



Appeal Decisions

Site visit made on 6 February 2023

by James Blackwell LLB (Hons) PGDip

an Inspector appointed by the Secretary of State

Decision date: 20 March 2023

Appeal Ref: APP/H1705/W/22/3307737

Cottage Farm, New Road, Pamber Green RG26 3AG

- 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 Mr and Mrs C Arnold against the decision of Basingstoke and Deane Borough Council.
 - The application Ref 21/03782/OUT, dated 16 December 2021, was refused by notice dated 25 April 2022.
 - The development proposed is outline planning permission for the demolition of the existing commercial buildings and erection of 4 dwellings with all matters reserved except for access.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The appellant has submitted a separate appeal on the same site under appeal reference APP/H1705/W/22/3307715 (Alternative Appeal). The Alternative Appeal seeks permission for nine dwellings. Whilst some of the issues across the two schemes are similar, the Alternative Appeal is the subject of a separate decision.
3. The appellant has submitted a number of revised plans which amend the proposed refuse/recycling storage layout. Specifically, these include an updated Proposed Block Plan (010-PL04), an updated Proposed Site Plan (011-PL04) and a Proposed Bin Store (012-PL00). Given that the changes are relatively minor, I am satisfied that I can accept these revisions without prejudice to the Council or any interested parties. I have therefore determined the appeal application with regard to these updated plans.

Main Issues

4. The main issues are:
 - the effect of the proposed development on the character and appearance of the area;
 - the effect of the development on the living conditions of future occupiers of the dwellings; and
 - whether the proposal makes adequate provision for the storage of refuse and recycling.

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Reasons

Character and Appearance

5. The appeal site, which is located on the southern side of New Road, comprises a parcel of land which is occupied by a mixture of agricultural and commercial land and buildings. The site is bounded to the west by a residential property known as Cottage Farm, which is understood to have formerly had close ties with the farm operations on the site.
6. There is a larger cluster of residential dwellings on the southern side of New Road, just past the junction of Green Lane which runs off to the south. However, further east of this cluster, the land to the south of the road is mostly undeveloped. Indeed, notwithstanding the houses to the north, the expanse of green fields along this section of the road gives a distinct sense of openness and verdancy to the area, which contributes very positively to the semi-rural credentials of the area.
7. Whilst the buildings within the appeal site do interrupt this expanse of undeveloped land, their agricultural appearance is commensurate with the semi-rural character of the surroundings. Collectively these buildings, together with Cottage Farm to the west, are seen as an isolated farmstead within a network of fields. In turn, they integrate effectively with the rural credentials of the land running along the southern side of New Road.
8. The proposed development would introduce four dwellings to the appeal site. The indicative plan shows three of these would be arranged in a terrace towards the rear of the plot, and an additional dwelling would be sited much closer to the road, along the plot's front boundary.
9. The introduction of four dwellings in this location would significantly alter the character of the appeal site. Indeed, the development would partly urbanise the site, thereby diminishing its prevailing agricultural character. This would undermine the rural credentials of the land to the south of New Road, harming the prevailing semi-rural character of the area.
10. I acknowledge that the retained agricultural buildings would partially limit visibility of the new dwellings when travelling eastwards along New Road. However, given the open landscape to the east and south of the appeal site, the new homes would be readily apparent when travelling along the road from the opposite direction. This means the harm arising from the urbanisation of the plot and the corresponding loss of agricultural character would still be readily experienced from public vantage points.
11. On account of these factors, I consider that the development would harm the character and appearance of the area. It would therefore conflict with Policies EM1 and EM10 of the Basingstoke and Deane Local Plan (2011 – 2029) (Local Plan). Together, these policies require new development to respect and enhance the character or visual amenity of the surrounding landscape, through high quality design, which positively contributes to local distinctiveness, sense of place and street scene. The development would also contravene the overarching design and landscape principles set out in the National Planning Policy Framework (2021) (Framework), as well as those set out in the Council's

Landscape, Biodiversity and Trees SPD (2018) and Design and Sustainability SPD (2018).

Living Conditions

12. Whilst the plans are indicative only, the proposed dwellings would be sited in close proximity to some of the existing agricultural buildings. In particular, plot one would be located approximately 8m from the nearest agricultural building. The field access would also run alongside the western elevation and rear garden to plot one.
13. Irrespective of how these agricultural buildings are currently used, it is conceivable that these buildings could be used for agricultural purposes in future, on account of their lawful use. If these buildings were to be actively used for agricultural purposes, the limited intervening space between the operations and the new dwellings could compromise the living conditions of the occupiers of the new dwellings, particularly in terms of noise, disturbance and odour. Moreover, the close proximity of the field access also means agricultural vehicles may pass very close to the new dwellings, risking further harm in terms of privacy, noise and vibration.
14. Although I appreciate Cottage Farm is also located near to these buildings, historically, this property is understood to have been closely linked with the wider farm operation. In turn, any associated impact in terms of living conditions would be considered within a different context.
15. I note that the Environmental Health Officer has not objected to the proposal. However, without any substantive evidence before me to demonstrate how the proposal would interact with these existing buildings, I cannot be certain that these risks would be adequately addressed.
16. In turn, I cannot rule out the possibility of harm to the living conditions of future occupiers of the new dwellings. The proposal would therefore conflict with Policies EM10 and EM12 of the Local Plan, which require new development to provide a high quality of amenity for future occupants, ensuring any development does not cause detriment to quality of life as a result of existing, historic or nearby land uses and activities.

Refuse and Recycling

17. The proposed bin store would be located on the eastern side of the access into the development and would accommodate the refuse and recycling for each of the dwellings within the development. The store would be enclosed by a tall brick wall with timber doors, which would ensure the bins would not be readily visible from the highway. It would also ensure adequate visibility splays would be achieved at the access.
18. On account of these factors, I am satisfied that the waste storage provision for the proposal would be acceptable. It would be consistent with Policies EM10 and CN9 of the Local Plan, which require new development to provide appropriate internal and external waste and recycling storage areas, together with accessible collection points for refuse vehicles. The proposal would also align with similar objectives set out in the Framework and the Council's Sustainability SPD (2018).

Other Matters

19. The application for a change of use of the retained agricultural buildings has been refused. In turn, any potential residential use of these buildings is only theoretical at this stage.
20. Irrespective of whether the principle of residential development may be acceptable with regard to certain policies in the Local Plan, this factor would not negate the other harms arising from the proposal, with regard to the character and appearance of the area and to the living conditions of future occupiers.
21. The Council cannot demonstrate a five-year supply of deliverable housing, which means its policies relating to delivery of housing are out of date. Paragraph 11(d)(ii) of the Framework (tilted balance) is therefore engaged. Nonetheless, paragraph 219 of the Framework is clear that due weight should still be given to existing policies according to their degree of consistency with the Framework.
22. Paragraph 130 of the Framework is explicit that new development should function well and add to the overall quality of an area, highlighting the need for it to be visually attractive and sympathetic to local character and surrounding built environment. This paragraph also says that development should promote health and wellbeing, with a high standard of amenity for future users.
23. The content of the Framework therefore reflects the principles and objectives of the Local Plan in terms of character, appearance and amenity. Even accounting for the Framework's objective of boosting the supply of housing and the Council's housing land supply position, the conflict between the proposal and the relevant policies in the Local Plan should therefore be attributed significant weight in this appeal.
24. The additional four dwellings would make a modest contribution to the Council's housing stock, which would be a notable benefit of the scheme. The proposal would also have some corresponding benefits in terms of construction jobs and increased spend in the local economy. I also note the proposal would achieve a biodiversity net gain, which demonstrates some environmental benefit. Nonetheless, I do not consider that these benefits would be sufficient to outweigh the harms identified to the character and appearance of the area and to the living conditions of future occupiers.
25. In turn, the adverse impacts of the development would significantly and demonstrably outweigh the scheme's benefits, when assessed against the policies in the Framework taken as a whole. As a result, the presumption in favour of sustainable development would not apply in this instance.

Conclusion

26. The development would conflict with the development plan as a whole and there are no other considerations, including the provisions of the Framework, that outweigh this finding. Therefore, for the reasons given, the appeal should be dismissed.

James Blackwell

INSPECTOR