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# Appeal Decision

Site visit made on 21 February 2024

**by L McKay MA MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 30 August 2024**

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**Appeal Ref: APP/N1730/W/23/3327545**

**The Old Dairy, The Street, Long Sutton, Hook, Hampshire RG29 1TQ**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by Mr Keith Allmark (Lord Wandsworth College) against the decision of Hart District Council.
  - The application Ref is 23/00309/FUL.
  - The development proposed is demolition of existing building and replacement with two dwellings.
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## Decision

1. The appeal is dismissed.

## Preliminary Matters

2. A revised version of the National Planning Policy Framework (Framework) was published in December 2023. The parties have been given the opportunity to comment on the changes.
3. The appellant submitted additional information at appeal stage in the form of a letter from RGP regarding the transport impact of the proposed development. The Council has had the opportunity to comment on this and the highway authority has provided comments at appeal stage. Therefore, I do not consider that any party would be prejudiced by my accepting the additional information, and I have had regard to it when determining the appeal.

## Main Issues

4. The main issues are:
  - whether the appeal site is an appropriate location for the proposed development, having regard to national and local housing policy and access to services and facilities; and
  - the effect of the proposed development on the character and appearance of the area.

## Reasons

### *Location*

5. Policy SS1 of the Hart Local Plan (Strategy and Sites) 2032 (adopted April 2020) (LP) sets out the spatial strategy of the area, with development focused within defined settlements, on previously developed land (PDL) in sustainable locations and on allocated sites. It also permits housing outside of settlement

boundaries where it is essential for the proposal to be located in the countryside in accordance with Policy NBE1. LP Policy NBE1 allows for development in the countryside only where it meets at least one of a list of specified criteria.

6. The appeal site is located outside of any settlement boundary designated in the LP and is therefore in the countryside. It contains a vacant commercial building and hardstanding and these areas clearly fall within the Framework definition of PDL. There is however some dispute about whether a strip of the site between the building and the adjacent field can be considered PDL, as it may have been added into the existing parcel from the agricultural land at some point in the past.
7. The Framework definition of PDL includes land within the curtilage of developed land and states that it should not be assumed that the whole of the curtilage must be developed. I saw on site that the strip of land in question was fenced off from the field and was overgrown, with no evidence of agricultural activity. Trees and bushes along the fence line were of moderate size, indicating they had been growing for some years. There is no substantiated evidence before me that this area of the site has not been used as part and parcel of the activities on the appeal site. Therefore, it has not been demonstrated that it is not part of the curtilage of the developed land. Consequently, I find that the whole of the appeal site is PDL.
8. In terms of location, the appeal site is part of the wider Lord Wandsworth College estate, which comprises the college campus to the west of the site, various other buildings and dwellings and a large area of agricultural land surrounding the appeal site. There are three other dwellings adjacent to the appeal site. Therefore, the site is within a cluster of existing dwellings and, as such, the proposal would not lead to isolated dwellings in the countryside.
9. Nevertheless, the site is some distance from local services and facilities, with the closest being a pub near the college entrance and another in the other direction along White Hill. The nearest village, Long Sutton, has few facilities. South Warnborough is approximately 4km away and provides a range of amenities to meet day-to-day needs with a shop, post office and pub. Alton is the nearest large settlement and has a wide range of services and facilities including a train station, with Basingstoke further away. There is a bus stop by the nearest pub providing an infrequent service to Basingstoke in the morning and evening. It would not however be attractive to walk or cycle to these facilities and services as the routes are unlit roads with no footway.
10. Consequently, the future occupants of the proposed dwellings are likely to be reliant on the private car. This is not an unusual situation in rural areas, where the Framework acknowledges that opportunities to maximise sustainable transport solutions will be different to urban areas. The distance of such car journeys may not be significant, given the proximity of Alton to the site. Nevertheless, for the reasons above the site location is not accessible and within a reasonable walking distance to services and facilities, and does not support opportunities to promote walking, cycling and public transport use. It is not therefore a sustainable location for housing development.
11. The proposed dwellings are not proposed to meet the needs of rural workers or as specialist housing, and there is no demonstrable essential need for a countryside location. Accordingly, the proposal would not fall within the areas

where development should be focussed according to the spatial strategy in LP Policy SS1.

12. Nonetheless, criterion j) of LP Policy NBE1 allows for development where it is located on suitable PDL appropriate for the proposed use. There is nothing in the wording of the policy to state that residential market dwellings would not be an appropriate use on PDL. Therefore, in principle, new dwellings would be acceptable as one of the exceptional circumstances for development in the countryside set out in Policy NBE1.
13. The Framework sets out that in rural areas, decisions should be responsive to local circumstances and support housing developments that reflect local needs; and that to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. It notes that where there are groups of smaller settlements, development in one village may support services in a village nearby.
14. There is no substantive evidence before me that the proposal would meet identified local housing needs. Future occupants of the proposed dwellings are likely to support some of the facilities in the local villages and to contribute to the vitality and viability of local services. However, as they are likely to need to use their car to access services and facilities, they may well choose to access a wider range in nearby Alton or Basingstoke rather than the closest villages. Therefore, the contribution of the proposed two dwellings to the vitality of the local communities is likely to be small.
15. The proposal would not therefore comply with the spatial strategy in LP Policy SS1 and would not benefit from the support offered by the Framework for housing in accessible, sustainable locations which supports local communities. There would however be local and national policy support for the use of PDL, albeit not the stronger support for use of PDL in a settlement. Moreover, the proposal would fall within one of the exceptions in LP Policy NBE1.
16. Furthermore, there is an existing building on site and I saw that while the office section was in very poor condition, the largest part is still in reasonable condition and could be brought back into use. The evidence provided is that the existing building was most recently used by a company for storage, however it had permission for use within Use Class B1(c), for light industrial purposes. Such uses now fall within Use Class E(g). If the building were to be brought back into use this would also generate traffic, and the appellant has put forward a technical assessment looking at traffic generation for various different possible uses, including other uses within Use Class E.
17. In its current condition, substantial work would need to be undertaken to the building to enable it to be used for other Class E uses such as retail, café or office. There is however no substantive evidence before me to suggest that the building could not be used for light industrial purposes again without any significant work to the building. Consequently, it is appropriate to consider the traffic that might be generated by its permitted use.
18. The appellant's traffic generation figures indicate that the two dwellings proposed would generate around 10 daily vehicle trips, compared to 51 for a light industrial use. Consequently, while future occupants of the proposed dwellings would be likely to use the private car, the amount of traffic generated by the appeal scheme would be substantially smaller than by a resumed

commercial use. In this respect, therefore, the resumption of a commercial use on site would be less sustainable than the appeal proposal.

19. Taken together, the lack of conflict with LP Policy NBE1 and the comparative traffic generation combined with the LP and Framework support for use of PDL lead me to the conclusion that, despite poor access to services and facilities, on balance the site is an appropriate location for the proposed development, having regard to national and local housing policy.

#### *Character and appearance*

20. The appeal site is in a rural area with only sporadic residential development immediately around it, and the college campus and Long Sutton some distance away. There are a variety of dwelling types in the area. The nearest are modest in size but there are other much larger, detached dwellings in the local area, many with high-quality architectural detailing and detached outbuildings. A few smaller cottage-style dwellings also exist, which share similar materials with the larger dwellings. All are set in spacious plots, reflecting the rural nature of the area. Even in the more built-up area of Long Sutton development remains generally low density.
21. The existing single storey building on the appeal site is low and linear, allowing for views through the site from the road to the fields beyond. It is not particularly prominent, and although utilitarian in form it is not incongruous given the presence of other single storey outbuildings in the local area, including on the other side of the access drive.
22. The proposed dwellings would be of substantial size with attached double garages. Although hipped, the tall, expansive roofs would add considerable bulk to each dwelling. The proposal would use materials consistent with those prevalent in the local area but there would be limited architectural detailing. Consequently, they would not have the same high-status appearance of other large dwellings in the area. Moreover, they would each be significantly larger than the nearest dwellings, particularly the modestly sized property at The Old Dairy, immediately adjacent. Therefore, they would not be sympathetic to the form of surrounding built development.
23. The dwellings would be sited in a tandem arrangement extending back into the site. Such arrangements are present locally, but where in-depth development does exist outside the villages the dwellings are set within sizeable plots with large gaps between them. In contrast, the proposed dwellings would be relatively close together, while the staggered siting would enable both to be seen from the road. The current views through the site to the fields beyond would also be significantly narrowed.
24. While the proposed dwellings would be set away from the boundaries of the site, they would nevertheless occupy a significant proportion of each plot. The considerable footprint of each dwelling, combined with their height and overall bulk would result in each appearing cramped within its plot, compared to surrounding development. The site would therefore appear much more densely developed than the residential plots around it.
25. Due to the size and layout of the dwellings, the site as a whole would have a markedly different appearance to nearby farmsteads. On those farmsteads, farmhouses are generally surrounded by various outbuildings of different size

- and lower quality detailing, creating a clear hierarchy of buildings. Such distinction would not be present on the appeal site, where the dwellings would be of similar size, height and style with integrated garages.
26. Consequently, the proposal would not reflect the more informal, loose development pattern typical of this rural area away from the village. Rather, it would have a suburban appearance distinctly, and harmfully, different to the spacious development which is characteristic of the area.
27. The site layout would allow for planting and a much greener appearance than the existing situation. Existing good quality trees would be retained and protected during development. This would soften the development to some extent, but due to the scale of the dwellings and their proximity to each other, landscaping would not adequately mitigate the visual impact of the development or enable it to integrate into its surroundings.
28. Accordingly, due to the scale, bulk, siting and design of the proposed dwellings, the proposal would not be appropriate to the site's rural context. As it would be contained within the existing developed site, it would not affect the wider landscape character. Nevertheless, the proposed development would harm the character and appearance of the immediate area.
29. The proposal would therefore conflict with LP Policies NBE2 and NBE9 insofar as they require development to reflect and successfully integrate with its surroundings, achieve high quality design and positively contribute to the appearance of the local area. It would also conflict with Saved Policy GEN1 of the Hart District Local Plan (Replacement) 1996-2006 which permits development that is in keeping with local character.
30. Furthermore, it would conflict with Framework policies that require development to be of good design that adds to the overall quality of the area and is sympathetic to local character and history.

### **Planning Balance and Conclusion**

31. There is nothing before me to suggest that the relevant policies in this appeal are out of date. The Council can demonstrate an ample housing land supply, therefore the Framework presumption in paragraph 11d) does not apply and a straightforward planning balance is to be undertaken. The proposal does not therefore benefit from the positive approach set out in LP Policy SD1.
32. For the reasons above, the proposal would harm the character and appearance of the area and conflict with the relevant policies of the development plan. The Framework supports effective use of PDL and recognises the benefits of small housing sites, however it also recognises the fundamental importance of creating high quality, beautiful and sustainable buildings and places. Given the importance afforded to high-quality design required by local and national policy, I afford great weight to the conflict with LP Policies NBE2 and NBE9 and Saved Policy GEN1 and with the design policies of the Framework.
33. Balanced against this, the proposal would provide two 5-bedroom dwellings on PDL, which would contribute to boosting housing supply. The Council can however demonstrate over 10 years housing land supply and has demonstrated significant over-delivery against LP housing targets in the latest Housing Delivery Test figures. While I appreciate that the applicant is a college with significant local involvement, the proposal is for open market dwellings and

may not be developed by the applicant. Furthermore, it has not been demonstrated that they would meet an identified local housing need. Therefore, the contribution of two dwellings would be small and carries very limited weight.

34. Potential impacts on protected species using the area could be managed by conditions and there is potential for biodiversity enhancements through landscaping, as recommended in the appellant's Ecological Assessment. It is also proposed that the dwellings would exceed Building Regulations in terms of sustainability performance. However, as I do not have detailed schemes in either respect the extent of the environmental benefits are unclear and I therefore give these matters limited weight.
35. The proposal would result in economic benefits during construction and from future occupiers, however this would be set against the loss of an employment site. Consequently, overall, this would be a neutral matter.
36. The appellant suggests that the permitted use could be noisy due to vehicles, machinery and movement of goods in and out. Use Classes B1(c) and now E(g) are however defined as processes that can be carried out in a residential area without causing detriment to the amenity of the area. Therefore, the loss of the employment use would not result in demonstrable noise reduction benefits.
37. The appellant suggests that there would be significant impact on the rural road network through reduction in HGV movements. It has not however been demonstrated that such vehicles cause problems on local roads, or that any future use of the site would generate significant HGV movements. Therefore, I give this minimal weight.
38. The appellant also suggests that the existing building could be operated as another use under Class E, but also that it is not suitable for conversion. Therefore, it is unlikely that it would be used for purposes that would significantly urbanise the site compared to the permitted use, and I give this very limited weight.
39. The proposal would provide suitable access and visibility and it has been demonstrated that foul and surface water could be adequately managed. There would be no significant impacts on neighbouring occupiers and suitable living conditions would be provided for future occupiers. The proposal would also provide adequate garden space for each dwelling as well as sufficient car and cycle parking. These are however to be expected in any development, so are neutral matters in the planning balance.
40. Accordingly, I find that there are no material considerations, including the benefits of the scheme, that would outweigh the harm to the character and appearance of the area and resulting conflict with the development plan. The appeal is therefore dismissed.

*L McKay*

INSPECTOR