

Parish Council Planning Application Consultation Response Framework

These notes have been prepared solely to assist the formulation of a Parish Council response to a planning application and are reproduced on the Parish Council website so as to be transparent about the process the Parish Council will follow when formulating a response to a planning application. They should not be relied upon as, or treated as, planning advice.

Section 1: Introduction

The Parish Council should avoid language that suggests/implies it is the decision maker, it is simply a consultee. Its role is that of the voice of the local community and as such it should consider the impact of a proposal on the community and should advocate on behalf of the community.

A planning decision should be one made in the round with weight attached to a number of policies. It is rare that a decision is made based on a single policy.

The planning system looks at the situation as it exists now and the planner will not necessarily consider how things could change in the future. As such, any response should be framed primarily based on existing conditions/concerns and should be focussed on the particular planning application. Concerns about precedence setting are unlikely to be given weight by the planners, who are required to determine each application on its own merits and on a case by case basis.

Responses should be credible and factual and not diluted with material that is not relevant to the planning system and/or the particular application. For example, an argument that a development will lead to more cars on the road and therefore more speeding should not be made - speeding is not a planning issue (though road safety can be – see section on Transport).

It is acceptable for a Parish Councillor to have views about a proposal and express those views. However, they must not come to any application with a pre-determined view. A councillor should be open minded but does not need to be empty headed.

A Parish Council must act in a manner that takes account of the perception that a reasonable person might have about how they have considered an application and reached a response.

Section 2: The Planning Framework

All responses should be assessed against the planning framework:

1. **National Planning Policy Framework** (“NPPF”) dated 19 December 2023. See: https://assets.publishing.service.gov.uk/media/65a11af7e8f5ec000f1f8c46/NPPF_December_2023.pdf
2. **The current Local Plan** i.e. Basingstoke and Deane Local Plan May 2011-2029 dated 2016 (the “current Local Plan”) and Map with key. See: <https://www.basingstoke.gov.uk/content/doclib/1592.pdf>

Note there is a Basingstoke and Deane Local Plan Update 2021 to 2040 Draft for Regulation 18 Consultation dated January 2024 (“Draft Local Plan”). See: <https://consult.basingstoke.gov.uk/system/files/materials/17/Local%20Plan%20Update%20Regulation%2018%202024%20-%20online%20version.pdf>

A further iteration of the draft new local plan is due to be published for consultation in Winter 2024/25.

3. **The Preston Candover Conservation Area Appraisal (CAA) dated April 2004** if a proposal lies within the Preston Candover Conservation Area this document should be considered. See: <https://www.basingstoke.gov.uk/content/page/33849/Preston%20Candover%20Conservation%20Area%20Appraisal.pdf>

Consult the map below to determine whether a proposal is within the Conservation Area.

<https://www.basingstoke.gov.uk/content/page/33850/Preston%20Candover%20Conservation%20Area%20Map.pdf>

4. **Basingstoke and Deane Countryside Design Summary** September 2008, pages 28 to 31 Candover Valley. See: <https://www.basingstoke.gov.uk/content/page/25878/Countryside%20Design%20Statement.pdf>

5. **Basingstoke and Deane Landscape Character Assessment May 2021** Character Area 20: Candover Valley.¹ This document is relevant to the setting of proposals in the Parish. See: <https://www.basingstoke.gov.uk/content/doclib/3246.pdf>

6. **Basingstoke and Deane Valued Landscape Study February 2023.** See: <https://www.basingstoke.gov.uk/content/doclib/4114.pdf>
The areas designated as Valued Landscape have not yet been finalised. Based on the current draft map much of the Parish falls within the designation – in order to check if a proposal is likely to be regarded as within a Valued Landscape check on the following map: <https://www.basingstoke.gov.uk/content/doclib/4115.pdf>
Note this is subject to amendment.

7. **Any Neighbourhood Plan**
The Parish does not currently have a Neighbourhood Plan.

8. **Material Considerations**
See Section 4 below.

¹ See pages 130-133

The starting point of any response should be the current Local Plan. The following section highlights those policies that are most likely to be relevant to a proposal within the Parish – it is not exhaustive.

Section 3: The Basingstoke and Dean Current Local Plan

Background

A Local Plan that is older than five years is more open to challenge on the basis it is out of date. Our current Local Plan is over five years old and is due to be replaced – so we should also consider the draft Local Plan. In the period before the draft Local Plan is finalised it may also be helpful also to look at the NPPF which contains certain concepts that are in the draft Local Plan.

Current Local Plan Policy SS5 - Neighbourhood Planning² Page 61

Policy SS5 states: “It will be necessary to identify sites/opportunities to deliver at least 10 homes within and adjacent to each of the settlements with defined Settlement Policy Boundaries.”

The effect of this policy is to apply a ten home requirement on Preston Candover. Note small residential developments of less than ten units within the defined Settlement Policy Boundary will not qualify towards the target³.

Currently Basingstoke’s Strategic Housing and Economic Land Availability Assessment 2023 (SHELAA)⁴ identifies two potential plots in Preston Candover (both of which are outside the Settlement Boundary); Land Adjacent to Church Farm, Wield Road (31 dwellings) and Fairview Farm (10 dwellings). See map of Preston Candover on attachment: <https://basp.basingstoke.gov.uk/content/page/64529/Appendix%20%20-%20SHELAA%20maps%20-%20updated.pdf>.

Information about both parcels is contained in this document:

<https://www.basingstoke.gov.uk/content/page/72673/Appendix%20%20Sites%20outside%20Settlement%20Policy%20Boundaries.pdf>

When considering a proposal, the Parish Council should assess whether it would help Preston Candover to meet its planning allocation. If the proposal relates to an identified SHELAA plot it will be important to frame the assessment with that information in mind.

² The NPPF requires Local Planning Authorities to actively manage housing land supply and where Local Plans are over 5 years old (as ours is) demonstrate they can identify a supply of specific sites. As of January 2024 B&D consider they are in compliance with their obligations. See B&DBC: Updated Housing Land Supply Position (January 2024).

³ Paragraph 4.67 Current Local Plan

⁴

<https://www.basingstoke.gov.uk/content/page/72668/SHELAA%20Report%202023%20and%20Appendix%201.pdf>

Draft Local Plan: Policy SPS6 - Neighbourhood Planning page 136

The draft position is to maintain Preston Candover's policy baseline figure of ten, the assessment behind this is set out in the Basingstoke and Dean Settlement Study 2024⁵.

Current Local Plan Policy SS6 - New Housing in the Countryside⁶ – page 64

If a proposal is situated outside a Settlement Policy Boundary then policy SS6 is relevant.⁷ It takes a more restrictive approach than is the case within settlement boundaries.

Consult the following map to determine the Settlement Boundary:

[https://www.basingstoke.gov.uk/content/page/45132/30 PRESTON%20CANDOVER.pdf](https://www.basingstoke.gov.uk/content/page/45132/30_PRESTON%20CANDOVER.pdf)

The approach to such proposals is set out in Paragraph 4.70 of the current Local Plan, which states:

“The aim of the Local Plan is to direct development to within the identified Settlement Policy Boundaries and specific site allocations. Within the countryside it is the intention to maintain the existing open nature of the borough's countryside, prevent the coalescence of settlements and resist the encroachment of development into local areas.”

The policy is designed to prevent isolated homes in the countryside⁸.

Under policy SS6, development proposals for new housing outside of Settlement Policy Boundaries will only be permitted where they are:

- (a) On previously “developed land”⁹ if specified criteria is met¹⁰

⁵ Section 8.10.11 Preston Candover: “Preston Candover has not met its requirement for 10 homes under Policy SS5 of the adopted Local Plan, so this should be carried across into the LPU [Local Plan Update] with no additional requirement.”

⁶ Paragraph 124(b) page 36 NPPF: Planning policies and decisions should recognise that some undeveloped land can perform many functions such as for wildlife, recreation, flood risk mitigation, cooling/shading, carbon storage or food production.

⁷ Policy SS1 (a) “Sites outside of defined Settlement Policy Boundaries will be considered to lie in the countryside;”

⁸ Paragraph 84 NPPF states planning policies and decisions should avoid the development of isolated homes in the countryside unless:

- (a) Essential need for rural worker
- (b) Development represents the optimal viable use of a heritage asset
- (c) Development would re-use redundant or disused building and enhance its immediate setting
- (d) The development would involve the subdivision of an existing residential building
- (e) The design is of exceptional quality and it satisfies the requirements set out in paragraph 84(e).

⁹ “Previously developed land” is defined in Annex 2 to the NPPF as “Land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure. This excludes: land that is or was last occupied by agricultural or forestry buildings; land that has been developed for minerals extraction or waste disposal by landfill, where provision for restoration has been made through development management procedures; land in built up areas such as residential gardens, parks, recreation grounds and allotments; and land that was previously developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape.”

¹⁰ Redevelopment of previously developed land will generally be encouraged, see paragraph 4.72 current Local Plan

- (b) For a rural exception for affordable housing
- (c) For the re-use of a redundant or disused permanent building if specified criteria is met
- (d) For a non-temporary replacement dwelling or an extension to an existing dwelling provided that:
 - a. The size of the proposal would be appropriate to the plot; and
 - b. It would not be significantly visually intrusive in the landscape¹¹

When looking at paragraph (d) note that the meaning of “existing residential dwelling” was considered in *Wiltshire Council v SSHCLG and Mr Howse* 2020. The court considered whether dwelling meant a single residential building or a wider residential unit that could include a secondary building within the same plot. The Court concluded the narrower interpretation was correct. As such, it would seem that an extension to an outbuilding to create a new dwelling would not fall within this paragraph.

However, it is possible that the planner may side-step this issue if they consider that a proposal, relating to an extension of an outbuilding, is intended for use only by occupants and relatives of the host building. In such a case they would be likely to restrict the newly extended outbuilding from being used or sold separately to the main dwellinghouse. This would be done by making it a condition that the outbuilding must be used for purposes ancillary to the occupation and enjoyment of the host building and may not be sold off, sub let or used as a separate unit of accommodation, or in connection with any trade, business, profession or commercial enterprise. In such a case, the provisions of SS6 would not apply – this type of development would not be regarded as a new home, effectively it is an extension of an existing home.

- (e) Small scale residential proposals of a scale and type that meet a locally agreed need. If the exception set out in (e) is met, the proposal must also meet the requirements of sub paragraphs (ix)-(xi).

Note: Basingstoke and Deane’s “New Homes in the Countryside to Meet Locally Agreed Need (January 2019)” provides guidance on how to interpret paragraph (e) of policy SS6. See:

<https://www.basingstoke.gov.uk/content/page/47637/SS6e%20guidance%20note%20-%20January%202019.pdf>

The guidance makes clear that need should be a specific and clearly identified unmet need in the local area in terms of number, size, type and tenure at the level

¹¹ Paragraph 4.75 current Local Plan: a replacement dwelling should be positioned within the site where it would result in no material harm, including to the local landscape or amenity. The size and design should respect the existing building and not result in the property becoming more visually intrusive in the countryside – see paragraph 4.76 current Local Plan. Applications for extensions will be considered within the context of previous extensions – the stated aim is not to alter the impact of the original building.

of the Parish, village or settlement. A general need for additional housing would not count and neither would an individual's personal need.

The guidance suggests the Parish Council should agree with the assessment as to the need and that an applicant should obtain, in writing, the Parish Council's views on this issue prior to making an application.

- (f) For a new dwelling linked to an existing and viable agricultural, forestry, horse breeding and training, livery or equivalent rural business and specified criteria is met.
- (g) Allocated for development in a Neighbourhood Plan. Note as of November 2024 there is no such plan for the Parish.

Note: A proposal that satisfies a Policy SS6 permission should "enhance or maintain the vitality of rural communities and meet identified needs."¹²

Draft Local Plan Policy HSG1 - New Housing in the Countryside page 228

The draft policy is based on the existing policy. Points to note:

- Existing paragraph (a)(ii) and (iii) is replaced with a new 1(b)
- Existing paragraph (b) is replaced with new paragraph 11 to reflect Rural Exception Site concept
- Existing paragraph (c) has extra detail in new paragraph 12
- Existing paragraph (d) replaced with paragraph 13 (b) which also refers to "harm the character and local distinctiveness of the rural area"
- Existing Paragraph (e) refers to small scale is replaced by paragraph 14 which refers to "four net dwellings or fewer"
- There is a new paragraph 17 relating to sub-division of an existing building which is not covered in the 2016 policy¹³.

Current Local Plan Policy CN2 – Rural Exceptions for Affordable Housing page 78

This policy is potentially relevant for proposals outside the Settlement Boundary which are small scale and designed to meet identified needs of local people unable to meet their needs in the housing market.

Draft Local Plan HSG3 - Rural Exception Sites page 234 and HSG4 - Single Plot Rural Exception Sites¹⁴ for Custom and Self build housing¹⁵ page 236

Note the draft policy is different to the existing one and introduces the concepts of Rural Exception and First Homes Exception Sites.

¹² Paragraph 4.71 current Local Plan

¹³ The source of this provision is paragraph 84(e) NPPF

¹⁴ Annex 2 to the NPPF defines Rural exception sites as "Small sites used for affordable housing in perpetuity where sites would not normally be used for housing. Rural exception sites seek to address the needs of the local community by accommodating households who are either current residents or have an existing family or employment connection. A proportion of market homes may be allowed on the site at the local planning authority's discretion, for example where essential to enable delivery of affordable units without grant funding.

¹⁵ Definition of Self-build and custom-build housing in Annex 2 to the NPPF page 75.

If a proposal relates to affordable homes in the countryside, both existing and proposed policies should be considered¹⁶.

Current Local Plan Policy CN4 – Housing for Older People/Specialist Housing page 82

This policy CN4 applies to retirement housing and continuing care retirement communities, care and nursing homes.

Draft Local Plan Policy HSG6 - Specialised Accommodation for Older People and those with Specialised Needs page 239

Note the draft policy HSG6 is different to the existing policy CN4. If a proposal relates to retirement or otherwise specialist needs, both existing and proposed policies should be considered.

Current Local Plan Policy CN6 – Infrastructure page 86

This policy CN6 relates to the requirement for new developments to contribute towards services, facilities and infrastructure that the development will give rise to.

Draft Local Plan Policy INF1 Infrastructure page 209

The draft policy INF1 expands upon existing policy CN6.

Current Local Plan Policy CN7 – Essential Facilities and Services page 90

Proposals that provide or improve essential facilities and services and sustain and enhance the vitality and viability of communities are covered by this policy.

A proposal which would be detrimental to or result in the loss of essential facilities and services will only be permitted in limited specified circumstances.

Essential facilities include shops, post offices, pubs, places of education, places of worship, village halls and cemeteries.¹⁷

The views of the local community on any loss must be sought and there is guidance on the information to be provided.¹⁸

Draft Local Plan Policy INF3 - New and Improved Facilities page 221 and *Policy INF4 - Protecting Existing Community Facilities* page 224

The draft Local Plan distinguishes between new and improved community facilities (Policy INF3) and the potential loss of an existing facility (Policy INF4).

Note: Policy INF4 contains provisions for the situation where a proposal in close proximity to existing community facilities which could have a detrimental impact on the existing facility which has a slightly different emphasis to that in current Local Plan policy CN7.

¹⁶ Note Draft Policy HSG1.1 ties back to rural exception sites for housing permitted by HSG3, HSG4 or HSG6.

¹⁷ See paragraph 5.66 current Local Plan

¹⁸ See paragraph 5.67 current Local Plan

If a proposal is likely to have an effect on an existing community facility it would be sensible to consider it against the existing and proposed policy.

Current Local Plan Policy CN9 – Transport page 95

The traffic impact of a proposal should be considered against the provisions of Policy CN9, which states:

Development proposals will be permitted that:

- (a) Integrate into existing networks
- (b) Provide safe, suitable and convenient access for all potential users
- (c) Meet layout requirements with appropriate parking and servicing provision
- (d) Do not result in inappropriate traffic generation or compromise highway safety
- (e) Do not have a severe impact on the operation, safety or accessibility to highway networks
- (f) Mitigates impact on local networks
- (g) Protects and where possible enhances public rights of way
- (h) Provides appropriate parking
- (i) Provides waste and recycling storage and accessible collection
- (j) Does not prejudice the future development or design of suitable adjoining sites

If a proposal does not meet any one of these requirements, there would be grounds to express concern.

Residential Parking requirements are set out in Basingstoke and Dean Parking Supplementary Planning Document July 2018. See: [https://www.basingstoke.gov.uk/content/page/57812/Parking%20Supplementary%20Planning%20Document%20\(SPD\)%20July%202018.pdf](https://www.basingstoke.gov.uk/content/page/57812/Parking%20Supplementary%20Planning%20Document%20(SPD)%20July%202018.pdf)

Draft Local Plan Policy INF2 - Transport page 214

The draft policy is an updated version of the existing policy and would also cover specifically electric vehicles, pedestrians and cyclists and reduction in travel need.

Questions we should be considering include: Does the proposal adversely affect highway safety? Is the parking and turning provision sufficient?

Current Local Plan Policy EM1 - Landscape¹⁹ page 102

The impact of a proposal on its setting within the Parish should be considered by reference to Policy EM1. It states:

“Development will be permitted only where it can be demonstrated, through an appropriate assessment, that the proposals are sympathetic to the character and visual quality of the area

¹⁹ See also section 15 Conserving and enhancing the natural environment page 52 NPPF. Paragraph 180 imposes an obligation on planning policies and decisions to protect and enhance valued landscape and sites of biodiversity.

concerned. Development proposals must respect, enhance and not be detrimental to the character or visual amenity of the landscape likely to be affected..."

"Development proposals must also respect the sense of place, sense of tranquility or remoteness, and the quiet enjoyment of the landscape from public rights of way. Development proposals will not be accepted unless they maintain the integrity of existing settlements and prevent their coalescence."

The particular character and qualities of the Parish landscape are identified in landscape character assessments and updates, the most relevant currently are: Basingstoke and Deane Landscape Character Assessment May 2021 and the Basingstoke and Dean Valued Landscape Study 2023.²⁰

In brief terms, the Basingstoke and Deane Landscape Character Assessment May 2021 makes the following observations about the Parish landscape:

Overall Landscape Character²¹: diverse landscape of farmland, woodland and parkland unified by the underlying well defined linear valley landform...the area as a whole retains a peaceful and rural character.

The Candover Valley Key Characteristics are listed on page 132 of the document.

The strategic aim for the Candover Valley²² is to conserve the pattern of hedgerows and arable fields on the upper slopes, conserve areas of parkland on the lower slopes and maintain the enclosed setting and separate identities of the settlements along the valley floor.

Landscape Guidelines for Built Development:²³

- Ensure new development is in keeping with the scale and settlement pattern of villages and hamlets
- Conserve the rural character of the area, avoiding adverse effects of expansion of settlement in particular along the B3046 and limit the effects of development which could weaken the sense of separate identities of the villages
- Avoid visual intrusion from development of energy generation sites (solar farms)
- Encourage the use of locally characteristic building forms
- Conserve rural roads and lanes
- Ensure potential road lighting in currently unlit areas are assessed for visual impact and encourage conservation of existing dark skies

Basingstoke and Deane Countryside Design Summary September 2008, pages 28 to 31 Candover Valley: "Linear development on the edge of the settlements should be avoided to prevent the coalescence of neighbouring villages and hamlets. Native trees and shrubs should

²⁰ If landscape is a particular concern, it might also be helpful to review the Hampshire County Integrated Character Assessment May 2012 Candover Valley Section 8F.

²¹ Page 131

²² Page 133

²³ Page 133

be planted in association with development adjacent to the open countryside, to integrate the new buildings into the landscape. Sufficient space should be allowed to plant large tree species.”

“New development should reflect the linear form of the existing villages and should be kept on the valley floor and lower valley slopes away from the risk of flooding. Development should be small-scale and should reflect the proportions of existing vernacular buildings in the area, picking up on the traditional building styles, materials and colours..”

See also Valued Landscapes Study 2023.

The kinds of questions that will be relevant in this context include: does the proposal maintain the integrity of Preston Candover? Is there a risk that it contributes to a coalescence of Preston Candover and Axford? Does the proposal have any impact on the tranquility of the landscape? Does the proposal introduce domestic elements into what was previously a remote rural setting? This policy also requires consideration be given to the impact on trees and hedgerows on a site.

Draft Local Plan Update: Policy ENV1 - Landscape²⁴

The equivalent policy in the draft Local Plan is generally similar to the current Policy EM1. However, a new concept of Valued Landscapes introduced. “Landscapes of particularly high value outside of the National Landscape are identified as Valued Landscapes on the Policies map. Development proposals will only be permitted in these areas where they protect and enhance features that contribute to character, quality and interpretation of these landscapes.”

The attributes of an area are as set out in the Valued Landscapes Study 2023 (as updated). Under current proposals, the valley floor and lower slopes of most of the Parish fall within Valued Landscape designation.

Questions to consider: Is the impact of the proposal in compliance with these guidelines/ does it affect the special nature of the landscape in the Parish?

Current Local Plan Policy - EM4 Biodiversity, Geodiversity and Nature Conservation²⁵ page 106

The biodiversity aspects of a proposal are subject to Policy EM4, which states:

“development proposals will only be permitted if significant harm to biodiversity and/or geodiversity resulting from a development can be avoided or, if that is not possible, adequately mitigated and where it can be demonstrated that...” A set of requirements is set out in the policy.

The National or local significance and any designation or protection that applies to a site will be relevant.

²⁴ Page 152 Draft Local Plan

²⁵ See also Habitats and Biodiversity page 53 NPPF

Draft Local Plan: ENV6 – Biodiversity, Geodiversity and Nature Conservation page 162

If biodiversity etc is a key issue for a proposed development this draft provision should also be considered.

Questions to consider include: Has the proposal been designed to prevent the loss of any significant wildlife habitats or, if this is unavoidable, does it propose appropriate mitigation?

Current Local Plan Policy EM7 - Managing Flood Risk²⁶ page 116

Flooding issues are dealt with in Policy EM7. Amongst other things, it states that, development within:

- Flood zone 2 and/or 3²⁷,
- sites of 1ha or more in Flood Zone 1,
- sites that have a record of localised or groundwater flooding from the B&D Strategic Flood Risk Assessment (SFRA),²⁸
- sites in critical drainage areas or upstream therefrom

require a Flood Risk Assessment (FRA).

Proposals in areas that have experienced or are at risk of localised or ground or surface water flooding will only be acceptable if: (a) it is clearly demonstrated that it is appropriate at that location and (b) specified requirements are met.

Windfall development proposed in areas of high flood risk will only be acceptable if it can be demonstrated sequentially that there are no preferable sites in areas at lower risk, development would not increase the risk of flooding elsewhere.²⁹

When considering the potential flooding aspects of a proposal:

1. Consult the Current Local Plan map³⁰ to see whether it is within a designated flood zone:
https://www.basingstoke.gov.uk/content/page/45132/30_PRESTON%20CANDOVER.pdf
2. Consider whether the proposal is at risk of Groundwater flooding, see risk map:
<https://www.basingstoke.gov.uk/content/page/67633/Figure%208-%20Susceptibility%20to%20Groundwater%20flooding.pdf>
3. Consider whether the proposal is at risk of Surface Water Flood Risk, see risk map:

²⁶ See also Paragraph 165-175 NPPF Planning and flood risk, pages 48-50 NPPF. Note in particular paragraph 173

²⁷ Paragraph 6.55 current Local Plan states “National guidance requires the submission of a FRA for all sites in Flood Zone 2 and 3”

²⁸ Basingstoke 2021 SFRA:

<https://www.basingstoke.gov.uk/content/page/67613/Strategic%20Flood%20Risk%20Assessment%20July%202021.pdf>

²⁹ Paragraph 6.54 current Local Plan

³⁰ See current Local Plan Map insert 30 Preston Candover

<https://www.basingstoke.gov.uk/content/page/67630/Figure%206e-%20Risk%20of%20Flooding%20from%20Surface%20Water.pdf>

4. Consider whether the proposal is at risk of Fluvial Flood Risk, see risk map:

<https://www.basingstoke.gov.uk/content/page/67621/Figure%203e-%20Fluvial%20Flood%20Risk.pdf>

Bear in mind that the NPPF states³¹, when determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere.

Draft Local Plan: Policy ENV10 - Managing Flood Risk page 179

Note the draft policy is largely the same as the existing one except, the triggers for an FRA are expanded and include sites that have a reported record of localised or groundwater flooding.

Questions to consider: Are the drainage details adequate and acceptable? Is it in an area of significant flood risk?

Current Local Plan Policy EM8 – Commercial Renewable/Low Carbon Energy Generation page 119

This is the policy that is relevant to development proposals for the commercial generation of energy from all types of renewable and low carbon technology (other than wind turbines) eg solar farms.

Unacceptable impacts on landscape, wildlife and heritage assets and amenity must be avoided.³²

Note: the Built Development Landscape Guideline in the Landscape Character Assessment 2021 states the Candover Valley should:

“Avoid visual intrusion from development of energy generation sites, such as solar farms”.

If proposal for an energy generation site is made, the Parish Council should bear this guidance in mind when making its assessment.

Draft Local Plan: Policy ENV13 - Renewable and Low Carbon Energy Generation page 189

The draft policy is more detailed than the current version and anticipates that areas suitable for solar farms will be identified by Basingstoke and Deane with different criteria to be applied depending on whether a proposal falls inside or outside one of these areas.

Current Local Plan Policy EM10 – Delivering High Quality Development Page 123

All proposals should be assessed with this Policy EM10 in mind. It states that:

Developments should positively contribute to local distinctiveness and sense of place. Account should be taken of documents that identify local character and distinctiveness.³³

³¹ Paragraph 173 NPPF

³² Current Local Plan Paragraph 6.69

³³ Current Local Plan Paragraph 6.81. See discussion relating to current Local Plan policy EM11 re: CAA. The CAA is also relevant when considering this current Local Plan policy EM10.

Development will be permitted where it:

- (a) Positively contributes to local distinctiveness, the sense of place and existing street scene taking into account relevant community documents
- (b) Provide high quality of amenity for occupants and neighbours having regard to overlooking, natural light, outlook, amenity space³⁴
- (c) Have due regard to density, scale, layout, appearance, materials and history of the surrounding area, relationship with neighbouring buildings, landscape features and heritage assets
- (d) Are visually attractive
- (e) Provide appropriate parking³⁵
- (f) Provide appropriate waste and recycling areas/access

Draft Local Plan Policy DES1- Key Design Principles page 251, Policy DES2 - Site Design Page 254 and Policy DES3 - Building Design Page 259

The current Policy EM10 is replaced, in the draft Local Plan, with the expanded policies referred to above. Note draft Policy DES3 has a separate section relating to extensions specifically.

The built development guidance referred to in the section above relating to landscape is also relevant to this policy.

Questions to consider include:

- Does the proposal comprise any significant overlooking/loss of privacy issues?
- Has the proposal been designed to respect the amenities of neighbouring properties avoiding unreasonable loss of light or an overbearing impact?
- Does the proposal amount to a significant change or intensification of use?
- Does the proposal maintain the character and the qualities of the area in which it is situated?
- Would the proposal be in keeping with the appearance of the existing dwelling, street and area?
- Would the materials, details and features match the existing dwelling, street and area?
- Would the proposal leave adequate garden area and green space to prevent the proposal appearing to be an overdevelopment?
- If an extension – is the appearance subservient to the main dwelling?

Current Local Plan Policy EM11 - The Historic Environment³⁶ page 126

All proposals within the Preston Candover Conservation Area should be assessed by reference to this Policy EM11. As the policy also relates to sites and landscape it would also be

³⁴ Note the Draft Policy approach is wider see DES3(g) “will not have an unacceptable detrimental impact on neighbouring properties in relation to issues such as overlooking, access to natural light, noise, outlook and overbearing impacts and light pollution”

³⁵ See Parking Supplementary Planning Document July 2018 for standards imposed in this regard:
[https://www.basingstoke.gov.uk/content/page/57812/Parking%20Supplementary%20Planning%20Document%20\(SPD\)%20July%202018.pdf](https://www.basingstoke.gov.uk/content/page/57812/Parking%20Supplementary%20Planning%20Document%20(SPD)%20July%202018.pdf)

³⁶ See also Section 16 NPPF “Conserving and enhancing the historic environment” page 57 “Proposals affecting heritage assets” page 58 and “Considering Potential Impacts” page 59 NPPF.

appropriate to consider this policy in relation to any proposal within the Parish's Valued Landscape zone. Policy EM11 states:

All development must conserve or enhance the quality of the borough's heritage assets in a manner appropriate to their significance.³⁷ "Heritage assets"³⁸ includes Listed Buildings, Conservation Areas as well as buildings, sites, places, areas or landscapes identified as having a degree of significance even if not formally designated heritage assets.

If a development would affect a heritage asset it will only be permitted in the circumstances set out in Policy EM11, in brief, proposals:

- (a) Should demonstrate how the significance of the heritage asset and its setting³⁹ have been taken into account in the proposal;
- (b) For extensions/alterations must respect the historic form, setting, fabric and any other aspects that contribute to the significance of the host building;⁴⁰
- (c) Should demonstrate a thorough understanding of the significance, character and setting of conservation areas and how this has informed proposals to achieve high quality new design which is respectful of historic interest and local character;
- (d) Should conserve or enhance the quality distinctiveness and character of heritage assets by ensuring the use of appropriate materials, design and detailing; and
- (e) Should retain the significance and character of historic buildings when considering alternative uses and make sensitive use of redundant historic assets.

Note paragraph 208 page 59 NPPF states:

"where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate securing its optimum viable use."

³⁷ "Significance (for heritage policy)" is defined in Annex 2 to the NPPF as "The value of a heritage asset to this and future generations because of its heritage interest. The interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset's physical presence, but also from its setting..."

³⁸ See footnote 32 on page 126 of the Current Local Plan for meaning of Heritage assets which is also defined on page 70 of NPPF as "A building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. It includes designated heritage assets and assets identified by the local planning authority (including local listing)."

³⁹ The "setting of a heritage asset" is defined in Annex 2 to NPPF as "the surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral."

⁴⁰ Where a host building is a heritage asset it is important to recognise that the host building will have been subject to changes over time and proposals to extend or alter the host building should take account of the evolution of the building. See current Local Plan paragraph 6.88.

The effect of this provision is that when weighing the impact on heritage assets, the planners will also take into account any public benefit offered by a proposal. It would therefore be important for the Parish Council to consider whether or not any public benefit is offered and, if not, to state that, in the view of the Parish Council, there would not be any public benefit.

Proposals that may affect a heritage asset in a Conservation Area are expected to demonstrate full understanding of, amongst other things, the CCA⁴¹ and the Parish Council should consider the proposal against the CAA to assess whether the proposal could erode the special character of the Conservation Area setting or identified heritage assets.

Note: even if the proposal is outside the Conservation Area the Parish Council should consider whether it has the potential to affect the special character of the Conservation Area. For example:

- is the proposal located within an identified view into or out of the Conservation Area?
- Is the proposal in close proximity with a notable/building of interest referred to in the CAA or a Listed Building⁴²

The CAA identifies those buildings, views and key features considered essential to the special character or appearance of the Preston Candover Conservation Area.

- See Pages 5 to 7 of the CAA for identification of key buildings.
- See page 8 of the CAA for detail on the “Character and Importance of Public and Private Spaces”. This section will be relevant to any proposals relating to development of these spaces. Bear in mind the CAA statement that the setting of the village is created by wide-open spaces which enable extensive views across the valley into the village. It will be important to consider whether a proposal might harm the special qualities of the Conservation Area by removing open space or interrupting extensive views or introducing domestic features which would diminish the rural character of a view.
- See page 10 of the CAA for detail on Areas of Archaeological Significance⁴³ – see the map on page 14 of the CAA to determine whether a proposal is within this designation.
- See page 11 of the CAA for Conservation Area planning controls. Particular attention should be paid to the scale, height, form, materials and detailing of proposals including boundary treatments.

⁴¹ Current Local Plan Paragraph 6.92

⁴² Does the Listed Building draw its significance from its setting (see also footnote 37 above) i.e. the surroundings in which the building is experienced – which may be more extensive than its curtilage? Would the proposal have an impact on it?

⁴³ “The majority of the Conservation Area is designated an Area of High Archaeological Potential beginning with the area around Manor Farm and the ruins of St Mary’s Church in the South. It then extends north to Preston House, following the main building lines. Much of the remaining area behind these building plots is designated an Area of Archaeological Potential.”

Draft Local Plan Policy DES6 - The Historic Environment page 265

The draft policy is worded differently but is substantially similar in effect to the existing policy. The definition of heritage asset is the same as the current one. If a proposal relates to a significant heritage asset it would be sensible to consider the application by reference to both the existing and proposed policy.

Questions we should have in mind:

- Would the proposal preserve or enhance the character and appearance of the Conservation Area?
- If within the setting of, or a listed building:
 - Will the development preserve the character and special architectural or historic interest of the building?
 - Will the development preserve the setting of the building?
- Does the proposal impact on Archaeology or an Ancient Monument?
- If the site is outside the CA, would the proposal affect the setting of a listed building or an important view?

Current Local Plan Policy EM12 Pollution page 129

A development that results in pollution that is detrimental to quality of life or poses unacceptable risks to health or the natural environment should not be permitted without appropriate mitigation. "Pollution" includes anything that affects the quality of land, air, water or soil which might lead to an adverse impact on human health, the natural environment or general amenity. It can arise from smoke, fumes, gases, dust, steam, odour, noise and light⁴⁴.

Questions to consider: Does the proposal impact water, air, soil quality? Does the proposal have an impact on noise or light levels?

Current Local Plan Policy EP4 – Rural Economy page 144

This is the relevant policy for economic use development in the countryside (ie outside Settlement Boundaries).

Draft Local Plan Policy EMP4 - Rural Economy page 204

The draft policy is different to the existing one. Note in particular, it contains a provision regarding change of use/redevelopment of land and buildings in employment use in non-isolated locations within the countryside for non-employment use.

If a proposal relates to change of use from commercial to residential in the countryside, it will be important to consider the draft policy wording as well as the current Local Plan Policy EP4.

Current Local Plan Policy EP5 - Rural Tourism⁴⁵ page 146

This is the relevant policy for tourism development, including guest accommodation, camping and caravan sites in the countryside (ie outside Settlement Boundaries).

⁴⁴ Source NPPF Glossary

⁴⁵ See also paragraphs 88-89 NPPF Page 24

The draft Policy applies additional requirements on new buildings – particularly if they might have “visual or other unacceptable adverse impacts on the ...heritage or the character and appearance of the area.”

Section 4: Material Considerations

In addition to looking at the Local Plan (and the other documents referred to above) the Parish Council should also consider whether there are any relevant “material considerations.” This is an undefined term, but what is clear is that to be “material” the issue must relate to the use of the land in question. It must relate to something that the planning system is designed to address.

Examples of things that **might be** material:

- Positive benefits for local infrastructure that would arise if the plan is approved
- The proposal resolves a long-standing problem site
- The planning history of the site – eg a reversion back to its original use
- The harmful effect on other social or economic objectives eg planning refused to fast food outlets close to schools based on the council’s policies regarding healthy diets for children
- If the Local Plan does not anticipate something eg the closure of a source of employment and how to mitigate that with a new source

Examples of things that would **not** be considered material:

- The number of people who object/support an application
- Claims that other property will be devalued
- Loss of a personal view
- Construction inconvenience
- Amount of money that will be made by a project
- Reputation/popularity of the applicant
- Disputed private rights or interests – the planning system is the wrong forum for these issues.