
Appeal Decision

Site visit made on 23 March 2021

by S Leonard BA (Hons) BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30 April 2021

Appeal Ref: APP/H1705/W/20/3264075

Land at Spriggs Mead, Ramsdell Road, Monk Sherborne RG26 5HS

- 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 and Mrs Roberts against the decision of Basingstoke & Deane Borough Council.
 - The application Ref 20/00519/FUL, dated 24 February 2020, was refused by notice dated 14 August 2020.
 - The development proposed is erection of a detached dwelling with integral garaging, with associated parking and garden land following demolition of all existing buildings on the site.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - The effect of the appeal scheme on the character and appearance of the area; and
 - The effect of the appeal scheme on the living conditions of the occupiers of Sunnyside, with particular reference to privacy and outlook impacts.

Reasons

Character and appearance

3. The appeal site lies on the north side of Ramsdell Road within open countryside outside the designated Settlement Policy Boundary (SPB). It has a tranquil, rural character, being occupied by a collection of single storey former agricultural/equestrian buildings, which are currently used for occasional storage purposes. They are finished in a mix of brick, tile, timber boarding and corrugated metal, and are positioned in a courtyard setting, with vehicular access from Ramsdell Road.
4. There are residential properties to both sides of the site, and on the opposite side of the road, including a two-storey dwelling known as Sunnyside to one side, which is attached to one of the existing buildings on the appeal site. A public footpath runs adjacent to the rear of the site.
5. The site lies on the western edge of the most built-up part of the village of Monk Sherborne. Whilst built development generally aligns with the village

roads, there is no regular arrangement of building positioning in relation to the road. Many properties are sited at an angle to their road frontages, and some are set back behind other dwellings. There are also a variety of property designs and materials within the site locality. Houses are generally set within spacious plots, and mature landscaping and trees feature prominently amongst the built development, including soft landscaped front gardens. The road edges are characterised by grass verges and mature hedging and trees. As such, the locality has a pleasant sylvan character.

6. The appeal site has a distinctly rural nature due to the late 19th century historic agricultural buildings. Although they have been notably altered since originally constructed, they have largely retained their original form and courtyard arrangement, and are a visual reminder of a more prevalent former agricultural character of the area. The positive contribution of the buildings to the rural character of the area has not been unacceptably diminished by their current state of repair. The presence of trees and mature shrubs on and adjacent to the site, and the partially grassed nature of the courtyard, also contribute to the pleasant, verdant rural character of the appeal site, so that the existing character of the site is wholly in keeping with its countryside location.
7. Due to a combination of their single storey height, massing, variety of design and roof form, and gap between two of the buildings, the existing former farm buildings appear as subservient in scale to the neighbouring two storey dwelling at Sunnyside. Whilst in separate ownership, the physical attachment of one of the barns to the side wall of Sunnyside and the orientation of the footprint of this dwelling in relation to the agricultural buildings, means that when viewed from the public realm, the buildings have the appearance of being subsidiary to that property. As such, the existing buildings sit comfortably on the site without eroding the spacious and loose-knit arrangement of residential built development which characterises this part of the village.
8. The proposed dwelling would comprise a significantly larger scale and massing than that of the buildings it would replace. Although the footprint and building layout has been designed to respect those of the existing farm buildings, the proposal would considerably erode the existing spacious character of the appeal site through the introduction of a continuous length of building around the proposed courtyard parking area. Whilst the new building would have similar eaves and ridge heights to those of Sunnyside and would be of a comparable depth, it would be considerably larger than that property. This is in part due to the extent of the proposed L-shaped two-storey element with an additional attached single storey element to the front. The proposed projecting front-facing gable feature and the two-storey cropped gable-ended front projecting element of the building would further serve to emphasise the visual dominance of the new building in contrast to the simple rectangular shaped property at Sunnyside.
9. Whilst noting that there is variety of dwelling designs and frontage treatments within the village, having regard to the specific circumstances of the appeal site and the appeal scheme before me, I find that, due to its combined height and massing, together with its 'wrap-around' continuous built form extending from the side of Sunnyside to the front of the appeal site, the proposed building would assume an unduly cramped, over-dominant, formal and enclosing relationship with the neighbouring property at Sunnyside. This would be at odds with the prevalent spacious arrangement of residential properties within

the site locality, detrimentally eroding the space that currently exists to the side of Sunnyside.

10. The resulting visual dominance of built form within the street scene would be compounded by the use of the courtyard as a parking area and the proposed positioning of the garden of the new dwelling behind the building, where it would not be readily apparent in views from the road. The result would be a detrimentally urbanising impact on the townscape of this part of Ramsdell Road, which would be out of keeping with its verdant rural nature.
11. For the above reasons, I therefore conclude that the appeal scheme would have a materially harmful impact on the character and appearance of the area. As such, it would conflict with Policy EM10 of the *Basingstoke and Deane Local Plan 2011 – 2029* (2016) (the Local Plan), which, amongst other things, requires new development to be of high quality and positively contribute to local distinctiveness, the sense of place and the existing street scene.
12. For similar reasons, the appeal scheme would be contrary to Chapter 12 of the *National Planning Policy Framework 2019* (the Framework), which requires well-designed places.
13. The aforementioned harm that I have identified to the character and appearance of area would not be outweighed or justified by the proposed vernacular design of the dwelling or the use of materials that are appropriate to the locality.

Living conditions

14. The Council's Appeal Statement confirms that the second reason for refusal relates to concerns about the impact of the development on the living conditions of the occupiers of Sunnyside, having regard to privacy and outlook impacts.
15. In respect of privacy, the Council's objection relates to overlooking of Sunnyside from the proposed roof lights on the south elevation, and first floor fenestration in the west elevation, of the new dwelling. Appropriate glazing details for the southern elevation roof lights to prevent overlooking of Sunnyside could be secured means of a planning condition. Notwithstanding this, the appellants have provided details of the proposed floor height of the rooms to be served by the roof lights, which demonstrates that they would be positioned sufficiently high up within the roof slope so as to negate the possibility of harmful overlooking to the adjacent property.
16. Views towards the outdoor amenity area of Sunnyside from the proposed first floor window and roof light on the west elevation of the new dwelling would be oblique. Such a juxtaposition of first floor windows and neighbouring gardens is commonplace within a built environment where there are neighbouring residential properties. Accordingly, and having regard to the bedroom and landing use of the rooms to be served by the fenestration, I am not persuaded that such impacts would be materially harmful to the privacy of the occupiers of Sunnyside.
17. The outlook from Sunnyside and the external amenity area to the front of this property would be changed by the proposal as a result of the replacement of single storey buildings with a largely two-storey building. However, this impact would not be unduly oppressive or overbearing having regard to the alignment

of the new building with the front wall of Sunnyside apart from a shallow projecting bay window element. Furthermore, the proposed separation distance between the front projecting element of the new dwelling and the boundary with Sunnyside, together with its roof design which would slope away from the courtyard, would combine to ensure that it would not result in an over-dominant impact on the outlook from the neighbouring property.

18. For the above reasons, I conclude that the appeal scheme would not materially harm the living conditions of the occupiers of Sunnyside, with particular reference to privacy and outlook impacts. As such, the proposal would accord with Local Plan Policy EM10, in so much as this policy seeks to ensure that development proposals provide a high quality of amenity for occupants of neighbouring properties, having regard to such issues as overlooking and outlook.
19. This is generally consistent with paragraph 127 of the Framework, which seeks to ensure that developments will function well and promote a high standard of amenity, health and well-being for existing and future users.

Planning Balance

20. The Council has confirmed that, with the addition of a 5% buffer in accordance with the Housing Delivery Test 2020 (HDT) published in January 2021, it cannot demonstrate a 5-year supply of deliverable housing sites as required by the Framework. It has confirmed that it is able to demonstrate 4.44 years of deliverable housing land supply. As such, there is an undisputed undersupply of deliverable housing sites within the Borough. Furthermore, whilst not yet acute, the housing land supply has reduced from a figure of 4.86 the previous year.
21. Paragraph 11 of the Framework sets out that decisions should apply a presumption in favour of sustainable development, and that, under criterion d), where the policies that are most important for determining the application are out of date, planning permission should be granted unless: i) the application of policies within the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.
22. Under sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, (the Act), I am, as the decision maker, required to consider the effects of the development on the designated heritage assets of several listed buildings and the Monk Sherborne Conservation Area (MSCA) which lie within the site vicinity.
23. In determining the application, the Council concluded that there would be no harm to the significance and setting of the two closest Grade II listed buildings at Jonathan's Thatch and Lilac Cottage/Fayreleigh which are located west of the site on opposite sides of Ramsdell Road. Based on my site visit, which also included a consideration of the separation distances between the appeal site and these listed buildings and intervening built development, I have no reason to disagree with the Council in respect of this matter. I also find that there would be no harm to the significance and setting of the MSCA, which is located to the east of the appeal site beyond the junction of Ramsdell Road and Kiln

Lane and is separated from the appeal site by the sites of several residential properties and their associated built development.

24. I find that these are matters of neutral consequence in the overall planning balance, and that the proposal is not, therefore, contrary to paragraph 11 d) i) of the Framework in this respect. Accordingly, the appeal site is not subject to policies in the Framework that protect areas or assets of particular importance that provide a clear reason for refusing the development. Therefore, given the lack of a 5-year housing land supply, paragraph 11 d) of the Framework is engaged.
25. There would be benefits arising from the proposal. An additional dwelling would make a very modest contribution towards addressing the housing supply deficit, and could be built-out relatively quickly, having regard to paragraph 68 of the Framework. It would deliver economic benefits during the construction period. Additional expenditure by new residents would help support services in the village and in nearby settlements. The dwelling could incorporate sustainable aspects, biodiversity enhancements and additional soft landscaping. However, as the appeal scheme is only for one dwelling, these benefits would be modest.
26. Having regard to the location of the site, I concur with the Council's view that the proposed development does not accord with Local Plan Policies SS1 and SS6, which set out the Council's spatial strategy for new housing and the exceptional circumstances under which new housing would be permitted in the countryside, noting that there is no cogent evidence before me that the existing buildings have been lawfully used for equestrian purposes, and that, as agricultural buildings, the site does not fall within criterion a) of Policy SS6 as it is not classed as "previously developed land".
27. The proposed dwelling would not be in an isolated location, having regard to the proximity of the site to the built-up core of the village and neighbouring residential properties. Whilst there would be a high reliance on the private car to access day to day facilities and services due to limited provision within Monk Sherborne and poor access to public transport networks, the Framework recognises that opportunities to maximise sustainable transport solutions will vary between urban and rural areas. Therefore, in the planning balance, I consider that the issue of the conflict with Policies SS1 and SS6, in relation to the new house being outside of a settlement boundary, as an issue where any harm does not significantly or demonstrably outweigh the benefits.
28. The Council has raised no objection to the appeal scheme in respect of matters including biodiversity, highways, parking and refuse, trees, drainage, flooding and contaminated land. On the basis of the evidence before me, neither do I. In terms of the planning balance, I find that a lack of identified harm in respect of the above matters, in addition to my findings that there would be no harm to neighbouring living conditions, would comprise a neutral factor.
29. However, for the reasons set out above, I conclude that the appeal scheme would have a harmful effect upon the character and appearance of the area. This would conflict with the requirements of the Framework to achieve well-designed places. Having given careful consideration to the balance of factors, I consider that, when assessed against the policies of the Framework taken as a whole, this harm would significantly and demonstrably outweigh the benefits of

the proposed development. Therefore, the presumption in favour of sustainable development in paragraph 11(d)(ii) does not apply in these circumstances.

Other Matters

30. I have noted that the appeal scheme represents an amended proposal following discussions with the Council, including the lowering of part of the roof ridge height and the replacement of dormer windows with roof lights. However, this does not alter my findings in respect of the current proposal, which I must consider on the merits of the scheme before me.
31. Neither are my conclusions altered by the fact that the Officer Committee Report recommended approval, since the Council's decision is one which is a matter of judgement. The Council Members in this case were entitled not to accept the professional advice of Officers so long as a case could be made for the contrary view.
32. Whilst I have given careful consideration to the reasons for the appellants' desire to downsize to a smaller property whilst remaining in the village, I am mindful of the advice contained in Planning Practice Guidance¹ that, in general, planning is concerned with land use in the public interest. It is also probable that the proposed development would remain long after the current personal circumstances cease to be material. For these reasons, I therefore find that this factor is not sufficient to outweigh the aforementioned harm that I have found in respect of the first main issue and the conflict with the development plan and the Framework.

Conclusion

33. For the reasons given above, I conclude that the appeal should be dismissed.

S Leonard

INSPECTOR

¹ Paragraph 008 Reference ID 21b-008-20140306 – 'What is a material planning consideration?'