



Appeal Decision

Inquiry Held on 17-20 November 2020

Site visits made on 12 & 19 November 2020

by Nick Fagan BSc (Hons) DipTP MRTPI

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

Decision date: 4th December 2020

Appeal Ref: APP/H1705/W/20/3256041

Land south of Silchester Road and west of Vyne Road, Bramley, Hampshire RG26 5DQ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Manor Oak Homes against the decision of Basingstoke & Deane Borough Council.
 - The application Ref 20/00319/FUL, dated 31 January 2020, was refused by notice dated 17 June 2020.
 - The development proposed is the erection of 12no. dwellings, associated access, parking, landscaping and amenity space.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of 12no. dwellings, associated access, parking, landscaping and amenity space at land south of Silchester Road and west of Vyne Road, Bramley, Hampshire RG26 5DQ in accordance with the terms of the application, Ref 20/00319/FUL, dated 31 January 2020, subject to the conditions in the Schedule below.

Procedural Matters

2. The Inquiry was adjourned awaiting the submission of a signed and dated S106 Agreement (the S106), albeit the final draft of this was discussed on the last sitting day. This was dated 26 November 2020 and is considered below.
3. I made an unaccompanied visit to the site and the locality prior to the start of the Inquiry to familiarise myself with the area, and an accompanied visit on the penultimate day of the Inquiry following a pre-agreed route requested by the parties.

Main Issues

4. The main issues in this case are:
 - a) Whether the site's location outside any Settlement Policy Boundary (SPB) justifies refusal of the application
 - b) The proposed development's effect on the character and appearance of the area, including whether it would lead to the loss of an important countryside gap on the edge of the village
 - c) Its effect on the settings and significance of nearby listed buildings and the Bramley Conservation Area

Reasons

The site's location outside the SPB

5. The appeal site is a 1.06 hectare roughly rectangular piece of agricultural land on the south western edge of Bramley, a large village located about 5 miles north of Basingstoke town. It had a population of 4,315 at the 2011 census, 2.5% of the borough's overall population. A number of new housing developments – such as the Church Homes, Bewley Homes and Taylor Wimpey schemes – has inevitably led to an increase in population since then, especially more recently.
6. As such it is a second-tier settlement in the Borough, along with other similar sized villages, and a focus in the adopted *Basingstoke and Deane Local Plan* (LP) for the development of at least 200 new homes up to 2029. The 'made' *Bramley Neighbourhood Development Plan* (NP) notes that permission has been granted or sites allocated in the LP for new homes well in excess of this figure in Bramley Parish.
7. The site lies outside but directly abuts the Bramley SPB to the north, east and west. To the north are houses of various ages on Silchester Road and to the west those in Tudor Close built around the millennium. To the east, on Vyne Road, are older listed dwellings that also lie within the SPB. The site also abuts the Bramley Conservation Area on its northern and eastern sides, albeit only a very small part of its north east corner and the development's proposed access road where it crosses the grass verge on the south side of Silchester Road would fall within it.
8. LP Policy SS1 (Scale and Distribution of New Housing) states that within the 2011-2029 Plan period 15,300 new dwellings will be provided through greenfield site allocations, Neighbourhood Plans, infill development within SPBs and by permitting exception sites outside SPBs (defined as countryside) where this meets criteria set out in other LP policies or where a countryside location is essential, for instance for agricultural workers.
9. LP Policy SS6 (New Housing in the Countryside) restricts proposals for new housing outside SPBs to a number of exceptions, none of which the appeal development would comply with. As such, there is no dispute between the main parties (the parties) that the proposed development would fail to comply with Policies SS1 and SS6, which set out the LPA's spatial housing strategy in such locations. It would also breach NP Policy H1 (New Housing Development), which requires compliance with these LP policies.
10. The parties disagree about the extent of the shortfall of a 5-year housing land supply (5YHLS). However, the Council acknowledges that it can only demonstrate a 4.86 year HLS. This means that the 'tilted balance' set out in paragraph 11 d) of the National Planning Policy Framework (NPPF) comes into play, because the policies which are most important for determining the application are out-of-date. This is also reflected in LP Policy SD1.
11. That does not mean that LP Policies SS1 and SS6 carry no weight, despite the Council inexplicably conceding such under cross-examination. The tilted balance does not negate the spatial strategy of the development plan per se. Rather, it requires the application of the tests in NPPF 11 d) i) and ii). I assess the planning balance below. However, the weight to be attributed to Policies

- SS1, SS6 and H1 is dependent on whether the Council is delivering and is likely to deliver by the end of the Plan period its housing requirement of 15,300 new dwellings.
12. There is already a shortfall of 898 dwellings, even accepting the Council's position that the shortfall should be made up during the whole length of the Plan period (via the 'Liverpool' method). That is more than the annual requirement of 850 new homes during the Plan period. The Council conceded that it will not be able to deliver 15,300 new homes over the Plan period. It also conceded that, by the end of the Plan period, it will only have met its cumulative housing requirements in 6 or 7 out of 18 years.
 13. The Council is seeking to address this by reviewing the Plan. But this is a requirement as set out in LP Policy SS4 if a 5YHLS cannot be maintained over the whole Plan period, as is the case now. It confirmed that the very first stage of such a review – the Issues and Options Consultation of the LP Update – only concluded on 9 November and the timetable for this review does not anticipate adoption before 2024. The Council agreed at the Inquiry that none of the policies or options in this early draft of the Plan Review can be given any weight at this stage in the process, as per NPPF paragraph 48. It also agreed, in view of this, that there is a need to release additional land for housing now and that the LP Review will inevitably have to allocate additional greenfield land to be released for new housing.
 14. More fundamentally, there are a number of good reasons to release this site in principle. It is physically part of Bramley since it is situated in a relatively narrow gap between two built-up parts of the village both of which fall within the SPB. The proposed development would extend no further south than the gardens of the houses in Tudor Close and Vyne Road. Whilst I address the development's impact on the character and appearance of the area and heritage assets below, there is no doubt that the site's location would make a logical extension to Bramley village in principle.
 15. Bramley, as one of the largest tier two villages in the Borough, contains a number of day-to-day shops and facilities within a 2km walk or cycle from the site including nearby bus stops (only 160m away), a railway station with trains to Basingstoke and Reading, a primary school, doctor's surgery, convenience store/post office, open spaces, sports pitch, village hall, pub and church. All of these facilities are easily walkable on flat footways for an averagely fit person. The Council acknowledged this at the Inquiry. The undoubted sustainable location of the site in this respect is an obvious benefit of the proposal.
 16. Clearly the proposed development would not be in an isolated countryside location. The development would be set within existing retained countryside to the south and it would not lead to the coalescence of Bramley with any other settlement, as is suggested is an aim of the Plan in the explanatory text to Policy SS6.
 17. It was accepted at the Inquiry by the Council that, in the circumstances set out above, conflict of the proposal with Policies SS1, SS6 and H1 should not be held against it. I wholeheartedly agree. In these circumstances the site's location outside any SPB does not justify refusal of the application per se.

Character and appearance

18. Bramley is a linear village linking Bramley Green in the east to Bramley Corner in the west although the majority of its built-up (predominantly twentieth century) area now extends north and south of its main east-west road (Sherfield Road-The Street-Silchester Road). The oldest parts of the village to the north and east of the site and Bramley Green to the east side of the village comprise the Bramley and Bramley Green Conservation Area, designated in 1983. The former contains the Grade I listed part twelfth century St James' Church and a number of other listed buildings, whilst the latter encompasses the unenclosed common land at Bramley Green and the older isolated dwellings around it.
19. The appeal site lies within Area A of the Bramley Village Character Assessment (Appendix C of the NP). It is, I acknowledge, one of the few areas of open land within Area A and indeed the rest of the village that allow views out over the rural landscape to the south of Bramley. This is because the other three open areas in Area A to the south of the main road are fronted by trees or hedges that reduce a viewer's ability to see the countryside beyond.
20. The site and the agricultural land to the south is defined as a green pasture area (GPA) on the Area A map, which notes the open fields when travelling along Silchester Road. Whilst the site comprises mown grass in contrast to the fields grazed by horses at Bow Brook Farm immediately to the south, I agree with the Council that its essential character and appearance is that of agricultural pasture.
21. However, the parties agree that the fields to the south are visually contained by the dense woodland along the Bow Brook stream about 300m further south. This was apparent from my site visit, as was the established mature tree belt extending south from Tudor Close and the hedgerow and hedgerow trees running along the west side of Vyne Road. The GPA, including the site, are visually well contained by these features, a situation not untypical of the *North Sherbourne* and *Loddon and Lyde Valley Landscape Character Areas*¹, which this GPA land borders.
22. The proposed 12 bungalows and the walls and garden fences between the plots would obviously result in a significant change to the character of the site, which is presently an open field subdivided from the wide grass verge on the south side of Silchester Road only by a post and rail fence. As such this 120m open frontage of the site affording southward views of the countryside by occupiers of the houses on this part of Silchester Road, pedestrians on the footway to its northern side and travellers in passing vehicles would be restricted by the development. But it would not be completely restricted; the site layout has incorporated a wide viewing corridor down the scheme's access road, which fans out at its south west corner where the attenuation pond and associated landscaping would be located. Consequently, views of the wider countryside would remain from Silchester Road after the development was built, albeit lesser views.
23. There are no public rights of way (PROWs) running through the site or in the fields to the south, so there are no public views of it from this direction. There may well be filtered views of it through and over the top of the lowest part of

¹ LCAs 4 & 6 as set out in CD/7.8 – Basingstoke and Deane Landscape Character Assessment (2001)

- the hedgerow along Vyne Road especially after its winter pruning. But any such views are not prominent because there is no footway along Vyne Road and no particular reason for people to regularly walk along it. Most people using Vyne Road will be the drivers or passengers of cars and any views of the site, even in winter, will be incidental.
24. The most prominent views of the site are from the houses on Silchester Road and from pedestrians and car drivers passing the northern boundary of the site. The road curves northwards to the east and west and although there are glimpsed views of the site – for instance from Viewpoints (VPs) 2, 4, 5, 6 and 10² – the intervening houses and their boundary treatments prevent full open views of the wider countryside unless the viewer is standing in front of the site.
25. I take specific account of the various important views set out in Illustration 6c of the NP as explicitly referenced in Policy D1 d). The only Viewpoints of the site set out in Illustration 6c is the one from the junction of Vyne Road and The Street looking west towards the site (VP6) and that from where Silchester Road bends westwards some distance west of the site (VP9). From VP6 presently there is only a slim glimpse of the site in front of the houses in Tudor Close and the overall view is of built development. Likewise, the view from VP9 is a view of the trees along the edge of the western part of Silchester Road closed off by Oakdale, the bungalow at the north east corner of Tudor Close.
26. NP paragraph 6.57 explains the importance of the views in Illustration 6c. NP Policy D1 (Protecting, Complementing and Enhancing the Historic Character and Rural Setting of Bramley) states that development will be supported where it protects, complements or enhances the relevant Character Area (A in this case) with regard to a number of factors including d) important views shown in Illustration 6c. It is telling that although this Illustration (and NP Appendix D) set out a multiplicity of important vistas, viewpoints and important rural landscape views, not one of these is a view across the appeal site. Despite the fact that there are wider countryside views across the site, no important rural landscape views are indicated across it whereas they are to the fields to the north of the Church.
27. In my opinion this is deliberate because it is a reflection of the importance of views of the wider countryside from the churchyard and northern part of the Conservation Area (CA). The CA had been designated for some time when the NP was made in 2017 so although the site abutting its southern edge also forms part of the countryside it was nonetheless considered that a viewpoint across it of the wider countryside to the south was not important enough to merit insertion into Illustration 6c. I can understand that, because the site and the wider GPA within which it sits are visually self-contained by the areas of woodland to their south and west, whereas views of the area to and from the north of the church allow a much greater appreciation of the village's location within the wider agricultural landscape characterised by its small irregular fields and woodland copses.
28. I also note that NP Policy RE2 (Protection of Local Open Green Space) sets out that Bramley's strong rural character is derived from key areas of undeveloped open land around (my emphasis) and within the village, as shown on Illustration 6d, within which development will only be permitted in very special

² Ben Wright Proof of Evidence Appendix BW2. Some of these views are also set out in the Landscape & Visual Impact Assessment CD/1.10

circumstances. Eight such protected green spaces are set out on Illustration 6d. The appeal site is not one of them despite the Parish (PC) and Council now claiming that it is an important open space on the edge of the village which should be protected from development.

29. In saying this I acknowledge the PC's explanation at the Inquiry that no areas of agricultural land were so designated in the NP and that the PC itself maintains the open Estate land at Bramley Green that lies with the CA. Nonetheless, there is no reason why, if the PC considered that the site's undeveloped open character on the edge of the village was sufficiently important to protect, why the site could not have been set out in Illustration 6d and protected by Policy RE2, regardless of its lack of public access. Equally there is no reason why the Council could not have included it, either initially or via a subsequent boundary revision, within the CA, if it was considered to be an open space worthy of conservation.
30. The Council has specific concerns about the development's design and layout. It maintains that it would be overly dense at 17 dwellings per hectare (dph) if the public open space (POS) areas are discounted. No plausible explanation was given as to why the POS areas should be discounted from the density calculation and it would be abnormal to do so because they would be, like the site, relatively small and well related to it; they would not, for example, comprise a Suitable Alternative Natural Greenspace or part of a larger strategic open space. Taking the POS on the site into account the density of the development would be 12 dph, which is comparable with the overall density in this part of the village.
31. The set-backs of some of the bungalows from the access road was criticised as being out of character with the frontage set-backs of most of the neighbouring houses in Tudor Close and on Silchester Road. I agree that the front gardens of most of the bungalows would be shorter than the majority of the neighbouring dwellings above. But the older listed properties on Vyne Road front that road. The courtyard-like layout of the development is admittedly different to the style of Tudor Close but that is not bad. The layout would be appropriate especially since 6 of the 12 bungalows would border and look onto the POS in the development. There is no substance to the Council's criticisms that the development would be dominated by the hard surfaces of the walls of the bungalows and parked cars for that reason and because the car parking spaces are generally set back behind the front walls of the dwellings.
32. There is nothing in the Council's assertion that the cul-de-sac nature of the proposed development is alien to the area's character. Tudor Close is a cul-de-sac, as is Churchlands to the east, both of which lie within Area A of the NP and therefore form part and parcel of the character of this part of the village. Tudor Close is a well-designed infill scheme, which has been seamlessly incorporated into the character of this western part of the village.
33. As set out above, the site is contained to the west by the houses in Tudor Close, the north to those on Silchester Road and to the east by those on Vyne Road. As such the proposal would not extend development any further south than existing built development in the Bramley SPB. Its character is very much perceived as a site on the very edge if not part of the village, being surrounded on three sides by houses and heavily influenced by the busy and fairly noisy Silchester Road. It is not a field in the open countryside.

34. The indicative landscaping scheme would incorporate a robust new hedge with hedgerow trees along the backs of the rear gardens of the bungalows at the southern end of the site. This would successfully help to screen the development from the wider countryside beyond. It would retain existing trees, plant new ones, strengthen existing hedgerows to the east and west boundaries of the site and plant a new hedge along Silchester Road whilst setting back from the road the first two dwellings in the development. The landscaping scheme, which could be secured by an appropriate condition – as put forward by the Council – would also incorporate an extensive mix of hedges, grass verges, shrubs and tree planting within the body of the development. This would ensure that it would not possess an overly urbanised street scene.
35. Neither the site nor the wider GPA comprise a nationally or locally designated landscape that warrants special protection, nor does it have any identified specific landscape quality set out in the development plan. The parties agree that it does not form part of a 'valued landscape' within the meaning of NPPF paragraph 170 a), albeit I acknowledge the PC and local residents' objections to the loss of this open countryside gap.
36. There would only be a moderate effect on landscape character. Whilst there would inevitably be a significant effect on the site itself, the proposed development would have a marginal effect on the GPA and on LCAs 4 & 6, the Landscape Character Areas within which the site lies. Its effect upon the visual environment would be significant only when standing in front of the site or walking or driving past it on Silchester Road. The overall visual impact would be moderate because views of the site are restricted by the curve of Silchester Road, intervening houses and their boundary treatments and the lack of any PROWs on the land to the south of the site; views are constrained from the east by the hedgerow along Vyne Road; although there would be views of the development from the gate in the hedge at the end of the cul-de-sac and from first floor bedrooms of houses in Tudor Close there are substantial boundary enclosures that prevent any significant visual impact to these properties.
37. For these reasons I conclude that the proposed development's effect on the character and appearance of the area would be acceptable. Whilst it would remove a countryside gap on the south west edge of the village, the importance of this gap has been overestimated by the Council and PC, as is clear by the fact that it is not mentioned in the LP or NP. There would in any case be retained views of the wider countryside down the access road. No concerns are raised by the Council about the designs of any of the bungalows themselves, nor do I have any such concerns.
38. LP Policy EM1 (Landscape) requires development to be sympathetic to the character and visual quality of the area concerned paying particular regard to a range of matters, which I have considered in detail above. LP Policy EM10 (Delivering High Quality Development) requires all development proposals to be high quality based on a robust design-led approach. NP Policy D1, as set out above, is permissive of development where it protects, complements or enhances the relevant Character Area in the Plan. NP Policy D2 (Design of New Development) essentially repeats the requirement of Policy EM10. For the above reasons the proposed development would comply with all these development plan policies, albeit I specifically address its impact on the local historic environment mentioned in Policy D1 e) below.

Heritage Issues

39. Statute requires that special regard shall be had to the desirability of preserving listed buildings or their settings or any features of special architectural or historic interest which they possess. It also requires, with respect to any buildings or land in a conservation area that special attention shall be paid to the desirability of preserving or enhancing the character or appearance that area.³
40. Only a very small tip of the appeal site in its north eastern corner and the proposed access road including its curbed radii across the grassed bank on Silchester Road would lie within the CA. Nonetheless, NPPF paragraph 194 states that any harm to the significance of a designated heritage asset, including from development within its setting, should require clear and convincing justification. I assess the proposed development's effect on the CA accordingly.
41. The Council considers that there is harm to the CA and to the settings and significance of the 10 listed buildings (LBs) located in the historic centre of Bramley, as well as to the CA itself.

Effect on Bramley Conservation Area

42. The *Bramley and Bramley Green Conservation Area Appraisal*⁴ notes that the historic centre of Bramley has developed around the distinctive shape of a horseshoe that skirts around St James' Church. The present road pattern was altered in the early 1970s. Silchester Road originally joined Vyne Road directly opposite the front door and hall of The Manor House; it was diverted to the north of Lime Tree Cottage to straighten it out by linking it with The Street.
43. The *Appraisal* consequently notes that there are two foci of historic settlement, one immediately south of the church (including Grays House and Church Farm) and the second around The Manor House on Vyne Road. I acknowledge that originally, before Silchester Road was straightened, there was no perception of two groups of historic buildings. The road realignment has created the triangular green next to the access road to the church and this creates these two foci of historic buildings. I tend to agree with the Council that they are still perceived together when standing at the Vyne Road/Silchester Road junction, because there is inter-visibility between the two groups of buildings across Silchester Road at this point. There is still a perception that this is the oldest part, the historic heart, of Bramley.
44. There is no doubt the appeal site lies within the CA's setting. This is because it is an open area of pastureland abutting its southern side. Residents of the houses on Silchester Road, pedestrians and vehicle drivers/passengers perceive the CA to be set within the wider agricultural landscape, which clearly forms an important part of its historic character.
45. The *Appraisal* notes that this village centre is set in open countryside to the north from where the church is particularly prominent, whereas woodland partially obscures views to its southern edge, as described above. It describes the approach from the east along The Street being characterised by large, detached buildings in regular plots set back from the road whereas the

³ Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 S66(1) & 72(1) respectively

⁴ CD/7.3, April 2004

approach from the west is more rural. Tall mature trees enclose the sweep of Silchester Road as it approaches the site.

46. This explains the identification of the Vistas and Viewpoints on the CA Map⁵, the same ones set out on Illustration 6c in the NP referred to above. Vistas are defined as important general views especially of the wider landscape setting. Viewpoints are defined as views to an important building or group of buildings. There are no Vistas listed on the CA Map anywhere near the site – all these are located in the open farmland or allotments to the north of the church. The only Viewpoint anywhere near the appeal site is the one from the junction of Vyne Road and Silchester Road, VP6 as described above. From here there is only a slim glimpse of the appeal site in front of the houses in Tudor Close and the overall view is of built development.
47. I acknowledge the Council's point that just because a particular view is not mentioned in the *Appraisal* or set out on the CA Map does not mean that it necessarily has no importance or significance. However, views to the south and west from Silchester Road and Vyne Road are substantially visually contained by the woodland around Bow Brook: Park Copse and Bowling Alley Copse. There are no wide public views of the site and CA to its north from the south, only glimpsed views over or through the hedgerow on Vyne Road mainly during the winter approaching the village, because there are no PROWs here and there is no footpath on Vyne Road itself. This is not the case to the north of the church where the land is more open and there are clear and frequent views of the church from a number of PROWs.
48. For the above reasons these views across the visually constrained agricultural landscape to the south are not as important as those to the north as described in the *Appraisal* and set out in the CA Map. What is more, a clear view down the proposed development's access road between the bungalows at Plots 1 and 12 of the grazed fields to the south would still be possible, including a fanned out view over the attenuation pond in the south west corner of the site.
49. I have addressed above aspects of the proposed development's design. Whilst the cul-de-sac design of Tudor close adjacent lies outside the CA, I see no issue with the cul-de-sac design of the scheme. Churchlands to the east lies within the CA. The development's courtyard style layout with half the bungalows facing onto the areas of POS would be different to other houses in the CA but acceptably different. In particular, the area of POS to the eastern part of the site provides an acceptable open buffer between the historic group of listed buildings on Vyne Road and the proposed nearest bungalows. It also encompasses the line of the Roman road that originally linked Silchester to Chichester.
50. For these reasons I conclude that the proposed development would not harm the setting of the CA. Consequently, I conclude that it would not harm its significance.

Effect on Listed Buildings

51. The Council considers the following LBs' settings to be adversely affected by the proposed development. First, the group to the north of Silchester Road: St James' Church, Church Farmhouse, the Barn at Church Farm, Gray's House,

⁵ Dated January 2000

Old Bells House, and The Old Cottage. Secondly, the group on Vyne Road: Lime Tree Cottage and its attached barn, Exon House and The Cottage (a pair of semi-detached dwellings listed together), The Manor House, and Honey Farmhouse.

52. I appreciate that LBs can have a group value, even if their listings do not specifically mention any such group value as in this case. I also appreciate that all these LBs are located in the heart of the original village, whose economy was agriculture and that they are still generally surrounded by agricultural land.
53. However, that does not mean that all these LBs' settings are the same. Whilst the setting of an individual LB is not necessarily confined to an area from which it can be seen, there is a difference in the settings of the group of buildings north of Silchester Road and those to the south on Vyne Road. The ones to the north are situated within the dominant setting of St James' Church, including Greys House, which was once the rectory. The relationship between these two buildings and Church Farmhouse and its 18th century large tithe barn is inextricably linked visually and historically.
54. There has for many years been an extensive woodland screen between Greys House and the land to the south and west. The Manor House fronted onto the junction with Silchester Road originally and this and the other LBs on Vyne Road formed a group of dwellings at this junction. The appeal site certainly forms part of their settings. But it doesn't and hasn't for many years (pre-dating the re-alignment of the road), if ever, formed part of the settings of those LBs centred around the Church because they are distant and divided from it by high boundary enclosures and woodland cover. The settings of those LBs comprise each other and the open fields to the north which lie within the CA. The appeal site does not form part of the surroundings in which these heritage assets are experienced, which is the definition of setting.
55. Honey Farmhouse has a direct historical connection with the appeal site in that one of its historical tenants – David Holloway as set out on the 1838 Tithe Map – tenanted both the house and the appeal site, albeit a number of other tracts of land on this side of the village as well. It can also be seen in views from the site and across the site in views from the west on Silchester Road. But the significance of this mid-19th century farmhouse as a LB is more related to its Tudor estate design including the ribbed flues of its chimney stacks and tile-hung upper walls with scalloped bands. Its agricultural setting, including the appeal site, is of some significance but this is reduced because the building is separated from the site by the large paddock on the west side of the road, on which there was sited a smithy and prior to that another larger outbuilding, probably a cottage as set out on the 1838 Tithe Map.
56. The Manor House's significance is its age (originally 16th century) and its Tudor timber frame construction as well as its windows and the 19th century tile-hung scalloped bands on its south elevation. Consequently, despite there also being some views of it from the site, its significance principally derives from its age and architectural construction rather than its setting, especially since the re-routing of Silchester Road.
57. Exon House (or Cottage as described in the 1984 listing description) and The Cottage form an almost symmetrical two storey pair of mid-19th century houses with a distinctive square block projecting towards the road. This is of a

distinctive style with a steep pyramid roof with gabled dormers to the south and west faces. The upper walling is tile hung with scalloped bands. The brickwork is Flemish bond with blue headers. The significance of this pair again lies in its architectural style and materials including its casement windows with cast-iron lozenge glazing bars.

58. Lime Tree Cottage on the west side of Vyne Road, originally 17th century, is also mainly mid-19th century. Again, its significance derives principally from its two tile hung south gables with scalloped bands to the front and Tudor casements, as well as the exposed original timber framing on the north gable of the cottage. The attached barn is now of lesser interest since its openings have been entirely redone in modern materials. The site can clearly be seen from the rear windows and rear and side garden of this Cottage and obviously forms a key part of its setting, not least since the line of the original Silchester Road passes along its southern boundary giving access to the post-war houses behind it. However, that setting is of limited consequence to its significance.
59. All of these LBs on Vyne Road derive their principal significance from either their original architectural design and styling (Honey Farmhouse, Exon House/The Cottage) or their remodelling in the mid-19th century with the Tudor estate style. This style was developed locally by the Beaurepaire Estate and is exhibited clearly in the scallop-shaped tile hanging to many of the elevations of these buildings as well as the fluted chimneys and lozenge-shaped leaded subdivisions to many of the casement windows. I accept that this style is also exhibited on some of the LBs to the north of Silchester Road, such as at Old Bells and Church Farmhouse. But for the reasons set out above, none of those LBs derive their settings from the appeal site.
60. The fact that the site can be seen from some of the windows of these LBs on Vyne Street is immaterial. It forms a part of their settings but the proposed development would not harm such settings, even that of Lime Tree House, because the bungalows are set back from the boundary by the POS in the eastern part of the site. It follows that since their settings are not harmed, neither will their significance be, irrespective that none of the settings of these LBs constitute the main element of their individual significance.

Conclusion on Heritage Issues

61. I have some concerns – as raised by the appellant – as to how the Council can conclude that the contribution of the appeal site to the settings of all 10 listed buildings is considerable when it didn't properly assess what the settings of those LBs to the north of Silchester Road actually are, let alone whether and to what extent their settings contributed to their significance.
62. For the above reasons I have concluded that the appeal site does not fall within the settings of this northern group of LBs and so the proposed development cannot affect their settings, let alone their significance. These LBs, including their settings, would therefore be preserved.
63. I have also concluded that the appeal site does lie within the settings of the LBs on Vyne Road but that the proposed development would not affect the settings of any of these buildings, nor consequently their significance as LBs.
64. LP Policy EM11 (The Historic Environment) requires all development to conserve or enhance the quality of the Borough's heritage assets in a manner

appropriate to their significance. NP Policy D1 requires development in and around Bramley village to protect, complement or enhance the relevant Character Area within or adjacent to which it is located, including in terms of the views identified in Illustration 6c and the local historic environment. NP Policy D2 requires new development in Bramley to deliver good design quality. For the above reasons the proposed development would comply with all these policies.

Planning Balance

65. I have concluded on the three main issues above. The site's location outside any SPB does not justify refusal of the application per se, despite non-compliance with LP Policies SS1 and SS6 and NP Policy H1. There would be no significant harm to the character and appearance of the area, nor any adverse effect on the settings and significance of nearby listed buildings and the Bramley Conservation Area, and the relevant development plan policies concerning these matters would be complied with.
66. The parties agree that all of the policies for determining the application, including SS1, SS6 and H1, are out of date and that NPPF paragraph 11 d) – the tilted balance – therefore applies. Since I have found that there would be no harm to heritage assets, the heritage balance in NPPF paragraph 96 – the weighing of 'less than substantial harm' against any public benefits of the proposal – does not arise.
67. Consequently, as per NPPF paragraph 11 d) ii), permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole. There are technical breaches of the Council's spatial housing strategy as set out in LP Policies SS1 and SS6, because the appeal site lies outwith Bramley's SPB. But the site abuts it and is surrounded on three sides by it. The site is not in an isolated countryside location. On the contrary, Bramley's many facilities are all within a 2km walk or cycle. As such it is an acceptable location for the proposed development of 12 bungalows. The proposed development undoubtedly complies with the NPPF.
68. Added to this, apart from providing new homes in a Borough that is failing to deliver its housing requirement year on year, the proposal would provide a policy-compliant 40% or 5 affordable homes in a Borough that has an acute need for such housing, which it is also failing to deliver. There is a backlog of some 914 affordable units, including 372 on the Council's housing register with a need for ground floor accommodation, 7 of whom have a verified local connection to Bramley. 26 households on the help to buy register have expressed an interest in intermediate forms of affordable housing and seek bungalows, including in Bramley. There is also an acknowledged need in the development plan, as set out in the explanatory text to LP Policies CN3 and CN4, to provide more bungalows.
69. NPPF paragraph 68 states that small and medium sized sites – like this – can make an important contribution to meeting the housing requirement of an area and are often built-out relatively quickly. This is important here, where the appellant accepts the Council's suggested condition requiring commencement within 18 months as opposed to the normal 3-year period. This is especially important in Basingstoke where the supply is dependent to a large extent on

large public sector sites, which are clearly failing to deliver the numbers of new homes required by the housing trajectory.

70. For these reasons the tilted planning balance firmly indicates that the technical breach of Policies SS1, SS6 and H1 undoubtedly do not outweigh the above clear and significant benefits of the proposed development.

S106 Agreement

71. The S106 delivers a range of planning obligations:

- the delivery of 5 2-bedroom bungalows for affordable housing (3 or 4 affordable rental units and 1 or 2 shared ownership units),
- tree works to the trees and hedges on and surrounding the site,
- the provision and maintenance of public open space and arrangements for its transfer to any management company,
- the management of other hard and soft landscaping areas of the development,
- the delivery of biodiversity net gain as part of the development, and
- payment of a reasonable financial contribution towards the Council's monitoring costs

72. The LPA has produced a detailed CIL compliance statement under Regulation 122 of the CIL Regulations. This accurately sets out the purpose of each of the obligations and the various development plan and other relevant SPD policies that they successfully meet. It successfully demonstrates that each one complies with CIL Regulation 122 as follows: necessary to make the development acceptable in planning terms, directly related to the development, and fairly and reasonably related in scale and kind to the development.

Conditions

73. A Schedule of Planning Conditions agreed between the parties was provided in the Statement of Common Ground and some minor corrections to this was submitted during the Inquiry. This contains 29 Conditions. They all meet the tests in NPPF paragraph 55 and in Planning Practice Guidance, as reflected in the Reasons attached to all the Conditions in the Schedule below.

Conclusion

74. For the reasons given above I conclude that the appeal should be allowed.

Nick Fagan

INSPECTOR

Schedule of Conditions

1. The development hereby permitted shall be carried out in accordance with the following approved plans:

A_1826 EX100 Location Plan

A_1826 PL100 Rev M Proposed Site Plan

A_1826 HT200 2B Bungalow (Elevations and Plans) Plots 3, 6 and 7

A_1826 HT205 Rev A 2B Bungalow (Elevations and Plans) Plots 10 and 12

A_1826 HT210 Rev B 2B Bungalow (Plans) Plots 8-9

A_1826 HT215 Rev B 2B Bungalow (Elevations) Plots 8-9

A_1826 HT220 2B Bungalow (Plans) Plot 1

A_1826 HT225 2B Bungalow (Elevations) Plot 1

A_1826 HT230 2B Bungalow (Plans) Plot 2

A_1826 HT235 2B Bungalow (Elevations) Plot 2

A_1826 HT300 Rev A 3B Bungalow (Elevations and Plans) Plot 11

A_1826 HT305 3B Bungalow (Plans) Plot 4 and Plot 5 (Handed)

A_1826 HT310 3B Bungalow (Elevations) Plot 4 and Plot 5 (Handed)

226-TA10E Proposed Access

REASON: For the avoidance of doubt and in the interests of proper planning.

2. The development hereby permitted shall be begun before the expiration of 18 months from the date of this planning permission.

REASON: To comply with Section 91 of the Town and Country Planning Act 1990 and to prevent an accumulation of unimplemented planning permissions.

3. No development (including site clearance or other preparatory works) shall commence on site until a site-specific Construction Environmental Management Plan has been submitted to and been approved in writing by the Local Planning Authority. The plan must demonstrate the adoption and use of the best practicable means to reduce the effects of noise, vibration, dust and site lighting. The plan should include, but not be limited to setting out:

- Procedures for maintaining good public relations including complaint management, public consultation and liaison;
- Arrangements for liaison with the Council's Environmental Protection Team;
- Control measures for dust and other air-borne pollutants;

- Measures for controlling the use of site lighting whether required for safe working or for security purposes.
- Mitigation measures to minimise noise disturbance from construction works as defined in BS 5528: Parts 1 and 2: 2009 Noise and Vibration Control on Construction and Open Sites.

The development shall be carried out in accordance with the approved plan.

REASON: The Council encourages all contractors to be 'Considerate Contractors' when working in the Borough by being aware of the needs of neighbours and the environment and in the interests of residential amenity in accordance with Policies EM10 and EM12 of the Basingstoke and Deane Local Plan 2011 - 2029. Details are required in the absence of any accompanying the planning application.

4. No development (including site clearance or other preparatory works) shall commence on site until a Construction Method Statement that demonstrates safe and coordinated systems of work affecting or likely to affect the public highway and or all motorised and or non-motorised highway users, has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall include details of:

- a phasing programme for construction work;
- the means of direct access to the site from the adjoining maintainable public highway for the construction works;
- the parking and turning of vehicles for site operatives and visitors off the carriageway (all to be established within one week of the commencement of development);
- the arrangements for deliveries;
- the loading, unloading and storage of plant and construction materials, siting of temporary site buildings, and compounds away from the maintainable public highway;
- wheel washing facilities.

REASON: In the absence of details being provided to accompany the planning application, details are required to ensure that the construction process is undertaken in a safe and convenient manner that limits impact on local roads and the amenities of nearby occupiers, the area generally and in the interests of

highway safety in accordance with Policies EM10 and CN9 of the Basingstoke and Deane Local Plan 2011-2029.

5. Prior to the commencement of the residential development hereby approved the access as shown on drawing titled 'Proposed Access' (drawing no 226-TA10 Rev E) shall be constructed with the visibility splays of 2.4m by 23.5m to the east and 2.4m by 20.7m to the west and thereafter maintained as such. Within these visibility splays, notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order), no obstacles, including walls, fences and vegetation, shall exceed the height of 1m. above the level of the existing carriageway at any time.

REASON: To provide satisfactory access in the interests of highway safety and in accordance with Section 9 of the National Planning Policy Framework (February 2019) and Policies EM10 and CN9 of the Basingstoke and Deane Local Plan 2011-2029.

6. No development shall commence on site until the Local Planning Authority in consultation with the Local Highway Authority have approved in writing for roads, footways, footpaths and cycleways, details of:

- a) the width, alignment, gradient and surface materials including all relevant horizontal and longitudinal cross sections showing existing and proposed levels;
- b) the type of street lighting including calculations, contour illumination plans and means to reduce light pollution;
- c) the method of surface water drainage including local sustainable disposal.

The development shall thereafter be carried out in accordance with the details approved.

REASON: To ensure a suitable movement layout and finish in accordance with Section 9 of the National Planning Policy Framework (February 2019) and Policies EM10 and CN9 of the Basingstoke and Deane Local Plan 2011-2029.

7. No development (including site clearance or other preparatory works) shall commence on site until there has been submitted to and approved in writing by the Local Planning Authority:-

- (a) a desk top study carried out by a competent person documenting all the previous and existing land uses of the site and adjacent land in accordance with

national guidance as set out in Contaminated Land Research Report Nos. 2 and 3 and BS10175:2011;

and, unless otherwise agreed in writing by the Local Planning Authority,

(b) a site investigation report documenting the ground conditions of the site and incorporating chemical and gas analysis identified as being appropriate by the desk study in accordance with BS10175:2011- Investigation of Potentially Contaminated Sites - Code of Practice;

and, unless otherwise agreed in writing by the Local Planning Authority,

(c) a detailed scheme for remedial works and measures to be undertaken to avoid risk from contaminants/or gases when the site is developed. The scheme must include a timetable of works and site management procedures and the nomination of a competent person to oversee the implementation of the works. The scheme must ensure that the site will not qualify as contaminated land under Part IIA of the Environmental Protection Act 1990 and if necessary proposals for future maintenance and monitoring.

If during any works contamination is encountered which has not been previously identified it should be reported immediately to the Local Planning Authority. The additional contamination shall be fully assessed and an appropriate remediation scheme agreed in writing by the Local Planning Authority.

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR11'. The development shall be carried out in accordance with any approved remedial works and measures.

REASON: In the absence of sufficient details accompanying the application, further information is required to ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy EM12 of the Basingstoke and Deane Local Plan 2011-2029.

8. The development hereby permitted shall not be occupied/brought into use until there has been submitted to the Local Planning Authority verification by the competent person approved under the provisions of condition 7(c) that any remediation scheme required and approved under the provisions of condition 7(c)

has been implemented fully in accordance with the approved details. Such verification shall comprise:

- as built drawings of the implemented scheme;
- photographs of the remediation works in progress;
- Certificates demonstrating that imported and/or material left in situ is free of contamination.

Thereafter the scheme shall be monitored and maintained in accordance with the scheme approved under condition 7(c).

REASON: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance Policy EM12 of the Basingstoke and Deane Local Plan 2011-2029.

9. No development, including any soil moving, temporary access construction/widening, or storage of materials, shall commence until a Wildlife Protection and Mitigation Plan has been submitted to and approved in writing by the Local Planning Authority. The plan shall include the badger mitigation measures given in the Aspect Ecology's submitted Preliminary Ecological Appraisal dated Jan 2020. No development or other operations shall take place other than in complete accordance with the approved Wildlife Protection and Mitigation Plan. If a habitat or other landscape feature is removed or damaged in contravention of this condition, a scheme of remedial action, with a timetable for implementation, shall be submitted to and approved in writing by the Local Planning Authority within 28 days of the incident. The scheme of remedial action must be approved by the Local Planning Authority and implemented in accordance with the approved timetable.

REASON: To minimise the impact on the existing biodiversity of the site and its surroundings in accordance with section 15 of the National Planning Policy Framework (February 2019), Policy EM4 of the Basingstoke and Deane Local Plan 2011-2029 and Policy RE3 of the Bramley Neighbourhood Plan 2011-2029.

10. No development including site clearance, ground preparation, temporary access construction/widening, material storage or construction works shall commence until all trees shown for retention have been protected in accordance

with the Arboricultural Impact Assessment and Tree Protection Plan Ref. 10234TPP01. Once installed the tree protection measures shall remain in place for the duration of the development works unless agreed with the Local Planning Authority.

REASON: To ensure that reasonable measures are taken to safeguard trees in the interests of local amenity and the enhancement of the development itself, in accordance with the National Planning Policy Framework (February 2019), Policy EM1 of the Basingstoke and Deane Local Plan 2011- 2029 and Policy D2 of the Bramley Neighbourhood Plan 2011-2029.

11. No development shall take place until the applicant has secured the implementation of a programme of archaeological assessment in accordance with a Written Scheme of Investigation (WSI) that has been submitted to and approved by the Local Planning Authority. The assessment should take the form of trial trenching across the whole of the proposed development area in order to recognise, characterise and record any archaeological features and deposits that may exist here. The archaeological assessment shall be carried out in accordance with the Written Scheme of Investigation.

REASON: To assess the extent, nature and date of any archaeological deposits that might be present and the impact of the development upon these heritage assets in accordance with Section 16 of the National Planning Policy Framework (February 2019) and Policy EM11 of the Basingstoke and Deane Local Plan 2011-2029.

12. No development shall take place until the applicant has secured the implementation of a programme of archaeological mitigation of impact, based on the results of the trial trenching, in accordance with a Written Scheme of Investigation that has been submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the programme of archaeological mitigation.

REASON: To mitigate the effect of the works associated with the development upon any heritage assets and to ensure that information regarding these heritage assets is preserved by record for future generations, in accordance with Section 16 of the National Planning Policy Framework (February 2019) and Policy EM11 of the Basingstoke and Deane Local Plan 2011-2029.

13. Following completion of the archaeological fieldwork (Archaeological Assessment/Mitigation of Impact), a report will be produced by the applicant and submitted to and approved in writing by the Local Planning Authority in accordance with an approved programme which is to be agreed in writing by the Local Planning Authority in conjunction with the County Archaeologist within three months from the date of completion of development. The report shall include, where appropriate, post-excavation assessment, specialist analysis and reports, publication and public engagement.

REASON: To contribute to knowledge and understanding of our past by ensuring that opportunities are taken to capture evidence from the historic environment and to make this publicly available in accordance with Section 16 of the National Planning Policy Framework (February 2019) and Policy EM11 of the Basingstoke and Deane Local Plan 2011-2029.

14. Notwithstanding any details submitted to accompany the planning application, no development (excluding site clearance and preparation) shall take place until an updated surface water drainage scheme for the site, in line with the recommendation contained within the submitted Flood Risk Assessment Ref: 226-FRA-01-0 dated January 2020 has been submitted to and approved in writing by the Local Planning Authority. Surface water discharge shall be limited to 1.8 l/s. The scheme shall also include details of how the scheme shall be maintained and managed after completion of the development. The approved scheme shall be implemented before the development is completed.

REASON: Details are required because amendments to the site layout have taken place since the previous scheme was submitted to accompany the application and to ensure that the site does not generate adverse levels of surface water run-off within an area recognised to be at risk from associated flooding in accordance with Policy EM7 of the Basingstoke and Deane Local Plan 2011-2029 and Policy RE1 of the Bramley Neighbourhood Plan 2011-2029.

15. Notwithstanding the approved plans, no development above ground floor slab level shall commence until details of materials and finishes have been submitted to and approved by the Local Planning Authority in writing. The submitted details should include samples, including on-site sample panels as applicable. These requirements include provision of information relating to:

- the size, texture, colour and source of bricks including specials;
- the bonding and coursing of brickwork;
- the material, texture and colour of any tiles/slates;
- mortar mixes;
- the material, texture and colour of any tile hanging;
- the material, colour, finish, size, profile and gauge of timber boarding.

The works shall proceed in strict accordance with the approved submission.

REASON: Details are required prior to works above slab level because insufficient detail was submitted with the application to ensure that the development achieves a suitably high quality finish that preserves the significance and/or the character and appearance of the setting of the conservation area and of listed buildings in accordance with the guidance contained within Section 16 of the National Planning Policy Framework (February 2019) and Policies EM10 and EM11 of the Basingstoke and Deane Local Plan 2011-2029 and Policies D1 and D2 of the Bramley Neighbourhood Plan 2011-2029.

16. No development above ground floor slab level shall commence on site until details of hard and soft landscaping have been submitted to and approved in writing by the Local Planning Authority and shall comprise the following as a minimum:

- Soft landscape details shall include planting plans, specification (including cultivation and other operations associated with plant and grass establishment), schedules of plants, noting species, planting sizes and proposed numbers/densities where appropriate. This should also include a schedule of tree planting to include the specification of tree planting pits where appropriate with details of any irrigation or drainage infrastructure, tree root barriers (if necessary) to prevent damage or disruption to any proposed hard surfacing or underground services, drains or other infrastructure (including details of the location of external lighting) sufficient to demonstrate how the development is to be serviced without conflict to proposed tree planting, with allowance for reasonable growth.
- The landscaping scheme shall where reasonably practicable retain and enhance the existing boundary hedgerows which presently demarcate the site.
- Hard landscape details shall include the design, type, position and scale of boundary treatments, boundary treatment materials (including finishes) and hardsurfacing materials.

- A programme of landscape implementation.

The approved hard and soft landscaping shall be carried out in accordance with the approved details and implementation programme with the soft landscaping scheme to be carried out in the first planting and seeding seasons following the first occupation of the development unless otherwise agreed in writing with the Local Planning Authority. Any trees or plants which, within a period of five years after planting, are removed, die or become seriously damaged or defective, shall be replaced in the next planting season with others of species, size and number as originally approved.

REASON: Details are required in the absence of being included within the application submission and to ensure the provision, establishment and maintenance of a high standard of landscape in accordance with the approved designs and in accordance with Policy EM1 of the Basingstoke and Deane Local Plan 2011-2029 and Policies D1, D2 and RE3 of the Bramley Neighbourhood Plan 2011-2029.

17. No development above ground floor slab level shall commence on site until a schedule of landscape maintenance for a minimum period of five years for landscape areas outside of demarcated private gardens has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out and thereafter maintained in accordance with the approved schedule.

REASON: Details are required in the absence of being included within the application submission and to ensure the provision, establishment and maintenance of a reasonable standard of landscape in accordance with the approved designs and in accordance with Policy EM1 of the Basingstoke and Deane Local Plan 2011-2029 and Policies D1, D2 and RE3 of the Bramley Neighbourhood Plan 2011-2029.

18. Notwithstanding the details submitted, prior to installation a plan indicating the positions, design, materials and type of screen walls/fences/hedges to be erected, shall be submitted to and approved in writing by the Local Planning Authority. The approved screen walls/fences/hedges shall be erected/planted before the dwellings hereby approved are first occupied and shall subsequently be maintained as approved. Any trees or plants which, within a period of 5 years from the date of

planting, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

REASON: Details are required in the interests of the amenities of the area and in accordance with Policy EM10 of the Basingstoke and Deane Local Plan 2011-2029 and Policies D1 and D2 of the Bramley Neighbourhood Plan 2011-2029.

19. Prior to occupation of the dwellings hereby approved details of electric vehicle charging provision shall be submitted to and approved in writing by the Local Planning Authority. Such details should include the specification, appearance and siting of any charging points. Where charging points are not proposed, details of parking areas which can be conveniently retrofitted at a later date shall be provided. This includes details demonstrating that that electrical connections within the site are suitable for future use for electric vehicle charging. The development shall be carried out and thereafter maintained in accordance with the approved details.

REASON: Details are required prior to occupation due to the lack of information submitted in this regard as part of the application in accordance with the guidance contained within the Parking Supplementary Planning Document (July 2018) and Policies CN9 and EM10 of the Basingstoke and Deane Local Plan 2011 to 2029.

20. The dwellinghouses hereby permitted shall not be occupied until provision for the turning, loading and unloading, and the parking of vehicles and cycles pursuant to the respective dwellinghouses have been provided within the development in accordance with the approved plans. The areas of land so provided shall not be used for any purpose other than for the turning, loading and unloading and parking of vehicles.

REASON: To the interests of highway safety in accordance with Policies CN9 and EM10 of the Basingstoke and Deane Local Plan 2011-2029, the Parking Supplementary Planning Document (2018) and Policy D2 of the Bramley Neighbourhood Plan 2011-2029.

21. The highways within the site to be served by refuse vehicles shall be designed and constructed to the equivalent of adoptable standards and thereafter maintained to a suitable condition to withstand repeated use by delivery vehicles or a waste collection vehicle of a minimum gross weight of 26 tonnes.

REASON: To the interests of ensuring the convenience of arrangements for refuse collection in accordance with Policies CN9 and EM10 of the Basingstoke and Deane Local Plan 2011-2029 and the Design and Sustainability Supplementary Planning Document (2018).

22. Notwithstanding the provision of the Town and Country Planning (General Permitted Development) England Order 2015, (or any Order revoking and re-enacting that Order with or without modification) no new vehicular or pedestrian access shall be formed to the site.

REASON: In the interests of highway safety and in accordance with Policies CN9 and EM10 of the Basingstoke and Deane Local Plan 2011-2029.

23. The development hereby permitted shall not be occupied until details of cycle parking facilities have been provided in accordance with detailed drawings to be submitted to and approved in writing by the Local Planning Authority. Such drawings shall show the position, design, materials and finishes thereof. The approved secure cycle storage shall be constructed and fully implemented before occupation of the dwellings, and thereafter maintained in accordance with the approved details.

REASON: Details are required in the absence of accompanying the application to ensure provision is made for cyclists and to discourage the use of the private car wherever possible and in accordance with Policies CN9 and EM10 of the Basingstoke and Deane Local Plan 2011-2029, the Parking Supplementary Planning Document (2018) and Policy D2 of the Bramley Neighbourhood Plan 2011-2029.

24. No development above ground floor slab level shall commence on site until details for the storage and collection of waste and recycling in accordance with the Design and Sustainability Supplementary Planning Document (2018) have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and provision made prior to the occupation of the respective properties. The areas of land so provided shall not be used for any purpose other than for the storage and collection of waste and recycling.

REASON: In the interests of ensuring the convenience of arrangements for refuse collection in accordance with Policies CN9 and EM10 of the Basingstoke and Deane

Local Plan 2011-2029 and the Design and Sustainability Supplementary Planning Document (2018) and Policy D2 of the Bramley Neighbourhood Plan 2011-2029.

25. No development above ground floor slab level shall commence on site until a Construction Statement detailing how the new homes shall meet a water efficiency standard of 110 litres or less per person per day unless otherwise agreed in writing with the Local Planning Authority through a demonstration that this requirement for sustainable water use cannot be achieved on technical or viability grounds. The development shall be carried out in accordance with the approved details.

REASON: In the absence of such details being provided within the planning submission, details are required to ensure that the development delivers a level of sustainable water use in accordance with Policy EM9 of the Basingstoke and Deane Local Plan 2011-2029.

26. A minimum of 15% of both the open market (minimum 2 units) and affordable (minimum 1 unit) dwellings hereby approved shall be built to accessible and adaptable standards to enable people to stay in their homes as their needs change. No development above ground floor slab level shall commence on site until details of which properties are to be built to such standards are submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

REASON: Details are required in the absence of accompanying the planning submission and to ensure an appropriate co-ordinated high-quality form of development and to accord with Policies CN1 and CN3 of the Basingstoke and Deane Local Plan 2011-2029 and Housing Supplementary Planning Document.

27. No impact pile driving in connection with the construction of the development shall take place on the site on any Saturday, Sunday, Public or Bank Holiday, nor on any other day except between the following times: Monday to Friday – 9.00 a.m. to 5.00 p.m.

REASON: To protect the amenities of the occupiers of nearby properties during the construction period and in accordance with Policies EM10 and EM12 of the Basingstoke and Deane Local Plan 2011-2029.

28. No work relating to the construction of the development hereby approved, including works of demolition or preparation prior to operations, or internal painting or fitting out, shall take place before the hours of 0730 nor after 1800 Monday to Friday, before the hours of 0800 nor after 1300 Saturdays nor on Sundays or recognised bank or public holidays.

REASON: To protect the amenities of the occupiers of nearby properties during the construction period and in accordance with Policy EM10 of the Basingstoke and Deane Local Plan 2011-2029.

29. No deliveries of construction materials or plant and machinery and no removal of any spoil from the site shall take place before the hours of 0730; nor after 1800; Monday to Friday, before the hours of 08:00; nor after 1300; Saturdays nor on Sundays or recognised bank or public holidays.

REASON: To protect the amenities of the occupiers of nearby properties during the construction period and in accordance with Policy EM10 of the Basingstoke and Deane Local Plan 2011-2029.

End of Conditions

APPEARANCES

FOR THE LOCAL PLANNING AUTHORITY: Alistair Mills, barrister, of Landmark Chambers appointed by the Council's Solicitor.

He called

- Catherine Daly BSc (Hons) MLA CMLI, Landscape Architect, Basingstoke & Deane Borough Council (B&DBC)
- John Dawson BSc (Hons) DipTP MA (Urban Design) MRTPI, Principal Urban Design Officer, B&DBC
- Christina Duckett BA DipArch RIBA MRTPI SFHEA IHBC, Principal Conservation Officer, B&DBC
- Katherine Fitzherbert-Green BSc (Hons) MSc DipUP DipMgt MRTPI, Principal Planning Officer, B&DBC

FOR THE APPELLANT: Sarah Reid, barrister, of Kings Chambers appointed by the appellant's planning consultant/solicitor.

She called

- Ben Wright BA (Hons) Dip LA CMLI, Aspect Landscape Planning
- Sarah Watt MCIfA, Director of Asset Heritage Consulting Ltd
- Geoff Armstrong BA (Hons) MRTPI, Director of Armstrong Rigg Planning

INTERESTED PERSONS:

Cllr Tony Durrant	Bramley Parish Council (BPC)
Cllr Chris Flooks	BPC
Cllr Malcolm Bell	BPC

NOTES

References to CDs in footnotes refers to Core Documents as per the list of submitted Core Docs.