



Appeal Decision

Site visit made on 27 May 2025

by Lynne Evans BA MA MRTPI MRICS

an Inspector appointed by the Secretary of State

Decision date: 12 June 2025

Appeal Ref: APP/H1705/W/25/3360866

White Bungalow, Ash Lane, Silchester RG7 2NL

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant [outline] planning permission.
 - The appeal is made by Woodridge Developments Ltd against the decision of Basingstoke and Deane Borough Council.
 - The application Ref is 24/00753/FUL.
 - The development proposed is erection of 3 no. detached dwellings (amended scheme to that approved under 23/02778/ROC in respect of Plot 2 and 3).
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. Planning permission was granted by the Council under its Ref: 20/03222/FUL in March 2022 for the erection of three dwellings. There have been subsequent approved amendments and variations to that permission, but for ease of reference I shall refer to the 2022 permission as relating to that permitted scheme, as varied. Plot 1 of that permission lies to the immediate north of the current appeal site and, at the time of my site visit, the house on that plot was at an advanced stage of construction. From the information before me, Plot 1 is the largest and deepest of the three plots and would appear to accommodate the largest dwelling. The approved plan provided to me shows two smaller plots to the immediate south for two detached dwellings. The Council has confirmed that in the light of the works on Plot 1 there is an extant permission for the two remaining dwellings pursuant to the 2022 permission.
3. Plots 2 and 3 of that permission lies within the appeal site for the current proposal before me. It is therefore my understanding that this proposal seeks to develop the land for which permission exists under the 2022 permission, for two detached dwellings, for three detached dwellings.
4. The Council has referred to amended plans being submitted during the course of the application and my decision is based on the plans as determined by the Council.

Main Issues

5. The main issues in this appeal are:

- a) Whether the proposed development would be located within a sustainable location within the countryside, including in respect of sustainable transport opportunities, and
- b) The effect of the proposed development on the character and appearance of the local area.

Reasons

Whether in a sustainable location for development

6. The appeal site is undeveloped open land on the east side of Ash Lane within the open countryside. The proposal would divide the site into three plots, each for a detached dwelling of 2 storeys in height and each with access off Ash Lane. The site lies outside of a settlement boundary and in the open countryside.
7. The Council has not referred to any policies in its development plan in its first reason for refusal, but referenced paragraphs 83 and 84 of the National Planning Policy Framework (Framework). Paragraph 84 states that there should be a general presumption against isolated houses in the countryside. This follows on from paragraph 83 which indicates that housing should be located where it will enhance or maintain the vitality of rural communities in order to promote sustainable development in rural areas.
8. Although in an open and rural location there is scattered residential development in the local area, both to the south further along Ash Lane and to the north and east along Bramley Road. The small rural settlements of Silchester to the north-west and the larger settlement of Bramley to the south-east are further away.
9. I acknowledge that the proposal before me is a new proposal for 3 dwellings in this location. However, the existence of the implemented permission for three houses on the same and adjoining site is material to my consideration. In determining the application in 2022, and from the information before me, it is my understanding that the Council gave consideration to these very same issues, regarding the sustainability of the location and whether the housing would be isolated development in the countryside. The Council determined to grant permission for the new residential development.
10. The Council suggests that the national policy direction in terms of the siting of sustainable development has strengthened since that permission was granted. Whilst the Framework has been revised and changes introduced since the 2022 application was considered, I am not persuaded that it has materially changed in the context of the proposal before me and in relation to the location of proposed development and seeking sustainable transport options. Moreover, it is my understanding that the development plan upon which the current proposal was determined, namely the Basingstoke and Deane Local Plan 2011 – 2029 (Local Plan) was also the development plan at the time of the determination of the earlier application. The Council's Supplementary Planning Documents tabled by the Council at 3.3.1 of its Appeal Statement would also have been in place at the time of consideration of the earlier application.
11. I do not therefore agree that there are now materially different circumstances and policy considerations pertaining to the acceptability of the principle of development on this site, compared with the 2022 permission. In the light of that extant

permission, it would in my view be unreasonable now to seek to refuse the principle of residential development of this land on the grounds that it would be contrary to Paragraph 84 of the Framework. Furthermore and for the avoidance of doubt, although considerably beyond the main concentrations of development within the rural settlements of Bramley and Silchester, taking into account the other residential development in the local area, as well as the permission which already exists for development on the appeal site, I do not consider that the proposal before me would fall to be considered as the development of isolated homes in the countryside as referenced in paragraph 84 of the Framework.

12. With particular regard to sustainable transport, Policy CN9 of the Local Plan seeks for new development, amongst other things, to minimise the need to travel and to promote opportunities for sustainable transport modes, improve accessibility to services and support the transition to a low carbon future. My attention has not been drawn to any public transport provision in the locality and the nearest station at Bramley would be beyond reasonable walking distance, albeit could be reached by bicycle in under 15 minutes. However, and as recognised at paragraph 110 of the Framework, the opportunities to maximise sustainable transport solutions will vary between urban and rural areas and that this should be taken into account in decision making. Although limited in scope, the development could be required, through the imposition of conditions, to provide opportunities to promote sustainable transport opportunities, including covered cycle storage provision and electric vehicle (EV) points to accord with the objectives of Policy CN9 of the Local Plan.
13. For the reasons set out above, I do not therefore consider that there is justification to withhold planning permission in respect of the principle of residential development of this land, in terms of its location.

Character and Appearance

14. The three proposed dwellings would have individual access points leading to detached double garages to the front of the houses together with parking and private amenity space to the rear. They would have very similar, regular plot sizes, with limited spacing between the individual houses and the plot edges. Although of traditional design, the three dwellings would be identical in appearance with brick elevations under a tiled roof.
15. Given the rural location, the character and appearance of the local area is predominantly of sporadic individual dwellings in their own grounds with countryside around. By contrast I consider that the proposed three dwellings, given their more limited plot size and identical scale, massing and design, would have a suburban appearance which would be discordant with the predominant pattern of development in the local area. There would be very limited spacing between the three dwellings which would be at variance with the more spacious setting to many of the dwellings in the local area. The suburban appearance to the three dwellings would be further exacerbated by the regular layout of the three houses, set in a line as well as the proximity of the detached garages to the frontage. As a result of the repetition of their proposed appearance and the size of the plots as well as limited separation distances, I consider that the three dwellings would appear visually discordant and result in harm to the predominant pattern of development and attractive rural character and appearance of the local area.

16. Permission already exists for two houses on the same parcel of land but from the information provided to me, these two houses would have the benefit of larger plots and there would be a more varied siting and spacing between the dwellings. These two houses, from the information before me would also be broadly 'in line' but the greater spacing between the two dwellings would mean that this would be less apparent. The addition of a third house onto the same area of land as proposed, would be incongruous and visually intrusive in the context of its open, rural location.
17. The Appellants have drawn my attention to three chalet dwellings on the north side of Bramley Road. I have had regard to these alongside the other scattered residential development in the local area. However, they do not in my view compare with the proposal before me in terms of the repetition of the design and appearance of the proposed three dwellings before me. They do not therefore persuade me to a different view.
18. I therefore conclude that the proposed development would be harmful to the rural character and appearance of the local area. This would conflict with Policies EM1 and EM10 of the Local Plan, the Landscape Biodiversity and Trees Supplementary Planning Document (2018), the Design and Sustainability Supplementary Planning Document (2018), the National Design Guide, as well as the Framework and in particular Sections 12 and 15 all of which, amongst other matters, seeks a high quality of design which respects the local context and which seek to ensure that development proposals contribute positively to local distinctiveness.

Other Considerations

19. The Appellant and the Council have drawn my attention to numerous appeal decisions which they both consider to support their case. However, each proposal must be considered on its individual merits. I have nonetheless taken these other decisions into account but do not find that any of them compare with the particular circumstances of the case before me, and in particular in the light of the extant permission for development on the same site.
20. The Appellants have advised that the southern boundary of The Pound Conservation area lies approximately 90m to the north of the site. From the limited information before me I am satisfied that given the distance between the Conservation Area and the appeal site, with the first house under construction pursuant to the 2022 permission in between, there would be no material harm to the setting of The Pound Conservation Area. The Council raised no concerns in this regard.

Planning Balance

21. With the requirements set out in the Framework for Councils to be able to demonstrate a five year supply of deliverable housing sites, there is no dispute between the parties that the Council is unable to meet this requirement and that as a result Paragraph 11 d) is engaged. Accordingly, in line with paragraph 11(d) and footnote 8 of the Framework, the policies most important for determining the application are out of date. Paragraph 11 d) i. is not relevant in this instance and therefore Paragraph 11 d) ii. is engaged whereby planning permission should be granted unless *any adverse impact of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole, having particular regard to key policies for directing*

development to sustainable locations, making effective use of land, securing well designed places and providing affordable homes, individually or in combination.

22. I have found that the principle of development would be acceptable in this location, particularly taking into account the extant 2022 permission. However, the Framework is clear that new development should respect the intrinsic character and beauty of the countryside and to respect local character and distinctiveness. Footnote 9 to Paragraph 11 d) ii. specifically refers to paragraphs 135 and 139 of the Framework which uphold, amongst other things, the importance of high quality design which is sympathetic to local context and character. As a result, I do not reduce the weight I attach to the conflict with Policies EM1 and EM10 of the Local Plan.
23. There would be a modest social benefit in providing one additional housing unit and in that regard the provision of an additional 3 bedroom house which accords with the identified borough wide need for small family homes as set out in the Council's Housing SPD. Economic advantages would also arise from the construction and occupation of this one dwelling. The proposals would also provide for 10% biodiversity net gain. These benefits carry some weight in support of the proposal. I have also paid particular regard to the paragraphs referenced in footnote 9 of Paragraph 11 d) ii. of the Framework. I have addressed some of these paragraphs above and considering each individually and in combination, given the small nature of the proposal and its location and siting as well as the market form of the development proposed they do not add weight in support of the proposal.
24. I attach significant weight to the principle of housing delivery but the benefits from the provision of one additional unit would be very modest. I have found that the proposed development would harm the character and appearance of the local area and the harm I have concluded would be significant and as a result the environmental role of sustainable development would not be achieved. When assessed against the policies in the Framework taken as a whole the adverse impacts would significantly and demonstrably outweigh the benefits. Therefore, the proposal would not be a sustainable form of development. The conflict with the development plan is not outweighed by other considerations including the Framework.
25. The proposal would not accord with the development plan and there are no other material considerations to override this finding. For the reasons given above and having regard to all other matters raised, including in representations, I conclude that this appeal should be dismissed.

L J Evans

INSPECTOR