

Appeal Decision

Site visit made on 23 October 2023

by B Phillips BSc MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13th November 2023

Appeal Ref: APP/H1705/W/23/3322084

Horris Farm, Oakley Lane, Wash Water RG20 9AQ

- 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 Mrs C Cordle against the decision of Basingstoke and Deane Borough Council.
 - The application Ref 23/00457/PIP, dated 21 February 2023, was refused by notice dated 24 March 2023.
 - The development proposed is an application for permission in principle for residential development of 1 no. dwelling.
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The proposal is for permission in principle. The Planning Practice Guidance (PPG) advises that this is an alternative way of obtaining planning permission for housing-led development. The permission in principle consent route has 2 stages: the first stage (or permission in principle stage) establishes whether a site is suitable in-principle and the second, Technical Details Consent (TDC) stage is when the detailed development proposals are assessed. This appeal relates to the first of these 2 stages.
3. The scope of the considerations for permission in principle is limited to location, land use and the amount of development permitted. All other matters are considered as part of a subsequent TDC application if permission in principle is granted. The Council's objections relate to the location and character and appearance. I have determined the appeal accordingly.

Main Issue

4. The main issue is whether the site is suitable for residential development, having regard to its location, the proposed land use and the amount of development.

Reasons

Location and accessibility

5. The appeal site is located on the northern side of Oakley Lane, to the southeast of Wash Water/Wash Common, and is currently an undeveloped field of significant size. It is surrounded by vegetation and trees, with an unpaved track running from Oakley Lane providing access to the site and agricultural building nearby. Large, detached properties lie to the south and south west, accessed off Oakley Lane. The immediate wider surrounding area is

unmistakably rural with an open landscape which is lightly settled and mainly agricultural in nature.

6. The appeal site lies outside any development boundary as defined by Policy SS1 of the Basingstoke and Deane Local Plan 2011-2029 (2016) (LP) and such is within the designated open countryside. This policy sets out the local strategy for housing delivery, supporting development on appropriate brownfield sites and within Settlement Policy Boundaries as defined on the Policies Map. The proposal would not accord with these provisions which are intended to prevent sporadic development.
7. Furthermore, LP Policy SS6 sets out that there will be a presumption against new residential development outside of the settlement boundaries, except under various exceptions. None of the types of development specified at criteria a), b), c), d), f) and g) apply in this case.
8. The access track to the appeal site is unpaved at present and leads to Oakley Lane. This rural lane has no pavement, is unlit and does not provide safe nor convenient walking or cycling opportunities to the nearest services and facilities. The settlement of Wash Common is located nearby but provides only limited services, - a community centre, petrol garage and place of worship, which would not meet the day to day requirements of residents. Neither would the school, caravan park and various other facilities noted by the appellant which are dotted in the vicinity of the appeal site.
9. More facilities and services are provided in Burghclere or Highclere, which the appellant puts at 1.5 and 2.1 miles away respectively. I note the public right of way nearby and its connected network, however again, given its narrow unlit uneven nature and the distances involved, this would not provide safe or convenient access to facilities or services.
10. The nearest bus stop to the site is located just under a mile away at Penwood Road, which I understand provides an irregular service to Newbury/Andover and Hatch Warren/Winchester. Whilst offering some choice of means of travel to future occupiers the bus service is not so convenient that the site can be described as well-connected.
11. Accordingly, the intended future occupiers of the new dwelling would be likely to have a high reliance on a private motor vehicle to access day to day services. Once in their cars there would be a high probability that occupiers of the new dwelling would be likely to go further afield where there are a greater range of services and facilities. Consequently, the support that would be given by occupiers of the new dwelling to maintaining the vitality of the community would be unlikely to be discernible.
12. Having regard to the judgement in Braintree¹ and the context of that part of the National Planning Policy Framework (the 'Framework'), as the appeal site is physically separate and remote from any obvious settlement, the proposed dwelling would constitute 'an isolated home in the countryside', despite the existence of other remote dwellings and a farm nearby. As the property would not be well related to the existing settlement and would result in an isolated form of development, it would conflict with criterion e) of LP Policy SS6.

¹ Braintree DC v SSCLG, Greyread Ltd & Granville Developments Ltd [2018] EWCA Civ 610

13. Therefore, when judged against local policies, the proposal would not be in a suitable location. Permitting it would be harmful in that the strategy for the distribution of housing would be undermined and as car borne travel would be encouraged. As such, there would be a conflict with relevant development plan policies.
14. The appellant has referred to various applications² for residential development nearby the appeal site, in addition to the Highclere Neighbourhood Plan. However, I do not know the precise circumstances or locations of these cases or what other material considerations were taken into account. As such, none of these examples or conclusions alter my findings. Furthermore, the fact that there are existing dwellings located with limited access to services and facilities does not justify the location of further development in similar locations.

Character and appearance

15. The surroundings are rural in character, and the appeal site is bordered by mature trees and vegetation, often with glimpses of wider open fields and woodland. The nearest properties and farm are nearby but are sporadic in nature and there is no clear established cluster of development nearby that the proposed property would sit as a part of. It would therefore be physically and visually separated from other built development.
16. The proposal would remove a field that contributes modestly to the rural character of the area, replacing the open and rural nature of the site and having a significant urbanising effect.
17. There are mature boundaries or woodland on all sides of the appeal site and views would be limited from the wider area as a result, having a containing effect. This would provide some mitigation to the visual impact of the development, however, notwithstanding the design of any dwelling on this site, its siting would not be sympathetic to the visual quality of the local landscape, nor be sympathetic to its existing rural character. There would be modest harm in this regard.
18. The proposal would therefore conflict with LP Policies EM1 and EM10, which seek to ensure that proposals are sympathetic to the character and visual quality of the area and positively contribute to local distinctiveness. There is also conflict with the advice set out in the supplementary planning documents Design and Sustainability (2018) and Landscape, Biodiversity and Trees (2018) which promote high quality design.

Other considerations

19. Set against the harm identified there would be limited social and economic benefits associated with the proposal. An additional unit would make little difference to the overall supply of housing and the support one extra household would provide to the local economy would also be insignificant.

Planning balance

20. The Local Plan dates from 2016 but the weight to be attached does not hinge on its age. Rather paragraph 219 of the Framework makes it clear that due weight should be given to existing policies according to their degree of

² Application reference 20/03577/OUT & 23/000457/PIP

consistency with the Framework. The countryside is not protected for its own sake but its intrinsic character and beauty is recognised by the Framework which also indicates that isolated homes in the countryside such as the proposal should be avoided. Whilst I recognise that the Framework does recognise that opportunities to maximise sustainable transport solutions will vary between urban and rural areas, the Framework also expects development to prioritise pedestrian and cycle movements. Therefore, the conflict between the proposal and LP Policies SS1 and SS6 should be given significant weight in this appeal.

21. I have also found that the development would cause modest adverse harm to the character and appearance of the area. The Framework seeks to conserve and enhance the natural environment and achieve well designed places. Therefore, the conflict with LP Policies EM1 and EM10 is also given modest weight.
22. As there are no policies in the Local Plan which positively favour development of this kind in this location and as the proposal would be contrary to the policies referred to above, there would a conflict with the development plan as a whole.
23. The Council cannot demonstrate a five year supply of deliverable housing sites. The shortfall is not evident, however in these circumstances footnote 7 of the Framework establishes that the policies which are most important for determining the application are out-of-date. Consequently, permission should be granted unless any adverse impacts would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole. The site is not within a protected area.
24. As described above the benefits associated with a single dwelling would be limited even taking account of the objective of boosting significantly the supply of housing in the Framework and the Council's housing land supply position. The Framework also gives substantial weight to the value of using suitable brownfield land within settlements for housing rather than land in the countryside and for development to facilitate access to high quality public transport as far as possible. It also gives great weight to high quality design and protecting the natural environment.
25. Consequently, even if the shortfall in housing delivery is substantial, the adverse impacts on housing strategy, of increasing travel by car and character and appearance would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole. As a result, the presumption in favour of sustainable development does not apply.

Conclusion

26. The proposal would conflict with the development plan as a whole and there are no other considerations, including the provisions of the Framework, which outweigh this finding. Therefore, for the reasons given, the appeal should not succeed.

B Phillips

INSPECTOR