



Appeal Decision

Site visit made on 21 February 2023

by A J Sutton BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21 June 2023

Appeal Ref: APP/C1760/W/22/3305063

Land at Local Centre, Picket Twenty, Andover, Hampshire, SP11 6LF, 438212, 145911

- 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 Persimmon Homes against the decision of Test Valley Borough Council.
 - The application Ref 21/00678/FULLN, dated 5 March 2021, was refused by notice dated 18 February 2022.
 - The development proposed is erection of a block of 18 flats within the local centre at Picket Twenty, Andover.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. The appeal site is a plot of land in a modern residential estate. The site was originally identified, as part of an outline planning permission¹, as the location of a public house or restaurant. Although this use was required by legal agreement, the appellant has provided market reports stating that there is no commercial demand for a public house at the appeal site. The Council has accepted this evidence. I find nothing before me to dispute this conclusion.

Main Issues

3. The main issues are:
 - The effect of the proposal on the character and appearance of the area; and
 - Whether the proposal would make provision for an appropriate level of affordable housing, having regard to relevant development plan policy.

Reasons

Character and Appearance

4. The appeal site is a plot of land close to the local centre of a modern housing estate. The housing estate comprises a variety of properties, including dwellings with gardens and apartment blocks. The local centre, at its core, contains low-rise apartment blocks, a school, shop, nursery and a community

¹ Ref: TVN.09275

centre. Although described as an urban extension to Andover, with the above features the area has a distinct suburban character.

5. There are examples of taller buildings, some with asymmetrical roof forms, near the local centre. However, these 3 to 4 storey buildings are interspersed by lower profile community buildings. These lower profile buildings, which include the community centre, school and nursery, have a distinct contemporary style, and have space around them. As such, the taller buildings are not overly dominant, and the interesting forms of the community buildings appear a positive focus at the heart of the local centre.
6. The proposed flats would substantially fill the part of the appeal site that fronts Picket Twenty Way. The flats would be a mix of 3 and 4 storeys and the built form would comprise different roof shapes and would have stepped in sections. However, even with a section stepped back from the road at the northern corner, the connected blocks would appear as one large mass when viewed from the street in this prominent central location.
7. The proposed flats would be significantly taller than the existing nursery building at the southern corner of the appeal site. The proposed block would be of a largely traditional architectural style at this southern corner, with a gable end pitch roof. This height and form of the proposed block would contrast unsympathetically with the comparatively low-profile, contemporary form of the nursery building. In these respects, the proposal would result in a dominating mass that would relate poorly to the scale and form of this existing neighbouring building.
8. There would be a road dividing the flats and the nursery, and a verge would also be retained at the southern boundary of the appeal site. However, this verge would be relatively narrow. Moreover, using materials to match the nursery, and landscaping features, including large trees, at the front and side of the block, would not soften the harmful contrast of built forms at this prominent location.
9. The appellant has drawn my attention to existing neighbouring properties that contrast in scale. The existing apartment block, to the south of the nursery, is significantly smaller than the block proposed in this case. That existing block is on a slightly lower ground level than the nursery, and this also reduces its dominance in the street. I saw similar features in the other examples located east of the appeal site, including near the local shop. Moreover, the contrast in building heights around the community centre is minimised by the significant space around that building and the road. The degree of separation between the community centre and existing taller buildings is considerably greater than would be the case with the proposed flats and the nursery.
10. The transition between the existing blocks to the north of the road and neighbouring dwellings occurs a significant distance from the core of the settlement, such that that contrast in heights does not harmfully impinge on the balance of built forms in the local centre. These examples are distinctly different and not directly comparable to the clash of forms that would occur from this proposal.
11. Also, the mono pitch roof on the northern part of the proposed block would be similar to the roof profile of the existing neighbouring apartment to the north of Picket Twenty Way. However, as the indicative aerial images illustrate, when

viewed from vistas in Picket Twenty Way, the proposed mono pitch would appear as a traditional pitched roof. Indeed, when viewed along this road, the roofscape of the whole block would appear dominated by this roof form, with only the central section breaking this traditional shape. With this proposed roofscape, the visual connection with the neighbouring blocks would be diluted, and the proposed block would not integrate with the existing grouping of taller buildings in the area.

12. Furthermore, with this largely traditional appearance, the proposed block would not stand out as a positive landmark building in an area that is distinguished by existing landmark buildings that have a distinctive contemporary architectural style. Moreover, while the development may have an enclosing effect, as an unsympathetic addition at the core of the settlement, the proposed block would fail to positively frame the main square of the local centre.
13. In reaching the above findings, I have had regard to the appellant's building heights plan. I also note the height of the proposed block would reflect the indicative building height and density plans in the Picket Twenty Design Statement 2004, which formed part of the outline planning submission. The appellant also highlights that the proposal would require fewer parking spaces than that was anticipated for the public house, and with more space provided at surrounding developments than originally intended, the proposal would be an improvement on the outline plans.
14. However, the outline Design Statement shows that a lower density of built form was also an aspiration at the appeal site, with a garden area next to the nursery. In any event, plans in that Design Statement are indicative only, for the reasons already stated, the proposed large block would dominate the street scene, and would fail to complement or harmonise with the existing mix of development in this core area.
15. The appeal site has previously been used for storage of materials and appears as a gap in development. This may be so, but the evidence submitted does not demonstrate that this harmful proposal would be the only option for the development of this gap. These matters have not altered my findings for this reason.
16. I therefore find that the proposal would have a significant harmful effect on the character and appearance of the area. In this regard the proposal would conflict with Policy E1 of the Test Valley Borough Revised Local Plan DPD (Local Plan). This Policy states that development will be permitted if it is of a high quality in terms of design and local distinctiveness, and amongst other matters development should integrate, respect and complement the character of the area.

Affordable Housing

17. Policy COM7 of the Local Plan states that the Council will negotiate provision on housing sites of a net gain of 15 or more dwellings for up to 40% of dwellings to be affordable. The supporting text of this Policy clarifies whole dwellings will be sought on-site, and where the number does not equate to a whole number unit, the remaining part dwelling will be sought as a financial contribution. This supporting text also clarifies that, in terms of the affordable housing requirement, the Council will seek to achieve 70% affordable rent/ social rent housing and 30% intermediate housing.

18. The evidence presented indicates that of the 18 proposed units, 7 on site units would be identified as affordable. This would lead to a deficit of 0.2 of an affordable dwelling, in respect of achieving the 40% affordable dwellings required in this case.
19. The appellant has submitted a signed legal agreement in the form of a Unilateral Undertaking (UU) to the Council. This provides certainty that seven identified units would be integrated with the market housing proposed in the block. The UU also states that the five units would be affordable rent/social housing rent. The remaining two affordable on-site units would be shared ownership. Furthermore, the UU makes provision for an index linked financial contribution towards the Borough's affordable housing provision, which is made in respect of the shortfall of 0.2 of an affordable unit.
20. On this basis I find that the UU would ensure that the proposal accords with the Local Plan affordable housing policy, and, that the planning obligation would be fairly and reasonably related to the development proposed and that it passes the statutory tests.
21. In light of this, I conclude on this matter, that the proposal would make provision for an appropriate level of affordable housing, having regard to relevant development plan policy. The proposal would accord with Policy COM7 of the Local Plan. The proposal would also be consistent with the Affordable Housing Supplementary Planning Document.

Planning Balance and Other Matters

22. The appeal site is within the zone of influence of the Solent Maritime Special Area of Conservation (SAC), Solent and Dorset Special Protection Area (SPA), Solent and Southampton Water Ramsar and the Solent and Dorset Coast SPA. The water environment within the Solent region is one of the most important for wildlife in the United Kingdom, particularly for the range of habitats and the diverse variety of breeding and migrating birds.
23. Natural England has found that there is sound evidence that indicates that the high level of nitrogen and phosphorus input into the water environment is leading to a growth of certain plants through the process of eutrophication at the designated sites. These nutrients mainly arise from agricultural processes and wastewater from existing residential development.
24. Proposals for additional residential units would result in an increase of nutrient rich wastewater and therefore likely significant adverse impacts on the designated Solent sites cannot be ruled out in this case. The appellant has presented mitigation measures which are supported, amongst other things, by a legal agreement in the form of a UU. However, as I am dismissing this proposal on other grounds it is not necessary to consider this matter further.
25. The proposal would result in 18 additional residential units. In this regard it would contribute to the Government's objective to significantly boost the supply of homes and would add to the mix of homes in this area. In particular, the proposal would provide much needed affordable housing units. I attach moderate weight to these benefits given the scale of the development.
26. The site is in a built-up area, well related to a range of services and public transport. There would also be economic and social benefits through the construction of the units, and with future occupants of the apartments

contributing to the vibrancy of the community and the local services. Again, these benefits would be modest given the scale of the development.

27. The National Planning Policy Framework (the Framework) provides support for as much use as possible of previously developed land. However, this is except where this would conflict with other policies of the Framework. The Framework also provides support for the efficient use of land and development of under-utilised land. However, the Framework states that good design is a key aspect of sustainable development. I have found that this proposal would not be sensitive to the prevailing character of the area and would not result in good design. The proposal would not accord with the Framework in this respect.
28. The evidence presented does not suggest that the Council is unable to demonstrate a 5 year Housing Land Supply. Even if this was not the so, the significant harm to the character and appearance of the area in this case would significantly and demonstrably outweigh the moderate benefits of the proposal when assessed against the policies in the Framework taken as a whole.
29. The Council has not raised concerns about living conditions of future and existing residents, highways and parking, flood risk, on-site ecology, archaeology and waste storage, subject to conditions. Even if I was to agree with the Council, developments should not cause adverse impacts in relation to these issues. These are neutral factors in this case.
30. The principle of the development at this location is not a matter in dispute. My attention has also been drawn to several policies and guidance documents that are not in dispute between the main parties. However, I have found harm in respect of design and conflict with the development plan in this regard, and when read as a whole.

Conclusion

31. For the reasons stated above and having regard to the development plan, and material considerations, including the Framework, the appeal is dismissed.

A J Sutton

INSPECTOR