
Appeal Decision

Site visit made on 29 September 2020

by S. Rennie BSc (Hons), BA (Hons), MA, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26 October 2020

Appeal Ref: APP/H1705/W/20/3255209

Land at Frog Lane, Little London, Tadley, Hampshire RG26 5EN

- 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 A. Woollett against the decision of Basingstoke & Deane Borough Council.
 - The application Ref 19/03221/PIP, dated 29 November 2019, was refused by notice dated 22 April 2020.
 - The development proposed is for residential development for up to 3 dwellings.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. This appeal relates to an application that was made for permission in principle. The Planning Practice Guidance states that the scope of permission in principle is limited to location, land use and amount of development. Accordingly, I have only considered the issues relevant to those 'in principle' matters in the determination of this appeal. All other matters need to be considered as part of a subsequent Technical Details Consent application if permission in principle is granted.

Main Issues

3. The main issue is whether the principle of the proposed development is acceptable with regard to its location, land use and amount, with particular regard to the effect on the character and appearance of the area and its landscape.

Reasons

4. The appeal proposal is for a Permission in Principle. This consent route has two stages, the first stage establishes whether a site is suitable in principle, and the second stage, the Technical Details Consent, is where the detailed development proposals are assessed. The appeal proposal is at the first stage and therefore I have considered the principle of the scheme.
5. In respect of residential development, an applicant can apply for permission in principle for a range of dwellings by expressing a minimum and maximum number of net dwellings as part of the application. In this instance, permission

- in principle has been sought for a maximum of three and a minimum of one dwelling at the appeal site.
6. A site location plan has been included which highlights the area of the appeal site where the residential development is proposed. This is the southern area of a large agricultural field, to the northern side of Frog Lane. The site is to the west of a single residential property known as Holy Bush. The more built up areas of Little London are to the west and southwest.
 7. With regards to the policy context, the site is outside of any settlement boundary and therefore is within the open countryside. Within the Basingstoke and Deane Local Plan 2011-2029, policy SS1 sets out a spatial strategy for the Plan area, with development in the countryside generally restricted with the aim to direct development to settlement boundaries. Particularly relevant to this appeal is policy SS6 (New Housing in the Countryside) which restricts housing in the countryside except in certain exceptional circumstances. In regard to these criteria I would agree with the Council that the site is not previously developed land and also that there is a lack of substantive evidence that the proposed dwellings are needed to meet a locally agreed need. There are no exception circumstances under policy SS6 that the development would meet.
 8. However, the Council has made clear that as they are not able to demonstrate a sufficient housing land supply then the 'tilted balance' should be applied in line with Paragraph 11 of the National Planning Policy Framework (the Framework). I note that the Council's conclusions on the policy principle of the location and the type of land use of the proposed development, being outside of any settlement and not complying with policies SS1 and SS6 of the Local Plan, would not result in significant and demonstrable harm which would outweigh the benefits of providing a new dwelling.
 9. However, the Council has raised objections with regards to the amount of development and how it would fit with the character of the site and the wider rural area.
 10. Being that this is a 'permission in principle' proposal, the exact position and design of the proposed dwelling(s) is not set. From the site location plan it is clear that the proposed dwelling(s) would have to be within the red line area to the north of Frog Lane adjacent to the dwelling Holly Bush.
 11. Although the site is adjacent to an existing dwelling, the general character of Frog Lane is that of a rural country lane with a loose ribbon of dwellings and farm buildings along its course, usually separated by agricultural land. The agricultural land to the east and west of Holly Bush contributes positively to this rural character, although the proposed development of up to three houses would potentially fill much of the agricultural land to the west of this existing house. There is a house further to the west, but this is not an example of an infill development as there is a significant distance between Holly Bush and this other dwelling (known as Deers Wood) to the west, with this large gap positively reinforcing the rural character of the lane.
 12. Whilst this is a modest scale development with no details at this point as to the scale and appearance of the proposed dwelling(s), such a development would have the effect of urbanising this section of the northern edge of Frog Lane and erode some of the scenic qualities of this open landscape. This is currently an

open field and part of an attractive landscape which contributes positively to the rural setting of Little London. This may not be a landscape area which is designated as particularly valuable, but this does not alter my opinion that this is an area of pleasant and attractive character which is representative of the local rural landscape, to which the proposed dwelling(s) would be introduced into. The proposed dwelling(s) would also have some impact in interrupting existing views across these open fields towards adjacent woodland.

13. The proposed dwelling(s) would not be a significant distance from the more built up areas of Little London, but Frog Lane has a distinctive difference in character to the village. Much of Little London has lines of dwellings to one or both sides of the highway, whereas Frog Lane has a more dispersed form of development with agricultural fields as open areas of the countryside being more interspersed with a loose ribbon of housing. The site therefore appears clearly outside of the settlement of Little London, within a distinctly more rural and open setting with less built development, which is part of its character.
14. The site is large enough to provide spacious plots for up to three houses, with a density reflective of other housing areas locally. However, these dwellings would be on an area of undeveloped rural landscape and even with spacious plots the character of this part of Frog Lane would change and lose some of its rural qualities.
15. There is a high hedgerow that would potentially provide some screening of the proposed development from along Frog Lane. There could also be further landscaping incorporated to screen or visually soften the development, with no trees proposed to be felled. However, I am not satisfied that this would be sufficient to screen or visually soften all views of the dwelling(s) to such a degree that it would completely mitigate the visual impact of the development in urbanising this part of an agricultural field.
16. I understand that there has been previously consent for a barn on this site, but this would be a typical agricultural building which would not appear out of keeping with the rural character of the site. There is an application at Orchard Farm nearby which the Landscape Officer has not raised an objection to, but as far as I am aware this application is undetermined. I am also aware there have been some other approvals for dwellings in the countryside within this Council's boundary and elsewhere (including the appeal at the site known as 'The Forge' ref: APP/H1705/W/19/3229057). However, this appeal site is not the same in terms of circumstances as to the other appeal site or other approved sites for dwellings that I am aware of, and is therefore not fully comparable, with this proposal considered primarily on its own merits. There may be other houses approved outside of settlement boundaries, but this will be dependent on the particular circumstances of each case. In this appeal, it is my view that the proposal would be detrimental to the landscape character if up to three dwellings were introduced to this site.
17. I am aware that a subsequent Technical Details Consent application would provide the detail of the size, design and layout of any proposed houses, but even a single dwelling on this site would substantially alter the character of this site from an open and undeveloped part of a field to a residential plot with associated domestic paraphernalia. Therefore, at this stage with the limited information before me of the proposal, I can reach the conclusion that the proposal would be harmful to landscape character.

18. Overall, when considering the amount of development in this location it is my view that it would be harmful to the character and appearance of the area due to its urbanising visual intrusion into the rural landscape, thereby being contrary to policies EM1 and EM10 of the Basingstoke and Deane Local Plan 2011-2029. These policies require that development to be of a high quality with due regard to the character of the area and to have regard to the visual amenity and scenic quality of an area, amongst other things.

Planning Balance

19. As stated above, the Council has acknowledged that it cannot demonstrate a 5 year housing land supply. Paragraph 11 of the National Planning Policy Framework (the Framework) sets out that decisions should apply a presumption in favour of sustainable development and that, under criterion d) where the policies which are most important for determining the application are out of date, planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole. Given the lack of a five year housing land supply, paragraph 11 d) of the Framework is engaged.
20. Firstly, there are benefits to the proposal to consider in this balance. The proposal would provide dwellings towards the local housing supply, in an area where there are some local services. There would be economic benefits from the construction of the dwellings, and this could be considered an efficient use of the site. Future occupants could be part of the local village community and help support village services. The dwellings could incorporate sustainable aspects and also the appellant commits to a net biodiversity gain. However, as the development is just for between one and three dwellings the benefits would be modest.
21. With regards to the policy principle of the location, I would agree with the Council's view that whilst the proposal is not in accordance with policies SS1 and SS6 of the Local Plan, the proposed dwelling(s) are not in an isolated location, being adjacent to another dwelling and close to Little London. In the planning balance, I would regard the issue of the conflict with policies SS1 and SS6 in relation to the new house(s) being outside of a settlement boundary as an issue where any harm does not significantly or demonstrably outweigh the benefits.
22. However, for the reasons set out above I conclude that, by reason of the introduction of up to three houses in this rural location, the appeal proposal would have a harmful effect on the character and appearance of the area. This does not meet with the requirements of the Framework to conserve and enhance the natural environment, to recognising the intrinsic character and beauty of the countryside, and for development to be sympathetic to landscape setting. It is my view that up to three dwellings in this location would be harmful to the rural landscape character of the site and the wider area. When assessed against the policies in the Framework taken as a whole, this harm would significantly and demonstrably outweigh the benefits of the proposed development. The proposed development therefore cannot benefit from the presumption in favour of sustainable development.

Other Matters

23. There is information from the Council with regards to a potential issue relating to nitrates causing harmful effects in the Solent. This could be affected by new housing development in the catchment of the River Test and Itchen (as part of the wider catchment to the Solent). However, I do not have full details of this matter and as this appeal is to be dismissed then I have not pursued this matter further.

Conclusion

24. For the reasons set out above, and considering all matters raised, the appeal should be dismissed.

Steven Rennie

INSPECTOR