
Appeal Decision

Hearing held on 11 November 2014

Site visit made on 10 November 2014

by P W Clark MA MRTPI MCMI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 8 December 2014

Appeal Ref: APP/M1710/A/14/2225146

Land North of Boyneswood Lane, Medstead GU34 5DZ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Bargate Homes Ltd against the decision of East Hampshire District Council.
 - The application Ref 55258/001, dated 11 February 2014, was refused by notice dated 24 July 2014.
 - The development proposed is 51 dwellings with associated new vehicular and pedestrian access.
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Decision

1. The appeal is allowed and planning permission is granted in outline for 51 dwellings with associated new vehicular and pedestrian access on Land North of Boyneswood Lane, Medstead, GU34 5DZ in accordance with the terms of the application, 55258/001, dated 11 February 2014, subject to the sixteen conditions appended to this decision.

Application for costs

2. Before the Hearing an application for costs was made by Bargate Homes Ltd against East Hampshire District Council. This application is the subject of a separate Decision.

Procedural matters

3. The application is in outline form with details of appearance, landscaping, layout and scale reserved for later consideration. Details of access are submitted for consideration now.
4. The appeal is accompanied by a signed Unilateral Undertaking. This makes arrangements for 40% of the dwellings to be provided as affordable housing. It offers an open space to be provided on site, equipped and managed as a public open space. It would provide for surface water and foul drainage to be constructed on the site. It provides for index-linked financial payments to be made; £15,000 towards building local community facilities, £227,565 for primary schooling; £276,950 for secondary schooling, £28,458 for environmental improvements, £197,525 for integrated transport measures and highways works; £50,490 for open spaces in the vicinity of the site and £10,000 for a monitoring fee. All these provisions are subject to this decision

certifying that they satisfy the provisions of regulation 122 of the Community Infrastructure Regulations. Each provision is considered in turn within the relevant section of this decision.

5. An unaccompanied site visit was carried out prior to the Hearing. The parties agreed that a further, accompanied, site visit was not necessary.
6. The site is located in the southern part of the parish of Medstead. This southern part is juxtaposed with, and functions as part of, the neighbouring settlement of Four Marks and is colloquially known as South Medstead. Although this designation has no administrative validity or endorsement, it reflects practical reality and so, throughout this decision I refer to the settlement as Four Marks and South Medstead, or, simply, as Four Marks.

Main Issues

7. There are three. They are the effect of the proposal on;
 - Sustainability, largely through its effect on local infrastructure
 - The supply of housing and
 - Its consequential effect on the character and appearance of Four Marks as a small local service centre.

Reasons

Sustainability

8. Paragraph 7 of the National Planning Policy Framework (the Framework) points out that there are three dimensions to sustainable development; economic, social and environmental. The economic role has several elements; a direct contribution to the economy; land provision and; the coordination of development with infrastructure provision. Infrastructure, in the form of accessible local services also figures in the social role as does land provision to underpin the supply of housing. All these points are at issue in the defined main issues.
9. Although most of the site lies outside the settlement boundary defined in the East Hampshire District Local Plan: 2nd Review 2006, it is surrounded by existing housing on all sides. The main parties are agreed that the development would have little or no effect on the countryside surrounding the settlement. Although it is a greenfield site, the third dimension to sustainable development is not engaged in the issues surrounding this appeal other than in the consequential effects on the character of the built environment of Four Marks.
10. Some of these elements of sustainability are issues in their own right. In structuring this decision, each element is considered under a separate heading and conclusions reached on each. But the structure is not sequential and no single element is determinative on its own. The various dimensions are drawn together in a concluding section. The decision must be read as a whole.

Contribution to the economy

11. It was accepted by the Council that the proposed scheme would generate a New Homes Bonus of between £106,550 and £426,200. Nor was it disputed

that the cost of construction (estimated at approximately £6.75m) would benefit the economy, although no information is available to counter local scepticism that all of this would be spent locally. Some local benefit could be secured by a condition requiring involvement in a local labour training scheme but the area is not one of high unemployment or low skills so no necessity for such a condition is demonstrated. There was no dispute that the proposal would be likely to house about 53 residents of working age who would make a direct contribution to the local labour market and that their household expenditure would contribute about £1.92m annually to the economy although, again, no information is available to counter local scepticism that little of this would support local shops or businesses. Nevertheless, the scale of benefit to the economy overall is clear.

Infrastructure

(i) Transport

(a) Generated traffic

12. Although the Core Strategy background paper for settlement hierarchy points out that Four Marks is one of the larger villages in the District with a good range of services and facilities including a significant amount of local employment, there is no suggestion that the settlement is self-contained in terms of employment. Despite its contribution to the economy overall, there is no suggestion that the development would provide long-term local employment. So, it can be expected that the proposal would add to out-commuting and so lead to a need to travel with some consequential environmental harm.
13. Four Marks is served by a bus service between Winchester and Alton running at approximately half-hourly intervals. The timings of the first and last buses are not conducive to a commute to central London, though they may have some use for more local commuting. A figure of 33% working locally (including Alton) was given, and not contested, at the Hearing. It follows that the development is likely to be dependent to a significant degree on personal transportation, either by car, bicycle or on foot. A largely segregated cycle route to Alton is provided through Chawton Park Wood but this is not all surfaced or lit and so would be of limited use. It is likely therefore that most commuter travel generated by the development would be by private car, generating some consequential environmental harm.

(b) Highway capacity

14. The capacity of the network to accommodate the additional traffic needs to be considered. The route for vehicles from the site to the A31 main road through Four Marks could take either of two routes. Each involves a constricted crossing of a railway line.
15. One, at Boyneswood Road, involves a crossing over the railway by means of a narrow bridge. A planning obligation imposed on another development nearby requires the narrowing of the carriageway across this bridge in order to provide a segregated footway and the consequent reduction of the carriageway for vehicles to a single track, not yet implemented because of legal objections raised by the owner of the supporting bridge. There is therefore, no necessity for this development to make any contribution to the adjustment to the

highway but a Grampian-style condition is necessary to ensure that the development is not occupied until the necessary works have been undertaken.

16. I have considered whether the additional works to this bridge detailed in a condition suggested by a representative of the Mid-Hampshire Railway should be included in this condition but the need for these works does not appear to arise from this, or any other, development and appear to be necessary even if no development were to take place. They are therefore a matter between the bridge owners and the highway authority, to be secured by another method.
17. The other route, at Lymington Bottom Road, involves crossing under the railway line through a narrow archway. I was told that this too was the subject of a proposal by the highway authority to narrow the carriageway to a single file in order to provide segregated footways on both sides of the carriageway. Nevertheless, the traffic studies provided by the appellants, taking into account the effects of other developments allowed in the area, showed that these routes, despite their single track pinch points, would have sufficient capacity to serve the development proposed. This is not disputed by the highway authority.
18. I was informed that the junction of Boyneswood Road with the A31 operates at 80% capacity at peak hours. There is concern that the combined increase in traffic on Boyneswood Road (22% increase from a neighbouring development and 4% from the appeal site) would overwhelm this junction. But a percentage increase in traffic on Boyneswood Road, which is but one arm of the junction does not represent the same percentage reduction in the overall capacity of the junction which is a function of the capacity and traffic flows on all arms. I have no reason therefore to disbelieve the appellant's figures which show that junction capacity would not be exceeded and that normal levels of car use arising from the development could be accommodated.

(c) Capacity for pedestrians and cyclists

19. Vehicular access to the site would be restricted to Beechlands Road leading to the north of the site. Access on foot or by bicycle would not be so restricted but could also make use of Boyneswood Lane leading to east and west. By either of these routes, the distance to local shops would be about 730 or 780m, an acceptably walkable distance. The latter route would include a climb over a pedestrian bridge across the local tourist railway, when this is operating, which would be a disincentive to bicycle, pushchair, wheelchair or trolley use. The former route would be more level but would involve the use of the presently shared surface road across the Boyneswood Road bridge, which would be a disincentive to pedestrian use. Both routes would involve the use of bridleways, metalled but not surfaced and unrepaired since the highways authority abrogated responsibility for their maintenance some years ago.
20. Nevertheless, as noted above, there is an obligation on another developer to narrow the carriageway across the Boyneswood Road bridge and to provide a segregated footway. Although the owner of the structure of the bridge has concerns with the effects of this proposal on its structural integrity, which are yet to be resolved, I am satisfied that the obligation will be effective in providing an improved and safer pedestrian route from the appeal site to the local shops. There is therefore, no necessity for this development to make any contribution to the adjustment to the highway but, as noted above, a

Grampian-style condition is necessary to ensure that the development is not occupied until the necessary works have been undertaken.

21. A second obligation on a different developer requires an improvement to Boyneswood Lane, likely to be completed by January 2015. Provided the eventual internal layout of the appeal site made connection to this bridleway, the improvement would have the effect of connecting the appeal site to Boyneswood Road and so complete an improved and safer pedestrian route from the site to the local shops, with no particular disincentive to its use and without the need for any contribution from the appellant. In consequence it follows that the development need not give rise to a heightened use of motor cars for this purpose.
22. Two primary schools serve the area. The most direct walking or cycling route to Four Marks CofE Primary School would be to take Boyneswood Lane to the west and then Stoney Lane. There are no present proposals for improving the condition of this bridleway route to a level which would make it an attractive route in all weathers. Nevertheless, the developer's representative made it clear that improvements to Boyneswood Lane and Stoney Lane would be expected from the unilateral payment for integrated transport measures and highways works. However, it was pointed out that payments to the highways authority go into a fund from which is paid the costs of items selected from the local community's long "wish list" of highways improvements. Improvements to the bridleways concerned are not currently on the "wish list".
23. It is clear to me that although improvements to these bridleways are necessary to provide the appeal proposal with acceptable connections for pedestrians and cyclists and that the provisions in the Unilateral Undertaking are proportionate to this need, there is no guarantee that the necessary improvements would in fact be carried out. For this reason, a Grampian condition would be necessary to ensure an acceptable outcome. With such a condition in place an acceptable route for pedestrians and cyclists to reach Four Marks CofE Primary School could be secured. The development would then comply with policy CP31 of the East Hampshire District Local Plan Joint Core Strategy adopted in May 2014 (the Core Strategy) which sets out a number of transport related requirements. It would also contribute to a compliance with Core Strategy policy CP32 which requires infrastructure to be provided where needed.
24. The route to Medstead CofE Primary School would involve the use of Beechlands Road, which has a segregated footway and then Roe Downs Road. Although this latter forms part of a National Cycle Route there are no special facilities for cyclists or walkers nor any proposals to provide any. The government's Manual for Streets suggests that shared surface streets are likely to work well in short lengths and where the volume of motor traffic is below 100 vehicles per hour. As the appellant's representative accepted, that advice applies in circumstances which are designed as shared surface streets. Roe Downs Road is not. It is a typical shared surface country lane and so its safe capacity is likely to be less than that of a street designed to be shared. There is no information to show the volume of traffic which it conveys but it extends for considerably more than a short length. I therefore have no reason to disbelieve local residents' assertions that it represents a quite unsuitable route for children to walk or cycle to school and so results in higher levels of car use for transporting children to school.

25. Insofar as the development would lead to an increase in children attending Medstead CofE Primary School it would be likely to result in an undesirable increase in car use. I now turn to consider whether the development would, in fact, lead to an increase in children attending school at Medstead.

(ii) Education

26. I was advised without contradiction that Medstead Primary school currently has 6 vacancies which are likely to be taken up by new development already permitted in the area and that there are no proposals to expand Medstead School. If there are no proposals to expand the school and it is full, then it follows that the development would not, in fact, lead to an increase in children attending school at Medstead and the unacceptable nature of the walking or cycling route to that school would not be a reason to dismiss this appeal.
27. On the other hand, I was advised that Four Marks School, although presently full, has a proposal for one additional classroom to be built, which could be brought forward. As explained above, improvements to the walking and cycling route to this school can be obtained through this development. Operational difficulties at the school were explained to me but there is no objection from the Education Authority to this development proceeding, subject to funding the places required, in accordance with a standard formula, which has been applied in the Unilateral Undertaking, both for primary school provision and for secondary school places. The latter would be provided in Alton.
28. As with other provisions of the Unilateral Undertaking, there is no requirement on the public authority for the expenditure to be made to achieve the required result. So, although it is clearly necessary for provision to be made in the Undertaking and the sums included are proportionate to the development proposed, being derived from a standard formula, it is also necessary to supplement this provision by a Grampian condition so as to coordinate the provision of the school places with the completion of the development. These provisions would contribute to a compliance with Core Strategy policy CP32 which requires infrastructure to be provided where needed.

(iii) Health

29. The three surgeries serving the area are still taking on new patients. Reported difficulties in getting appointments are a common complaint made nationally, not peculiar to this location or resultant from this proposal. There is no information from any branch of the NHS to indicate that the effect of the proposal on the demand for, or supply of health facilities need be a bar to development.

(iv) Utilities

30. There is no mains drainage in the part of this settlement north of the railway line where this appeal proposal would be located. But it is not disputed that a system of foul water drainage could be designed and laid in to serve the site and to connect with public sewers south of the railway, enhancing their capacity where required. A Grampian condition could ensure that this takes place before the development is occupied and so would contribute to compliance with Core Strategy policy CP32. With such a condition in place, the

present absence of mains drainage serving the site would not be a bar to development.

31. Any development of the site would involve an increase in the extent of roofs and other hard surfaces present on site. Unless appropriate measures are taken, these could lead to an increase in surface water run-off from the site. I was advised, without contradiction, that surface water run-off along Boyneswood Lane and Stoney Lane already causes flash flooding problems to properties at the bottom of the hill. It would not be reasonable to expect this development to solve all the problems of the area not of its causing but it would be reasonable to expect that it would not make them worse. The Environment Agency seeks a condition to require a scheme of surface water drainage to ensure that run-off from the site would be no greater than at present. With such a condition in place, considerations of surface water drainage would not be a bar to development.
32. The developer's representative advised me at the Hearing that the local water undertaking had confirmed that without reinforcement of their system, they could not supply the site. It would clearly be unsatisfactory to permit a housing development without an adequate water supply but, I am advised that the water company has provided the developer with an estimate of the cost of the works necessary to expand the capacity of the system to the degree required. With a Grampian condition in place to ensure that this work is undertaken before the scheme is occupied, the present inadequacy of the water supply would not be a bar to development.
33. The developer's representative advised me and was not contradicted that the relevant undertaker had confirmed that gas supplies to the site are adequate. He also advised me that the electricity supply has limited capacity and that an additional substation would be required. It would, of course be unacceptable to permit a housing development without an adequate electricity supply and so a Grampian condition would be necessary to ensure that enhanced capacity is provided before occupation takes place. With such a condition in place, considerations of electricity supply would not be a bar to development.

(v) Community facilities

34. Paragraph 5.5.7 of the sustainability appraisal of the East Hampshire District Joint Core Strategy notes that in Four Marks it is known that the high levels of development in the past have not been matched by improvements to facilities, resulting in a deficit in play areas, parks and recreation grounds. Although it would not be reasonable to expect the appeal proposal to make good past deficiencies, neither would it be acceptable for the development to exacerbate the deficiency by failing to make provision for needs arising from its own prospective residents.
35. The indicative plan and the planning obligation accompanying the application both show an area of unspecified dimensions to be laid out as open space. The grounds of appeal state that there would be 1.46ha of open space. The precise extent of open space to be provided would not be confirmed until reserved matters are approved but I am informed that there is a covenant which would proscribe the erection of buildings on part of the site and so encourage the fulfilment of this provision. The indicative plan accompanying the application is convincing in demonstrating that it would be possible to lay out the site in such a way as to accommodate the numbers of dwellings proposed as well as the

open space so, despite the uncertainty at this stage about the precise extent of open space to be provided, I am satisfied that the planning obligation would result in the provision of open space proportionate to the needs of the development.

36. The planning obligation defines the open space as including a play area and also requires the developer to submit to the local authority for its approval details of the landscaping and equipping of the open space and so would result in the provision of a play area if the Council were to approve its inclusion in the details submitted. The planning obligation also makes provision for an index-linked payment of £50,490 for the provision, improvement and maintenance of public open spaces in the vicinity of the development. These are not specified but I note that paragraph 20 of the Council's Local Interim Planning Statement for Four Marks and Medstead, dated June 2014 (the LIPS) records that the recreation ground and associated buildings have been identified for improvement in the Community Plan for the area, so I am satisfied that there is a specific scheme to benefit the development to which this payment would contribute and so comply with the requirements of the CIL regulations.
37. The planning obligation also makes provision for a payment of £15,000 towards building local community facilities. Again, these are not specified within the planning obligation. There is e-mail correspondence suggesting a variety of potential beneficiaries; a scout hut, a bowls club extension and the village halls extension. I note that the LIPS records that the village hall is in need of updating. At the Hearing, Cllr Thomas gave further details of the scale of improvement works proposed to the village hall, expected to cost £2m, of which £60,000 had been collected so far. A contribution of £15,000 seems no more than proportionate. I am therefore satisfied that it would comply with the CIL regulations.
38. By contrast, only vague explanations were given of the purposes of the provision of £28,458 for environmental improvements, included within the planning obligation. I am therefore unable to conclude that this provision would comply with the CIL regulations and have therefore taken no notice of it in coming to my decision. The other contributions to public open space, play areas and community facilities are however clearly necessary, justified and likely to be delivered and so I have taken those into account. Clearly, through these arrangements, the development would make appropriate provision for community facilities, sport and recreation, in compliance with Core Strategy policies CP18 and CP32.

(vi) Conclusions on infrastructure

39. With adjustments which are already programmed, funded by other developments in the area, the highway network has adequate capacity. The footway and cycleway network also has improvements in hand, funded by other developments but further enhancements would be required to Boyneswood Lane and to Stoney Lane. These can be secured by Grampian conditions and by financial payments to the Highway authority provided for within the planning obligation.
40. The development would also make adequate provision for the expansion of education, utilities and community facilities to serve its own needs. There is no information to demonstrate that its effects on the provision of health services would be unacceptable. I therefore conclude that its effects on infrastructure

would be acceptable and would accord with Core Strategy policies CP18, 31 and 32, summarised earlier. It would also accord with saved policy T3 of the East Hampshire District Local Plan Second Review adopted in March 2006 which requires development to be served effectively by walking and cycling facilities.

Housing supply

41. The proposal would bring forward 51 dwellings, 40% of which would be affordable housing. It is accepted that the Council does not currently have a five-year housing supply. Figures for local housing need in July 2014 in both Medstead and Four Marks set out in the Statement of Common Ground amount to just over 700 additional dwellings overall and for affordable housing, 68. The figures for affordable housing completions set out in paragraphs 4.19 and 4.20 of the appellant's Statement of Case are not contested. The Council's appeal statement acknowledges that the benefits of housing provision, both affordable and market housing are clear.
42. Advice in the government's National Planning Policy Framework (the Framework) is that relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites. For that reason I cannot regard as up to date the Council's Interim Housing Policy Statement of February 2014, which puts forward 175 as a maximum for Four Marks/South Medstead.
43. In any event, that figure has been superseded by the more recent (May 2014) adoption of the Core Strategy. Between its submission and its adoption, the Core Strategy was modified so that an allocation of 175 dwellings for Four Marks/South Medstead became an allocation for a minimum of 175 dwellings. Beyond that, in the absence of the Site Allocations Development Plan document, the development plan is silent.
44. For these reasons, I am guided by paragraph 46 of the Core Strategy Inspector's report itself, which records the acknowledged need for housing in the District and particularly the urgent need for affordable housing and also by paragraph 14 of the Framework, which advises that where relevant policies are silent, the presumption in favour of sustainable development means granting permission unless any adverse impacts of so doing would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework, taken as a whole.
45. Some alleged adverse impacts have been considered above. I now turn to consider the overall effects of the proposal on the character of the settlement, before reaching a conclusion.

Character of settlement

46. The settlement is described in the Core Strategy as a small local service centre. The Core Strategy Issues and Options Paper categorises small local service centres as those with a population of 2,000; those with a population of 5,000 are defined as large local service centres.
47. Paragraph 4.11 of the Council's LIPS suggests that the population of Four Marks and South Medstead in 2011 was 4586. It is therefore clearly at the upper end of the range of centres classed as small. This development would increase the size of the development by about 2.7%. Even if added to the (disputed) figures given by the Council for the quantity of development in the

pipeline, the overall percentage effects on the size of the settlement would be in the low teens, not enough to alter its character in a fundamental way.

Conclusions

48. Various sources comment on the capacity of Four Marks to absorb growth. Paragraph 19.1.2 of the sustainability appraisal of the Core Strategy notes that "Four Marks is one village that does not include a Conservation Area and hence might be considered to be an appropriate location for growth from a perspective of wishing to avoid negative effects on the cultural heritage baseline." Paragraph 5.5 of the Core strategy background paper for settlement hierarchy points out that Four Marks is one of the larger villages and has a good range of services and facilities. The Council's 2007 retail study records "a good range of convenience retailers, service uses and A3 and A5 uses for a centre of its size." Since then the range of convenience retailers has increased, balanced by the loss of the pub. None of these observations lead me to a view that a development of the size proposed, even in addition to developments already permitted, could not be absorbed successfully into Four Marks.
49. As already noted, there would be a clear scale of benefit to the economy and a clearly accepted benefit in terms of housing provision and of affordable housing in particular. There would be some harm to the environment from the generation of car traffic but there is sufficient capacity on the network. Improvements to the infrastructure for pedestrians and cyclists are in train and more can be secured through this development. It would provide for education and open space facilities proportionate to its own needs, which would also be of general benefit. It would make adequate provision for utilities infrastructure.
50. Taking all matters into account therefore, the harm would be limited, the benefits considerable. Its adverse impacts would clearly not significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework, taken as a whole and so, subject to conditions, it should be permitted.

Conditions

51. At the Hearing the Council tabled 20 suggested conditions in the event that the appeal was allowed. I have considered these in the light of the advice in the Guidance, omitting those which duplicate requirements for reserved matters to be submitted and preferring where appropriate the wording suggested in the Annex to the now otherwise cancelled Circular 11/95, *the Use of Conditions in Planning Permissions*. The need for conditions to require submission of a foul and surface water drainage scheme, a water supply scheme, an electricity supply scheme and the implementation of improvements to footways, highways and school provision has already been discussed.
52. The Council suggested varying the standard conditions on the timing of submission of details and commencement so as to accord with its Interim Housing Policy but this seems inconsistent with its expressed concerns about the speed and frontloading of change in Four Marks, so I have used the standard conditions.
53. The County archaeologist makes the case for an archaeological investigation condition. The appellant's own ecologist recommends ecological mitigation measures which need to be secured by condition. The appellant's own

Geotechnical and Environmental consultants recommend an intrusive contaminated land investigation which needs to be secured by condition. A Construction Method statement is required because of the enclosed nature of the site and its access along residential roads. A condition to require compliance with level 4 of the Code for Sustainable Homes is suggested by the Energy Statement submitted with the application.

P. W. Clark

Inspector

Richborough Estates

CONDITIONS

- 1) Details of the appearance, landscaping, layout, and scale, (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development begins 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.
- 3) The development hereby permitted shall begin not later than two years from the date of approval of the last of the reserved matters to be approved.
- 4) The access to the development hereby permitted shall be carried out in accordance with the following approved plan: 282.0013-3000 revision P2 included as Appendix 3 to the Planning Appeal – Engineering Responses report dated September 2014 by Ridge and Partners LLP submitted with the application.
- 5) No development shall take place within the site until a programme of archaeological work has been implemented in accordance with a written scheme of investigation which has been submitted to and approved in writing by the local planning authority.
- 6) No development shall take place within the site until details of both on and off-site foul and surface water drainage to serve the development have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details. No dwelling shall be occupied until both foul and surface water drainage works have been completed in accordance with the approved details.
- 7) No development shall take place within the site until details of both on and off-site works to provide an adequate water supply to serve the development have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details. No dwelling shall be occupied until the water supply works have been completed in accordance with the approved details.
- 8) No development shall take place within the site until details of works to provide an adequate electricity supply to serve the development have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details. No dwelling shall be occupied until the electricity supply works have been completed in accordance with the approved details.
- 9) No development shall take place until an intrusive contaminated land investigation has been carried out in accordance with the recommendations in section 9 of the Phase I Desk Study Report 13913/DS by Soils Limited submitted with the application. No dwelling shall be occupied until any remediation measures necessary to deal with any contamination discovered as a result of the investigation have been carried out.

- 10) No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
 - i) the parking of vehicles of site operatives and visitors
 - ii) loading and unloading of plant and materials
 - iii) storage of plant and materials used in constructing the development
 - iv) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
 - v) wheel washing facilities
 - vi) measures to control the emission of dust and dirt during construction
 - vii) a scheme for recycling/disposing of waste resulting from demolition and construction works.
- 11) No dwelling shall be occupied until a segregated pedestrian footway has been provided across the Boyneswood Road bridge as indicated in drawing number 282.0013-3000 revision R1 included as Appendix 4 to the Planning Appeal – Engineering Responses report dated September 2014 by Ridge and Partners LLP submitted with the application.
- 12) No dwelling shall be occupied until the improvement works to Boyneswood Lane have been completed in accordance with drawing number 2.13_SK 01a included as Appendix 5 to the Planning Appeal – Engineering Responses report dated September 2014 by Ridge and Partners LLP submitted with the application.
- 13) No dwelling shall be occupied until works to improve Boyneswood Lane between its junction with the footway provision on site and its junction with Stoney Lane and to improve Stoney Lane between its junction with Boyneswood Lane and its junction with Station Approach have been carried out to a standard equal to that shown to be carried out to the eastern part of Boyneswood Lane according to drawing number 2.13_SK 01a included as Appendix 5 to the Planning Appeal – Engineering Responses report dated September 2014 by Ridge and Partners LLP submitted with the application.
- 14) No dwelling shall be occupied until the capacity of Four Marks CofE Primary School has been increased to accommodate the likely number of primary school children arising from the development.
- 15) The development shall be carried out in accordance with the recommendations contained in section 5.0 of the Ecological Appraisal Report updated May 2014 by Lindsay Carrington Ecological Services Ltd submitted with the application.
- 16) The dwellings shall achieve Level 4 of the Code for Sustainable Homes. No dwelling shall be occupied until a final Code Certificate has been issued for it certifying that Code Level 4 has been achieved.

APPEARANCES

FOR THE APPELLANT:

James Cleary MA DipUD MRTPI	Managing Director Pro Vision
Robert Wilson	Partner, Ridge and Partners
Graham Brown	Ridge and Partners

FOR THE LOCAL PLANNING AUTHORITY:

Simon Wood BA(Hons) BTP MRTPI	Regional Planning Manager, Urban Vision Partnership
Adam Harvey BA(Hons) MA MRTPI	Principal Planning Officer, East Hampshire District Council
Ingrid Thomas	Ward Councillor, East Hampshire District Council
Roy Pullen	Medstead Parish Council
Peter Fenwick	Medstead Parish Council

INTERESTED PERSONS:

Stan Whitcher	Medstead Parish Council
Richard Sturt BSc(Hons) MSc MRICS FRGS	Sturt and Company, representing Mid-Hampshire Railway
Simon Thomas	Local resident
Mike Sanders	Local resident
Jane Ward	Local resident
Frank Maloney	Secretary, Four Marks Neighbourhood Plan
Caroline Booker	Local resident
Robert Cartwright	Local resident
Russell Prince-Wright	Local resident
John James	Local resident
Janet Foster	Four Marks Parish Council
Sally Lynton	Local resident
Malcolm Seal	Local resident
Roger Kent	Local resident
Graham Kingsmill	Local resident
Michelle Knowles	Local resident

DOCUMENTS

1. Notice of date, time and place of Hearing
2. Core Policy CP13
3. List of suggested conditions
4. Signed Statement of Common Ground
5. Signed and dated Unilateral Undertaking
6. Drawing showing extent of improvement to Boyneswood Lane to be carried out by Crayfern Homes
7. Conditions suggested by Mr Sturt
8. Submission by Mr Maloney
9. Sample Hampshire Home Choice application form
10. Bar chart of dwellings built by decade in Four Marks and South Medstead