

Appeal Decision

Site visit made on 26 September 2016

by David Cliff BA Hons MSc MRTPI

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

Decision date: 14th December 2016

Appeal Ref: APP/M1710/W/16/3154141

Land adjacent to Wilsom Farmhouse, Wilsom Road, Alton, Hampshire GU34 2SP

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Chris Gavin against the decision of East Hampshire District Council.
 - The application Ref 33920/006, dated 12 March 2016, was refused by notice dated 28 June 2016.
 - The development proposed is to construct two new three storey dwellings with integral garages, associated parking and landscaping.
-

Decision

1. The appeal is dismissed.

Application for costs

2. An application for costs was made by Mr Chris Gavin against East Hampshire District Council. This application is the subject of a separate decision.

Preliminary Matter

3. I have used the site address as stated in the Council's decision notice as it more clearly describes the location of the site than the description stated on the planning application form.

Main Issues

4. The main issues are whether the site is in a suitable location for residential development taking into account the development strategy for the area, and the effect of the proposed development upon the character and appearance of the area.

Reasons

5. The appeal site is located just outside the identified settlement boundary for Alton. Policy CP19 of the East Hampshire Joint Core Strategy 2014 (JCS) is applicable to sites outside of the settlement boundary and generally restricts development in the countryside for its own sake. The proposal is not one of the stated exceptions in the policy. Policy H14 of the East Hampshire District Local Plan: Second Review 2006 (DLP) also restricts development outside of defined settlement boundaries to that with a genuine and proven need.
-

6. Policy CP10 of the JCS sets out the Council's spatial strategy for housing, generally directing new housing to sites within the settlement boundaries where it is consistent with maintaining and enhancing character and the quality of life. Policy CP10 goes on to say that in addition to allocated sites, housing outside the settlement boundaries will only be permitted in accordance with stated criteria, including where it has been identified in an adopted Neighbourhood Plan or has clear community support. The Alton Neighbourhood Plan was made in May 2016. It has allocated six sites for housing, not including the appeal site. The principle of the proposal is therefore contrary to the Council's development strategy sought by policies CP10 and CP19 of the JCS, and policy H14 of the DLP.
7. In determining the previous appeal proposal on this site¹, the Inspector considered the existing local environment around the site. I share his view that *the existing open verdant character of the appeal site together with the landscaped ground of No.60 is materially different from the built up form further north and therefore it is reasonably described as countryside to which Policy CP19 applies*. The previous appeal Inspector went on to state that *the development of two 3 storey houses across virtually the whole width of the site would be fundamentally at odds with the present open rural character*. The design and appearance of the proposal remains similar to that in the previous appeal proposal and, notwithstanding the amendments made, I also concur with the previous Inspector's view on the impact upon the rural character in the context of the existing situation.
8. The previous Inspector recognised that the circumstances of the surrounding land could change and bring about a fundamental change to the character of the local area including the appeal site. However, at the time of that decision the Neighbourhood Plan was still subject to local participation and a referendum and the Inspector considered that there was a fair degree of uncertainty over the surrounding land coming forward for development through the plan-led system. Since the determination of the previous appeal proposal, there is now more certainty regarding the potential for future development in the vicinity of the site. The Neighbourhood Plan includes an allocation for 25 dwellinghouses adjacent to Wilsom Road to the south of the site (beyond 60 Wilsom Road). Furthermore, the East Hampshire District Local Plan: Housing and Employment Allocations 2016 (LPHE) has allocated a substantially sized area of land on the opposite side of Wilsom Road to the appeal site for employment development.
9. The two allocations of land in the vicinity of the appeal site would, if implemented, significantly alter the character of the area, introducing more urban development to existing open spaces. Given the allocations there is a good likelihood of both schemes being implemented and I note that a planning application has been received for the employment site, though I have been provided with no further details of it or its progress. The LPHE proposes a change to the settlement boundary to include the allocated employment area.
10. I acknowledge there is some tension between the existing identified settlement boundary and the recently allocated housing and employment sites. Although, even following the allocation of the housing site on Wilsom Road, there is no guarantee that the overall settlement boundary would be amended to include

¹ APP/M1710/W/15/3033310

the appeal site. I understand that a revised settlement boundary will be included within Part 3 of the Local Plan and that the appellant has sought for the appeal site to be included within it, though the plan is still at an early stage of preparation and carries little weight. Notwithstanding this, the considerations set out above, have reduced the weight I have applied to the harm in the context of the proposal being contrary to the development plan with regard to its location outside of the defined settlement boundary.

11. The Council's objections also refer to the scale, height and design of the proposed houses. Existing development along the western side of Wilsom Road is mixed in appearance though, as referred to above, the existing character of the area distinctly changes at the point of the appeal site. Although the area is likely to change as a result of the Development Plan allocations, development proposals could still be expected to have regard to the overall character of the area located on the fringe of Alton's built up area.
12. With this in mind I note that policy HO3(c) of the Neighbourhood Plan, referring to the allocated housing site between 60 and 86 Wilsom Road states that the site will deliver a high quality development that will *respond positively to, and respect, the topography of the site ensuring that development is delivered in such a way that retains the semi-rural character of the site as far as possible*. Policy EMP2 of the LPHE also requires that development on the allocated employment site on Wilsom Road provides *landscaping and screening to minimise the impact of development on the setting of Alton*. This is material in that whilst the area will be subject to change, there is recognition in the relevant policies for the allocated sites that the design of any scheme coming forward should respect the semi-rural characteristics of the area at the periphery of the town. It is unlikely therefore to be the case that this area would become wholly urbanised as a result of the further development.
13. The appeal development would extend across the majority of the site, with only a small gap between the proposed dwellings, and would involve significant excavation works that would remove the existing vegetation which contributes to the verdant character of this part of Wilsom Road. Whilst in their own respect, the proposed dwellings are well articulated, their appearance resembles more of a form of development that would be expected closer to the centre of the town, rather than on a site at the periphery of the urban area. A large area of hardstanding is proposed in front of the dwellings and, whilst new planting is proposed along part of the frontage of the site, the development of the massing and intensity proposed would appear as being dominant in this location, and would not have sufficient regard to the semi-rural character of the area.
14. Although there are two three storey properties located to the north, and further development beyond, I do not consider that their existence provides significant justification for the design and intensity of the appeal scheme, given the distinct change to the character of the area at this point on Wilsom Road. It is also relevant that the adjacent property at No. 60 sits in a more spacious context than the residential development further north.
15. I therefore find that the proposed development would result in significant harm to the character and appearance of the area, contrary to the relevant design aims of policies CP29 of the JCS, policy DE2 of the Alton Neighbourhood Plan and the National Planning Policy Framework (the Framework). In the context

of the potential future implementation of the allocated sites in the vicinity, I consider that the design of the proposals would still be likely to be detrimental to the area's character and appearance given that those other proposals would still be required to have regard to their location on the periphery of the urban area.

16. Whilst character and appearance were not main issues in the determination of the previous appeal, the Inspector's main issues appear to have primarily emerged from the Council's reasons for refusal which at that time appear to have been focused on the acceptability in principle of the proposal. The Inspector did however comment that the 3 storey development would be fundamentally at odds with the present open rural character.

Other matters

17. The proposal would provide an additional two dwellings making a modest contribution to the local housing supply. The Council states that as of 1st April 2015 it was able to demonstrate 7.31 years of deliverable housing land supply for the period to 31st March 2021. The Core Strategy identifies the need for a minimum of 700 dwellings in Alton and these have been provided for within the Neighbourhood Plan allocations. Whilst the appellant questions the Council's ability to meet housing targets in the coming year, I have no compelling evidence before me that demonstrates they would not be met. There is also no convincing evidence before me that persuades me that this year's referendum vote for the UK to leave the EU will have a significant impact upon housing delivery rates. Whilst provision is made for small windfall sites to contribute to the housing supply, and noting that the appellant says that the site would be immediately available for development, the harm to the character and appearance of the area in this case is the prevailing consideration.
18. I have also considered the site's location in proximity of the town centre, public transport and local facilities. However, whilst I acknowledge that there is good access to local facilities, this does not outweigh the harm I have identified would result from conflict with the development plan.
19. My attention has been drawn to other new development in the area including infill development at the junction of Windmill Lane and Wilsom Road. I have not been provided with full details of the circumstances of their approval and it remains for me to consider the current appeal proposal on its individual merits, which I have done finding the harm identified above, including significant harm upon the character and appearance of the area.
20. The appellant has expressed concerns about the manner in which the application was dealt with, including advice it was given by the Council. However, these are matters which if necessary should be raised with the Council away from this appeal. They have had no bearing on the main planning merits of the proposed development which I have considered using the evidence before me and based upon the current development plan.

Conclusion

21. The development does not accord with the Council's development strategy, although the area in the vicinity of the site is the subject of change. However, even having regard to potential future development on other allocated sites, I consider that the proposed development would be harmful to the character and

appearance of the area. That harm is the prevailing consideration and leads me to the conclusion that the proposed development would not amount to sustainable development as sought by the development plan and the Framework. Therefore, having had regard to all other matters raised, I conclude that the appeal should be dismissed.

David Cliff

INSPECTOR