



Appeal Decision

Site visit made on 27 September 2022

by Laura Cuthbert BA(Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 1 November 2022

Appeal Ref: APP/N1730/W/22/3298102

Land adjacent to Fairfields, Newnham Road, Hook RG27 9NG

- 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 & Mrs R Bailey against the decision of Hart District Council.
 - The application Ref 21/02750/FUL, dated 21 October 2021, was refused by notice dated 7 January 2022.
 - The development proposed is erection of a detached dwelling.
-

Decision

1. The appeal is dismissed.

Preliminary Matter

2. A Landscape Visual Assessment and Landscape Strategy has been submitted with the appeal, which wasn't submitted with the planning application. I am content that no parties would be unfairly disadvantaged by my acceptance of this assessment, as it would not fundamentally change the development.

Main Issues

3. The main issues are:
 - whether the proposed development would provide a suitable location for housing, having regard to the development strategy for the area and the accessibility of services and facilities; and
 - the effect of the development upon the character and appearance of the area, with due regard to the Hook to Newnham Local Gap designation.

Reasons

Location

4. The appeal site currently consists of a stable block, a storage barn, a storage shed and a chicken enclosure. They are associated with the detached dwelling of Fairfields which lies to the south. An open timber car port associated with Fairfields is situated to the south of the appeal site and a menage lies to the north of the appeal site. Both the appeal site and the adjacent dwelling of Fairfields are situated outside of the existing settlement boundary of Hook.
5. The proposal would represent a new dwelling in the countryside. However, by virtue of the fact that the existing use of the land falls outside of the list of exclusions set out in the definition of Previously Developed Land (PDL) in the Glossary of the National Planning Policy Framework 2021 (the Framework),

which is also reflected in Appendix 1 Glossary of the Hart Local Plan (Strategy and Sites) 2032 (adopted April 2020) (Local Plan), I consider that the site would constitute PDL. They are not read as 'farm-like buildings' as alleged by the Council and are clearly read as equestrian and domestic buildings and uses ancillary to Fairfields.

6. Policy NBE1 of the Local Plan sets out the exceptional circumstances in which development will be supported outside settlement policy boundaries. Criterion 'j' supports development where they are located on suitable previously developed land appropriate for the proposed use. Whilst it is noted that Policy NBE1 also sets out that appropriate uses such as agricultural/forestry developments, rural enterprises, community facilities (if sustainably accessible), and informal recreation facilities, these other uses are all listed under separate criteria, as other exceptional circumstances. There is nothing in Policy NBE1 which sets out that a residential market dwelling would not be an appropriate use on PDL. Therefore, as the appeal site constitutes PDL, a new dwelling would therefore, in principle, be acceptable as an 'exceptional circumstance' outside of the settlement limits as set out in Policy NBE1 of the Local Plan.
7. In regard to the accessibility of the site for services and facilities, Hook village centre provides a range of day-to-day services and facilities. The private access road to the front of the appeal site provides a connection to the public right of way (PROW) which runs to the north of the site, and to Newnham Road to the south. The PROW, whilst it is unlit in parts, would provide a pedestrian link from close to the appeal site into Hook village. Whilst there is not a pavement along Newnham Road until you reach Seton Drive, from then on in, there is a continual footpath into Hook village centre. Newnham Road, whilst it is a 30mph road, is also subject to traffic calming which slows traffic down. It is also a relatively straight, flat road with adequate visibility. Therefore, Newnham Road would represent an alternative pedestrian route into Hook. It would also represent an appropriate route for cyclists to access the services and facilities in Hook.
8. I note that there is also a bus stop within a 10 minute walk which provides an hourly service on weekdays, providing a suitable means to commute to and from work on a daily basis to Basingstoke and Alton.
9. Whilst my findings above do not necessarily mean that occupiers would choose not to have a car, the site's location does not make car use essential to enable occupiers to reasonably carry out day-to-day activities. Therefore, on balance, it is considered that due to the opportunities available, this would reduce the reliance on the private car to access day-to-day services and facilities.
10. Therefore, the proposal would represent a suitable location for housing, having regard to the development strategy for the area and the accessibility of services and facilities. Whilst the development would conflict with Policy HK1 of the Hook Neighbourhood Plan 2018-2032 (Hook NP) (August 2019), by virtue of its siting outside of the settlement boundary of Hook, it would represent PDL in line with criterion 'j' of Policy NBE1 of the Local Plan. It would also accord with Policy SS1 of the Local Plan which states that as part of the district's spatial strategy and distribution growth, development will be focused on, amongst others, previously developed land in sustainable locations.

11. However, as set out in the supporting text to Policy NBE1, the acceptability of the redevelopment of PDL in the countryside will be 'encouraged provided that the proposal would not cause harm to areas of high environmental value and that the proposed use and scale of development is appropriate to the site's rural context'. Therefore, these are matters to which I now turn.

Character and Appearance

12. The appeal site sits close to the settlement boundary of Hook, adjacent to which lies the Hook to Newnham Local Gap, within which sits the appeal site and the existing house of Fairfields. The existing house of Fairfields and the associated equestrian/domestic outbuildings have a much more rural character and appearance than the houses within Seton Drive on the opposite side of the private access lane, which lie within the settlement boundary and have a much more suburban character and appearance. Both the house of Fairfields and the outbuildings within the appeal site sit relatively unobtrusively in the Local Gap. Whilst there are other residential and agricultural buildings in the gap, most notably those of High Ridge House and Owen's Farm, as well as some equestrian buildings, the Local Gap is characterised by open, undeveloped fields which provides a clear sense of separation between the two settlements.
13. The open nature of the gap is experienced best via the PROW which runs through the middle of the Local Gap between Hook and Newnham. Mature trees lie along the east of the private access lane, which would restrict views of the site as you approach it from Hook to the east. However, as acknowledged by the appellant, public views of the appeal site are possible from the PROW to the north and north-west. The appeal site is open to the undeveloped fields beyond, with only a post and rail fence and low hedge enclosing the site. The Hook NP states that the PROW is used by many people for walking/dog walking, which was confirmed by my site visit.
14. Whilst the proposal involves PDL, replacing the existing structures on the site, it involves a substantial new dwelling, of a much larger scale than the existing buildings which would be prominently visible in views from the north and north-west. Whilst the appeal site is close to the Hook settlement boundary, it nonetheless appears as open countryside in which Fairfields is currently read as a solitary intrusion into this section of the gap. Whilst it would be seen alongside Fairfields, by virtue of its scale and siting, it would nonetheless appear as a large and prominent structure which would be further away from the settlement boundary of Hook. This would make it appear as incongruous in the landscape.
15. The proposal would be an urbanising feature in the Local Gap, in comparison with the existing smaller structures and use of the appeal site, which would add to the incongruity of the proposal. Cumulatively, alongside Fairfields, the two substantial dwellings would have an unacceptable urbanising effect which would erode the character of the countryside in this location. Whilst the proposal would move the built development on the site closer to the front boundary than the existing buildings, with allegedly a more 'consolidated' development, the replacement of the existing buildings with a substantial dwelling that would harm the character and appearance of the area would be unacceptable.
16. Given the scale of the proposal, it would not result in the physical coalescence of the two settlements. However, the gap between the two settlements is

relatively narrow and as set out in the Hook NP, there is limited opportunity for mitigation of development. The proposal would represent an incremental erosion of the gap between the two settlements, which would result in a perception of visual coalescence between Hook and Newnham. This is especially as the Hook NP sets out that the visual sensitivity of the area is recorded as high.

17. The Landscape Visual Assessment and Landscape Strategy, which was submitted with the appeal, outlines a landscaping strategy proposed to assist with reducing the impact and visual effects of the proposal, most notably from the PROW on the approach from Newnham. However, it would be seasonal and would take time to become established. Therefore, the visual impacts would only be partially mitigated and would be reduced in winter.
18. I note the findings of the Inspector in the appeal at 'Land at Owen's Farm'¹ who found that the 'buildings of Owen's Farm, High Ridge House and Fairfields are situated within the Gap, but they are removed from the built form of both Hook and Newnham, appearing as discrete features in the Gap'. However, this comment was in relation to the existing structures in the Local Gap, not an acceptance that other new buildings in the gap would not reduce a sense of separation. I also note that this Inspector found that the purpose of the Gap is not negated by any of this existing development. I acknowledge that the proposal before me would differ from that of the Owen's Farm appeal site in that it involves PDL; however as outlined above, the presence of the existing structures and use of the appeal site would not be sufficient to justify the proposal before me.
19. I also acknowledge the proposed landscape biodiversity enhancements on both the appeal site, and the surrounding land which is within the ownership of the appellant. This includes replacing the existing menage with wildflower meadow, native trees, scrub and hedgerow planting. However, these positive enhancements would not outweigh the harm that I have identified above.
20. The proposal would cause harm to the character and appearance of the area and would have an adverse impact upon the Hook to Newnham Local Gap. It would conflict with Policy NBE2 of the Local Plan which states that development will only be supported where there is no adverse impact on the visual amenity of the landscape and where it does not lead to the physical or visual coalescence of settlements or damage their separate identity. It would also conflict with Saved Policy GEN1 of the Hart District Local Plan (Replacement) 1996-2006 which only supports development where they would be in keeping with the local character and where they would conserve or enhance the landscape. It would also conflict with Policies HK5, HK6 and HK7 of the Hook NP which, in combination, seek to ensure that development proposals respect and enhance the landscape, that development in the gap should not lead to the physical or visual coalescence of these villages, or damage their separate identity, and that development should respect the views from the east side of Newnham towards the west side of the Hook settlement.
21. It would also be contrary to criterion 'a' of paragraph 174 of the Framework which states that planning policies and decisions should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes.

¹ Appeal Decision APP/N1730/A/14/2226609

Other Matters

22. I note that paragraph 119 of the Framework states that in order to make effective use of land, strategic policies should, amongst others, make as much use as possible of PDL. However, footnote 47 sets out that this is except where this would conflict with other policies in the Framework.
23. As well as using PDL, the development would provide some moderate economic and social benefits associated with the provision of an additional residential unit, as well as boosting the housing supply. I also note that the proposal would be provided with an air source heat pump and an electric car charging point. However, these benefits would not be significant enough to outweigh the harm to the character and appearance of the area, most notably the Hook to Newnham Local Gap. Harm to which I ascribe substantial weight since it would be long lasting. As such it would be contrary to the aims of the Framework, which recognises that planning decisions should ensure that developments are sympathetic to local character, including the surrounding landscape setting.
24. I also note the range of matters that have not been disputed by the Council. This includes no harm being identified to the Grade II* Tylney Hall Registered Park and Garden, which is located at a significant distance to the north-west of the appeal site. I have no reason to come to a different conclusion on any of these matters. However, these matters do not alter or outweigh my findings on the main issues set out above.

Conclusion

25. The development conflicts with the development plan as a whole. There are no material considerations worthy of sufficient weight that would indicate a decision otherwise than in accordance with it. The appeal is therefore dismissed.

Laura Cuthbert

INSPECTOR