



Appeal Decision

Site visit made on 13 August 2025

by Bhupinder Thandi BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10 November 2025

Appeal Ref: APP/H1705/W/24/3355088

Southernwood, Tile Barn, Woolton Hill, Hampshire RG20 9UZ

- 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 O'Mahony against the decision of Basingstoke and Deane Borough Council.
 - The application Ref is 24/00374/FUL.
 - The development proposed is demolition of bungalow and erection of two detached dwellings.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. Following determination of the planning application the appellants have produced additional information in the form of an amended site plan which shows a reduced amount of hardstanding and omission of the garage at plot 2 and alternative external materials for the development in the form of a half render, half timber cladding finish for plot 1 and a full red brick finish for plot 2.
3. Whilst I have paid regard to the amended site plan in consideration of the appeal, I find that the alternative materials advanced, as part of their final comments, constitute a substantial change to the proposal. Procedurally interested parties and consultees would not be aware of the amended materials and would be prejudiced if I determined the appeal on the basis of the proposed amendments submitted at a late stage of the appeal process.
4. Having regard to the Holborn Studios judgement¹ which follows on from Wheatcroft², given the late stage of submission, the nature of the revisions proposed and in the interests of fairness, I have therefore not taken the information pertaining to the amended external materials into account.

¹ Holborn Studios Ltd v The Council of the London Borough of Hackney [2017] EWHC 2823 (Admin)

² Bernard Wheatcroft Ltd v Secretary of State for the Environment [JPL, 1982, P37]

Main Issues

5. The main issues are:

- The effect of the proposed development upon the character and appearance of the area;
- The effect of the proposal upon trees;
- The effect of the proposal upon the setting of Grade II listed Tile Barn House; and
- The effect of the proposed development upon the safe and efficient operation of the local highway network.

Reasons

Character and appearance

6. Whilst the scale and appearance of dwellings vary locally, as well as the size and shape of plots, the area is characterised by dwellings, many with a muted colour palette of red brick and plain tiles, nestled within large mature grounds including the appeal site and its neighbours 'Woodgate' and 'Norcombe' located either side of it. The narrow nature of Tile Barn lined by mature hedgerow and planting together with the informal layout and the sense of separation between the built form gives the area a verdant, spacious and semi-rural character.
7. The appeal site is formed of an irregular shaped domestic plot containing a modestly sized bungalow, garden area and trees of varying species and maturity, some of which are protected by way of Order. The height and crown spread of the trees, the thick hedgerow around the boundary of the site and mature garden positively contribute to the character of the area.
8. The demolition of the bungalow, subdivision of the current plot and the introduction of two large detached dwellings and associated infrastructure would result in an uncharacteristic concentration of built form on the site. This would be in contrast to the loose and informal nature of housing found locally. As such, the proposal would fail to integrate with the established pattern of development.
9. The cumulative impact of the position, overall scale and bulk of the dwellings would give rise to the perception of an intensive form of development at odds with the prevailing verdant and semi-rural local character. This arrangement would appear comparatively cramped despite the development density advanced by the appellants.
10. Views of the proposed dwellings would be localised. That said, the houses would be large and taking into account their overall height, scale, bulk and their contemporary white rendered appearance would have a considerable presence despite the setback from the road and retention of the hedge along much of the roadside boundary of the site. The proposal would therefore appear as a stark and prominent development from views along Tile Barn compounded by its departure from the prevailing material palette.
11. The appellants have undertaken a spatial analysis of plot sizes in the area, including the appeal site. The analysis suggests that the resultant plot sizes, frontages and

development density would be comparable to nearby properties. I acknowledge that this would be the case to some extent, however, the current size of the plot and its contribution to the spacious and verdant character of the area would be lost through its subdivision and the introduction of considerable built form. Furthermore, the development density would not be in keeping with its immediate neighbours 'Woodgate' and 'Norcombe' which are more generous in size and reflect the prevailing sense of spaciousness. As such, this analysis does not lead me to reach a different conclusion in respect of this main issue.

12. The vehicular access proposed would lead to the removal and thinning out of some of the hedgerow along the road frontage to provide an adequate visibility splay. Whilst it would open up the site, the size of the gap would be small only marginally wider than the width of a car. It would be discreet, akin to the current accesses along Tile Barn, and the removal of the hedgerow to make way for the access would not result in the excessive removal of vegetation so as to harm the prevailing verdant nature of the area. The comments made regarding pressure to remove future hedgerow for visibility seem to me to be speculative rather than substantive.
13. The appellants have drawn my attention to rendered properties in the area and a cul-de-sac development, which they consider relevant. In the case of 'Southoak' it is evident that this proposal was for extensions to an existing dwelling and is likely to have been considered against different planning policies. Whereas the 'Redwood' scheme relates to a comprehensive cul-de-sac development assessed against policies in a now superseded development plan. As such, from the details before me, it appears that the merits and circumstances of the schemes are materially different to those of the appeal proposal. In any case, every appeal must be considered on its own merits. The presence of these developments do not justify the harm that I have identified.
14. As such, the proposed development would adversely affect the character and appearance of the area contrary to Policies EM1 and EM10 of the Basingstoke and Deane Local Plan (2016) (LP) and Policy HO1 of the East Woodhay Neighbourhood Plan (2023) which, amongst other things, require developments to be high quality and design-led; sympathetic to the character and visual quality of the area and positively contribute to local distinctiveness and sense of place.
15. I note the Council have referred to the Landscape, Biodiversity and Trees Supplementary Planning Document (SPD), however, I find that with specific regard to this main issue I have given it negligible weight in coming to my decision.

The effect upon trees

16. Trees of varying species and maturity are positioned in and around the site, a number of which are protected by way of Order. The Council has identified the potential impact upon a number of trees which on account of their maturity, height and spread make a positive contribution to the visual amenity of the area.
17. The existing vehicular access and driveway already extends into the Root Protection Area (RPA) of a protected high quality mature Oak tree and it is evident that the roots are disturbing the surfaced driveway. The appellants have indicated that the current drive base is to remain before a new permeable surface is to be laid using a no dig construction method. That said, there would be further encroachment into the unsurfaced area of the RPA. Whilst this would be below the 20% maximum recommended in BS5837:2012 Trees in relation to design, demolition and

- construction given the Oak tree is protected and of high quality and in the absence of a method statement or specification there is no certainty that the health of the tree would not be unduly compromised during the construction works or post occupation.
18. Located along the southern boundary of the site is a high quality mature Beech tree. Its crown spread would more or less meet the corner of the dwelling on plot 1 and extend over the parking area for the dwelling. In the garden of neighbouring property 'Woodgate' is a high quality mature Oak tree that overhangs the site meeting the south east corner of plot 2.
 19. The appellants contend that the ground and first floors of the dwellings have been designed with daylight and sunlight in mind. However, taking into consideration the proximity, height and crown spread of the Beech and Oak trees they would dominate the dwellings, resulting in a degree of overshadowing, and which would likely cause resentment once the dwellings are occupied. Furthermore, future occupiers may perceive the trees as a potential hazard to the properties.
 20. I also give weight to the concerns raised by the Council in respect of tree detritus falling onto cars which would be a perennial nuisance and cause future occupiers further resentment. These factors are likely to create significant pressure to prune or remove trees once the dwellings are occupied.
 21. The appellants suggest that Tree Preservation Orders could be placed upon trees so that the Council could exercise control over works to them. Whilst this is noted, there is no certainty that the Council would pursue this option nor is this justification for a scheme that I have found to be unacceptable in respect of the relationship between trees and the position of the proposed dwellings.
 22. In the south-western corner of plot 1 is a group of moderate and high quality trees a number of which are protected by Order which collectively contribute to the visual amenity of the area. The appellant's Tree Appeal Statement suggests that whilst there would be shading during the middle of the day in the afternoon the majority of the garden would be in full sun.
 23. Taking into account the size of plot 1 it is not unreasonable to assume that it would be occupied by a family. There would be a reasonable amount of space outside of the canopies of the trees and the garden would be largely free of shade during the afternoon including at times of the day that future occupiers would likely be outside such as after school and work, at weekends or during school summer holidays.
 24. Even factoring in the spread and height of the crowns of the trees, based on the evidence before me, I am satisfied that the garden area to plot 1 would receive an acceptable level of direct and dappled sunlight throughout the year. As such, I am content that a satisfactory outdoor amenity space suitable for a family use including sitting out, playing and socialising would be provided.
 25. The Council have undertaken a shading assessment by plotting the potential shading from the group of trees in question. However, I have nothing before me to suggest that it has been undertaken in accordance with a recognised or established methodology or by a qualified Arboriculturalist. As such, I cannot be satisfied that it is accurate and I, therefore, give this aspect of the Council's argument negligible weight in coming to my decision.

26. Sections 4.6.2 and 4.6.3 of BS5837:2012 set out the factors to be considered for modifying RPAs which does not include altering the RPA due to competition between trees. It is evident that the appellant's Arboricultural Impact Assessment (AIA) has been carried out in accordance with the relevant British Standard and, despite the Council's comments, there is nothing before me to indicate that the RPA shown in the AIA is anything other than accurate in respect of the identified Beech tree.
27. Drawing these matters together whilst I have found that the garden area to plot 1 would receive adequate light levels, I conclude that there would be an unacceptable relationship between the proposed development and trees in and around the site which would likely lead to pressure to prune or remove trees once the dwellings are occupied harming the visual amenity of the area.
28. On this basis, the proposed development would be contrary to LP Policies EM1, EM10, NDP Policy NE5 and the Landscape, Biodiversity and Trees SPD which, amongst other things, require developments to recognise the importance of trees, ensure adequate space is given to retained trees and to protect trees and hedgerow that are of good quality.

The effect upon the setting of nearby heritage assets

29. Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the decision maker, in considering whether to grant planning permission for development which affects a listed building or its setting, to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest.
30. Tile Barn House is a Grade II listed former country house that has now been subdivided into separate dwellings. The main house, constructed circa 1860s/1870s in a Gothic Revival style, was later remodelled by nationally renowned architect Sir George Scott, with a billiard room wing added in the late nineteenth or early twentieth century. The house lay in extensive grounds comprising parkland and ornamental gardens until 1955 when the land was subdivided into plots and sold off for development.
31. The extent of the setting of a heritage asset is not fixed and may change and be experienced differently as the asset and its surroundings evolve. There is no doubt in my mind that the surrounding land has been functionally, physically and visually severed from Tile Barn House through the sub-division of the land, construction of dwellings and the domestication of its former landscaped grounds. The heritage asset has an altered relationship with the surrounding landscape and its wider historical setting, namely the landscaped parkland and ornamental gardens, have been completely eroded and are no longer legible when viewed on the ground.
32. I acknowledge that trees and landscaping positively contribute to the area's verdant and semi-rural character. However, on account of the subdivision of the parkland and ornamental gardens and more recent planting demarking individual plots the area has a fragmented domestic appearance rather than a coherent semi-natural landscape.
33. The appeal scheme would be located around 90m to the east of the heritage asset and is unlikely to be visible from Tile Barn House on account of this separation and the presence of the road and intervening vegetation. Whilst the garden area making

up the appeal site is undeveloped, for the reasons above, it has no real relationship with Tile Barn House in spatial, functional and visual terms.

34. On this basis the presence of the proposed development would not to any real degree effect how the heritage asset is experienced. Despite my findings in respect of the effect of the proposed development upon the character and appearance of the area, I cannot reasonably come to the same conclusion as the Council that the proposed development would undermine the setting of the listed building. For these reasons and having regard to the appellant's Heritage Statement the proposal would have a neutral effect on the nearby heritage asset.
35. I conclude that the proposed development would preserve the setting of Grade II listed Tile Barn House and does not cause harm to the significance of this heritage asset. As such, it would accord with LP Policy EM11, NP Policy HE2 and Sections 3 and 7 of the Heritage Supplementary Planning Document which, amongst other things, require developments to conserve or enhance the quality of the borough's heritage assets in a manner appropriate to their significance including their setting. It also does not conflict with guidance in the Framework.

Safe and efficient operation of the local highway network

36. Tile Barn is a private road that serves dwellings positioned along its length. It is uneven and narrow in places with tall hedgerow either side meaning that it is lightly trafficked and given the above vehicles travelling along it are likely to do so at low speed.
37. Furthermore, at the time of my site visit on a weekday afternoon I observed very few vehicles travelling along the road. Whilst I acknowledge that this is a snapshot in time there are no obvious signs of highway safety issues locally.
38. The appellant's Transport Assessment suggests that vehicle speeds along Tile Barn were observed to be around 10-15mph. Whilst these observations do not constitute a formal speed survey given the uneven and narrow width of the road, I am satisfied that they represent a true indication of the likely speed of vehicles travelling along it.
39. Whilst the Council are critical of the X distance adopted for the visibility splay, Manual for Streets does allow a setback of 2m in light-trafficked and slow-speed situations. I am of the view that the scheme before me represents one of those situations and it is an appropriate measure, in this particular case. Taking the above into account and based on the prevailing road conditions and the appellant's highway evidence I am satisfied that suitable visibility in both directions can be achieved.
40. The resultant impact would be vehicle movements associated with a net increase of just one dwelling, including those from visitors and deliveries, which based on the evidence before me is unlikely to be materially different to the current situation. Accordingly, the highway impact is unlikely to be significant or lead to conflict between vehicles, pedestrians or cyclists.
41. The Framework, at paragraph 116, states that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe taking into account all reasonable future scenarios.
42. As such, I am satisfied that adequate visibility along Tile Barn would be achieved, and the proposed development would not unduly affect the safe and efficient

operation of the local highway network. The scheme, therefore, accords with LP Policy CN9 and NDP Policy TT1 which, amongst other things, support developments that do not have a severe impact on the operation, safety or accessibility of the local highway network.

Planning Balance

43. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the development plan unless material considerations indicate otherwise.
44. The appellants contend that the Council's five-year supply of deliverable housing sites is in the region of 2.94 years. I have not been provided with any evidence from the Council to refute this figure, although they accept that they cannot demonstrate a sufficient supply of housing land.
45. In such circumstances paragraph 11 d) of the Framework, which is a material consideration of significant weight, is engaged. It states that planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in this 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.
46. In terms of housing supply the proposal would contribute to the area's housing need through the provision of one additional dwelling. The proposal would provide a limited amount of short-term employment during the construction phase. Future occupiers would help to maintain the vitality of services and facilities in the area through increased use and spend. However, these benefits would be modest.
47. On the other hand, I have found that the proposed development would adversely affect the character and appearance of the area and result in an unacceptable relationship between the built form and existing trees.
48. The Framework makes clear that good design is a key aspect of sustainable development. Decisions should ensure that developments will function well and add to the overall quality of the area; are sympathetic to local character and history, including the surrounding built environment and ensure that existing trees are retained, where possible. Even taking into account the objective to promote the effective use of land and to significantly boost the supply of housing and the Council's housing land supply position, the conflict between the proposal and the most important policies in the development plan should be given very significant weight in this appeal.
49. In the context of the above, and taking into account the aforementioned other considerations, I find that the adverse impacts of the proposed development would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework when taken as a whole. The conflict with the development plan is not outweighed by other considerations including the Framework.

Conclusion

50. For the reasons set out above the appeal does not succeed.

B Thandi

INSPECTOR