

Simon Finch
Director of Planning and Development
Test Valley Borough Council

09 July 2026

Dear Simon,

26/00306/FULLS – Pemberton Lodge, Doctors Hill, Sherfield English

Sherfield English Parish Council wishes to highlight concerns regarding aspects of the Officer's report presented to the recent Southern Area Planning Committee (SAPC) in relation to application 26/00306/FULLS - Pemberton Lodge, Doctors Hill.

The Parish Council recognises that the determination of planning applications rests with Test Valley Borough Council. However, we consider it important that these concerns are formally noted.

The scale and siting of the proposed two-storey dwelling, together with its visual prominence and the degree of overshadowing it would create for the neighbouring property, appear inconsistent with the aims of Local Plan Policy COM12. However, COM12 has been consistently discounted on the basis that the existing static caravan is not considered a dwelling; despite being self-contained, connected to services, and permanently and lawfully occupied as a primary residence for many years.

Paragraph 8.7 of the Officer's report states: "*The Council has consistently considered that Policy COM12 only applies to dwellinghouses (buildings) and not caravans.*" However, the term *building* does not appear within COM12 itself.

Attention is drawn to established case law *Gravesham Borough Council v Secretary of State for the Environment & O'Brien (1984)*, in which the courts held that the defining characteristic of a dwellinghouse is its ability to provide the facilities required for day-to-day private domestic existence. This 'Gravesham test' remains widely referenced in planning decision-making.

It is the Parish Council's view that the static caravan is a dwelling and therefore COM12 is applicable to this application.

We appreciate that the Officer's report sets out the Borough Council's position, however, we remain concerned that the report may not fully reflect the legal context that we believe to be relevant. We consider it important that all information provided to Committee is clear, precise and avoids any scope for misunderstanding.

The Parish Council is not seeking to challenge the professional judgement of Officers. Our purpose in writing is to ensure that these concerns are transparently acknowledged and that any clarification the Borough Council considers appropriate is provided.

Yours sincerely

Mel Taylor

Parish Clerk, on behalf of Sherfield English Parish Council

12 August 2026

Dear Mel Taylor,

Thank you for your letter and apologise for not replying sooner.

I understand the point the parish council is making about the relevance of Local Plan Policy COM12 which relates to replacement dwellings in the countryside. However, as set out in the committee report in paragraphs 8.4 to 8.7, which was considered by the Southern Area Planning Committee on 30th June, the council's position was that this proposal, which involved replacing a caravan with a 2-storey home, would not be assessed against this policy. It has been established that caravans are not buildings in planning terms but are a use of land. This being the case, our conclusion was that it would not be appropriate for this application to be considered under Policy COM12, because it was not a dwelling within the scope of the policy. The court case you mention, *Gravesham Borough Council v Secretary of State for the Environment & O'Brien (1984)*, would not have changed our approach to the application.

I hope this is helpful.

Regards,

Simon Finch

Director of Planning & Development

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