
Appeal Decision

Site visit made on 21 October 2025

by H Smith BSc (Hons) MSc MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14 November 2025

Appeal Ref: APP/H1705/W/25/3368685

**Sherfield Oaks Golf Course, Wildmoor Lane, Sherfield-on-Loddon, Hampshire
RG27 0HB**

- 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 Mitchell Properties Ltd & Get Golfing against the decision of Basingstoke and Deane Borough Council.
 - The application Ref is 23/02001/FUL.
 - The development proposed is redevelopment of existing golf course maintenance yard to provide 4 no. dwellings; with associated garaging, parking, turning, landscaping, private amenity space and access. Provision of new golf course maintenance yard, and reconfiguration/expansion of golf course car park.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The description of the proposed development in the banner heading above states 4 dwellings, which was taken from the application form. However, during the application stage the number of dwellings was reduced to 3, as shown on the decision notice and the appellant's appeal form. The parking proposals between the site access and the existing car park were also removed. I have therefore dealt with the appeal on this basis.

Main Issues

3. The main issues are:
 - whether the proposed development would provide a suitable location for housing, having regard 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.
 - the effect of the proposal on the character and appearance of the surrounding area,
 - whether the proposal would preserve the setting of the Sherfield-on-Loddon Conservation Area and the setting of nearby heritage assets,
 - the effect of the proposal on highway and pedestrian safety, with particular regard to visibility splays for the proposed residential development, and
 - the effect of the proposal on nearby trees and Breach Copse SINC.

Reasons

Suitability of location

4. The appeal relates to two areas referred to as site A and site B. Site A comprises a parcel of land used as a maintenance yard for the golf course, located near Wildmoor Lane and adjacent to the golf course vehicular entrance. The area is partly hardsurfaced with outdoor storage and includes several single storey buildings and structures. Site B relates to the existing car parking area and a small parcel of land beyond.
5. The proposed dwellings would be located on site A. Policies SS1 and SS6 of the Basingstoke and Deane Local Plan 2011-2029 (2016) (Local Plan) relate to new housing in the countryside. Although not cited in the decision notice, conflicts with these policies are found in the Officer's Report.
6. Policy SS1 of the Local Plan sets out the local strategy for housing and refers to permitting development within the defined Settlement Boundaries (SPB). The appeal site is not within a SPB and is therefore in the countryside. The appeal proposal is also not a form of development that complies with Policy SS1, as this policy only supports residential countryside development that forms an exception site, which does not apply to this scheme.
7. Criterion 'a' of Policy SS6 supports development for new housing outside of SPBs on 'previously developed land' provided that 3 further criteria are met. The Council accept that the appeal site A 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.
8. Whilst the proposed development would be small-scale and sited near to existing housing, it is nevertheless outside of a defined settlement boundary. The appeal site is located some distance from the nearest village of Sherfield-on-Loddon that offers some limited facilities to meet day-to-day needs. Therefore, although the appeal site A is not isolated in respect of its relationship with the surrounding built form, it is located far from shops and services to meet day-to-day needs.
9. The appellant contends that the appeal site would be within walking and cycling distance of the facilities within Sherfield-on-Loddon, Sherfield School, and Mole Country Store located on Wildmoor Lane. However, I observed during my site visit the unlit nature of Wildmoor Lane with no pavements. The unlit route and the lack of roadside verges would limit the prospect of future occupants of the proposed development using it to regularly access these services and facilities year-round. In addition, the road is narrow and winding with very few passing places and no cycle lanes. As the existing properties are set back from the road, I do not agree with the appellant that there would be sufficient light spill from these properties.
10. Moreover, to access services and facilities within the centre of Sherfield-on-Loddon, the occupants would need to cross over the busy A33 via an uncontrolled pedestrian crossing north of Wildmoor Lane. This would not be suitable for all users, particularly children or people with disabilities due to traffic speeds.

11. The absence of a welcoming environment for pedestrians and cyclists is likely to cause conflict with the movement of motor vehicles, which would potentially be travelling at greater speeds. This conflict is likely to deter travelling by foot or bicycle and, in turn, encourage travelling by private car.
12. The appellant refers to a bus stop along the A33. However, given the unsuitable nature of Wildmoor Lane for pedestrians and cyclists, this would also discourage the use of bus services from this bus stop to access services and facilities in other settlements, such as Basingstoke, Tadley and Bramley.
13. Whilst there are Public Rights of Way near to the site, these routes are unlit and unsurfaced, which would limit their use during hours of darkness or inclement weather, and are unlikely to be suitable for all users.
14. For the reasons above, essential services and facilities, and public transport, would not be readily accessible from the appeal site. Therefore, the occupants of the proposed dwellings would be largely reliant on private motor vehicles to access essential services and facilities, due to the lack of safe pedestrian and cycle routes and having limited options for alternative modes of sustainable transport. Furthermore, the lack of opportunities for sustainable transport solutions would not support the transition to a low carbon future.
15. While opportunity to maximise sustainable transport will vary between urban and rural areas, the National Planning Policy Framework (Framework) also sets out that the planning system should actively manage patterns of growth in support of sustainable transport objectives, such as to promote walking, cycling and public transport. Consequently, although the occupants of the proposed dwellings would likely support local services in Sherfield-on-Loddon or settlements elsewhere they would mainly be reliant on the private motor vehicles to meet most day-to-day and longer-term needs.
16. My attention has been drawn to a previous permission at Apple House (Ref: 22/00879/FUL). However, I do not know the planning circumstances that led to this approval. It is positioned closer to the A33 than the appeal site and therefore within shorter walking and cycling distance of the village and bus stop. Unlike the appeal site, it is sited on a straight stretch of Wildmoor Lane. It is therefore not directly comparable to the appeal site, from which most journeys to access day-to-day services and facilities are likely to be made in a private motor vehicle, particularly during hours of darkness or bad weather conditions.
17. Whilst electric vehicular charging provision could be used by future occupants, this is not likely to result in replacement of reliance on the private motor vehicle by alternative modes of walking, cycling or public transport. Even if I were to agree to the appellant's suggestion of imposing planning conditions for appropriate water efficiency and for measures to provide at least 10% of energy demand from decentralised and renewable or low carbon energy sources, this would not overcome my concerns regarding the absence of an appropriate environment for pedestrians and cyclists.
18. As such, the proposal would not be a suitable location for residential development having regard to national policy and the development strategy for the area. It 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 therefore fail to accord with the

Framework in respect of achieving sustainable development. It would also conflict with Policies SS1, SS6 and CN9 of the Local Plan. Collectively, 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. It also seeks 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.

Character and appearance

19. Appeal site A comprises a maintenance yard containing single-storey buildings set within a hardstanding area, accessed from Wildmoor Lane. Trees and vegetation enclose the site on several of its boundaries, creating a rural connection with the surrounding countryside.
20. The existing buildings are functional in design, typical of modern agricultural structures, and their timber construction is consistent with what would be expected in a rural setting. Wildmoor Lane itself is a narrow country road with well-vegetated boundaries. Existing dwellings along the lane are sporadic and generally widely spaced. While they vary in design and materials, most are set back from the road behind mature planting and occupy generous plots.
21. In contrast, the proposed dwellings would be positioned closer to the road in a formalised row, with open frontages and exposed driveway parking. This arrangement would introduce a distinctly suburban character, markedly different from the prevailing pattern of development. The proposed plot sizes and spacing would not reflect those of nearby properties, nor would they respect the rural character or street scene of the locality.
22. The impact would be further exacerbated by the inclusion of a large double garage positioned forward of plot 3. Although the existing adjacent dwelling sits on a similar building line, it is angled away from the lane and lacks the hard-surfaced frontage and garage structure proposed here. Additionally, the two-storey height of the proposed dwellings would make them more prominent than the existing single-storey buildings on the appeal site.
23. The scale of the proposal, including the number of units and associated hardstanding for parking, domestic paraphernalia, and landscaping to create front gardens, would significantly alter the site's character. Plot demarcation and domestic features would further erode its rural qualities.
24. While some highway landscaping would remain, it would not adequately screen the development, particularly during winter months when vegetation is not in leaf. The winter period can last for several months, not just a short duration. During this time, the absence of leaves would significantly reduce the level of visual screening, particularly for deciduous species. As a result, the proposal would become more visible in the landscape.
25. Although the existing buildings on the site may require updating, their low, barn-like form appears less obtrusive on the site than the proposal before me. The proposed development of 3 dwellings and associated garage and hardstanding material would increase the built form across the site. Its combined scale, height and massing would conflict with the character of the lane, where properties sit

back within generous plots. The proposed development would result in an abrupt and incongruous change from the verdant, agricultural appearance of the maintenance yard.

26. While there would be intervening vegetation and landscaping in places, I saw that there would be close-range views of the proposed dwellings from the public right of way that runs near to the site. There would also be views from nearby properties.
27. The appellant suggests that the current appearance of the maintenance yard is unsightly. I accept that the proposal would result in a tidying up of the site, but this would not justify the harm identified.
28. My attention has been drawn to a previous permission (Ref: 23/02047/FUL). I do not have the full details of this particular scheme, but I understand that this is a site which is some 280m away from the appeal site and sits within a linear row of dwellings. In contrast, the appeal site is located in a different position on Wildmoor Lane and does not conform to the prevailing pattern of development for the reasons explained. On the basis of the available evidence, I am not therefore convinced that the circumstances of the previous approval constitute a direct parallel to the proposal before me.
29. The appellant argues that the Framework makes it clear that planning decisions should optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development. However, paragraph 129 of the Framework seeks to ensure that developments make efficient use of land, taking into account a number of factors, including the desirability of maintaining an area's prevailing character and setting. For the reasons given above, the proposed dwellings would fail to integrate successfully with its local context and would cause visual harm to the character and appearance of the area.
30. Appeal site B comprises a parcel of land at the northern edge of the golf course car park, currently occupied by trees and mature vegetation. Although close to the parking area, its undeveloped nature allows it to blend seamlessly with the surrounding open countryside, making a positive contribution to the character and appearance of the area.
31. The proposed storage building would cover a substantial portion of the site. Its expansive footprint, combined with its width and single-storey height, would create a structure of considerable size and bulk. The use of metal cladding and roller shutter doors would give it a utilitarian, industrial appearance. Together with its massing, this would result in an incongruous development that would disrupt the site's natural character and appear visually intrusive and harmful to the countryside.
32. The appellant suggests that the building would be smaller than those within the existing maintenance yard. However, the yard contains a modest cluster of buildings, each with a smaller footprint than the proposed storage building. Their timber construction is more sympathetic to the rural setting, and their barn-like form makes them largely unobtrusive. In contrast, the proposed scale, design, and additional hard surfacing would significantly alter the landscape character and diminish the scenic quality of the area.
33. Although the existing mature planting on and around the site does provide some degree of screening and additional landscaping could be secured by condition, the

proposal would nevertheless be partially visible from the surrounding area. This is due to the site's positioning near to the golf course and car park, and when the trees and vegetation are not in leaf during winter months.

34. As such, it is not considered that the proposal would represent a high-quality design that would integrate effectively with its rural surroundings.
35. For the reasons given, the proposed residential development and storage building would harm the character and appearance of the area. It would therefore conflict with Policies EM1 and EM10 of the Local Plan, and Policies D1, D2 and G1 of the Sherfield-on-Loddon Neighbourhood Plan 2011-2029 (adopted 2018) (Neighbourhood Plan). Collectively, these policies amongst other things, seek to ensure developments are sympathetic to the character of the area, including the scale and form of development, and positively contribute to its local distinctiveness and sense of place.

Conservation Area

36. The appeal site A abuts the boundary of the Sherfield-on-Loddon Conservation Area (CA), and is therefore within the setting of the CA.
37. The Council's Conservation Area Appraisal states that there is a significant and visually dominant group of listed structures in the southern corner of the CA on Wildmoor Lane. These comprise a large mid-19th century walled garden containing a conservatory, vine houses and a garden house. Immediately to the east are Laundry Cottage and Gardener's Cottage, all dating from the 19th century. Gardener's Cottage is prominent in views framed by trees along the lane. The buildings contribute to the visual interest and particular character of this part of the CA.
38. The Conservation Area Appraisal also states that the open spaces within this CA are extremely important, as they help to define the development of the village of Sherfield-on-Loddon. To the east of the A33 road is a large area of open agricultural land that has been included within the boundaries of the CA. This area provides important views to and from Breach Farm and Longbridge Mill, as well as across the surrounding landscape to the north and east.
39. Therefore, I find that the CA is characterised, in part, by its traditional built form, its tranquil setting, and its tree lined lanes, large hedgerows, wooded areas and open spaces, which accentuates its rural character.
40. Although appeal site A is located near to existing dwellings and currently comprises a maintenance yard for the golf club, its single storey buildings are relatively inconspicuous within the setting of the CA.
41. The proposed dwellings, along with associated domestic paraphernalia such as garden furniture, would introduce a domestic appearance that would erode the rural qualities of the site and its surroundings. Furthermore, the use of hardstanding material to create the driveway and parking spaces would detract from the rural setting. This would diminish views from the nearby Public Right of Way and views from the neighbouring properties and Wildmoor Lane, into and out of the CA, thereby undermining the traditional rural character that contribute to its significance. It would therefore adversely affect the setting of the CA and the ability to appreciate its heritage value.

42. Appeal site B is where the proposed storage building would be located. This site is also within the setting of the CA. However, due to the dense intervening vegetation and mature trees that screen the appeal site to the west, the storage building would not be noticeably visible from the CA. It is also set further back from the road in a less prominent position than the proposed dwellings. As such, I find that the proposed storage building would cause negligible harm to the setting of the CA in this instance.

Listed Buildings

43. The appeal site A is also located directly opposite a Grade II listed¹ wall, part of the walled garden to Buckfield, now Sherfield School. It is also located within the wider setting of the Grade II listed² Vine House and Garden House.
44. Section 66(1) of the Planning (Listed Buildings and Conservation Area) Act 1990, requires the decision maker, in considering whether to grant planning permission for the development which affects a listed building or its setting, to have special regard to the desirability of preserving the buildings or its setting or any features of special architectural or historic interest.
45. Pertinent to the appeal, the listed wall is tall and constructed of red brick. Part of this is in a rat trap bond and runs along the verge of Wildmoor Lane. The special interest and significance of the Grade II listed wall is largely derived from its form and construction, to which the wall's height and alignment, as well as its surviving historic fabric all contribute. Its prominent position on Wildmoor Lane and its connection to the Grade II listed Vine House reinforce its links with the area's history, and it therefore makes a positive contribution to the area.
46. The proposed dwellings proximity to the Grade II listed wall would result in the proposal being easily viewed from the environments of the listed wall. Although the site is currently a maintenance yard and its cluttered appearance detract somewhat from the setting of the wall, I find that the proposal's increased scale and height would result in a prominent and incongruous development that would unacceptably harm the immediate or wider setting of the listed wall.
47. Although boundary vegetation would be retained and further landscaping could be conditioned, such planting cannot be relied upon to conceal the development for perpetuity.
48. However, with regards to the Grade II listed Vine House, I agree with the appellant that this listed building would not be harmed. This is because this listed building is located within the walled garden which is visually contained within the surrounding tall brick wall, and therefore completely screened from inward views. The proposed dwellings would therefore not be visible from this Grade II listed building, and does not compromise its setting.

Non-designated heritage buildings

49. The appeal site A is also located within the setting of two non-designated heritage assets, known as Gardener's Cottage and Laundry Bungalows, which are located within the CA.

¹ List Entry Number: 1237083

² List Entry Number: 1173131

50. Gardener's Cottage dates from the mid to late 19th century. It is a two-storey detached dwelling constructed mainly from brick, set within a spacious garden plot. Laundry Bungalows comprise attached single-storey dwellings dating from the early 20th century, set back from Wildmoor Lane.
51. The significance and special interest of these non-designated heritage assets is derived, in part, from their age, their relevance to the historic evolution and rural history of the village, and their historic building fabric and attractive aesthetic appearance. This significance and special interest is further underpinned by the spaciousness and openness of their rural setting, which is contributed to in no small part by the appeal site.
52. As explained above, the proposed dwelling's location combined with their scale and form, would result in a prominent and incongruous development. This would result in harm to the immediate or wider setting of these non-designated heritage assets. Consequently, the proposal would cause harm to the significance of these non-designated heritage assets by bringing forward development within their settings.
53. Whilst existing planting would provide some degree of screening, and additional landscaping could be secured by condition, the proposal would remain visible during the winter months when trees and vegetation are not in leaf. Moreover, the long-term maintenance and survival of such planting cannot be guaranteed, some of which is outside the appellant's control.
54. Accordingly, for the reasons set out above, the proposal fails to preserve the setting of the Sherfield-on-Loddon Conservation Area, or the setting of the Grade II listed wall. As such, it would harm the significance of these designated heritage assets. It would also cause harm to the setting of the non-designated heritage assets, known as Gardner's Cottage and Laundry Bungalows.
55. In reaching my decision, I have considered the Heritage Statement (dated 2024), submitted by the appellant. Nevertheless, following the consideration of the evidence before me and my own observations of the site and its surroundings, I find that the proposal would result in harm for the reasons explained.
56. The appellant's heritage statement states that appeal site A has a distinctly industrial, utilitarian character, which does not contribute positively to the surrounding landscape or to the setting of the nearby heritage assets. However, following my observations on site and considering the evidence before me, I find the existing buildings on site and the storage of materials, plant and machinery reflect more of an agricultural appearance, particularly due to the timber construction of the two larger structures. I therefore consider the site to integrate logically with the surrounding landscape and nearby heritage assets.
57. I acknowledge that the proposed dwellings would incorporate sympathetic detailing and materials which would be respectful of the local vernacular. However, these acceptable aspects would not justify the harm identified.

Public Benefits and Balance

58. With reference to paragraphs 214 and 215 of the Framework, in finding harm to the significance of a designated heritage asset, the magnitude of that harm should be assessed. Given the extent and fairly localised nature of the proposal, I find that

the harm to the significance of the designated heritage assets assessed above would be 'less than substantial' but nevertheless of considerable importance and weight. To my mind, this is towards the middle of the range of less than substantial harm in each case. Paragraph 215 of the Framework requires this harm to be weighed against the public benefits of the proposal.

59. The proposal would contribute to meeting the Government's objective of significantly boosting the supply of homes and would add to the local housing stock. It would also make an economic contribution during the construction period and subsequently from future occupiers in terms of spending in the local area, which would help to support local businesses, facilities, and services, including the golf course. These outcomes would be moderated by the extent of the scheme, but still weigh in favour of the appeal.
60. The appellant suggests that the proposal would also result in the removal of the existing structures and a tidying up of the site. However, any benefits arising from this would be lost by its replacement with the proposed development.
61. On balance, in giving considerable importance and weight to the harm to the significance of the designated heritage assets, I find that this would not be outweighed by the small public benefits arising from the proposal.
62. In terms of non-designated heritage assets, the Framework at paragraph 216 requires that a balanced judgement is made when assessing the application, having regard to the scale of any harm or loss and the significance of the heritage asset.
63. For the reasons given, the proposal would fail to preserve the setting of the CA and the Grade II listed wall. It would also cause unacceptable harm to the setting of the non-designated heritage assets; Gardener's Cottage and Laundry Bungalows. As such, it would fail to satisfy the requirements of the Act and the provisions within the Framework which seek to conserve and enhance the historic environment. It would also conflict with Policy EM11 of the Local Plan and Policy D1 of the Neighbourhood Plan. These policies, amongst other things, seek to ensure developments conserve or enhance heritage assets.

Highway and pedestrian safety

64. The Council's Highway Officer requested further details of the visibility splays from the north side of the proposed access to the residential development, and for this to be shown tangentially as it crossed over to the opposite side of the carriageway. This was requested to demonstrate if the splays are achievable from the appellant's land and the adjoining highway. The Council state that this information has not been provided by the appellant.
65. The appellant's statement of case includes an illustration of the northbound tangent splay and contends that the tangent splay measures to around 48m. The appellant also suggests that Wildmoor Lane is a narrow, lightly trafficked road, where traffic speeds are below the national speed limit (60mph). However, the appellant has not submitted any speed survey data to support this claim. The Highways' Officer has confirmed that in the absence of speed survey data, it is difficult to confirm whether the proposed visibility splay is appropriate, to which I agree.

66. Consequently, the submitted evidence has not demonstrated that the proposed access arrangements can accommodate the adequate visibility lines for vehicles exiting the site, and that pedestrian visibility can also be achieved. With the absence of substantive evidence to the contrary, I find the proposed access arrangements would not provide adequate visibility for users of the road and the proposed access to the appeal site. This would take place at a point on Wildmoor Lane where it would be likely that pedestrians and vehicles would be regularly passing by to access the golf course.
67. I acknowledge that the existing maintenance yard has a vehicular access point onto Wildmoor Lane. Even so, those arrangements are not before me. Moreover, no evidence has been provided to show that the proposed development would not result in the intensification in use of the proposed access. On the basis of the evidence, I am not satisfied that the proposed access arrangements, would not increase the risk of pedestrian and vehicle collisions in the area to the detriment of highway safety.
68. Consequently, it has not been demonstrated that the proposal would not have an adverse impact on highway safety. A condition would not be reasonable as any mitigation measures found necessary to remove adverse effects on highway safety could lead to a substantial redesign of the development.
69. I therefore conclude that insufficient information has been submitted to be satisfied that highway and pedestrian safety would not be adversely affected by the proposed development.
70. For the reasons given, in the absence of the substantive evidence to the contrary, I find the proposed development would be harmful to highway and pedestrian safety. The proposal therefore conflicts with Policy CN9 of the Local Plan, which amongst other things, seeks to ensure developments provide safe, suitable and convenient access for all potential users and does not compromise highway safety. It would also fail to accord with paragraph 116 of the Framework, which states that development should be refused on highway grounds if there would be an unacceptable impact on highway safety.

Trees

71. The appellant has indicated that the proposed storage building would not result in the loss of any trees. I also acknowledge that the site is currently used as an overflow car parking area for the golf club. However, limited evidence has been provided to demonstrate that the proposed storage building and hardsurfacing area would not harmfully encroach on the Root Protection Areas (RPAs) of the trees. Indeed, the Council highlight that whilst the Cellular Confinement System (CCS) may be considered acceptable for a small proportion of a RPA for a single tree, the proposed development would see the CCS used in excess of 20% of several tree's RPA and would not be applied to the whole extent of the hardsurfacing proposed. The appellant has not provided substantial evidence to the contrary.
72. Furthermore, from what I saw on site, several branches from the nearest trees were overhanging the proposed site. As such, due to the proximity and potential growth of trees, there is a reasonable likelihood that the proposed development would impact on them, either during construction or by restricting the spread of the

canopies. This may also lead to considerable pressure to thin or remove the trees in the future.

73. Due to the limited evidence before me, I am unable to determine if the nearest trees to the proposed development would be adversely affected by the development. Consequently, the appellant has failed to demonstrate that the proposed development would not have an unacceptable impact on the nearest trees. Any loss of a tree in this group would be harmful to the character and appearance of the area.
74. The ambiguities surrounding the impact of the scheme upon the nearby trees are such that conditions would not provide a level of certainty that the trees and the positive contribution that they make to the area would be unharmed by the scheme.
75. Accordingly, the proposed development would have an unacceptable impact on the nearby trees. It would be contrary to Policy EM1 of the Local Plan and Policy G1 of the Neighbourhood Plan. These policies, amongst other things, seek to ensure development proposals respect, enhance and are not detrimental to the character or visual amenity of the landscape, paying particular regard to trees, and protecting the natural environment.

Breach Copse SINC

76. The Breach Copse SINC lies along the northwest edge of the car park where the proposed extension of hardsurfacing would be located. The SINC is derived from semi-ancient natural woodland. The Council is concerned that the proposed additional hardsurfacing and parked vehicles would result in compaction and pressure to the integrity of the SINC.
77. Although a Cellular Confinement System (CCS) is proposed to prevent root compaction within the SINC, its application is limited solely to the root protection areas (RPAs) of the trees. It does not extend to the full area of proposed hardstanding, which surrounds the RPAs and runs along most of the SINC. Limiting the CCS to RPAs would therefore fail to prevent harm from adjacent hardstanding areas constructed without CCS. The presence of parked vehicles within RPAs and the extensive hardsurfacing along the SINC would exert pressure that could lead to tree felling and consequent habitat loss.
78. Furthermore, the appellant has not provided site-specific details, including existing and proposed level changes, nor adequate design information to demonstrate how the CCS would accommodate level variations or edge retention. The submitted evidence also lacks a method statement explaining how the CCS will be installed and how new levels will integrate with the existing or proposed car parking surfacing. These deficiencies create fundamental uncertainty about the feasibility and effectiveness of the mitigation measures.
79. The appellant contends that the proposal would regularise the overspill parking area. However, the regularisation of the overspill parking area would not justify the harm identified.
80. Consequently, it has not been adequately demonstrated that the proposal would not have an adverse impact on trees within the Breach Copse SINC. In the absence of substantive evidence to the contrary, I therefore find the proposed

development would be harmful to the SINC. The proposal therefore conflicts with Policies EM1 and EM4 of the Local Plan, and Policy G1 of the Neighbourhood Plan.

Other Matters

81. My attention has been drawn to other appeal decisions. Nevertheless, the full details and circumstances which led to these other developments being determined are not before me. They also relate to different schemes in different locations. In any event, I have considered the proposed development upon its own merits based on the evidence before me and my observations on site.

Planning Balance and Conclusion

82. The submitted evidence indicates that the Council is unable to demonstrate a five-year supply of deliverable housing sites in accordance with the Framework. The net gain of three dwellings as a result of the proposal would support the Framework's objective of significantly boosting the supply of housing stock where there is a shortfall. I attribute weight to this benefit.
83. Nevertheless, the proposal would harm the character and appearance of the area, and the nearby heritage assets, contrary to Policies EM1, EM10 and EM11 of the Local Plan. The proposal would also conflict with Policies SS1, SS6 and CN9 of the Local Plan. These policies are broadly consistent with the Framework's sustainability principles and protection of the countryside. There is also conflict with Policy CN9 regarding highway safety, and Policies EM1 and EM4 regarding trees. Consequently, the proposal conflicts with the development plan when considered as a whole.
84. Given the housing land supply position, paragraph 11d of the Framework and the presumption in favour of sustainable development is relevant. Nonetheless, at paragraph 11d) i., the Framework confirms that this presumption does not apply where the application of policies therein that protect areas of particular importance provide a strong reason for refusing the proposal. Footnote 7 establishes that this includes designated heritage assets; it still applies when an appeal site is within the setting of a designated heritage asset and harm has been found.
85. Having had regard to my conclusions that the proposal would harm the setting of the CA and the setting of the listed building, the application of the Framework's policies regarding the protection of designated heritage assets, provides a strong reason for refusing the development. Consequently, the presumption in favour of sustainable development does not apply in this case.
86. For the reasons given and having regard to all other matters raised, I conclude that the proposed development would be contrary to the development plan when taken as a whole. There are no material considerations to suggest a decision other than in accordance with the development plan and therefore the appeal is dismissed.

H Smith

INSPECTOR