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## Appeal Decision

Site visit made on 10 October 2025

by **R Gravett BA(Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 29 October 2025

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**Appeal Ref: APP/H1705/W/25/3369932**

**Penwood Grange, Penwood Drive, Penwood, Newbury RG20 9EW**

- 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 and Mrs Fuller against the decision of Basingstoke and Deane Borough Council.
  - The application Ref is 23/00591/FUL.
  - The development proposed is described as “erection of a detached dwelling and garage/office with associated parking and amenity areas within the curtilage of Penwood Grange, to be accessed from an existing vehicular access and driveway off Penwood Drive.”
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### Decision

1. The appeal is dismissed.

### Preliminary Matter

2. The evidence of the parties is that the proposal would conserve the landscape and scenic beauty of the North Wessex Downs National Landscape, within which the appeal site is located. I observed that the site is not widely seen in public views, and the proposal would be largely screened. I therefore have no reason to form a different view, and I have determined the appeal on this basis.

### Main Issue

3. The main issue is whether the proposed development would provide a suitable location for housing, having regards to national policy, the development strategy for the area, proximity or access to services, facilities and opportunities for sustainable transport, and the transition to a low carbon future.

### Reasons

4. The appeal site is a parcel of land to the south-west of a semi-detached dwelling known as ‘Penwood Grange,’ which is accessed from a shared lane off Penwood Drive. It is located outside of any settlement policy boundary, in open countryside.
5. Penwood Grange has an extensive plot, but it is located on the edge of a meaningful cluster of dwellings off Penwood Drive and Fox’s Lane. The proposed detached dwelling would lie between Penwood Grange, three dwellings which front Penwood Drive and those dwellings accessed from a private lane to the south. To the west, on the opposite side of Penwood Drive, is a plant nursery and two further dwellings. Having regard to relevant caselaw<sup>1</sup>, because of these

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<sup>1</sup> Braintree DC v SSCLG, Greyread Ltd & Granville Developments Ltd [2018] EWCA Civ 610 & City & County Bramshill Ltd v SSHLG & others [2021] EWCA Civ 320.

surroundings, the site is not 'isolated' in terms of its spatial or physical relationship to other buildings. Accordingly, there would be no conflict with paragraph 84 of the National Planning Policy Framework (the Framework) which requires that planning decisions should avoid the development of isolated homes in the countryside, unless certain circumstances are met.

6. Policy SS6 of the Basingstoke and Deane Local Plan 2011-2029 (2016) (LP) relates to new housing in the countryside. Although not cited in the decision notice, a conflict with this policy is found in the Officer's Report. Criterion 'a' of LP Policy SS6 supports development for new housing on 'previously developed land' (PDL) provided that 3 further criteria are met.
7. The Council do not accept that the area included within the 'red line' of previous householder applications for Penwood Grange denotes the curtilage of the dwelling, or the extent of its garden. However, whilst said to extend to around 2.3ha, the large size does not necessarily mean that the garden cannot be considered as such. I have little evidence in respect of previous tree coverage, but I observed that the appeal site has a domestic appearance and is laid to lawn with scattered mature deciduous trees, concentrated in the south-west corner and on the boundaries. There is separate access to the appeal site from the lane serving Penwood Grange, but lawned pathways between trees and established areas of planting nevertheless connect it to the remainder of the lawned garden which wraps around the dwelling.
8. I am therefore satisfied, on the evidence, that the appeal site forms part of the garden of Penwood Grange and is PDL for the purposes of LP Policy SS6. In such circumstances, the three criteria of criterion 'a' of LP 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.
9. For the reasons I have given above, the proposal would not result in an isolated form of development. Although the Council found the proposal did not fall to be considered against criteria 'a' of LP Policy SS6, it has raised no concerns regarding matters of environmental value and the use and scale of development. Based on the submissions of the parties, and my observations on site, I have no reason to reach a different view. Consequently, I find the proposed development would accord with LP Policy SS6.
10. The appeal site is around a 10-minute walk (and a short cycle) from the nearest small convenience store, which is in Penwood, a large housing estate with very limited other services and facilities. I observed the first and last part of the route to the store is either along Penwood Drove, a quiet rural lane, or along a continuous pavement. However, from the Fox's Lane junction, there is a 40mph section of road which is unlit, and whilst it has a continuous verge, it is narrow in places and there is limited scope for pedestrians to take refuge clear of oncoming vehicles.
11. I accept that some pedestrians would be comfortable walking along this road, and the photographs in the appellant's evidence show this. Nevertheless, this walking environment and the relatively limited range of goods available, suggests to me that residents of the proposed dwelling are unlikely to choose to walk to the

convenience store. In practice, it would be much quicker and easier to make the journey by car, especially during hours of darkness or in bad weather.

12. There is a bus stop on the corner of Penwood Drove and Fox's Lane, a short walk from the appeal site. From here, there was a limited weekday service between Newbury and Andover, and the villages in-between. However, since the appeal, this service has been terminated by the County Council. I am not aware of the reasons for this, and it is unclear when the service will resume, if at all.
13. I also have very little information regarding the location or accessibility of other services, such as employment or health services, or indeed local schools. I acknowledge that there would be sufficient space for occupiers of the proposed dwelling to work from home and that food and other goods could be delivered. However, given the very limited services in Penwood, residents would need to travel further afield to the closest villages of Highclere and Woolton Hill to meet some day-to-day needs. I am not aware if there are safe and convenient cycle routes to these villages, or whether they are in walking distance.
14. Moreover, I am not persuaded that the occupiers of the proposed dwelling would necessarily work from home, at least not all the time. To access higher order services and facilities, and for most employment opportunities, there would be a need to travel to Newbury or other nearby towns. In the absence of a bus service, these journeys would likely be undertaken by private car.
15. Drawing this together, I consider that the proposal would be highly dependent on the private car, and it would not limit a need to travel, because there are so few facilities or services nearby. The Framework recognises that opportunities to maximise sustainable transport solutions will vary between urban and rural areas, but in this case the location is such that there would be no genuine choice of means of transport, or adequate access to services.
16. I also have no persuasive evidence before me that this is a location which would accord with Paragraph 83 of the Framework insofar as it seeks to promote sustainable development in rural areas by locating housing where it will enhance or maintain the vitality of rural communities. Nor do I have evidence that the proposed development would support services in a village nearby.
17. Therefore, although a suitable location for housing, having regards to national policy in respect of isolated homes in the countryside and LP Policy SS6, I conclude that the proposed development would not have adequate proximity or access to services, facilities and opportunities for sustainable transport. Consequently, it would not support the transition to a low carbon future. It would be contrary to LP Policy CN9 which requires development 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.
18. LP Policy SD1 relates to a presumption in favour of sustainable development, and I deal with this in my planning balance below.

### **Other Matters**

19. The appellant has drawn my attention to applications close-by at Vine Farm, Yew Tree Farm and Kenmare that were approved by the Council<sup>2</sup>. I note from the

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<sup>2</sup> LPA Ref. 19/03210/FUL, 20/02950/OUT, 19/02999/FUL

Officer Reports that the Council accepted these sites were PDL and were not 'isolated,' forming part of the same cluster of dwellings as the appeal site. However, in contrast to the appeal proposal, these decisions were made at a time when there was a bus service from Fox's Lane, albeit I accept an infrequent one.

20. I have also carefully considered the three recent appeal decisions<sup>3</sup> put forward by the appellant. I do not have the full details of these, but all appear to relate to locations where there were public transport options, or reasonable access to day-to-day facilities without relying on the private car. This weighed in favour of the proposals. I acknowledge that consistency in decision-making is important, but these examples indicate to me that each case must be considered on its own merits, determined considering the specific circumstances and context at the time. Therefore, they lend little support to the appeal proposal now before me.
21. I acknowledge the appellant's frustration that the Council appeared to change its position on the proposal following the publication of the latest version of the Framework. However, this is not a matter which has had a bearing on this appeal, which I have considered solely on its planning merits. Finally, whilst there is some local support for the proposal, this does not alter my findings on the main issue.

### **Planning Balance and Conclusion**

22. The proposal would result in the provision of a well-designed new home on a small site which would contribute to the supply of housing and could be delivered relatively quickly. It would contribute positively to employment opportunities during the construction period and over the longer-term as occupiers of the dwelling increase demand for goods, services and trades. The proposed dwelling would also make a small contribution to the New Homes Bonus which is a grant paid to encourage new homes to be built. Despite the small scale of the development, I afford these benefits moderate weight. Compliance with the mandatory 10% Biodiversity Net Gain would attract neutral weight.
23. The proposal would accord with LP Policy SS6 insofar as it supports development in the countryside subject to satisfying certain criterion. LP Policy CN9 with which the development conflict accords with the Framework, which requires the planning system to actively manage patterns of growth in support of promoting sustainable travel. Therefore, the conflict I have found attracts full weight, and there would be a conflict with the development plan as a whole.
24. The Council has confirmed that they can demonstrate only a 2.9-year housing land supply, which is less than the minimum level required by footnote 8 of paragraph 11d) of the Framework. Therefore, paragraph 11d)ii of the Framework is engaged, which states that planning permission should be granted unless any adverse impacts would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole, including the key policies cited.
25. The development would align with the Framework where it seeks to significantly boost the supply of housing and where it acknowledges that small-sized sites can make an important contribution to meeting the housing requirement of an area. It would further align with the Framework where it seeks to achieve well-designed places, and where it gives great weight to conserving the landscape and scenic

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<sup>3</sup> APP/H1705/W/25/3360051, APP/H1705/W/25/3361213, APP/H1705/W/25/3361220, APP/H1750/W/24/3356722

beauty of National Landscapes. Despite delivering a single new dwelling, given there is a substantial shortfall in housing supply, these benefits would attract moderate weight in favour of the scheme.

26. Paragraph 110 of the Framework requires *significant* development be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. Nevertheless, the proposal would conflict with this paragraph insofar as it requires that the planning system should actively manage patterns of growth in support of objectives, which include identifying and pursuing opportunities to promote walking, cycling and public transport use. Although recognising that opportunities to maximise sustainable transport solutions will vary between urban and rural areas, the proposal would further conflict with the Framework where it requires development to prioritise sustainable transport modes. In the absence of the proposal offering any genuine choice other than the private car, I give this conflict substantial weight.
27. I therefore find that the adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits, when assessed against the policies of the Framework taken as a whole, having particular regards to the policies referenced in the footnote to paragraph 11d)ii. These include policies for directing development to sustainable locations. The presumption in favour of development does not therefore apply.
28. For the reasons given above, I conclude that the appeal proposal would conflict with the development plan as a whole and material considerations, including policies in the Framework, do not indicate a decision should be taken other than in accordance with it. Therefore, the appeal is dismissed.

*R Gravett*

INSPECTOR