



Appeal Decision

Site visit made on 29 October 2024

by O Marigold BSc DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 4th November 2024

Appeal Ref: APP/L1765/W/24/3337398

Poplar Cottage, Solomons Lane, Waltham Chase, Hampshire SO32 2LY

- 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 T Gannaway against the decision of Winchester City Council.
 - The application Ref is 23/02279/FUL.
 - The development proposed is proposed erection of a pair of semi-detached two-bedroomed timber-clad holiday lodges.
-

Decision

1. The appeal is dismissed.

Applications for costs

2. An application for costs was made by Mr T Gannaway against Winchester City Council. This application is the subject of a separate Decision.

Preliminary Matters

3. The Council's second reason for refusal referred to the effect of the proposal on the Solent Special Protection Areas (SPAs), protected pursuant to the Conservation of Habitats Regulations 2017. However, following the submission by the appellant of a Planning Obligation with the appeal, the Council has confirmed that this reason for refusal has been overcome. I will consider this issue further under Other Matters below.

Main Issue

4. The main issue is whether the proposal would accord with the strategy of the Development Plan, including its effect on the character and appearance of the area.

Reasons

5. Policy CP18 of the Winchester District Local Plan Part 1 (WDLP), adopted March 2013, relates to Settlement Gaps. These Gaps are intended to remain generally open and undeveloped, to define and retain the separate identity of settlements. As such, it only permits development that does not physically or visually diminish the gap.
6. WDLP Policy MTRA4 allows certain types of development in the countryside, including small-scale sites for low-key tourist accommodation. However, it does so only where appropriate to the site, location and setting, and where no harm to the character of the area would be caused. Similarly, the National Planning Policy Framework supports business and tourism growth in rural

areas, including new buildings, whilst also requiring that the intrinsic character and beauty of the countryside is recognised.

7. The site consists of land associated with Poplar Cottage, close to the edge of the large village of Waltham Chase. It is within an identified Settlement Gap between nearby built-up areas and the village. The proposal seeks to erect a semi-detached pair of single-storey holiday lodges, together with access pathways and small cycle storage buildings.
8. The area around the site includes sporadic groups of houses and other buildings. It is opposite commercial open storage development. Nevertheless, the site itself is currently green, open and essentially undeveloped. As such, it forms part of the countryside, providing an attractive rural setting to the village.
9. The proposed holiday lodge building would be of single-storey height and positioned deep within the site. Its external materials would give it a rural appearance. Other self-catering accommodation is nearby, and tourist and housing development have been promoted in the village, including in current and previous iterations of the Development Plan. The proposal would be close to the services and facilities within Waltham Chase.
10. However, I am mindful that WDLP Policy CP18 seeks to avoid the cumulative effects of development that would incrementally compromise the integrity of the Settlement Gap. It does not exclude tourist development from its control. The support of Policy MTRA4 for tourist accommodation is qualified and applies to all parts of the countryside. As Policy CP18 relates specifically to the countryside within Settlement Gaps, I give it greater weight.
11. Locations at the edge of settlements are often where the countryside is under greatest pressure for development. The proposal would add appreciable additional built form to the site, giving the land a more developed, domestic, and suburban appearance. In doing so, it would physically diminish the Settlement Gap hereabouts. For the same reasons, it would fail to reflect the pattern of development and harm the rural character of the site and its surroundings.
12. Despite some thick vegetation, the site is currently visible in views publicly obtainable from both Solomans Lane and Winchester Road. Additional planting is proposed within the site and on its boundaries. However, such landscaping cannot be relied upon to provide screening, particularly in winter months when foliage is reduced, or in the long-term. Such landscaping would itself reduce the openness of the site. Moreover, it would not overcome the aim of Policy CP18 to avoid the physical diminution of the Settlement Gap. It does not therefore overcome my concerns.
13. Reference has been made to differences between the proposal and another development which was refused in a Settlement Gap at Denmead. I have also taken into account the initial pre-application advice given to the appellant for similar development on other land associated with Poplar Cottage. Nevertheless, I have made my decision on the proposal before me. The Council has not refused permission using other Development Plan policies referred to by the appellant. However, this does not alter my overall conclusions.

14. For the reasons given above, I conclude that the proposal would not accord with the strategy of the Development Plan and would harm the character and appearance of the area. It would therefore conflict with WDLP policies CP18 and MTRA4, and with the similar requirements of Policy DM15 of the Winchester District Local Plan Part 2, adopted April 2017.

Other Matters

15. The proposal would provide additional tourist accommodation close to but outside of the South Downs National Park. Its construction would make a positive economic contribution locally, for instance to the building industry. Future occupiers of the proposal would bring social and economic benefits, such as to local businesses. It would also result in the efficient use of land. Even so, as only two units of accommodation are proposed, these benefits would be modest and so I give them limited positive weight. Consequently, they do not overcome the harm that I have identified.
16. The site is within an area where new development and its population can affect the SPAs and their species. Had I found no harm in respect of the main issue, as competent authority, I would have carried out an Appropriate Assessment in respect of the potential effects of the proposal on the SPAs. However, as I have found that permission should be refused for other reasons, this matter need not be considered any further in this case.

Planning Balance and Conclusion

17. For the reasons given, I have found conflict with the Development Plan as a whole. The material considerations in this case, and the weight I give them, do not indicate a decision other than in accordance with the Development Plan. This leads me to conclude that the appeal should be dismissed.

O Marigold

INSPECTOR