



Appeal Decisions

Site visit made on 1 April 2025

by Juliet Rogers BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28 April 2025

Appeal A Ref: APP/H1705/W/24/3338051

6 Weir Vale Cottages, Sydmonton Road, Old Burghclere, Hampshire RG20 9NR

- 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 Ms Sam Harvey against the decision of Basingstoke and Deane Borough Council.
 - The application Ref is 22/03327/FUL
 - The development proposed is a 3-bedroom dwelling and associated rear parking area utilising existing rear access.
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Appeal B Ref: APP/H1705/W/25/3358394

6 Weir Vale Cottages, Sydmonton Road, Old Burghclere, Hampshire RG20 9NR

- 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 Ms Sam Harvey against the decision of Basingstoke and Deane Borough Council.
 - The application Ref is 24/01567/FUL.
 - The development proposed is a 3-bedroom dwelling and associated rear parking area utilising existing rear access.
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Decisions

1. Appeal A is dismissed.
2. Appeal B is dismissed.

Background and Main Issues

3. Although labelled as Appeal A and Appeal B above, as they comprise materially similar schemes and have been refused for similar reasons, I have considered them together. Where applicable, I have referred to the proposals in singular terms.
4. Consequently, the main issues are:
 - the effect of the proposal on the character and appearance of the area, with specific reference to the North Wessex Downs National Landscape (NWDNL); and
 - whether the location of the appeal site is suitable for the proposal, having regard to the local development strategy.

Reasons

Character and appearance

5. The appeal site comprises part of the garden area associated with 6 Weir Vale Cottages (the host property), at the end of a short terrace comprising three cottages. A similar terrace is located further along Sydmonton Road. Although the cottages in both terraces are not identical, with many having been altered and extended, the materials and architectural features they possess creates a unifying character and appearance to this side of the road. This character is further emphasised by the limited cohesion evident in the built form on the opposite side of the road. As a result, the two terraced rows of cottages are experienced as a pair.
6. The proposal would introduce a detached dwelling into the wide garden area of the host property, such that it would unbalance the sense of space provided by the similar garden widths of the other cottages at each end of the terraces. In respect to Appeal A, its siting back from the established building line of the existing cottages would further disrupt the prevalent pattern of built form. Despite its style, scale, architectural features and use of materials of a complementary appearance to the existing cottages, the proposal would be an incongruous form within the street scene.
7. Additional built form associated hard standing and other domestic paraphernalia would also be introduced into the NWDNL, a nationally important area designated due to its high scenic quality, as a result of the proposal. In particular, the use of the existing unsurfaced track to the rear of 4-6 Weir Vale Cottages to provide formal vehicle access, parking and a turning area for the proposed dwelling and the host property would encroach on the open countryside to the rear of the site. Notwithstanding the permissibility of a means of access to the highway and the construction of hard surfaces incidental to the enjoyment of a dwellinghouse under permitted development rights, this would be for the benefit for the host property only. Nevertheless, the track is not currently used as the primary vehicular access to the host property given the recently constructed driveway off Sydmonton Road.
8. Whilst the erection of a garage or other outbuilding within the site could also fall under permitted development rights, these features would be of a significantly smaller scale than the proposed dwelling and, as ancillary to the host property, would maintain the character of the area.
9. My attention has been drawn to a planning permission relating to a two-storey side extension to the host property. However, no further information has been provided detailing this scheme nor confirming it remains extant. In any event, an extension to the host property represents a materially different scheme to the proposal before me and therefore does not weigh in favour of grant of planning permission in this case.
10. Existing landscape features, particularly those along the front and side boundaries of the site, do restrict views of the appeal site and the scenic countryside from the highway. However, glimpsed views are possible through gaps in the trees and hedgerows. In tandem with the wide grassy verge on the opposite side of the road, these glimpsed views contribute to the spacious verdant character of this part of

the NWDNL, even if no protected views identified in the BPNP¹ would be effected. Consequently, the proposal would not further the statutory purposes of the NWDNL, as required by the LURA². In accordance with the National Planning Policy Framework (the Framework), I attach great weight to this effect and the associated development plan conflict.

11. I conclude that the proposal would harm the character and appearance of the area, with specific reference to the NWDNL, contrary to policies EM1 and EM10 of the Local Plan³ and Policy B5 of the BPNP. These policies, in combination, seek to secure development which contributes positively to the character of the area, including its landscape, local distinctiveness and sense of place whilst delivering a high-quality design, amongst other things.

Location

12. As the appeal site is located outside a defined Settlement Policy Boundary, for the purposes of the Local Plan, as established by Policy SS1 therein, it is considered to lie in the countryside. Policy B1 of the BPNP supports this and the presumption against development of new homes outside a settlement boundary, except for the specific circumstances listed in Policy SS6 of the Local Plan. One such circumstance involves the use of previously developed land. There is no dispute that the appeal site meets this definition.
13. Nonetheless, Policy SS6 permits development on previously developed land only where: it does not result in an isolated form of development; it comprises a use and scale appropriate to the site's context; and is not located on land of high environmental value.
14. Whether a development would be isolated, as confirmed in the *Braintree case*⁴ and enhanced in the *Bramshill case*⁵, will be a matter of fact and judgement for the decision-maker through an assessment of if a dwelling would be physically separate or remote from a settlement. Whilst the cottages, including the host property and the appeal site, together with the dwellings opposite comprise a small cluster of development, they are located beyond a Settlement Policy Boundary and outside a built-up area. They are also physically remote from the larger cluster of properties of Old Burghclere with a church being its sole community facility, and Ecchinswell where a primary school, public house, village hall, church and recreation ground are located.
15. Access to Ecchinswell via alternative modes of transport to the private vehicle would, however, involve walking or cycling on narrow lanes that are devoid of pavements and lighting, or through pre-booking the timetabled, infrequent taxi share service. Although a certain degree of private vehicular usage in a rural area is accepted, the alternatives available are minimal and unlikely to discourage the use of a car to access local services and facilities.
16. In addition, there is no guarantee that future occupiers of the proposal would travel to Ecchinswell or other nearby villages, rather than further afield to Basingstoke or Newbury given the more extensive range of services and facilities available in

¹ Burghclere Parish Neighbourhood Plan 2011-2029 (BPNP)

² Levelling-up and Regeneration Act 2023 (LURA)

³ Basingstoke and Deane Local Plan 2011-2029 (the Local Plan)

⁴ *Braintree DC v SSCLG, Greyread Ltd & Granville Developments Ltd* [2018] EWCA Civ 610

⁵ *City and Country Bramshill Ltd v SSHLG and others* [2021] EWCA Civ 320

these towns. Therefore, any support of the proposal from the Framework's encouragement of housing development in rural locations where it would support local services that enhance or maintain the vitality of the rural community is limited.

17. Furthermore, as I have concluded above that the proposal would cause harm to the character and appearance of the area, including the NWDNL, it also conflicts with Policy SS6's requirement that development should be of a scale appropriate to the site's context.
18. No substantive evidence is before me which indicates that the appeal site comprises land of high environmental value, the last requirement of Policy SS6.
19. Nonetheless, I conclude that the location of the appeal site is not suitable for the proposal, having regard to the local development strategy as set out within policies SS1 and SS6 of the Local Plan together with Policy B1 of the BPNP.

Planning Balance

20. The proposal would provide social and economic benefits from the construction and occupation of a single dwelling, leading to contributions to the local community and economy from future occupants. Environmental benefits would include a net gain in biodiversity due to native tree and hedge planting and the installation of bird and bat boxes. However, given the small scale of the proposal, the corresponding social, economic and environmental benefits would also be small.
21. The evidence before me indicates that the Council is unable to demonstrate a five-year supply of deliverable housing sites in accordance with the Framework, with the latest public position being 4.2 years⁶. The net gain of one dwelling as a result of the proposal would, therefore, be valuable in supporting the Framework's objective of significantly boosting the supply of housing stock where there is a shortfall. Based on the small scale of the contribution, however, I attribute moderate weight to this benefit.
22. Nevertheless, the proposal would harm the character and appearance of the area, including the NWDNL, contrary to policies EM1 and EM10 of the Local Plan and Policy B5 of the BPNP. In turn, the proposal is contrary to policies SS1 and SS6 of the Local Plan and Policy B1 of the BPNP, despite meeting the definition criteria for previously developed land. These policies are broadly consistent with the Framework's approach to the location of new homes in rural areas where they will enhance or maintain the vitality of rural communities and the creation of high-quality buildings and places. Consequently, the proposal conflicts with the development plan when considered as a whole.
23. Given the housing land supply position, paragraph 11d of the Framework and the presumption in favour of sustainable development is relevant. Nonetheless, at paragraph 11dii, the Framework confirms that this presumption does not apply where the application of policies therein that protect areas of particular importance provide a strong reason for refusing the development. This includes National Landscapes (footnote 7) such as the NWDNL.
24. Having regard to my conclusions that the proposal would harm the NWDNL, the application of the Framework's policies regarding the conservation and enhancement of the landscape and scenic beauty of National Landscapes,

⁶ December 2024

provides a strong reason for refusing the development. Consequently, the presumption in favour of sustainable development does not apply in this case.

Conclusion

25. The proposal conflicts with the development plan as a whole and there are no material considerations, either individually or in combination, including the Framework and its presumption in favour of sustainable development, that outweigh this conflict.
26. For the reasons identified above, having had regard to all relevant matters raised, both appeals should be dismissed.

Juliet Rogers

INSPECTOR