
Appeal Decision

Site visit made on 15 November 2016

by L Gibbons BA (Hons) MRTPI

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

Decision date: 12 January 2017

Appeal Ref: APP/L1765/W/16/3153276

Land adjacent Lodge Green, Whiteley Lane, Titchfield, Hampshire PO15 6RW

- 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 Whiteley Developments Ltd against the decision of Winchester City Council.
 - The application Ref 16/00142/FUL, dated 21 January 2016, was refused by notice dated 17 March 2016.
 - The development proposed is the erection of a 5 bedroom detached dwelling with a detached garage.
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Decision

1. The appeal is dismissed.

Application for costs

2. An application for costs was made by Whiteley Developments Ltd against Winchester City Council. This application is the subject of a separate Decision.

Procedural Matter

3. The Council's decision notice refers to the lack of affordable housing contributions as a reason for refusal. However, the Council have indicated that it wished to withdraw this. I have dealt with the appeal on that basis.

Background and Main Issues

4. The appeal site has a planning history which includes planning applications for use as a caravan and camping park, and for residential development. In 1990 an appeal was dismissed for a single dwelling with the principle issue being the effect of the house on the character and appearance of the surrounding countryside. In 1998 there was an appeal in relation to separate schemes for two and five dwellings. With that appeal, character remained an issue as well as compatibility with nearby residential development and the effect on traffic.
 5. Taking the above into account, the main issues are:
 - i) The effect of the proposed development on the character and appearance of the area; and,
 - ii) Whether the principle of development is acceptable having regard to the location of the site within the countryside and the Strategic Gap.
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Reasons

Character and appearance

6. The appeal site is an area of open and mown grassland, and with trees and shrubs close to the north, east and west boundaries. I note that the site has been in a poor state in previous years. However, at the time of my visit it had a tidy appearance with no sign of tipping or structures. The site has a boundary with Lodge Green, a large chalet bungalow. This boundary has a low fence and there is a generally open character between the two. Hazel Coppice is to the north of the site and is a Site of Special Scientific Interest (SSSI). There is a large scale employment site beyond that. The eastern boundary of the site has a close boarded fence shared with properties on Skylark Meadow, these are large detached houses. The west side of Whiteley Lane is a row of detached houses, some of these have been extended and other domestic buildings have been erected.
7. The proposal is accompanied by a Landscape and Visual Impact Appraisal¹. The appeal site is within the Whiteley Woods Landscape Character Area (LCA). This refers to woodlands, meadows, paddocks and small holdings amongst other things. I accept that there has been an increase in the amount of built development in the area including within countryside locations. However, I consider that the character of the appeal site is not at odds with the description of the LCA. Although the wider countryside cannot be seen from the road due to the ridgeline and surrounding vegetation, the appeal site does not appear urban or suburban. It retains a sufficient number of trees and shrubs to have a rural characteristic and it is locally distinctive in relation to the context of nearby development. There remains a strong visual connection between the appeal site and Hazel Coppice. The housing on Skylark Meadows is now well established. However, these houses are little distance away from the appeal site and they have mature gardens. Furthermore, neither these houses nor Lodge Green significantly impinge on the rural character of the appeal site.
8. The proposal is for one dwelling with an access drive and a detached garage. I accept that the proposed materials and design would be compatible with houses in the surrounding area. However, the proposed dwelling would be highly visible when seen from the access drive. The land rises up slightly towards the proposed location of the dwelling and the house would be a prominent feature. It would be a large dwelling similar in size and bulk to Lodge Green and would visibly extend residential development on Whiteley Lane closer to Hazel Coppice even with the proposed buffer in place. Furthermore, the access drive including a turning head would be wide and in combination with the separate garage these would add to a suburban appearance which would be considerably at odds with the rural character and appearance of the appeal site, the east side of Whiteley Lane at this point, and Hazel Coppice. I consider that the retention of trees and shrubs on the front boundary of the appeal site would not be sufficient to mitigate this harmful effect.
9. For the reasons given above, I conclude that the proposed development would cause considerable harm to the character and appearance of the area. It would be in conflict with Policy DP3 of the Winchester Local Plan Review (WLPR) and Policy CP20 of the Winchester Local Plan Part 1 – Joint Core Strategy (LPP1),

¹ Sue Sutherland Landscape Architects, August 2015

which amongst other things seeks to support new development that recognises, protects and enhances the District's distinctive landscape and where particular emphasis is placed on conserving local distinctiveness as well as tranquillity, sense of place and setting.

Principle of development

The countryside

10. Policy MTRA4 of the LPP1 relates to development in the countryside and refers to land outside the built-up areas of Winchester, Whiteley and Waterlooville. I note that the appellant has raised an objection to the settlement boundary of Whiteley as part of the public consultation on the Winchester Local Plan Part 2. The Inspector's report into the examination of that plan has yet to be published and the appeal site remains in the countryside at this point in time. The policy permits development in the countryside in certain circumstances, such as development which has an operational need for a countryside location. The proposal does not meet any of the criteria and would therefore be in conflict with Policy MTRA4.

Strategic Gap

11. The appeal site is also located within the Meon Strategic Gap. Policy CP18 of the LPP1 indicates that formally identified gaps have been established for some time in the area. In this case, the gap between Whiteley and Fareham is relevant. The policy only allows development which does not physically or visually diminish the gap. The accompanying text sets out that these are areas which help to define and retain the separate identity of settlements.
12. The ridgeline and enclosed nature of the appeal site means that it cannot be viewed in the context of the separation of the two settlements. The position of development at Skylark Meadow which is between the settlements has isolated the appeal site in Strategic Gap terms. The site is a very small parcel of land within a large Strategic Gap and it does not assist in the intended role to define and retain the separate identity of settlements. These are characteristics which seem to me to be very particular to the appeal site. As a result of these factors, I consider that site no longer performs a role in the visual and physical separation of Whiteley and Fareham and the proposal would not diminish the Strategic Gap. For these reasons, I conclude that the proposal would not be in conflict with Policy CP18 of the LPP1.

Other matters

13. The Council raise concerns in relation to the impact of the proposal on the adjoining SSSI. The appellant indicates that discussions with Natural England resulted in the proposal for a wide buffer strip, to change the type of boundary material, and the production of a Habitat Management Plan for the management of this area, which satisfied the concerns of Natural England. Based on the evidence before me, I see no reason to disagree with this matter. The development would also ensure that the protected trees on site would be retained and the design of the access drive would avoid damage to the root protection areas. Were other matters acceptable, I am satisfied that these factors could be dealt with by means of suitable conditions.
14. Local residents set out a number of concerns in respect of highway safety. The proposal would not result in a significant increase in the numbers of vehicles

using the lane. The lane is narrow but is adequately surfaced. In general, visibility is good along the lane and it would be possible for those drivers leaving the appeal site or turning in the entrance to be fully aware of walkers, cyclists and horse riders.

15. The National Planning Policy Framework indicates that there is a need to boost the supply of housing. The Council state that the housing targets within the area have been exceeded without the need to allocate additional greenfield sites. This is not disputed by the appellant. Based on the evidence before me, I see no reason to disagree with the Council on this matter.

Conclusion and balance

16. I have found that the proposal would not diminish the Strategic Gap. The site is in an accessible location in relation to the services and facilities in Whiteley. The intention is that the dwelling would be completed as a self-build project and the scheme would reduce the potential for fly-tipping on the site. These factors weigh in favour of the proposal.
17. However, the proposed development would be in conflict with Policy MTRA4 of the LPP1 which restricts development within the countryside to certain uses and it would cause considerable harm to the character and appearance of the area, and these are sufficient reasons to dismiss the appeal.
18. I have had regard to all other matters raised, but have found nothing to alter my conclusion that the appeal should be dismissed.

L Gibbons

INSPECTOR