



Appeal Decision

Site visit made on 17 June 2025

by **P Barton BA (Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 15 July 2025

Appeal Ref: APP/H1705/W/24/3347575

Brockwell (paddock and stable), Andwell Lane, Andwell, Hook

Grid Ref Easting: 469236, Grid Ref Northing: 152847

- 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 A Komrower of JA Komrower 2016 Paddock Settlement against the decision of Basingstoke and Deane Borough Council.
 - The application Ref is 23/01236/FUL.
 - The development proposed is erection of three dwellings and provision of landscaping.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The Government published a revised National Planning Policy Framework (the Framework) on 12 December 2024. The main parties were given an opportunity to comment, and the comments received have been taken into account in the determination of the appeal.
3. The appellant has submitted an amended plan and report reflecting the relocation of the bin store as well as new documents relating to the proposed landscaping of the site. These do not involve a substantial difference or fundamental change, and the Council has been given the opportunity to comment on them. Whilst they have not been subject to public consultation, I am satisfied that it would not cause procedural unfairness to anyone involved in the appeal. As such I have considered these plans and documents in making my decision.

Main Issues

4. The main issues are:
 - whether the appeal site would be a suitable location for the proposed development, having regard to local and national policy;
 - the effect of the proposed development on the character and appearance of the area; and
 - whether the scheme provides for an appropriate housing mix.

Reasons

Location

5. The appeal site comprises a paddock and modest stable building adjacent to a small cluster of buildings positioned along Andwell Lane, consisting of houses, a brewery with a taphouse and café, and a small number of business units. The prevailing surrounding landscape is one of open fields and woodland. The proposal is for 3 detached dwellings facing Andwell Lane, utilising the existing access.
6. Policy SS1 of the Basingstoke and Deane Local Plan (BDLP) sets out the spatial strategy for housing delivery during the plan period, which is primarily through development within defined Settlement Policy Boundaries (SPB) and allocated sites, as well as a quantum of housing allocated through the neighbourhood planning process. The appeal site falls outside of any of these and as such is located within the countryside. BDLP Policy SS1 clarifies that housing development in the countryside will be managed to a limited number of exceptional circumstances, to maintain the existing open nature of the borough's countryside.
7. BDLP Policy SS6 sets out a criteria-based approach to the provision of new housing in the countryside. There is no dispute that the appeal site meets the definition of previously developed land (PDL) and BDLP Policy SS6 Part a) permits new housing outside a SPB and on PDL provided that, amongst other things, it does not result in an isolated form of development and is of an appropriate use and scale to the site's context.
8. I have had regard to relevant case law¹, which advises that what is a settlement and whether the development would be isolated from a settlement are both matters of planning judgement for the decision-maker on the facts of the particular case. I have also had regard to BDLP's definitions of isolation and settlement.
9. The Inspector on a previous appeal² on the site concluded that the adjacent cluster of buildings was not a settlement, and this is contested by the appellant. I observed that the appeal site is not physically isolated, and the proposal would contribute to this cluster. Notwithstanding that, it is a considerable distance from a built-up area and the location does hold a sense of remoteness.
10. The brewery and other business units represent employment opportunities, whilst the taphouse and café are open to the public and are claimed to be an event location akin to a community hall. Nevertheless, future occupants of the proposal would need to travel further distances to meet day-to-day needs such as schools and health care.
11. Andwell Lane is a narrow and unlit country road with no footpath. Although there is evidence before me of average road speeds below 30mph, these road conditions would not be an attractive option for cyclists and walkers and those with mobility issues, particularly during adverse weather and during the hours of darkness. Whilst my site visit is only a snapshot in time, I observed a noticeable number of large commercial vehicles using Andwell Lane, which compounds the unsuitability of the road for walking and cycling.

¹ Braintree DC v SSCLG, Greyread Ltd & Granville Developments Ltd [2018] EWCA Civ 610, City and Country Bramshill Ltd v SSCLG and others [2021] EWCA Civ 320

² Appeal Ref: APP/H1705/W/21/3289616

12. A bus stop within 500m of the site at the junction of Andwell Road and London Road provides regular bus connections to Hook, Old Basing and Basingstoke with services and facilities to meet day to day needs. However, due to the uninviting nature of Andwell Road, future occupants would be heavily reliant on private motor vehicles and, despite the physical connection with nearby buildings, I find the site to be isolated.
13. Whilst the Framework acknowledges opportunities to maximise sustainable transport solutions will vary between urban and rural areas, this does not give reason to locate development within inherently inaccessible locations by means other than private motor vehicles. The proposed development would not provide the opportunity to maximise the use of sustainable transport solutions, even when accepting that the site is in a rural location.
14. Moreover, due to the site's isolated location, it would conflict with the Framework, which promotes sustainable development in rural areas where it will enhance or maintain the vitality of rural communities
15. I note the claim that the taphouse and café is a cycle destination but from my findings on the road conditions of Andwell Road, it would be a journey only likely to be undertaken by competent cyclists.
16. A number of examples where houses in the countryside have been either approved by the Council or allowed on appeal have been brought to my attention. This includes an appeal decision³ for 2 dwellings on Blackstocks Lane, where it is asserted that there are similarities to the appeal before me including the nature and condition of the lane to the nearest bus stop. Nevertheless, I note that this site is indicated to be a shorter distance to the bus route than the appeal site before me, and there was agreement between the parties that it was within a reasonable distance of services and facilities which could be reached by bus or by bicycle. Other examples have some similarities in terms of their countryside locations, and policies considered relevant by the Council. However, there are also differences in the site circumstances and the material considerations in each case. As such, I do not regard these examples as being determinative and each case must be dealt with on its own merits.
17. Therefore, and given my findings below in terms of the inappropriate scale of the development, I conclude that the proposed development would not be in a suitable location, having regard to local and national policy. This would conflict with BDLP Policies SS1 and SS6 which together require new housing proposals in the countryside and on PDL to, amongst other things, not result in an isolated form of development. Moreover, it would conflict with the Framework in respect of achieving sustainable development.

Character and appearance

18. The cluster of development adjacent to the appeal site has a sense of being nestled in a river valley amongst trees and vegetation, with views of open fields and woodland.
19. The introduction of the proposed residential development into the paddock would erode the existing open and rural nature of the site. The existing trees and

³ Appeal Ref: APP/H1705/W/21/3275067

vegetation along Andwell Lane, as well as the new landscaping, would lessen the urbanising impact of the new houses. Despite the site's high level of containment, the proposal would still be visible, particularly from the access off Andwell Lane.

20. The existing houses within the small cluster of development are all set within generous plots and are of different architectural styles as well as positionings to the road, which make a positive contribution to the character and appearance of the area. In contrast, the proposed houses would be positioned within smaller plots, of a similar appearance to each other, and in a more tightly uniformed arrangement that would give it a suburban feel. The extent of the road off Andwell Lane serving the houses and, the provision of parking to the front would also worsen its incongruous appearance in the landscape.
21. I recognise that the scheme before me is significantly different to that previously determined at appeal, with fewer properties proposed and a greater level of the site left undeveloped. Nevertheless, the proposal would constitute a noticeable increase in the size of the cluster of development and would be of an inappropriate scale to the site's context.
22. For the above reasons, the proposed development would have an unacceptable effect on the character and appearance of the area. It would be contrary to Policies EM1 and EM10 of the BDLP, which require proposals to be sympathetic to the character and visual quality of the area, including positively contributing to local distinctiveness and the sense of place.

Housing mix

23. BDLP Policy CN3 seeks developments with market housing to incorporate a range of house types and sizes to address local requirements, with the mix being appropriate to the size, location, density and character of the site and surrounding area. Moreover, the proposal should provide evidence to justify the mix. Paragraph 5.29 of the supporting text also recognises that for smaller developments it may not be appropriate. It indicates that smaller developments would typically be those of 3 or fewer units.
24. On the basis that the proposal meets the suggested definition of smaller developments, and the scheme includes both 3 and 4-bed houses, it would provide for an appropriate housing mix in this case. As such, I find no conflict with Policy CN3 of the BDLP.

Other Matters

25. Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that, in considering whether to grant planning permission for development which affects a listed building or its setting, special regard must be given to the desirability of preserving the building, or its setting, or any features of special architectural or historic interest which it possesses. Andwell Mill, a grade II listed building, is to the southwest of the appeal site. Due to the separation distance, the proposal would preserve the setting of the listed building.
26. Within the Council's appeal statement, it has raised that the site is within a Red Great Crested Newt District Licensing Zone and a detailed study would now be required. However, as I am dismissing the appeal for other matters, I have not considered this matter further.

Planning Balance

27. I give significant weight to the conflicts with BDLP Policies SS1, SS6, EM1 and EM10, which are consistent with the Framework in ensuring that decisions should avoid the development of isolated homes in the countryside, direct development to sustainable locations and ensure that development is sympathetic to local character. As a result, I find that there is conflict with the development plan as a whole.
28. There is no dispute between the main parties that the Council is unable to demonstrate a five-year supply of housing land, though the Council has not stated what its current land supply figure is. The appellant has referred to a land supply of 2.94 years. As such, paragraph 11 of the Framework is engaged. In such cases, paragraph 11 d) ii) of the Framework identifies that 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 including directing development to sustainable locations and securing well-designed places.
29. The proposed development would make a positive contribution in the delivery of 3 family sized dwellings, and there would be associated social and economic benefits during the period of construction and once the dwellings are occupied, that would support local services and facilities. There would also be a significant gain to biodiversity on the site and electric vehicle charge points could be installed.
30. Applying the appellant's stated housing land supply figure for the purpose of my assessment, I afford due to its scale, the provision of 3 houses, along with the benefits listed above, moderate weight in favour of the proposed development. I have considered the economic, social and environmental objectives of the Framework referred to, as well as paragraphs 61 and 73, which emphasise the Government's objective of significantly boosting the supply of homes and the important contribution small and medium sized sites can make to meeting the housing requirements of an area.
31. It is asserted that the appeal site is not at risk of flooding and there are no contamination land matters. Moreover, it is contended that the proposed development would have no adverse impact on highway safety, the living conditions of future and existing residents, and would make suitable provision for water efficiency as well as for the storage of refuse. However, a lack of harm in these respects are neutral considerations that weigh neither for nor against the proposal.
32. On the other side of the balance, the proposal would not be located in a suitable location having regard to local and national policy and there would be an unacceptable effect on the character and appearance of the area, which would be contrary to paragraphs 83, 84 and 135 of the Framework. Given the long-lasting nature of such effects, I attribute significant weight to this conflict.
33. Therefore, I conclude that 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. As such, the presumption in favour of sustainable development set out in paragraph 11d) of the Framework does not apply.

Conclusion

34. The proposal conflicts with the development plan as a whole and the material considerations, including the Framework, do not indicate that the appeal should be decided other than in accordance with it. Therefore, the appeal is dismissed.

P Barton

INSPECTOR