The Planning Inspectorate

Appeal Decision

Site visit made on 12 November 2020

by Andy Harwood CMS MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 3 December 2020

Appeal Ref: APP/H1705//W/20/3250744
Land At OS Ref 456378 145890, Fox Lane, North Waltham RG25 2BE

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant [outline] planning permission.
- The appeal is made by Mrs Ruth Spreadbury against the decision of Basingstoke & Deane Borough Council.
- The application Ref 19/02098/RET, dated 1 August 2019, was refused by notice dated 27 March 2020.
- The development proposed is the change of use of land to residential and siting of a mobile home.

Decision

1. The appeal is dismissed.

Preliminary Matters

2. I am obliged to normally use the description of development as set out on the application forms and that is what I have used above. A mobile home was on appeal site at the time of my site visit although whether it is occupied or not does not have a direct bearing on this decision. I have also taken the address from the application form which is repeated on the Council's decision, although the road leading to the site is also referred to on various documents and maps as Popham Lane as well as Church Lane.

Main Issues

3. There are 2 main issues. The first is the effect of the development on the character and appearance of the area. The second is whether this is a suitable location having regard to local policies concerned with housing in rural areas.

Character and appearance

4. The appeal site is located within a rural area between a small cluster of buildings including the Fox public house and those within Claydown Farm, to the south of the site. The appeal site appears as part of an open field with no boundaries between it and the undeveloped land to the west. On the opposite side of Fox Lane is an open field.

5. A large distinctive deciduous tree is close to the northern boundary of the site and on the other side of that, outside of the site, is an area of land where the boundaries are defined by substantial trees. I could not see very clearly into that adjoining land due to the density of the vegetation which compliments the

informal roadside hedges and trees along this southern approach into North Waltham. That northern boundary marks the edge of the North Waltham Conservation Area (CA). The linear southern part of the village is a short distance away but there is a distinct rural gap between the site and the nearest other clearly visible dwelling which is 'The Old Hall' and then a further gap between that house and the next. The appeal site is in a sensitive marginal position between the built settlement and the surrounding countryside.

6. The site is in an elevated position relative to the road and can be glimpsed through a gap in the hedge leading up to the car parking area in front of the mobile home. Within the site, the grass was neatly cut, less roughly surfaced than the field to the west and there is some ornamental planting. An earth bank along the roadside provides a substantial enclosure at the front of the site and screens to some extent the semi-formal domestic appearance. However, from the road I could clearly see the mobile home and domestic items including vehicles to the front of it. On close inspection from within the site, I could see the partial hard-surface that has been referred to within representations.

7. The development has had an urbanising impact which adversely affects the visual amenity and scenic quality of this sensitive rural area and which does not contribute to the local distinctiveness of the area. The National Planning Policy Framework (the Framework) makes it clear that decisions should contribute to and enhance the natural and local environment by, amongst other things, recognising the intrinsic character and beauty of the countryside. The development does not positively contribute to the local distinctiveness of the area and in relation to the main issue has an adverse impact on the character and appearance of the area. Even though this would be a small scale development it is not appropriate with the context of the site.

8. As such the development does not comply with Policies EM1, EM10 and SS6 of the Basingstoke and Deane Local Plan 2011 to 2029, adopted May 2016 (LP). Given the location of the mobile home to towards the south of the site, it would not have a direct harmful impact upon the character or appearance or the setting of the CA.

Location

9. The appeal site has in the past been used for temporary uses including for the siting of a caravan for a hairdressing salon and also for 20 caravans, for workers whilst constructing the nearby M3. The appellant refers to it as previously developed land (PDL). There are some remnants of those previous uses including, I am told, electric and water services as well as a septic tank and the hard-standing which I refer to above. However, even if at some point in the past, the land could have been considered as PDL, the remains of the fixed surface infrastructure are now difficult to notice other than at very close quarters. I consider that they have blended into the landscape and so this is not PDL, according to the glossary definition with the Framework.

10. The appeal site is not isolated from the facilities within North Waltham and is not of high environmental value. However, it is not on PDL and the other requirements of LP Policy SS6 are not supportive to the appellant's case. In relation to the second main issue, as judged against local policies, the location does not comply with paragraph a) of LP Policy SS6 which relates to the circumstances when housing in the countryside will be permitted. The

development would be harmful to the strategy for the distribution of housing due to this conflict with development plan policies.

Other Considerations

11. Set against the above harm that I have identified, it is possible to walk into the settlement where there are facilities available. However, that would involve the negotiation of a narrow country lane which does not include street-lighting or footways. People living at the appeal site may rely upon private vehicle use and it is not clear that the development would prioritise pedestrian and cycle movements as required by the Framework.

12. The provision of a single unit of accommodation would make a small difference to the housing needs of the area and would also have some social and economic benefits. It is not clear what the level of the housing shortfall is from the evidence submitted. I give limited, positive weight to these factors.

13. A previous proposal for outline planning permission for a dwelling on this site was dismissed on appeal (APP/H1705/W/17/3189904) in 2018. It is not clear that there was any evidence at that time about any housing supply shortfall. In the present case however, the Council confirms that they are unable to demonstrate that they have 5 years' worth of deliverable housing sites. The Framework states that in these circumstances, the policies which are most important for determining the application must be considered out-of-date. Consequently, permission should be granted unless any adverse impacts would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework as a whole.

Planning Balance

14. According to paragraph 213 of the Framework due weight should be given to existing policies according to their degree of consistency with the Framework. The LP Policies EM1, EM10 and SS6 in relation to the first main issue have substantial weight as development plan policies as they are not inconsistent with the Framework, with respect to the intrinsic character and beauty of the countryside. There would be further harm due to the location leading to further vehicle movements.

15. Set against the harm identified there would be limited social and economic benefits associated with the proposal.

16. Consequently, the adverse impacts on the housing strategy and of increasing travel by vehicles would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole. As a result, the presumption in favour of sustainable development does not apply.

Conclusion

17. The proposal would conflict with the development plan as a whole and there are no other considerations, including the provisions of the Framework, which outweigh this finding. Therefore, for the reasons given, the appeal should not succeed.

A Harwood

INSPECTOR