

Appeal Decision

Site visit made on 21 March 2017

by Patrick Whelan BA(Hons) Dip Arch MA MSc ARB RIBA RTPI

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

Decision date: 25 April 2017

Appeal Ref: APP/H1705/W/16/3165156

Land adjacent The Street, Bampton RG26 5DE

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission.
 - The appeal is made by Adam Strachan-Stephens, Consentium Ltd against Basingstoke & Deane Borough Council.
 - The application Ref 15/03423/FUL, is dated 23 September 2015.
 - The development proposed is the erection of two 4(no.) bedroom dwellings with detached garages and associated landscaping and access works.
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Decision

1. The appeal is dismissed and planning permission for the erection of two 4(no.) bedroom dwellings with detached garages and associated landscaping and access works is refused.

Procedural Matters

2. The applicant, Mr Adam Strachan-Stephens of Portico Property Limited, has given authority for the appeal to be conducted by Consentium Ltd. I have therefore used this name in the banner heading.
3. The Council has provided evidence that had it been in a position to determine the application, it would have refused planning permission on the ground that the proposal does not meet the exceptional criteria of its policy restraining development in the countryside.
4. During the course of the planning application the Council adopted the Basingstoke and Deane Borough Local Plan 2011 to 2029 (LP), replacing the saved policies of the Basingstoke and Deane Borough Local Plan 1996 to 2011. Both parties have referred to the policies of the adopted LP in their evidence. Although my site visit took place before the appellant's final comments were received by me, I have taken account of all representations made in my decision.

Main Issue

5. This is whether or not the proposal would be sustainable development having particular regard to its location outside the Settlement Policy Boundary (SPB).

Reasons

6. The appeal site is located towards the edge of the village of Bramley but beyond its settlement boundary. To the north of the site, across The Street, is
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residential development. Adjoining the field to the west is a group of employment buildings. Its eastern boundary runs partly to the hedgerow-lined Cufau de Lane, and its southern boundary would run across the open field. Beyond the field and its boundary of post and rail fence and a few trees, to the south, lies the pattern of open pastures and agricultural fields with scattered isolated agricultural or residential buildings which typifies this part of the countryside.

7. LP Policy SS1 sets out the spatial strategy for development and provides for 15,300 dwellings in the plan period. LP Policy SS6, which concerns development for new housing outside Settlement Policy Boundaries, sets out a number of exceptions to the restraint on housing in the countryside set out in LP Policy SS1. The exception the most relevant to this case is for small scale residential proposals of a scale and type that meet a locally agreed need, which is governed by three provisos concerning the relationship of the development to the settlement, character and appearance, and the amenity of neighbours.
8. There is no dispute that the proposal for two dwellings is small scale, and the Council considers that the site is not physically isolated and has good accessibility to local services and facilities. However, while the LP does not define what a locally agreed need is, the Council has published guidance. This advises that an applicant should demonstrate that their proposal meets a specific and clearly identified unmet housing need in the local area in terms of number, size, type, and tenure, and refers to the need being within the Parish, village, or settlement.
9. In terms of meeting a locally agreed need, the appellant refers to the level of services and range of infrastructure within Bramley, and planning permissions for two large sites in the locality in which there is a requirement to provide a substantial proportion of smaller units. He also refers to the majority of houses for sale in Bramley having three bedrooms or fewer to illustrate that there is no abundance of houses of 4 bedrooms or more, such as those proposed in this case. However, this does not demonstrate that the proposal would meet a locally agreed need.
10. The appellant points out that the Bramley Neighbourhood Plan says that the preferred sites for new housing will be located within or immediately adjacent to the SPB. Notwithstanding this, Policy H1 in the post-referendum version of the Plan before me, says that new housing development outside the Bramley Settlement Policy Boundary will only be supported if it is in accordance with relevant Local Plan policies for new housing in the countryside. Given its advanced stage of progress, I attach significant weight to the policies of the Neighbourhood Plan.
11. The Council refers to LP Policy SS5, which requires the identification of sites for at least 200 dwellings to 2029 in and around the defined Settlement Policy Boundary of Bramley. I acknowledge the appeal decisions referred to by the appellant and the 5 year land supply figure not representing some kind of maximum limit or bar. However, the Council's reference to approved new housing commitments of 315 dwellings in and around the defined Settlement Policy Boundary of Bramley suggests that the minimum figure has already been met and is likely to be substantially exceeded.
12. The appellant claims that in view of the recent larger scale housing developments that the Settlement Policy Boundary is out of date and that

paragraph 14 of the Framework is engaged. I have not been provided with the details of the applications or the circumstances which led to their approval. While I note that there is a planning permission for the development of the field on the opposite side of the lane, at the time of my site visit it had not been developed. This proposal would not therefore appear as an infill development.

13. My impression of the site is that it contributes to a functional and visually coherent character of countryside. Its green and open nature helps separate the edge of the settlement from the countryside and it forms part of a pattern of small fields at the edge of the village which stretches southwards. It contributes to the character of the countryside and the distinction between the village and the fields and farmland which surround it. The proposed development would breach the settlement boundary of the village, encroach into the countryside, and reduce its open and undeveloped character, weakening the distinctive relationship between the village and the countryside.
14. I note the appellant's point that the supporting text to LP Policy SS1 says that SPB's will be reviewed. However, this does not necessarily make the SPB out of date. Indeed, the impression of this site and the surrounding land at the time of my site visit suggests it is accurately drawn around this site. Even if LP Policy SS1 was considered to be out of date, which I consider it is not, I find that the adverse impacts of the proposal would significantly and demonstrably outweigh the benefits of the development.
15. The appellant draws my attention to the Government's Housing Infrastructure Fund and I note the importance of providing new and affordable homes. The proposed development would provide two additional dwellings which would constitute a small contribution to the local supply of housing, bringing social benefits. It would also generate economic benefits in terms of sustaining employment and business activity in the local construction sector. While these benefits weigh in favour of the proposal, they are insufficient to overcome the harm to the environment that I have identified in respect of the location of the development.
16. I conclude that having particular regard to the location of the proposed development outside the Settlement Policy Boundary it would not be sustainable development for which LP Policy SD1 and the Framework indicates there is a presumption in favour. It would be in conflict with the spatial strategy Policy SS1 of the recently adopted Local Plan, and it would not meet any of the exceptions of LP Policy SS6 which permits housing in the countryside in limited circumstances. It would also be at odds with one of the core planning principles of the Framework, that planning should take account of the different roles and character of different areas including recognising the intrinsic character and beauty of the countryside.

Conclusion

17. For the above reasons, and having regard to all other matters, the appeal is dismissed and planning permission is refused.

Patrick Whelan

INSPECTOR