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## Appeal Decision

Site visit made on 16 July 2025

by **D Wilson BSc (Hons) MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 14<sup>th</sup> August 2025

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**Appeal Ref: APP/H1705/W/24/3356378**

**Old Chapel House, Stoke Road, St Mary Bourne, Hampshire SP11 6EL**

- 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 S Eadie against the decision of Basingstoke and Deane Borough Council.
  - The application Ref is 24/00837/RET.
  - The development is change of use of agricultural land to residential to facilitate the creation of private amenity space to The Chapel.
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### Decision

1. The appeal is dismissed.

### Main Issues

2. The main issues are:
  - the effect of the development on the character and appearance of the area, having regard to the sites location within the St Mary Bourne and Stoke Conservation Area, the settings of a nearby listed building and a non-designated heritage asset as well as whether it would conserve and enhance the landscape and scenic beauty of the North Wessex Downs National Landscape, and
  - the effect of the development on flood risk.

### Reasons

#### *Character and appearance*

3. The St Mary Bourne and Stoke Conservation Area (CA) covers an area encompassing two villages, St Mary Bourne and Stoke which are located within a valley. The prevailing former use of the CA is agricultural with a number of historic farms surviving. Its significance is derived from the combination of gently curving linear development of buildings along the river valley floor with front building lines tight to the edge of the pavement. Key spaces are interspersed between buildings that result in a semi-rural appearance which is complimented by views of the surrounding landscape between these spaces. Given the above, I find that the significance of the CA, insofar as it relates to this appeal, to be primarily associated with the open space that allows views of the surrounding landscape and semi-rural character to be appreciated.

4. The appeal site is located within the North Wessex Downs National Landscape (the National Landscape). Paragraph 187 of the National Planning Policy Framework (the Framework) seeks to ensure that planning policies and decisions should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes. Paragraph 189 requires that great weight should be given to conserving and enhancing landscape and scenic beauty in National Landscapes.
5. The Council allege harm to the setting of a listed building, Cottages Pickets Way School which is a Grade II listed building. Insofar as this appeal is concerned, the significance of the listed building is derived from its vernacular rural appearance which is a dominant and focal feature for the area which is enhanced by the open, rural and spacious setting which allows this to be appreciated.
6. The host property is also locally listed, and its significance is derived from the buildings historic fabric and built form, through its simple and characteristic features and as an example of a small place of worship. The property is in a prominent position close to the road and its open, rural and spacious setting makes a positive contribution through allowing the features of the building to be appreciated.
7. The development has resulted in a part of an open field being removed and encompassed to create a garden for the appeal building. The existing land was a paddock and had a rural appearance which was a positive contribution to the CA, National Landscape and settings of the listed building and non-designated heritage asset. The development has resulted in the domestication of this parcel of land with changes to the boundary treatment and the introduction of planting which has a more domestic appearance rather than rural. The development also has the potential to introduce domestic paraphernalia that are associated with gardens which would further highlight the change and be harmful to the character and appearance of the area.
8. I therefore conclude that the proposed development would harm the character and appearance of the area, and it would not conserve or enhance the natural beauty of the National Landscape, nor its character or special qualities. It would also cause harm to CA and settings of the listed building and non-designated heritage asset and would cause harm to their significance. It would be contrary to Policy EM1 and EM10 of the Basingstoke and Deane Local Plan 2011-2029 (LP), Policy P5 and P7 of the St Mary Bourne Parish Neighbourhood Plan 2016-2029, North Wessex Downs Area of Outstanding Natural Beauty Management Plan 2019-2024 and the Landscape, Biodiversity and Trees Supplementary Planning Document (December 2018). Amongst other things, these seek to ensure that Development proposals must respect, enhance and not be detrimental to the character or visual amenity of the landscape and be of high quality.

#### *Flood risk*

9. The appeal site is located in fluvial Flood Zone 3b according to the Environment Agency's (EA) Flood Map for Planning Purposes and is considered functional floodplain. This is confirmed in the Flood Risk Assessment provided by the appellant. The use as a garden would be classified as more vulnerable development.

10. The Framework and Planning Practice Guidance (PPG) require that a Sequential Test to be carried out to steer new development to areas with the lowest risk of flooding from any source in such instances. Even where a flood risk assessment shows the development can be made safe throughout its lifetime without increasing risk elsewhere, the sequential test still needs to be satisfied. Only where there are no reasonably available sites in Flood Zones 1 or 2 should the suitability of sites in Flood Zone 3 be considered.
11. The sequential test has been carried out and considered that locations for garden areas associated with the house are limited and that the garden needs to be in proximity to the house. Therefore, due to the nature of the development, there would be no alternative sites within flood zones 2 or 3 and as such the sequential test is passed.
12. Applications for some minor development and changes of use such as the development in the appeal before me should not be subject to the exception test but should still meet the requirements for site-specific flood risk assessments set out in footnote 63 of the Framework.
13. Notwithstanding the need to carry out an exception test, table 2 in the PPG states that more vulnerable developments within flood zone 3b should not be permitted. I note that the appellant suggests that EA have commented on a former planning application for similar proposals and stated that the works would be water compatible. However, there is no such comment from the EA on the appeal before me, or any evidence to suggest that the proposed development would be water compatible and it would not appear to fit within any of the water development outlined within annex 3 of the Framework. In any case, water-compatible uses located within flood zone 3b, should be designed and constructed to remain operational and safe for users in times of flood; result in no net loss of floodplain storage; not impede water flows and not increase flood risk elsewhere which has not been demonstrated.
14. I therefore conclude that the development would not be safe from flooding. The development would conflict with Policy EM7 of the LP and Paragraph 170 of the Framework which amongst other things, seek to ensure that 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.

### **Other Matters**

15. The development has received a number of letters in support, however, much of this support relates to the restoration of the chapel which is not a consideration that is before me. I note that many of the letters of support consider the garden is an enhancement of the property that is in keeping with the surrounding area, however, there is very little justification provided within these to demonstrate this and as such the harm identified is not outweighed by this support.
16. While I sympathise with the appellant in regard to the small amount of private garden area, this would constitute a private benefit and does not outweigh the harm I have identified.

## Planning Balance

17. Paragraph 212 of the Framework advises that when considering the impact of development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. Paragraph 213 goes on to advise that significance can be harmed or lost through alteration or destruction of the heritage asset and that this should have a clear and convincing justification.
18. Paragraph 216 of the Framework states that the effect of an application on the significance of a non-designated heritage asset should be taken into account. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.
19. Given the scale of the proposed development, I find the harm to be less than substantial in this instance but nevertheless of considerable importance and weight. Under such circumstances, paragraph 215 of the Framework advises that this harm should be weighed against the public benefits of the proposal.
20. No public benefits have been advanced by the appellant and due to the nature of the development, the only benefits relate to the private benefits of the occupiers of the appeal building. Therefore, when considered as a whole, there are no benefits that outweigh the great weight I afford to the conservation of the CA and settings of the listed building and non-designated heritage asset.
21. Given the above, I conclude that, on balance, the proposal would fail to preserve the character or appearance of the CA and the settings of the listed building and non-designated heritage asset, causing less than substantial harm to the significance of each, and no public benefits have been cited that outweigh this harm. This would conflict with the Framework which states that impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The proposal would conflict with Policy EM11 of the LP and guidance contained within the Heritage Supplementary Planning Document (2019), which amongst other things, seek to conserve or enhance the quality of the borough's heritage assets.

## Conclusion

22. For the reasons given above the appeal should be dismissed.

*D Wilson*

INSPECTOR