



Appeal Decision

Site visit made on 6 March 2024

by T Gethin BA (Hons), MSc, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 8th March 2024

Appeal Ref: APP/C1760/W/23/3325170

Hadrian House, 30 Hadrian Way, Chilworth, Hampshire SO16 7HX

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Moore against the decision of Test Valley Borough Council.
 - The application Ref is 23/00978/FULLS.
 - The development proposed is Construction of a dwelling.
-

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed development on the character of the surrounding area.

Reasons

3. The appeal site is part of a relatively large parcel of land containing a detached property set back from Hadrian Way. Despite the screening provided by boundary treatment and soft landscaping, Hadrian House and the overall plot's width are noticeable from the public realm. Although plot sizes in the locality are not constant, other properties along Hadrian Way – which provides the site's context in which it is experienced – are generally set in similarly expansive areas with generous widths, with few in the vicinity being obviously notably narrower. As part of the Hadrian House plot, the site therefore reflects the surrounding area's distinctive low-density, spacious character. This is recognised by the Residential Areas of Special Character (RASC) designation for Chilworth, which identifies the strong character of Hadrian Way as stemming from, amongst other aspects, its similar plot spacing and generally consistent plot sizes. Whilst the wider area contains properties in differing plot sizes and densities, the site relates to its immediate context of Hadrian Way and reads as forming part of and positively contributing to it.
4. The proposed development would sub-divide the existing plot roughly in half. This would result in the two subsequent plots, separated by a hedge and fence, being significantly narrower than others in the vicinity. The reduction in plot size would be clearly noticeable – including particularly through the access gates – from the public realm, with the appeal proposal creating an obviously denser, tighter knit form of development on narrower plots that would be incongruous with and contrary to the area's distinctive character. The existing boundary treatment and the potential for additional planting along the frontage would not be sufficient to prevent the change being perceptible in public views. The design, appearance, scale and orientation of the new dwelling reflecting its

surroundings, and it being accessed via one of the two existing gates, do not lead me to a different conclusion that the appeal proposal would fail to integrate with the character of the area in which it is located. In coming to this view, I have also taken into account the resulting plot spacing and the (sometimes significant) width of other nearby properties.

5. As identified in a previous appeal decision in the district (at Heather Hill), there is no policy requirement to carry out a numerical assessment to identify average plot sizes in a given area. Nevertheless, such information can be instructive, and the submitted evidence for the appeal proposal includes various figures covering plot sizes both on Hadrian Way and in the other areas within the Chilworth RASC.
6. For Hadrian Way, which provides the site's relevant context in which the proposed development would be read, the submitted evidence identifies an average plot size of 0.18/0.19 hectares (ha), with the smallest plot being 0.13ha and the largest being 0.42ha. At 0.19ha, the Hadrian House plot clearly reflects its immediate surroundings and context. However, the proposed sub-division, resulting in the site and remaining parcel of land for Hadrian House being some 0.095ha each, would obviously result in plots significantly smaller than the average and also conspicuously smaller than the smallest plot in the site's relevant character area. This corroborates my above findings that the resulting plot sizes would be significantly and noticeably smaller than those in the immediate vicinity. In coming to this view, I have taken into account the definition of significant as provided by the appellant, their calculation that overall the size below the average for Hadrian Way would be 27%, and that plot widths, sizes and densities clearly vary in the wider area. The overall findings in the Heather Hill appeal, which is some distance from the site, do also not lead me to a different conclusion.
7. For the above reasons, I conclude that the proposed development would harm the character of the surrounding area. I therefore find that it conflicts with Policies E1 and E4 of the Adopted Local Plan 2011-2029, Test Valley Borough Revised Local Plan DPD (RLP). Amongst other aspects, these expect development to integrate, respect and complement the character of the area in which it is located; and, rather than intending to prevent development, set out that sub-divisions within defined areas of special character will be permitted provided they do not result in significantly smaller plot sizes than those in the immediate vicinity and are compatible with the character of the locality.

Other matters

8. The proposed development, in combination with other plans and projects, would be likely to have a significant effect on designated nature conservation sites in the Solent and the New Forest due to additional residential occupiers leading to increased recreational disturbance and wastewater pollution. The available evidence indicates that it would not be possible to ascertain that the proposed development would not adversely affect the integrity of the designated sites without adequate and appropriately secured mitigation. In this instance, the appellant has indicated their intention to submit a completed legal agreement to secure the necessary mitigation and thus address the Council's refusal reasons on these issues, and I understand that the main parties are working on such an agreement. However, as I am dismissing the appeal for

other reasons, I am not pursuing this matter further because it would not lead me to a different decision.

Planning Balance

9. Although the RLP supports development within the defined settlement boundaries in-principle, Policy COM2 sets out that this is subject to the development being appropriate to other RLP policies. Given the conflict I have found with RLP Policies E1 and E4, the proposed development also therefore conflicts with Policy COM2 and is not supported by the RLP in principle.
10. With no objections raised by the Council in relation to other matters such as on-site ecology, preserved trees, highways and the living conditions of adjoining occupiers, there would be no conflict with various other RLP policies related to those matters. Nevertheless, the harm I have identified and the conflict with the above development plan policies leads me to conclude that the appeal proposal conflicts with the development plan as a whole.
11. There is an extant permission on the site for a three-storey annexe extension to Hadrian House. As this represents a practicable fallback scenario and could realistically occur, I attach significant weight to it. The appeal proposal would be the same size and located on largely the same footprint as the annexe, which would double the size of the existing property. However, it has been put to me that, due to it being detached, the proposed development would result in a less bulky and elongated appearance within the streetscene than the annexe and would be more in keeping with existing development on Hadrian Way. It is also said that the permitted scheme would significantly reduce the plot spacing.
12. Be that as it may, I observed on my site visit that it is not unusual for properties in the locality to spread across much of their plots, which is what the permitted annexe would do. Whilst providing a degree of independent living, the annexe would also not provide a self-contained unit on a separate plot, whereas the appeal proposal would result in a separate property in its own plot which would be notably narrower and inconsistent with its surroundings. The proposed development cannot therefore reasonably be described as more in keeping with existing development on Hadrian Way than the annexe. Furthermore, despite boundary treatment and soft landscaping fronting Hadrian Way, the difference between the permitted and proposed schemes would also be perceptible in public views, with the latter observably providing a new unit on a separate, narrow plot with limited spacing to adjoining properties. Having regard to the extant annexe permission and despite both resulting in a similar overall density of built form, the appeal proposal would therefore negatively change the character of the area to a noticeable degree and the fallback scheme does not mean that the appeal proposal is acceptable.
13. The proposed development would create a new windfall dwelling in an accessible location within the defined settlement boundary of Chilworth. The provision of additional accommodation, supported by the National Planning Policy Framework which seeks to make effective use of land and significantly boost housing supply and delivery, would contribute towards the mix and supply of housing in the district. The appeal proposal would also support the local economy through construction employment and provide some environmental benefits through, as stated in the Planning Statement, some biodiversity enhancements and the efficient use of energy and water. However, given the scale of the development, the benefits of the appeal proposal would

be relatively limited. Consequently, I find that the above matters outweigh neither the harm I have identified nor the conflict with the development plan.

Conclusion

14. The proposal conflicts with the development plan as a whole and there are no material considerations which carry sufficient weight to warrant a decision otherwise than in accordance with it. The appeal is therefore dismissed.

T Gethin

INSPECTOR