
Appeal Decision

Site visit made on 17 August 2020

by Robert Parker BSc (Hons) Dip TP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 September 2020

Appeal Ref: APP/H1705/W/20/3249367

Land to the south of Ramsdell Road, Monk Sherborne, Hampshire RG26 5HS

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant permission in principle.
 - The appeal is made by Mr David Heron against the decision of Basingstoke & Deane Borough Council.
 - The application Ref 19/02717/PIP, dated 1 October 2019, was refused by notice dated 24 January 2020.
 - The development proposed is residential development of up to 4 no. dwellings.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The application seeks permission in principle for a minimum of 2 and maximum of 4 dwellings. The scope of permission in principle is limited to location, land use and amount of development. Issues relevant to these 'in principle' matters should be considered at the permission in principle stage. Other matters should be considered at the technical details consent stage.

Main Issues

3. The main issues are:
 - a) whether the proposal would comply with development plan policy in respect of housing in the countryside;
 - b) whether occupants of the new dwellings would have adequate opportunity to access services and facilities using sustainable transport modes;
 - c) the effect of the development on heritage assets; and
 - d) whether any policy conflict in relation to the above issues would be outweighed by other material considerations such as to justify a decision otherwise than in accordance with the development plan.

Reasons

Development plan policy

4. My starting point is the development plan which in this case comprises the Basingstoke and Deane Local Plan 2011-2029 (BDLP). Section 38(6) of the Act stipulates that applications should be determined in accordance with the development plan unless material considerations indicate otherwise.

5. The site lies outside of any Settlement Policy Boundary and is therefore considered to be in the countryside for the purposes of BDLP Policy SS1. The circumstances under which housing will be allowed in the countryside are listed under BDLP Policy SS6. The only criterion of relevance to the appeal proposal is (e) which relates to small scale residential proposals of a scale and type that meet a locally agreed need. The policy supporting text confirms that such development should be 4 dwellings or fewer, and local need should be agreed in consultation with the parish council.
6. In order to comply with Policy SS6 (e), development must be well related to the existing settlement and should not result in an isolated form of development; it should respect the qualities of the local landscape and be sympathetic to its character and visual quality; and it should respect and relate to the character, form and appearance of surrounding development, and respect the amenities of the residents of neighbouring properties.
7. The application was accompanied a Housing Needs Survey (HNS) carried out by the appellant. Although this points to some demand for downsizing and smaller dwellings, it is unclear from the responses whether there is unmet need or whether the aspirations of those households wishing to move home could be met by the natural churn in the housing stock. More detailed work is necessary to address the criticisms of the Council as regards the scope and methodology of the study, and to establish the true extent of local need. As it stands, and notwithstanding the genuine efforts of the appellant to engage with the parish council, the HNS does not robustly demonstrate a 'locally agreed need' for the purposes of Policy SS6 (e). The requirements set out in paragraph 6 above are parasitic on locally agreed need being proven and as this is not the case they do not fall to be considered.
8. Although there is no reason why the appellant could not continue to work with the Council and interested stakeholders to arrive at a scheme which addresses local need, there can be no certainty over the outcome of that process. Moreover, local need is yet to be established; this is a fundamental matter of principle under policy and should not be deferred to the technical details stage.
9. I therefore conclude on my first main issue that the proposal is not compliant with BDLP Policies SS1 and SS6 in respect of housing in the countryside.

Services and facilities

10. Monk Sherborne contains few services and facilities. The settlement has a church, village hall and play area. There is also a public house (The Mole), but I note that this is closed and the subject of a planning application for change of use. Although reopening of the public house cannot be ruled out, the future of the facility is uncertain and therefore cannot be assumed.
11. The National Planning Policy Framework (the Framework) recognises that where there are groups of smaller settlements, development in one village may support services in a village nearby. Barring a couple of public houses, the adjacent settlements of Charter Alley, Ramsdell and Sherborne St John are similar to Monk Sherborne in that they lack basic services. Occupants of the proposed dwellings would therefore need to travel to larger settlements to meet their shopping, schooling, employment and healthcare needs. The closest town is Basingstoke, and this seems the most likely destination for most trips.

12. It is argued that new residents would have access to a frequent bus service to Basingstoke and Baughurst. However, the nearest bus stops are approximately 2 km from the site on the A340 Aldermaston Road and reaching these would involve a lengthy (~ 25 minute) walk along lanes without footways or lighting. This would provide a significant deterrent to the use of public transport, not only during inclement weather and the hours of darkness, but also at other times.
13. Whilst Basingstoke is within cycling range, the journey would involve negotiating the busy A339 or A340. Given road conditions, and in the absence of any cycle lanes, this would incur unacceptable risk. For this reason, it would be only be a realistic option for the most confident and experienced cyclists. The likelihood is that occupiers of the proposed dwellings would be heavily dependent upon the private car. Although the trip lengths would not be excessive, the cumulative carbon emissions over the lifetime of the development would be significant.
14. The Framework recognises that opportunities to maximise sustainable transport solutions will vary between urban and rural areas. However, the site's access to services and facilities by non-car modes is particularly poor and this leads to conflict with BDLP Policy SS1 and its focus upon the majority of development being within Settlement Policy Boundaries. There is also conflict with the social and environmental objectives of sustainable development, insofar as these place emphases on accessible services and adaption to climate change through a move to a low carbon economy.

Heritage assets

15. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires decision-makers to have special regard to the desirability of preserving listed buildings and their settings. Section 72 of the Act contains a similar duty in respect of preserving or enhancing the character or appearance of conservation areas. The design and layout of the scheme would be assessed at the technical details consent stage having regard to the statutory duties, but it is also legitimate to consider the heritage impacts as regards the principle of development.
16. The north side of Ramsdell Road is a continuous ribbon of housing, but the development on its south side is more sporadic. There are only two buildings westwards of the junction with Kiln Lane, and these are separated by an open vegetable patch. Lilac Cottage and Fayreleigh are closest to the site. This attractive Grade II listed building possesses a rustic charm which is reinforced by its lone siting, surrounded on 3 sides by agricultural fields. The building's rural setting makes a positive contribution to the significance of the heritage asset and enables its significance to be better appreciated from the road, and nearby footpath. It seems to me that any form of residential development on the appeal site, regardless of the scale or number of dwellings or any landscaping buffer the scheme may include, would erode the undeveloped setting to the detriment of the building's special interest.
17. The Council has expressed additional concerns regarding the effect of the proposal on the setting of Jonathan's Thatch, a thatched cottage on the north side of Ramsdell Road, and the Monk Sherborne Conservation Area. However, the Grade II listed building is already compromised by its proximity to other development and the conservation area is too far from the appeal site for the proposed development to have a material adverse impact on setting.

18. Accordingly, I conclude that the proposal would result in material harm to the setting of Lilac Cottage and Fayreleigh, contrary to BDLP Policy EM11.

Planning Balance and Conclusion

19. The Council cannot demonstrate a 5 year supply of deliverable housing sites. The annual monitoring report concludes that there is 4.25 year supply against a 20% buffer. The Framework indicates that, where a supply shortfall exists, the policies which are most important for determining the application are out-of-date and planning permission should be granted unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.
20. The housing shortage is not yet acute. Nevertheless, the absence of the requisite 5 year housing land supply means that BDLP Policies SS1 and SS6 are out-of-date. I have therefore attached limited weight to the conflicts with those policies.
21. I have attached substantial importance and weight to the harm arising to Lilac Cottage and Fayreleigh as heritage assets. Notwithstanding any attempts to mitigate the impacts at technical details stage, the erosion of the setting would be permanent and irreparable, and it would not be justified by the public benefits arising from the addition of between 2 and 4 dwellings to the housing stock, even having regard to the current housing land supply position.
22. The evidence fails to robustly demonstrate a locally agreed need for housing and therefore the proposal would result in unjustified market housing in a location where there is poor access to services and facilities by sustainable transport modes. The reliance upon the private car would conflict with the principles set out in the Framework and this weighs heavily against the scheme.
23. Overall, the appeal scheme would make a very modest contribution towards addressing the housing supply deficit and would deliver economic benefits during the construction period. Additional expenditure by new residents would help to support the limited services in neighbouring settlements. The proposal would also provide revenue for The Mole should that business reopen, although I am mindful that 4 dwellings is unlikely to have a determinative effect on viability.
24. Having given careful consideration to the balance of factors, I consider that the adverse impacts would significantly and demonstrably outweigh those benefits. The proposal would not constitute a sustainable form of development in terms of BDLP Policy SD1 and the Framework. As such, there are no grounds to justify making a decision otherwise than in accordance with the development plan.
25. For the reasons given above, and having regard to all other matters raised, including the officer recommendation for approval and support within national policy for small and medium sized sites, I conclude that the appeal should be dismissed.

Robert Parker

INSPECTOR