



Appeal Decision

Inquiry Held 28 September to 1 October 2021

Site Visit made on 12 October 2021

by Janet Wilson BA BTP MRTPI DMS

an Inspector appointed by the Secretary of State

Decision date: 9 November 2021

Appeal Ref: APP/H1705/W/21/3274922

Land west of Pond Close, Overton, Hampshire RG25 3LY

- 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 Bargate Homes and Vivid Homes against the decision of Basingstoke and Deane Borough Council.
 - The application Ref 20/02375/OUT, dated 27 August 2020, was refused by notice dated 19 February 2021.
 - The development proposed for an outline planning application with all matters reserved except access for 75 dwellings, open space, allotments, landscaping, and access via Sheep Fair Lane.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The proposal seeks outline planning permission with all matters reserved except access. The application was accompanied by a parameters plan, an access plan, and a plan indicating steps beyond the appeal site linking the development to the public footway at 'Dellands'. A concept masterplan showing how the parameters might later be worked up in more detail was also submitted but is illustrative only.
3. However, as the number of dwellings is fixed at 75, and to give some credence to the illustrative site plan it locates the built form of the proposal in the eastern and southern parts of the site. The Inquiry focused on these locations including the extent and position of the proposed open space in the consideration of the landscape and visual effect of the proposal, matters which are addressed below.
4. The National Planning Policy Framework (The Framework) was updated and published on 20 July 2021. The parties referred to this document extensively in evidence and at the Inquiry. For the sake of clarity any references in this decision refer to the July 2021 version.
5. The Secretary of State has concluded, in line with the original conclusion of the Council, that the proposal would not represent EIA development within the meaning of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended) and thus an environmental statement is not required. I have no reason to disagree with the Secretary of State's conclusion on this matter.

6. Two statements of common ground were agreed between the main parties. The first relating to general matters and the second relating solely to matters of Housing land supply.
7. The Council clarified in its statement of case that reason 1 in its decision notice should have referred to the Neighbourhood plan policies H1, H3 and LBE1. The appellants raised no objection to the inclusion of these policies which were referred to in the officers report and I have considered the appeal in the light of these policies.
8. The Council confirmed that agreement had been reached on the wording of a legal agreement which would address the matters highlighted in the second reason for refusal. On this basis the Council and the appellants reached common ground with the Council no longer pursuing the second reason for refusal. This decision reflects that change in position.
9. The Inquiry sat for 4 days. An unaccompanied site visit was undertaken following the close of the inquiry and observations from all viewpoints identified by the main parties and those identified by representors.

Main Issues

10. The main issues are:

- Whether the appeal site is a suitable location for housing in the context of the development plan and national policy.
- The effect of the development on the character and appearance of the surrounding area with reference to landscape character, scenic character, and visual quality.

Reasons

Development plan

11. The site lies outside the settlement boundary of Overton though within the Overton Neighbourhood Plan area. For the purposes of planning policy, the appeal site lies within the open countryside.
12. The adopted development plan comprises the Basingstoke and Deane Local Plan 2011-2029 (2026) (BDLP) and the Overton Neighbourhood Plan 2016 to 2029 (2016) (NP). The plan outlines that new homes will be built in and around the edge of the Borough's main settlements, focusing growth primarily around Basingstoke and the larger settlements of which Overton is one. Policy SS1 of the BDLP sets out a spatial strategy to deliver the Borough's housing requirement through a combination of capacity within settlement boundaries, local plan allocations and land allocated through the neighbourhood planning process. It also provides that new housing can be considered outside of defined Settlement Boundaries where such development would meet criteria set out in the other policies in the plan or where it is essential for the proposal to be located in the countryside.
13. Policy SS5 of the BDLP states that it will be necessary to identify at least 150 homes in and around the defined Settlement Policy Boundaries of Overton which the NP indicated in 2016. The appeal site was identified as a potential reserve housing site however it was not subsequently removed and does not

- appear as an identified housing site in the development plan including within the 'made' NP.
14. Policy SS6 addresses new housing in the countryside listing specific criteria to be met. For the purposes of this appeal these include ensuring that development: is not significantly visually intrusive in the landscape; respects the qualities of the local landscape; and would be sympathetic to the character and visual quality of the area.
 15. The NP 'made' in 2016, forms part of the Development Plan though for the purposes of housing it is of an age beyond which it would afford protection from development as defined in paragraph 14 of the Framework. That said, it does not mean that the provisions of the NP are afforded no weight. The appeal proposal does not expressly conflict with the wording of NP policy H1 which addresses development within settlement boundaries and on allocated sites, neither of which apply to the appeal site. Similarly, whilst the NP identifies sites for 150 dwellings, it is important to note that the BDLP requirements indicate 'at least' 150 dwellings are to be delivered whereas the NP indicates approximately 150 dwellings.
 16. The Council confirmed at the Inquiry that it *'does not take an in-principle objection to the appeal site being outside its Settlement Policy Boundaries'*. However, that position is subject to compliance with criteria in other relevant policies.
 17. Policy EM10 is applicable but only in so far as it relates to whether the development contributes to local distinctiveness and a sense of place. These are matters which, in this instance, would be determined at a detailed stage and I do not find any fundamental conflict with Policy EM10 of the BDLP.
 18. The provisions of Policy EM1 of the BDLP and Policies H3 and LBE1 of the NP require applications for residential development to be sympathetic to the character and visual quality of the area, respect, enhance and not be detrimental to the character or visual amenity of the landscape; they should respond positively to the character of the area and the landscape.
 19. Taking all of the above into account there would be some conflict with Policies SS1, SS5 and SS6 of the BDLP, points which are not disputed between the appellants and the Council. Consequently, the outcome of the appeal will turn on the effect of the development on landscape character, and on the scenic and visual quality of the area as required by Policies EM1 of the BDLP and H3 and LBE1 of the NP. These are assessed below.

Character and Appearance

Landscape Character

20. The appeal site falls partly within the Hampshire Downs National Character Area where the site is characteristic of the open rolling landscape dominated by large arable fields with scattered woodland blocks. The site also spans two local landscape character areas within the Hampshire Integrated Character assessment these being (3B) the Test Valley Landscape Character Area and (7B) the Hannington and Dummer Downs Landscape Character areas. Features of note are the elevated plateau and the network of distinctive and ancient droving roads and trackways which are established well used Public Rights of Way (PROW)

21. The open nature of the appeal site allows it to be experienced as part of the wider fabric of rolling verdant fields extending both west and south. The topography of the site rises moderately from North to South with the upper part on a plateau, the fields slope down from the middle part of the site towards Dellands. The appeal site is set in a landscape which is surrounded by rural features on three sides and exhibits a strong rural character. Although housing runs along the full length of the eastern side this serves as a clear demarcation between settlement and countryside. In its current form it offers an experience of nature and the countryside immediately adjacent to the settlement edge. Taking these factors into account it is a landscape which is sensitive to change.
22. Save for the residential edge of the village at Paultons Close, Pond Close and Seven Acres, built development is not characteristic in the localised landscape experienced. This is particularly so to the west and south of the appeal site. The settlement edge is prominent from the appeal site however the topography of the surrounding area means that the main part of the settlement of Overton is not readily visible being set on the lower slopes of the valley beyond.
23. In changing from an open agricultural field to a built form of development there will inevitably be an effect both on and beyond the site. It is the magnitude and consequences of the change which is disputed between the parties.
24. In respect of the character and appearance issues, my findings are reached within the context of the various interpretations set out in the Council's LVIA¹ and the two LVIA assessments² produced by the appellants. It also considers the views from a range of geographical points set out by the parties which I experienced first-hand on my site visit.
25. The parties differ significantly in terms of their assessment of the landscape impacts of the development. The Councils position is one of major to moderate adverse impact whereas the appellants argue that there will be a major net beneficial effect with no material impact on the surrounding landscape character. Such diametrically opposing views were discussed at length in examination in chief and cross examination.
26. There was debate at the inquiry regarding aspects of the methodology and a great deal of discussion around viewpoints. For the avoidance of doubt and from what I have read, heard, and seen from my visit, I am satisfied that I am able to reach a view on this matter and the approach of both parties largely follows the guidelines contained within GLIVIA even though the conclusions differ.
27. It was accepted by the appellants landscape witness in cross examination that he had not considered a number of landscape elements when reaching his conclusion that there would be an overall net benefit arising from the development. When pressed he was unable to point to references in his proof or LVIA to support that position and his conclusions are at odds with the appellants original assessment. Moreover, the Pegasus LVIA assessment did not expressly assess tranquillity nor the quiet enjoyment of the landscape from public rights of way which are requirements of policy EM1. This was argued to

¹ Lockhart Garratt (August 2021)

² Terrafirma (July 2020) and Pegasus August 2021)

be an incomplete picture and the omissions were almost all factors identifying adverse impacts in the appellant's first LVIA.

28. The appellants landscape evidence was, in parts, disjointed and inconsistent with contradictory positions taken between evidence given orally and that in the written evidence particularly relating to the benefits of new opportunities for access to existing public rights of way. Furthermore, inconsistencies in methodology were identified. It could not be explained in what circumstances a low value would be attributed when a medium value had been attached to a water feature which did not yet exist. A further inconsistency was evidenced in the double counting of the benefit attributed to trees and hedgerows which were in fact considered together in the appellant's LVIA and proof of evidence. Consequently, the appellants landscape evidence applied an incomplete analysis which was premised on the loss of arable fields and tree planting as opposed to the effect of the built form of 75 houses on landscape character. Taking these matters together they undermine the veracity of the appellants landscape evidence and I have found the Councils evidence on this matter to be more reliable.
29. The appellants identified anomalies with the Councils photographs. They raise criticisms that some were taken from within the appeal site and not from the sunken lanes. The suggested consequence of this being that the impact was overplayed. The Council argued that a major to moderate adverse effect would occur from five listed receptors. I saw my site visit all of the points identified. Though I disagree as to the Councils conclusion on the extent of the effect on views from the access track to Turrill Hill Farm which I judge to be overemphasised, I agree with the Council that the effects on residents of Poulton Close, Pond Close and Seven Acres as well as users of the sunken lanes would be moderate to major.
30. The appellants describe the site as unremarkable with no noticeable features and that the area is not subject to any statutory protection neither is there any particular landscape designation provided in the current development plan. The appeal site does not form part of a 'valued' landscape in the context of Framework paragraph 174 a), but that is not to say that it is not valued by the local community. The site lies in the countryside which is valued by local residents and where its intrinsic character and beauty should be recognised in accordance with paragraph 174 b) of the Framework. In this regard I find that the appellants contention that there would be a landscape and visual benefit as a result of the proposal, to be less than credible.
31. Reference was also made by the appellants to the landscape being at the bottom of the hierarchy referred to in paragraph 174 of the Framework, even so, it is acknowledged by both parties that the value in the receiving landscape and any harm to its intrinsic beauty must be taken into account.
32. The appellants refer to paragraph 175 of the Framework however this reference relates to the allocation of sites which is not relevant here. In any event paragraph 175 indicates that land should be allocated where it has the least environmental or amenity value which I do not find applies to the appeal site.
33. There is little dispute that the boundaries of the site with the exception of part of the western boundary, which is set away from the sunken lane, represent mature boundaries. Nonetheless development of the site would be set in the

- upper and eastern parts of the field which are the highest and most exposed parts of the site. The existing planting on the field boundaries, would not sufficiently mitigate the effect of the built form proposed. It would, for these reasons have a significant and irreversible effect on the landscape character.
34. I found on my visit to the numerous viewpoints that the impact on landscape character would conflict with the terms of policy EM1 resulting in harm to the experience of users of the sunken lanes and by the occupiers of adjacent residential properties. Development here would cause significant and harmful change to landscape character.
35. The appellants argued that the site is unremarkable and that the edge of the settlement is unappealing. Moreover, the development has the potential to improve this unappealing edge bringing tangible and visual benefits. I did not find that the existing edge of the settlement to be devoid of planting nor that it was visually unappealing. The intended tree planting indicated on the illustrative plans be insufficient so as to improve the appearance by forming a more attractive settlement edge. There is sufficient existing planting along the existing settlement edge to soften the character such that the benefit of additional planting is, to my mind, overstated.
36. There is a strong relationship between the site and the settlement edge and the appeal site forms an important buffer between Overton and the sunken lanes. Development of the size proposed would significantly intrude into this open area and would compromise the unspoilt rural charm of the site. This would result in harm to its character and a loss of aspect within, across and out of the site thereby harmfully affecting its distinctive rural character. In this regard I agree with the Council that the farmland is more effective in respecting the tranquillity required by policy EM1. For these reasons the development would be materially harmful to the character of the settlement in this part of Overton and to the experience of the users of established historic PROWs.
37. The appellants argue that some 6.25 hectares is given over to the provision of green infrastructure with only 3.14 hectares proposed for built development. That may be the case, however the new position of the village edge would, in my view, be highly conspicuous. Whilst the open space would provide a green buffer it would not be sufficient to mitigate the harm to the landscape which would result from the development.
38. In landscape character terms the development would conflict with the requirements of Policy EM1 and would fail to recognise the intrinsic character and beauty of the countryside as required by paragraph 174b of the Framework to this extent there would be conflict with both the development plan and the Framework to which I attach substantial weight.

Scenic and Visual quality

39. The appeal site comprises open agricultural fields the southern half of which lies on an elevated plateau. The northern half of the appeal site falls away with a levels difference in excess of 10 metres below the plateau.
40. Land to the west is also open farmland with intervening and substantial vegetation either side of an established and well used public footpath referred to as a 'sunken lane' which is generally lower than the appeal site by a metre or more. This route is connected to another 'sunken lane' which borders the

northern boundary of the site and which is lower again by around two metres. To the east the appeal site is immediately adjacent to established residential development at Pond Close, Paultons Close, and more recently completed housing at Seven Acres, these developments form the settlement edge in this part of Overton.

41. The appeal site is not crossed by any PROW. There are however acknowledged desire lines which are clearly in regular use and which were described by the parties as both tolerated trespass and permissive routes. These desire lines provide clear connections from Paultons Close, Pond Close and Seven Acres to the wider countryside and in particular to the pattern of sunken lanes which run along the northern part of the site and parts of the western boundary. These lanes have what the appellants describe as 'embowering vegetation' which is part of their charm as rural lanes. Nonetheless users of these lanes are afforded intermittent views across the site from where the existing village edge is visible as users move along the lanes.
42. The appeal proposal would create a new village edge significantly closer to the sunken lanes on the western and northern sides of the site. In this regard the views of built development from these lanes would be far more obvious even though seen intermittently through vegetation, which is acknowledged, in some places to be very dense. This screening is shown as being strengthened by further planting across an area of public open space. The effect of additional planting as indicated in the illustrative masterplan would not adequately screen the inevitable bulk and massing of 75 houses. The screening that exists could be strengthened by further planting within the public open space, details of which could be agreed at the reserved matters stage, but this would not sufficiently overcome the harmful effect which the development would have on the scenic and visual quality of the site.
43. Notwithstanding the intention to set dwellings back from the western edge of the site, and to supplement the proposed open space with additional landscaping, the development would be obvious in the landscape. The new housing would occupy the upper parts of the field which would be highly visible from the existing development, from established and well used footpaths and from medium and longer-range views. It was argued that longer range views of the development would be limited though it was clear to me from walking the site that the southern half in particular had panoramic views to the north. Consequently, development on the site would be conspicuous in the landscape across a wide area and would not integrate well, thereby compromising the scenic and visual quality of the site and surroundings.
44. The development would be an urbanising feature, which would appreciably erode the visual qualities of the field as an open and positive rural landscape feature in this part of Overton. It is not disputed that within the 6.5 ha of open space proposed it would be feasible to undertake additional planting. Even so, the topography of the site would render the effectiveness of that planting to be of limited function in screening the built form which would result from 75 dwellings. Whilst the detailed layout and design remains to be determined, it is difficult to conceive of a detailed proposal that would not significantly impinge on what is currently an appealing rural view devoid of any built form.
45. The wider sense of openness from this upper part of the site extending northwards towards the valley slope would be adversely encroached upon.

There would be significant harm to the visual amenity and rural connectedness provided by this site and its function in the wider landscape and to the quality of the landscape afforded to residents in adjacent properties and to users of the network of local PROWs.

46. In coming to my conclusions, I have carefully considered the differences between the professional landscape witnesses on a range of matters, including landscape and scenic quality. A number of these are matters of professional opinion. In addition, there are some areas of the appellant's approach which were explored at the Inquiry and which the Council argued weakened the appellant's position.
47. In the wider context I was pointed to a number of positions in the landscape to the north of the settlement indeed walked the extent of the Harrow Way from its intersection with the B3105 as far as the Northfield Plantation located north of Laverstoke Park. Along this route views south are very much limited by extensive vegetation such that there appeared limited appreciable viewpoints of the site from the Harrow Way.
48. I also walked the permissive path adjacent to Courts Drove as requested by representors. Whilst this route has open views to the South in the direction of the appeal site the land is seen against the context of the valley side and views from this location to the appeal site would be transitory with the appeal site not particularly noticeable. Nonetheless it is very evident when standing on the appeal site that the vista north is extensive and development on this site would be visible from the wider landscape even if not from the public footpaths identified.
49. From viewpoints close to the railway line at Quidhampton³, from part way along the B3105⁴ and from the railway bridge adjacent to South View Cottages from these points I found that there would be very distant views framed by the foreground development of the village, such that any degree of adverse visual impact from these locations would be very small.
50. Notwithstanding my findings on the wider viewpoints, I find that the impact of the development closer to the site to be harmful for the reasons given. Consequently, the development would conflict with Policy EM1 of the BDLP and to policies H3 and LBE1 of the NP and to the provisions of paragraph 174 of the Framework which seeks to protect the intrinsic character and beauty of the countryside and the wider benefits of natural capital. These are factors to which I afford substantial weight.

Other Matters

51. It was argued in submissions that whilst the site is unallocated this should not be seen as adverse to its credentials as a suitable site for housing. This was argued given the findings of the landscape capacity study and the work undertaken in the Neighbourhood planning process all of which identified the site as suitable for housing, and which, the appellants argued, also considered its performance in terms of landscape and visual impact. Whilst these documents outline historical considerations the fact remains that the site is not allocated as a result of these processes and the development plan

³ Viewpoints 22 and 21

⁴ Viewpoint 20

considerations are undiminished by this history such that the site is not one identified by the NP.

52. The appellants highlight that the Council's Strategic Housing and Economic Land Availability Assessment 2020 (SHELAA) identifies the appeal site as available and likely to be achievable, neither did it raise technical matters other than those relating to nitrates and river catchment areas. It notes historic landfill adjacent to the site and the mineral safeguarding area neither of which were considered by the Council to prevent development on the appeal site. The appellants also note that all 14 sites that have been considered for Overton lie outside the settlement boundary and therefore the appeal site ranks equally with all others. These factors are noted but they do not alter the conclusions reached through the NP process neither do they alter my findings on the main issues. These are, in any event, matters which are more appropriately addressed in relating to the review of the local plan.
53. Other references have been made to the emerging local plan however this has not reached a sufficiently advanced stage of preparation such that it has a bearing on the outcome of this appeal.
54. My attention has been drawn to appeal decisions by both parties including those at Burghclere, Oakley and Bramley where significant weight had been attributed to the provision of housing, open space, biodiversity gain and economic benefits and also the weight to be given to development plan where housing policies were out of date. As the issues in this case are primarily character and appearance matters, I cannot be certain that the detailed context or circumstances of the cited decisions are such that they set a precedent that I would be bound to follow. In any event whilst the emphasis placed on the importance of consistency in decision making is understood, each decision must be determined on its own merits based on the evidence.
55. The matter of the impact of the development upon the North Wessex Downs Area of Outstanding Natural Beauty (AONB) has been raised. However, it was made clear in evidence that it was no part of the Council's case that there was any allegation of harm to the setting of the AONB. It was evident that long range views from the site towards the AONB are afforded and that consequently views from that landscape would enable views towards the site in the context of rising land to the south. However, I have found harms to arise from positions more localised to the appeal site than from the AONB.
56. Local representations highlighted concerns with the use of a private access road to service the site via Seven Acres which though constructed to an adoptable specification is not an adopted highway. However, there is no highway objection to the proposed development and no substantive evidence before me which would demonstrate that the proposed access via the currently privately maintained access road, could not serve as a satisfactory access for the appeal scheme and as such this does not alter my conclusions.

Benefits

57. The 75 dwellings would make a significant contribution to the provision of housing locally. The provision of market homes and family housing would help improve the housing mix and balance within a part of the Borough through a policy compliant proportion of social housing. These are matters to which I attribute substantial weight as a planning benefit particularly in an area of high

housing demand and especially at a time when the construction of housing will be an important driver in economic recovery after the COVID-19 pandemic.

58. The development would generate employment during the construction period over several years. Furthermore, there would be a reliance on associated goods and services that would help support local businesses and tradespeople. The new population would generate additional income that would increase spending in the local economy and support local shops and services. These are economic advantages to which moderate weight should be attributed.
59. The development would include an area of open space of 6.5 ha. which is in excess of the Local Plan requirement for this size of development, the provision of allotments and linkages to the wider network of public rights of way (PROWs) would also be a benefit however there are routes across the site which appear well established as access points to the PROWs. The development would afford public access to this space on a formal basis however these benefits are of limited weight set against the permissive or tolerated access routes which are clearly evident on the site.
60. Biodiversity net gain, argued to be 27% and far in excess of any current requirement, would be a benefit. However, given that this would be a requirement of any development by virtue of Policy EM4 the benefit is of limited additional weight in the overall balance.
61. Benefits accruing from the provisions of the Unilateral Undertaking are necessary to make the development acceptable in planning terms. Therefore, I consider that the Obligation would meet the policy in paragraph 57 of the National Planning Policy Framework. However, aside from the delivery of affordable housing (to which I attach significant weight), the agreement provisions are essentially required to mitigate the effect of the development. Though I recognise that the public open space would be of some benefit to the wider public, the provisions are required as mitigation measures and are therefore afforded limited positive weight in favour of the scheme.
62. Emphasis has been drawn to the appellants standing as one of the largest affordable housing providers in the area and that they would be able to proceed to build as soon as conditions are discharged. Whilst this is acknowledged the development is not tied to this developer nor is the provision of affordable housing at a level above that required by the local plan. Had a greater proportion of affordable housing been provided then additional weight would have been attributed to that provision. As such the position of the appellant it is of neutral weight in my deliberations.

Housing land supply

63. Whilst it was common ground that the Council could not demonstrate a five-year supply of deliverable housing land the parties could not agree on the extent of the shortfall. The Council argued a 4.83-year supply and the appellant 4.2 years. The difference focused on the definition of 'deliverable' as set down in the Framework and related to a small number of sites. It became clear during the round table session that the Council's confidence placed in the delivery of some of the listed sites was over optimistic, but not in all cases. In practice this means that the supply figure would be lower than that expressed by the Council but not to the extent that the appellants set out.

64. My attention was drawn to case law which highlighted that the extent of the shortfall is relevant to the planning balance. It was argued in evidence that the position within the range set out was immaterial for the purposes of this decision. Whichever of the two figures is preferred, or any position in between, moderate weight must be attributed to that shortfall a position which weighs in favour of the scheme.
65. Notwithstanding the difference in positions on the extent of the shortfall, it is not disputed by either main party that the tilted balance is engaged and therefore policies which are relevant to delivery of housing, and therefore amongst those most important for determining the appeal proposal, are out-of-date and paragraph 11 (d) of the Framework is engaged.
66. Paragraph 14 of the Framework states that in situations where paragraph 11(d) applies, that a conflict with the NP would be likely to significantly and demonstrably outweigh any benefits, subject to requirements defined at (a) to (d) of paragraph 14. Such protection would only apply up to two years from the 'made' date of the neighbourhood plan which in the case of the Overton NP was 2016. Nonetheless, when taken as a whole the appeal scheme would be incompatible with the strategy contained within the NP and would deliver housing that is neither anticipated nor sought by the NP.

Planning Balance

67. The starting point for any planning decision is Section 38(6) of the Planning and Compulsory Purchase Act 2004 which requires decisions to be made in accordance with the development plan unless material considerations indicate otherwise, this includes the NP. Development which would conflict with and undermine the strategy of an approved development plan and the Framework when read as a whole would, in planning terms, be harmful.
68. The relevant approach in the Framework is, where the policies which are most important for determining the application are out of date is to grant permission unless the adverse impacts of granting permission would significantly and demonstrably outweigh the benefits when assessed against the Framework policies when taken as a whole, this is often termed as the tilted balance.
69. The proposal would be on greenfield land outside the settlement of Overton and in this regard, it would not accord with the spatial strategy in the development plan. However, bearing in mind the housing land supply position, this aspect of policy conflict is a matter to which I afford limited weight.
70. Nevertheless, and notwithstanding the relatively good accessibility credentials, of the development site, I have found that development would not integrate well with the settlement of Overton in visual terms and would be obtrusive in the wider landscape leading to encroachment into the countryside in conflict with Paragraph 174a of the Framework. Whilst it was common ground that the development would not affect a landscape designated as 'valued' it would nonetheless significantly affect the setting of the settlement harming views across, within and out from the site. As such development of the scale proposed would be materially harmful to the setting of the settlement and to the experience of users of the established PROWs.
71. Development on the site would conflict with an important strategic objective of the Development Plan in both the Local and Neighbourhood plans; a position

which is supported by the Framework commitment to recognising the intrinsic character and beauty of the countryside. This is a matter to which I give full weight.

72. There is no doubt that the appeal scheme would offer substantial benefits as I have outlined above. However, there would also be very substantial harm. I find that the appeal scheme would undermine the Council's plan-led approach to the delivery of housing including that set out in the NP which was prepared positively to deliver the requirements of the Local Plan and which identifies sufficient allocations to accommodate the necessary growth in line with local aspirations for the village within the plan period.
73. The basket of benefits weighs towards the positive side of the tilted balance. However, I have found that those benefits are significantly outweighed by the permanent and irreversible harm which would be caused to the localised landscape adjacent to the settlement edge which would harm the character and appearance of the area and the scenic character and visual quality of this part of Overton.
74. Taking all these matters together including all other matters that have been raised the adverse impacts on the landscape character, scenic character and visual quality would significantly and demonstrably outweigh the benefits of the development when assessed against the policies in the Framework taken as a whole. I have found nothing to alter my conclusion that the appeal should be determined in accordance with the development plan and consequently, the appeal is dismissed.

Mrs J Wilson

INSPECTOR

Appearances

For the Local Planning Authority

Ms Ruchi Parekh of Counsel (instructed by Basingstoke and Deane Borough Council) she called -

Mr Ian Dudley – Landscape Witness

Mr Matthew Miller – Planning Witness

Mr Magnus Magnusson – Housing Land Supply Witness

Mss Jemma Cox – Senior Planner Basingstoke and Deane Borough Council

Ms Emma Bethell – Team Leader Legal Basingstoke and Deane Borough Council

For the Appellants

Mr Christopher Boyle of Queens Counsel (instructed by Turleys) he called: -

Mrs Aaron Wright – Planning Witness

Mr Steven Brown – Housing Land Supply

Mr Andrew Cook – Planning Witness

Mr S Brown – Woolf Bond Planning LLP

Mr T Alder – Lester Aldridge Law

Interested Parties

Mrs Anne Phillips Overton Parish Council

Mrs Clare Brady – local resident (representing residents group)

Documents received prior to the close of the Inquiry

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| LI Doc 1 | Opening Statement by Mr Boyle on behalf of the appellants |
| LI Doc 2 | Opening Statement Ms R Pareck on behalf of the Council |
| LI Doc 3 | Final Draft of Unilateral Undertaking |
| LI Doc 4 | Corrected statement of Common ground – (dates and status) |
| LI Doc 5 | Additional Communication from Mrs Brady relating to the Unilateral Undertaking under Section 106 of the Town and Country Planning Act |
| LI Doc 6 | Site Visit Itinerary agreed by Council and appellant |
| LI Doc 7 | Updated schedule of planning conditions |
| LI Doc 8 | Closing submissions Ms Parekh on behalf of the Council |
| LI Doc 9 | Closing submissions Mr Boyle on behalf of the Appellant |
| LI Doc 10 | Comments on planning conditions from Mrs Brady local resident |

Documents received after the Inquiry closed

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| LI Doc 11 | Representation from Rt Hon Kit Malthouse MP dated 27 September 2021 |
| LI Doc 12 | Signed Unilateral Undertaking received on 13 October 2021 |