
Appeal Decision

Site Visit made on 2 August 2021

by Martin Chandler BSc, MA, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16 September 2021

Appeal Ref: APP/H1705/W/21/3267011

Land at Ball Hill, Newbury, RG20 0NS

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal for permission in principle.
 - The appeal is made by Mr Charles Woodhead, on behalf of Greatworth Property Managers Ltd against the decision of Basingstoke and Deane Borough Council.
 - The application Ref 20/03045/PIP, dated 30 October 2020, was refused by notice dated 8 December 2020.
 - The development proposed is Permission in Principle for residential development for up to four dwellings (Use Class C3) on land at Ball Hill, Ball Hill, Newbury, Hampshire, RG20 0NS.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The scope of 'permission in principle' (PiP) is limited to location, land use, and amount of development. Issues relevant to these 'in principle' matters should be considered at the PiP stage, whereas other matters should be considered at the technical details consent stage.

Main Issues

3. The main issues are:
 - i) whether the appeal site accords with the locational requirements of local policy; and
 - ii) the effect of the proposal on the character and appearance of the area.

Reasons

Location

4. Policy SS1 of the Basingstoke and Deane Local Plan (2016) (LP) establishes the scale and distribution of new housing within the district. It confirms that sites which lie outside of defined Settlement Boundaries will be considered to lie in the countryside wherein the requirements of Policy SS6 will be relevant. This policy identifies a series of requirements for new housing, with the proposal seeking to demonstrate that it is a small scale residential proposal of a scale and type that meets a locally agreed need.
5. The evidence before me does not confirm a locally agreed need. Matters relating to general housing supply in the borough will be considered below, however, based on the evidence before me, the proposal is in direct conflict

with the requirements of Policy SS6. As a consequence, there is no need to assess the proposal against the three criteria relevant to part 'e' of the Policy.

6. Accordingly, I conclude that the proposal would fail to accord with the locational requirements of the LP. It would therefore fail to comply with Policies SD1, SS1 and SS6 of the LP which promote sustainable development and seek to control new housing in the countryside.

Character and appearance

7. The appeal site constitutes an undeveloped parcel of land bounded by mature vegetation. It has existing residential development to the north and south, with open fields to the east and west. The site fronts onto a narrow carriageway that is lined by mature landscaping. Due to its width and the presence of generous vegetation, the road has a semi-rural character which is punctuated by the presence of dwellings, primarily on its eastern side. The site is also located within the North Wessex Downs Area of Outstanding Natural Beauty (AONB). Based on the evidence before me, it is not a particularly prominent parcel of land and it does not form a significant part of important views or vistas into, or within, the AONB. However, views of the site can be achieved and it is prominent within its immediate context. Accordingly, in my judgement, the value of the appeal site to the AONB derives from its contribution to the semi-rural character of the surrounding area which itself contributes in a positive manner to the AONB.
8. In this regard, the appeal site makes an important contribution to this character due to its undeveloped nature and the space that it provides between dwellings. As a consequence, the appeal site is entirely consistent with the prevailing development pattern of the surrounding environment, with houses and undeveloped gaps creating a somewhat disjointed ribbon form of development, without prolonged built-up frontages.
9. The proposal would introduce up to four new dwellings onto the site. Accordingly, although specific numbers and site layout information would be dealt with as technical details, the site would demonstrably change from an undeveloped parcel of land and generous gap between dwellings, to a developed space with associated domestic items such as vehicles, hardstanding, and potential outbuildings. In addition, it would likely infill much of the space that currently exists between dwellings. Consequently, rather than contributing to the important and prevalent gaps between buildings, the proposal would introduce a more prolonged frontage of dwellings, at odds with the more intermittent built form. The use of appropriate landscaping and boundary treatments could soften this impact, however, I find that the loss of space between buildings would be to the detriment of the semi-rural qualities of the surrounding environment.
10. For the above reasons therefore, the proposal would contrast with the prevailing pattern of development in a manner that would be harmful to the semi-rural character and appearance of the surrounding area. This in turn would cause some modest harm to the AONB. I note the view of the appellant regarding the danger of overstating the impact on the AONB, and I also note the findings of the appeal decisions that have been brought to my attention. However, Paragraph 176 of the National Planning Policy Framework (the Framework) requires great weight to be given to conserving and enhancing

landscape and scenic beauty in AONB. Accordingly, despite the modest level of harm in this regard, this matter weighs heavily against the proposal.

11. Therefore, for the reasons identified above, I conclude that the proposal would harm the character and appearance of the surrounding area. As a consequence, it would fail to comply with Policies EM1 and EM10 of the LP, as well as guidance contained within the Landscape, Biodiversity and Trees Supplementary Planning Document (2018) and the East Woodhay Village Design Statement. Taken together, these seek amongst other things, high quality development proposals that are sympathetic to the character and visual quality of the surrounding landscape.

Planning Balance

12. The Council cannot currently demonstrate a five year supply of deliverable housing sites. Accordingly, Paragraph 11 of the Framework is relevant to my assessment of the proposal. This is the presumption in favour of sustainable development which states that where the policies which are most important for determining the application are out-of-date, permission should be granted, unless the application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed.
13. Footnote 7 of the Framework confirms that policies relating to the AONB can provide a clear reason for refusing planning permission. Even though the harm would be modest, when giving great weight to this matter, in my judgement, this provides a clear reason for refusal.
14. Even if I were not to arrive at such a distinct conclusion, when giving great weight to the harm to the AONB as well as some moderate weight to the locational shortcomings of the proposal, I am entirely satisfied that the adverse impacts of allowing the appeal would significantly and demonstrably outweigh the benefits of the proposal, when assessed against the policies in the Framework taken as a whole. When considering the benefits of the proposal, I include the small but useful contribution to local housing supply, as well as the economic benefits associated with construction jobs and ongoing additional expenditure within the local economy with support for local facilities and services. However, due to the scale of the proposal, these matters only attract limited weight in favour of the appeal.
15. Consequently, for the reasons identified above, the presumption in favour of sustainable development does not apply to this proposal.

Conclusion

16. The appeal should be dismissed.

Martin Chandler

INSPECTOR