
Appeal Decision

Site visit made on 14 January 2020

by M Allen BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10 February 2020

Appeal Ref: APP/M1710/W/19/3235126

Land at junction of Wilsom Road, Windmill Lane, Alton GU34 2SN

- 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 Terry Harris against the decision of East Hampshire District Council.
 - The application Ref 52717/001, dated 5 March 2019, was refused by notice dated 13 May 2019.
 - The development proposed is the erection of a 3-bed detached dwelling.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. With the appeal, the appellant has submitted additional plans in respect of the proposed garage building, as well as a Noise Impact Assessment. The Council has had the opportunity to comment on this information and as such there would be no prejudice in me considering these details as part of the appeal.

Main Issues

3. The main issues raised in this case are:
 - i) the suitability of the location having regard to policies restricting development in the countryside,
 - ii) the effect of the proposal on the character and appearance of the area, and
 - iii) whether the occupiers of the development would experience adequate living conditions, with particular reference to noise.

Reasons

Suitability of location

4. Policy CP10 of The East Hampshire District Local Plan: Joint Core Strategy (2014) (the JCS) sets out the housing strategy for the area and states that housing should be accommodated within existing settlement policy boundaries. Policy CP19 further states that development in the countryside, which is defined as the area outside settlement policy boundaries, will be restricted to protect the countryside for its own sake. Development will only be permitted in

the countryside where there is a genuine and proven need for a countryside location. Additionally, policy CP1 expects that development improves the environmental conditions in the area, whilst policy CP2 requires that development be directed to the most sustainable and accessible locations.

5. Both main parties agree that the site is located outside of the settlement policy boundary for Alton. Therefore, the site lies at a countryside location for planning policy purposes. No argument has been made that there is a proven need for a countryside location. The proposal would therefore represent unjustified residential development which is contrary to the locational strategy of the JCS.
6. Consequently, given the location in the countryside and outside of a settlement policy boundary, the location is not suitable for a new, independent dwelling having regard to policies restricting development in the countryside. The scheme is therefore contrary to Policies CP1, CP2, CP10 and CP19 of the JCS.

Character and appearance

7. The proposed building would provide accommodation over two-storeys, but would have a low eaves height, with the roof plane extending upwards above. As a result, in views from the surrounding area the roof would be an obvious feature. However, I observed that within the surrounding area, there were examples of dwellings that have been similarly designed, most notably directly opposite the site. The scheme would therefore not appear as a discordant feature within the area. Furthermore, the elevation which faces the adjacent road would be stepped, so that a reduced roof plane would be seen against an upstanding elevation, which is set back. This would reduce the visual prominence of the roofscape to the street, so that it would not be excessively prominent.
8. The submitted details illustrate that the proposed garage would be a modest, single storey building that would be located between the proposed dwelling and the road. It would have a hipped roof, which would also ameliorate any visual prominence that it may have. The combined built form of the proposal would not, in my view, result in any harmful visual effect. Thus, the scheme would result in an acceptable effect on the character and appearance of the area. The proposal therefore accords with policy CP29 of the JCS and DE2 of the Alton Neighbourhood Plan (2015). Together, and amongst other things, these policies seek to ensure that development respects the character, identity and context of the district's countryside and that development respects the characteristics of its setting.

Living conditions

9. The site lies in close proximity to the A31 road, which is sited at an elevated position above the site. At application stage the Council had concern that no acoustic report had been submitted which assessed the potential noise impacts of the nearby highway on the occupants of the dwelling. With the appeal, the appellant has submitted a Noise Impact Assessment, which concludes that subject to recommendations in respect of glazing and ventilation, which could be secured by planning condition were the appeal to be successful, that noise levels within habitable rooms would be acceptable. Furthermore, noise levels at external amenity spaces would also be acceptable. The Council has not provided any information that would lead me to find that the conclusions of the

assessment cannot be relied on. As such, I find that it would be possible to ensure that occupiers of the development would experience adequate living conditions, without any harmful effect from noise. The scheme therefore accords with policy CP27 of the JCS, which seeks to ensure that development does not prejudice the health and safety of communities and their environments.

Other Matters

10. I acknowledge that the appellant intends that the development would be a self-build dwelling. This is a matter that weighs in favour of the development.
11. The appellant contends that the site comprises previously developed land due to the presence of a former road within it. However, I am conscious that the remains of the former road are not generally visible from the surrounding area and it has an overgrown appearance, with a negligible above ground presence. As such I consider that the former road has blended into the landscape such that the land cannot be considered to comply with the definition of previously developed land as contained within the National Planning Policy Framework.
12. There is also reference to the development contributing towards housing delivery within the district. However, I note that the contribution would be slight given that the scheme is for a single dwelling.
13. Additionally, the appellant references the non-delivery of an allocated site a short distance from the appeal site. In this regard, I note that the Council highlights that a planning application has been submitted on this area of land and is pending a decision. I am not convinced that there would be any shortfall in delivery in regard to this site. This matter therefore has little bearing on my decision.

Conclusion

14. I acknowledge that the proposal would not result in harm to the character or appearance of the area, and that occupiers would experience satisfactory living conditions. These matters do not however outweigh that I find that the location would not be suitable for the development and the scheme would conflict with the locational strategy of the JCS. The other matters I consider above are not sufficient to warrant a departure from the policies of the development plan.
15. For the reasons given above and having regard to all matters raised, I conclude that the appeal should be dismissed.

Martin Allen

INSPECTOR