



Appeal Decision

Inquiry opened on 10 September 2019

Site visits made on 26 November 2019 & 7 January 2020

by Richard Clegg BA(Hons) DMS MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14th February 2020

Appeal Ref: APP/N1730/W/18/3216181

Land east of Crondall Road, Crookham Village, GU51 5SS

- 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 Crookham Care Village Ltd & Mr J Hirst against the decision of Hart District Council.
 - The application Ref 18/00045/OUT, dated 8 January 2018, was refused by notice dated 14 May 2018.
 - The development proposed is the construction of a 160 unit care village with a 64 bed care home (class C2) and central facilities building, associated vehicular and pedestrian accesses, junction improvement, estate road, parking areas and garages, footpaths/cycleways, and the change of use of agricultural land and woods to public open space (for suitable alternative natural greenspace) and landscaping.
 - The inquiry sat for nine days: 10-13, 17 & 18 September, 17 & 18 October, and 26 November 2019.
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Decision

1. The appeal is dismissed.

Procedural matters

2. On the application form, the location of the site is referred to as Cross Farmhouse, Crondall Road. The site does include Cross Farmhouse, but it also includes other land, and the main parties agreed with the suggestion in my pre-inquiry note that the site should be referred to as land east of Crondall Road. I have identified it accordingly in the appeal details above.
3. The planning application was submitted in outline form, with approval sought for access at this stage.
4. Vehicular access to the site would be taken from Crondall Road, involving the realignment of the existing access road which runs between Cross Farmhouse to the west and Chelsea Cottage and The Barne to the east. The access road joins Crondall Road close to its junction with Pilcot Road and The Street, and certain alterations are proposed to this junction. The site access arrangements considered by the Local Planning Authority (LPA) when the application was determined are shown on drawing ref 6439-SK-003 revision H (application document (d) (AD(d))). Subsequently, at appeal stage, the Appellant submitted a revised access plan (ref 6439-SK-006 revision G – core document 36 (CD36))) in response to concerns expressed about the effect of the scheme on trees at the junction. This scheme would involve replacing the carriageway on the south side of the junction island with shrub planting and grass. Given

the limited extent of the revision and the content of the highways statement of common ground, I agreed that the revised plan should be the subject of consultation and considered at the inquiry.

5. Consultation was also undertaken on a shadow Habitats Regulations Assessment and a revised suitable alternative natural greenspace (SANG) management strategy¹. The shadow assessment has been prepared because of the potential effects of the development on the Thames Basin Heaths Special Protection Area (SPA), and the detailed revisions to the SANG management strategy do not alter the approach to establishment of SANG within the appeal site. I am satisfied that no prejudice would be caused to any party by consideration of the revised and additional documentation, and I have taken it into account in determining this appeal.
6. The parameters plan considered by the LPA does not identify the central facilities building, although it is included on the drawing (AD(c)). At the inquiry, a revised parameters plan was submitted which identifies the central facilities building (Document A22).
7. The plans for which approval is sought are the site location plans (AD(a) & AD(b)), the revised parameters plan, and the revised access plan. The application was accompanied by a series of illustrative plans: a number of these have been superseded by plans attached to the proof of evidence of the Appellants' landscape witness².
8. Two planning agreements were submitted at the inquiry. That which is in the form of an agreement with Hart District Council contains planning obligations concerning occupation of the dwellings, local selling, use of facilities by residents of Crookham Village, the provision and management of SANG, and affordable housing (Document G17). The second agreement is with Hampshire County Council: it contains obligations which make provision for a contribution towards footway works, and the operation of a travel plan (Document G18).
9. A set of core documents was prepared by the main parties, and these are listed together with application and supporting documents in Document G1. Proofs of evidence and documents submitted after the inquiry opened are detailed in the lists appended to this decision.

Main Issues

10. Eleven reasons were given for the refusal of planning permission. A mineral resource assessment undertaken for the Appellants (CD34) concludes that, whilst there is a deposit of sand and gravel within the site, this is limited in extent and its extraction would be likely to result in unacceptable impacts upon amenity and/ or environmental receptors (reason for refusal 11 refers). Having regard to this document, Hampshire County Council, as Minerals Planning Authority, has stated that it has no objection to the proposal, provided that there is no change in its nature³. The statement of common ground between the Appellants and Hampshire County Council, as Highway Authority, refers to agreement that the proposal would not prejudice highway safety, and that it would adequately promote sustainability (CD37 – reasons 8 & 10). The LPA

¹ Document A8, Appendices J & H.

² The illustrative plans AD(f), AD(h), AD(i), AD(j), AD(k), AD(l), AD(m) & AD(n) have been superseded by plans HDA3, HDA5, HDA6, HDA7, HDA8, HDA9, HDA12 & HDA10 in Document A2.

³ Letter dated 7 January 2019 from the County Council in response to the appeal notification.

has acknowledged that the revised access plan would be likely to avoid the loss of a horse chestnut tree (reason 9), and that its concerns about affordable housing (reason 6) and the potential effect on the Thames Basin Heaths SPA (reason 7) would be addressed by planning obligations. Accordingly reasons for refusal Nos 6-11 no longer reflect objections by the LPA, and it did not pursue them at the inquiry.

11. Having regard to the positions reached by the Appellant and the LPA on the above matters, together with the representations from other parties, I consider that the main issues in this appeal are:
- i) The effect of the proposed development on heritage assets, including Crookham Village Conservation Area and local listed buildings.
 - ii) The effect of the proposed development on the character and appearance of the area.
 - iii) The effect of the proposed development on the separation of Crookham Village and Fleet/ Church Crookham.
 - iv) The effect of the proposed site access on the living conditions of the occupiers of Cross Farmhouse, Chelsea Cottage and The Barne.
 - v) The need for housing for older people in Hart.
 - vi) Whether the proposal would be consistent with the Development Plan.
 - vii) The effect of other considerations on the overall planning balance

Planning policies

The Development Plan

12. The Development Plan comprises the saved policies of the Hart District Local Plan (Replacement) 1996-2006 (including the saved policies of the First Alterations), two retained policies of The South-East Plan, and the Hampshire Minerals and Waste Plan.
13. The replacement Local Plan was adopted in 2002, and the First Alterations in 2006 (CDs 10 & 11). Policy RUR 2 is concerned with development in the open countryside, Policy CON 22 with the character or setting of settlements, and Policy CON 21 designates local gaps. The greater part of the appeal site lies within a local gap between Fleet and Crookham Village⁴. The effect of development on public rights of way is the subject of Policy CON 23, and Policy CON 13 is concerned with conservation areas. Policy GEN 1 is a general policy for new development: amongst other matters it requires consideration of the amenity of residential neighbours and the adequacy of access arrangements. Other relevant policies in the Local Plan concern affordable housing (Policy ALT GEN 13), European and national sites designated for their nature conservation importance (Policies CON 1 and CON 2), trees, woodland and hedgerows (Policy CON 8), and the Basingstoke Canal (Policy CON 10).
14. From The South-East Plan, Policy NRM6 concerning the Thames Basin Heaths Special Protection Area (SPA) is relevant (CD12). The appeal site lies within a safeguarding area for sand and gravel, identified in the Hampshire Minerals and

⁴ The extent of the local gap is shown on the Local Plan Proposals Map, Document G8.

Waste Plan. Policy 15 is concerned with safeguarding mineral resources (CD13).

15. The most important policies in the Development Plan for determining this appeal are those relating to conservation areas, the countryside, the local gap, and living conditions, since these are associated with specific matters identified in the main issues. I share the view of the Inspector who decided a recent appeal for housing on land to the north of Netherhouse Copse⁵, to the north of Crookham Village, that Policy RUR 2 concerning development in the countryside is dependent upon out-of-date settlement boundaries. The same criticism applies to Policy CON 21 which designates local gaps. Policy CON 22, concerning the setting of settlements, does not reflect the hierarchical approach of paragraph 171 in the National Planning Policy Framework (NPPF), and is also out-of-date. In Policy CON 13, the prohibition sought on development which harms the character or appearance of a conservation area is inconsistent with the balancing exercise required by the NPPF.
16. Policy GEN 1(iii) articulates a well-established principle of safeguarding the living conditions of neighbours, and it is consistent with the social objective in the NPPF to foster a well-designed and safe built environment. It is not out-of-date.
17. The judgement in *Wavendon Properties Ltd v SSHCLG & Milton Keynes Council*⁶ establishes that an overall view should be reached as to whether the most important policies taken as a whole are to be regarded as out-of-date. Policies RUR 2, CON 21, CON 22 and CON 13 are each out of date, and that is sufficient to lead to a view that the most important policies taken as a whole are out-of-date.

Emerging plans

18. Examination hearings in respect of the emerging Hart Local Plan Strategy and Sites 2016-2032 (ELP – CD17) concluded in December 2018. Following receipt of the Inspector's letter setting out his views on further steps (CD38), the LPA proposed a series of main modifications in July last year (CD16), which have been the subject of consultation. The ELP is now at an advanced stage, and carries significant weight. The inquiry was informed that adoption is expected early this year (Document A36).
19. In the Proposed Modifications version of the ELP, Policy SS1 establishes a spatial strategy for Hart, and Policy NBE1 sets out the circumstances in which development will be supported in the countryside. Policy H1 is concerned with housing mix and Policy H4 with specialist accommodation. The effect of development on the landscape and the historic environment are the subject of Policy NBE3 and Policy NBE9 respectively. Also relevant are Policy NBE4 which addresses the effect of development on the Thames Basin Heaths SPA and Policy NBE5 covering biodiversity.
20. The submission version of the emerging Crookham Village Parish Neighbourhood Plan (ENP – CD26) was published in July last year. Following a clarification note from the Examiner (Document A30), consultation took place towards the end of 2019 on further evidence submitted by the Parish Council⁷.

⁵ The appeal decision is at Appendix 3 in Document A16 and plans of the scheme are at Document G4.

⁶ [2019] EWHC 1524 (Admin).

⁷ See Documents A36, A34, L15 & A38.

Policy NE01 refers to the gap between settlements, and the greater part of the appeal site is shown within a local gap. Modifications may be proposed to the ENP, which is not as far advanced as the ELP. It carries moderate weight in my considerations.

Reasons

Heritage assets

Crookham Village Conservation Area

21. Crookham Village, for the most part, extends along The Street, Crondall Road and Pilcot Road, three roads which meet at Crossways, the junction close to the access to the appeal site. The conservation area includes development on The Street and Crondall Road, together with some adjacent land and property. To the south of The Street and to the east of Crondall Road, a large part of the boundary abuts the appeal site, which comprises about 25ha of mainly open land close to the settlement. Three small parts of the appeal site lie within the boundary of the conservation area (HA01a-c)⁸. The presence of development along Crondall Road and The Street is experienced from positions within the rest of appeal site, which is within the setting of the conservation area.
22. The Conservation Area Proposal Statement (CAPS – CD24) identifies the special character of the conservation area as being due largely to the number of buildings of special architectural or historic interest, and their variety and relationship to each other, and to the strong linear form of the settlement along The Street and Crondall Road. In addition, on its appraisal map, the CAPS identifies important views, several of which extend across the appeal site.
23. On Crondall Road, the appeal site includes a gap in the frontage development, which is within the conservation area (HA01c). It is currently part of a field, and, as part of the proposed SANG, would remain under grass cover if the development went ahead⁹. I agree with the main parties that there would be no adverse effect on this part of Crookham Village Conservation Area. I have reached the same view in respect of the small parcel of land identified as HA01a. An agricultural building has been demolished on the western side of this land, which is contained between two dwellings and the rear of car sales and vehicle repair premises on The Street. No buildings are proposed in this area, which is intended to be used for parking and estate management facilities¹⁰.
24. The third part of the site within the conservation area (HA01b) comprises Cross Farmhouse and the access road. The access road has a loose surface and no formal carriageway edges, and its informal nature sits comfortably alongside the restrained side elevation of Chelsea Cottage, part of the listed building known as Cross Farm Cottages. The access plans indicate that the realigned road would be constructed with kerb edges, a footway and a uniform 5.5m wide carriageway¹¹. I note that the LPA's heritage witness does not accept that no harm would be caused by the access works. I agree: the engineered form of the works, over a length of about 50m within the conservation area, would

⁸ The relationship of Crookham Village Conservation Area to the appeal site is shown on the plan at Appendix 1 in Document A11.

⁹ The illustrative SANG masterplan is plan ref HAD 10 866.1/19I, in Document A2.

¹⁰ The layout of the developed part of the site is shown on the proposals plan, Document AD(u) and the revised parameters plan, Document A22.

¹¹ CD36 and the plan in Document G2.

increase the prominence of this side road, a factor which I consider would impinge to a limited degree on the linear form of the settlement.

25. Planning permission has been granted for the rebuilding of a barn and the erection of a new barn structure to form rural workshops within area HA01a¹². Access would be taken from the road between Cross Farmhouse and Chelsea Cottage which leads to the appeal site, and a condition requires details to be submitted for approval. Whilst no scheme relating to this condition is in the evidence, it is possible that it could involve upgrading of the existing road. However, for a fallback position to carry weight, there should be a reasonable prospect of the alternative scheme being carried out. Demolition has taken place, but not the construction of new buildings. There is no specific evidence to indicate that the new buildings will come forward, and the planning permission for the rural workshops does not lessen my concern about the alterations to the access road proposed as part of the appeal scheme.
26. The development would also involve works outside the appeal site, but within the conservation area, at the Crossways junction, and to the footway on the south side of The Street. At Crossways the carriageway on the south side of the junction island would be removed, with a landscaped area extending between the reduced form of the island and the existing verge outside Cross Farm Cottages. The island is referred to in the CAPS as an identifiable focal point of the village: although it would no longer exist as a feature in the centre of the junction, the reconfigured open space in this locally prominent location would have the capability to fulfil the same function as a focal point of Crookham Village. Works to improve some short sections of footway on the south side of The Street by resurfacing and hedge maintenance would be funded by contributions secured by a planning obligation, and would have no material effect on the conservation area. I am satisfied that these highway works would preserve the character and appearance of the conservation area.
27. I turn now to consider the effect of the proposal on the setting of Crookham Village Conservation Area, as opposed to the effect within the designated area. Crookham Village has its origins as a rural settlement. The map regression evidence provided by the Appellant indicates that the boundaries of the fields within the appeal site are not of historical importance¹³. However it is agreed by the main parties that the appeal site was used for agriculture at the time when the older buildings in Crookham Village, which date from the seventeenth century¹⁴, were built. The fields remain in agricultural use and, together with the fields to the north of the settlement, assist in the appreciation of Crookham Village as a small rural settlement set in an open landscape. In this way, the setting of the conservation area makes an important contribution to the significance of this heritage asset.
28. There is a grouping of built development between Pilcot Road and Crondall Road, and further to the west Veronica Drive extends to the south of The Street. For the most part, however, Crookham Village has a strong linear form which is reflected in the extent of the conservation area. The open fields of the appeal site to the south of the conservation area and those to the north are important attributes of the setting which play a key role in defining the

¹² The planning permissions, approved plans and approvals of amendments for the rural workshops are at Document G12.

¹³ The map regression exercise is in Document A12.

¹⁴ See the descriptions of listed buildings in Appendix 3, Document L2.

distinctive form of the settlement. That function is not dependant on views into or out of the conservation area, and I note that in Historic England's Good Practice Advice in Planning Note 3 (CD29), the surrounding landscape is listed with townscape character as a separate attribute from views¹⁵.

29. The built development of the care village would occupy about 6.4ha¹⁶, and would be constructed in the northern part of the site adjacent to the conservation area. The care home, housing, and central facilities building would involve a considerable built form, extending for approximately 390m from properties off Crondall Road in the west to Veronica Drive in the east. This new development would lie adjacent to almost the whole of that part of the conservation area along The Street, extending the built form southwards by about 178m, a greater distance than that of the existing depth of development across The Street¹⁷. Development of this scale would represent a transformational change in the setting of the conservation area, a change which would erode the linear form along The Street.
30. Views out of the conservation area from The Street are restricted by the existing buildings and boundary treatment. However there is an absence of development in the gaps between buildings, and consequently a perception of its shallow depth and linear form is gained from within the conservation area.
31. Two public footpaths run south from The Street and cross the appeal site. On emerging onto the site, there is an abrupt change from the line of development in the conservation area to the openness of the fields which form its setting to the south. Whilst the footpaths would remain, the greater depth of development would be apparent, and the illustrative plans indicate a more gradual revelation of the open landscape, particularly from footpath No 5 which would run alongside the eastern edge of the care village. Looking north, views towards the conservation area are available only from the lines of the footpaths which are contained by fencing. On the approaches on both footpaths Nos 1 and 5 the established development along The Street is apparent (as shown in the photographs from the Appellants' viewpoints (VPs) 4 & 7)¹⁸. In these views, the existing line of development in the conservation area would be obscured by the range of buildings and planting at the care village. In consequence, the ability to appreciate that part of the established village along The Street in its agricultural context would be diminished. In this regard, I note that views towards the conservation area from footpaths Nos 1 and 5 are identified as important in the CAPS.
32. Beyond the care village, the greater part of the site would become SANG. A planning obligation would provide access to members of the public across this area, whereas at present that is restricted to the public footpaths which cross the land, and the Appellants' heritage consultant points to the consequent opening up of viewpoints. That would enable public access to the important views (in the CAPS) to the south-west from the slopes adjacent to Brook Hill (VP11). From here the linear form of the development on Crondall Road, including that within the conservation area, is evident. Whilst that would be a

¹⁵ CD29 page 11, Assessment Step 2 checklist.

¹⁶ Document A15, para 5.1.

¹⁷ Dimensions of the built form of the care village and its position in relation to Crookham Village are shown on figure 1 in Document A15 of the Appellants' evidence. The Appellants give the west to east extent of the care village as 386.3m, and the LPA gives a figure of 395m (Document L3, para 6.3.2).

¹⁸ The Appellants' viewpoints are shown on plan ref HAD 6 866.1/06C; that plan and the photographs are in Document A2.

benefit of the scheme, more extensive views of this part of the conservation area, which are currently available from footpath No 1 (VP9), would be restricted as tree planting proposed on the sloping land to the west reached maturity.

33. I conclude that the proposal would have a direct harmful effect on the conservation area through the highway works proposed to the access route, whereas Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 imposes a duty that, in the exercise of planning functions with respect to buildings or land in a conservation area, special attention shall be paid to the desirability of preserving or enhancing the area's character or appearance. I also conclude that the proposal for the care village would adversely affect the setting of Crookham Village Conservation Area, and the contribution which the setting makes to its significance. In consequence the proposal would conflict with Policy CON 13 of the Local Plan, and with Policy NBE9 of the ELP. As the works to realign the access road within the conservation area would be limited in scale and the care village would be built within the setting on one side of the conservation area, I agree with the main parties that there would be less than substantial harm to the significance of this heritage asset. Whilst I place the limited works to the access road towards the lower end of the scale of less than substantial harm, the adverse effect on setting would damage the linear form of Crookham Village, a main feature of the conservation area, occasioning harm at the upper end of the spectrum. Nevertheless, paragraph 193 of the NPPF makes it clear that, when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation.

Listed buildings

34. There are several listed buildings close to the appeal site, most of which are in Crookham Village Conservation Area, and all of which are listed at grade II. Specific concern has been raised by the LPA about Brook Cottage, Brook House, Cross Farm Cottages, The Bawn, The Forge and Forge House¹⁹. These residential buildings are on the east side of Crondall Road and the south side of The Street: the appeal site lies just beyond this line of development and is within the setting of the listed buildings.
35. With the exception of The Forge, the buildings have their main aspect towards Crondall Road or The Street and away from the site. The Forge is positioned perpendicular to The Street, where it is set forward of Forge House. The landscape of the appeal site does not, therefore, feature in the main aspect of any of these listed buildings. Development of the care village to the south of The Street would, though, result in the erosion of the open panorama extending from the back of The Forge and The Bawn. Notwithstanding tree cover on their rear boundaries, the loss of the traditional relationship between these listed buildings with origins in the seventeenth century and the adjacent farmland would detract from the contribution which setting makes to their significance. The Forge is a modest single storey building, and the more imposing structure of Forge House intervenes between it and the appeal site. Given its position, I do not consider that the proposed development would have any material effect on its setting.

¹⁹ The plan at Appendix 1 of Document A11 shows the listed buildings, which can be identified by reference to paragraph 3.2 of Document A10.

36. Cross Farm Cottages comprises three separate dwellings. Chelsea Cottage is at the western end of the listed building, and adjoins the access road to the appeal site. The Appellants' heritage consultant suggested that the changes to the access road would be mostly beneficial as the road would be properly constructed and moved further from the listed building. I have already expressed concern about the effect of the upgrading of the access road on the conservation area (above, para 24); the informal access respects the restrained side elevation of Chelsea Cottage, whereas construction of the realigned road would introduce an unduly formal element into the setting of the listed building.
37. Brook House and Brook Cottage are situated on Crondall Road. The land to the rear of these houses would remain open, albeit as SANG rather than farmland. In terms of the setting of these two listed buildings, I do not regard that as a material change. Public access to the SANG would also provide an opportunity for additional views of both properties. The greater opportunity for appreciation of the buildings is a benefit, but as they address the road it is one which merits limited weight.
38. Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that, in considering proposals which affect a listed building or its setting, special regard shall be paid to the desirability of preserving the building or its setting. For the reasons given above, I conclude that the appeal proposal would detract from the setting of Forge House, The Bawn and Cross Farm Cottages, and it would thereby conflict with Policy NBE9 of the emerging Local Plan. Given the scale of the works adjacent Cross Farm Cottages and the orientation of Forge House and The Bawn, there would be a limited adverse effect on their settings. Having regard to paragraph 196 of the NPPF, this would represent less than substantial harm to the significance of the listed buildings. This harm would not be offset by the benefit arising from the opportunity for greater appreciation of Brook House and Brook Cottage.

Basingstoke Canal Conservation Area

39. This conservation area is extensive. It passes along the eastern side of the appeal site, and a small piece of land, adjacent to footpaths Nos 5 and 501 is within the site. The eastern part of the appeal site which includes this piece of land, and is within the setting of the conservation area, would be part of the area provided as SANG. It would remain open, and, given the presence of a tree belt on the western side of the canal, which is in a cutting for much of this length, the experience of the conservation area from the site is extremely limited. I am satisfied that the proposed development would preserve the character and appearance of Basingstoke Canal Conservation Area.

Character and appearance

Landscape

40. Reference has been made in the representations and at the inquiry to the Hampshire County Integrated Character Assessment (HCICA) and to the Hart District Landscape Assessment (HDLA)²⁰. There was disagreement between the main parties about the relative merits of these assessments, the LPA taking the view that key elements of the HDLA are flawed due to the passage of time

²⁰ Extracts from the County Character Assessment are at Appendix 6 in Document A2, and the District Landscape Assessment is at Appendix 10 in Document L4.

and changes in approach. The HDLA was published in 1997, and the LPA argued that it was deficient in respect of addressing scenic, perceptual and experiential qualities, and with reference to public access. I heard, though, that the HDLA is part of the evidence base for the emerging Local Plan. The HCICA is more recent (2012), but it is not as fine-grained in its assessment of the area around Crookham Village. I consider that both assessments are useful in providing an understanding of the landscape of the area encompassing the appeal site, as are the more detailed assessments of the site itself undertaken by the main parties.

41. The appeal site lies within the Loddon Valley and Western Forest of Eversley Landscape Character Area (LCA) in the HCICA, and more particularly it is part of the lowland mosaic medium scale landscape character type (LCT)²¹. Key characteristics of this LCA include a low lying gently undulating landscape, a high density of public rights of way, an assarted landscape in which woodland has been fragmented, and fields which have been reorganised but which retain an irregular pattern.
42. At district level, the appeal site is part of the Hart Valley LCA, and within that LCA the mixed farmland & woodland large-scale²² and the floodplain farmland LCTs together cover the site. The HDLA refers to the river and its floodplain and the pattern of mixed farmland and woodland as unifying elements in this LCA. The broad low-lying floor is also recognised as a distinguishing feature. That part of the County and District LCAs where the appeal site is located generally reflects these characteristic features. The built development of the care village would represent urban encroachment onto part of the higher land adjacent to Crookham Village, but there would be a negligible adverse effect on the character of the extensive LCAs. Insofar as the SANG is concerned, at this large scale I do not consider that the proposals would materially alter the pattern of the wider landscape.
43. I turn now to consider the effect of the development on the landscape of the site. The HDLA evaluated the quality of the landscape within Hart. Category C, the lowest of three categories, includes the part of the appeal site where the care village would be constructed. The Appellants' landscape consultant comments that the northern part of the site (his LCA A²³) includes improved or semi-improved grassland with no internal structure and no landscape features of particular merit. The overall quality is adjudged to be moderate, whereas the remainder of the site, largely comprising wet pasture and wet woodland is considered to be of high landscape quality. For his part, the LPA's landscape witness assessed the site as a whole to be of high quality, referring to the northern part of the site (his LCA 1²⁴) as good quality grazing pasture, with some remnants of the historic field pattern, and no disruption to the topography by man-made intervention. It was agreed at the inquiry that the present field pattern is relatively recent, and, whilst intact, the landscape of this part of the site extending across three large fields of grassland, separated simply by post and wire fencing, is appropriately considered of moderate

²¹ In the proof of evidence of the Appellants' landscape witness the site is referred to as falling within the lowland mosaic small scale LCT (Document A1, para 4.12.3). However the plan of the LCA in Document A2 shows the site within the lowland mosaic medium scale LCT, with the lowland mosaic small scale LCT lying further west.

²² In the proof of evidence of the LPA's landscape witness the site is referred to as falling within the mixed farmland & woodland small-scale LCT (Document L3, table 1)3. However the plan of the LCA in Document L4 shows the site within the mixed farmland & woodland large-scale LCT, with the small scale LCT lying further west.

²³ The Appellants' four local LCAs are identified on plan HDA 3 866.1/03C in Document A2.

²⁴ The LPA's two local LCAs are identified on the plan at Appendix 2 in Document L4.

quality. There is an important caveat in the HDLA, which explains that the distinctions between the three categories of quality are comparatively subtle and that category C landscapes are not severely degraded. That is particularly the case in respect of the appeal site: although it has a fringe character, a type included in category C, it is neither significantly adversely influenced by the presence of Crookham Village, nor does it have an unkempt and neglected appearance.

44. The care village would be built on higher land at the northern part of the site. This new built form would extend across the gently rising land adjacent to Crookham Village, with the southern line of development continuing beyond the break of slope and onto the upper part of the open valley side²⁵. On its western side the buildings would be contained by development on Crondall Road and mature tree cover at Brook Hill, but to the east there are no physical features which would perform an equivalent function. Tree and shrub planting around the care village would soften the edge of the development over time, but the landscaping proposed would not disguise the encroachment onto the open landscape, which would be emphasised by the inclusion of a three-storey central facilities building and two three-storey apartment blocks in the centre of the care village.
45. The site is not a valued landscape in the terms of the NPPF (para 170a), in that it has no statutory status and is not identified for its landscape quality in the Development Plan. That does not mean that the site is without value: indeed, the sweeping topography to the south of the village running down to the River Hart has an attractive scenic quality. It is clear from the representations of local residents that the footpaths across the site which facilitate appreciation of the landscape are well-used.
46. The abrupt change from being within the settlement to the open countryside on footpaths Nos 1 and 5 heightens the experience of arriving in an attractive rural landscape on the appeal site. As a consequence of the proposed scheme, footpath No 1 would be contained within the care village immediately to the south of The Street. At the southern edge of the development, the parameters plan and the accompanying illustrative plans show the buildings and planting stepping back from the line of the footpath in marked contrast to the present arrangement. Footpath No 5 would still emerge from the settlement at its present position, but it would then run along the eastern edge of the development with tree cover on the other side. I heard that the footpaths are used by walking groups, and local residents have explained the value which they place on these rights of way²⁶. The presence of additional built development alongside both footpaths and the loss of their sudden arrival in and departure from the countryside would diminish the experience currently gained by walking on these routes. Beyond the care village the whole of the SANG would be opened up to public access, and it is intended that additional paths would be formed around this part of the site. Augmenting the footpath network in this way would enhance opportunities to appreciate the landscape of the greater part of the site, and would be a benefit of the appeal proposal.

²⁵ The plan at Document G10 shows the site plan superimposed with the ridge lines identified by the main parties.

²⁶ Document O9 is a statement from Mr Boddy who leads local walking groups. See also, for example, Documents O5, O14 & O15.

47. An illustrative masterplan indicates landscape measures for the SANG²⁷. The proposals include restoration of wet meadow grassland in the floodplain (LCA C), stretches of close mown grass on the sloping land in the east and centre of the site, and additional tree planting, notably on the southern outcrop of higher land between the two public footpaths referred to as the knoll, and extending northwards from the existing group of trees in LCA C to the care village. The measures put forward are broadly consistent with the characteristics of the County and District LCAs (above, paras 41 & 42). The main enhancement priorities set out in the HDLA are to restore landscape structure along denuded valley sides through the planting of woods, trees and hedgerows, and to encourage the restoration of more diverse wetland habits within the valley floor. Land in LCA C has been ploughed and sown with rye grass²⁸, and its restoration as grazing marsh/ rush pasture would be a positive move.
48. Although I acknowledge that the tree planting on the sloping land rising up to the care village would be consistent with the LCAs, I do not regard it as a benefit in terms of enhancing the landscape. The HDLA refers to planting on denuded valley sides as one of the enhancement priorities for Category C land. There is no substantive evidence that that description properly applies to the land to the south of Crookham Village which slopes down towards the River Hart. Reference was made at the inquiry to historic maps of the area²⁹, but these simply indicate the presence of some tree or hedgerow cover along the then field boundaries, whereas the existing tree cover within the site to the north-west of Peatmoor Copse is indicated by a continuous notation. Whilst certain measures proposed in the SANG would be positive features, considered overall the scheme would have a harmful effect on the landscape of the appeal site.

The setting of Crookham Village

49. Crookham Village is a small settlement set in an open landscape. The built-up area of Church Crookham is nearby to the east of the Basingstoke Canal but open land extends in other directions, and that to the north and south lies within a local gap, designated under Policy CON 21 of the Local Plan³⁰. Two small parts of the appeal site are within the settlement boundary of Crookham Village, as shown on the inset map; Cross Farmhouse and the adjacent access road, and the land to the east of The Barne. The rest of the site is open land to the south of The Street and to the east of Crondall Road.
50. Crookham Village is a linear settlement. The grouping of development to the west of the Crossways junction and some other variations do not alter this essential form. The addition of 160 dwellings, together with a care home, would represent a significant increase in the size of the settlement. This development, positioned to the south of The Street would not be consistent with the existing built form, and would consolidate development on this side of Crookham Village. Due to its position on the open land beyond the frontage properties, the new built development would relate awkwardly to the settlement, a situation which would be emphasised by the presence of the care home, the central facilities building and apartment blocks within the scheme.

²⁷ Plan HDA 10 866.1/19I in Document A2.

²⁸ See Document A7, paras 3.2.3 & 3.2.8, and Appendix B in Document A8.

²⁹ Document SD13, Appendix 3, and Document A12.

³⁰ The Local Plan Proposals Map is Document G8.

51. Outline planning permission has been granted for a development involving up to 423 dwellings in the local gap to the north of Crookham Village³¹. This is a sizeable scheme, on which construction has commenced. Unlike the scheme before me, it does not abut Crookham Village, but is separated by fields and the woodland of Netherhouse Copse, and lies alongside the built-up area of Fleet. The housing on this site will not be within the immediate setting of Crookham Village, and will not have an adverse effect on the form of the settlement.
52. I conclude that the proposed development would cause serious harm to the setting of Crookham Village. Accordingly it would conflict with Policy CON 21 of the Local Plan.

Visual effects

53. There are no distant views of the appeal site due to the presence of the existing properties along The Street and Crondall Road to the north and west, and tree cover above the Basingstoke Canal and at Zephon Common and Peatmoor Copse to the east and south. There are, however, extensive views across the site: the sweeping landform and its surroundings of woodland and the linear form of Crookham Village can be appreciated from the gap in the frontage on Crondall Road (Appellants' VP12, LPA's VPs 15 & 16) and from footpaths Nos 1 & 5 (Appellants' VPs 5-10, LPA's VPS 7c-10 & 11).
54. On completion, the southern edge of the development, beyond the break in the slope, would be apparent from Crondall Road. As tree cover on the edge of the care village and within the SANG matured, visibility of the new buildings would be restricted. However, the belt of tree cover envisaged to extend from Brook Hill towards the existing group of trees adjacent Peatmoor Copse would have the damaging effect of limiting the pleasant views across the site. A similar effect would occur in reverse, in views westwards from footpath No 1, whilst to the east the woodland clump proposed on the knoll would interrupt the views towards the tree belt on the boundary with the canal. Tree planting would restrict the opportunity for users of the path, who would have a high sensitivity to their surroundings, to appreciate the sweep of the topography of this undulating stretch of countryside.
55. From the two footpaths which cross the site, the urban form of the care village, extending into the open countryside, would be apparent. The Appellant's photomontage from footpath No 1 (Document A23) indicates that roofs of buildings would be visible when tree cover had become established after 15 years. I am also concerned about the effect on visual amenity for users of the footpaths at their northern end. On footpath No 1, views across open fields would be replaced by housing, including three-storey buildings and landscaping. The open views available from the settlement edge would be lost due to containment of this part of the footpath within an extension to the built-up area. On footpath No 5, the open aspect would be considerably restricted by the eastern edge of the care village and planting proposed on the other side. I do not share the assessment of the Appellant's landscape consultant that, 15 years into operation, the appeal proposal would have an effect of minor adverse significance on the users of footpath No 1 and of minor adverse/negligible significance on the users of footpath No 5. For the reasons given above, I consider that the proposed would result in a serious loss of visual

³¹ The appeal decision is at Appendix 3 in Document A16 and plans of the scheme are at Document G4.

amenity. Additional views would be available throughout the SANG, although, because of the structure of the planting proposed, none would replicate the extent of views currently available. Whilst I acknowledge the benefit of providing opportunities for additional viewpoints, that does not offset the harm caused by the changes to existing views within the site.

56. I agree with the Appellants that the effect on motorists using The Street would be negligible, given their speed of movement past the buildings. Pedestrians, however, who would include recreational walkers going to and from footpaths Nos 1 and 5 could be expected to take greater notice of their surroundings. There would be no clear views of the development through the gaps between buildings. However the sense of openness apparent in several places on the southern side of The Street would be diminished due to the likely glimpses of the landscaped buffer along the rear boundary of existing properties, with housing behind. The Appellants referred to the planning permission granted to the east of The Barne, arguing that the rural workshops permitted would themselves encroach into frontage gaps. As I have mentioned above (para 25), there is no specific evidence to indicate that the new buildings will come forward, if the appeal scheme does not proceed, and this is not an eventuality to which I accord weight.
57. Dwellings on the south side of The Street and on the east side of Crondall Road have views onto the appeal site. Boundary treatment varies, but vegetation filters views in places. A landscaped buffer, between 15.5m and 18.5m deep, would be planted at the rear of The Street and Veronica Drive, separating existing properties from the 1.5 storey housing on the northern edge of the care village. The dwellings on Crondall Road would be further away from the developed part of the appeal site. In both locations there would clearly be a reduction in the openness of views. However these are private views from properties which generally have generous garden areas, and I give minor weight to the harm caused.

Conclusions on character and appearance

58. Through the provision of access onto the open land which would become SANG, with the opportunity for views from locations throughout this part of the site, the development would provide certain benefits. Overall, however, I conclude that it would adversely affect the character and appearance of the area, and it would thereby conflict with Policies CON 22 and RUR 2 of the Local Plan, and with Policy NBE3(b) of the emerging Local Plan. Moreover the development proposed would not be consistent with paragraph 170(b) of the NPPF which expects planning decisions to recognise the intrinsic character and beauty of the countryside. The harmful effect on the landscape of the appeal site and the setting of Crookham Village both merit significant weight: I also attach significant weight to the reduction in visual amenity in views across the site.

The separation of Crookham Village and Fleet/ Church Crookham

59. The greater part of the appeal site lies within the local gap between Fleet and Crookham Village, designated under Policy CON 21 of the Local Plan. Only the two small areas of the site which fall within the settlement boundary (above, para 49) are not part of this local gap. Policy CON 21 identifies seven local gaps, which are referred to as important in maintaining the separate identities of smaller settlements, providing their setting, and preventing coalescence. The proposals map shows the local gap in two parts, extending to the north

and south of Crookham Village and along the western side of Fleet/ Church Crookham. The Appellants' planning witness has produced a plan showing the local gap in relation to the appeal site and the housing site at Netherhouse Copse³² (above, para 51) but this plan shows a more extensive gap, including land west of Hitches Lane. That area lies between Crookham Village and Dogmersfield: a separate local gap is identified in Policy CON 21 between these settlements, and the land west of Hitches Lane is the only area shown for this purpose on the proposals map. I note also that in its response to the Neighbourhood Plan Examiner's Note, the Parish Council refers to this land as the gap between Crookham Village and Dogmersfield³³.

60. The local gap designations are not carried forward in the ELP. Criterion (e) in Policy NBE3 of the ELP requires that development proposals do not lead to the physical or visual coalescence of settlements, or damage to their separate identities, and the accompanying text explains that policies to designate specific gaps can be prepared through subsequent development plan documents and neighbourhood plans. In line with this intention, the ENP identifies local gaps under Policy NE01 (CD26). That between Crookham Village and Fleet/ Church Crookham largely reflects the area shown on the Local Plan proposals map, but it has been altered in recognition of the grant of planning permission for housing north of Netherhouse Copse and it also excludes a small area east of Crondall Road, part of which is within the appeal site.
61. The care village would involve a significant incursion into the southern part of the local gap, projecting about 178m from The Street and extending about 390m from west to east. The area of built form would occupy about 4.5% of the gap and about 9.3% of its southern part³⁴. Excluding the Netherhouse Copse site, the care village represents about 5.6% of the remaining local gap.
62. Notwithstanding the extent of the development, the first reason for refusal is incorrect to allege that the proposal would result in the physical coalescence of Crookham Village and Fleet/ Church Crookham. The existing line of development on The Street is separated from Church Crookham by the corridor of the Basingstoke Canal, and the care village would not extend that far to the east. However the effective separation of settlements does not depend on maintaining a gap sufficient to avoid physical coalescence. Policy CON 21 of the Local Plan refers to the separate identities of settlements and Policy NBE3 of the ELP to avoiding visual coalescence.
63. Due to its position to the south of The Street and the tree belt alongside the canal, there would be no intervisibility between the care village and the built-up area of Fleet/ Church Crookham. Nor would there be the opportunity to see both the new development and the nearby settlement together. Accordingly I find that the proposal would not result in visual coalescence.
64. The proposal would, however, significantly increase the depth of development in Crookham Village, and in consequence there would be a narrowing of the gap to the south of The Street. Although the tree belt by the canal provides

³² Figure 1 in Document A15.

³³ Appendix 3 in Document L16.

³⁴ In paragraph 5.1 of Document A15 the Appellants calculate that the care village would occupy 4.3% of the gap and 9.3% of its southern part. However, the calculation of 4.3% includes the area of the separate gap to Dogmersfield. Figure 1 in Document A15 indicates that they have also excluded an area to the south of Cross Farmhouse and The Barne from both the built form of the care village and the local gap.

screening of housing in Church Crookham, the open fields of the appeal site make an important contribution to the sense of separation. Users of footpath No 5, and to an extent of footpath No 1, would be aware of the encroachment of the care village with its landscaped buffer into the gap. The identity of Crookham Village is that of a small rural settlement set in an agricultural landscape. Enlargement of the village with this single large development, which would erode the extent of the southern part of the local gap, would detract from its separate identity.

65. In allowing the appeal for housing at Netherhouse Copse in the northern section of the local gap, the Inspector found that that scheme would not result in physical or visual coalescence between Crookham Village and Fleet, nor the loss of individual identities. The Netherhouse Copse development is larger in size than the appeal proposal, covering 21.4ha. However it is adjacent to Fleet and clearly separate from Crookham Village, being set back about 400m from The Street. In this location it does not alter the identity of the village as a small rural settlement in an agricultural landscape.
66. I conclude that, although the proposed development would not cause physical or visual coalescence, it would detract from the separate identity of Crookham Village, contrary to Policy CON 21 of the Local Plan, Policy NBE3(e) of the ELP, and Policy NE01 of the ENP. The extent of harm, limited to an adverse impact on identity, merits moderate weight.

Living conditions

67. Vehicular access to the care village and the main pedestrian access would be via the realigned road leading into the site from Crondall Road (CD36). This road runs between three houses: Cross Farmhouse lies to the west, and on the east side are Chelsea Cottage and The Barne. The fifth reason for refusal refers to a loss of privacy and overlooking at these properties due to the proximity of habitable room windows to the access route.
68. At present the access road is informal in nature: there is no footway or kerb, and the carriageway is only separated from the elevations of Chelsea Cottage and The Barne by a narrow verge. On the opposite side, Cross Farmhouse is set back behind a fence and boundary planting. The revised access plan shows the carriageway realigned westwards, and in the addendum to their statement of common ground, the main parties have agreed distances from the road to the adjacent properties³⁵.
69. At the inquiry, the LPA's planning witness explained that the greatest concern related to Cross Farmhouse. The carriageway would be brought closer to this house, which has its main elevation facing the road. Existing boundary treatment would be removed, and the highway boundary would be 1.9m from the forwardmost part of the house, with an overall distance of 2.4m to the carriageway. A footway would be constructed on the east side of the road only, and pedestrians would not, therefore, be expected to be walking immediately in front of Cross Farmhouse. I do not consider that there is a realistic prospect of loss of privacy from persons travelling along the road in vehicles. The main focus of drivers' attention would be on the road ahead, and whilst passengers may look around the transient views from a sitting position would not enable any material overlooking to occur. Moreover, I note that the

³⁵ Document G2: the agreed dimensions are shown on the attached plan ref 6439-SK-010 revision A.

illustrative landscape plan for the care village includes a hedgerow along the repositioned frontage of Cross Farmhouse³⁶. The provision of this hedgerow, which would restrict views towards the ground floor of the house from passing vehicles, could be required as part of the approval of any landscaping scheme at reserved matters stage.

70. A wider verge would be provided on the east side of the access road, with a 2m footway adjacent to the carriageway and parking bay. Chelsea Cottage has its main elevation to the north, towards Crondall Road. There are two ground floor windows in the elevation facing the access road, a secondary window to a living room and a window to a dining room. The verge would be 3.8m deep past this house and would provide an opportunity for planting to take place. Level with the adjacent house, the verge would step in to allow the formation of a parking bay. Here there are also two ground floor windows, but only one is in a habitable room, which is somewhat higher than those at Chelsea Cottage. Although there would be less scope for planting to occur outside The Barne, pedestrian movement on the footway would result in transient, rather than prolonged, views towards this window. Nevertheless these views could result in some overlooking of this part of the house. For the reasons already given in relation to Cross Farmhouse, I do not consider that there would be any loss of privacy at either Chelsea Cottage or The Barne arising from vehicular traffic.
71. In his evidence to the inquiry, the LPA's planning witness refers to the level of vehicle and pedestrian movements expected to be generated by the care village. There would clearly be a marked increase in movement compared with the existing situation, and I have taken this into account in reaching my view that the only likely loss of privacy would be in respect of transient views towards one window at The Barne. There is nothing before me to indicate that use of the access road would cause problems of noise and disturbance to the occupiers of the adjacent houses. Nor do I consider that such problems would occur whilst development works were underway. The Appellants had no objections to conditions requiring the approval of construction method statement and specifying working hours, and, if planning permission were granted, these measures should avoid undue disturbance to local residents during the construction period.
72. I conclude that use of the access road to the care village would not cause a material loss of privacy and unacceptably worsen the living conditions of the occupiers of Cross Farmhouse and Chelsea Cottage. There would, however, be a limited adverse effect on the occupiers of The Barne, and in this respect the proposal would conflict with Policy GEN 1(iii) of the Local Plan.

Housing for older people

The care village concept

73. The care village is intended to meet a range of housing needs of older people, enabling increasing levels of care to be provided on-site as residents' circumstances change. The accommodation would include a 64 bed care home, and 160 residential units, provided as apartments and separate dwellings. Nine of the apartments are intended to be close care apartments³⁷. Certain

³⁶ Plan ref HDA 12 866.1/16G in Document A2.

³⁷ SD1, para 4.4.

facilities would be provided as part of the development: these would include a restaurant and bar, a hydro pool, a fitness suite, a library and a games room³⁸. In addition, a bus/ taxi service is proposed to operate between the care village and Fleet, in accordance with the framework travel plan³⁹. A planning obligation would restrict occupancy of the dwellings to persons aged 60 or over and their spouses or partners (Document G17). Persons aged 60 or over (but not their spouses, partners, widows or widowers) must be receiving or likely to need in the future a domiciliary care package. The planning agreement defines that as a package comprising a minimum of 1.5 hours per week of personal care.

The Appellants' approach to the need for housing for older people in Hart

74. The Appellants and the LPA have adopted different approaches to assessing the need for housing for older people. The Appellants' housing consultant has assessed the make-up of the older population, various indicators of dependency and the tenure profile of the older population. Hart is described as having an elderly population overall; figures for 2019 gave the total population as 95,800, of which 19,300 (20.15%) were 65 and over, and 2,600 (2.71%) were 85 and over⁴⁰. These proportions of the total population are forecast to increase to 26.21% and 5.54% respectively by 2035. The proportions for Hart are higher than those predicted by the Office of National Statistics (ONS) for England as a whole. Another distinctive feature of the Hart population is the high level of home ownership. Although a high level of 77.04% obtains for people aged 85 and over, this is a reduction from 89.45% in the 65-74 age group⁴¹. The Appellants suggest that this is at least partly due to the absence of options to meet the need for care whilst maintaining tenure of choice.
75. In terms of specialised housing provision for older people, the Appellants acknowledge that the level in Hart exceeds the national proportion. This assessment is undertaken in respect of persons aged 75 and over, which is considered to be the threshold of greatest relevance. Overall it is calculated that there were 130 units of accommodation per thousand people in this age group in 2019, compared with a national average ratio of provision of 118.4 units per thousand people. For home-owners the level of provision, at 109.25 units per thousand is lower than the ratio of 231.86 units per thousand in rented accommodation, despite owner-occupation being the predominant tenure in the District⁴². Insofar as care homes are concerned, the levels of provision of 32.28 beds per thousand people over 75 in homes providing personal care, and 29.89 beds per thousand in homes providing nursing care are markedly below national figures of about 45 beds per thousand⁴³.
76. In assessing the adequacy of provision to meet existing (2019) and future (2035) need for specialised accommodation, a series of provision ratios have been applied, which, apart from that for extra care sheltered housing for sale, exceed those relating to current provision⁴⁴. Those higher levels are the same

³⁸ These facilities are specified in the planning agreement with the LPA (Document G17). Mr Blacker's proof of evidence (Document A5) also refers to a convenience store, but this is not mentioned in the planning agreement.

³⁹ Document G18, Appendix 2.

⁴⁰ The population figures are in table 3 of Document A14: the original source is the Office of National Statistics, 2016.

⁴¹ Table 11, Document A14.

⁴² Document A14, paras 8.3-8.7.

⁴³ Document A14, paras 8.11 & 8.12.

⁴⁴ Document A35, table 15.

as those used in a worked example for Bury in the report *Housing in Later Life* (Document L13). That report was intended as an update for *More Choice: Greater Voice* published in 2008. In that report, provision ratios were arrived at by an examination of current ratios adjusted to reflect policy aspirations. I have read that caveats were set out about their application in any local authority area. The Appellants' housing consultant explains that the suggested rates of provision used in *Housing in Later Life* and his report on Hart have been modified from the earlier work to reflect trends observed between 2008 and 2012⁴⁵. Specific reference is made to a slower decline in conventional sheltered housing than previously predicted, high demand for leasehold retirement housing, and increasing provision and acceptance of extra care accommodation. There is, though, no explicit explanation for the precise targets chosen. It is acknowledged that the target ratios are aspirational, and I heard that they are used widely. However aspirational target ratios used to illustrate a model are not necessarily appropriate for use in any local authority, and I am mindful of the caveats referred to in this regard in the 2008 report. This tempers the weight which can be placed on the accommodation figures derived from the model.

77. The outcomes of the Appellants' modelling exercise are set out in table 15 of Document A35. Aggregating the different categories of provision indicates that there was a need for an additional 1,104 units of specialised accommodation for older people in 2019, a figure which would increase to 2,255 units by 2035. A different version of the exercise set out in table 15 is at table 1 of Document A17, which gives somewhat lower figures for the level of accommodation required, but which only looks forward to 2025. I have relied on table 15, which was included in the revised section of his evidence submitted during the course of the inquiry by the Appellant's housing witness (after the submission of Document A17), and which he confirmed was accurate. Although no figures are given here for care home accommodation, existing provision is markedly below national levels, and the Appellants suggest that the challenge of maintaining viability in smaller care homes will lead to an increase in larger, purpose-built schemes.

The LPA's approach to the need for housing for older people in Hart

78. The assessment undertaken by the LPA is based on the Hart, Rushmoor and Surrey Heath Strategic Housing Market Assessment (SHMA, CD23). In the SHMA, data from the Housing LIN Strategic Housing for Older People toolkit (SHOP) has been used to estimate the housing requirement for older people in Hart during the period 2014-2035⁴⁶. Paragraph 63-004 of Planning Practice Guidance (PPG) advises that information on the need for specialist accommodation for older people can be obtained from a number of online toolkits provided by the sector, and mentions the SHOP toolkit as an example. It was pointed out by the Appellants that SHOP, in its default mode, simply projects forward a requirement based on existing provision, without taking account of social policy and qualitative factors, and that Housing LIN has expressed caution about its use in this form. On the other hand, I note that the SHMA considers the effects of altering parts of the methodology.
79. Over the initial five years of the ELP period (2014-19), the LPA calculates shortfalls of 48 units of specialised accommodation in use class C3 and 115

⁴⁵ Document A14, paras A4.38-A4.46.

⁴⁶ CD23, para 14.17.

bed-spaces for older persons in use class C2 accommodation. Residual requirements for the balance of the ELP period from 2019-2032 are 1,012 units in use class C3 and 832 bed-spaces in use class C2, giving annualised requirements of 78 units and 64 bed-spaces⁴⁷. However that approach addresses the shortfall over the (then) remaining 13 years of the plan period, whereas paragraph 3-044 of PPG expresses a clear preference for meeting the shortfall over the next five years period. On that basis, a five years' requirement would be greater than the 710 C3 units and C2 bed-spaces derived from the LPA's figures.

The need for and supply of housing for older people

80. There are clear differences in the calculations of need for older people undertaken by the main parties (above, paras 77 & 79). Both methodologies are open to criticism, and, on the information before me, I am not confident that one approach is inherently more reliable than the other. However, both assessments point to a need for significant additional provision of specialised housing for older people during the period of the ELP.
81. In terms of supply, there are 162 units with planning permission and 304 bed-spaces with planning permission or allocated in a neighbourhood development plan⁴⁸. It is common ground that there is a supply of housing land in Hart sufficient for over nine years⁴⁹, and the LPA anticipates that accommodation for older people will come forward as part of the general housing supply. For their part the Appellants challenge reliance on this source, pointing to a contribution of only five units from a total of 1,907 with planning permission on sites outside settlements in 2018. Whilst that is an extremely low level of contribution, it is a partial assessment, excluding supply within settlements. Of more weight is the limited availability of a comparable form of provision to the care village proposed at Crookham Village. Policy H4 of the ELP provides for specialised accommodation at the new community of Hartland Village, but it was the undisputed evidence of the Appellants that this scheme no longer includes housing for older people, and they also argued that occupancy restrictions at Hampshire Lakes, which relate to age and disability, mean that that development is more closely aligned with enhanced sheltered housing than a care village.

Conclusions on housing for older people

82. Irrespective of the methodology used, and the shortcomings of the approaches employed, there is a clear need for specialised accommodation for older people within Hart. Paragraph 63-001 of PPG states that the need to provide housing for older people is critical, and makes clear, at paragraph 63-016, that where there is an identified unmet need for specialist housing, a positive approach should be taken to schemes which propose to address that need. The appeal proposal would make an important contribution to meeting the need in Hart, a matter to which I accord significant weight.

⁴⁷ Document L5, table 3.

⁴⁸ An aggregate figure for planning permission is given in table 5 of Document L5; this has been adjusted to take account of the additional planning permission and the neighbourhood plan site referred to in paragraph 2.10 of Document A17.

⁴⁹ CD35, table 1.

Consistency with the Development Plan

The Local Plan

(i) Policies concerning the countryside and the local gap

83. The greater part of the site is in the open countryside, outside the settlement boundary of Crookham Village. The Local Plan makes no specific provision for specialist housing for older people, and consequently the proposal would conflict with the first part of Policy RUR 2. As I have found that it would have a significant detrimental effect on the character of the countryside, it would also conflict with the second part of the policy. This development in a local gap would damage the separate identity of Crookham Village, and it would also adversely affect the character of the settlement: in consequence it would conflict with Policies CON 21 and CON 22. Policy CON 23 opposes development which would seriously detract from the amenity of well-used footpaths close to main settlements. Footpaths Nos 1 & 5 lead directly onto the site from Crookham Village, and they are also close to the built-up area of Fleet/ Church Crookham to the east. I heard from local residents, including one who organises walking groups, that both are well-used, and there would be serious harm to the views available from these footpaths (above, para 55) contrary to Policy CON 23.

(ii) Crookham Village Conservation Area

84. The proposal would have a direct harmful effect on Crookham Village Conservation Area through the highway works proposed to the access route, and the proposal for the care village would adversely affect the setting of the conservation area, and the contribution which the setting makes to its significance. For these reasons the proposal would conflict with Policy CON 13.

(iii) Living conditions

85. Insofar as living conditions are concerned, there would be a limited adverse effect on The Barne due to the prospect of overlooking from the new footway. Nevertheless that is sufficient to prevent compliance with criterion (iii) of Policy GEN 1(iii).

(iv) Affordable housing

86. A planning obligation would make provision for affordable housing, either by the inclusion of 12 affordable units within the scheme together with a contribution of £1,552,512, or a larger contribution of £2,328,768 towards off-site affordable housing. Policy ALT GEN13 seeks 40% affordable housing, and the LPA explained that both alternatives in the planning obligation would be equivalent to that level of provision. The policy also seeks integration with market housing and 'pepperpotting' of affordable housing throughout development sites. The parameters plan shows the affordable housing located in a group close to the site access: in this position it would be close to some of the cottages which would be built for sale on the site and to private housing on Crondall Road. Given this relationship, I consider that the affordable housing would be appropriately integrated with market housing, and that the development would be consistent with Policy ALT GEN 13. The SHMA estimates that in Hart there is a need for 310 affordable dwellings per year over the

period 2014-2032⁵⁰, and the appeal scheme would make a relatively modest contribution to that total.

(v) *Nature conservation*

87. The appeal site is 2.3km from the Bourley & Long Valley Site of Special Scientific Interest (SSSI), which forms part of the Thames Basin Heaths SPA. Policy CON 1 makes it clear that development which would adversely affect the nature conservation value of a SPA will not be permitted unless there are no alternative solutions and there are imperative reasons of over-riding public interest. In similar vein, Policy CON 2 only permits development which would adversely affect the nature conservation value of an SSSI if conditions would prevent damaging impacts on wildlife habitats or other natural features, or if other material factors are sufficient to overcome the nature conservation interest.
88. The SPA comprises a network of heathland sites which have been designated as they provide a habitat for the important bird species of woodlark, nightjar and Dartford warbler. These bird species are vulnerable to disturbance from walkers, dogs and cat predation as they nest on and close to the ground. Because of increased disturbance, Natural England considers that additional residential development within 5km of the SPA would have a significant adverse effect.
89. The Appellants calculate that the dwellings in the care village would accommodate about 224 people, with about 54 households keeping dogs⁵¹. In the absence of any avoidance measures it is considered likely that some residents would follow existing visitor patterns, leading to increased recreational usage of the SPA. In combination with existing recreational use and other proposed developments, the additional pressure could lead to problems including disturbance of birds, and trampling and enrichment of heathland soils through dog fouling. The development has the potential, therefore, to contribute to a significant adverse effect on the SPA. Where a likely significant adverse effect on a SPA has been identified, the judgement in *People over Wind and Sweetman v Coillte Teorante*⁵² requires that an appropriate assessment is undertaken.
90. The Thames Basin Heaths SPA Delivery Framework sets out an approach to enable housing to come forward without resulting in a significant adverse effect⁵³. A key part of this approach is the provision of SANG to attract new residents away from the SPA, funded by developer contributions. The appeal proposal includes SANG, an area of about 18.8ha which would cover the majority of the site. This amount of land is considerably in excess of the 1.79ha required for a development of 160 dwellings⁵⁴. The SANG would include woodland, wetland and grassland; there would be public access across the land and additional footpaths would be formed. Existing public access is limited to footpaths Nos 1 and 5 which are contained between fencing: consequently I agree with the Appellants that the proposed SANG would have a high capacity to absorb recreational pressure. There would be opportunities for dogs to be exercised freely, and for parking to be provided at the southern

⁵⁰ CD23, figure 10.26.

⁵¹ Document A8, Appendix J, para 4.5.2.

⁵² CJEU Case C-323/17.

⁵³ Document L6, Appendix 12.

⁵⁴ Footnote 4 in Appendix J of Document A8 explains the calculation of the area of SANG required.

edge of the care village. The illustrative masterplan shows that areas of naturalistic open space, comprising a variety of landscape features could be provided, and a condition could require full details of the proposed works to be submitted for the approval of the LPA. Having regard to the location and nature of the land concerned, and its potential for recreational use, I agree with the Appellants' assessment that its use as SANG would satisfy the criteria set out by Natural England⁵⁵.

91. A planning obligation would secure provision of the SANG and require arrangements to be established for its management. It would also require financial contributions related to the Strategic Access Management and Monitoring (SAMM) Strategy. SAMM monies are used to fund access management projects, the funding of rangers and the monitoring of visitor pressure. Natural England has advised that having regard to the additional information concerning the SANG, and subject to completion of the planning agreement concerning implementation of the proposed management and payment of the SAMM tariffs, it is satisfied that the development would have no adverse impacts on the SPA, either alone or in combination with other plans or projects⁵⁶. The LPA shares this view.
92. Having undertaken this appropriate assessment, I conclude that with the mitigation proposed in the form of SANG and the SAMM contributions, the proposed development would have no adverse effect on the Thames Basin Heaths SPA or the Long Valley Site SSSI. Consequently there would be no conflict with Policies CON 1 and CON 2 of the Local Plan.
93. The revised access scheme (above, para 4) would enable the mature horse chestnut tree at the Crossways junction to be retained, and other groups of significant trees would remain as part of the SANG. There would be no conflict with Policy CON 8.

(vi) Other policies

94. No harm would be caused to the landscape or setting of the Basingstoke Canal, and there would be no conflict with Policy CON 10. The Highway Authority accepts that the access arrangements proposed are satisfactory and would not endanger highway safety (CD37). Representations from FACE-IT and some local residents, however, express concern in this regard, due in particular to the alterations to the Crossways junction and the limited extent of footways on Crondall Road⁵⁷. Two personal injury accidents have been recorded in the vicinity of the site during the period 2011-2018, both of which involved only slight injury⁵⁸. The predicted number of trips to and from the site at peak hours would not significantly increase the amount of traffic on the roads through Crookham Village, and there is no substantive evidence to suggest that the proposal would reduce highway safety. On the information before me I consider that access arrangements would be adequate and that, in this respect, criteria (vii) and (viii) of Policy GEN 1 would be satisfied.

⁵⁵ Document A8, Appendix J, table 2.

⁵⁶ Document A8, Appendix M.

⁵⁷ See, for example, Documents O1, O3 & O13.

⁵⁸ SD16, section 3.6; CD37, paras 3.18-3.20, Appendix 1(B).

The South-East Plan

95. Policy NRM6 stipulates that new residential development which would be likely to have a significant effect on the ecological integrity of the Thames Basin Heaths SPA will be required to demonstrate that adequate measures are put in place to avoid or mitigate adverse effects (CD12). It is likely that the appeal proposal, together with other proposals for residential development would have a potential adverse impact on the SPA due to increased recreational pressure (above, para 89). This harm would be avoided by the SANG and financial contributions towards the SAMM Strategy, both of which would be secured by a planning obligation (above, paras 90-92). Accordingly there would be no conflict with Policy NRM6.

The Hampshire Minerals and Waste Plan

96. Policy 15 is concerned with safeguarding mineral resources (CD13). The appeal site lies within a safeguarding area for sand and gravel. A Mineral Resource Assessment undertaken for the Appellants has identified approximately 1.3ha of potentially workable deposits, located on the west side of the site, within the area of the SANG⁵⁹. The report concludes that large-scale extraction would be likely to result in unacceptable impacts on amenity and/ or environmental receptors, and that it would be unsustainable financially. The transport impact of smaller-scale extraction is considered likely to be unacceptable, and the costs of loading and transporting are expected to make such an extraction operation unviable.

97. The County Council, as minerals and waste planning authority, has subsequently stated that it would have no objection to the proposal, provided there is no change to its nature⁶⁰. I am satisfied that, having regard to other policies in the Plan, extraction of sand and gravel would be inappropriate in this location, a circumstance covered by part (b) of the policy.

Conclusions on the Development Plan

98. The proposal would comply with the relevant policies in The South-East Plan and the Hampshire Minerals and Waste Plan. It would also be consistent with several policies in the Local Plan, including Policies CON1 & CON 2 concerned with nature conservation. However it would conflict with other policies in the Local Plan concerning the countryside, the local gap between Crookham Village and Fleet/ Church Crookham, conservation areas, and living conditions. Consequently, it would conflict with the Development Plan considered as a whole.

Other considerations

The ELP

99. In the regulation 18 version of the ELP (CD19), land at Cross Farm, including the appeal site, was allocated as a care village under Policy SC3. The area proposed for built development was broadly consistent with that put forward under the present scheme, and was to include a 64 bed care home and 100 homes for the elderly. The Appellants have drawn attention to the

⁵⁹ The Mineral Resource assessment is CD34: the area of potentially workable sand and gravel is shown on plan ref 0750-1-3 in this document.

⁶⁰ Letter dated 7 January 2019 from Hampshire CC to The Planning Inspectorate.

accompanying sustainability appraisal, which referred to the development of the appeal site as 'a given', and as being the only site able to deliver larger amounts of older persons' accommodation.

100. Subsequently, the allocation of the appeal site was removed from the Proposed Submission version of the ELP (CD 17). The sustainability appraisal report for that version of the ELP (CD18) records that the allocation was reconsidered in the light of significant local opposition, with landscape and historic character being a key concern. It was also necessary to consider the extent of newly committed housing growth nearby, with specific mention made of the planning permission granted for land north of Netherhouse Copse (above, para 51). Crookham Care Village submitted representations to the ELP examination in support of the allocation of the appeal site for housing for older people (CDs 30-32). The Appellants' planning witness also mentions that, in the event of a need for further sites being identified at examination stage, local plan inspectors may use their discretion to invite LPAs to put forward alternative proposals. That has not happened in the case of the land east of Crondall Road. In his letter following the hearing sessions (CD38), the Inspector recommended a series of modifications to the ELP, none of which involved the allocation of sites for older people's housing.
101. In the Proposed Modifications version of the ELP, Policy SS1 sets out a spatial strategy which focusses development within settlements. Housing will, however, be permitted outside development boundaries where this is considered essential in accordance with Policy NBE1. That policy sets out the circumstances in which development will be supported in the countryside. In respect of specialist housing, it refers to Policy H4. Policy H1, concerned with housing mix, supports specialist accommodation where appropriate. The first part of Policy H4 provides for such accommodation within settlements and at Hartland Village. Under the second part of the policy, development would also be permitted in the countryside subject to compliance with three criteria. It is this part of the policy against which the appeal proposal falls to be assessed.
102. Criterion (i) requires there to be a demonstrated local need for the development in that area. I note that Crookham Care Village has objected to the reference to local need introduced by a main modification. The form of words used, caveating *need* with *local* and emphasising *area* with *that* indicates that need is to be demonstrated below the area covered by the Plan as a whole (Hart District). The evidence on need is at district level, and no local assessment is before me. Criterion (ii) is concerned with the absence of available or viable alternative sites within settlements where the need arises. The LPA agrees with a representation from Crookham Care Village that this criterion should refer to available *and* viable alternative sites, and I have considered the modification accordingly. Only one site over 5ha was identified by the Appellants, and its shape was not considered suitable for a care village. Constraints concerning access, protected trees and a conservation area were also identified in stage 2 of the alternative site assessment exercise⁶¹. I do not doubt that there is a minimum size required for a care village. It is the Appellants' position that to be suitable and viable any alternative site would be required to deliver a similar quantity of development to the appeal proposal, and that the 5ha threshold demonstrates flexibility in recognition of the opportunity for different forms of design. However there is no clear

⁶¹ Document A16, Appendix 6.

explanation to justify the size of the scheme, and I do not consider that the absence of an available and viable alternative site for a care village has been demonstrated. In respect of criterion (iii) I agree that there would be appropriate access to facilities and services (below, paras 108-111), but, having regard to my finding that the development would harm the setting of Crookham Village (above, paras 49-52), it would not be well related to an existing settlement, and the appeal proposal does not satisfy any of the criteria in part (b) of Policy H4. There are objections to the main modification relating to Policy H4, but none concern criterion b(iii). As the form of the policy requires all criteria to be met, the failure to comply with criterion b(iii) is sufficient to cause conflict with Policy H4.

103. Due to the harm which the proposal would cause to the significance of Crookham Village Conservation Area and the setting of three listed buildings, it would conflict with Policy NBE9. Unlike Policy CON 13 of the Local Plan, which seeks to impose a prohibition on development which would harm a conservation area, Policy NBE9 refers to the balancing exercise in the NPPF. The local gap designations are not carried forward in the ELP, but the scheme for the care village would conflict with criterion (e) in Policy NBE3, which requires that development proposals do not lead to the physical or visual coalescence of settlements, or damage to their separate identities. The care village would not be appropriate in this location, and would, therefore, also conflict with Policy H1.
104. Given the mitigation proposed in the form of the SANG and the contributions towards the SAMM strategy, the proposal would not adversely affect the integrity of the Thames Basin Heaths SPA and it would not conflict with Policy NBE4. Moreover the proposals for the SANG, including the restoration of grazing marsh/ rush pasture in the Peatmoor Copse Meadow site of importance for nature conservation, and the creation of meadow and wet grassland, woodland and scrub habitats would all enhance biodiversity, as sought by Policy NBE5. The main parties agreed that an ecological management plan should be submitted including details of enhancement and mitigation measures, and this could be secured by means of a condition.
105. Given the advanced stage which the ELP has reached, I give significant weight to the conflict with Policies H4, NBE9 and NBE3. Indeed, to grant planning permission for the care village in this location which is largely outside the settlement boundary of Crookham Village, would be at odds with the planned approach set out in Policies SS1, H1, NBE1 and H4.

The ENP

106. The Appellants point out that the ENP reproduces the Local Plan settlement boundary, amended in the light of the grant of planning permissions. It is clear that, as part of the preparation of the ELP, the settlement boundary of Crookham Village has been altered. I would not expect significant changes to have been put forward in a small rural settlement, and it would be inconsistent for the ENP not to reflect the settlement boundary shown on the inset map of the ELP. Indeed, the preface to the submission version explains that the policies in the ENP have been aligned with those in the ELP, taking account of the Proposed Main Modifications. Having regard to the proposed settlement boundary, a local gap is proposed to separate Crookham Village from Fleet and Church Crookham

107. The Appellants argue that there has not been a review of local gaps, and that Policy CON 21 of the Local Plan, on which they are based, is out-of-date. They consider that there is insufficient evidence to justify the proposed local gap, and that Policies NBE1 and NBE3 in the ELP should be sufficient to address the concerns and aims of the ENP. On the other hand, Policy NBE3 anticipates that local gaps may be designated through other development plan documents and neighbourhood plans, rather than the ELP, and Policy NE01 is put forward in the context of this approach. Moreover, the local gap has not been carried forward unchanged from the Local Plan (above, para 60). The ENP is not as far advanced as the ELP, and the conflict of the appeal proposal with the proposed local gap designation carries moderate weight in my considerations.

Locational sustainability

108. The Parish Council, FACE-IT, and individual local residents have pointed to the limited facilities and services, including public transport, in Crookham Village. There is a public house, a restaurant, a social club and a hall in the settlement. Although there are references in some documents to a convenience store and post office, that facility has now closed. A good range of facilities and services is available in Fleet, the centre of which is about 2.4km from the appeal site. This is not a convenient walking distance, particularly bearing in mind that the proposal is being promoted to accommodate older people. Public transport between Crookham Village and Fleet is limited: two bus services run at school times on weekdays, providing two journeys to Fleet in the morning and one return journey in the afternoon. In addition a taxishare bus service provides three round trips from Fleet railway station on two weekdays, and a community transport service provides one journey in each direction once a week⁶².

109. A travel plan seeks to encourage the use of sustainable transport. A bus service would be provided between the site and Fleet. It is expected that there would be at least two weekday services and one service on Saturdays. It is intended that the service would be available to existing residents of Crookham Village, subject to certain conditions of use which could include annual membership and charges. Other measures in the travel plan include offering the provision of a car club, cycle parking, electric vehicle charging points, and encouraging car sharing. A planning obligation in the agreement with Hampshire CC would provide for the appointment of a travel plan coordinator and require implementation of the travel plan (Document G18), and a condition could secure provision of cycle parking facilities within the care village.

110. The availability of certain facilities within the development (above, para 73) should reduce the need for residents of the care village to travel. An obligation in the planning agreement with the LPA (Document G17), would permit residents of Crookham Village to make use of these facilities, subject to conditions, which may include membership and charges. That would provide the opportunity to avoid some existing trips out of the village.

111. Paragraph 103 of the NPPF explains that opportunities to maximise sustainable transport solutions will vary between urban and rural areas. The Highway Authority has agreed with the Appellants that the scheme would adequately promote sustainability (above, para 10). Having regard to the measures secured by the planning obligations I share this view.

⁶² Details of bus services are in Document A27.

Planning obligations

112. I have already referred to obligations concerning occupancy, use of the facilities in the care village by local residents, provision of SANG, affordable housing, and the travel plan. Other obligations concern local selling and a footway contribution. The former requires the individual dwellings (other than the affordable housing) to be offered in the first instance to residents of Hart, before marketing is extended to other districts, Hampshire and elsewhere. Given the recognised need in Hart for specialised accommodation for older people, this initial restriction is appropriate. The sum of £2,000 would be provided as a contribution to resurfacing and maintaining the hedgerow along a section of the southern side of the street where there is hedgerow encroachment and surface patching is required⁶³. This work would contribute to ensuring the safety of pedestrian movement in the vicinity of the appeal site.
113. The area proposed as SANG amounts to about 18.8ha, considerably in excess of the 1.79ha required for a development of 160 dwellings. Planning obligations must meet the test of necessity in Regulation 122 of the Community Infrastructure Levy Regulations, and that is not the case for the size of the SANG scheme proposed. Otherwise, I find that the statutory tests in Regulation 122 of the Community Infrastructure Levy Regulations are met, and the provisions of the two planning agreements are material considerations in this appeal.
114. Nevertheless, I acknowledge that the provision of additional accessible greenspace would be a benefit of the scheme, as would biodiversity enhancements in the SANG, consistent with the requirement in the Natural Environment and Rural Communities Act 2006 to conserve biodiversity. Bearing in mind that there is already a good network of footpaths around Crookham Village, and the presence nearby of areas designated for their nature conservation value⁶⁴, these are benefits to which I give moderate weight.

Spare SANG capacity

115. It has been suggested by the Appellants that the excess size of SANG (above, para 113), and the opportunity for visitor parking to be provided on the southern edge of the care village, would facilitate other residential development being released. It may be possible for the SANG to provide mitigation in respect of other housing schemes, but there is no specific evidence of the extent to which this could occur. Moreover Hart already has an extremely healthy housing land supply, which is sufficient for more than nine years. Consequently I give only limited weight to the spare capacity of the proposed SANG.

Release of family housing

116. The Appellants point out that the availability of units in the care village would provide the opportunity for older owner-occupiers to move out of family housing, thereby reducing under-occupation. That may be the case, but there is no detailed information before me to indicate the extent to which this could

⁶³ Document A6, Appendix A.

⁶⁴ Nearby designated areas of nature conservation value are identified on plan HDA5 in Document A2, and in section 4 of Document A7.

occur and contribute to a more efficient use of the housing stock in Hart. It is a factor which merits only limited weight.

Economic and social considerations

117. It is expected that the care village would provide 75 full-time equivalent jobs, and it would support the provision of services from local businesses. There would also be employment opportunities during the construction period. These are generic benefits which would apply equally to any housing scheme of a similar size in Hart. Use by residents of the care village of local facilities would support the local economy and social fabric, but there are only limited opportunities in Crookham Village for such benefits to be achieved. Overall, I consider that these economic and social benefits of the proposal carry limited weight.

Conclusions

118. I have found that the proposed development would be contrary to the Development Plan considered as a whole. The appeal should, therefore, be dismissed, unless material considerations indicate otherwise. Paragraph 11(d) of the NPPF explains that where there are no relevant development plan policies, or the policies which are most important for determining the proposal are out-of-date, permission should be granted unless policies in the NPPF that protect areas or assets of particular importance provide a clear reason for refusal, or any adverse impacts would significantly and demonstrably outweigh the benefits when assessed against the policies in the NPPF taken as a whole. I have found that the most important Development Plan policies in this case are out-of-date (above, para 17).
119. The next step is to consider the relevant protective policy from the NPPF. Due to its adverse effect on the setting of Crookham Village Conservation Area, and the harm arising from the highway works to the access route within the conservation area, the proposal would cause less than substantial harm to the significance of this designated heritage asset. Additionally there would be a limited adverse effect on the setting of three listed buildings: Cross Farm Cottages, Forge House and The Bawn. This would also represent less than substantial harm to the significance of the listed buildings. In such situations, paragraph 196 of the NPPF requires that the harm should be weighed against the public benefits of the proposal.
120. I accord significant weight to the contribution which the appeal proposal would make to meeting the need for accommodation for older people in Hart, in a form which would be able to meet a range of needs, and with the advantage of communal facilities within the care village. The provision of affordable housing on site and/ or the contribution to off-site provision are important benefits. Both the number of dwellings and the financial contributions included in the planning obligation would be relatively modest having regard to the need for affordable housing in Hart, and, therefore, this benefit merits moderate weight. I also give moderate weight to the accessibility of an extensive SANG to local people with the opportunity for views and appreciation of the landscape throughout that area, and some positive landscape features, but only limited weight to the potential for that spare SANG capacity to provide mitigation in respect of other housing schemes. The biodiversity enhancements, which are sought by Policy NBE5 of the ELP, the availability (subject to conditions) of facilities in the care village and the

availability of the proposed bus service to local residents also merit moderate weight. Only modest works are envisaged to the footway on The Street, and the contribution for this purpose carries limited weight. For the reasons already given, limited weight also applies to the greater opportunity to appreciate the listed buildings of Brook House and Brook Cottage, the potential release of family housing, and other economic and social considerations relating to employment, expenditure and contact with the local community. On the other hand, the harm to the significance of the heritage assets carries great weight. I am particularly concerned about the effect on the setting of the conservation area, which I consider would seriously harm its linear form, and, although less than substantial, I place this harm towards the upper end of the range. Consequently, the less than substantial harm to the significance of heritage assets is not outweighed by the combination of public benefits which would arise from the proposed development.

121. I have reached the view that the application of policies in the NPPF which protect heritage assets provides a clear reason for refusing planning permission. Accordingly the tilted balance in paragraph 11(d)(ii) of the NPPF does not apply in this case. There are no additional benefits to the public benefits which I have identified above. The proposal would, however, cause harm not only to the significance of heritage assets. It would have a harmful effect on the landscape of the appeal site, the setting of Crookham Village, and visual amenity in views across the site, all of which merit significant weight. The development would detract from the separate identity of Crookham Village, to which I give moderate weight, and there would be a limited adverse effect on The Barne due to the prospect of overlooking from the new footway. Although there would be certain economic, social and environmental benefits from the proposal (above, para 120), these would be clearly outweighed by the environmental harms which I have identified. Having regard to the policies in the NPPF, the appeal proposal would not be a sustainable form of development, and it would be at odds with the plan-led approach to providing accommodation for older people in the ELP. Material considerations do not indicate that the decision on this appeal should be taken other than in accordance with the Development Plan.
122. For the reasons given above, and having regard to all matters raised including the suggested conditions, I conclude that the appeal should be dismissed.

Richard Clegg

INSPECTOR

APPEARANCES

FOR THE LOCAL PLANNING AUTHORITY:

Ms S Blackmore of Counsel	Instructed by the Solicitor to Hart District Council.
She called	
Dr N P Barker-Mills	Barker-Mills Conservation.
BA(Hons) PhD	
DipConsAA IHBC FSA	
Mr A Ratcliffe BA(Hons)	Landscape Manager, Hart DC.
DipLA	
Mr R Moorhouse	Principal Planner, Hart DC.
BSc(Hons) MSc MRTPI	

FOR THE APPELLANTS:

Ms M Ellis QC	Instructed by Ms Fallows.
She called	
Mr B Duckett	Managing Director, Hankinson Duckett Associates Ltd.
BSc(Hons) BPhil CMLI	
Mr A Blacker MSc MILT	Technical Director, WSP.
Mr A Meurer BSc(Hons)	Director of Ecology, Hankinson Duckett Associates Ltd.
MCIEEM	
Mr M Rawlings BA MCIfA	Technical Director (Historic Environment), RPS
FSA	Planning & Development.
Mr N J W Appleton	Executive Chairman, Contact Consulting (Oxford) Ltd.
MA(Cantab)	
Mr A N Martin MAUD	Managing Director, Andrew Martin – Planning.
DipTP(Distinction)	
FRICS FRTPI	
Ms C Fallows ⁶⁵	Partner, Charles Russell Speechlys LLP.

INTERESTED PERSONS:

Councillor D Jackson	Vice-Chairman of Crookham Village Parish Council, and Chairman of the Parish Council's Planning Committee.
Councillor J Ambler	Vice-Chairman, Crookham Village Neighbourhood Plan Steering Group.
Mr M Clark	Chairman, FACE IT (Fleet & Crookham Environment Is Threatened), and representing Mr W Richmond, a local resident.
Mr P N Todd	Campaign to Protect Rural England, North-East Hampshire District Group.
Mr J Abel	Local resident.
Ms E Baker	Local resident.
Mr J Bates	Local resident.
Mr B Boddy	Local resident.
Mr A Cruikshank	Local resident.

⁶⁵ Ms Fallows did not give evidence on behalf of the Appellants, but contributed to discussions about the planning obligations.

Mr R Hellier	Local resident.
Mr P Kenaghan	Local resident.
Mr A Kirk	Local resident.
Ms M Kirk	For Ms J McNamara & Mr D Williams, local residents.
Ms A McCullum	Local resident.
Ms A Murray	Local resident.
Mr O Robinson	Local resident.
Ms K ten Kate	Local resident.
Ms J Walden	Local resident.

THE LPA'S DOCUMENTS

- L1 Dr Barker-Mills's proof of evidence.
- L2 Appendices to Document L1.
- L3 Mr Ratcliffe's proof of evidence.
- L4 Appendices to Document L3.
- L5 Mr Moorhouse's proof of evidence.
- L6 Appendices to Document L5.
- L7 Landscape Character assessment – Topic Paper 6 – Techniques and Criteria for Judging Capacity and Sensitivity; Scottish Natural Heritage and The Countryside Agency.
- L8 Ms Blackmore's opening statement.
- L9 Appeal decision ref APP/N1730/A/14/2226609 concerning 48 dwellings at Hop Garden Road, Hook.
- L10 Site plan with 'ridge line' superimposed.
- L11 Statement relating to the Neighbourhood Development Plan.
- L12 Tables concerning the provision of accommodation for older people.
- L13 Housing in later life; Housing Learning & Improvement Network and Others.
- L14 Note on landscape character assessments.
- L15 Appendices to Document A34.
- L16 The LPA's response to Document A30.
- L17 Ms Blackmore's closing submissions and judgement in Peel Investments (North) Ltd v Secretary of state for Housing, Communities & Local Government and Salford CC [2019] EWHC 2143 (Admin).

THE APPELLANTS' DOCUMENTS

- A1 Mr Duckett's proof of evidence.
- A2 Plans, appendices & photographs accompanying Document A1.
- A3 Mr Duckett's rebuttal proof of evidence.
- A4 Appendices to Document A3.
- A5 Mr Blacker's proof of evidence.
- A6 Appendices to Document A5.
- A7 Mr Meurer's proof of evidence.
- A8 Appendices to Document A7.
- A9 Mr Meurer's rebuttal proof of evidence.
- A10 Mr Rawlings's proof of evidence.
- A11 Appendices to Document A10.
- A12 Mr Rawlings's rebuttal proof of evidence.
- A13 Mr Appleton's proof of evidence.
- A14 Mr Appleton's report on local need for specialised accommodation

- for older people.
- A15 Mr Martin's proof of evidence.
- A16 Appendices to Document A15.
- A17 Mr Martin's rebuttal proof of evidence.
- A18 Appendices to Document A17.
- A19 Ms Ellis's opening statement and judgement in *DLA Delivery v Baroness Cumberlege of Newick & Patrick Cumberlege* [2018] EWCA Civ 1305.
- A20 Ms Ellis's submission concerning the revised access and judgement in *Bernard Wheatcroft Ltd v Secretary of State for the Environment & Another* (1982) 43 P&CR 233.
- A21 Mr Meurer's note on ecology-related comments in response to Document O1.
- A22 Revised parameters plan (HDA 11).
- A23 Photomontage from viewpoint 13.
- A24 Schedule of ecology related matters in representations from other parties received at the inquiry and how addressed in the evidence.
- A25 Summary table of issues raised by local residents and how addressed in the evidence.
- A26 Mr Rawlings's supplementary statement.
- A27 Transportation technical note – The Street – Bus services.
- A28 Note on the supply of specialised accommodation for older people identified by local residents and FACE IT.
- A29 Planning balance tables.
- A30 Examiner's clarification note on the Crookham Village Parish Neighbourhood Plan.
- A31 Planning obligations compliance statements.
- A32 Framework travel plan, June 2019.
- A33 Plan of The Street.
- A34 The Parish Council's response to Document A30.
- A35 Revised section 9 of Mr Appleton's proof of evidence and clarification note.
- A36 Email dated 21 November 2019 from Andrew Martin – Planning concerning the emerging Local Plan and the emerging NDP.
- A37 Summary of responses to Proposed main modifications to the emerging Local Plan.
- A38 Crookham Village NDP – Additional evidence from Crookham Care Village Ltd in relation to 'Gaps'.
- A39 Appeal decision ref APP/N1730/W/18/3204011 and report concerning residential development at Pale Lane, Fleet; plans of the appeal site; and note by Andrew-Martin Planning.
- A40 Ms Ellis's closing submissions.

OTHER PARTIES' DOCUMENTS

- O1 Representations received in response to Document G3.
- O2 Councillor Ambler's statement.
- O3 Mr Clark's statement on behalf of FACE IT.
- O4 Councillor Jackson's statement.
- O5 Mr Kenaghan's statement.
- O6 Mr Todd's statement.
- O7 Ms ten Kate's statement.
- O8 Mr Kirk's statement.

- O9 Mr Boddy's statement.
- O10 Mr Abel's statement.
- O11 Ms McCallum's statement.
- O12 Mr Bates's statement.
- O13 Ms Baker's statement.
- O14 Mr Robinson's statement.
- O15 Ms Murray's statement.
- O16 Bundle of representations from local residents submitted during the inquiry.
- O17 Bundle of photographs and plan of viewpoints. Submitted by Mr Clark.
- O18 Plan of care homes in the area around Fleet. Submitted by Mr Clark.
- O19 Leaflets about local public transport services. Submitted by Councillor Jackson.
- O20 Plan of local bus stops. Submitted by Councillor Jackson.

GENERAL DOCUMENTS

- G1 List of application documents, supporting documents and core documents.
- G2 Addendum to statement of common ground between the Appellants and the LPA (CD33).
- G3 Letter of notification concerning revised and additional documentation, and associated emails.
- G4 Site plan and building heights plan relating to planning permission for housing on land north of Netherhouse Copse, Fleet.
- G5 Hart District Local Plan – Inset Map 4 – Crookham Village.
- G6 Emerging Hart Local Plan - Inset Map 4 – Crookham Village.
- G7 Emerging Hart Local Plan - Inset Map 10 – Fleet.
- G8 Hart District Local Plan – Proposals Map.
- G9 Site topography survey ref 1348/2 (A0 size).
- G10 Site plan with 'ridge lines' of main parties superimposed.
- G11 Conservation area consent relating to the demolition of a barn on the appeal site.
- G12 Planning permissions, approved plans, and approval of amendments relating to workshops on the appeal site.
- G13 List of possible conditions.
- G14 Letter of notification for resumption of inquiry in October 2019.
- G15 Site visit route suggested by the LPA and the Appellant.
- G16 Revised possible conditions concerning flood risk and contamination. Prepared by the Appellant and the LPA.
- G17 Planning agreement involving Hart DC.
- G18 Planning agreement involving Hampshire CC.