



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: 12th April 2023

Appeal Ref: APP/H1705/W/22/3310335

Land adjacent to Woolton Hill Sports Club, Woolton Hill, Hampshire

- 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 Sir Thomas Lord Discretionary Trust against the decision of Basingstoke and Deane Borough Council.
 - The application Ref 22/00183/PIP, dated 24 January 2022, was refused by notice dated 11 August 2022.
 - The development proposed is permission in principle for residential development up to 3 dwellings.
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Decision

1. The appeal is allowed and permission in principle is granted for residential development up to 3 dwellings on land adjacent to Woolton Hill Sports Club, Woolton Hill, Hampshire in accordance with the terms of the application Ref 22/00183/PIP, dated 11 August 2022.

Application for costs

2. An application for costs was made by Sir Thomas Lord Discretionary Trust against Basingstoke and Deane Borough Council. This application is the subject of a separate Decision.

Preliminary Matters

3. I have used the description of the site as set out in the Council's Decision Notice which is clearer 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 would be prejudiced by my using of this description.
4. The proposal is for a Permission in Principle. This consent route has two stages. The first stage establishes whether a site is suitable in principle, and the second stage, for Technical Details Consent (TDC), is where the detailed development proposals are assessed. The proposal is at the first stage and therefore I have considered the principle of the scheme.
5. The scope of the first stage is limited to location, land use and amount of development. Permission in principle has been sought for up to three dwellings and I have determined the appeal on that basis, having regard to the relevant legislation and the Planning Practice Guidance (PPG). The proposal includes a suggested layout to demonstrate how the site might be developed. As the application is for permission in principle, I have treated this information as illustrative.

6. Following the Borough Council's determination of the appeal application, the East Woodhay Neighbourhood Plan (NP) was 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

7. The main issues are, having regard to location, the proposed land use and the amount of development:
- whether the proposal would provide a suitable location for housing, in respect of accessibility to services and facilities, and
 - whether the proposal would accord with the spatial strategy of the Development Plan.

Reasons

Accessibility to Services and Facilities

8. The site is located in countryside close to the village of Woolton Hill. There is no dispute that the site is well-related to the settlement, not isolated, and is located close to some of the facilities in the village. These include bus stops, a church, schools, shop and doctor's surgery, as well as Woolton Hill Sports Club (WHSC) adjacent to the site.
9. These facilities can only be accessed using Woolton Hill Road at a point where it has no footway, is unlit, and where the carriageway is narrow and bends. However, the length of journeys by foot or by cycle to reach the facilities in the village would be relatively short, and with only a small section of the route having no pavement. As such, notwithstanding the limitations of the highway locally, occupants of the proposal would not necessarily be prevented from accessing the nearby village facilities and services by means other than the private car.
10. For services outside of the village, the evidence before me is that bus services operate on weekdays and weekends, spread throughout the day. This provides a reasonable form of public transport to Newbury and Andover. The long-term future of rural bus services is uncertain and, in any case, some journeys by private vehicles will always be necessary, for instance at night or for destinations that cannot be reached easily by public transport.
11. However, the National Planning Policy Framework (the Framework) makes clear that opportunities to maximise sustainable transport solutions will vary between urban and rural areas and this should be taken into account in decision-making. In the rural context of the site, for the reasons given above, it would have reasonably good access to services and facilities.
12. I therefore conclude that the proposal would provide a suitable location for housing in respect of accessibility to services and facilities. As such, it would comply with the requirement of NP Policy HO2 that development is within a suitable location in terms of access to facilities, services and public transport.
13. In its Decision Notice, the Borough Council refers to Policies SD1 and SS6 of the Basingstoke and Deane Local Plan, adopted May 2016 (BDLP). However, neither of these policies make specific requirements for accessibility to services and facilities and so I find no conflict with them in this respect. For the reasons

I give above, the proposal would also comply with the Framework in respect of this issue.

Spatial Strategy

14. 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. However, there is no dispute that the proposal would not consist of any of the types of development permitted by Policy SS6. As such, the proposal would not accord with the spatial strategy of the BDLP.
15. 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. However, the aim of these policies is to maintain the rural character of the countryside; to prevent the coalescence of settlements and to ensure access to services and facilities.
16. Representations have referred to the location of the site within the North Wessex Downs Area of Outstanding Natural Beauty (AONB). The site currently consists of a field, either side of which are the built-up edge of the village and WHSC, with its buildings, car park and floodlights. As a result, the location of the proposal would be largely visually contained, such that it would not intrude into the wider countryside or landscape. The site is also screened from Woolton Hill Road by dense landscaping. Notwithstanding the creation of the access and its visibility splays, this landscaping could be enhanced as part of the proposal to further reduce its impact.
17. For the reasons given above, the proposal would conserve the landscape and scenic beauty of the AONB. Given its location between existing development, the proposal would not result in the coalescence of settlements, and I have already found that the site has reasonable access to services and facilities. As such, I give the conflict with BDLP Policy SS6 and NP Policy HO2 only moderate weight.

Other Considerations

18. The parish has delivered 65 new houses, much higher than that envisaged in the BDLP for the settlement over the Local Plan period. Even so, and despite the very recently made NP, in this case the Borough Council accepts that it cannot currently demonstrate a sufficient supply of housing land. As a result, it also accepts that BDLP Policy SS6 and NP Policy HO2 are deemed out of date and that Framework Paragraph 11 is engaged. I see no reason to disagree.
19. As such, in accordance with the Framework and BDLP Policy SD1, it is necessary for me to determine whether the adverse impacts of the proposal would significantly and demonstrably outweigh the benefits inherent in the proposal, to assist the Borough Council in addressing its undersupply.
20. I have found conflict with BDLP Policy SS6 and NP Policy HO2 in respect of the spatial strategy, but that this conflict carries only moderate weight. Against that, the proposal would contribute to the supply of housing in the area, by the addition of up to three further dwellings. I give this benefit significant positive weight. Construction of the proposal would also provide economic benefits to the local area, as would its future occupants, socially and economically, to which I give additional modest positive weight.

Other Matters

21. Concerns have been raised regarding the safety of the proposed new access and its visibility splays, which are based on traffic speeds of 30mph. Data from the Parish Council, taken from a Speed Indication Device installed nearby, suggests that traffic speeds are above this limit, with some vehicles passing at much higher speeds, and that the road is not quiet. I have been told of a fatality nearby, though I have few details of this. However, the Highway Authority does not object to the proposal. Precise details of the access are a matter for TDC, but I am satisfied that at this stage the proposal would not harm highway safety.
22. The proposal would be close to WHSC and representations have referred to the effect of light spill from its floodlights on occupiers of the proposal, and any resultant constraints on the operation of the club. However, the design and position of the dwellings is not yet fixed, and the Borough Council's Environmental Health Officer has not objected to the proposal in principle subject to conditions. The PPG is clear that conditions cannot be attached to a grant of permission in principle, but these matters can be dealt with through TDC. At this stage, I see no reason why adequate living conditions for the occupiers of the proposal could not be achieved.
23. The size of the dwellings is also a matter for TDC, including relative to local needs and the provision of affordable housing. In terms of flooding, at this stage, I have no reason to believe that adequate provision for surface water drainage cannot be made, to prevent unacceptable risks from flooding or sewage. I have little substantive evidence before me to suggest that the availability of local infrastructure, such as local schools or GP surgeries, would be made unacceptably worse by the proposal.
24. The site is close to a Site of Importance for Nature Conservation. However, having regard to the Preliminary Ecological Assessment, and the comments from the Borough Council's Biodiversity Officer, I have little reason to believe that the proposal would adversely affect the interests of ecology.
25. The Parish Council has referred to an appeal decision on land at Ball Hill¹ and considers that these reasons for refusal should apply equally to the proposal. However, I have few details of this case and, for the reasons I give above, I consider that the proposal would not result in harm to the landscape or be located distant from services and facilities.

Planning Balance and Conclusion

26. Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that applications for planning permission, and therefore appeals, must be determined in accordance with the development plan, unless material considerations indicate otherwise.
27. I have found that the effect of the proposal on the AONB would not provide a clear reason for refusing permission, and the proposal benefits from the presumption of sustainable development in Paragraph 11(d) of the Framework. For the reasons already given, the adverse impacts of granting permission would not significantly or demonstrably outweigh the benefits, when assessed

¹ APP/H1705/W/21/3267011

against the policies in the Framework taken as a whole. Therefore, despite the conflict with the development plan, read as a whole, material considerations indicate that the appeal should be allowed.

O Marigold

INSPECTOR