



Appeal Decision

Site visit made on 28 May 2025

by M Aqbal BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 01 July 2025

Appeal Ref: APP/H1705/W/24/3355059

2 Tanhouse Cottages, Ashford Hill Road, Headley, Hampshire RG19 8AP

- 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 Mr Pearce against the decision of Basingstoke and Deane Borough Council.
 - The application Ref is 24/01160/FUL.
 - The development proposed is erection of a new 3-bedroom dwelling with associated landscaping.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - i) Whether the appeal site is in a suitable location for housing with regard to the spatial strategy in the development plan and accessibility to shops, facilities and services by sustainable modes of travel;
 - ii) The effect of the proposal on the character and appearance of the area, including the setting of Grade II Listed dwellings (1 and 2 Tanhouse Cottages);
 - iii) The effect of the proposal on trees;
 - iv) The effect of the proposal on highway safety, and
 - v) Whether the proposal would be affected by the risk of flooding.

Reasons

Suitable location for housing

3. Policy SS1 of the Basingstoke and Deane Local Plan 2011- 2029 adopted in May 2016 ('the BDLP') sets out the spatial strategy to deliver dwellings principally through a combination of capacity within settlement boundaries, local plan allocations and a quantum of housing allocated through the neighbourhood planning process.
4. Policy SS1 also confirms that housing development Outside of the Settlement Policy Boundaries, in the countryside, will be managed to a limited number of exceptional circumstances. The intension of this is to maintain the existing open nature of the borough's countryside. The appeal site is outside a settlement boundary therefore in the countryside.
5. However, Policy SS6 of the BDLP, sets out certain exceptions for allowing new dwellings in the countryside. Amongst others, these include where: (a) on previously developed land and (e) is small scale to meet a locally agreed need.

Policy HD1 of the Ashford Hill with Headley Neighbourhood Plan 2022-2029, October 2022 ('NP') also reiterates the requirement of BDLP Policy SS6.

6. Previously Developed Land ('PDL') is defined in the National Planning Policy Framework ('the Framework'). In summary, the appellant asserts that the appeal site had been used as garden for years and as 'brown belt' land as part of running a business from home, and on this basis, the appeal site is PDL. While my visit only represents a snapshot in time, I observed that the appeal site is separated from 2 Tanhouse Cottages by a wooden fence, appears undeveloped and was largely empty with the exception of a few piles of various items, including window frames, glazing units and slabs.
7. Overall, there is insufficient evidence before me to substantiate that the appeal site is PDL. As such, it is not necessary for me to consider the other requirements of Policy SS6(a) of the BDLP.
8. In respect of Policy SS6(e) of the BDLP, the Council has confirmed that the proposal is for a 'small scale' scheme. The Council also advises that it has published a guidance note to assist in addressing 'locally agreed need' and that this advises that an applicant should demonstrate that their proposal meets a specific and clearly identified unmet need in the local area in terms of number, size, type, and tenure, and refers to the need being with the Parish, village, or settlement.
9. Other than reference to the NP supporting housing within the parish for small family led homes which should use brownfield and garden sites as a priority rather than large greenfield developments, it has not been clearly shown that the proposal meets a locally agreed need with particular regard to the Council's guidance in respect of this. As such, the proposal fails to accord with the primary requirement of Policy SS6(e) of the BDLP. Therefore, it is not necessary for me to consider the further criteria under Policy SS6(e) of the BDLP.
10. For the above reasons, the proposal does not meet any of the exceptions under BDLP Policy SS6 for new housing in the countryside.
11. The appeal site is located between the settlements of Headley and Ashford Hill. Together, these provide some facilities including a community run shop, post office, village hall, church and Primary School. However, to access these services and facilities from the appeal site you would need to walk along a significant length of Ashford Hill Road which does not benefit from footpaths or lighting for significant lengths. Pedestrians would therefore be required to share the carriageway with fast moving vehicular traffic.
12. There is no bus service serving Ashford Hill. Even if I were to accept the appellant's assertion that Headley is well served by the Basingstoke to Newbury Bus service which has been extended to Sundays and a late night service, it is approximately a 1.5km walk to reach the nearest bus stops in Headley (with the exception of the school bus where there is a bus stop at the end of Millgreen Lane). This would be a deterrent to accessing these settlements and associated facilities / services by means other than the private car for safety and convenience, or during inclement weather and the hours of darkness.
13. Whilst cycling could be an option, the most direct route to the above settlements would be along Ashford Hill Road, which is particularly busy and is a journey only

likely to be undertaken by competent cyclists. Also, cycling would not be suitable for those with mobility issues.

14. Therefore, and even when taking account of the Framework, which acknowledges that opportunities to maximise sustainable transport solutions will vary between urban and rural areas, the location of the appeal site does not offer genuinely sustainable travel choices. As such, occupiers of the proposed dwelling would be largely reliant on private car travel to access day to day services.
15. For the above reasons, the appeal site is not in a suitable location for housing with regard to the Council's spatial strategy in the development plan and would introduce new development in a location with poor access to shops, facilities and services by sustainable modes of travel.
16. Accordingly, the proposal is not supported by Policies SS1 and SS6 of the BDLP or Policy HD1 of the NP.
17. The proposal also fails to accord with Policy CN9 of the BDLP, which amongst other things says that development should seek to minimise the need to travel, promote opportunities for sustainable transport modes, improve accessibility to services and support the transition to a low carbon future, and provide safe, suitable and convenient access for all potential users. The proposal also conflicts with Policy SD1 of the BDLP, which supports sustainable development where this accords with the policies of the development plan.

Character and appearance

18. The appeal site comprises a plot of land which is grassed and, in part, enclosed by trees and hedges. This lies to the east of 1 and 2 Tanhouse Cottages (Grade II Listed dwellings).
19. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires me to pay special regard to the desirability of preserving listed buildings and their setting. The Framework requires me to assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset).
20. Based on my observations, 1 and 2 Tanhouse Cottages are modest dwellings set towards the front of large plots. These dwellings are viewed as a pair of buildings of a similar historic character, built in the local vernacular, and are visible when approaching around the bend in the road from the east and west. Whilst there are a number of outbuildings and extensions to the historic buildings, these are predominantly single storey and are subservient additions to the main dwellings. Despite the modern additions, the two sites retain an attractive, unspoilt and rural character. Therefore, the significance of these heritage assets is largely derived from their distinctive historic designs, materials and rural setting.
21. Because the appeal site is free of any built development and has a verdant character and appearance, physically and visually this has a stronger connection with and positively contributes to the undeveloped and rural nature of the open countryside setting to the Listed dwellings.
22. The form of the proposed dwelling reflects 2 Tanhouse Cottages and the materiality of the proposed dwelling is meant to be in keeping with the recent additions to 2 Tanhouse Cottages, which are clad in Oak with slate roofing. This

would represent a pastiche of the neighbouring development, which would compete with its design. Moreover, the proposed dwelling would span almost the entirety of the plot, contrasting with the spacious arrangement of the plots that the existing buildings sit within. As a consequence of its footprint and massing, the overall scale of the proposed dwelling would dominate its plot. In particular, when leaf cover associated with nearby trees is reduced.

23. This extent of development would also have an erosive effect on the rural character of the appeal site, which would be harmful to the visual amenity of the area.
24. For the above reasons, the development associated with the proposal, would compete with the adjacent listed buildings (1 and 2 Tanhouse Cottages) and dilute their rural settings and significance. The proposal would therefore fail to conserve the significance of these heritage assets.
25. Policy EM11 of the BDLP, says that all development must conserve or enhance the quality of the borough's heritage assets in a manner appropriate to their significance. Policy HA of the NP says that proposed development in the setting of designated heritage assets should not adversely affect the heritage asset or its context. Where harm is unavoidable, proposals must clearly demonstrate that harm is justified by provision of public benefit that could not otherwise be delivered. Together, these policies broadly reflect the advice in the Framework in respect of heritage assets.
26. In my view, and with regard to the Framework, the proposal would cause less than substantial harm to these heritage assets. The public benefits arising from the proposal are set out below, which derive from the provision of a new dwelling. These public benefits are not sufficient to outweigh the less than substantial harm identified, in particular when attaching great weight to such harm in accordance with the Framework.
27. For the above reasons, the proposal would harm the character and appearance of the area and the setting of heritage assets. As such, the proposal is contrary to BDLP Policy EM11 and Policy HA of the NP.
28. The proposal also fails to accord with the design aims of Policies EM1 and EM10 of the BDLP and Policies NE1 and HD3 of the NP, which along with other things say that proposals should conserve and enhance the natural environment and its visual amenity, be of high quality design reflecting its local and historic distinctiveness.

Flooding

29. Based on the Environment Agency Flood Risk Maps, the appeal site falls within Flood Zone 1 giving the site a low risk of flooding (less than 1 in 1000 annual probability). The Council has also provided information from Environment Agency Surface Water Maps, which show the site as being at low and medium risk of surface water flooding. Also, the Council's Strategic Flood Risk Assessment shows the site as being at high risk of surface water flooding.
30. Whilst the appellant has information which identifies that the area of the appeal site is of a very low risk of yearly chance flooding from rivers and sea and surface water, and that flooding from groundwater and reservoirs is unlikely in this area.

the Council's mapping evidence is site-specific. Therefore, I attach greater weight to this.

31. Planning Policy Guidance and the Framework aim to steer development to areas with the lowest probability of flooding through a sequential test. In particular, the Framework, says that the aim of the sequential test is to steer new development to areas with the lowest risk of flooding from any source. Development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding. The strategic flood risk assessment will provide the basis for applying this test.
32. Policy EM7 of the BDLP says that 'The sequential approach to development, as set out in national guidance, will be applied across the borough, taking into account all other sources of flooding as contained within the council's Strategic Flood Risk Assessment (SFRA). Development within areas of flood risk from any source of flooding, will only be acceptable if it is clearly demonstrated that it is appropriate at that location, and that there are no suitable available alternative sites at a lower risk.' Policy HD4 of the NP, supports Policy EM7.
33. A sequential test relates to the acceptability of development in a specific location and needs to be assessed as part of the planning application. Therefore, this requirement cannot be secured by a planning condition. The appeal scheme has failed to demonstrate that there are no other sequentially preferable sites for the proposed development with a lower probability of flooding.
34. Furthermore, insufficient information has been provided to show that the proposal would represent an acceptable form of development having regard to flood risk at the site or that any development would be appropriately flood resilient and resistant. The proposal is therefore contrary to policies EM7 of the BDLP and HD4 of the NP.

Protected species and important habitats

35. As already stated, the appeal site is located in the countryside and appears undeveloped. It is also near to trees and Sites of Important Nature Conservation. There are also ponds near the appeal site, and because of this it is within an amber risk Zone for Great Crested Newts ('GCN').
36. The above environment has the likelihood to support protected species and/or important habitats, which the proposal could potentially impact. In the absence of any ecological supporting information, for example a Preliminary Ecological Appraisal, it has not been shown that the proposal would not have a detrimental impact on protected species and/or important habitats.
37. There is reference to an Ecological Survey being undertaken in the last 5 years. However, the details of this are not before me. There is also no evidence to support the appellant's assertion that there are no roosting bats within the curtilage of 2 Tanhouse Cottages and the appeal site.
38. Given the proposed development could potentially impact on GCN, it is necessary that this is established before the planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision. Therefore, the requirement for ecological surveys, in this case should not be left to a condition.

39. Consequently, the proposal is contrary to Policy NE1 of the NP, which says that development proposals will be expected to conserve and enhance the natural environment, in particular they should protect existing biodiversity.

Impact on trees

40. Although the appellant says that there are no trees on the site. There is a tree shown on the submitted layout plan and there are other trees nearby. These trees make a positive contribution to the visual amenity and scenic quality of the area.
41. Although the footprint of the building is located away from existing trees, on the level of information before me, I cannot be certain that the construction of the dwelling and activity associated with this, would not adversely impact these trees. Therefore, I cannot be certain that the proposal would not be detrimental to existing trees.
42. Accordingly, the proposal conflicts with the requirements of Policy NE2 of the NP, which says that all applications where there are trees on or adjacent to the site will need to be supported by a satisfactory Arboricultural Impact Assessment in accordance with BS5837 'Trees in relation to design, demolition and construction – recommendations'(2012). I, therefore, also find conflict with Policy EM1 of the BDLP, which along with other things seeks to safeguard visual amenity and scenic quality, including through the retention and protection of trees.

Highway safety

43. Although the quantum of proposed parking is acceptable, the parking arrangement as shown on the most recent site layout available to me: Drawing No 24-4971-P-05, Rev A, only shows how one of the externally parked vehicles would be able to reverse and leave the appeal site in a forward gear. However, given that the access to the appeal site would be gated, this in itself could be impractical. Furthermore, it is unclear if the second parked vehicle or any other vehicles, including visitors would be able to turn within the appeal site and leave in a forward gear, especially if parking spaces are in use.
44. Therefore, in the absence of a sufficient turning area, the proposed scheme could result in vehicles potentially reversing onto Ashford Hill Road, which would compromise highway safety. This would be contrary to policies EM10 and CN9 of the BDLP and TTP1 of the NP. Amongst other things, these policies require proposals to provide an on-site movement layout compatible for all potential users with appropriate parking and servicing provision; and that new development will only be permitted providing there is no adverse impact on road safety.

Other Matters

45. The Council has confirmed that an annexe was approved at 1 Tanhouse Cottages. Even so, this relates to another site and because I do not have the specific details in relation to this, I cannot draw any conclusions about the information requirements for this scheme relative to the proposal.

Other considerations

46. The Council is currently unable to demonstrate a 5-year supply of housing land, with the current level of housing land supply being about 4.2 years. Therefore, Paragraph 11d) of the Framework is engaged. However, because the proposal

would harm heritage assets, this provides a clear reason for refusing the development proposed and therefore the presumption in favour of sustainable development does not apply.

47. Nonetheless, the proposal would result in the creation of an additional family dwelling. There would be some social, economic and environmental benefits arising from this. However, given the modest scale of the proposal, any associated benefits attract limited weight.

Planning balance and Conclusion

48. Section 38(6) of the Planning and Compulsory Purchase Act 2004, requires that decisions on planning applications should be made in accordance with the development plan unless material considerations indicate otherwise.
49. I have found that the proposal is not in a suitable location for housing with regard to the Council's spatial strategy and accessibility by sustainable modes of travel. Development here would also harm the character and appearance of the area, including the settings of nearby heritage assets. Also, based on the available information, I cannot be certain that the proposal would not harm biodiversity including protected species and nearby trees and highway safety. The appeal site is also in a location susceptible to the risk of surface water flooding. The harm associated with these matters and conflict with the development plan attracts substantial weight.
50. Having taken account of the other considerations in support of the proposal to which I attach limited weight, I do not consider these to be sufficiently forceful, to outweigh the harm and conflict with the development plan I have identified. Consequently, in the circumstances of this case, the material considerations do not justify a decision other than in accordance with the development plan taken as a whole.
51. For the above reasons, I conclude that the appeal should be dismissed.

M Aqbal

INSPECTOR