



Appeal Decision

Site visit made on 1 October 2025

by **Lynne Evans BA MA MRTPI MRICS**

an Inspector appointed by the Secretary of State

Decision date: 29 October 2025

Appeal Ref: APP/H1705/W/25/3368891

Land adjacent to Blackstocks Lane, Nateley Scures, Hampshire.

- 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 K Jarvis against the decision of Basingstoke and Deane Borough Council.
 - The application Ref is 25/00548/FUL.
 - The development proposed is erection of 1 no. dwelling, creation of new access and associated landscaping.
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Decision

1. The appeal is allowed and planning permission is granted for erection of 1 no. dwelling, creation of new access and associated landscaping at land adjacent to Blackstocks Lane, Nateley Scures, Hampshire in accordance with the terms of the application, Ref: 25/00548/FUL, subject to the conditions set out in the schedule at the end of the decision letter.

Preliminary Matters

2. The plans were amended during the progress of the application, and my decision is based on the plans determined by the Council.

Main Issues

3. The main issues in this appeal are:
 - a) The suitability of the site for residential development, and
 - b) The effect of the proposal on the character and appearance of the local area.

Reasons

Suitability

4. The appeal site is undeveloped, open land on the eastern side of Blackstocks Lane and to the immediate south of individual designed detached properties which have recently been permitted, and the one closest to the appeal site is still under construction. To the rear (east) of the site is Hang Wood, a Planted Ancient Woodland Site of Importance for Nature Conservation (SINC). Blackstocks Lane leads south off the A30 and there are a number of dwellings on both sides of the lane.
5. The proposed development is the erection of one, single storey dwelling with a new access off Blackstocks Lane.

6. Under Policy SS1 of the Basingstoke and Deane Local Plan (2016) (Local Plan) the site falls within the open countryside outside of a defined settlement boundary where there is a restrictive approach to new development in the countryside. Policy SS6 of the Local Plan addresses new housing proposals in the countryside and sets out the specific situations in which such development will be permitted. The proposal would not meet any of the criteria set out in the policy. Although the Appellant has contended that the size of the dwelling would accord with the identified needs within the Borough, there is no information before me to suggest that this would meet the requirements of criterion e) of Policy SS6 relating to a *locally agreed need*.
7. It is therefore my view that the site falls outside of the limited scenarios which would support the principle of residential development in this countryside location and would conflict with Policies SS1 and SS6 of the Local Plan.
8. However, the reason for refusal also considers that the proposal would not represent a sustainable form of development and includes reference to being distanced from facilities and services. Given the proximity to nearby houses the development would not be isolated as set out under Paragraph 84 of the National Planning Policy Framework (Framework) and as established under case law.
9. The proposed dwelling would also be within close walking distance to bus stops on the A30 London Road which are close to the junction of the A30 with Blackstocks Lane. There would therefore be the opportunity to access both Hook and Old Basing with their facilities and services by means other than the private car, including both by public transport and by bicycle. I have noted that there is no street lighting or footpath but that is not unusual in rural locations. This might deter some from accessing the bus stops in hours of darkness but would not, in my view, be a general deterrent to using the available public transport provision, given that the bus stops would, using the Council's estimates, be within a very short walk of the new dwelling.
10. The Council's view is that the national policy direction in terms of the siting of sustainable development has strengthened in the current version of the Framework and therefore since permission was granted on appeal in 2022 for the two houses to the north of the appeal site (Refs: APP/H1705/W/21/3284682 and APP/H1705/W/21/3275067). Whilst I agree that the Framework has been revised and updated since 2022, I am not persuaded that it has materially changed in the context of the appeal before me and in terms of sustainability considerations.
11. I am satisfied, that particularly with reference to the Framework, the appeal site would not be an unsustainable location for development, having reasonable accessibility to local facilities and services by means other than the private car. The Framework also recognises at paragraph 110 that the opportunities to maximise sustainable transport solutions will vary between urban and rural areas. However, I have already found that the proposal would not be an appropriate location for the development proposed with regard to the local development strategy. I shall revert to these findings under this issue under the Planning Balance.

Character and appearance

12. The plot of land the subject of this appeal comprises a relatively small plot of open agricultural land. The immediate surrounding area comprises a number of individual dwellings on either side of the rural road, interspersed with open land and

woodland and forms part of the Loddon and Lyde Valley character area. This character area is generally characterised by a mix of open farmland and smaller more enclosed field patterns within the valley itself and taken together displays a generally unspoilt and quiet character. Hedges along frontages on both sides of Blackstocks Lane, including alongside the appeal site, contribute to the rural character and appearance of the local area. Some of the individual houses are clearly seen from the lane whereas others are set further back and glimpsed through hedgerows.

13. Hang Wood forms the backdrop to the site but is clearly differentiated from the site by the post and rail fence line which runs along the rear of the appeal site and also forms the boundary to the recently constructed dwellings further to the north. Between the plot and the woodland would remain an open buffer zone that contributes to the separation between the housing now built to the immediate north and would also separate the proposed dwelling from the SINC.
14. I find no particular features of the current open and undeveloped nature of the site which strongly contribute to the character and appearance of the local area. I consider that the proposal would sit appropriately with the mixed form of development in the local area. Apart from the proposed entrance point, the hedge to the frontage would be retained and the submitted plans refer to further planting to strengthen the boundary vegetation. Views into the site, which are primarily glimpsed views through the vegetation, are primarily from passing along Blackstocks Lane, and there are no more open and wider views of the site.
15. The proposed dwelling would be of modest scale, being single storey in form and therefore would appear noticeably smaller in terms of scale, massing and height than the dwelling under construction to the immediate north. The plot size would be a different shape and would be smaller than the size of the plot to the immediate north but given the much smaller scale of the proposed dwelling, I do not consider that the proposed dwelling would appear cramped within its plot. There is a variety of dwelling sizes and plot sizes in the immediate locality, and I am satisfied that the proposed dwelling would sit appropriately within this mix of house and plot sizes.
16. The proposed dwelling would sit slightly closer to the rear boundary than the two dwellings to the immediate north but given the clear boundary demarcation and open gap to the rear (east) of the site, I am satisfied that the built development would not appear to encroach on the SINC.
17. To the extent to which the existing field would be developed with the proposed house and therefore introduce built development where there is currently no development, there would be a very modest but localised harm to the existing landscape character of the local area. There would therefore be some conflict with Policies EM1 and EM10 of the Local Plan, the Design and Sustainability Supplementary Planning Document 2018 and the Landscape, Biodiversity and Trees Supplementary Planning Document (2018) as well as the Framework and in particular paragraph 187 which references that recognition should be had to the intrinsic character and beauty of the countryside.
18. However, the degree of harm is, for the reasons set out above, very modest and therefore I only afford limited harm to these conflicts. I shall address further under the Planning Balance.

Other Considerations

19. There are listed buildings in the vicinity of the appeal site, including Manor Farm and Manor Farm Barn (Grade II) and St Swithun's Church (Grade I). These are situated to the northwest of the appeal site to the west of Blackstocks Lane. In considering whether to grant planning permission for development which may affect a listed building or its setting, I am required under Section 66 (1) of the Planning (Listed Buildings and Conservation Area) Act 1990 to have special regard to the desirability of preserving the listed building or its setting or any features of special architectural or historic interest which it possesses.
20. I am satisfied that given the distance between the appeal site and these designated heritage assets, together with intervening development and vegetation, the proposed development would have no adverse effect on their setting; the setting to the listed buildings would be preserved. The Council also raised no issue in this regard.
21. I have been referred to a number of appeal decisions as well as planning permissions by both the Appellant and the Council, most of which have addressed the issue of sustainability and suitability of a site in the countryside for residential development, including one that I determined under the Ref: APP/H1705/W/25/3360866 in another part of the borough. Other appeal decisions which have been put before me include APP/H1705/W/25/3360051, and APP/H1705/W/24/3344656, APP/H1705/W/22/3306530, APP/H1705/W/23/3318470 and APP/H1705/W/24/3344124 as well as the two decisions relating to the new dwellings to the immediate north of the appeal site, under the refs: APP/H1705/W/21/3275067 and APP/H1705/W/21/3284682. In so far as the information has been made available, I have taken them into account. A number of these relate to sites in different parts of the borough and each proposal must be addressed on its individual merits, which has been the basis of my decision in this case.

Planning Balance

22. There is no dispute that the Council cannot demonstrate a five year supply of deliverable housing sites and that as a result Paragraph 11 d) is engaged. Accordingly, in line with paragraph 11(d) and footnote 8 of the Framework, the policies most important for determining the application are out of date. Paragraph 11 d) i. is not relevant in this instance and therefore Paragraph 11 d) ii. is engaged whereby 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 for directing development to sustainable locations, making effective use of land, securing well designed places and providing affordable homes, individually or in combination.*
23. Policies SS1 and SS6 of the Local Plan which set out the Spatial Strategy across the district including in relation to new housing development in the countryside are deemed to be out of date. Accordingly, I reduce the weight attached to the conflict with these policies to limited.
24. Although only delivering one additional dwelling, the provision of one three bedroomed, family sized house would be an addition to the Council's housing supply and in line with the Framework's objective to boost the supply of housing.

Notwithstanding the addition of only one unit, I therefore attach significant weight to this social benefit. Economic advantages would also arise from the construction and occupation of the dwelling and would accord with the Framework's support for rural communities and, therefore, add further support for the development.

25. The harm I have identified to the landscape character of the local area would be very modest and therefore attracts limited weight in the planning balance.
26. Overall, the adverse impact of the development, including the conflict I have identified with the development plan when considered as a whole, would not significantly and demonstrably outweigh the identified benefits when assessed against the Framework, taken as a whole. The proposal would therefore represent a sustainable form of development and in accordance with Paragraph 11 of the Framework, there is a presumption in favour of granting planning permission.

Conditions

27. The Council has suggested a number of conditions in the event that planning permission is granted which the Appellant has indicated are acceptable.
28. I shall list the approved plans for the avoidance of doubt and in the interests of good planning. Further details are required in respect of materials and conditions are required to ensure that the development is undertaken in accordance with the submitted arboricultural report and hard and soft landscape plans, including boundary treatments, to protect the character and appearance of the local area.
29. Conditions are required to ensure that the access and parking arrangements accord with the approved plans in the interests of highway and pedestrian safety. Further details of the refuse storage and cycle storage are required both in the interests of highway safety and to respect the character and appearance of the local area. Parking and storage of materials during the construction phase require to be located within the site in the interests of highway and pedestrian safety but I do not consider that further details first require to be submitted and approved.
30. The recommendations of the submitted ecological appraisals require to be followed, but a Construction Environment Management Plan and a Biodiversity and Mitigation Enhancement Plan are also required as not all the recommendations in the ecological reports are sufficiently detailed to demonstrate how the scheme would protect the local environment at both the construction stage and once the new dwelling is built. It is noted the proposals are for a self-build development of one dwelling and therefore is exempted from mandatory net gain and the Council has not sought to take a different view.
31. Further details are required in respect of water efficiency to ensure the scheme meets national and local objectives for an efficient use of resources.
32. The Council has proposed a condition to remove permitted development rights for future extensions but, following the guidance at Paragraph 55 of the Framework, I see no clear planning justification to impose such a condition.
33. The conditions to be imposed include pre-commencement conditions. The Appellant has already confirmed acceptance of the conditions as proposed by the Council. I have not introduced further conditions, albeit slightly modified the wording of some of the Council's suggested conditions. I do not therefore consider it

necessary to seek again the Appellant's agreement to the imposition of the proposed pre-commencement conditions.

Conclusion

34. For the reasons given above and having regard to all other matters raised, including in representations, I conclude that this appeal should be allowed.

L J Evans

INSPECTOR

Schedule of Conditions

- 1) The development hereby permitted shall be begun before the expiration of 3 years from the date of this planning permission.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: MJ_01 Revision B, MJ_02 Revision A, 1008-LA-P-01, 1008-LA-P-02.
- 3) No development shall commence above ground floor slab level until a schedule of materials and finishes (to include precise details i.e. product specification and manufacturer) to be used for the external walls and roofs of the proposed building has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
- 4) The development hereby permitted shall not be first occupied until the parking facilities have been provided in accordance with the details shown on the approved plans. The parking facilities shall be available for use by vehicles associated with the dwelling and kept free from obstruction throughout the lifetime of the development.
- 5) The development hereby permitted shall not be first occupied until the means of vehicular access to the site shall be constructed in accordance with the approved plan (Plan No. MJ_01 Revision B) and no structure, erection or planting exceeding 1.0m in height shall thereafter be placed within the visibility splays shown on the approved plans.

- 6) Notwithstanding the approved plan 1008-LA-P-01, the development hereby permitted shall not be first occupied until all areas to be used by vehicles and pedestrians on the approved plan have been laid out with a drained surface. Provision shall be made to direct run-off water from the surface to a permeable or porous area or surface within the curtilage of the development and thereafter retained and maintained.
- 7) During the preparation and construction phases of the development, the parking for vehicles relating to site operatives and visitors, loading and unloading of plant and materials, and storage of plant and materials shall take place within the site and not on the highway.
- 8) The development hereby permitted shall be carried out in accordance with the recommendations contained within the Arboricultural Impact Assessment, Protection Plan and Method Statement by Harrison Arboriculture Ref: 351-2058-1/20/2025 dated 12 February 2025. The protective fencing shown on Plan 351-2058-1/20/2025/TPP shall be erected before any development works, including any preparatory works, are commenced and shall be retained until the construction works are completed.
- 9) The development hereby permitted shall be carried out in accordance with the detailed planting strategy plan ref: 1088-LA-P-01 and planting plan and schedule with specification ref: 1088-LA-P-02 including hard landscaping, soft landscaping and all boundary treatments.

The hard landscaping works and all boundary treatments shall be completed prior to the first occupation of the new dwelling. The soft landscaping works shall be carried out prior to the completion of development or in the first planting and seeding seasons following the first occupation of the dwelling hereby permitted. Any trees or plants which, within a period of 5 years from the date of planting, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless otherwise agreed in writing by the Local Planning Authority.

- 10) No work relating to the construction of the development hereby permitted, including works of preparation prior to operations, deliveries of construction material, plant and machinery and no removal of any spoil shall take place before the hours of 0730 nor after 1800 Monday to Friday, before the hours of 0800 nor after 1300 Saturdays nor on Sundays or public holidays, unless otherwise agreed in writing by the Local Planning Authority.
- 11) The proposed development shall be undertaken in accordance with all proposed avoidance, mitigation and enhancement recommendations and procedures contained within Section 6 'Discussion and Recommendations' of the Reptile Survey Report (John Wenman, May 2025), and Section 9 'Recommendations' of the Preliminary Ecological Appraisal (John Wenman, Feb 2025) to address potential impacts on protected and notable species and habitats.

- 12) Prior to the commencement of the development hereby permitted, a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority that outlines the measures to be taken to avoid and/or mitigate all construction impacts on important habitats and species. Works must proceed in accordance with the approved CEMP. The CEMP should cover aspects including (but not necessarily limited to) the following:
- Pollution control (e.g., chemicals, dust, sediment, debris)
 - Storage and disposal of fuel/chemicals and waste
 - Details of biosecurity to avoid contaminants and/or invasive non-native species entering the site and nearby watercourses
 - Protection of adjacent semi-natural habitats
 - Visual/noise/vibrational impacts to species
 - Protection of riverbanks.
- 13) Prior to the commencement of the development hereby permitted, a Biodiversity Mitigation and Enhancement Plan shall be submitted and approved in writing by the Local Planning Authority which details species and habitat enhancement measures, together with a timescale for implementation. The approved Plan shall be undertaken in accordance with the approved timescale.
- 14) Prior to first occupation of the development hereby permitted, a Construction Statement detailing how the new home shall meet a water efficiency standard of 110 litres or less per person per day shall have been submitted to and approved in writing by the Local Planning Authority, unless otherwise agreed in writing with the Local Planning Authority through a demonstration that this requirement for sustainable water use cannot be achieved on technical or viability grounds. The development shall be carried out in accordance with the approved details prior to first occupation of the new dwelling.
- 15) Notwithstanding the approved plans, the development hereby permitted shall not be first occupied until the property has provision within its curtilage for refuse and recycling storage (prior to disposal), the surface materials from the carriageway to the waste container collection point shall be smooth and shall not hinder the movement of waste containers to the collection vehicle and shall make space to provide 1 number 240ltr refuse Wheelie bin, 1 number 240ltr recycling Wheelie bin and 1 number glass recycling box for each dwelling, and the areas of land so provided shall not be used for any purposes other than the storage (prior to disposal) or the collection of refuse and recycling and shall be thereafter retained and maintained as such.
- 16) Notwithstanding the approved plans, the development hereby permitted shall not be first occupied until there is provision within its curtilage for secure cycle parking facilities for 2 long and 1 short stay places. The cycle storage shall thereafter be retained and maintained in perpetuity.

End of Schedule