



Winchester District Local Plan Part 2: Development Management and Site Allocations Examination in Public

Matters 10 and 11: Written Statement by Welbeck Strategic Land LLP and Jane Bray and Paul Brook

Introduction

1. Before addressing the specific question raised, there is a need to advise the Inspector about the resolution to grant planning permission for the residential development of up-to 165 dwellings at Sandyfields Nursery, Colden Common which is the subject of the proposed housing allocation identified by Policy CC1 of the submission draft Winchester District Local Plan Part 2 (LPP2).
2. It is expected that Winchester City Council will make much of this resolution because it will be claimed to demonstrate that the proposed allocation at Sandyfields Nursery is deliverable. However, at the time of drafting this statement for the examination advice has been sought from Richard Kimblin QC that the Council's decision, when it is issued, is challengeable on a number of grounds in the Administrative Court by way of Judicial Review.
3. Welbeck Strategic Land LLP intend to pursue such a challenge and a pre protocol letter is being drafted. For the Inspector's reference the letter from Osbourne Clark dated 15th April 2016 provides a helpful summary of the issues which have been ignored by the Council and is attached as Annex 1. The objections to the application submitted by Star Planning dated 5th and 15th April 2016 are also included at Annex 2 which assist with the understanding of the specialist Planning Solicitor's letter. Some of these matters are directly related to questions (i) and (ii) and hence why they are being adduced.
4. It is worthwhile the Inspector noting that the South Downs National Park Authority maintain its objection to the planning application and the allocation of the Sandyfields Nursery site for housing. The concerns of the Authority are centred upon the use of Stratton Copse for recreational use. These concerns are usefully articulate in the pre-application advice letter dated 22nd March 2016 which is provided at Annex 2 attached to the Star Planning letter dated 15th April 2016. The relevance of the Authority's stance is addressed under question (ii).



5. The final introductory matter is that there are 3 housing appeals at Colden Common which are due to be heard in September and October 2016, including one submitted by Welbeck.

i) Are the policies and proposals for growth and change in this area appropriate and justified, including in relation to the NPPF/PPG, and in terms of environmental, economic and social impacts?

6. Comprehensive objections were submitted on behalf of Welbeck and Jane Bray and Paul Brook to the Pre Submission version of the Local Plan Part 2 and there is little merit in repeating these. However, a point to note is that what is being put forward as an omission site for the land east of Highbridge Road is not the full extent of the site 1874 assessed by the Council. The Council has been aware of this reduced scale of development and the associated parkland since August 2014 but did not assess this scheme.

7. The Inspector's attention is drawn to the concerns in the original representations about the adequacy of Sustainability Appraisal as a basis to inform and justify the appropriateness of the strategy for growth at Colden Common.

8. It is acknowledged that LPP2 has been the subject of frequent public consultation and the Preferred Option had been assessed. Further, a number of alternatives have also been assessed. However, it was not easy to discern from the Sustainability Appraisal how the Council has answered the essential question about the precise reasons for the selection of, in particular, the Sandyfields Nursery as a housing allocation (Policy CC1). There is limited discussion of why the preferred option came to be chosen. It appears that undue or disproportionate weight was given to the Sandyfields Nursery site because of the alleged expression of local choice and the offer of public access to Stratton Copse rather than the planning merits and circumstances of the site.

9. The Sustainability Appraisal, therefore, has the impression of being used to retrospectively support the Sandyfields Nursery allocation suggested by the Commonview exercise rather than be an objective assessment of the alternatives. There is no fair analysis on a comparable basis of the reasonable alternatives as required by the Directive which does not appear to include community choice as one of the criteria to assess the suitability of alternative strategies and sites. To illustrate this point Annex 3 contains a more objective assessment of the potential alternative housing allocations at Colden Common prepared on behalf of Welbeck. It has not



been explained by the Council in any detail why the alternative housing sites at Colden Common are unreasonable.

10. Economic failings of the Sandyfields Nursery (Policy CC1) and Clayfield Park (Policy CC2) allocations include the lack of any detailed consideration of the displacement of the existing and potential employment uses and jobs. Policy CP9 of the Local Plan Part 1 seeks to protect existing employment sites and this is not properly considered in the Sustainability Appraisal. There are no provisions in Policies CC1 and CC2 to require new employment to be provided. More details about the planning circumstances of the Sandyfields Nursery site are included in the original representations.
11. Environmental failings of Sandyfields Nursery (Policy CC1) include the disproportionate weight given to the offer of public access to Stratton's Copse which, it is claimed, would assist in addressing a deficit in open space at Colden Common (see LPP2 supporting paragraph 4.3.14). However, as explained in the original representations, it is the wrong type of open space and the whole of the Copse cannot be counted as open space (even if this was desirable use) because access is confined to the walkway.
12. The Copse is an area of semi-natural ancient woodland which is a high priority habitat. The Copse should be managed for biodiversity reasons, including enhancing the habitats of protected species, rather than allowing public access even in the form of a walkway.
13. The Sandyfields Nursery site directly abuts the boundary of the National Park without any physical barrier. As has already been noted, the Copse lies outside the administrative area of the Council for planning purposes and the National Park Authority has raised objections to the proposed public access to the woodland.
14. The social failings of Sandyfields Nursery are numerous, including being one of the most remote sites from the main concentration of facilities at Colden Common and future residents, in particular the vulnerable members of the community, being severed from the main part of the settlement by a busy road.



ii) Are they clear and deliverable, including in respect of the associated infrastructure requirements?

15. The delivery of public access to Stratton's Copse is questionable because it is outwith the ability of LPP2 to control by falling within the National Park Authority's administrative area. If such access cannot be secured than the undue weight which has been placed on this perceived benefit in the choice of the Sandyfields Nursery as a housing allocation must fall away.

16. Although there is a resolution to grant planning permission for up-to 165 dwellings there remains considerable uncertainty that the Sandyfields Nursery allocation has sufficient capacity to accommodate this number of dwellings in an acceptable manner. Indeed, it is somewhat instructive to note that the amended scheme was not again presented to the Eastleigh Design Review Panel who has previously questioned the capacity of the site to accommodate the number of dwellings proposed, particularly since the original allocation increase from less than 100 dwellings to 165 dwellings. The comments and concerns of the Panel are included in the original representations.

17. No ground conditions information has been provided to confirm that the former brickworks does not affect the deliverability of housing on the Clayfield Park allocation (Policy CC2).

21 June 2016
Version Final

Annex 1

Your Ref: 14/01993/OUT
Our Ref: DJB/0121

5 April 2016

Mr S Avery
Principal Planning Officer
Planning Management
Winchester City Council
Colebrook Street
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SO23 9LJ

Dear Mr Avery

**Ref: Proposed 165 Dwellings and Associated Works
At Sandyfields, Main Road, Colden Common**

I refer to the long and indulgent wait for amendments to the outline planning application submitted by Foreman Homes for up-to 165 dwellings and associated works at Sandyfields, Main Road, Colden Common (Ref 14/01993/OUT). On behalf of Welbeck Strategic Land LLP (Welbeck) I have the following comments about the amended scheme and, as a consequence, Welbeck maintains its **objection** to the proposed development.

Procedural Matters

It is acknowledged that a planning application is not always the appropriate means to make comparative assessments between competing housing sites at a particular settlement. However, in this particular case, the Sandyfields site is so demonstrably worse in sustainability terms than other potential sites at Colden Common that this should be a material consideration. It would be plainly unfair to allow this application to be approved when other housing schemes on sites with far better sustainability credentials have recently been refused by the Council.

If the Council is correct in its claim that there is a 5-year supply of housing land then there is no imperative for this application to be approved. If the Council does seek to approve the application then there is the obvious potential for a legal challenge on grounds of an unreasonable decision being taken. For these reasons alone, the application should be refused unless or until the site is confirmed as an allocation in Local Plan Part 2 following the Examination in Public.

The Application Site

There is at least one 'hole' in the application site associated with 105-109 Main Road because a blue line surrounds these properties. However, the illustrative layout plan assumed that these properties would be redeveloped for about 7 dwellings. This is an illogical approach because these properties and their curtilages are not included within the application. All the material which has been submitted, including the illustrative layout plan, should be amended to refer only to the application site.

There are 2 other 'red line' matters concerning the submitted drawings, in particular the layout drawing:



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- The application site excludes line the curtilage of 111 Main Road but the illustrative layout shows 3 dwellings located on this land. The same comments in respect of Nos. 105-109 equally apply to this parcel of land.
- Stratton's Copse is included within the 'red' line site on the illustrative layout. This is wholly misleading and cannot be part of this application.

Status of the Site and Loss of an Employment Opportunity

It is acknowledged that a small part of the Sandyfields site could be regarded as previously developed land albeit extent of this area has been reduced by the omission of the 4 residential properties. However, the National Planning Policy Framework (the Framework) is clear that '*land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure*' (emphasis added). Caravans are not permanent structures.

There remains no consideration about how the redevelopment of the site for housing purposes conflicts with Policy CP9 of the Local Plan Part 1 which seeks the protection of employment opportunities, namely in this case external storage falling within Class B8. Indeed, the description of development for the planning application to extend the caravan storage use specifically refers to a '*Change of use of existing field to caravan and mobile home storage site (B8); to provide an additional 196 spaces to the existing caravan and mobile home storage facility and erection of a new office building*'.

It is also pertinent to note that when the planning application was submitted to extend the storage facility in 2012 the need for planning permission in the open countryside was justified by some 130 people on a waiting list to park caravans at Sandyfields. It is clear that the storage use is currently a facility valued by the local community. Further, there are no indications from the applicant that alternative caravan/open storage provision is being made.

By reason of conflict with the adopted development plan policies this application should be refused.

Local Views

The *Village Design Statement* (VDS published in 2012) stated at page 8 '*local residents valued the fact that the village boundary is to the west of Main Road and is screened by trees and hedges, which enhance the rural aspect of the village. Development to the east of this road may harm what the villager's value*'. The Sandyfields site is clearly to the east of Main Road.

Page 8 the VDS also refers to the countryside surrounding Colden Common and comments that '*This rural landscape remains today, particularly outside of the triangle formed by the B3335 (Highbridge Road), B3354 (Main Road) and Church Lane*'. The Sandyfields site is outside the triangle formed by these roads. The change of the community's view between the content of the VDS and the Commonview exercise concerning the importance given to Main Road as the boundary of Colden Common has never been adequately explained.

There are no reasons to disagree with the community's original assessment that development east of Main Road will harm what the villager's value and will, as already indicated, lead to the loss of an existing valued employment site.



Stratton's Copse

The applicant has made the 'offer' of public access to Stratton's Copse an important and integral benefit of the proposed development. However, for planning purposes, the Copse lies outside of Winchester City Council and is a matter for consideration by the South Downs National Park Authority (SDNPA). Any planning conditions or obligations should be capable of being enforced by the local planning authority which has planning responsibility over the Copse not a neighbouring Council.

A check on the SDNPA list of applications which have been received does not include one for the erection of the boardwalk through this ancient woodland and for the change of use to enable public recreation. The most recent application in the vicinity of Sandyfields is one for the replacement of mobile telecommunication antennas (Ref SDNP/15/04397/PA16). Accordingly, particularly because of the administrative matters, there can be no certainty or guarantee that this alleged benefit can and will be delivered by the applicant.

It is Welbeck's understanding that, by e-mail dated 11 December 2015, the Council has been advised by the SDNPA that:

- A planning application for the use of the Copse for recreation purposes would need to be submitted.
- Irrespective of the Council's assessment, SDNPA would need to seek its own specialist advice about the impact of the proposed public access to the Copse because of its status, the proximity to sites of nature conservation interest and the habitats of protected species. It is SDNPA's role to assess the effect on protected species within its administrative area and not the Council's.
- Consultation with the Forestry Commission about the proposed use of the Copse would be required.
- The site does not have the capacity to accommodate the full 165 dwellings. It has not been demonstrated that all open space can be provided within the development itself and provide an overall enhancement to ecology. This remains the case in the absence of any amended Design and Access Statement.
- Implications to the dark night sky will also be an important consideration, given the nocturnal species likely to be present.

For these reasons the SDNPA raised an objection to the proposed residential development.

The comments raised by the SDNPA about the effects of public access to the Copse have previously been raised by Welbeck and, notwithstanding the Management Plan which has been produced remain valid. The creation of a walkway through the Copse would not preclude people or domestic animals from encroaching into the woodland thereby having a detrimental effect on this important woodland and the habitats of protected species.

Unless or until the SDNPA 'approves' the proposals for Stratton's Park as a separate application and confirms the absence of any adverse impacts associated with the adjacent proposed housing development then planning permission cannot be given.

Open Space

Welbeck has stated previously that the type of open space which could be provided by the recreation use of the Copse is not of the type which is required to meet a shortfall in Colden Common. The offer of the applicant to provide public access to the Copse should not, therefore, be taken into account in the quantum of open space provided.



Further, because it is not part of the application site, the offer of allowing access to the Copse must be considered against the tests in both Article 122 of The Community Infrastructure Regulations and the Framework. The alleged benefit of public access to the Copse should not, therefore, be taken into account in the determination of this application. If it is taken into account then there would be scope for legal challenge to any decision.

Design Matters

The previous comments of the Winchester with Eastleigh Design Review Panel echoed Welbeck's concerns about the capacity of the Sandyfields site. Even though an amended illustrative layout plan has been produced these criticisms about the capacity of the site remain valid, in particular:

- The emphasis should be on delivering a high quality of development and not just seeking to accommodate up-to 165 dwellings being the imperative. It is the site's constraints and opportunities which should inform the capacity.
- The indicative layout remains an urban form of development without proper regard to its setting, particularly the site's projection eastwards across Main Road from the settlement.
- The interface with the National Park has not been fully addressed with development sited close to the boundaries of the site rather than being set back.
- A monotonous layout has been prepared which lacks any clarity about character areas and variations in the size and types of dwellings.
- The heavy reliance on parking on-street and in large parking courts to accommodate vehicles rather than on-plot parking. Excessive use of tandem parking is also another sign of a cramped and urban form of development rather than one which respect the rural setting.
- The appearance of the roads will be car dominated which reinforces the urban design of the proposal.

Even without deducting dwellings lost because of the red line discrepancies (amounting to 10 dwellings), the illustrative layout appears to only include 155 rather than 165 dwellings unless some are apartments albeit none of the parcels has the characteristics of being a flatted property. This is a clear sign that, if the cramped illustrative layout is the best option being put forward by the applicant, then the site cannot accommodate the up-to 165 dwellings claimed and for which planning permission is being sought.

I need not remind you of the Framework's core principle of securing high quality design and that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area (paragraph 64). These high quality design aims are echoed in the Council's own development plan policies, whether in the Local Plan Part 1 or the saved Winchester District Local Plan.

Against this context, this long outstanding application for up-to 165 houses should now be refused, on at least design grounds, because the Sandyfields site demonstrably cannot accommodate the scale of the development sought to deliver a high quality scheme. There is a clear policy basis for refusing this application, particularly where not updated Design and Access Statement has been provided.

Other Matters

There are a number of technical observations concerning the drainage and highway matters which, no doubt, the Council will obtain specialist advice. However, it is noted that in the Road Safety Audit a problem was identified with the adequacy of the



proposed access from Main Road, specifically the right turn land being inadequate. This matter has not been addressed by the subsequent amendment made to the access. There will be a need for the Council to be satisfied that the proposed access would not lead to a danger to other highway users and that the Highway Authority would allow a substandard junction to be constructed.

The safety of other highway users needs to be considered because in excess of 400 people, including young children who are expected to walk to the primary school, will live on the wrong side of Main Road. The road is particularly busy at peak hours and an inadequate junction would exacerbate the potential for harm to be caused.

Although not significant, it is noted that the RFC at the B3335 High Street/Hazeley Road/ Finch's Lane signal junction has arms which exceed 0.85 (i.e. 94.7 and 92.7). Above this level there may still some capacity for the junction to operate but its functions would be impaired and this evidenced by the increase in queue lengths.

There remains a limited information concerning the heritage implications of the proposed development and there is no assessment of the amended scheme in terms of landscape and visual impact from the surrounding area. Without full information it is difficult to see how the Council and its Landscape Officer can be satisfied that the application scheme would not cause unacceptable harm, particularly to the character, appearance and setting of the National Park.

Finally, as has been noted, there is no updated Design and Access Statement which fully describes this amended scheme and can be used to provide a basis for the assessment of future reserved matters applications. This is a surprising omission for the documents posted on the website because it is required for validation purposes.

No doubt you will bring all these matters to the attention of Members when the application is reported to the Planning Committee. It appears that this will be necessary because of the level of objection (and support) for the application. I assume that you will equally refer to why a materially different approach to the relevant development plan policies could be taken in the event there is a recommendation of approval for this application whereas other recent schemes have been refused.

Yours sincerely

[Redacted signature]

David Barnes

Your Ref: 14/01993/OUT
Our Ref: DJB/0121

15 April 2016

Mr S Avery
Principal Planning Officer
Planning Management
Winchester City Council
Colebrook Street
Winchester
SO23 9LJ

Dear Mr Avery

**Ref: Proposed 165 Dwellings and Associated Works
At Sandyfields, Main Road, Colden Common**

I refer to the outline planning application submitted by Foreman Homes for up-to 165 dwellings and associated works at Sandyfields, Main Road, Colden Common (Ref 14/01993/OUT).

As you will be aware, on behalf of Welbeck Strategic Land LLP (Welbeck) I have submitted objections to the proposed development, most recently on 5 April 2016. Amongst many issues raised concerns were expressed about the recreation use of Stratton's Copse and the fact that this woodland is outwith both the application site and the administrative jurisdiction of Winchester City Council as the local planning authority.

I note from the report to the Planning Committee meeting on 21 April 2016 that the South Downs National Park Authority (SDNPA) has an objection to the proposed development (albeit the e-mail to you dated 11 December 2015 is not posted on the case file's website) and an update would be provided to Members at the meeting. Having this morning checked the case file's website I note that no comments from the SDNPA have yet been posted.

Accordingly, you will wish to report to the Committee meeting the attached pre-application letter which has come to the attention of my client and is dated 22 March 2016. This letter concerns the provision of managed public access to Stratton's Copse as part of a wider public open space strategy for a residential development on adjacent land. As the responsible local planning authority for the Copse the SDNPA states:

Financial Contributions

SDNPA are not aware of what S106 contributions for the dwellings have been negotiated but would need to be party to discussions. Mitigation for the impacts and long term maintenance costs would need to be understood and considered.

In conclusion, there are significant concerns that the proposal would fail to comply with the SDNPA's purpose 1 to conserve and enhance the natural beauty, wildlife and cultural heritage. Whilst policy supports improved green infrastructure and the management of woodlands, the submitted information is insufficient in respect of details and strategy to assess whether the impact on ecology can be appropriately mitigated.



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As was clearly identified in any previous correspondence *'Unless or until the SDNPA 'approves' the proposals for Stratton's Park (sic) as a separate application and confirms the absence of any adverse impacts associated with the adjacent proposed housing development then planning permission cannot be given'*. The pre-application advice from SNDPA about the public open space strategy for the Copse significantly reinforces the fact that planning permission cannot be granted for residential development of the Sandyfields site given the weight being placed on this matter.

Any suggestion that, as referred to in the Committee report, the views of Officers concerning planning and other circumstances of land outside the jurisdiction of the Council outweigh the consideration of a planning application for the recreational use of the Copse by the SDNPA (as the local planning authority) is wholly unreasonable and would be materially prejudicial to any future decision.

Have joint meetings been held between the Council and the SNDPA to specifically discuss cross-boundary matters? There is no evidence in the case file to suggest this has happened and this perception is reinforced by the pre-application advice letter.

One other matter arises. As explained in the report to Committee, it is evident that the recreational use of the Copse and the residential development of Sandyfields go hand-in-hand. Indeed, this is a requirement of the site as referred to in Policy CC1 of the Local Plan Part 2 (LLP2). It is against this draft policy that the credentials of the application are assessed in the Committee report to justify bring the site forward for development in advance of the examination in public.

On this basis, it appears to Welbeck that the residential development cannot proceed without the open space and recreational use of Stratton's Copse having being secured and delivered. Reference is made in the Committee report to a Planning Obligation to ensure the woodland is made available for public access and the location plan for the report still shows both the residential development and the Copse as being part of the application site. Leaving aside the unresolved administrative issues raised in my previous correspondence about the appropriateness of a Planning Obligation, what happens if SDNPA does not grant planning permission for the open space and recreational use and public access cannot be made available as proposed? In such circumstances, the residential development at Sandyfields could not comply with LLP2 Policy CC1 and should be considered undeliverable. These must be matters of material interest to an Inspector conducting the examination of LLP2.

As indicated previously, you will no doubt bring the pre-application advice of SDNPA and its implications to the attention of Members in the update report.

Yours sincerely

[Redacted signature]

David Barnes

Enc.

Foreman Homes LTD
Unit 1, Station Industrial Park
Duncan Road
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Southampton
Hampshire
SO31 1BX

Our Ref: SDNP/16/00225/PRE
Contact Officer: Jean Chambers
Tel. No.: 01730 819203

22 March 2016

Dear Foreman Homes LTD

RE: Pre-Application Advice - Provision of managed public access to Stratton's Copse as part of a wider public open space strategy for a residential development on adjacent land.

Site Address: Sandyfields Nurseries, 103 Main Road, Colden Common, Winchester, Hampshire, SO21 1TB

Thank you for your correspondence received 18 January 2016 seeking pre-application advice.

Site Description and Proposal

Pre application advice is sought for the provision of managed public access to Stratton's Copse as part of a wider public open space strategy for residential development on adjacent land. The Copse is a 2.6 hectare woodland previously understood to be used for informal recreation by the owner and paintball activities.

The woodland is designated as an Ancient Semi Natural Woodland with primarily English oak and ash, the eastern section is poorly drained.

The proposal would provide managed public access through the copse using boardwalk for wetter areas and low impact 'no dig' cellular confinement systems for the routes. Cleft chestnut pale fence would be used at the start of the path to keep people from straying into species rich areas. There would be an information board at the entrance.

Some thinning would be required and a coppicing regime introduced to improve conditions for ground flora. The programme of work would run over a 5 year period, thereafter a review of objectives and management plan would occur. Longer term, every 2-3 years, trees would be surveyed and reviews undertaken to ensure the objectives are adjusted as required.

Bear's Copse is located to the east of the site, Chalk Dell Copse is located to the north.

Relevant Planning History

14/01993/OUT for proposed 165 dwellings and associated works, pending consideration (Winchester City Council)

14/00179/SCREEN for 150 dwellings, Winchester City Council. 2014

SDNP/15/04975/PA16 Replacement of existing 3 no. antennas with 3 no. new antennas and installation of 2 no. additional equipment cabinets and development ancillary thereto situated within the established compound. Granted 27.11.2015

Policy Context

Applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise. The statutory development plan in this area is the Winchester District Local Plan (2006). The relevant policies to this application are set out below.

National Planning Policy Framework (NPPF) and Circular 2010

Government policy relating to National Parks is set out in English National Parks and the Broads: UK Government Vision and Circular 2010 and The National Planning Policy Framework (NPPF) which was issued and came into effect on 27 March 2012. The Circular and NPPF confirm that National Parks have the highest status of protection and the NPPF states at paragraph 115 that great weight should be given to conserving landscape and scenic beauty in the National Parks and that the conservation of wildlife and cultural heritage are important considerations and should also be given great weight in National Parks.

National Park Purposes

The two statutory purposes of the SDNP designation are:

- To conserve and enhance the natural beauty, wildlife and cultural heritage of their areas;
- To promote opportunities for the public understanding and enjoyment of the special qualities of their areas.

If there is a conflict between these two purposes, conservation takes precedence. There is also a duty to foster the economic and social well being of the local community in pursuit of these purposes.

Relationship of the Development Plan to the NPPF and Circular 2010

Winchester Local Plan Part 1- Joint Core Strategy Adopted 2013

Policies:

MTRA4 Development in the Countryside
CP7 Open Space Sport and Recreation
CP15 Green Infrastructure
CP16 Biodiversity
CP19 South Downs National Park

South Downs Partnership Management Plan

Policies: 1, 3, 4, 19, 28

Outcomes: 1, 2, 3, 9

NPPF

Planning Policy

The following policies of the Winchester District Local Plan (2006) are relevant to this application:

WNCE28 - (WN)Sustainable Facilities
WNDP3 - (WN)General Design Criteria
WNDP4 - (WN)Landscape And The Built Environment
WNDP5 - (WN)Design Of Amenity Open Space

Planning Assessment

Principle

The proposal seeks advice for using a 2.6 hectare woodland, Stratton's Copse for public access in connection with a pending outline application, reference 14/01993/OUT with Winchester City Council for 165 dwellings on the adjoining site. The principle of linking development to multi user networks is supported especially where it offers an opportunity to restore and connect wildlife habitats. This needs to be considered cautiously to ensure appropriate control within protected landscapes. The Woodland Management Plan highlights sensitivities on this site; great crested newts, orchids and other important species/habitats. It is therefore important that an application demonstrates that the facility offered delivers an appropriate balance between public access and enhanced biodiversity against potential harm.

The National Park have raised objection to the outline application with concerns that the adjacent site does not have the capacity to accommodate 165 dwellings. It has not been demonstrated that all open space can be provided within the development itself (excluding the reliance on the sensitive Stratton Copse woodland area) and provide an overall enhancement to ecology. Notwithstanding the above, this advice focuses on the pre application request for the use of Stratton Copse.

Visual impact, Layout and design

The 'Design Principals' plan indicates that between the residential development and woodland edge, works would be undertaken to provide informal tree planting to enhance the parkland and woodland edge character; retention and enhancement of woodland eco-tone (rough grass, wildflower meadow and fine meadow swathes) and native buffer planting to support existing habitats. No detailed layout of the anticipated access routes within the copse has been provided. The Landscape Officer considers that in general the proposals are well thought out and take on board the sensitivity of the Ancient Woodland. It is recommended that a detailed design of all construction within the woodland would be required and that an Arboricultural Impact Assessment and methodology statement in accordance with BS 5837 Trees in Relation to Demolition, Design and Construction 2013 Recommendations be submitted. A Woodland and Biodiversity Management and Monitoring Plan should be submitted as part of the application. If the houses were to have open fires, it would be positive for local people to be involved with harvesting their own coppiced wood from the woodland.

The proposed boardwalk is imposing and appears quite large in the visuals. It may be advisable to reduce the scale of the construction as this is likely to have long term maintenance issues. Boardwalks can cause mobility issues for less able visitors, they can be slippery (particularly in wooded areas) and will need constant monitoring for safety issues.

There is an anomaly between the indicated alignment of the 'pedestrian access from the development zone' on the Woodland Access Strategy Plan page of the Landscape Strategy and the HGP architects Indicative Layout Plan. On the latter it is offset thus making the woodland portal undermined; on the landscape strategy it is in line creating a direct visual link to Stratton's Copse. The woodland access points need to be considered in detail.

It may be helpful to consider whether the path in the copse should link to a new Public Rights of Way leading to the recreation ground which would facilitate a through route rather than a circular route which could lead to pressure within the most sensitive parts of the copse and potential entry into the wider copse which is sensitive. A deterrent to access to sensitive areas of the wider woods (outside of the current ownership) could be the use of dead hedging.

The presence of the lattice mobile phone tower with antennas will require access for maintenance. This should be acknowledged and considered as part of the overall management plan/access arrangements.

Lighting

The Dark Skies Lead and Ranger has commented in respect of the open space strategy for the housing element and recommended a condition to ensure there would be no external lighting, or that a lighting plan is submitted. He further comments that the introduction of houses will also inevitably lead to an increase in light pollution, from internal spill, surface reflection and traffic. This will have an impact on wildlife within the local area, particularly any sensitive habitats nearby. A more detailed response can be provided once an ecological assessment has been undertaken. However, the incorporation of habitats into the development will impact on the wildlife which would have resided under darker conditions.

Trees and Ecology

Detailed arboricultural and ecology appraisals would need to be accompany a planning application. The Forestry Commission have advised that there are aspects that would improve the management plan, namely:

EPS and priority species

Newts are mentioned, but how these species will be protected isn't covered anywhere in the plan, it would be expected that as a minimum, good guidance for this species would be followed.

Operations do not currently state over what area they will be worked or the number or volume of timber that will be removed during thinning and coppicing. These works might require a felling licence dependent on the volumes being removed.

Objectives

Vegetation management to improve biodiversity potential; Blackthorn can be an important habitat for birds and invertebrates and can make extremely valuable scrubby edge habitat, a rotational management would be more beneficial. Coppicing can be extremely valuable to wildlife including dormice, there are woods in the area with this species so they should be considered and habitat corridors and checker board management carried out.

Risks

Pests - deer and squirrel might not be an issue at the moment as the wood hasn't been managed in a while, but as thinning and coppicing is instigated this will make the woods more

vulnerable. As there will be public access, culling might not be suitable but areas of regeneration, coppice and ground flora should be protected. Either temporary or permanent fencing could be used to enable regeneration and coppicing to grow above browsing line or the entire area could be deer fenced with gates for public access.

Disease - Ash Dieback (Chalara) isn't mentioned, but could have a significant affect in the medium term from a safety and recruitment angle. Regeneration should be monitored to ensure species other than ash are being recruited and if not group replanting might be required. Chronic and acute oak decline should also be considered, with oaks health monitored and enrichment planting being carried out to diversify the woods and increase resilience.

With regard to Green Infrastructure, Colden Common is a settlement lacking in localised Greenspace. The Sustainability Policy Officer advises that if the existing site has insufficient capacity to support 165 homes, provision of the additional open space for new residents (as a minimum, noting the existing deficit for Colden Common) and requirements for Sustainable drainage (some of which may be compatible with open space provision) then an imaginative and robust alternative solution needs to be found. Suggested options that might be considered include:

- o Reduction in the housing yield for the site commensurate with meeting the open space standards;
- o Provision of open space at an alternative site in close proximity within Colden Common, preferably with a PROW extension for ease of sustainable access.

Other Issues for consideration

Given the presence of great crested newts and other amphibians within the copse, it is likely migration routes will be within the development. Amphibians in the carriageway naturally follow the line of the kerb, and when they reach a gully grid they normally fall through into the gully below, where they generally die of starvation. Wildlife kerbs could be considered or sets with gully's positioned slightly away from the path edging/sets, with features such as a bypass recess or other options explored as part of any mitigation strategy. In additional drainage changes may also impact on this habitat.

Financial Contributions

SDNPA are not aware of what S106 contributions for the dwellings have been negotiated but would need to be party to discussions. Mitigation for the impacts and long term maintenance costs would need to be understood and considered.

In conclusion, there are significant concerns that the proposal would fail to comply with the SDNPA's purpose 1 to conserve and enhance the natural beauty, wildlife and cultural heritage. Whilst policy supports improved green infrastructure and the management of woodlands, the submitted information is insufficient in respect of details and strategy to assess whether the impact on ecology can be appropriately mitigated.

If you pursue a formal planning application please note that the requirements of the South Downs National Park Authority Local Validation List will apply with regard to the information required to be submitted. Further information is available at www.southdowns.gov.uk/planning/planning-advice.

It would be advisable to contact the Building Control department at your Local Authority to check if building regulation approval is required.

Please note that the advice contained within this letter constitutes an informal Officers opinion and does not prejudice, nor is binding upon, any future decision taken by the South Downs National Park Authority.

Yours faithfully,

Jean Chambers
Development Management Officer

Annex 2



Osborne
Clarke



By Post & Email

Mr Simon Finch
Head of Planning Management
Winchester City Council
Colebrook Street
Winchester
SO23 9LJ

Our reference JGB/1006902/O28932339.1/NXM

Your reference

15 April 2016

Dear Sirs

Proposed 165 dwellings and associated works at Sandyfields, Main Road, Colden Common (the "Site") (Application 14/01993/OUT) (the "Application")

We are instructed by Welbeck Strategic Land LLP ("**Welbeck**") in this matter.

Welbeck submitted an application (reference 15/02043/OUT) in respect of the proposed development of up to 70 dwellings on Land East of Highbridge Road, Colden Common, Hampshire SO50 6HW (the "**Welbeck Application**"). This was refused by Winchester City Council (the "**Council**") on 15 December 2015 and an appeal submitted to PINS (reference APP/L1765/W/16/3143886).

We are also aware that two other planning applications at Colden Common submitted by Bargate Homes ("**Bargate**") (references 15/01149/OUT and 15/01151/OUT) have been refused and they are also subject of appeals submitted to PINS (the "**Bargate Applications**").

The Application is to be presented to the Council's Planning Committee on 21 April 2016 and we have had the opportunity to review the report prepared for the Planning Committee.

For the reasons identified below, the grant of planning permission would be unlawful.

1. **Failure to take into account material considerations**

A decision-maker will err in law if he fails to take into account a material consideration. The tests to be applied in deciding whether or not a consideration was material and so ought to have been taken into account by a decision-maker were set out by Glidewell LJ in *Bolton Metropolitan Borough Council v SSE (1990) 61 P & CR 343, at 352*. They can be summarised as:

- (a) The decision-maker ought to take into account a matter which might cause him to reach a different conclusion to that which he would reach if he did not take it into

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account. The verb "might" means where there is a real possibility that he would reach a different conclusion if he did take that consideration into account.

- (b) If a matter is trivial or of small importance in relation to the particular decision, then it follows that if it were taken into account there would be a real possibility that it would make no difference to the decision, and thus it is not a matter that the decision-maker ought to take into account.
- (c) There is clearly a distinction between matters that a decision-maker is obliged by statute to take into account and those where the obligation to take into account is to be implied from the nature of the decision and of the matter in question.
- (d) If the validity of the decision is challenged on the ground that the decision maker failed to take into account a matter that might have caused him to reach a different decision, it is for the judge to decide whether it was a matter which the decision-maker should have taken into account.
- (e) If the judge concludes that the matter was "fundamental to the decision", or that it is clear that there is a real possibility that the consideration of the matter would have made a difference to the decision, he is entitled to hold that the decision was not validly made.

This approach is confirmed in paragraphs 8 and 9 of the National Planning Policy Framework.

With regard to the Application, the following material considerations are relevant:

A: Application of Policy Local Plan Part 2 (LPP2)

The draft LPP2 is still subject to a number of unresolved objections and has not been independently examined. These unresolved objections include objections to the principle of allocating the Application site for housing purposes and the capacity of the site. The Application should therefore be refused until the Site is confirmed as an allocation in LPP2 following the Examination in Public.

B: The Welbeck Application and the Bargate Applications

One of the reasons for refusal of the Welbeck Application was "The proposal would be so significant that to grant permission would undermine the Local Plan Part 2 process by predetermining decisions about the scale, location or phasing of new development that are central to the emerging Local Plan, which is at an advanced stage but not yet formally part of the development plan".

There is no evidence produced by the Council in the Committee report to show how the policy position on LPP2 has changed since the determination of the Welbeck application and the Bargate Applications. In the circumstances the grant of planning permission in favour of the Application would be unlawful and further would prejudice the consideration of the Welbeck Application and the Bargate Applications at appeal.

This is particularly so given the Application is demonstrably worse in sustainability terms than other sites at Colden Common and the sustainability of the Site is fundamental to the decision to be reached by the Council in determining the Application. Indeed, there is a requirement imposed on decision makers to exercise their functions with the objective of contributing to the achievement of sustainable development.

It would be perverse and wholly unreasonable for the Council to grant planning permission for the Application without providing a clear and reasoned justification for doing so having argued

elsewhere that allowing potential alternative sites ahead of the adoption of LPP2 would predetermine decisions on the emerging LPP2.

C Lack of consultee responses - Stratton's Copse

We also understand there have not been responses received from statutory consultees such as the South Downs National Park Authority (SDNPA).

The applicant has made the 'offer' of public access to Stratton's Copse an important and integral benefit of the proposed development. However, for planning purposes, the Copse lies outside of the administrative authority of the Council and is a matter for consideration by the SDNPA. Any planning conditions or obligations should be capable of being enforced by the local planning authority which has planning responsibility over the Copse not a neighbouring planning authority.

Unless or until the SDNPA 'approves' the proposals for Stratton's Park as a separate application and confirms the absence of any adverse impacts associated with the adjacent proposed housing development then planning permission cannot be given

The Council should not determine the Application until these responses are received as they may have a fundamental impact upon the consideration of the Application. A clear example of this is in relation to the managed access to the woodland, rather than await comments from the South Downs National Park, reliance is placed upon the Council's "specialist officers" assessment of the various documents and their conclusion that public access to the woodland can be achieved and managed in a fashion which will provide an accessible natural green space for the community while also protecting and enhancing the biodiversity of the woodland.

This conclusion cannot be lawfully reached until a response has been received from the South Downs National Park.

D Delivery of the walkway

Further, a conclusion is reached that *"Further details of the walkway will need to be provided at reserved matters"*. This conclusion is flawed as the details of the walkway cannot be approved at reserved matters as the walkway was not included within the Application and will not form part of any planning permission granted.

A check on the SDNPA list of applications which have been received does not include one for the erection of the boardwalk through this ancient woodland and for the change of use to enable public recreation.

Accordingly, particularly because of the administrative matters, there can be no certainty or guarantee that this alleged benefit can and will be delivered as part of the development.

We note the response to the pre-application regarding public access to Stratton's Copse: SDNP/16/00225/PRE | Provision of managed public access to Stratton's Copse as part of a wider public open space strategy for a residential development on adjacent land | Sandyfields Nurseries 103 Main Road Colden Common Winchester Hampshire SO21 1TB

"In conclusion, there are significant concerns that the proposal would fail to comply with the SDNPA's purpose 1 to conserve and enhance the natural beauty, wildlife and cultural heritage. Whilst policy supports improved green infrastructure and the management of woodlands, the submitted information is insufficient in respect of details and strategy to assess whether the impact on ecology can be appropriately mitigated."

There is therefore no evidence before the Committee the walkway can be delivered. In fact, as the walkway does not form part of the Application it cannot be delivered and there is no

evidence before the Committee that the provision of any walkway would be supported by SDNP.

We note that a response from SDNP dated 11 December 2015 states:

If the applicant wishes to remove the SDNPA area from the scheme, the SDNPA will still be the neighbouring/adjoining Local Planning Authority (LPA). Given the proximity to the sensitive area, the SDNPA would be party to the S106 if minded to approve (through mitigation measures e.g. management of the woodland). If issues cannot be resolved and the SDNPA is not able to enter into the S106 agreement, this will become a significant issue to the developer.

E: Failure to consider relevant planning policies regarding loss of employment land

There remains no consideration about how the redevelopment of the site for housing purposes conflicts with Policy CP9 of the Local Plan Part 1 which seeks the protection of employment opportunities, namely in this case external storage falling within Class B8.

Indeed, the description of development for the Application to extend the caravan storage use specifically refers to a 'Change of use of existing field to caravan and mobile home storage site (B8); to provide an additional 196 spaces to the existing caravan and mobile home storage facility and erection of a new office building'.

It is also pertinent to note that when the Application was submitted to extend the storage facility in 2012 the need for planning permission in the open countryside was justified by some 130 people on a waiting list to park caravans at Sandyfields. It is clear that the storage use is currently a facility valued by the local community. Further, there are no indications from the applicant that alternative caravan/open storage provision is made.

We also note no reference to policy CP9 is made in Informative three which lists the development plan policies the Council has taken into account in reaching its decision.

2. Failure to comply with paragraph 204 of the National Planning Policy Framework and Regulation 122 of the Community Infrastructure Regulations 2010 (as amended).

The Committee report includes in the matters to be secured by way of a S106 Agreement "management of the woodland".

As the woodland is not included within the planning application redline, the requirement to provide management of the woodland must be assessed against the legal tests in Regulation 122 namely that the planning obligation is:

- (a) necessary to make the development acceptable in planning terms;
- (b) directly related to the development; and
- (c) fairly and reasonably related in scale and kind to the development.

It is therefore unlawful for the Committee to place weight upon the management of the woodland in determining the Application as the assessment of this obligation against the Regulation 122 test has not been satisfied. This failure highlights the illegality of the Council in determining the Application before receiving a response from the SDNP especially given the SDNP's position regarding the S106 Agreement as detailed at paragraph 1 (E) above.

3. **Failure to carry out a balancing exercise**

At no point in the Committee report is a balancing exercise carried out to assess the harm of the Application (as identified in the numerous objections) against any benefits the Application may have. This is of particular relevance given there is no analysis of the Welbeck Application and the Bargate Applications in the Committee report.

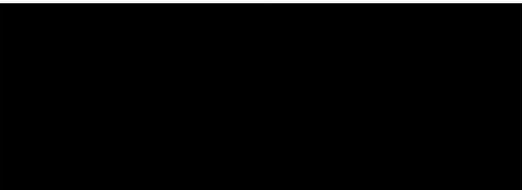
4. **Errors in the Application**

- (a) The LVIA only assess the impact of 140 dwellings. The Application is for up to 165 dwellings and therefore the LVIA is an inadequate document upon which to approve the Application.
- (b) Stratton's Copse is shown as forming part of the Application site on the plan included in the Committee report. As set out above, Stratton's Copse does not fall within the administrative authority of the Council

Next Steps

1. The Application and the Committee report are legally flawed. The issues raised in both the Application and the Committee report are of such significance to the determination of the Application that they cannot be properly addressed by way of an update report to members of the Planning Committee.
2. The Application should be refused by the Planning Committee on the basis of the comments above.
3. Any permission granted by the Council pursuant to the Application will be challenged by way of judicial review

Please contact John Baird of this firm with any queries.



Osborne Clarke LLP

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E john.baird@osborneclarke.com

Simon Avery

From: Natalie Fellows <Natalie.Fellows@southdowns.gov.uk>
Sent: 11 December 2015 15:54
To: Simon Avery
Cc: Richard Ferguson
Subject: 14/01993/OUT Sandyfields, Colden Common, Winchester

Dear Simon,

I was informed that the SDNPA would receive a duplicate application back in February from the agent, but to date this has not been received. I was hoping to consult specialist advise once this had been submitted. I understand that WCC wish to keep the decision pending, but are currently negotiating and awaiting a fundamental redesign.

As mentioned yesterday, despite not receiving an application, we have initially looked at the Woodland Management Plan (submitted September 2015). We would like to provide more detailed comments once submitted to us. I have been until now trying to keep our powder dry as we would ultimately be making a decision on this element (identified as being within the SDNPA). We are pleased that WCC have made this a requirement within the draft allocation following our earlier comments.

Some of the open space requirement for the development will include Stratton's Copse. The 2.6 hectare woodland is within the South Downs National Park. This is also forms part of Park Copse, Colden Common SINC and includes areas of semi-ancient woodland.

Whilst the SDNPA supports linking development with existing public rights of way/multi-user network and other community facilities, especially to and from the protected landscape, a degree of caution and control over access is necessary (as highlighted in the Woodland Management Plan) given the sensitivities identified. The presence of great crested newts, orchids and other important species/habitats will need further examination by our specialists. This proposal may provide an opportunity to restore and connect wildlife habitats (creating corridors or stepping stones for species as part of wider green infrastructure), rather than create increasingly more fragmented or degraded ones. This opportunity has not been demonstrated to date.

Please see below comments regarding the Management Plan itself which we consider insufficient. The Forestry Commission have provided comments below too.

We also question whether Natural England have been consulted as within the impact risk zone for the SSSI from our constraints mapping. The site also falls within the Source Protection Zone. I understand that EA do not wish to make comments though.

We have not commented on the design and layout at this stage as aware amendments are being sought.

The SDNPA is also concerned that the site does not have the capacity to accommodate 165 dwellings. It has not been demonstrated that all open space can be provided within the development itself (excluding the reliance on the sensitive Stratton Copse woodland area) and provide an overall enhancement to ecology. Implications to the dark night sky will also be an important consideration, given the nocturnal species likely to be present.

Given the above, the **SDNPA raises an objection** to the proposed application.

If the applicant wishes to remove the SDNPA area from the scheme, the SDNPA will still be the neighbouring/adjoining Local Planning Authority (LPA). Given the proximity to the sensitive area, the SDNPA would be party to the S106 if minded to approve (through mitigation measures e.g. management of the woodland). If issues cannot be resolved and the SDNPA is not able to enter into the S106 agreement, this will become a significant issue to the developer.

The applicant has a number of options given the above, but I would suggest they enter into pre-application discussions directly with the SDNPA. This is something that we would lead ourselves not through our agency agreement.

If you would like to discuss, please do not hesitate to contact me,
Kind regards, Natalie.

Natalie Fellows

Planning Link Officer: Hampshire

South Downs National Park Authority

Western Area Office, Queen Elizabeth Country Park, Hampshire, PO8 0QE

Tel: 01730 819330 Mobile: 07872 410442 Email: natalie.fellows@southdowns.gov.uk

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From: Barnard, Georgianna [<mailto:georgianna.barnard@forestry.gsi.gov.uk>]

Sent: 11 December 2015 11:36

To: Natalie Fellows <Natalie.Fellows@southdowns.gov.uk>

Subject: RE: Sandyfields, Colden Common, Winchester

Good morning Natalie,

Thanks for the reminder, it's a bit hectic at the moment, I'm giving up on finding a quieter time to catch up as it's just not going to happen.

Having read through the management plan there are several things that I feel could be added to improve it.

EPS and priority species

Newts are mentioned, but how these species will be protected isn't covered anywhere in the plan, we would expect as the minimum that good guidance for this species would be followed.

Operations do not currently state over what area they will be worked or the number or volume of timber that will be removed during thinning and coppicing. These works might require a felling licence dependent on the volumes being removed.

Objectives

Vegetation management to improve biodiversity potential, all I can see is removal of blackthorn and coppicing. Blackthorn can be an important habitat for birds and invertebrates and can make extremely valuable scrubby edge habitat, I would suggest that rotational management would be more beneficial. Coppicing can be extremely valuable to wildlife including dormice, there are woods in the area with this species so they should be considered and habitat corridors and checker board management carried out.

Risks

Pests – deer and squirrel might not be an issue at the moment as the wood hasn't been managed in a while, but as thinning and coppicing is instigated this will make the woods more vulnerable. As there will be public access culling might not be suitable but areas of regeneration, coppice and ground flora should be protected. Either temporary or permanent fencing could be used to enable regeneration and coppicing to grow above browsing line or the entire area could be deer fenced with gates for public access.

Disease - Ash Dieback (Chalara) isn't mentioned, but could have a significant affect in the medium term from a safety and recruitment angle. Regeneration should be monitored to ensure species other than ash are being recruited and if not group replanting might be required. Chronic and acute oak decline should also be considered, with oaks health monitored and enrichment planting being carried out to diversify the woods and increase resilience.

Best wishes

Georgie

07795 666420

0300 067 4429

Email: georgianna.barnard@forestry.gsi.gov.uk

South East & London
Bucks Horn Oak
Farnham
Surrey GU10 4LS

From: Nick Heasman
Sent: 10 November 2015 15:31
To: Natalie Fellows <Natalie.Fellows@southdowns.gov.uk>
Cc: 'georgianna.barnard@forestry.gsi.gov.uk' <georgianna.barnard@forestry.gsi.gov.uk>
Subject: FW: Sandyfields, Colden Common, Winchester
Importance: High

Dear Natalie

In essence this is not a woodland management plan as recognised by the Forestry Commission, for a more sustainable and long term vision of management for the woodland they should adopt the standard template, I am also concerned they have hired an arboriculture consultant and not a forester/woodland manager, with limited information.

Georgie any thoughts or recommendations?

Thanks

Nick

Nick Heasman CEnv MCIEEM MICFor
Western Area Manager
South Downs National Park Authority

Tel: 01730 819338 Mobile: 07977100794
Western Area Office, Queen Elizabeth Country Park, Hampshire, PO8 OQE
www.southdowns.gov.uk | facebook | twitter | youtube

From: Natalie Fellows
Sent: 10 November 2015 15:13
To: Nick Heasman <Nick.Heasman@southdowns.gov.uk>
Subject: FW: Sandyfields, Colden Common, Winchester
Importance: High

Hi Nick,

Did you have any comments regarding woodland management proposed?

Many thanks, Natalie

From: SAvery@WINCHESTER.GOV.UK [mailto:SAvery@WINCHESTER.GOV.UK]

Sent: 22 September 2015 16:00

To: Natalie Fellows <Natalie.Fellows@southdowns.gov.uk>

Subject: Sandyfields

Woodland management plan attached

Simon Avery
Principal Planning Officer

Planning Management
City Offices
Colebrook Street
Winchester SO23 3DD
Tel 01962 848 572
Fax 01962 841 365

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Annex 3

Colden Common Objective Assessed Site Appraisal Matrix

	275	888	889	1870	1871	1874	2052	2389	2494	2497	2498	2561	Average
Estimated Capacity in SHLAA	164	52	18	77	24	197	9	84	44	497	18	259	
Land Availability	4	4	3	1	1	1	3	1	1	3	1	1	2.00
Vehicular Access to Site	2	2	2	2	2	2	2	2	2	4	2	4	2.33
Cycle Access to Site	5	5	5	3	5	2	5	5	5	5	5	5	4.58
Pedestrian Access to Site	5	5	5	4	5	3	5	5	5	5	5	5	4.75
Access by Bus	1	1	1	1	1	1	1	1	1	1	1	1	1.00
Access by Rail	4	4	4	4	4	4	4	4	4	4	4	4	4.00
Access to Colden Common Primary School - Distance	3	2	2	2	2	1	3	3	3	3	3	2	2.42
Access to Colden Common Primary School - Walking Route Quality	4	1	1	3	4	2	4	4	4	4	4	4	3.25
Access to Colden Common Primary School - Cycling Route Quality	5	2	2	3	5	2	5	5	5	5	5	5	4.08
Access to Secondary School - Distance	4	4	4	4	4	4	4	4	4	4	4	4	4.00
Access to Local Employment (Wessex Park)- Distance	2	2	2	3	2	3	1	1	3	3	1	2	2.08
Access to Local Employment (Wessex Park) - Walking Route Quality	4	4	4	4	4	4	4	4	4	4	4	4	4.00
Access to Local Employment (Wessex Park) - Cycling Route Quality	5	5	5	3	5	5	5	5	5	5	5	5	4.83
Access to Major Employment Centre - Distance	4	4	4	4	4	4	4	4	4	4	4	4	4.00
Access to Local Supermarket/General Store (Co-op) - Distance	3	2	2	2	3	1	4	3	3	3	4	3	2.75
Access to Local Supermarket/General Store (Co-op) - Walking Route Quality	4	1	1	3	4	2	4	4	4	4	4	4	3.25
Access to Local Supermarket/General Store (Co-op) - Cycling Route Quality	5	2	2	3	5	2	5	5	5	5	5	5	4.08
Access to Superstore/Retail Park/Town Centre - Distance	5	5	5	5	5	5	5	5	5	5	5	5	5.00
Access to Doctors/Medical Centre (Twyford Surgery Spring Lane) - Distance	3	2	2	2	2	1	4	3	3	3	4	3	2.67
Access to Doctors/Medical Centre (Twyford Surgery Spring Lane) - Walking Route Quality	4	4	4	3	4	2	4	4	4	4	4	4	3.75
Access to Doctors/Medical Centre (Twyford Surgery Spring Lane) - Cycling Route Quality	5	5	5	3	5	3	5	5	5	5	5	5	4.67
Access to Pharmacy (Colden Chemist) - Distance	2	1	1	3	4	2	3	2	2	2	4	4	2.50
Access to Pharmacy (Colden Chemist) - Walking Route Quality	4	4	4	3	4	2	4	4	4	4	4	4	3.75
Access to Pharmacy (Colden Chemist) - Cycling Route Quality	5	5	5	3	5	3	5	5	5	5	5	5	4.67
Access to Dentist (Colden Common Dental Care) - Distance	2	1	2	2	4	3	4	3	1	1	4	4	2.58
Access to Dentist (Colden Common Dental Care) - Walking Route Quality	4	4	4	4	4	4	4	4	4	4	4	4	4.00
Access to Dentist (Colden Common Dental Care) - Cycling Route Quality	5	5	5	5	5	5	5	5	5	5	5	5	5.00
Access to Community Hall (Colden Common Community Centre) - Distance	3	2	2	2	3	2	4	3	3	3	4	3	2.83
Access to Community Hall (Colden Common Community Centre) - Walking Route Quality	4	1	1	3	4	2	4	4	4	4	4	4	3.25
Access to Community Hall (Colden Common Community Centre) - Cycle Route Quality	5	2	2	3	5	2	5	5	5	5	5	5	4.08
Access to Children's Play Area (Colden Common Park, Recreation Ground, The Green or The Triangle) - Distance	2	2	2	2	2	1	4	3	1	1	4	3	2.25
Access to Children's Play Area (Colden Common Park, Recreation Ground, The Green or The Triangle) - Walking Route Quality	4	4	4	3	4	1	4	4	4	4	4	4	3.67
Access to Children's Play Area (Colden Common Park, Recreation Ground, The Green or The Triangle) - Cycling Route Quality	5	5	5	3	5	1	5	5	5	5	5	5	4.50
Access to Football Pitch/Kick About Area (Colden Common Park and Recreation Ground) - Distance	2	2	2	2	4	2	4	3	1	1	4	4	2.58
Access to Football Pitch/Kick About Area (Colden Common Park and Recreation Ground) - Walking Route Quality	4	4	4	3	4	2	4	4	4	4	4	4	3.75
Access to Football Pitch/Kick About Area (Colden Common Park and Recreation Ground) - Cycling Route Quality	5	5	5	3	5	3	5	5	5	5	5	5	4.67
Access to Social Club/Public House - Distance	2	2	2	2	2	2	4	3	1	1	4	3	2.33
Access to Social Club/Public House - Walking Route Quality	4	3	3	3	4	2	4	4	4	4	4	4	3.58
Access to Social Club/Public House - Cycling Route Quality	5	3	3	3	5	3	5	5	5	5	5	5	4.33
Flood Risk	2	2	1	1	2	2	1	2	1	1	2	1	1.50
Ground Water Protection	2	4	1	5	1	4	1	1	5	5	1	1	2.58
ALC and Land Use	2	1	4	4	4	4	1	4	4	1	1	3	2.75
Mineral Resources	1	1	1	1	1	1	1	1	1	1	1	1	1.00
Contaminated Land	3	3	4	4	4	4	3	3	4	3	3	4	3.50
Ecological Designations - statutory	4	4	4	4	4	4	4	4	4	4	4	4	4.00
Ecological Designations - non statutory	3	1	1	1	1	1	3	4	2	3	2	1	1.92
Historic Assets - archaeology or built forms	2	1	1	2	2	2	2	2	2	2	2	2	1.83
National Park and Setting	4	2	3	3	2	3	2	3	3	3	2	2	2.67
Trees	1	2	1	1	1	1	1	4	1	4	1	2	1.00
Boundary Limits	4	1	1	2	3	2	1	4	3	3	3	4	2.58
Containment	1	1	3	3	3	1	1	1	2	1	2	4	1.92
Total Score	177	144	146	145	177	125	179	181	174	177	181	183	165.75
Average Score	3.54	2.88	2.92	2.90	3.54	2.50	3.58	3.62	3.48	3.54	3.62	3.66	
Rank	6	2	4	3	7	1	7	9	5	6	10	11	

Colden Common Objective Assessed Site Appraisal Criteria

Initial Sifting of Sites:

- (a) Site not on the edge and away from the settlement boundary have been discounted. They are not considered sustainable locations related to the settlement of Colden Common. Accordingly sites 2500, 2511 and 2527 are discounted.
- (b) Sites with a capacity below 6 dwellings within the settlement boundary of Colden Common because they are considered to be 'small windfall' sites. Accordingly sites 2401, 2495, 2499, 2501, 2502 and 2503 are discounted.
- (c) Sites with planning permission are not included. Accordingly sites 360 and 1758 are discounted.

Land Availability

5	Known not to be available for development as stated by owner
4	Existing non-residential uses occupy part or all of the site
3	Not available within the next 5 years or no information
2	Limited ownership constraints including services crossing the site
1	No known ownership constraints

Vehicular Access to Site

5	Vehicular access to the site cannot be provided to meet current standards
4	Requirement for 3 rd party land to secure appropriate access whether on or off site
3	Potential for significant off-site highway works within highway land
2	Localised/small scale highway improvements required within highway land
1	Access to site available from highway network without improvements

Cycle Access to Site

5	Adjacent to main roads or road traffic in excess of 30mph or a need to access the site via a hill in excess of 1:14
4	Adjacent to main roads or road traffic in excess of 30mph but with cycle lanes
3	Adjacent to distributor or similar roads
2	Adjacent to quiet or residential roads suitable for cycling
1	Adjacent to dedicated cycle routes

Pedestrian Access to Site

5	Adjacent to main roads or road traffic in excess of 30mph without footways or designated crossing facilities or the gradient exceeds 1:12
4	Adjacent to main roads or road traffic in excess of 30mph but with footways and/or controlled crossings
3	Adjacent to distributor or similar roads less than 30mph with footways and/or suitable crossing points
2	Accessible to facilities on foot without the need to cross main or distributor roads
1	Adjacent to quiet or residential roads with footways

Access by Bus Services

5	No Public Transport within 800m
4	Public Transport within 800m but bus frequency less than 1 per day in each direction or no public transport within 400m
3	Public Transport within 400m but bus frequency between than 2 and 5 per day per day in each direction or Public Transport within 800m between 5 and 8 services per day in each direction.
2	Public Transport within 400m but bus frequency between 5 and 8 per day in each direction or Public Transport within 800m with more than 8 bus services per day in each direction
1	Public transport within 400m with more than 8 bus services per day in each direction

Access by Rail Services

5	Over 5000 metres
4	Between 5000 and 2000 metres
3	Between 2000 and 800 metres
2	Between 800 and 400 metres
1	Within 400 metres

Access to Colden Common Primary School – Distance

5	Over 5000 metres
4	Between 2000 and 5000 metres
3	Between 1000 and 2000 metres
2	Between 500 and 1000 metres
1	Within 500 metres

Access to Colden Common Primary School – Walking Route Quality

5	Use of main roads or roads with traffic in excess of 30mph without footways and designated crossing points, or gradient exceeds 1:12
4	Use of main roads or roads with traffic in excess of 30mph but with footways and/or controlled crossings exist
3	Accessible using distributor or similar roads less than 30mph with footways and/or suitable crossing points
2	Accessible without the need to cross main or distributor roads
1	Use of residential roads with footways

Access to Colden Common Primary School – Cycling Route Quality

5	Use of main roads or roads with traffic in excess of 30mph or via a hill in excess of 1:14
4	Use of main roads or roads with traffic in excess of 30mph (but with cycle lanes)
3	Use of distributor or similar roads
2	Use of quiet or residential roads suitable for cycling
1	Sole use of dedicated cycle routes

Access to Secondary School

5	Over 5000 metres
4	Between 2000 and 5000 metres
3	Between 1000 and 2000 metres
2	Between 500 and 1000 metres
1	Within 500 metres

Access to Local Employment (Wessex Park) – Distance

5	Over 5000 metres
4	Between 2000 and 5000 metres
3	Between 1000 and 2000 metres
2	Between 500 and 1000 metres
1	Within 500 metres

Access to Local Employment (Wessex Park) – Walking Route Quality

5	Use of main roads or roads with traffic in excess of 30mph without footways and designated crossing points, or gradient exceeds 1:12
4	Use of main roads or roads with traffic in excess of 30mph but with footways and/or controlled crossings exist
3	Accessible using distributor or similar roads less than 30mph with footways and/or suitable crossing points
2	Accessible without the need to cross main or distributor roads
1	Use of residential roads with footways

Access to Local Employment (Wessex Park) – Cycling Route Quality

5	Use of main roads or roads with traffic in excess of 30mph or via a hill in excess of 1:14
4	Use of main roads or roads with traffic in excess of 30mph (but with cycle lanes)
3	Use of distributor or similar roads
2	Use of quiet or residential roads suitable for cycling
1	Sole use of dedicated cycle routes

Access to Major Employment Centre – Distance

5	Over 5000 metres
4	Between 2000 and 5000 metres
3	Between 1000 and 2000 metres
2	Between 500 and 1000 metres
1	Within 500 metres

Access to Local Supermarket/General Store (Co-op) – Distance

5	Over 2000 metres
4	Between 2000 and 1200 metres
3	Between 1200 and 800 metres
2	Between 800 and 400 metres
1	Within 400 metres

Access to Local Supermarket/General Store (Co-op) – Walking Route Quality

5	Use of main roads or roads with traffic in excess of 30mph without footways and designated crossing points, or gradient exceeds 1:12
4	Use of main roads or roads with traffic in excess of 30mph but with footways and/or controlled crossings exist
3	Accessible using distributor of similar roads less than 30mph with footways and/or suitable crossing points
2	Accessible without the need to cross main or distributor roads
1	Use of residential roads with footways

Access to Local Supermarket/General Store (Co-op) – Cycling Route Quality

5	Use of main roads or roads with traffic in excess of 30mph or via a hill in excess of 1:14
4	Use of main roads or roads with traffic in excess of 30mph (but with cycle lanes)
3	Use of distributor or similar roads
2	Use of quiet or residential roads suitable for cycling
1	Sole use of dedicated cycle routes

Access to Superstore or Retail Park or Town Centre

5	Over 2000 metres
4	Between 2000 and 1200 metres
3	Between 1200 and 800 metres
2	Between 800 and 400 metres
1	Within 400 metres

Access to Doctors or Medical Centre (Twyford Surgery Spring Lane) – Distance

5	Over 2000 metres
4	Between 2000 and 1200 metres
3	Between 1200 and 800 metres
2	Between 800 and 400 metres
1	Within 400 metres

Access to Doctors or Medical Centre (Twyford Surgery Spring Lane) – Walking Route Quality

5	Use of main roads or roads with traffic in excess of 30mph without footways and designated crossing points, or gradient exceeds 1:12
4	Use of main roads or roads with traffic in excess of 30mph but with footways and/or controlled crossings exist
3	Accessible using distributor or similar roads less than 30mph with footways and/or suitable crossing points
2	Accessible without the need to cross main or distributor roads
1	Use of residential roads with footways

Access to Doctors or Medical Centre (Twyford Surgery Spring Lane) – Cycling Route Quality

5	Use of main roads or roads with traffic in excess of 30mph or via a hill in excess of 1:14
4	Use of main roads or roads with traffic in excess of 30mph (but with cycle lanes)
3	Use of distributor or similar roads
2	Use of quiet or residential roads suitable for cycling
1	Sole use of dedicated cycle routes

Access to Pharmacy (Colden Chemist) – Distance

5	Over 2000 metres
4	Between 2000 and 1200 metres
3	Between 1200 and 800 metres
2	Between 800 and 400 metres
1	Within 400 metres

Access to Pharmacy (Colden Chemist) – Walking Route Quality

5	Use of main roads or roads with traffic in excess of 30mph without footways and designated crossing points, or gradient exceeds 1:12
4	Use of main roads or roads with traffic in excess of 30mph but with footways and/or controlled crossings exist
3	Accessible using distributor or similar roads less than 30mph with footways and/or suitable crossing points
2	Accessible without the need to cross main or distributor roads
1	Use of residential roads with footways

Access to Pharmacy (Colden Chemist) – Cycling Route Quality

5	Use of main roads or roads with traffic in excess of 30mph or via a hill in excess of 1:14
4	Use of main roads or roads with traffic in excess of 30mph (but with cycle lanes)
3	Use of distributor or similar roads
2	Use of quiet or residential roads suitable for cycling
1	Sole use of dedicated cycle routes

Access to Dentist (Colden Common Dental Care) – Distance

5	Over 2000 metres
4	Between 2000 and 1200 metres
3	Between 1200 and 800 metres
2	Between 800 and 400 metres
1	Within 400 metres

Access to Dentist (Colden Common Dental Care) – Walking Route Quality

5	Use of main roads or roads with traffic in excess of 30mph without footways and designated crossing points, or gradient exceeds 1:12
4	Use of main roads or roads with traffic in excess of 30mph but with footways and/or controlled crossings exist
3	Accessible using distributor of similar roads less than 30mph with footways and/or suitable crossing points
2	Accessible without the need to cross main or distributor roads
1	Use of residential roads with footways

Access to Dentist (Colden Common Dental Care) – Cycling Route Quality

5	Use of main roads or roads with traffic in excess of 30mph or via a hill in excess of 1:14
4	Use of main roads or roads with traffic in excess of 30mph (but with cycle lanes)
3	Use of distributor or similar roads
2	Use of quiet or residential roads suitable for cycling
1	Sole use of dedicated cycle routes

Access to Community Hall (Colden Common Community Centre) – Distance

5	Over 2000 metres
4	Between 2000 and 1200 metres
3	Between 1200 and 800 metres
2	Between 800 and 400 metres
1	Within 400 metres

Access to Community Hall (Colden Common Community Centre) – Walking Route Quality

5	Use of main roads or roads with traffic in excess of 30mph without footways and designated crossing points, or gradient exceeds 1:12
4	Use of main roads or roads with traffic in excess of 30mph but with footways and/or controlled crossings exist
3	Accessible using distributor of similar roads less than 30mph with footways and/or suitable crossing points
2	Accessible without the need to cross main or distributor roads
1	Use of residential roads with footways

Access to Community Hall (Colden Common Community Centre) – Cycling Route Quality

5	Use of main roads or roads with traffic in excess of 30mph or via a hill in excess of 1:14
4	Use of main roads or roads with traffic in excess of 30mph (but with cycle lanes)
3	Use of distributor or similar roads
2	Use of quiet or residential roads suitable for cycling
1	Sole use of dedicated cycle routes

Access to Children’s Play Area (Colden Common Park and Recreation Ground, The Green or The Triangle) – Distance

5	Over 2000 metres Walking Distance
4	Between 2000 and 1500 metres Walking Distance
3	Between 1500 and 1000 metres Walking Distance
2	Between 1000 and 400 metres Walking Distance
1	Within 400 metres Walking Distance

Access to Children’s Play Area (Colden Common Park and Recreation Ground, The Green or The Triangle) – Walking Route Quality

5	Use of main roads or roads with traffic in excess of 30mph without footways and designated crossing points, or gradient exceeds 1:12
4	Use of main roads or roads with traffic in excess of 30mph but with footways and/or controlled crossings exist
3	Accessible using distributor or similar roads less than 30mph with footways and/or suitable crossing points
2	Accessible without the need to cross main or distributor roads
1	Use of residential roads with footways

Access to Children’s Play Area (Colden Common Park, Recreation Ground, The Green or The Triangle) – Cycling Route Quality

5	Use of main roads or roads with traffic in excess of 30mph or via a hill in excess of 1:14
4	Use of main roads or roads with traffic in excess of 30mph (but with cycle lanes)
3	Use of distributor or similar roads
2	Use of quiet or residential roads suitable for cycling
1	Sole use of dedicated cycle routes

Access to Football Pitch or Kick Around Area (Colden Common Park and Recreation Ground) – Distance

5	Over 2000 metres Walking Distance
4	Between 2000 and 1500 metres Walking Distance
3	Between 1500 and 100 metres Walking Distance
2	Between 1000 and 400 metres Walking Distance
1	Within 400 metres Walking Distance

Access to Football Pitch or Kick Around Area (Colden Common Park and Recreation Ground) – Walking Route Quality

5	Use of main roads or roads with traffic in excess of 30mph without footways and designated crossing points, or gradient exceeds 1:12
4	Use of main roads or roads with traffic in excess of 30mph but with footways and/or controlled crossings exist
3	Accessible using distributor of similar roads less than 30mph with footways and/or suitable crossing points
2	Accessible without the need to cross main or distributor roads
1	Use of residential roads with footways

Access to Football Pitch or Kick Around Area (Colden Common Park and Recreation Ground) – Cycling Route Quality

5	Use of main roads or roads with traffic in excess of 30mph or via a hill in excess of 1:14
4	Use of main roads or roads with traffic in excess of 30mph (but with cycle lanes)
3	Use of distributor or similar roads
2	Use of quiet or residential roads suitable for cycling
1	Sole use of dedicated cycle routes

Access to Social Club or Public House– Distance

5	Over 2000 metres
4	Between 2000 and 1200 metres
3	Between 1200 and 800 metres
2	Between 800 and 400 metres
1	Within 400 metres

Access to Social Club or Public House – Walking Route Quality

5	Use of main roads or roads with traffic in excess of 30mph without footways and designated crossing points, or gradient exceeds 1:12
4	Use of main roads or roads with traffic in excess of 30mph but with footways and/or controlled crossings exist
3	Accessible using distributor of similar roads less than 30mph with footways and/or suitable crossing points
2	Accessible without the need to cross main or distributor roads
1	Use of residential roads with footways

Access to Social Club or Public House – Cycling Route Quality

5	Use of main roads or roads with traffic in excess of 30mph or via a hill in excess of 1:14
4	Use of main roads or roads with traffic in excess of 30mph (but with cycle lanes)
3	Use of distributor or similar roads
2	Use of quiet or residential roads suitable for cycling
1	Sole use of dedicated cycle routes

Flood Risk

5	All the site within Zones 2 or 3
4	Access to the site within Zones 2 or 3
3	Part of the site within Zones 2 or 3
2	Zone 1 with potential for other sources of flooding
1	Zone 1 with no potential for other sources of flooding

Ground Water Protection

5	Whole site in Inner Zone
4	Less than 50% in Inner Zone
3	Whole site in Outer Zone
2	Less than 50% in Outer Zone
1	Outside GWP areas

Agricultural Land and Land Use

5	Site likely to be best and most versatile (BMV)
4	Site may be BMV
3	Site greenfield in active agricultural use but unlikely to be BMV
2	Mix agricultural and non-agricultural land or used as paddocks or other open use which would not preclude agriculture
1	Site not in agricultural use

Mineral Resources

5	Active mineral workings adjacent to the site
4	
3	Area of Search or similar identified in the Minerals Local Plan
2	
1	No viable mineral resource

Contaminated Land

5	No previous known use which may cause contamination
4	Intensively farmed/agricultural land which may result in low level contamination
3	Part of the site has been developed and may pose a contamination risk
2	Identified as potential contaminated land potentially requiring remediation
1	Contaminated land known to require remediation/mitigation

Ecological Designations - Statutory

5	National or Regional designations within the site
4	National or Regional designations within 2000m of the site
3	National or Regional designations between 2000 and 5000m of the site
2	National or Regional designations between 5000 and 7500m of the site
1	National or Regional designations between 7500 and 10000m of the site

Ecological Designations - Non Statutory

5	Designations within and Adjoining the Site
4	Designations within the Site
3	Designations Adjoining the Site
2	Designations within 100 metres
1	No designations within 100 metres

Historic Assets – archaeology or built forms

5	SAM, Registered Battlefield, Registered Historic Park of Garden or Conservation Area within site
4	SAM, Registered Battlefield, Registered Historic Park of Garden or Conservation Area adjacent to the Site
3	Listed building within site and/or high archaeological potential.
2	Site includes a local heritage asset and/or listed building within 100m of site. May have some archaeological potential.
1	No local heritage assets within or immediately adjacent to the site. May have some archaeological potential.

National Park and Setting

5	Within the South Downs National Park
4	Adjoining the Boundary of the South Downs National Park
3	Within 400m of the South Downs National Park boundary
2	Between 400m and 800m of the South Downs National Park boundary
1	Over 800m of the South Downs National Park boundary

Trees

5	Site substantially occupied by woodland.
4	Site partly occupied by woodland / tree cover.
3	Many mature or substantially mature trees in addition to those along field boundaries.
2	Few mature or substantially mature trees in addition to those along field boundaries.
1	No mature or substantially mature trees except those along field boundaries.

Boundary Limits

5	Outside and not adjoining either the defined settlement boundary or the triangle of Main Road (B3354), Church Lane and Highbridge Road (B3335).
4	Outside both the defined settlement boundary and the triangle of Main Road (B3354), Church Lane and Highbridge Road (B3335) and development of some depth would extend out into the countryside from either the defined settlement boundary or one of these roads.
3	Outside both the defined settlement boundary and the triangle of Main Road (B3354), Church Lane and Highbridge Road (B3335) and development would adopt a linear form along either the defined settlement boundary or one of these roads.
2	Adjoining the defined settlement boundary and within the triangle of Main Road (B3354), Church Lane and Highbridge Road (B3335).
1	Within the defined settlement.

Containment

5	No mature trees or adjoining buildings to provide containment along any site boundaries.
4	Mature trees or adjoining buildings provide substantial containment along one or more site boundaries.
3	Mature trees or adjoining buildings provide substantial containment along two or more site boundaries.
2	Mature trees or adjoining buildings provide substantial containment along three or more site boundaries.
1	Mature trees or adjoining buildings provide substantial containment along all site boundaries.