Landscape Assessments, including being an arable field on a valley side with limited views across the valley. The adopted Thruxton Village Design Statement (a Supplementary Planning Document) 'strongly discourages' development beyond the village line, advocating for retention of farmland adjacent to the village.
17. The development would result in partial replacement of an arable field on the edge of the village with an estate of suburban character. This would cause harm to the character and appearance to valued characteristics of the landscape. This would be tempered by the fact that a large part of the field would remain and that this site makes a very small-scale contribution to the wide key landscape types.
18. This change of character would be visible from the PROW that runs adjacent to the site and between houses from the surrounding roads. More distant views of the site would be possible from the east. I am not persuaded, given the small scale of most of the houses, that 'the development would dominate the skyline for years', as feared by the Council. Nevertheless, the change in character of the landscape would be apparent from the public realm, and the sense of openness along a short stretch of the PROW would be harmed.
19. Notwithstanding that the details of landscaping are a reserved matter, the appellant relies, to an extent, on future vegetation to screen the development from the public domain. Sufficient foliage would likely take many years to mature, and I am anyway not convinced would screen the impact entirely, given the size and visibility of the site, and lack of proposed screening from the direction of the PROW. Although I consider it likely that landscaping would reduce the visual impact of the scheme, for these reasons I have not relied upon this to mitigate the harm to the landscape to any significant degree.

20. I conclude the overall degree of harm to the character and appearance of the landscape from loss of part of the field on the edge of the village to be moderate, taking into account the modest scale of the development and visibility from the public domain.
21. Turning to the effect on the character and appearance of the more immediate area, the houses would be small relative to many others in the area and, unusually, most would be semi-detached. However, although smaller, the grain of the buildings and garden sizes would not be markedly different to the surrounding estates. The structure of the site following a curved access road is also in keeping with the surrounding developments. I do not find that the proposal would exhibit a notably more suburban character than that of the adjacent developments.
22. It is proposed that cars would be parked in bays adjacent to houses. I observed that cars are often parked in driveways locally, which would not appear significantly different to the arrangement proposed.
23. The layout secures a substantial central area of public open space. The details of landscaping and appearance are reserved matters, but I see no reason in principle why the development cannot incorporate green and 'soft' boundaries with attractive frontages.
24. Although I have not found harm to the character of the area in terms of layout and scale, the development would cause harm to the landscape and is therefore in conflict with Policy E2 of the LP, Policies EN1 and EN2 of the Thruxton NP, and the Thruxton Village Design Statement SPD, which seek to conserve the rural character and open landscape.

Effect on the privacy and outlook of the occupants of neighbouring properties

25. Plots 1 to 4 of the development would back on to the rear elevations and gardens of at least 4 houses on Stanbury Close. According to the layout plans, the distance between the rear of the houses would be at least 23m and the plots would be separated with timber fencing, including a minimum 5m 'green' buffer. The proposed dwellings would either be bungalows, or in the case of the chalet bungalows have sloping windows set into the roof. I am satisfied that the distance, fencing and green buffer would protect the privacy of the occupants of Stanbury Close.
26. Construction of houses behind Lambourne Close would potentially affect the living conditions of the occupants of at least 6 houses. In this case, the slope between them is pronounced and the proposed houses would be at a higher elevation. However, the new houses would all be single storey in height at a distance of at least 22m with a fence and green buffer in between. Even allowing for the slope, I do not consider that there would be a harmful loss of privacy within the existing houses or their gardens. In coming to this conclusion, I have had particular regard to the relationship between Plot 5 and 3 Lambourne Close.
27. The properties on both Stanbury Close and Lambourne Close have a wide and open outlook across the field and the introduction of houses would inevitably have a negative impact on this. However, taking into account the distance and proposed height of the new buildings, I do not consider that the outlook would be harmed to an unacceptable degree from inside the existing houses.

28. However, the rear gardens of the houses on both Stanbury Close and Lambourne Close are of shallow depth, and I observed provide the main private outdoor amenity space for the occupants. All the properties enjoy a wide ranging, open outlook across the field. The introduction of housing behind the gardens would result in a sense of enclosure and loss of outlook relative to the current situation. This would be particularly harmful on Lambourne Close given that the proposed housing, gardens and fencing would be at a higher elevation. I conclude that the development would lead to a harmful loss of outlook to the extent that it could feel overbearing in the main amenity space of some neighbouring properties.
29. While I find that privacy of the occupants of neighbouring properties would not be compromised by the development, there would be significant and harmful loss of outlook from the main amenity spaces of properties on both Stanbury Close and Lambourne Close. The proposal is therefore in conflict with Policy LHW4 of the LP and Policy HD5 of the NP, which require that development protects the amenity of residential neighbours.

Highway safety

30. Sufficient car parking spaces would be provided. However, 8 of the units would have 'tandem' parking spaces, which could lead to an inconvenient need to rearrange cars. I consider it possible that this could result in residents parking on the street or in visitor's spaces. In the absence of evidence to the contrary, I consider it possible that this would affect the free flow of traffic. However, I am mindful that sufficient car parking is provided and that the inconvenience of tandem parking would likely affect very few occupants. For these reasons, I conclude that the harm to highway safety from this arrangement is minor.
31. I have noted third party concerns that visitor parking spaces would not be connected to the pedestrian network by footways. However, the site is small, there would be open visibility across it, and traffic would be slow in the vicinity of the site. I do not consider that there would be a risk to pedestrians from a lack of dedicated footpath from visitor parking spaces.
32. Legitimate concerns have been raised by third parties regarding the safety of the wider local network, which is rural in nature and includes single lanes. The extra traffic generated by 14 houses would add to this risk. However, the additional number of cars would be small when compared to the use of the wider highway network and, taking into account the findings of the Transport Statement (Nick Culhane, October 2023), I am satisfied that the additional trips would have an immaterial impact.
33. The site would connect via a pavement to the footway on Stanbury Close. This layout fulfils the requirements of Policy T1 to connect a development with existing pedestrian, cycle and public transport networks. However, beyond this, the main road in both directions is often single lane without a footway, and third parties have provided evidence to demonstrate that it is unsafe to walk and cycle. Having viewed the area, I come to the same conclusion. The introduction of more pedestrians, cyclists and vehicles would therefore potentially have an adverse impact on the function and safety of the local highway network. However, the extent of harm is limited by the small number of additional users.
34. I have found that the development would cause a small reduction in highway safety. The minor harm from use of tandem parking spaces leads to a conflict with

Policies T1 and T2 of the LP, and Policy HD6 of the NP which require that the internal layout is functional and accessible, and parking designed to be convenient. The increase in road users would also lead to a minor increase in risk on the local highway network, in conflict with Policy T1.

Integrity of European Sites

35. The site is within the protection zones for the Solent and Southampton Water Special Protection Area (SPA) and Ramsar site, the Solent Maritime Special Area of Conservation (SAC), Portsmouth Harbour SPA and Ramsar site, and the Solent and Dorset Coast SPA. NE has confirmed that they are all be subject to the effects from an increase in nutrients, which can cause eutrophication, resulting in dense mats of green algae that adversely affect protected habitats and species.
36. NE requires all new developments providing overnight accommodation to demonstrate nutrient neutrality. It advises that applicants must submit a nitrogen budget to demonstrate that no likely significant effect would be caused due to the increase in wastewater from new housing.
37. In this case, the appellant intends to purchase nitrate credits from Strategic Mitigation Lane in Eastleigh Borough to offset the discharges and has provided evidence that NE supports this scheme. NE has confirmed that, although this is in a different river catchment, the catchments are considered together for the purposes of providing nitrogen mitigation.
38. The submitted calculations are based on an earlier version of the nitrogen budget calculator. However, both the Council and NE have reviewed the spreadsheet and confirmed that the output matches that of the most recent calculator. The Council has confirmed that the inputs are appropriate and, having reviewed the spreadsheet, I see no reason to come to a different conclusion.
39. I am also satisfied that purchase of the credits is secured through the requirement for provision of a Vesting Certificate in the s106 agreement before development can commence.
40. It was confirmed by the Council that the site is outside the impact zone for recreational pressure on the Solent and Southampton Water SPA. I have therefore not considered this further.
41. Based on the above, I am satisfied that appropriate mitigation of the potential in-combination impacts on European Sites would be secured. It has therefore been demonstrated that the development would not result in an adverse effect on the integrity of the European Sites.

Other considerations

42. The Council calculates that the 5-year housing land supply for the borough is approximately 2.76 years. This is not disputed by the appellant, and I have nothing before me that would lead me to a different conclusion. There would therefore be a substantial public benefit from construction of houses.
43. There would also be a positive contribution to the local economy from construction of the houses and a potential increase in spending locally, albeit the number of houses means that the benefit of this would be modest.

44. The Preliminary Ecological Appraisal (October 2023) was accompanied by calculations suggesting that the development would deliver a Biodiversity Net Gain (BNG) of over 50%. While the detail of this number relies to an extent on the details of landscaping, which is a reserved matter, the site layout secures a significant ecological buffer around 3 sides of the site, grassland areas and a pond. In the absence of agreed reserved matters, I cannot be certain that the BNG would be more than 50%, but I am persuaded that the proposal would deliver an improvement on the baseline based on the layout alone. I note that the application was made before the mandatory requirement for BNG and this offering would therefore be beneficial.

Other matters

45. The Updated Bat Survey Report (ecosupport, March 2023) identifies that the site could be of value for commuting and foraging by several species of bat. The Updated Preliminary Ecological Appraisal (ecosupport, October 2023) identifies that the woodland and scattered trees located around the site represent suitable habitats for breeding and nesting birds, and provide potential for foraging and commuting badgers. I am satisfied that sufficient, recent evidence has been provided to demonstrate that protected species are present and to understand how they may be affected by the proposals, as required by Circular 06/2005¹. The ecology officer has not raised any objection to the scheme, subject to the mitigation measures outlined in the report being secured and I see no reason to find otherwise. In coming to this conclusion, I am also mindful that a Protected Species Mitigation Licence would be required prior to works, for which a survey and mitigation measures would also need to be prepared. There is nothing before me to suggest that the site is unlikely to be granted an EPS Licence.
46. Thruxton contains a village hall and church, and there is a primary school and post office within walking distance. There are therefore some facilities available and the addition of 14 households could contribute to these and the vitality of the area. Given the small scale of the development, I consider this to be a neutral matter in the planning balance.
47. Thruxton is served by a bus stop. The frequency of buses is disputed but it is clear that the number is small and I do not doubt that most trips, including for basic goods, would need to be made by car. The lack of suitable footpaths along a busy, narrow road from the site to the centre of the village, the bus stop or the primary school would also discourage future occupants from using alternatives to the car. However, provision must be made for the fact that this is a rural location, there are some facilities available locally, there is a bus service, and the number of additional occupants is small. Overall, I conclude that this matter does not weigh for or against the development.
48. I have noted the concerns raised by third parties about lack of utilities in the village, including gas. However, the statutory consultees have not raised any concerns, and I have nothing substantial before me that would lead me to a different conclusion. This is therefore not a reason for refusal.

¹ ODPM Circular 06/2005, 16 August 2005: Biodiversity and geological Conservation – statutory obligations and their impact within the planning system

49. The PROW would have to be slightly diverted so that it runs to the south side of the proposed access road before crossing it to re-join the existing route. This would require a separate application.
50. Third parties have raised concerns about the loss of agricultural land. It has not been challenged that the land is Grade 4 (poor) and the loss would be on a small scale. No specific policies for protection of agricultural land have been brought to my attention but I conclude that the harm from this loss would anyway be negligible.
51. Third parties have drawn my attention to the fact that the bottom of the field can flood. The FRA concludes that the site is at a low risk of flooding, and based on everything before me, I conclude that the observed flooding is highly localised. The FRA contains a surface water strategy with an infiltration basin in the same area, based on a 1 in 100-year event, porous paving and soakaways. I am satisfied that sufficient controls can be put on the permission to ensure that the flood risk is not exacerbated.
52. I have noted concerns that this development would set a precedent for additional development across the field in the future. Each development must be judged on its own merits and any potential future development is not a matter for this appeal.
53. It has been demonstrated to my satisfaction that the development can be delivered as laid out in the plans, allowing for the pylons and cables to stay in the same position. Should any future requirement to move this infrastructure arise, then this is controlled by other legislation and is not a matter for this appeal.
54. A third party has drawn attention to a potential village green designation adjacent to the proposed access. The Council concluded that this area of land would remain dedicated public open space with reference to the site plan and there would therefore be no conflict. I have nothing before me that would lead me to a different conclusion.
55. I am satisfied that concerns raised about light pollution and permitted development rights can all be managed through conditions.

Conditions

56. I have considered the suggested conditions, taking into account the policies in the Framework and the advice given in the Planning Practice Guidance. As alluded to above, I have completed the conditions on the basis of the evidence provided, in the absence of a serviceable list from other sources. The appellant and Council have confirmed in writing that they are content with the proposed conditions, including the pre-commencement conditions. Where I have retained the originally proposed conditions, I have amended some wording in the interests of conciseness, precision and enforceability.
57. I have not included proposed conditions requiring details of final materials and landscaping, including replacement trees, because these are reserved matters. The Council has confirmed that there is no policy requiring provision of electric charging points, so a condition to deliver this cannot be justified.
58. The details of landscaping are reserved, and I do not consider that the BNG delivery details in the Ecological Report (2023) are enforceable without these.

Given the date of the application, the delivery of BNG is not mandatory. I have therefore not imposed a condition requiring the details of BNG at this outline stage.

59. I have inserted new conditions relating to working hours, protection of the environment during construction, lighting, foul drainage and to control permitted development rights.
60. The numbers below relate to the corresponding condition in the schedule.
61. Conditions [1-2] for time limits and the provision of details on reserved matters are necessary because the application made is for outline permission. I have re-worded these to include the correct reserved matters and removed the flexibility to commence the development within 5 years to ensure that they are consistent.
62. I have imposed a condition [3] specifying the approved plans for reasons of certainty. I have confirmed the final version with the main parties and this is reflected below. The site massing and active frontage plan specifies the number of storeys but this is not further defined. For this reason, it has also been necessary to reference the 'floor plans and elevations', 'site sections' and 'street scenes and site sections' to ensure that the scale of buildings and final elevations is captured. The Council recommended a condition to approve revised plans and cross sections prior to commencement, for the purpose of securing details of existing and proposed ground levels. I consider that this is already secured to a sufficient degree in the plans above and, if amended at a later stage, could lead to a different development and/or conflicting plans. I have therefore not imposed this.
63. Conditions [4] and [5] ensure that appropriate, detailed mitigation is secured for protected species and habitats during construction and post development. Condition [6] requires that lighting is considered by the Council at the reserved matters stage for the purpose of protection of wildlife and to protect the amenity of the area. Condition [7] requires protection of trees during construction and controls those to be retained or felled.
64. Condition [8] requires an archaeological scheme of investigation be undertaken, recorded and approved prior to commencement.
65. Condition [9] controls construction traffic during development and mitigates against the potential effects of this on other highway users and the environment. Condition [10] controls surface water during construction, to protect the environment and manage any risk of flooding. Condition [11] controls the hours of working to protect the amenities of neighbours.
66. Condition [12] requires that details of foul drainage are provided to ensure that it can be appropriately disposed of. Condition [13] ensures that flood risk from surface water drainage is not increased or water quality harmed, with reference to the proposals in the submitted Flood Risk Assessment.
67. Condition [14] is in the interests of improving water usage efficiency in accordance with local policy. It is also necessary to ensure that the water usage relied upon in the nutrient budget calculations is not exceeded.
68. Condition [15] removes the permitted rights under Classes B and C of Part 1, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (GDPO). Class B is 'the enlargement of a dwellinghouse consisting of an addition or alteration to its roof'. Class C is 'any other alteration to

the roof of a dwellinghouse'. This is to ensure protection of the privacy and amenity of neighbouring occupants.

69. The appellant requested that only Class B of Schedule 2, Part 1 be excluded and that this should only apply to plots 1 to 11. No explanation was given for retention of Class C rights and, given the harm identified to the outlook to numerous properties, I have included both parts. However, I accept that the preclusion should only apply to plots 1 to 11; plots 12, 13 and 14 are away from the affected properties and removal of their PD rights on these grounds can therefore not be justified.

Planning obligation

70. Policy COM8 also requires that the development is restricted in perpetuity to occupation by households with a member in housing need. I am satisfied that this is secured by the signed s106 agreement between the parties.
71. I am also content that the signed 106 agreement secures provision of a Vesting Certificate for approval prior to commencement, to demonstrate that sufficient credits in the nitrate mitigation scheme have been purchased.
72. There are some typographical errors in the obligation. I am satisfied that these are minor and do not change its meaning.
73. It is clear from the submitted evidence that all the contributions set out within the planning agreement are necessary to make the development acceptable in planning terms, are directly related to the development and are fairly and reasonably related in scale and kind to the development proposed.

Planning balance and conclusion

74. The Council can only demonstrate a 2.76-year housing land supply against a requirement of at least 5-years. This means that the policies in respect of housing delivery, which are amongst the most important for determining this appeal, are out of date.
75. Paragraph 11(d) of the Framework is therefore engaged. This states that permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework as a whole.

Benefits of the scheme

76. Delivery of housing is consistent with paragraph 61 of the Framework, which states that it is the Government's objective to significantly boost the supply of homes. Although the scheme would deliver a modest number of houses, given the scale of the shortfall in the borough, this is a matter of substantial positive weight.
77. Paragraph 66 of the Framework states that decisions for major development (more than 10 homes) should expect that the mix of affordable housing meets identified local needs. Paragraph 82 states that decisions should support housing developments that reflect local needs in rural area. For the reasons above, the proposals are largely consistent with the demonstrated local need, and would go a long way to fulfilling this, with the caveat that it may provide a very small number of extra shared ownership properties. Overall, I consider the provision of affordable

housing where there is a clear unfulfilled need is a matter of significant positive weight.

78. There is nothing in the Framework that prevents development beyond settlement boundaries. Paragraph 83 states that housing should be located where it will enhance or maintain the vitality of rural communities. Given the proximity of the development to the village facilities and alternative transport, albeit these may be limited at present, I am satisfied that this requirement is met, and this is a matter of small beneficial weight given the size of the development.
79. There is also likely to be a positive contribution from BNG, in accordance with paragraph 187 of the Framework. However, given that this is a high-level commitment at the outline stage and, given the small scale of the scheme, I only attribute this limited beneficial weight.

Adverse impacts

80. Although I have not found harm to the privacy of existing occupants, there would be significant harm to their living conditions through loss of outlook from outdoor amenity space. Paragraph 135(f) of the Framework requires that development delivers a high standard of amenity for existing users and the proposal conflicts with this. Given the number of properties affected, I consider that this harm is a matter of significant weight against the proposal.
81. There would be moderate harm to the landscape from the development in conflict with paragraph 135(c) of the Framework. This is a matter of moderate weight against the scheme.
82. There would also be a slight increase in risk to highway safety, which would be a matter of small weight against the development when measured against paragraph 115 of the Framework, which requires that safe and suitable access is achieved.
83. The additional vehicles and highway users would harm the function and safety of the highway network, albeit this is to a small degree given the modest size of the development. The layout of the site could lead to inappropriate parking, which would also compromise highway safety. This is contrary to paragraph 115 of the Framework, which requires that safe and suitable access for all is achieved. Overall, I conclude that this is a matter of small weight against the proposal.
84. Although some facilities are available, including a bus service, they are limited, and I have concluded that frequent use of private cars is highly likely. However, paragraph 110 of the Framework recognises that opportunities to maximise sustainable transport solutions may be challenging in rural areas. I conclude that the harm from the lack of sustainable transport modes is therefore very limited and weighs against the development to only a limited degree.
85. There is no specific requirement in the Framework for engagement with the parish for such a scheme, or demonstration that all reasonable alternatives have been considered. Therefore, these matters do not weigh for or against the development when measured against the Framework.

Assessment against the Framework

86. I conclude that the cumulative harms from the scheme would not significantly and demonstrably outweigh the substantial benefits from delivery of housing, including affordable housing, when assessed against the Framework as a whole.

Assessment against the Local Development Plan

87. When measured against the Local Development Plan, in addition to the harms identified above, there would also be very small harm from a lack of community consultation or evidence that alternatives were considered. Inclusion of these matters would not lead me to a different conclusion, however.
88. In these circumstances, Policy SD1 of the LP states that the Council will grant permission unless material considerations indicate otherwise. In this case, the Framework confirms that the development should proceed. There are no other material considerations that would lead me to a different conclusion and the appeal is allowed.

B Davies

INSPECTOR

Schedule 1: Conditions

- 1) Details of appearance and landscaping ("the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development takes place and the development shall be carried out as approved.
- 2) Application for approval of the reserved matters shall be made to the local planning authority not later than three years from the date of this permission. The development hereby permitted shall take place not later than two years from the date of approval of the last of the reserved matters to be approved.
- 3) The development hereby permitted shall be carried out in accordance with the following drawings:
 - Location Plan (16-1017-DWC-SP01-01-DE-A-0010-1ST, 19 September 2023)
 - Development Site Plan (16-1017-DWC-SP05-01-DR-A-0010-A, 12 December 2023)
 - Development Site Plan Massing and Active Frontage (16-1017-DWC-SP07-01-DR-A-0010-1ST, 19 September 2023)
 - Development Site Plan Parking Strategy (16-1017-DWC-SP08-01-DR-A-0010-1ST, 19 September 2023)
 - Development Site Plan Refuse Strategy (16-1017-DWC-SP011-01-DR-A-0010-1ST, 19 September 2023)
 - Boundary Wall and Fence Details (16-1017-DWC-SP15-01-DR-A-0010-1ST, 19 September 2023)
 - Garden Shed – Cycle Store Floor Plans and Elevations (16-1017-DWC-SP016-01-DR-A-0010-1ST, 19 September 2023)
 - Plot 1 House Type 3BB Floor Plans and Elevations (16-1017-DWC-3BB-01-DR-A-0010-1ST, 19 September 2023)
 - Plot 2 House Type 3BB Floor Plans and Elevations (16-1017-DWC-3BB-02-DR-A-0010-1ST, 19 September 2023)
 - Plots 3 and 4 House Type 1BBa Floor Plans and Elevations (16-1017-DWC-BL01-01-DR-A-0010-1ST, 19 September 2023)
 - Plot 5 House Type 2BBa Floor Plans and Elevations (16-1017-DWC-2BBA-01-DR-A-0010-1ST, 19 September 2023)
 - Plot 6 House Type 2BBa Floor Plans and Elevations (16-1017-DWC-2BBA-02-DR-A-0010-1ST, 19 September 2023)
 - Plots 7, 8, 9 and 10 House Type 1BBb Floor Plans and Elevations (16-1017-DWC-BL02-01-DR-A-0010-1ST, 19 September 2023)
 - Plot 11 House Type 2BBa Floor Plans and Elevations (16-1017-DWC-1BBB-01-DR-A-0010-1ST, 19 September 2023)
 - Plots 12 and 13 House Type 2Bh 4BH Floor Plans and Elevations (16-1017-DWC-BL03-01-DR-A-0010-1ST, 19 September 2023)

- Plot 14 House Type 3BB Floor Plans and Elevations (16-1017-DWC-3BB-03-DR-A-0010-1ST, 19 September 2023)
 - Street Scenes and Site Sections Sheet 1 of 2 (16-1017-DWC-SP20-01-DR-A-0010-B, 18 December 2023)
 - Street Scenes and Site Sections Sheet 2 of 2 (16-1017-DWC-SP21-01-DR-A-0010-B, 18 December 2023)
 - Site Sections – Additional Planning Information (16-1017-DWC-SP22-01-DR-A-0010-1ST, 18 December 2023)
 - Site Sections – Additional Planning Information (16-1017-DWC-SP23-01-DR-A-0010-1ST, 18 December 2023)
- 4) No development shall take place until an ecological protection plan has been submitted to and approved in writing by the local planning authority. The ecological protection plan shall be in accordance with the Updated Bat Survey Report (ecosupport, March 2023) and the Updated Preliminary Ecological Appraisal (ecosupport, October 2023), and must include:
- a) A plan showing wildlife and habitat protection zones;
 - b) Details of development and construction methods within the wildlife and habitat protection zones and measures to be taken to minimise the impact of any works;
 - c) Details of phasing of construction.
- The development shall be implemented in accordance with the approved protection plan.
- 5) No development shall take place until an Ecological Management Plan (EMP) and Ecological and Enhancement Strategy have been submitted to and approved in writing by the local planning authority. The EMP shall be based on the Updated Bat Survey Report (ecosupport, March 2023) and the Updated Preliminary Ecological Appraisal (ecosupport, October 2023), and shall include:
- a) Details (type and location) of wildlife boxes and hibernacula;
 - b) Description and evaluation of the features to be managed;
 - c) Ecological trends and constraints on site that might influence management;
 - d) Aims and objectives of management;
 - e) Appropriate management options for achieving aims and objectives;
 - f) Prescriptions for management actions;
 - g) Details of the body or organisation responsible for implementation of the plan;
 - h) On-going monitoring and remedial measures.
- The development shall be carried out, managed and maintained in accordance with the EMP.
- 6) Details of any external lighting (other than domestic lighting within an approved dwelling curtilage) shall be submitted with the reserved matters application.

- 7) The development hereby approved shall be undertaken in full accordance with the provisions set out within the A.J. Monk Consulting Arboricultural Impact Appraisal and Method Statement (October 2023).
- 8) No development (including demolition) shall take place until:
- a) An archaeological field evaluation has been carried out in accordance with a specification and timetable that shall first have been submitted to and approved in writing by the local planning authority; and
 - b) Safeguarding measures to ensure the preservation in situ of important archaeological remains and/or further archaeological investigation and recording identified in the archaeological field evaluation have been undertaken in accordance with a specification and timetable that shall first have been submitted to and approved in writing by the local planning authority

No development shall take place other than in accordance with the Written Scheme of Investigation.

- 9) No development shall take place until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the local planning authority. The CEMP shall include, but not be limited to:
- a) Measures to ensure that vehicles leaving the site do not deposit mud or other detritus on the public highway.
 - b) Details of site operative parking areas, material storage areas and the location of site operatives' facilities (offices, toilets etc).
 - c) The hours that delivery vehicles will be permitted to arrive and depart, and arrangements for unloading and manoeuvring.
 - d) Details of any temporary construction accesses and their reinstatement.
 - e) A highway condition survey, timescale for re-inspections, and details of any reinstatement.
 - f) Details of site operatives' parking, material storage and the positioning of operatives' facilities.

The measures set out in the approved CEMP shall be carried out and complied with in full during the construction of the development hereby approved.

- 10) No development shall take place until a Construction Surface Water Management Plan has been submitted to and approved in writing by the local planning authority. The plan shall include:
- a) An explanation of how surface water will be managed during the construction phase, including site clearance and stripping.
 - b) Drawings of any temporary drainage systems
 - c) A timeline of construction
 - d) Measures to mitigate the risk of pollution (including silt) of the water environment and offsite flood risk

- e) Detail how the approved permanent surface water drainage system shall be remediated during the construction phase.

The development shall be carried out in accordance with the Construction Surface Water Management Plan.

- 11) Clearance or construction works and deliveries shall take place only between 08.00 and 18.00 on Monday to Friday, between 08.00 and 13.00 on Saturday and shall not take place at any time on Sundays or on Bank or Public Holidays.
- 12) No development shall commence until details of a scheme for the provision of foul drainage has been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details, timetable and programme.
- 13) No works associated with the site drainage shall commence until a scheme for a surface water drainage strategy has been submitted to and approved in writing by the local planning authority. The scheme shall:
 - a) Detail provision for the sustainable disposal of surface water within the site so as to prevent its discharge onto the highway
 - b) Detail surface water drainage measures, including for hardstanding areas
 - c) Conform with the non-statutory technical standards for SuDS (Defra 2015) (or an equivalent if this is replaced) and the Flood Risk Assessment (304103-SWH-ZZ-01-DR-RP-0001, Scott, White and Hookins, April 2023).
 - d) Provide detailed design drawings for all drainage assets and run off treatment proposals for surface water drainage. Exceedance flows should not be directed to property or private land.
 - e) Detail future maintenance of any communal surface water drainage assets.
 - f) Proposals for informing future homeowners or occupiers of the arrangements for maintenance of communal surface water drainage assets.

The scheme shall be implemented prior to the first use of the development and the drainage thereafter maintained in accordance with the agreed scheme.

- 14) The development hereby permitted shall not be occupied until the Building Regulations optional requirement of a water consumption rate of no more than 110 litres per person per day has been complied with.
- 15) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no development permitted by virtue of Classes B and C of Part 1 of Schedule 2 to the Order shall be undertaken on plots 1 to 11, as shown on Development Site Plan (16-1017-DWC-SP05-01-DR-A-0010-A, 12 December 2023).