

Appeal Decision

Site visit made on 5 July 2019

by Martin Andrews MA(Planning) BSc(Econ) DipTP & DipTP(Dist) MRTPI

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

Decision date: 22nd July 2019

Appeal Ref: APP/L1765/W/19/3223792

The Meadows, Forester Road, Soberton Heath, Southampton SO32 3QG

- 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 Mark Wells, Blanchard Wells Ltd against the decision of Winchester City Council.
 - The application, Ref. 18/00073/FUL, dated 11 January 2018, was refused by notice dated 5 September 2018.
 - The development proposed is three new dwellings, car parking and landscaping.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are (i) the principle of the residential development of the site, and (ii) the effect of the development on the character and appearance of the area.

Reasons

3. On the first issue, the Council refers to Policy MTRA3 of the Winchester District Local Plan Part 1 – Joint Core Strategy 2013 ('the JCS'). This policy includes Soberton Heath as a settlement that does not have a clearly defined settlement boundary and within which development that consists of infilling of a small site within a continuously developed road frontage may be supported. This is subject to the form of development being compatible with the character of the village and not involving the loss of an important gap between developed areas.
 4. Whilst the Council accepts that the appeal site can be regarded as being 'small', it does not consider that it forms part of a continuously road frontage. On the south west side an access track divides the site from a house, 'The Laurels', whilst to the north east there is a gap of about 35m to 'Kimberley', the nearest neighbouring dwelling.
 5. From my visit to the site I saw that the adjoining access comprises a substantial physical and visual separation between The Laurels and the appeal site. I understand that this roadway is in the appellant's ownership providing access to a builder's compound and offices to the rear. I suspect that historically it was narrower and of a lower standard and had it not been widened and surfaced in recent years the appeal site may have effectively adjoined 'The Laurels' rather than be separated from it.
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6. However, there is no such uncertainty in respect of the land to the north east, with its 35m gap to Kimberley. The appeal site is read with this wooded land as countryside forming a substantial visual break and an important gap in the ribbon of residential development along Forester Road, which by any reasonable definition could not constitute an 'infill' site under Policy MTRA3. This is clearly illustrated by Policy Map No. 31 of the Winchester District Local Plan 1998 illustrated in the Council's statement, albeit this is now more of an historical reference than a relevant current consideration.
7. On the first issue, I conclude that the development does not accord with Policy MTRA3 of the JCS. I note that the Council regards Policy MTRA4 as a default position for development that fails the test of Policy MTRA3, whereas my reading of the JCS is that these policies are mutually exclusive. Be that as it may, I am satisfied that neither interpretation offers support for the principle of the appeal scheme.
8. On the second issue, the layout, spacing and similar design of the three proposed dwellings is more akin to a medium density suburban estate development than an infill scheme in a road of dwellings with individual appearances on spacious plots. The design of the Plot 3 building would arguably fall within the range of dwelling types in Soberton Heath, but those proposed for Plots 1 and 2 much less so. However, it is more the fact that the appeal scheme is in the form of a tightly knit cluster that would make the proposal in marked contrast to the character and appearance of Soberton Heath. On this issue there would thus be a conflict with Policies DM15 & DM16 of the Winchester District Local Plan Part 2: Development Management and Site Allocations 2017.
9. On both main issues I have given careful consideration to the grounds of appeal and acknowledge that the proposed houses would be energy efficient family homes in an area of high demand. And that good quality landscaping along the front and flank roadside boundaries would help the dwellings to blend with their rural surroundings. I have also noted the reference to the National Planning Policy Framework 2019 and its support to new housing enhancing or maintaining the vitality of rural communities.
10. However, the Council's approach is to achieve this vitality through decisions in accordance with its development plan policies, whilst this is also not an affordable housing development. The reference to the Court's judgement on isolated homes in the countryside has in my view no relevance at all to the appeal proposal.
11. I have had regard to all other matters raised for the appellant but nothing I have read, or indeed seen on my visit to the site and its surroundings, leads me to conclude that permission should be granted.
12. The appeal is therefore dismissed.

Martin Andrews

INSPECTOR