



Appeal Decision

Site visit made on 7 April 2025

by Paul T Hocking BA MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 08 May 2025

Appeal Ref: APP/M1710/W/23/3332870

Keri, 21 Abbey Road, Medstead GU34 5PB

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant permission in principle.
 - The appeal is made by Mr S Harding against the decision of East Hampshire District Council.
 - The application Ref 57804, dated 31 March 2023, was refused by notice dated 10 May 2023.
 - The development proposed is: Stage 1 Planning in Principle Application for the erection of between 3 and 6 Dwellings on land to the rear of Keri.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. Permission in principle is another way of obtaining planning permission for housing-led development. It has 2 stages: the first stage (permission in principle) establishes whether a site is suitable in-principle, and the second stage (technical details consent) is when the detailed development proposals are assessed which may lead to planning permission being granted. The scope of permission in principle is limited to location, land use and the amount of development. All other matters would be considered as part of a subsequent technical details consent application if permission in principle is granted. This proposal and appeal relate to the first of these stages, permission in principle.

Main Issue

3. The main issue is whether the proposal would be acceptable in terms of its location, land use and amount of development, having regard to local and national planning policy.

Reasons

4. The site is accessed by a trackway from Abbey Road and relates to a small parcel of land located to the rear of a ribbon of residential properties that address the road. The site contains several small buildings and storage containers.
5. The proposal relates to the development of the site in-principle for the erection of between 3 and 6 dwellings.

Location and land use

6. Policy CP2 of the adopted East Hampshire District Local Plan: Joint Core Strategy, 2014 (the LP) states that new development growth for the period until 2028 will be directed to the most sustainable and accessible locations. It identifies a settlement hierarchy with rated levels 1-5, with 5 being rural villages in the least sustainable locations for new development. The appeal site is then outside of any boundary, with Medstead itself rated at 4, being defined as having a limited range of local services.
7. Policy CP10 of the LP then identifies a minimum increase of 10,060 dwellings by 2028. However, the site is neither within a defined settlement nor part of a strategic allocation.
8. Policy CP19 of the LP is then concerned with development in the countryside and identifies the need for general restraint to protect the countryside for its own sake. The only development allowed is that with a genuine and proven need for a countryside location, such as for farming and other rural enterprises. Policy CP1 of the LP is then concerned with the presumption in favour of sustainable development.
9. The Council's approach to residential development is therefore broadly consistent with the housing approach and objectives set out in the National Planning Policy Framework (the Framework).
10. The site therefore falls outside of the settlement boundary and is within the countryside for planning policy purposes. This also accords with what I observed during my site visit, in that there are limited proximate services and the local highway network is reasonably narrow and then unlit and without footways. There would therefore be a heavy reliance on the private motor car to access goods, services and for employment, even though there is access to a bus service.
11. It has been brought to my attention that the emerging Local Plan would see the site adjoining the settlement boundary. The site is also not in an isolated location. It however would still remain in an area where new residential development would not be considered acceptable in-principle. I am also not persuaded that this indicates the Council's likely direction of travel for future development and thus the site is in a sustainable location.
12. The proposal is then situated to the rear of a ribbon of residential development, which is clearly in stark contrast with the prevailing residential character of the area. Whilst it would be screened by hedging and would therefore not be highly prominent within the local landscape, it would nevertheless be functionally and physically at odds with the prevailing linear character of residential development. The proposed layout to the rear would therefore fail to protect the local sense of place.
13. Whilst I recognise there are other buildings located to the rear at neighbouring properties, there is little evidence that these pertain to residential development. There is accordingly a strong sense of place and rural character that is otherwise created by the residential properties being situated within close proximity and addressing the road frontage. The proposal is therefore not compatible with the surrounding area and would erode the sites contribution to

the wider rural character of the area. It would therefore not make an effective use of this parcel of land.

14. I conclude the proposal is not in an acceptable location or land use and therefore contravenes the aforementioned policies of the LP as well as policies CP20 and CP29 of the LP, which require, amongst other things, for development to protect and enhance and ensure layout contributes to the local sense of place. For the same reasons it contravenes the housing, achieving well-designed places, making effective use of land and promoting sustainable transport objectives of the Framework and Policy 1 of the adopted Medstead and Four Marks Neighbourhood Plan, 2016. These are planning harms that each attract considerable weight.

Amount of development

15. The Council also raises concerns in respect of the adequacy of visibility splays, the impact of noise disturbance and loss of privacy to the occupiers of the adjoining residential property, arising from the use of the access, and that there is insufficient evidence that the proposed dwellings would have adequate amenity and parking space.
16. However, there is no in-principle objection arising and these detailed matters do not go to the heart of whether the proposal is acceptable in-principle. Accordingly, these are matters which should then be dealt with at the technical details consent stage, and hence I need not consider them further. There are then no further concerns raised in respect of the amount of development proposed.
17. I therefore conclude the proposal would be acceptable in terms of the amount of development and therefore it accords in-principle with Policies CP27, CP29 and CP31 of the LP. These policies, amongst other things, require development to not have an unacceptable effect on the amenity of neighbouring occupiers, have car parking within the curtilage wherever possible, and meet the need for highway safety. The absence of this planning harm attracts neutral weight.

Other Considerations

18. Small sites such as this can make an important contribution to meeting the housing requirements of an area and can do so within short time periods. However, the development of the site for between 3 and 6 houses would only make a modest contribution to the housing shortfall and economy and there is little evidence that the development would meaningfully maintain or enhance the vitality of the community. Whilst I accept there would then be no environmental harms to designated features or areas, the above considerations collectively attract moderate weight.

Planning Balance

19. The parties have been provided with an opportunity to submit updated comments on the Framework and the Council's housing land supply position. The Council did not provide a response and so the only evidence before me is that the Council has a 2.7-year supply of deliverable housing which is said to represent a shortfall of around 2000 dwellings. Accordingly, paragraph 11.d) of the Framework is engaged as the policies which are most important for determining the appeal application, being policies CP1, CP2, CP10 and CP19 of the LP, are then deemed out-of-date.

20. These policies are nevertheless broadly consistent with the Framework and the provision of between 3 and 6 dwellings at the site would considerably harm the Council's objectives for these policies, as they seek to direct such development to the most sustainable and accessible locations. Consequently, I find that they still attract considerable weight.
21. The location and land use are then not acceptable in-principle which are planning harms that each attract considerable weight. The amount of development proposed at this permission in principle stage would be acceptable and so would subsequently be dealt with at the technical details consent stage. The absence of this harm, and indeed any others, attracts neutral weight.
22. There are however not then other considerations, either alone or in combination, which outweigh the harms and so the adverse impacts significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole. Accordingly, the presumption in favour of sustainable development does not apply.

Conclusion

23. The proposal does not accord with the development plan and the Framework taken as a whole. There are then not other material considerations to indicate that the decision should not be made otherwise than in accordance with the development plan.
24. Consequently, for the reasons given above, the appeal should fail.

Paul T Hocking

INSPECTOR