



Appeal Decision

Hearing held on 3 October 2023

Site visit made on 4 October 2023

by Graham Chamberlain BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17 October 2023

Appeal Ref: APP/H1705/W/23/3318470

Land south of Holt Cottages, Ashford Hill, Hampshire

- 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 JPP Land Ltd, Rosemary Pelham and Timothy Pyper against the decision of Basingstoke and Deane Borough Council.
- The application Ref 21/02696/OUT, dated 13 August 2021, was refused by notice dated 14 December 2022.
- The development proposed is described as 'outline planning application for the erection of 36 dwellings, including affordable housing, with associated public open space and landscaping, together with means of access from the B3051'.

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The planning application was submitted in outline with all matters of detail reserved for future consideration save for the access into the site. 'Access' in terms of internal circulation routes was also reserved for future consideration. I have assessed the proposal on this basis and treated the illustrative drawings as simply being an indication of how the proposal could ultimately be configured. However, a broad parameter plan has been advanced for consideration and this has informed my assessment. The description of development is taken from the decision notice as this reflects the changes made to the scheme during the Council's assessment of the application.
3. In September 2023 the Government published a revised National Planning Policy Framework (the 'Framework'). The revisions relate to national planning policy for onshore wind development rather than anything relevant to the main issues in this appeal. Consequently, I have not invited further comments.

Main Issues

4. The Council and appellant agree that to adhere to the development plan¹, it is necessary for the scheme to secure affordable housing, open space, an equipped play area, a kickabout area, landscape management and biodiversity enhancements. The evidence² before me supports this conclusion. To this end, a planning obligation was submitted after the hearing was closed, which the Council are satisfied with. As a result, it is unnecessary to address the concerns raised in the Council's third reason for refusal as a main issue.

¹ Including Policies CN1, CN6, EM4 and EM5 of the Basingstoke and Deane Local Plan 2011-2029

² Including the Council's 'CIL Compliance Statement' dated September 2023.

5. Upon reading the representations from interested parties, it became apparent that the consistency of the proposal with the spatial strategy in the development plan, and its accessibility to services and facilities, are significant local concerns. As a result, this was highlighted in my prehearing note and identified on my agenda as a main issue for discussion at the hearing.
6. Accordingly, the main issues in this appeal are:
 - Whether the appeal site is a suitable location for the proposal having regard to the spatial strategy in the development plan and the accessibility of services and facilities;
 - The effect of the proposed development on the landscape; and
 - Whether any adverse impacts of the proposal would significantly and demonstrably outweigh its benefits.

Reasons

Spatial strategy

7. Policy SS1 of the Basingstoke and Deane Local Plan 2011-2029 (LP) sets out a housing requirement and overall strategy for the location of residential development. The housing requirement of 15,300 homes is generally directed to sites within defined settlement boundaries and allocations, albeit with some modest exceptions. It was explained at the hearing that the aim behind this strategy is to safeguard the countryside and direct housing proportionately in accordance with the size of settlements and the services and facilities available. There is also an aim to stimulate regeneration at certain areas in Basingstoke.
8. To help deliver this strategy Policies SS2 and SS3 of the LP identify locations for regeneration and housing allocations on greenfield sites in and around Basingstoke, which is the largest settlement in the Borough where most of the housing need and facilities are. Policy SS4 addresses phasing and explains that the LP will be reviewed if an adequate housing supply cannot be demonstrated.
9. Policy SS5 of the LP outlines another important component of the spatial strategy, which is to support housing in rural areas through neighbourhood planning. Proportionate amounts of housing is allocated to five 'Tier 2³' settlements when having regard to their size, characteristics, needs and sustainability credentials. The application of these criteria also identified a further group of smaller 'Tier 3' settlements where some proportionate growth is to be supported. These were each allocated at least 10 homes. The use of the term *at least* means that the 10-home allocation is not a maximum. It is nevertheless clear that the spatial strategy is only promoting small scale and proportionate growth at Tier 3 settlements, otherwise they would have been earmarked for similar levels of growth as Tier 2 settlements.
10. In response to Policy SS5, the local community prepared the Ashford Hill with Headley Neighbourhood Plan (NP), which was recently 'made'. This document does not allocate any new housing schemes because Ashford Hill has already experienced growth above that envisaged in Policy SS5. Instead, Policy HD1 of the NP permits development proposals within defined settlement boundaries. Outside of these, Policy SS6 of the LP is to be applied.

³ Basingstoke can be referred to as the Tier 1 settlement.

11. Policy SS6 of the LP seeks to restrict housing in the countryside to certain identified types, such as appropriate development on previously developed land or the re use of buildings. Again, to promote some proportionate local growth to aid rural communities, the policy permits small scale schemes of up to four homes where they would meet a locally agreed need.
12. The appeal scheme is for the erection of thirty-six dwellings adjacent to, but outside, the settlement boundary of Ashford Hill. In isolation, the level of growth would exceed by some way that identified in Policy SS5 of the LP. This becomes even more problematic when the appeal scheme is considered cumulatively with other proposals that have been recently approved. Indeed, the village would be on course to nearly double in size over a short period of time. Moreover, the scheme is unallocated, would be on greenfield land and would not be small scale. As a result, the proposal would be at odds with Policy SS6 of the LP and therefore Policy HD1 of the NP by extension.
13. Accordingly, the appeal site would not be a suitable location for the proposal when applying the spatial strategy in the development plan, which is a carefully drafted and considered statement of policy. Instead, the proposal would significantly undermine the objectives of the strategy. This would be harmful given the public interest in having a genuinely plan led system that provides consistency and direction.

The accessibility of services and facilities

14. Table 5.2 of the Transport Statement (TS) submitted with the application lists the ten services and facilities currently available in the village. Since this list was compiled, the lawn mower shop has closed. This was the only retail premises available in the village. There is nothing before me to suggest any other business is seeking to operate from this property or that the community are looking to take it on as a local shop. Of the nine remaining facilities only the primary school, village hall and a car dealership are within an 800m walk of the appeal site. Other facilities, such as the cricket club or football pitches, may only be used infrequently and by a small proportion of the community.
15. Manual for Streets (MfS) states that walkable neighbourhoods are typically characterised by having a range of facilities within 10 minutes/800m walking distance of residential areas. This is a realistic distance when considering factors such as convenience, inclement weather, the distance a child can cover and the time taken to undertake the whole journey, including the return leg. Indeed, the National Design Guide defines walkable developments as locations where local facilities are within walking distance, generally considered to be *no more than* a ten-minute walk (800m radius).
16. That said, the distance travelled on foot may increase depending on the attractiveness of the route, the purpose of the journey and how long the pedestrian intends to stay at the destination. In respect of the latter, I have some doubts whether residents would regularly walk the 1700m round trip to the nursery twice a day. Nevertheless, the other facilities are likely to be destinations where the pedestrian would spend some time, such as a play park, church or nature reserve. Therefore, up to a mile can be considered a reasonable walking distance.
17. Accordingly, there would be areas for sport and play, a nature reserve for walks, a village hall for clubs and a primary school for education all within

walking distance of the appeal site. However, residents would not be able to walk to day-to-day services such as retail, employment, a public house or public transport. In respect of the latter, there is no bus service to the village and has not been for some time. This is important because the TS forecast that most journeys (around 63%) would be for leisure, shopping and commuting to work.

18. Such facilities are available in neighbouring settlements including Headley or Baughurst. There is also a rail station at Midgham. However, they are beyond a comfortable walking distance by some way. Cycling to neighbouring settlements would be possible given the distance, but it is an unrealistic proposition because the routes are narrow, unlit and very undulating. The B3051 also seems busy and intimidating with sections of fast-moving traffic. Accordingly, the cycling environment is likely to prevent all but the most committed from using this mode of transport. In any event, residents may not have the fitness or confidence to use a bicycle and there is no transport plan before me that would incentivise bike ownership and use.
19. As a result, residents of the appeal scheme would only be able to access a limited array of services by walking, with cycling and public transport being unrealistic options. They would to all intent and purposes be entirely reliant on private motorised transport if they wished to leave the village, which they would have to do frequently given the modest range of services available.
20. The lack of sustainable travel options would limit opportunities for future residents to benefit from the health and resilience afforded by active and sustainable transport. Nor would it support a transition to a low carbon future at a time when I understand the Council has declared a climate emergency. Future residents could use ultra-low and zero emission vehicles, but that may not be universal for many years. Moreover, this mode of transport would not facilitate the health benefits from regular active travel.
21. The extent of harm that occurs from poor access to services and facilities is proportionate to the size of the scheme. A small scheme would generate fewer trips and less harm. This is why Policies SS5 and SS6 only promotes small levels of growth at settlements such as Ashford Hill. In this case, the proposal is for thirty-six homes. This is not small scale and therefore a significant level of harm would occur despite some facilities being accessible on foot. This is more so when the impacts are considered cumulatively with the relatively high level of residential development that has already occurred in the village.
22. In conclusion, the appeal scheme would be poorly related to services and facilities as it would not offer a genuine choice of transport modes. As a result, it would not promote opportunities for sustainable transport, improve accessibility to services and support the transition to a low carbon future. Accordingly, the proposal would be at odds with Policy CN9 of the LP, which sets out these objectives.

The effect of the proposal on the landscape

23. It was agreed at the hearing that the 'landscape' for the purposes of my assessment included the appeal site and its immediate context. In this respect, the landscape includes the appeal site, which may be an assarted field, the southern portion of the settlement of Ashford Hill, former assarted fields west of the B3051, the cluster of buildings at Fair Oak, parliamentary enclosure

- fields to the southeast of the appeal site and part of the Ashford Hill Woods and Meadows Site of Special Scientific Interest (SSSI) to the northeast. The latter is accessed via a public footpath that marks the site's northern boundary.
24. This landscape is identified in the Basingstoke and Deane Landscape Character Assessment 2021 as being within the Wolverton Landscape Character Area (LCA). The appellant's Landscape and Visual Impact Assessment (LVIA) identifies this LCA as being of medium to high value. The appeal site and its contextual landscape includes many of the key characteristics identified in the LCA. In particular, the land is gently undulating, the appeal site's southern boundary is marked by a small tributary, the fieldscape is mixed and of small to medium size, there is a high level of vegetation, and the settlement pattern includes a small village (Ashford Hill) and the farmstead cluster at Fair Oak. As a result, the landscape is representative of a rural LCA of medium-high value.
25. When considering the attributes of the landscape, the arable fields are currently unlikely to be of notable importance to biodiversity but the surrounding network of hedgerows, which are partially contiguous with the SSSI, are likely to be of moderate value. To this end, the appeal site is part of a Biodiversity Opportunity Area identified in the NP. This provides a link between the appeal site and the landscape of the SSSI. The fieldscape, which is generally demarcated by intact hedges, is of cultural value although the appeal site is of limited archaeological interest.
26. The condition of the landscape is variable with some aspects being of high value, such as the parliamentary enclosure fields, and others being detractors, such as Holt Cottages and some of the buildings at Fair Oak. The appeal site itself is also a consolidation of sections of three earlier fields. Nevertheless, the boundary hedgerow along the B3051 is intact and most of the willow trees along the southern boundary are identified in the Arboricultural Assessment as Category B trees.
27. This row of willow trees, as well as the parliamentary enclosure fields, are reasonably rare and distinctive features. They also have a scenic quality which is experienced from the B3051, the public right of way to the immediate north of the site and Wheathold Lane to the south. The SSSI is a remarkable feature and views towards its wooded periphery are visible across the appeal site. The appeal site therefore has a pleasant scenic quality. Holt Cottages is arranged so the backs of the properties face the countryside. This erodes the scenic quality when looking north. Nevertheless, when looking south upon leaving Ashford Hill the buildings at Fair Oak are not apparent and consequently there is a view over unspoilt, gently undulating and verdant countryside. This is the predominant context of the appeal site.
28. Discussions at the hearing demonstrated that the footpath is a popular local route that links in with a wider network. The setting of the right of way as it passes the northern boundary of the appeal site is enhanced by the open views towards and across the appeal site. The aural tranquillity of the landscape is generally low, as the noise from the B3051 is quite pronounced. The presence of Holt Cottages also erodes the sense of an undeveloped context, although the properties are less visible in views from Wheathold Lane.
29. Ashford Hill was originally a linear village, but it has evolved a more nucleated form in recent years due to the new housing at Oakfield Lane. As a consequence, the overall settlement pattern of Ashford Hill is much altered.

Nevertheless, the historic single plot depth of the village on the eastern side of the B3051 is still apparent and of some value, albeit eroded quite noticeably by Holt Cottages as an isolated example of a cul-de-sac.

30. Holt Cottages marks the extent of the defined settlement boundary. This is a logical point to do so as the landscape beyond, including the appeal site, becomes abruptly open and rural. There is no transition zone. Fair Oak does not meet the definition of a settlement in the LP, but it is nevertheless a spacious and verdant cluster of buildings that sits within the rural landscape south of Ashford Hill. Fair Oak is not part of Ashford Hill. Similarly, the road sign to the south of Fair Oak does not mark the start of Ashford Hill. Instead, the start of Ashford Hill is signalled by the 30mph sign positioned shortly before Holt Cottages. Accordingly, the appeal site is not, and has never been, part of the village of Ashford Hill. Instead, it has a spatial function of providing a buffer between the village of Ashford Hill and the distinct cluster of Fair Oak⁴. This is not set out in local policy, but it is apparent on the ground.
31. Thus, when having regard to the foregoing characteristics and attributes, the landscape (the site and its context) has a value that ranges from medium to medium-high. The value at the appeal site in isolation is closer to the former. The views within this landscape are also of variable value but those looking south from Ashford Hill, especially from the public footpath, or towards the woodland from the B3051, are of medium value.
32. The appeal scheme would be an urbanising incursion into the landscape that would dramatically change the character of the appeal site and its immediate context, as an open field would become a housing estate. It would also be a comparatively large body of homes with an overtly suburban character. Moreover, the highway access would breach an otherwise continuous and intact hedgerow and the presence of a relatively large estate would diminish the setting and enjoyment of the public right of way.
33. The proposal would also breach the natural southern boundary of the settlement and as a result it would inherently appear as an unnatural and strident extension of the village. Indeed, the estate would appear bolted on and poorly integrated, especially as it would be a relatively compact form of development on the settlement edge. The location of the scheme would also reduce the sense of separation between Ashford Hill and Fair Oak and thus diminish the spatial contribution of this gap to the landscape. This would be the case despite the provision of a large open space, because the housing would remain very apparent and the open space would include formal areas.
34. I also share the Council's reservations that the cumulative impact from almost doubling the size of the settlement in such a short period of time would have a negative impact on the character and feel of Ashford Hill as a modest linear village. Even more so because the new development in the village to date has been suburban in style due to the use of repeated house types, estate roads and garages. The indicators⁵ are that the appeal scheme would likely be more of the same. Accordingly, the appeal scheme would erode the value of many of the attributes discussed above and thus harm landscape character.

⁴ Fair Oak is identified as a distinct built cluster on maps as far back as 1808

⁵ Including the illustrative masterplan and Design and Access Statement

35. Visually, the appeal scheme would be quite contained due to the presence of woodland and built form to the north and east. As a result, long distance views would not be possible. The main near distance views would be from the public footpath, the B3051 and Wheathold Lane. In all of these vantage points the proposal would appear as a discordant and harmful addition to the landscape for the reasons set out above. In particular, the scheme would interrupt views towards the woodland, the row of willow trees and the pleasant undulating countryside to the south of Ashford Hill. The verified visual montages (VVMs) demonstrate this point. Accordingly, there would be an adverse visual impact.
36. The proposal would not be without merit as the large open space would mitigate for some of the lost planting and provide variety. Over time the landscaping would soften the development and filter views. Moreover, houses could be positioned to look out toward the open landscape and therefore provide an interface rather than views of rear elevations. Muted and dark materials could also lessen the presence of the development, as shown in the VVMs. The Council's landscape character assessment also suggests that new development should be associated with existing settlements where appropriate, such as Ashford Hill. And the Council's Urban Design Officer stated that thirty-six homes could be accommodated at the site, although that was only if the principle of developing the site in policy and landscape terms was first considered acceptable. Overall, the scheme would have a notable net adverse impact even when factoring in these points.
37. The Council suggest that the magnitude of the impact when considering the effect on landscape character (including settlement character) and visual amenity would be 'high'. A high magnitude of change is defined by the Council as a substantial loss of the landscape resource. I would not put the impact this high due to the localised effect, the softening potential of the large open space and because some landscape attributes would be left intact, such as the form of the parliamentary enclosure fields. However, when applying the terminology in the Council's assessment I would not characterise the impact as partial either, if this means limited. The adverse magnitude of the impact would be major at Day 1 reducing to medium by year 15 as the landscaping matures.
38. When the medium sensitivity of the landscape is plotted against the residual magnitude of change, then the significance of the adverse effect can be categorised as moderate. A moderate impact is one of significance, in that it is meaningful. As a result, the landscape would be susceptible to significant and inappropriate residual adverse effects from the proposed development.
39. In coming to this view, I have carefully considered the decisions at Oakfield Lane⁶ and Ashfield Hill Road⁷. This is because like application should be considered in a like manner. The former was considered acceptable by the Council after the limited harm then identified was weighed against the 3.4-years housing land supply. The latter was found acceptable by an Inspector. In so doing, they found no harm to the character and appearance of the area.
40. The findings are site specific and based on the circumstances and evidence at the time. Moreover, the two approved schemes were closer to the centre of the village and had existing development to at least two sides, which affords a perception of rounding off. The landscape attributes are also likely to be

⁶ Council reference 15/01224/FUL

⁷ Appeal reference APP/H1705/W/20/3253087

different. Due to these material differences, my findings are not inconsistent with those of other decision makers.

41. In conclusion, the appeal scheme would result in a moderate magnitude of harm to the landscape. This would result in a conflict with Policies EM1 and EM10 of the LP and Policy L1 of the NP, as supported by the Landscape, Biodiversity and Trees Supplementary Planning Document 2018. These policies seek to secure development that is not detrimental to the character and visual amenity of the landscape and positively contributes to local distinctiveness.

Whether any adverse impacts of the proposal would significantly and demonstrably outweigh the benefits

42. Policy SD1 of the LP sets out an approach for considering applications under a presumption in favour of sustainable development. However, the wording in this policy is inconsistent with the Framework in some significant respects. Consequently, it would instead be prudent to apply the presumption in favour of sustainable development as set out in Paragraph 11 of the most recent version of the National Planning Policy Framework (the 'Framework').
43. The Council are currently unable to demonstrate a five-year housing land supply and therefore the most important policies for determining the application should be deemed out of date. However, they should not be disregarded or set aside. Instead, in this instance Paragraph 11 of the Framework states that permission should be granted unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits when considered against the policies in the Framework taken as a whole. The adverse impacts of the proposal would be a conflict with the spatial strategy, poor access to services and facilities and harm to the landscape.
44. The approach of the spatial strategy in the development plan is broadly consistent with national policy because it seeks to direct new rural housing to settlements in a way that balances several aims in the Framework, including support for rural communities, promotion of sustainable transport and recognition of the character and beauty of the countryside. To this end, the extent of settlements and the growth they should accommodate has been defined locally in a carefully considered development plan. It is also important to note that the Framework encourages a genuinely plan led approach to development and supports neighbourhood planning.
45. However, Paragraph 60 of the Framework sets out the objective of significantly boosting the supply of housing, Paragraph 74 sets a requirement for local planning authorities to provide a minimum five-year housing land supply and Paragraph 14 of the Framework is not engaged. The housing land supply in the borough currently stands at around 4.1 years. This is broadly on account of large housing allocations not coming forward as anticipated. The shortfall equates to around 769 homes and is therefore notable in its extent. The result being that the spatial strategy is failing to deliver the required number of homes. As things stand a rigorous application of the spatial strategy would frustrate attempts to remedy the housing supply deficit. On balance, the conflict with the spatial strategy carries moderate weight in this instance.
46. Paragraph 105 of the Framework states that significant development should be focussed on locations which are, or can be made, sustainable, through limiting the need to travel and offering a genuine choice of transport modes. The term

'significant' is not defined. To this end, the appellant argues that the term is singular and would only relate to a scheme that would have a quantum of development that is significant in the context of the whole borough. They point to the very large allocations planned at Basingstoke as generally being what is meant by 'significant development'.

47. However, this casts the net too narrowly because the implication of such an approach would be that residents of large and medium sized schemes would have to live in developments where there would be no national policy requirement to offer a genuine choice of transport modes. Instead, I share the view of interested parties that if the term was only meant to refer to strategic level development, then it would have been defined as such. As an alternative, significant should be taken to mean something that is sufficiently great to be worthy of attention. On this measure what constitutes a significant development will vary when having regard to factors that can include the scale, effect, and locational and policy context of a proposal.
48. In this case, a scheme of thirty-six homes is not insignificant in size. It would certainly be a large body of homes relative to the scale of Ashford Hill. Moreover, future residents would be essentially car dependent and the cumulative number of trips generated on account of this would not be insignificant. Furthermore, Ashford Hill was only intended to accommodate a small amount of housing, but the appeal scheme would be three times what was planned and would come on the back of the high level of growth that has already occurred at the settlement.
49. Some Tier 2 settlements have experienced relatively high levels of growth that far exceed that allocated in the LP. Nevertheless, they have, by definition, better access to services and facilities than Tier 3 settlements such as Ashford Hill. As already explained, Ashford Hill is not a settlement that is well placed for sizeable growth when considering the accessibility of services and facilities.
50. Accordingly, the proposal would be significant development that would increase the need to travel but not offer a genuine choice of transport modes. This weighs heavily against the scheme. Especially so when factoring in Paragraph 152 of the Framework, which seeks a transition to a low carbon future and radical reductions in greenhouse gas emissions. In coming to this view, I am mindful that opportunities to maximise sustainable transport solutions will vary from urban to rural areas. However, for the reasons given, Ashford Hill is particularly unsuited for relatively high levels of growth in a rural context.
51. Paragraph 174 of the Framework states that planning policies and decisions should contribute to, and enhance, the natural environment by protecting and enhancing valued landscapes. The appellant suggests that only landscapes of high value can be 'valued' and thus subject to the overt protection set out in Paragraph 174 of the Framework. A high value landscape is classified in the LVIA as being exceptional, with outstanding perceptual qualities, an undesignated landscape with all the key elements that is wholly representative of a published landscape character assessment. A landscape of medium value is described in the LVIA as being ordinary.
52. To my mind, a valued landscape is one that has attributes which raise it above the ordinary. It does not need to be exceptional. As a result, by equating a valued landscape with one of high value as defined in the LVIA, the appellant has set the bar too high. For the reasons already set out, the landscape for the

purposes of my assessment is representative of the LCA and has many attributes. There are some negative features, but they are not dominant. As a result, a case could be made to suggest the landscape should be considered 'valued' in that it is above the ordinary. The site is in the setting of the SSSI, and this is an exceptional landscape. Thus, if the site is in the same 'landscape' as the SSSI, then it would probably be part of a valued landscape.

53. Nevertheless, the Council and appellant agreed at the hearing that the site is not a valued landscape for the purposes of Paragraph 174 of the Framework. It is therefore ordinary countryside, albeit with some attributes of value. I have adopted this position for the purposes of my assessment. As a result, the Framework does not provide an explicit policy requirement that the site should be protected from development. Instead, the scheme is required to recognise the intrinsic character and beauty of the countryside. I take this to mean that it should recognise and identify the character and beauty of the landscape, and this analysis should then inform any proposal.
54. For the reasons already given, the proposal is not without merit and has sought to recognise some of the intrinsic attributes of the landscape. Nevertheless, it would still result in moderate residual harm to the character and beauty of the countryside. I am conscious that the Council conceded at the hearing that it is likely to need more greenfield sites to meet its housing requirement. It therefore follows that some urbanisation of the countryside in the borough may need to occur. Nevertheless, the harm identified goes beyond simply urbanising a greenfield site. Instead, the scheme would appear strident and out of place with a negative impact on several landscape attributes. The harm would be to the site and the contextual character of its surroundings, including the settlement pattern, the gap with Fair Oak and the undeveloped feel of the landscape south of Holt Cottages. Accordingly, the moderate magnitude of landscape harm is an important point against the appeal scheme.
55. Turning to the benefits. The provision of thirty-six homes would make a helpful dent in the longstanding housing supply shortfall. It can also be delivered quickly, provide a mix of homes and a scheme that would be of interest to medium sized developers. This, however, needs to be considered in the context that the Council has facilitated the delivery of a high number of homes in recent years resulting in a very good measure in the Housing Delivery Test (of 182%). The Council also confirmed at the hearing that it has planning performance agreements in place to deliver some of the larger allocations and is also working on a new local plan, which is no longer paused. The Local Development Scheme indicates that the emerging local plan could be completed in the winter of 2025/26. I therefore edge more towards the Council's view that the weight to be afforded to the benefit of housing delivery is moderate rather than substantial.
56. There is an acute need for affordable housing in the borough as demonstrated by the housing waiting list and the time it takes for a home to be offered. The scheme would contribute fourteen homes towards addressing the shortfall. This would not be a large contribution, but it nevertheless needs to be seen through the prism of the extent of unmet need at both the local and borough wide levels. Accordingly, the provision of affordable housing carries significant weight in favour of the appeal scheme.

57. The proposal would provide a mix of homes and increase the population of the village. The additional residents could get involved in village life, add vibrancy and help sustain what limited facilities are available. However, save for the closure of the lawn mower shop, there is little evidence before me to suggest the existing everyday facilities listed in the TS, local clubs or organisations are suffering for lack of patronage, which indicates there are enough residents to sustain them.
58. The new residents may support services in neighbouring villages, including the community shop at Headley. But once residents are in their car it would be just as convenient to head to larger settlements such as Tadley, Basingstoke or Newbury because of the distance and to link trips.
59. More housing may help to deliver new facilities, but there is no evidence before me that the population associated with thirty-six homes would deliver the critical mass needed to establish a new service, such as a bus route. Indeed, new housing has occurred at the village and not much seems to have changed regarding the provision of new services. Overall, the positive contribution to the vibrancy of the local community would be moderate.
60. The appeal scheme would also provide significant economic benefits, including around 86 direct jobs and 111 indirect. There would also be first occupancy spending as well as ongoing expenditure from residents. The New Homes Bonus would provide a limited benefit and there would also be a CIL receipt to spend. The open space, the size of which would exceed policy requirements, would also be a benefit. That said, it would be on the periphery of the village and there are other open spaces elsewhere in the settlement, including a new village green, large nature reserve and playing fields. The appeal scheme would also provide a net gain to biodiversity, which could go beyond the normal 10% ambition. This would be a further moderate benefit.
61. Paragraph 11d) of the Framework starts with the premise that a proposal should be granted where a five-year housing land supply is absent. This presumption can only be displaced if the adverse impacts of doing so would significantly and demonstrably outweigh the benefits. This approach has been designed to authorise some harm. In this instance, the appeal scheme would have notable benefits that would deliver positively against some of the policies in the Framework⁸. Nevertheless, it would also have adverse impacts of a high order. These would, in this instance, significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework as a whole. This does not indicate the proposal should be approved.

Other Matters

62. The flood risk assessment submitted with the planning application states that the appeal site is at moderate risk from ground water flooding. The Planning Practice Guide identifies this as a source of flood risk and explains that a sequential approach should be taken. Upon querying this through my prehearing note, the appellant provided additional evidence in the form of a letter from their consultants confirming that the site is at low risk of flooding and a sequential test is therefore unnecessary. It is unclear if the Council tested this with its own advisors, but it has nevertheless agreed the appellant's

⁸ Including Paragraphs 60, 62, 69, 74, 79 and 81

position through the Statement of Common Ground (SOCG). As a result, I have not considered this point further.

63. The Council's Conservation Officer indicated that the appeal scheme would have a low level of less than substantial harm on the setting and significance of The Bungalow, a Grade II listed building. The author of the committee report shared this view but did not undertake a 'heritage balance' as required by Paragraph 202 of the Framework. That said, the Council's position has evolved, with the SOCG stating there would be no harm to the significance of The Bungalow. The reason for this change is not set out. Given my findings on the main issue, this is not something I have considered further. For similar reasons, it has not been necessary to consider the other concerns of interested parties, such as highway safety, as the appeal has failed on the main issues.
64. In considering another housing scheme at the village⁹, a previous Inspector did not conclude that the countryside location, size of the village or access to services and facilities were in principle concerns. However, this was on account of the Council not being concerned and in the absence of evidence to justify a different conclusion. In this instance, interested parties are concerned and the Council changed its position on this point at the hearing. There was also a detailed discussion at the event where evidence was presented. As a result, the previous appeal decision does not alter my findings.
65. Reference has also been made to the Bramley decision¹⁰ where housing was approved at a settlement which had already exceeded its target in Policy SS6 of the LP. However, Bramley is one of the largest of the Tier 2 villages and contains several day-to-day facilities, including public transport. Moreover, the Inspector found the effect on the character and appearance of the area would comply with the development plan. The circumstances are quite different to the proposal before me and therefore the decision is of limited weight. The same can also be said of the Overton decision¹¹, the Farnham decision¹², the Hamble-le-Rice decision¹³ and the Bishops Green decision¹⁴. I have also given limited weight to the settlement study undertaken as part of the emerging local plan because it has not been tested through examination.

Conclusion

66. The Council and appellant have found that the appeal scheme would adhere to many aspects of the development plan¹⁵. The absence of a conflict is a neutral matter. However, it would be at odds with the spatial strategy, fail to adequately promote sustainable transport and harm the landscape. It would consequently conflict with the development plan taken as a whole. There are no other considerations which outweigh this finding, including the Framework and the benefits of the scheme. Accordingly, the appeal has failed.

Graham Chamberlain
INSPECTOR

⁹ APP/H1705/W/20/3253087

¹⁰ APP/H1705/W/20/3256041

¹¹ Council reference 20/02375/OUT

¹² APP/R3650/W/18/3211033

¹³ APP/W1715/W/18/3194846

¹⁴ Council reference 22/00174/OUT

¹⁵ Summarised at pages 78-79 of the appellant's Planning Appeal Hearing Statement

APPEARANCES

For the Appellant:

Mr Douglas Bond BA (Hons) MRTPI	Principal, Woolf Bond Planning LLP
Mr Andrew Smith BSc (Hons) MSc CMLI	Director, Fabrik
Mrs Charlotte Mimms BA (Hons) MA CMLI	Principal Associate, Fabrik

For the Local Planning Authority:

Nicola Williams BA (Hons) MSc TCP	Principal Planning Officer
John Dawson BSc (Hons) DipTP MA MRTPI	Principal Urban Designer
Terry Martin CMLI	Landscape Architect
Vashti Gooding BA (Hons) MRTPI	Principal Planner (Policy)
Paul Johnston BA (Hons) Dip LA, CMLI	Natural Environment Team Leader
Tom Roworth	Housing Strategy Manager
Chris Slack PGDip FCIEEM	Biodiversity Officer

Interested Parties:

Patrick Taylor	Chair, Residents of Ashford Hill Against Development
Michael de Courcy	de Courcy Planning Consultants
John Kirkby	
Peter Canon	
Paul Clark	Parish Council
Melisa Tayabali	
Heather Taylor	
Julian Sunley	Parish Council
Anne Ayers	
Cllr Ken Rhatigan	Borough Councillor
Gary Martin	
Mr Anderson	
Christian Bearman	
George March	
Mr Watt	

DOCUMENTS (received at or after the hearing)

Completed planning obligation dated 6 October 2023