



Appeal Decision

Site visit made on 5 August 2025

by Laura Cuthbert BA(Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 August 2025.

Appeal Ref: APP/H1705/W/25/3363736

Land adjoining Hipacre House, Newnham Lane, Old Basing, Hampshire RG24 7AT

- 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 Jeremy Dell against the decision of Basingstoke and Deane Borough Council.
 - The application Ref is 24-01596-OUT.
 - The development proposed is Erection of 1no. self-build dwelling together with associated infrastructure.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. Outline planning permission is sought, but with details of access, appearance, layout and scale to be considered at this stage. Landscaping is therefore the only reserved matter. Accordingly, I have taken any indication of landscaping shown on the submitted drawings to be illustrative.
3. Since the application was determined, a revised National Planning Policy Framework (the Framework) was published on 12 December 2024. I have taken the revised Framework into account as part of the determination of this appeal.
4. The address in the banner heading above has been taken from the Council's decision notice and the appellant's appeal form for clarity purposes.

Main Issues

5. There are 2 main issues. These are:
 - whether the proposed development would provide a suitable location for housing, having regard to the development strategy for the area, opportunities for sustainable transport accessibility to services and facilities, and the transition to a low carbon future; and
 - the effect of the proposed development on the character and appearance of the area, including the effect on trees.

Reasons

Suitable Location

6. The appeal site currently forms the front garden of the dwelling known as 'Hipacre House'. However, despite the appellant alleging that the site is situated in the development boundary of Old Basing and within the established settlement of Newnham Lane', the appeal site is situated outside of any recognised settlement policy boundary so is considered to be in the open countryside. Policy SS6 of the Basingstoke and Deane Local Plan 2011-2029 (Local Plan) (adopted 2016) relates to new housing in the countryside. Criterion 'a' of Policy SS6 supports development for new housing on 'previously developed land' (PDL) provided that 3 further criteria are met.
7. The Council accept that the appeal site would be considered to be PDL for the purposes of Policy SS6. Based on the evidence before me, and my observations on site, I agree. The three criteria of criterion 'a' of Policy SS6 supports development provided that: i) They do not result in an isolated form of development; ii) The site is not of high environmental value; and iii) The proposed use and scale of development is appropriate to the site's context. All three criteria must be complied with.
8. The proposal would be located within a small cluster of residential dwellings, including Hipacre House. Therefore, it would not be physically isolated from other built development. However, in regard to whether the proposal is isolated from a settlement, the Local Plan defines 'isolated', stating that 'in the context of new residential development in the countryside where there is a significant separation between the proposed dwelling and the nearest settlement'. The definition continues, asserting that a 'dwelling is considered to be isolated if it is not well served by public transport (e.g. within 500 m of a bus stop or train station) or well served by services and facilities (e.g. within 1km of an SPB, which generally contains facilities such as schools, post offices, doctors' surgery, etc)'.
9. The Council have set out that Hipacre House is located 550m from the edge of the settlement boundary of Old Basing and 900m from the edge of the Basingstoke settlement boundary. The nearest bus stops are located along The Street (approximately 1km) and Pyotts Hill (870m away), both of which would be reached via Newnham Lane. The appellant also notes that there is a mains line railway at both Basingstoke and Hook, which offer direct trains to London.
10. Old Basing benefits from facilities including a community centre, shops, hairdressers, church and schools. The distance to Old Basing would not in itself be prohibitive and the appellant states that they used to walk to Old Basing. However, the appeal site is visually and physically separated from Old Basing by open fields. The nature of Newnham Lane in between Old Basing and the appeal site is distinctly rural in its character, enclosed with established vegetation on both sides, with no verges or footpath and no street lighting. This gives the appeal site a greater sense of remoteness from Old Basing than the distance suggests. Furthermore, future occupants would have to use Newnham Lane to access Old Basing, which given the lack of street lighting and the lack of a footpath, would result in the future occupants being largely reliant on the private vehicle to access day-to-day services and facilities.
11. The Framework recognises that opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in decision-making. However, Newnham Lane would have to be used to access the nearest bus stops. Given the unsuitable nature of Newnham Lane for

pedestrians, this would discourage the use of any bus services. My findings above would mean that the site's location does not provide opportunities for sustainable transport accessibility to services and facilities for future occupants to reasonably carry out day-to-day activities, in particular during inclement weather and during the hours of darkness or for the less physically capable. This is pertinent given the appellant suggests that the proposal would 'be ideal for retirement'. Furthermore, the lack of opportunities for sustainable transport solutions would not support the transition to a low carbon future.

12. I recognise that existing residents of Newnham Lane may not consider the area to be isolated, as the appellant alleges. However, my judgement is that taking in to account the Local Plan's definition of what is considered 'isolated', the objectives of the Framework and in the particular circumstances of this case, the proposal would be isolated from any settlement, leading to an isolated form of development. This would conflict with criterion a) 'i' of Policy SS6.
13. Therefore, for the reasons set out above, the proposed development would not be in a suitable location for housing, having regard to the development strategy for the area, opportunities for sustainable transport accessibility to services and facilities, and the transition to a low carbon future. It would be contrary to Policies CN9, SD1, SS1 and criterion a) 'i' of Policy SS6 of the Local Plan and Policy OB&L 3 of the Old Basing & Lychpit Neighbourhood Plan 2015- 2029 (the NP).
14. Together, these policies set out the local strategy for housing delivery, focusing new housing development within settlement boundaries and restricting new housing in the countryside except where they would comply with certain criteria, which the proposal would fail to achieve. Development should also seek to minimise the need to travel, promote opportunities for sustainable transport modes, improve accessibility to service and support the transition to a low carbon future, which again the proposal would fail to achieve.

Character and Appearance

15. Hipacre House is a relatively large dwelling, benefiting from both a front and rear garden. It forms part of a small cluster of dwellings predominately positioned in a linear form to the south of Newnham Lane. The front garden of Hipacre House, where the proposed dwelling would be sited, slopes down to Newnham Lane, so it is situated at a slightly higher land level than the road. Established trees and shrubs enclose the site to the north, east and west. Open countryside lies to the northern side of Newnham Lane, as well as to the rear of Hipacre House.
16. The style and age of dwellings along Newnham Lane vary, and there is also an inconsistent building line, with the adjacent pair of semi-detached properties at Nos 7 and 8 Newnham Lane situated closer to the road than the existing built form at Hipacre House. Nevertheless, the prevailing grain and character of the area is of dwellings in a linear form, fronting Newnham Lane, with the rear gardens extending towards the open countryside to the rear. I did not observe any existing backland development, nor has my attention been drawn to any. The surrounding area has a rural character, in part due to the nature of Newnham Lane itself, by virtue of the lack of footpaths and street lighting, as well as the existing vegetation alongside. The single depth dwelling at Hipacre House, and its associated open front garden, also contributes positively to the prevailing character and appearance of the area.

17. Whilst the proposal would respect the building line with the dwellings either side, the proposal would introduce a new dwelling, sub-dividing the plot and resulting in back-to-back dwellings along Newnham Lane. Rather than being 'discrete' as the appellant alleges, the new dwelling would appear incongruous within the area, failing to maintain the strong linear character of the area and the high quality of the environment. Furthermore, whilst the appellant alleges that the proposal would be screened from the road, the proposed dwelling would be slightly elevated from Newnham Lane which would increase its prominence and incongruity in the streetscene. The introduction of residential development on to the site would fail to preserve the rural character of Hipacre House and its surroundings and would erode the linear pattern of development along Newnham Lane.
18. It is appreciated that the overall scale of the dwelling has been designed to be 'relatively small, compact and low profile with dormer windows to the front', as set out by the appellant. However, the proposal would introduce an additional house forward of the existing dwelling and on a lower land level. This would result in an uncomfortable sub-division and resultant plot configuration. The proposed dwelling would be inserted into the site in a way that appears forced, lacking coherence with the prevailing grain and spatial context.
19. Furthermore, even though the site of the proposed dwelling is an existing residential garden, the scale of the proposal, as well as the formation of a separate residential dwelling would intensify the residential use of the site, introducing additional urbanising features including a driveway, hardstanding, and domestic paraphernalia. These features would also result in an erosion of open character the front garden currently affords, resulting in a harmful urbanising effect on the rural character and appearance of the area. This is particularly so as the private garden associated with the new dwelling would be predominately to the side and front. Consequently, any associated domestic paraphernalia would therefore be more visible within the street scene than the existing dwelling, as the appellant confirms the occupants of Hipacre House use the rear garden more than the front.
20. I note that the proposed materials and chalet style type design could be appropriate in the streetscene. However, these design matters, along with any landscaping as a reserved matter, would not outweigh the harm identified in regard to the scale and siting of the proposal.
21. The appeal is supported by an Arboricultural Impact and Method Statement, Tree Constraints Plan and Tree Protection Plan (TPP). In order to accommodate the proposal, a Category U tree would need to be removed¹. The statement asserts that it has suffered a significant failure and that it should be removed on safety grounds. I note that the Tree Officer has advised that insufficient information has been submitted to justify the removal of this tree. However, my site observations indicated that the tree has a notable presence of deadwood, which may be symptomatic of underlying health issues. Furthermore, a number of other mature trees would be retained on the site which would assist in maintaining the contribution the trees make to the character and appearance of the area. Therefore, I am satisfied that the removal of the tree would be justified.
22. It is noted that the TPP also mentions that 'minor ground level change' is needed at the site of the proposed access which falls within the root protection area (RPA)

¹ A Monterey Cypress - identified as T6.

of tree T16'². However, from the plan, this appears to relate to the very outer edge of the RPA which already lies on the other side of the existing driveway. The roots in this outer area would likely already be affected by the existing groundworks of the driveway and the TPP recognises that no sensitive methodologies are required. Therefore, whilst there are no precise details of what these 'minor works' would consist of, had I been minded to allow the appeal, I consider that further details of the required works could have been controlled by a suitably worded condition. This would ensure that the health and amenity value of the mature tree would be preserved.

23. Therefore, whilst I am satisfied that the proposal would not harm or result in the unjustified loss or harm to any trees, the proposal as a whole would harm the character and appearance of the area. It would be contrary to Policies EM1 and EM10 of the Local Plan, Policy OB&L 7 of the NP and the Council's Design and Sustainability Supplementary Planning Document (adopted 2018) (the SPD). In combination, these policies and the SPD seek to ensure that proposals are sympathetic to the character and visual quality of the area concerned, whilst also positively contributing to local distinctiveness, the sense of place and the existing street scene, and having due regard to the scale, siting and layout of neighbouring buildings and of the surrounding area.

Other Matters

24. The edge of the Old Basing Conservation Area (CA) is located over 200m to the west. The nearest part of the CA contains 'Lower Mill' and 'Lower Mill House' which are Grade II Listed Buildings. South of Newnham Lane, also within the CA, there are two other Grade II Listed Buildings - 'Yeomans' and 'Lower Mill Farm Barn'. Oliver's Battery, a Schedule Monument is located approximately 480m to the west. The Council did not raise any concerns in regard to any of the designated heritage assets. My observations on site confirmed that I am also satisfied that the setting, and thus the significance, of any designated heritage assets would be preserved.
25. I recognise the recent permissions which have been granted close by, notably the two recently constructed dwellings immediately to the east of Hipacre House³ and the proposed development at Wildwood Farm to the southeast for 9 dwellings⁴. I have not been provided with full details of these applications to determine that they would be directly comparable to the proposal before me now, limited to the extracts included in the Planning Statement submitted with the application. The appellant states that the 2 new dwellings to the east 'had a much more open rural character, and agricultural use than this application [appeal] site' and that there is 'little to commend the design and certainly does not blend well with locality'.
26. The Council justifies the different outcome compared to the application immediately to the east on the basis that 'since that decision, officers have been aware of more recent case law and appeals which have discussed the assessment of the definition of isolated and sustainability matters in more detail'. Nevertheless, I note these dwellings respected the single depth, linear character of Newnham Lane, a notable difference to the proposal before me now. According to the appeal decision related to Wildwood Farm, this earlier permission related to a change of

² A Common Oak Tree

³ Application Ref 2002954/FUL

⁴ Application Ref 20/03374/FUL and Appeal Reference APP/H1705/W/21/3287932

use from a commercial yard, where the Inspector recognised that replacement of 'unattractive site structures with dwellings' would be beneficial to the landscape character. The suitability of the site's location was not a disputed matter in this particular case.

27. Nevertheless, whilst consistency is important, the examples given merely indicate to me that each case must be considered on its own merits, determined in the light of the specific circumstances and context of each case. The fact that apparently similar development exists is not a reason, on its own, to allow unacceptable development. I have considered this appeal proposal on its own merits and concluded that it would cause harm for the reasons set out above.
28. I acknowledge that the proposal was not particularly contentious and that there was only one objection from an interested party. Nevertheless, this would not alter or outweigh my findings on the main issues.

Planning Balance and Conclusion

29. The application was determined under the terms of the 2023 Framework, when only a 4-year supply had to be demonstrated. However, the 2024 Framework introduced a new methodology for calculating local housing need figures. The changes have resulted in an increase in the housing need figure, from 828 dpa to 1,127 dpa as of December 2024. The Council confirm that the latest Basingstoke and Deane Borough Council Five-year Housing Land Supply Position Statement confirms that the current housing land supply figure is at 2.9 years supply. Consequently, the Council can no longer demonstrate a five-year supply of deliverable housing sites and paragraph 11 of the Framework is engaged.
30. Paragraph 11 of the Framework states that where there are no relevant development plan policies, or the policies which are most important for determining the application are out of date, permission should be granted unless any adverse impacts 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. Footnote 8 of paragraph 11 confirms that this includes, for applications involving the provision of housing, situations where the local planning authority cannot demonstrate a five-year supply of deliverable housing sites. Footnote 9 sets out the key policies of the Framework which should be given particular regard.
31. The proposal would not be in a suitable location for housing, having regard to the development strategy for the area, opportunities for sustainable transport accessibility to services and facilities, and the transition to a low carbon future. It would also harm the character and appearance of the area. It would lead to conflict with the key policies of the Framework to direct development to sustainable locations, ensuring homes have accessible services, as well as offering a genuine choice of transport modes and avoiding the development of open market homes in the open countryside unless certain circumstances apply. It would also conflict with the key policies which recognise that planning decisions should ensure that developments are sympathetic to local character, including the surrounding built environment. Consequently, the proposal would conflict with a number of the key

- policies referred to in footnote 9. The harms would be significant and long lasting. They would accordingly attract substantial weight.
32. The proposal would make a small contribution towards the provision of housing, consistent with the Government's stated aim in the Framework of significantly boosting the supply of homes. This would attract significant weight, especially in the context of the Council's housing land supply shortfall.
33. The proposal would encourage development and associated economic growth through the actual physical building works. There would also be associated economic growth with future occupants contributing to the local economy and continued viability of services in the local area. The proposal would also create the opportunity for future occupants of the site to develop social and community ties within the area and facilitate future community involvement. Together these benefits carry moderate weight in favour of the development.
34. I acknowledge that both the proposal and the existing property of Hipacre House would benefit from adequate living conditions, with regard to privacy, and that both properties have the benefit of mains water, electric and drainage. I also recognise that the development would have its own driveway, would leave Hipacre House with three quarters of an acre of private garden to the rear and would not have any impact on the living conditions of any other neighbours. These would attract neutral weight in the planning balance. They would, in essence, likely have to be the case for the development to be acceptable in principle. I also note the appellant's reference to the Government's 'Net Zero Policy'. However, Building Regulations now require enhanced levels of energy efficiency compliance for all new homes. I can only attach limited weight to this benefit in these circumstances.
35. Furthermore, the proposal would be for a self-build dwelling. I note from the appellant's evidence submitted there has been limited rates of delivery in recent years and high levels of demand for the same. However, neither a Section 106 agreement nor a draft condition have been provided which would secure the dwelling as such. Accordingly, I can only attach limited weight to the delivery of a self-build dwelling in these circumstances.
36. Accordingly, with the above in mind, it is sufficiently clear that while the development brings a number of benefits, they do not outweigh the conflict with the development plan.
37. For the reasons given above, and having regard to all other matters raised, I conclude that the appeal is dismissed.

Laura Cuthbert

INSPECTOR