
Appeal Decision

Site visit made on 10 June 2025

by Stuart Willis BA Hons MSc PGCE MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27 June 2025

Appeal Ref: APP/H1705/W/25/3360051

Land at Common Road, Headley, Hampshire

- 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 Mr Chris Lawrence against the decision of Basingstoke and Deane Borough Council.
 - The application Ref is 23/02923/OUT.
 - The development proposed is erection of one detached dwelling with access.
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Decision

1. The appeal is allowed, and planning permission is granted for the erection of one detached dwelling with access at Land at Common Road, Headley in accordance with the terms of the application, Ref 23/02923/OUT, subject to the conditions in the attached schedule.

Applications for costs

2. An application for costs was made by Mr Chris Lawrence against Basingstoke and Deane Borough Council. This application is the subject of a separate Decision.

Preliminary Matters

3. Outline planning permission is sought with only matters of access and layout to be considered. I have had regard to the details for these matters but have treated other aspects as illustrative.
4. A District Licence for Great Crested Newts and Great Crested Newt Review and Method Statement were provided at the outset of the appeal. As parties have had opportunity to comment on them and they did not significantly alter the scheme, no one would be prejudice by my taking them into account. The Council have subsequently confirmed that they no longer wish to pursue the reason for refusal relating to Great Crested Newts (GCN).

Main Issues

5. The main issues of the appeal are:
 - Whether the appeal site is an appropriate location for the proposal, with regard to the local development strategy,
 - The effect of the proposal on the character and appearance of the area; and
 - The effect of the proposal on biodiversity.

Reasons

Location

6. The appeal site is located in the countryside, outside of Settlement Policy Boundaries as defined by the Basingstoke and Deane Local Plan (Local Plan).
7. The proposal would result in benefits for the operation of the business at the site. However, while some of these take place at different times of day and night, some are seasonal such as lambing and calving where temporary overnight facilities may be able to address the need. Many of the activities are those that do not require an on-site presence outside regular hours of work and/or relate to activities away from the site. Moreover, the business currently operates without a permanent dwelling on the site.
8. Measures have been put in place to improve security at the site. Nevertheless, there are limited details of the break ins that have taken place and what other measures could be implemented. As such it has not been shown it is necessary for a worker to live at the site for the enterprise to function properly.
9. There is little evidence provided of the financial situation at present or in the future for the business. Consequently, it has not been shown that the enterprise is and will remain viable for the foreseeable future and endure in the long term. Therefore, it has not been shown that it is essential for the proposal to be in the countryside.
10. There is a shortfall in housing supply in the area and the guidance note¹ is not adopted policy or a supplementary planning document. Nevertheless, I see no reason to reach a different finding to the Inspector in the Neats House appeal² where they found that local need does not relate to a general need for housing. There is no comprehensive assessment to show that there is a local need for a dwelling of this size, type or tenure within this or a nearby Parish or villages/settlements in line with the requirements of the guide and supporting text of Policy SS6 of the Local Plan. Therefore, although the proposal would be small scale, it has not been shown that it would meet a locally agreed need.
11. The lack of footways and lighting along nearby roads mean they would not be inviting routes in times of darkness or inclement weather for pedestrians and cyclists. However, there are some public transport options linking to nearby settlements. There would be some reliance on private car but the number of journeys and distance to nearby services and facilities is not significant.
12. Notwithstanding this, the appeal site is not an appropriate location for the proposal, with regard to the local development strategy. It would be contrary to Policies SS1 and SS6 of the Local Plan and Policy HD1 of the Ashford Hill with Headley Neighbourhood Plan (NP) where they seek to direct development to within settlement boundaries unless they meet certain exceptions.

Character and appearance

13. The site is a largely undeveloped area which currently contributes positively to the character and appearance of the area as part of the wider open fields. The

¹ New homes in the countryside to meet a locally agreed need

² APP/H1705/W/22/3301262

introduction of a dwelling, annex and the associated domestic paraphernalia would erode this.

14. The scale and appearance of buildings are not to be agreed at this stage. Although more so on the other side of the road, domestic features and buildings would not be untypical given the presence of similar sporadic residential development nearby. There is also some variation in the position and set back of properties in the area as well as scale with some large properties. The proposal would also be seen with the existing building on site. Therefore, the layout would not appear out of keeping or disjointed.
15. The existing access would be used so boundary vegetation could be retained and strengthened as well as further planting at the site to soften the appearance of the scheme. While there would still be views over these from the road, the access and nearby public rights of way, they would be partly filtered and seen with existing buildings and residential features.
16. However, the proposal would cause small harm to the character and appearance of the area. It would be contrary to Policies EM1 and EM10 of the Local Plan, and Policy L1 of the NP. These, in part, seek to ensure schemes are sympathetic to the character and visual quality of the area and positively contribute to local distinctiveness and landscape character.

Biodiversity

17. The scheme would result in the loss of part of the SINC³. However, there is no clear evidence that the scheme would lead to fragmentation or loss of connectivity of habitats. Off-site biodiversity enhancements and mitigation would be provided including the creation of a pond and the enhancement in condition of the existing grassland, through a management scheme. Moreover, the proposals would deliver net gain. The enhancements and mitigations can be secured by condition which would also address any implications of the scheme on previously agreed enhancements.
18. Nevertheless, while it would not be significant, as the Preliminary Ecological Assessment states the development would impact upon a section of the designated grassland and cause a small loss of SINC grassland habitat. Therefore, it would conflict with those parts of Policy EM4 of the Local Plan.
19. There is a considerable need for housing in the area, given the shortfall in housing supply. The scheme relates to a single dwelling; however, the contribution would be small but still important in this context. Other benefits would relate to occupation and build of the scheme. While there are compensatory measures and net gain, the factors put forward do not represent overriding public interest. Furthermore, it has not been shown that there is a need to live on site in relation to the business. As such, the proposal fails to show that there is no satisfactory alternative with less or no harmful impacts.
20. The appeal site is located, at least in part, within an amber impact zone for GCN. There is no compelling evidence to indicate that these zones are incorrect. There are ponds within an estimated maximum routine migratory range from breeding ponds and records of GCN in the wider area. The Great Crested Newt Review and

³ Site of importance for nature conservation

Method Statement provided at the appeal stage indicates that the ponds are located within or in close proximity to areas of suitable terrestrial habitat, such as hedgerows, tree-lines and/or woodland.

21. Subject to suitable landscaping at reserved matter stage, such features would not be lost as part of the scheme and therefore the ecological functionality of the site would be retained. In addition, the landscape would not be fragmented. A Method Statement sets out practices as a precautionary approach and is conditioned to ensure no harm to these protected species or their habitats.
22. Nevertheless, the proposal would harm biodiversity. Given the above factors the harm would be small but still contrary to Policy EM4 of the Local Plan where it states proposals should not harm locally designated sites including SINCs or lead to loss of a key habitat type.

Other Matters

23. The existing access would be utilised. Although the gate is angled to the road, there is a layby area that provides sufficient visibility. The amount of additional traffic would be limited as it relates to a single dwelling and would have little effect on the condition of the road.

Planning Balance

24. The proposal would contribute towards housing supply, in an area where there is currently a shortfall. Even though for a single dwelling, given the extent of the shortfall this attracts moderate weight. Social and economic benefits associated with the build and occupation of the dwelling each attract small weight given the scale of the scheme as would those relating to energy efficiency. The biodiversity enhancements and net gain attract small weight.
25. The policies the scheme conflicts with are broadly consistent with the National Planning Policy Framework (Framework). The harm as result of the conflict with the development strategy is given small weight as these policies are not currently providing sufficient housing. The harm to the character and appearance of the area attracts small weight. This is due to the scale of the scheme, context of other built form, including residential nearby and the planting and retention of features. There would also be small harm to biodiversity in relation to the SINC and key habitats.
26. Therefore, the proposal would be contrary to the development plan as a whole.
27. The Council are currently unable to demonstrate a 5-year supply of housing land, said to be 2.9 years. Therefore, paragraph 11d of the Framework is engaged.
28. The proposal would align with the aims of the Framework to significantly boost the supply of housing and that small-scale developments can make an important contribution to meeting the housing requirement. Due to the degree of housing shortfall the benefit to supply would be moderate. Economic and social benefits associated with the scheme align with those elements of the Framework. I give these each small weight due to the scale of the scheme as I do to resource efficiency.
29. The scheme fails to accord with the Framework where it states that the planning system should actively manage patterns of growth and that sustainable transport

modes are prioritised. As there would be some choice of transport modes and there is a shortfall in housing supply I give the conflict with this small weight. The scheme is contrary to the Framework where it seeks to ensure developments are sympathetic to local character attracting small weight. The Framework also seeks to minimise impacts on biodiversity. I afford the conflict with this small weight for the reasons above.

30. As a result, the adverse impacts of the development would not significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework as a whole. As a result, the presumption in favour of sustainable development applies and the scheme would accord with Policy SD1 of the Local Plan.

Conditions

31. In addition to the standard time limit conditions, I have imposed one requiring submission of reserved matters as this is an outline permission. A condition requiring that the development is carried out in accordance with the approved plans insofar as they relate to access and layout is imposed for certainty.
32. To encourage use of different modes of transport, a condition for cycle parking facilities is imposed. To ensure appropriate provision and to protect the character and appearance of the area, details of bin storage is required. A condition is imposed in relation to water consumption to support sustainable water use. In the interest of highway safety, details of parking are required.
33. To ensure appropriate biodiversity mitigation and enhancement is provided, a condition is imposed requiring final details to be agreed, as being outline, some elements of the scheme are currently unknown. Compliance with the great crested newt details is necessary to ensure no harm to the species. To prevent flooding, details of a surface water scheme are needed. A condition relating to a radon gas risk assessment is necessary to reduce risks in this regard.
34. Details relating to traffic and hours of operations as well as deliveries can be provided as part of the Construction Management Statement to prevent highway safety or living conditions issues.
35. As the proposal is for outline planning permission with certain matters reserved, conditions relating to external materials, hard surfacing, landscaping, a tree survey and arboricultural method statement are not necessary and can be dealt with at that time.

Conclusion

36. In this instance, the proposed development would conflict with the development plan, but material considerations indicate that a decision should be made other than in accordance with it.
37. For the reasons given above the appeal should be allowed.

Stuart Willis

INSPECTOR

Schedule of Conditions

- 1) Details of the appearance, landscaping, and scale, hereinafter called "the reserved matters" shall be submitted to and approved in writing by the local planning authority before any development takes place and the development shall be carried out as approved.
- 2) Application for approval of the reserved matters shall be made to the local planning authority not later than 3 years from the date of this permission.
- 3) The development hereby permitted shall take place not later than 2 years from the date of approval of the last of the reserved matters to be approved.
- 4) The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan Drawing No P01 Rev D, Proposed Block Plan Drawing No P02 Rev F and Proposed Site Drawing P03 Rev E insofar as they relate to access and layout only.
- 5) Prior to the commencement of the development, final details of biodiversity mitigation and enhancements, based on those set out in the Preliminary Ecological Appraisal, and including a programme of implementation, management and maintenance and a Biodiversity Enhancement and Management Plan shall be submitted to and agreed in writing by the local planning authority. The development shall be carried out, and thereafter managed and maintained in accordance with the approved details.
- 6) Prior to the commencement of the development, a detailed surface water drainage scheme for the site, including a programme of implementation and management and maintenance plan shall be submitted to and agreed in writing by the local planning authority. The development shall be carried out, and thereafter managed and maintained in accordance with the approved details.
- 7) Prior to the commencement of the development a radon gas risk assessment shall be submitted to and agreed in writing by the local planning authority. The development shall be undertaken in accordance with the approved details.
- 8) Prior to the commencement of the development a Construction Method Statement shall be submitted to and approved in writing by the local planning authority. The approved Statement shall be adhered to throughout the construction period for the development.
- 9) Prior to the occupation of the dwelling hereby approved, cycle parking facilities shall be provided in accordance with details that have first been submitted to and agreed in writing by the local planning authority. Thereafter, these facilities shall be retained for this purpose.
- 10) Prior to the occupation of the dwelling hereby approved, parking spaces shall be provided in accordance with details that have first been submitted to and agreed in writing by the local planning authority. Thereafter, these facilities shall be retained for this purpose.
- 11) Prior to the occupation of the dwelling hereby approved, refuse storage and collection facilities shall be provided in accordance with details that have first been submitted to and agreed in writing by the local planning authority. Thereafter, these facilities shall be retained for this purpose.

- 12) Prior to the occupation of the dwelling hereby approved, facilities to ensure a water efficiency standard of no more than 110 litres per person per day shall be provided in accordance with details that have first been submitted to and agreed in writing by the local planning authority. Thereafter, these facilities shall be retained for this purpose.
- 13) The development shall be carried out in accordance with the Great Crested Newts (GCN) Review and Method Statement.