

Appeal Decision

Site visit made on 6 October 2020

by D Cramond BSc MRTPI

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

Decision date: 21 October 2020

Appeal Ref: APP/Y9507/W/20/3252981

Walnut Cottage, Main Road, Bucks Horn Oak, Farnham, GU10 4LT

- 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 J Glider against the decision of the South Downs National Park Authority.
 - The application Ref SDNP/19/04243/FUL, dated 22 August 2019, was refused by notice dated 25 November 2019.
 - The development proposed is the erection of a new dwelling to the south of Walnut Cottage.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is whether the proposal would represent sustainable development.

Reasons

3. The appeal site is to the side of Walnut Cottage which is located on a relatively generous plot fronting the A325. The property is within the small settlement of Bucks Horn Oak which primarily consists of varied dwellings as well as including a petrol station with shop and a few other commercial premises. The proposal is as described above and would be a two storey detached house.
 4. The development plan comprises the South Downs Local Plan (2019) (LP). This has replaced all East Hampshire District Council development plan policies across this area of the National Park and hence definitions given or decisions made under this former regime are of little relevance. I therefore do not accept arguments put forward in terms of 'precedent' development which has taken place near to the appeal site.
 5. The key policy in the LP is SD25: *Development Strategy*. This sets out settlements with boundaries where, subject to criteria, development will be supported in principle. Bucks Horn Oaks is not in the list. It follows that the locality of the appeal site is to be treated as open countryside where development is prevented other than if there are exceptional circumstances which are clearly set out in the policy's text. No such circumstances apply to the case in hand most notably because to me the site is indisputably a residential garden. Furthermore I would say that the countryside location takes away any notion of 'infill' which is not in any event specifically provided for by LP Policy SD25.
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6. The settlements listed within LP Policy SD25 have been identified based on 2 criteria one of which is the future sustainability of the settlement. In other words the policy rightly has a strong focus to securing sustainable development and has been examined and adopted accordingly.
7. My starting point for determination of the appeal is s.38(6) of the Planning & Compulsory Purchase Act 2004. I conclude that the appeal proposal would not accord with the development plan; it would run contrary to LP Policy SD25 which is the development plan's key development strategy and is based on sustainability principles.
8. I then turn to whether or not there are material considerations which indicate that the appeal should be determined other than in accordance with the development plan. This is bearing in mind that sustainable development has environmental, social and economic objectives.
9. I can see that assessed in isolation the architectural design and scale of the appeal property would be non controversial. I do not however accept that the present low key ancillary buildings and the gap is "ugly" as portrayed by the Appellant. It seems to me that having a variety of frontage widths and treatments and dwelling separations does not detract from the street scene, quite the opposite. At times having a sense of space rather than closer uniformity of built development can be a visual positive. That is my reading of the situation here and my assessment of a positive attribute to the character and appearance of the area worthy of protection. I say this accepting that as the Appellant puts it there are more visually sensitive locations within the National Park than Bucks Horn Oak. Nevertheless protection of character continues to be a consideration. I do note that 'clearance' has been given on flood risk, arboricultural and ecological matters.
10. A new property can be argued as a social gain given it is a home for someone; this one would meet nationally described space standards. However there is no dispute that there is a five year housing land supply within the authority's area or evidence that windfall provision is set for a deficit. Hence the provision of this new home, whilst of some social benefit, is not socially critical or needing to be seen in the context of a supply shortfall. I do take the point that access safety would be improved with the scheme before me, albeit there is, presumably, nothing which would stop visibility improvements taking place without the additional dwelling.
11. The dwelling would bring some modest economic benefits during its construction and also potentially to local business or wider afield from the economic activity of the occupiers.
12. I have carefully considered all the points raised by Appellant, I give those and the above benefits taken individually or collectively limited weight. This is such that I conclude that the matters do not outweigh the conflict with the development plan which I have identified and they do not render the appeal scheme to be able to be reasonably described as sustainable development.
13. I would add that all relevant policies in the Framework have been considered and the development plan policy which I cite mirrors relevant objectives within that document.

Overall conclusion

14. For the reasons given above I conclude that the appeal proposal would not represent sustainable development. Accordingly the appeal is dismissed.

D Cramond

INSPECTOR