
Appeal Decision

Site visit made on 18 January 2022

by Philip Major BA(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 07 February 2022

Appeal Ref: APP/H1705/W/21/3279572

Land adjacent to 14 Hackwood Lane, Cliddesden, Basingstoke RG25 2NH

- 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 Y Prabdhial against the decision of Basingstoke & Deane Borough Council.
 - The application Ref: 20/03197/PIP, dated 17 November 2020, was refused by notice dated 12 March 2021.
 - The development proposed is the erection of 2 dwellings.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The proposal is for permission in principle, an alternative way of obtaining planning permission for housing development which is a 2 stage process. The first stage establishes whether a site is suitable for development in-principle, and the second stage deals with technical details. This appeal relates only to stage 1.
3. The scope of the considerations for permission in principle is limited to location, land use and the amount of development. All other matters are considered as part of a subsequent Technical Details Consent if permission in principle is granted. I have determined the appeal accordingly and treated the drawings submitted as being for indicative purposes only.

Main Issue

4. The main issue is whether the site is suitable for residential development, having regard to its location, the proposed land use, and the amount of development.

Reasons

5. It is not disputed that the appeal site lies outside the settlement policy boundary identified in the development plan¹. It is therefore in the countryside for planning policy purposes. Policy SS1 of the Local Plan seeks to direct housing development to areas within settlement boundaries, or otherwise allocated. In countryside areas Policy SS6 sets a list of criteria which can justify development outside settlement boundaries. Of particular note in this

¹ Basingstoke and Deane Local Plan (2011 to 2029) adopted in 2016

case is criterion SS6e). This makes provision for small scale residential development of a type which meets a locally agreed need, but is again subject to further criteria.

6. I agree that the proposal for 2 dwellings would meet the criterion of being small scale. I am informed by the Council that a locally agreed need guidance note has been issued, but that the Appellant has not provided the information to support such need. The Appellant's argument in relation to a locally agreed need principally surrounds the fact that the Council is unable to demonstrate a 5 year supply of deliverable housing sites, as required by the National Planning Policy Framework (NPPF). The Council does not dispute that it cannot demonstrate a 5 year supply. This means that Policies SS1 And SS6 are deemed to be out of date, but it does not mean that they carry no weight. The so called tilted balance is, however, engaged and permission should be granted unless any adverse impact of doing so would clearly and demonstrably outweigh the benefits when assessed against the policies of the NPPF as a whole.
7. I am also aware that the Council has produced reports over time, notably Strategic Housing Market Assessments (SHMA) which seek to identify the type and tenure of housing needed in the Borough. These reports are put forward by the Appellant to demonstrate housing need. But those studies are clearly intended to inform housing policies for the whole of the administrative area. I do not agree that they are appropriate for determining a locally agreed need, which I would expect to deal with matters in a smaller geographical area. The explanatory text to Policy SS6 suggests that consultation with parish or town council would be necessary in this regard, but I have no indication of support from such a source. I therefore agree with the Council that the proposal fails to accord with Policy SS6e) in relation to locally agreed need.
8. Notwithstanding that point I consider the other criteria flowing from SS6e). There is no planning definition of what a settlement comprises in planning terms. Hackwood Lane exhibits a ribbon of development divorced from Cliddesden village by open countryside. In my judgement it should not be regarded as a settlement per se, but a loose knit group of sporadic housing. But it is clearly not in what might be deemed to be an isolated location since it is a relatively short distance from Cliddesden and Basingstoke. However, given that I do not regard the location as amounting to a settlement it cannot be said that the development would meet the requirements of Policy SS6e)ix).
9. The landscape hereabouts is pleasant rolling countryside. The appeal site is an undeveloped field of significant size which, with its roadside hedging, makes an important contribution to defining the characteristics of Hackwood Lane. Development would remove this important gap in the developed frontage and essentially consolidate the ribbon of urban development in the countryside. In my judgement this would be harmful to the rural character of the locality and be in conflict with Local Plan Policy EM1 which seeks to avoid such harm. It would not be sympathetic to the character and visual quality of the local landscape, nor be sympathetic to its character. The proposal therefore also fails to accord with Policy SS6e)x).
10. The final criterion of SS6e) relates to whether development would relate well to surrounding development and respect the amenities of neighbouring residents. Given that this proposal by its nature does not include details of the proposed

dwelling I am satisfied that in stage 2 of considering this application for permission in principle it would be possible to avoid harm to neighbouring amenities. But as I have determined that the site is an important gap in this locality I cannot conclude that the proposed development would relate well to surrounding development, albeit that I accept dwellings of a similar style could be designed for this site.

11. I acknowledge that the provision of 2 dwellings would make a small contribution to housing supply, but this is of limited weight in this case. Similarly any other social and economic benefits accruing from the proposal would be minor.
12. Taken overall I am satisfied that the proposed development would be significantly harmful to the location in which it would sit, and would be in conflict with Policy SS6e) as set out above. It seems to me that SS6 as a whole is consistent with the NPPF and, despite the lack of a 5 year housing land supply, still attracts significant weight. There is also conflict with Policy SS1. In my judgement the adverse impacts of building 2 houses on this site significantly and demonstrably outweigh the benefits when assessed against the NPPF as a whole. Hence it cannot be regarded as sustainable development.
13. I note that the planning judgement of the Council's planning officer reached a conclusion, on balance, that this proposal would be acceptable. That is not a judgement with which I agree in the particular circumstances of this case. Each proposal has its own material considerations and the other approved developments brought to my attention by the Appellant are no different. They turn on their own circumstances and cannot be an indication that any other proposal would necessarily be acceptable. In any event, from my reading of the information supplied, it seems clear that each had a different character (including two at former plant nursery premises and one being partially gravelled) and each had a significantly different relationship with the locality to the proposal before me.

Overall Conclusion

14. For the reasons given above I conclude that the proposed development would be an unacceptable land use in an unacceptable location and that the appeal should be dismissed.

Philip Major

Inspector