



Appeal Decision

Site visit made on 7 March 2023

by O Marigold BSc DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11th April 2023

Appeal Ref: APP/H1705/W/22/3308636

Land At Hatt Common, Ball Hill, East Woodhay, Hampshire RG20 0NJ

- 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 Mrs Rosamund Brown against the decision of Basingstoke and Deane Borough Council.
 - The application Ref 22/00936/FUL, dated 18 March 2022, was refused by notice dated 6 July 2022.
 - The development proposed is erection of 1 no. dwelling, detached garage and vehicular access.
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. I have used the description of the proposal as set out in the Council's Decision Notice, which is more accurate than that used in the planning application form. The appellant has used this revised description in the appeal form and so I am satisfied that no parties have been prejudiced by my using this description.
3. Following the Council's determination of the appeal application, the East Woodhay Neighbourhood Plan (NP) has been made (adopted), in February 2023. Both main parties were able to comment on this and I have therefore determined the appeal having regard to the newly adopted policies.

Main Issues

4. The main issues are:
 - the effect of the proposal on the character and appearance of the area, including on the landscape of the North Wessex Downs Area of Outstanding Natural Beauty (AONB) within which the site sits, and
 - whether the proposal would accord with the spatial strategy of the Development Plan.

Reasons

Character and Appearance

5. The site consists of part of a field, in active agricultural use. There is some development locally, including a linear ribbon of dwellings, a public house and an electricity sub-station on the opposite side of Ball Hill Road to the appeal site. On the south side of the road, including the appeal site, there are

individual scattered dwellings. As such, although the site is not isolated, it consists of countryside that reflects its surroundings of mainly undeveloped fields, woodland and hedgerows.

6. The site lies within the Highclere and Burghclere Landscape Character Area (LCA) of the Council's Landscape Character Assessment, dated May 2021. Key characteristics of the LCA, which the appeal site and its surroundings contribute to, include medium to small-scale fields predominantly of pasture, enclosed by an intact hedgerow structure.
7. The LCA identifies the proliferation of low-density residential properties along narrow lanes. It seeks to avoid the spread of this and ribbon development along these lanes, making specific reference to such development within the vicinity of Ball Hill. This accords with the North Wessex Downs AONB Management Plan (AONBMP), which identifies a threat to the AONB from the intense pressure for development.
8. The proposal is for a detached dwelling and separate garage that would be accessed from a private driveway. It would therefore have a design and layout that broadly reflects that of dwellings nearby. The proposal would be positioned to provide space between it and its immediate neighbour The Cottage, with the remaining agricultural field providing a large gap to Elizabeth Cottage. These gaps would retain some degree of openness to the area.
9. Nevertheless, the proposal includes a large two-storey dwelling, garage, hardstanding and garden. These features would result in the site having a domestic appearance and would extend the envelope of built form into the countryside, intruding onto what is currently undeveloped land.
10. Furthermore, the boundaries of the proposal would not reflect existing natural features, instead forming a somewhat arbitrary incursion into the existing field. The proposal would result in a further incremental proliferation of development that the LCA seeks to avoid. For these reasons, the proposal would conflict with the characteristics of the LCA, harming the character of the landscape hereabouts.
11. The site is currently bounded by hedgerow, but with a gap formed by a field gate that would become the entrance to the dwelling. As such, the proposal and its effects would be visible from Ball Hill Road through the site entrance as well as above and through the retained hedgerows. Furthermore, although not a Key View identified by the NP, I saw that glimpses of the proposal would be obtainable from public viewpoints along a Public Right of Way¹. As such, the proposal would result in visual harm to its surroundings.
12. The appellant has drawn my attention to planning decisions close by, all of which are within the AONB, which I saw on my visit. In contrast to the appeal proposal, the permission in principle at Furzelea² relates to a site at the end of an existing linear ribbon of development, as does that at Hollington Lane, Woolton Hill³. The proposal at Summerfield⁴ was within a field that was contained in nature, such that the proposal was not considered to be visually

¹ Right of Way Reference 076/4/1

² LPA reference 21/00860/PIP

³ PINS reference APP/H1705/W/20/3247113

⁴ LPA reference 21/01271/PIP

intrusive. This differs from the proposal before me, which would not be so contained and where the proposal would be intrusive.

13. The development at Highclere⁵ had existing dwellings surrounding the site, whilst that at North End⁶ was on a site formed of a gap between existing dwellings. The proposal at Chalkpit Hill⁷ replaced an existing building. For these reasons, the circumstances of the examples cited are not directly comparable to the proposal. I can draw little comparison between them and the proposal, and so I give them limited weight. I have few details of the schemes at Heath End⁸ and Gore End Road⁹ with which to make a comparison and so can only give these cases little weight. These examples do not therefore change my overall findings.
14. For the reasons given above, the proposal would harm the character and appearance of the area, including on the landscape of the AONB. As such, it would be contrary to Policy EM1 of the Basingstoke and Deane Local Plan, adopted May 2016 (BDLP). This requires that development is sympathetic to the character and visual quality of the area and enhances the landscape. It would also conflict with BDLP Policy EM10 that proposals must respect the local environment and contribute to the street scene.
15. For similar reasons, the proposal would also conflict with NP Policies HO1, HO2 and NE1. These require that development protects the landscape, respects rural character and does not result in adverse effects on landscape character or visual intrusion. It would also conflict with the LCA, the AONBMP and the National Planning Policy Framework (the Framework), which requires conservation and enhancement of the scenic beauty of the AONB, to which I give great weight.
16. The Council has also referred to its Landscape, Biodiversity and Trees Supplementary Planning Document (SPD), December 2018, and its Design and Sustainability SPD, July 2018. However, no specific conflict with these SPDs has been identified and so they have not been central to my reasoning.

Spatial Strategy

17. The site lies outside of any Settlement Policy Boundary (SPB) identified in the BDLP. Its Policy SS6 sets out the circumstances where new housing will be permitted outside SPBs such as for local needs housing or replacement dwellings. There is no dispute that the proposal would not meet the criteria of Policy SS6, other than in respect of criteria (e). This relates to locally agreed housing need and the main parties disagree about whether, if there is no five-year housing land supply within the Borough, this amounts to a need for the proposal.
18. Housing supply is a matter which I consider below, but Policy SS6(e) relates to a specific need for dwellings of a particular size and type within the parish, rather than to a general housing need. No evidence is before me to show that the proposal meets a specific local need, and so Policy SS6 including criteria (e) is not met.

⁵ LPA reference 20/01418/PIP

⁶ LPA reference 21/00061/FUL

⁷ LPA reference 22/00724/FULL

⁸ LPA reference 22/01772/PIP

⁹ LPA reference 21/02308/PIP

19. The conflict with BDLP Policy SS6 means that the proposal would also conflict with NP Policy HO2(b), which requires that proposals are consistent with BDLP Policy SS6. As such, the proposal would not accord with the spatial strategy of the Development Plan.

Other Matters

20. The main parties dispute whether the Council can demonstrate a sufficient supply of housing land and whether the NP contains policies and allocations to meet its identified housing requirement in accordance with Framework Paragraph 14. However, even if the Council does not have such a supply, in considering Framework Paragraph 11(d)(i) footnote 7 and my findings above, the policies in the Framework that protect areas and assets of particular importance (namely the AONB) provide a clear reason for refusing the proposal. As such, paragraph 11(d) of the Framework, and its tilted balance, is not engaged in this instance.
21. The Framework seeks to significantly boost the supply of homes, and small sites can make an important and relatively quick contribution to meeting housing requirements. Construction of the proposal would make a positive economic contribution to the area, as would its occupants both socially and economically. However, these benefits would be limited because of the relatively small size of the proposal, for one unit of accommodation.
22. The appellant has referred to my decision at Headley¹⁰, within the same Borough and where there was also a recently adopted Neighbourhood Plan. However, this site was not within an AONB, and already had consent for a single dwelling, and so different planning policy considerations applied. In any case, I have dealt with this proposal on its merits, based on the evidence before me.

Planning Balance and Conclusion

23. For the reasons given, I have found conflict with the Development Plan as a whole. The material considerations in this case do not indicate a decision other than in accordance with the Development Plan. This leads me to conclude that the appeal should be dismissed.

O Marigold

INSPECTOR

¹⁰ APP/H1705/W/22/3301262