

Appeal Decision

Site visit made on 19 April 2016

by David Cliff BA Hons MSc MRTPI

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

Decision date: 13 July 2016

Appeal Ref: APP/H1705/W/16/3143844

Oakwood, Ashford Hill Road, Headley, Hampshire RG19 8AB

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Mr Russell Arundell against the decision of Basingstoke & Deane Borough Council.
 - The application Ref 15/02149/OUT, dated 18 June 2015, was refused by notice dated 14 January 2016.
 - The development proposed is described in the application form as 'construction of a new chalet style dwelling designed with consideration to the national planning policy framework (NPPF) and in particular paragraph 55 for the promotion of sustainable development and to the Code for Sustainable Homes'.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The application is in outline with all detailed matters (access, appearance, landscaping, layout and scale) reserved for future consideration. Notwithstanding that the Council officer's report states that means of access and layout are being considered with all other matters reserved, I have no details in any correspondence between the parties of this being agreed. The submitted plans include a drawing showing the siting of the dwelling along with details of access. I have treated these drawing as being only indicative or illustrative given that these are matters reserved for future consideration.
3. The Council adopted the Basingstoke and Deane Borough Local Plan 2011-2029 on 26 May 2016. This replaces the Basingstoke and Deane Borough Local Plan 1996-2011. The main parties have been provided with the opportunity to make further comments on the new plan and I have determined the appeal on this basis.

Main Issues

4. The main issues are (1) whether the location and accessibility of the proposed development would be consistent with the principles of sustainable development having regard to the development plan and the National Planning Policy Framework ('the Framework'), and (2) the effect of the proposal upon the character and appearance of the area.
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5. The Council's third reason for refusal refers to the lack of provision for the infrastructure and community needs arising from the proposal. The appellant has subsequently submitted a unilateral undertaking seeking to address this matter, which I return to in other matters below.

Reasons

Location and accessibility

6. Whilst the site is located within an area of existing residential development in the village of Headley, it is not located within a defined settlement boundary. The Basingstoke and Deans Borough Local Plan 2011-2029 (BDLP) defines such sites to be in the countryside for planning policy purposes. Policy SS6 of the BDLP sets out the circumstances in which development outside of the defined settlement boundaries may be permitted. These include where the proposed development is on previously developed land subject to certain criteria including that it would not result in an isolated form of development and where the proposed use and scale of development is appropriate to the site's context (which I will consider in relation to the second main issue). Policy SS6 also makes provision for small scale developments which meet local need, although there is no compelling evidence to demonstrate that this proposal meets a proven local need.
7. Paragraph 55 of the Framework, in promoting sustainable development in rural areas, seeks to locate housing where it would enhance or maintain the vitality of rural communities. It goes on to state that new isolated homes in the countryside should be avoided unless there are special circumstances (none of which would be applicable to this proposal). Whilst no definition of the term 'isolated' is provided in the Framework, I consider that it relates to both the location of the site in a physical sense taking account of other built development and its ease of accessibility to services and facilities, taking account of the need to promote journeys by sustainable means of travel other than the private car.
8. Located within a cluster of existing development in the village, I do not consider the proposal to be isolated in a purely physical sense. However, it would be poorly located in terms of its accessibility to services and facilities. Local services and facilities are limited in this case, including a shop with post office, village hall and church. There is some local employment within and nearby the village though this is of a limited scale and it is not at all certain that any future occupiers of the proposed dwelling would be locally employed. There are bus services, including to Basingstoke and Newbury, with a bus stop near to the appeal site. However, whilst I consider that some journeys could be made by sustainable means of transport, the location of the site and the limited local services in proximity to it would result in the likelihood of future occupiers of the dwellings having a particular reliance upon the private car in order to access their required range of services and facilities necessary for day to day life. Consequently, I consider that the poor accessibility of the site weighs considerably against the sustainability credentials of the proposal.
9. A previous appeal¹ was dismissed in 2007 for a two storey dwelling on the site. In relation to its sustainability of location, the Inspector found that *it would not*

¹ APP/H1705/A/07/2051741

represent sustainable development in this location, particularly in relation to the availability of services and facilities and its accessibility by means of transport other than the private car. My findings are generally consistent with this previous decision and, notwithstanding the change in planning policy since, I do not consider that the location of the proposal aligns with the aim of achieving sustainable development.

10. Whilst the appellant proposes electric charging points for vehicles, I have no specific details of the practicality of utilising electric cars in this rural location. In any case there is no guarantee that future occupiers would choose to use such vehicles. Furthermore, whilst cycle storage would encourage future residents to make some journeys by bicycle, given the limited local services and the distance to other settlements with facilities, I do not consider it likely that this would significantly reduce the amount of journeys that would be undertaken by the private car.
11. The appellant has drawn attention to other developments and planning permissions in the locality of the site. However, I have not been provided with full details of the circumstances of their approval. The Council says that it does not consider that any of the sites mentioned are directly comparable with the current proposal. The appellant also draws attention to another settlement (Kingsclere) which has a policy boundary, though I have insufficient details before me to draw any firm conclusions on the respective merits of the accessibility of that settlement and the village of Headley. In any case, I have considered the current proposal on its own merits against the relevant development plan policies and the Framework.
12. I conclude on this issue that whilst the proposal would be on previously developed land, its location and accessibility would be inconsistent with the principles of sustainable development and contrary to the relevant aims of policies SS6, CN2 and CN9 of the BDLP and the Framework.

Character and appearance

13. Whilst located within an area of existing residential development, the site and its surroundings possess rural characteristics influenced by the space around existing dwellings, the separation of dwellings from Basingstoke Road and mature landscaping.
14. In dismissing the previous appeal at this site for a two storey dwelling the Inspector drew attention to the spaciousness of the site and the plots of surrounding dwellings contributing to the rural character of Headley's setting, particularly along Basingstoke Road. He went on to observe that the upper parts of Oakwood and adjacent dwellings were visible above the boundary treatment and that, given the proximity of the proposed dwelling to Oakwood, the proposal would detract from the spaciousness of this setting and the rural character and appearance of the location.
15. Whilst the application is in outline, the proposed dwelling, being a chalet style dwelling, would be likely to be lower than a conventional two storey dwelling. As such, given the existing boundary screening and difference in levels, it would be less visible from Basingstoke Road. However, with no details of scale and appearance before me, I cannot be sure that it would be completely screened in views from the main road.

16. Moreover, the proposed development would subdivide the existing site, eroding the spacious characteristics of both the site itself and its surroundings. The resulting plots sizes would be less than those prevailing in the immediate vicinity of the site. Other similarly small plots, such as 'Bynam' are in the minority and are not representative of the overall character of the area. As indicated on the site plan provided with the application, the siting of the dwelling would be influenced by the need to retain the existing landscaping along the part of the site adjacent to Basingstoke Road. Taking account of the width of the plot, and whilst siting is a reserved matter, I consider that a new 4 bedroom dwelling on this site would be likely to result in a visually cramped form of development, impacting negatively on the spacious and rural character of the area. The appellant states that more mature planting could be provided though I do not consider that this would be sufficient to overcome the harm that I consider would result from the proposal.
17. Whilst I note the existing extension to the neighbouring dwelling, this does not involve a subdivision of that plot to create a new dwelling and is of a substantially different form to that proposed by this appeal. Whilst located in proximity to the property boundary, it also does not affect the spaciousness of the area to the same extent as the appeal proposal would. I have also considered other local developments in the area but from observations at my site visit, they generally do not appear to mirror the development now proposed to any significant degree. I have therefore only given them limited weight.
18. Although the appellant has provided details of the aspects of the proposed development that would comply with the relevant policies and associated guidance, after consideration of the effects of the proposal I have found significant harm to result as set out above.
19. In conclusion on this issue, the proposal development would be likely to result in significant harm to the character and appearance of the area contrary to the relevant design aims of policies SS6, EM1, EM10 and CN2 of the EDLP, and the Framework.

Other Matters

20. The Council's third reason for refusal relates to the lack of secured contributions for open space, playing fields and play areas. Following submission of the appeal, the appellant has submitted a Unilateral Undertaking which includes provision for the three contributions.
21. However, subsequent to the Court of Appeal's judgement on 11 May 2016, the policies in the Written Ministerial Statement of 28 November 2014 (WMS) as to the specific circumstances where tariff-style planning obligations should not be sought from small scale and self build development must once again be treated as a material consideration.
22. From the information before me it appears that the contributions required by the Council may now be contrary to the WMS. However, as I am dismissing the appeal for other reasons and my decision does not turn on this issue, I have not considered it necessary to go back to the parties regarding the judgement. Therefore, it has not been necessary to consider this matter in any further detail as part of this appeal. Furthermore, with regard to CN8 of the EDLP, from the information before me, there is no compelling evidence that the

proposal would significantly overburden the limited local facilities in the vicinity of the site.

23. In terms of overall sustainability, the proposal would have several benefits, including the contribution of one dwelling towards the supply of housing. The Framework seeks to *boost significantly the supply of housing*. Following the adoption of the BDLP the Council is able to demonstrate a five year supply of housing and, from the information provided, I do not consider this situation to have materially altered from the date of its adoption. Whilst noting that there has been a previous shortfall in the delivery of housing in the Borough, I have given the small contribution of one dwelling only minimal weight in favour of the proposal. Furthermore, whilst windfall sites are able to come forward, the limited benefits of this particular housing opportunity would be outweighed by the harm I have identified.
24. From the evidence provided, I am not aware of any substantial local or community support for this proposal and note that this is not a site which is allocated for development in a Neighbourhood Plan.
25. The proposal would also provide limited short term job opportunities from construction and some support for local services and facilities. I have no reason to doubt that any future occupants would play a role in the community or that they would support local services. However, the contribution that one new dwelling would make to the vitality of the rural community and the support it would give to local services would be limited.
26. I have also taken into account the appellant's proposal to build a carbon neutral house, including electrical charging points for cars and the use of solar panels (though I have no specific details of the practicality of utilising electric cars in this rural location). However, I consider that the economic, social and environmental benefits would be significantly and demonstrably outweighed by the harm arising in relation to the main issues regarding its location and accessibility and the impact upon the character and appearance of the area. These factors lead me to conclude that the proposal would not amount to sustainable development as sought by the Framework.

Conclusion

27. For the above reasons and having considered all other matters raised, I conclude that the appeal should be dismissed.

David Cliff

INSPECTOR