



Appeal Decision

Site visit made on 4 January 2024

by E Catcheside BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15th March 2024

Appeal Ref: APP/H1705/W/23/3324596

Land Adjacent to Harrow Drive, Headley

Easting: 452004 Northing: 162332

- 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 Linda Dunn against the decision of Basingstoke and Deane Borough Council.
 - The application Ref is 23/00329/PIP.
 - The development proposed is a single residential 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 principle in permission stage) establishes whether a site is suitable in-principle and the second ('technical details consent') stage is when the detailed development proposals are assessed. This appeal relates to the first of these 2 stages.
3. The PPG also sets out that 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 Technical Details Consent application if permission in principle is granted. I have determined the appeal accordingly.
4. The National Planning Policy Framework (the Framework) was revised in December 2023. The parties have been invited to make comments on the revisions to the Framework insofar as they are relevant to the appeal. I have taken the comments received into account in my consideration of the appeal. Where reference is made to the Framework in this decision, the paragraph numbers are those that appear in the latest version.
5. The Council has commenced preparation of a Local Plan Update (LPU). The draft LPU was published for consultation on 22 January 2024 and has therefore reached Regulation 18 (Town and Country Planning (Local Planning) (England) Regulations 2012) stage. As I will set out later in my decision, reaching this stage of plan preparation has implications for my consideration of the appeal.
6. In addition to the location plan, the appeal documents show a block plan and an indicative dwelling elevation. The elevation shows a large, two-storey

property and it was that size and scale of development that was considered by the Council. I have therefore considered the appeal in the same manner.

Background and Main Issue

7. At the time the planning application was determined, the Council identified conflict with the spatial strategy for development set out in the Basingstoke and Deane Local Plan (2011-2029) (LP). However, the Council did not rely on the conflict with the spatial strategy in its reasons for refusal because, at the time, it conceded that it could not demonstrate a five-year supply of deliverable housing sites and, consequently, the provisions of paragraph 11(d) of the Framework were engaged.
8. The Council's position on the weight that should be attached to the conflict with the spatial strategy has changed since the appeal was submitted, due to the publication of the draft LPU and the associated implications set out in the revised Framework, which I will discuss later in my decision. Consequently, it is now the Council's position that the proposal conflicts with Policies SS1 and SS6 of the LP, and that there is no justification for departing from development plan policies when assessing the principle of the development.
9. On this basis, the main issue is whether the site is suitable for residential development, having regard to its location, land use, and the amount of development proposed, with particular regard to (a) the spatial strategy set out in the development plan, and (b) the effect of the development on the character and appearance of the area.

Reasons

Spatial strategy

10. The appeal site lies adjacent to an existing residential development and, therefore, it is not physically or geographically isolated. However, it is nonetheless located outside of a designated settlement boundary and in countryside as defined by the LP.
11. The spatial strategy set out in Policy SS1 of the LP directs housing developments towards existing settlements and allocated development sites, and it is more restrictive towards housing proposals in the countryside. However, Policy SS6 of the LP does allow for some small-scale residential development in the countryside, provided certain criteria are met. These criteria include (e) where the development is of a scale and type that would meet a locally agreed need.
12. It is common ground between the parties that the development would not be in accordance with the spatial strategy for the Borough due to its location outside of a settlement boundary and the absence of a demonstrable locally agreed need for the scale and type of development proposed. Based on the evidence, I have no reason to take a different view on this matter. Therefore, it follows that a residential land use in the location proposed would conflict with Policies SS1 and SS6 of the LP and, by association, with Policy HD1 of the NP.
13. There are some shops and community facilities near to the appeal site. However, for a full range of services and facilities, future occupants of the proposed dwelling would need to travel further afield, including to Newbury and Basingstoke. The site would be reasonably well connected by bus, given there

are bus services within walking distance from the site on the A339. However, the evidence indicates these services are only hourly, which may limit their appeal to future occupants. Moreover, although there are footpaths close to the site, it is unlikely future occupants would choose to travel regularly on foot or by bike, due to the distance to the nearest towns. Consequently, future occupants of the proposed dwelling would be likely to be heavily reliant on the private car for travel.

14. The Framework recognises that opportunities to maximise sustainable transport solutions vary between urban and rural areas and, therefore, that some car travel would be inevitable where housing is delivered in the countryside. However, Policies SS1 and SS6 of the LP do not refer to the accessibility of sites to services and facilities. Therefore, whilst I recognise that future occupants of the dwelling would have access to sustainable transport provision, this would not resolve the in-principle conflict with the spatial strategy.
15. I conclude that the site would not be suitable for residential development, having regard to its location, land use and the amount of development proposed, with particular regard to the spatial strategy set out in the development plan. There would be conflict with Policies SS1 and SS6 of the LP which, when read together, resist housing development outside of settlement boundaries other than in certain criteria which do not apply to the proposal. The conflict with Policy SS6 of the LP means the proposal would also conflict with Policy HD1 of the Ashford Hill with Headley Neighbourhood Plan 2022-2029 (NP), which states that Policy SS6 of the Local Plan and national policies apply in respect of development on land outside of a Settlement Policy Boundary.

Character and appearance

16. The site lies within a field that, in turn, is adjacent to an existing residential development on Harrow Drive and the Harrow Drive Open Space. The host field does not form part of a designated landscape and it contains some structures including an access track and a fishing lodge, amongst other things, and is bordered by trees. However, the field marks the edge of the existing residential area and its boundary with the wider rural landscape beyond.
17. The existing dwellings in the adjacent residential area to the appeal site are grouped around cul-de-sacs or in rows along Harrow Drive. Notwithstanding that the existing properties comprise a mix of types and sizes; they have a cohesive identity due to their layout and appearance and are experienced as a collection of buildings rather than as individual dwellings. This pattern of development is a distinctive feature, that contributes to local character.
18. Many detailed matters related to the size, scale, layout and landscaping should be dealt with at the technical details stage. However, it is entirely appropriate to assess the principle of the development against planning policies that relate to the character and appearance of the area.
19. The proposed dwelling would be sited on a plot that is similar in size to nearby properties. Therefore, it is entirely feasible that the proposed dwelling could be designed to match the scale, materials and architectural details of the nearest existing dwellings. However, the proposed dwelling would be the sole property at the end of a relatively long section of Harrow Drive and, moreover, would be in a location well behind the established building lines of the nearest properties.

Consequently, as a single dwelling, the proposed development would relate poorly to the neighbouring residential area and would fail to integrate sympathetically with the nearby dwellings.

20. The proposed dwelling would be largely screened from wider views in the landscape. However, it would be exposed to localised views from Harrow Drive and the adjacent Harrow Drive Open Space. Given that, as a single dwelling, the proposed development would fail to integrate sympathetically with the existing residential area, it would be unduly prominent in those views, and would detract from the cohesive identity of the area. Moreover, whilst the visual impact of the development could be mitigated to some extent through design measures and landscaping, I am not persuaded from the evidence that there are design measures that would enable a single dwelling on the site proposed to integrate with the prevailing pattern of development.
21. Taking all of the above into account, I conclude that the site is not suitable for residential development, having regard to its location, land use and the amount of development proposed, with particular regard to the effect of the development on the character and appearance of the area. There would be conflict with Policy EM1 of the LP, and the Framework which, taken together and amongst other things, expect development to be sympathetic to local character and the visual amenity of the area and Parish. Further conflict would arise with Policy EM10 of the LP and Policy HD3 of the NP which, taken together and amongst other things, expect development to positively contribute to local distinctiveness and existing patterns of development.

Other Matters

22. My attention has been drawn to other housing developments that have been granted planning permission in Headley. I do not have sufficient information before me to establish the full circumstances that led to those developments being accepted. However, I have determined the appeal on its own merits, and with regard to the evidence and my observations of the site and surroundings, which includes housing and other developments.

Planning Balance

23. The proposal conflicts with the aforementioned policies of the LP, which is sufficient to bring the proposal into conflict with the development plan when read as a whole. Development that conflicts with the development plan should normally be refused unless material considerations indicate otherwise.
24. Given the publication of the draft LPU, the Council has an emerging local plan that meets the requirements of paragraph 226 of the Framework. Therefore, the Council is required to demonstrate a four-year supply of deliverable housing sites rather than the minimum of five years as set out in paragraph 77 of the Framework. Although I do not have definitive information to conclude on the precise housing land supply position as part of this appeal, the evidence before me indicates that the current housing land supply is above the minimum four-year requirement set out in the Framework.
25. However, my attention has been drawn to a recent appeal decision at Land at Watermill Bridge, Wash Water (APP/H1705/W/23/3326191), in which the Inspector concluded that Policies SS1 and SS6 of the LP, which are two of the most important policies for determining this appeal, were deemed to be out-of-

date. The Council has not provided me with sufficient evidence to persuade me that I should take a different approach to that set out in the recent appeal decision. Therefore, I have determined this appeal on the basis that paragraph 11(d) of the Framework, which is broadly reflected in Policy SD1 of the LP, is engaged.

26. The site does not fall within the definition of areas or assets that are of particular importance as identified in footnote 7 of the Framework and, therefore, these designations do not provide a clear reason for dismissing the appeal under the provisions of paragraph 11(d)(i). Consequently, the appeal falls to be considered against paragraph 11(d)(ii).
27. I reduce the weight attached to the conflict with Policies SS1 and SS6 of the LP to moderate, because they are deemed to be out-of-date. Given that Policy HD1 of the NP states that Policy SS6 of the Local Plan applies in respect of development on land outside of a Settlement Policy Boundary, I also reduce the weight attached to the conflict with Policy HD1 of the NP to moderate.
28. However, the Framework expects planning decisions to be sympathetic to local character and history, including the surrounding built environment and landscape setting. Therefore, I do not reduce the weight I attach to the conflict with Policies EM1 and EM10 of the LP, and Policies L1 and HD3 of the NP.
29. The proposed development would offer some social and economic benefits, including through the contribution of an additional property to local housing supply. Economic benefits would arise through the creation of construction jobs and increased local spending to support the local economy. Moreover, an additional dwelling may support local services including through increased tax revenue. However, the contribution that would be made by one dwelling would be very modest and, therefore, these benefits carry moderate weight in favour of the scheme.
30. The site has reasonably good accessibility to services and facilities, including by sustainable travel modes. This matter carries neutral weight in the overall balance.
31. Overall, the cumulative weight of the benefits in this case would not be sufficient to outweigh the harms I have identified. Consequently, in the specific circumstances of this case, the adverse impacts of the proposed development would significantly and demonstrably outweigh the benefits when assessed against the policies of the Framework, when taken as a whole.

Conclusion

32. The proposed development would conflict with the development plan when read as a whole. There are no material considerations before me, including the provisions of the Framework, that outweigh the harm I have identified. Therefore, for the reasons given, I conclude that the appeal should be dismissed.

E Catchside

INSPECTOR