



Appeal Decision

Site visit made on 6 February 2024

by Jonathan Edwards BSc(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 09 February 2024

Appeal Ref: APP/H1705/W/22/3313295

Land North West Of Little Knowl Hill, Fair Oak, Ashford Hill, Hampshire RG19 8BN

- 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 C Manners, R Manners and A Manners against the decision of Basingstoke and Deane Borough Council.
 - The application Ref 22/02069/PIP, dated 25 July 2022, was refused by notice dated 26 August 2022.
 - The development proposed is described as "application for permission in principle for residential development for a minimum of 1 no and a maximum of 2 no dwellings."
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. Since the Council's decision was issued, the Ashford Hill with Headley Neighbourhood Plan (NP) has been to referendum and has been formally made. The Council and appellants have had an opportunity to submit comments on the NP through the appeal process. The NP now forms part of the development plan for the area in which the site is located and so it has been considered in my assessment of the appeal.
3. On 19 December 2023, a revised National Planning Policy Framework (the Framework) was issued. This was followed by changes to the housing supply and provision section of the national Planning Practice Guidance (PPG). The Council has submitted comments that refer to the Framework and the appellant has provided a response. I have had regard to these representations.

Main Issues

4. The appeal seeks permission in principle in accordance with the Town and Country Planning (Permission in Principle) (Amendment) Order 2017. Advice in the PPG explains the scope of permission in principle is limited to the location, land use and amount of development.
5. In light of the Council's refusal reasons and further comments on the appeal, the main issues are (i) the effect on the character and appearance of the area, and (ii) whether the development would be in a suitable location having regard to the policies of the Basingstoke and Deane Local Plan 2016 (the LP) and the Framework.

Reasons

Effect on character and appearance

6. The appeal site is part of a small field with a low roadside hedgerow. A wooded area is to the rear. The site is set slightly away from a public footpath that runs from the road along the edge of the field.
7. The surrounding area includes buildings such as Wren Cottage, which is on the same side of the road as the appeal site and is clearly seen from the footpath and highway. However, local properties tend to be spaced out and set amongst mature vegetation which provides a degree of concealment. The open spaces, the greenery and lack of roadside pavements all give the locality a distinctive countryside feel. The openness of the appeal site and views it allows from the road and footpath to the trees behind positively contribute to the area's character. The site and its surroundings are not formally recognised for their landscape value but nevertheless they have attractive rural qualities.
8. The development is bound to change the nature of the appeal site from open field to residential properties. Even with additional landscaping and sensitive design, the buildings, features and activity associated with the proposed use would erode the openness of part of the field and affect views towards the adjacent woods. The visual effects of the development would be noticeable by users of the nearby parts of the road and the footpath as well as from Wren Cottage. Therefore, the scheme would noticeably detract from the site's contribution to the countryside character of the area.
9. Also, the proposal would be set away from Wren Cottage with part of the field in the intervening space. As such, it would be read as encroachment into the countryside rather than a logical extension to a line of ribbon development.
10. For the above reasons, I conclude the proposal by reason of its countryside location and the residential use, would be harmful to the character and appearance of the area. In these regards, it would not accord with LP policies EM1 and EM10 and NP policies L1 and HD3. Amongst other things, these look to ensure development respects the sense of place and local rural character.

Suitability of location having regard to LP policies and the Framework

11. LP policy SS1 is only permissive of housing development outside defined settlement policy boundaries if it meets criteria set out in other policies. LP policy SS6 explains when new dwellings will be allowed in the countryside. The appeal site is outside any defined settlement boundary and the proposal would not accord with any of the circumstances set out under LP policy SS6. As such, the development's location would not be supported by LP policies.
12. At the same time, the proposal would not be isolated new homes in the countryside given the presence of Wren Cottage and other nearby properties. Accordingly, it would not be contrary to paragraph 84 of the Framework. Moreover, it is likely that residents of the development would support facilities in the nearby villages of Ashford Hill and Kingsclere. Therefore, the residences would be located so as to enhance or maintain the vitality of rural communities, in line with paragraph 83 of the Framework.
13. Consequently, I conclude the location of the development would not accord with LP policies SS1 and SS6. The harm caused in these respects is tempered

by the acceptability of the proposal when assessed against the Framework's provisions on the location of rural housing.

Other considerations and planning balance

14. Wren Cottage is a grade II listed building that gains its significance from its age and architectural features. The proposed development would be seen with Wren Cottage in the background and so the setting of the listed building would be affected. However, the proposal could be located and designed to not unduly compete or detract from the cottage so that its significance would be preserved. Also, intervening vegetation and separation distances would ensure the development would not affect the setting of Malt House, a grade II listed building on the other side of the road. Acceptability in these regards is a neutral factor in my assessment.
15. The appellants contend the Council is unable to demonstrate a sufficient supply of housing land having regard to the provisions of the Framework. Also, irrespective of the housing land supply position, it is claimed that the development plan policies most important to the determination of this appeal are out of date. If either of the appellants' points are accepted, paragraph 11(d) of the Framework is relevant to the determination of the appeal. Sub-paragraph 11(d)(ii) requires consideration of the adverse impacts and the benefits of the proposal against the policies of the Framework.
16. The proposal would add to the housing stock and generate construction jobs. Also, it is likely that future occupiers would support local businesses and services. There is also potential for the development to enhance the biodiversity value of the site. Given the modest scale of the proposal, the benefits in these regards attract moderate weight in my overall assessment.
17. As explained under the second main issue, the location of the development would accord with the Framework's provisions on rural housing. Consequently, I find the identified conflict with LP policies SS1 and SS6 does not outweigh the benefits of the scheme.
18. However, the proposal would be at odds with paragraph 180(b) of the Framework as it would not recognise the intrinsic character and beauty of the countryside. Also, it would conflict with paragraph 135 of the Framework that requires development to be sympathetic to its landscape setting. In light of these provisions, I find the harm identified under the first main issue would significantly and demonstrably outweigh the benefits of the proposal. The circumstances as set out in paragraph 11(d)(ii) of the Framework exist and so the presumption in favour of granting planning permission does not apply.

Conclusion

19. By reason of its rural location and the residential land use, the proposal would be contrary to development plan policies and I find no justification to grant permission in principle contrary to the development plan. As such, I conclude the appeal should be dismissed.

Jonathan Edwards

INSPECTOR