



Appeal Decision

Site visit made on 24 October 2024

by R J Redford MTCP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 5th November 2024

Appeal Ref: APP/M1710/W/24/3343080

Ashfield, Hole Lane, Bentley, Farnham, Hampshire GU10 5LT

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant permission in principle.
 - The appeal is made by Mr and Mrs Stuart MacNaghten against the decision of East Hampshire District Council.
 - The application Ref is 32859/006.
 - The development proposed is one dwelling.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The proposal is for Permission in Principle (PiP) and represents the first of a 2-stage process. Planning Practice Guidance advises that the permission in principle consent is an alternative way of obtaining planning permission for housing-led development. It has 2 stages, and a planning permission is only created once both stages have been completed. The first stage, PiP, establishes whether a site is suitable in-principle, and the second stage, Technical Details Consent (TDC), is when the detailed development proposals are assessed.
3. The scope of the considerations for a PiP are limited to location, land use and the amount of development permitted¹. All other matters are considered as part of the subsequent TDC application if the PiP is granted. I have determined the appeal accordingly, with regard that conditions cannot be applied to a PiP decision.

Background and Main Issues

4. Within its statement of case the Council referred to a 3rd reason for refusal relating to highway safety. This, however, was not included within the decision notice, although concerns were raised within the Officer Report, and it is noted that the appellant has submitted a highway report in response. Nevertheless, as the Highway Authority's concerns relate to the position of the access, vehicle manoeuvring and visibility splays, in this instance, I find these would be dealt with under the TDC stage.
5. The main issues are, therefore, with specific regard to location, the proposed land use, and the amount of development, whether the appeal site is a suitable location for the proposed development having regard to relevant local policies

¹ PPG Paragraph: 012 Reference ID: 58-012-20180615

relating to development in the countryside; and the effect of the proposal on the character and appearance of the area.

Reasons

Location

6. The appeal site is located within a small grouping of houses on Hole Lane, with the donor property Ashfield to one side, and Jenkyn Place Cottage to the other. Although this may not be considered an isolated location, due to the proximity to other residential properties, it would be beyond any settlement boundary, as defined by the development plan, so considered to be in the countryside.
7. The East Hampshire District Plan: Joint Core Strategy (CS) Policies CP2 and CP10 guide development towards the development plans settlement hierarchy and identified sites. The appeal site location falls outside of the settlement hierarchy as it is in the countryside and so is the lowest priority location for new housing unless CS Policies CP14 and CP19 support it. This is a position echoed within Bentley Neighbourhood Plan (NP) Policy 1, amongst other things.
8. As it is not proposed that the new dwelling would meet a local affordable housing need CS Policy CP14 does not apply. Equally it has not been shown that there is a genuine and proven need for a countryside location such as that is necessary for farming, forestry, or other rural enterprises. Therefore, it would also not comply with CS Policy CP19.
9. Consequently, the appeal site is not a suitable location for the proposed development having regard to relevant local policies relating to development in the countryside, specifically CS Policies CP2, CP10, CP14 and CP19 and NP Policy 1.

Character and appearance

10. The appeal site forms part of the land associated with Ashfield, has mature fruit trees on it and is bordered by thick hedges. There is an existing access onto Hole Lane near to the boundary with Jenkyn Place Cottage, and to the rear is a tennis court understood to be associated with Ashfield. The area is characterised by reasonably large, detached properties set back from the road in mature gardens and within a wider rural setting.
11. That the appeal site would be surrounded by residential uses and is read as part of that environment, means that the proposed use of the land for a new dwelling is unlikely to harm the character of the area. However, the size of the proposed plot would be significantly smaller than those of surrounding properties. Therefore, even though design and layout are not for consideration at this stage, due to the constraints of the plot size, even a modest dwelling would require a significant proportion of the appeal site to be developed to accommodate access, parking, and a house. It would permanently alter the overall appearance of the site, reducing its verdant character and increasing the built form along this part of the lane, thus having an urbanising effect, and harming the appearance of the area. This would be exacerbated by the likely need for any proposed building, as shown on the illustrative layout plan, to be closer to the road edge, thus more visually intrusive, than the properties on either side.

12. Accordingly, the proposed location and amount of development would cause harm to the general character and appearance of the area, contrary to CS Policies CP20 and CP29, and NP Policy 2, insofar as they seek new development to be of exemplary standard which respects, protects and enhances its local environment and the wider landscape.

Planning Balance and Conclusion

13. The Council acknowledge that it currently has a housing land supply of 3.59 years. Therefore, it is necessary to apply paragraph 11d)ii) of the Framework. On this basis the conflict with CS Policies CP2, CP10, CP14 and CP19, and NP Policy 1, as policies which relate to housing supply, carries little weight.
14. In this context the proposal would provide 1 dwelling reasonably quickly, and the National Planning Policy Framework (the Framework) seeks to boost significantly the supply of housing whilst recognising the importance of smaller sites in meeting the housing requirement of an area. This along with the appellant's assertion that the proposal could count towards the Council's self-build dwelling deficit, and the capability of the proposal to provide biodiversity enhancements, would represent the benefits of the proposed scheme. However, this would be given limited weight due to the number of houses involved.
15. The appellant's reference to a recent appeal decision² where the lack of self-build plots was a determining factor is noted, but the weight given in that decision was representative of the large quantum of self-build plots proposed.
16. However, harm has been found in relation to character and appearance, and housing provision should not come at the cost of the overall quality of an area. A position supported by Paragraphs 128 and 135 of the Framework. Therefore, the conflict with CS Policies CP20 and CP29, and NP Policy 2 carries considerable weight.
17. Consequently, the adverse impacts of the proposal would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.
18. The lack of harm identified in relation to contamination and drainage could, by definition, only be considered neutrally within the balance.
19. for the reasons given above, having considered the development plan as a whole along with all other relevant material considerations including the approach in the Framework, I conclude that the appeal should be dismissed.

RJ Redford

INSPECTOR

² APP/Y3940/W/23/33175252