



Appeal Decision

Site visit made on 24 June 2025

by M Aqbal BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28 August 2025

Appeal Ref: APP/M1710/W/25/3361919

Land East of Paddock Grange, Homestead Road, Medstead, Alton, Hampshire GU34 5PW

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant outline planning permission.
 - The appeal is made by Mr N Beere, R Beere and Sons against the decision of East Hampshire District Council.
 - The application Ref is 57295/002.
 - The development proposed is outline application for 1no. custom / self build dwelling with all matters reserved except access.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. The application is in outline with all matters reserved except for access. Appearance, landscaping, layout and scale are matters reserved for future consideration. Accordingly, whilst some drawings have been submitted showing a layout, floor plans and elevations, these are for indicative purposes only.

Main Issues

3. The main issues are:
 - i) The effect of the proposal on the character and appearance of the area;
 - ii) Whether the appeal site is in a suitable location for housing having regard to the development plan; and
 - iii) Whether the development would be likely to have a significant effect on the integrity of the River Itchen Special Area of Conservation ('SAC') and Solent Special Protection Area ('SPA').

Reasons

Character and appearance

4. The appeal site ('the site') comprises a field with a rectangular footprint located away from the main developed area of Medstead, along Homestead Road, which is a roughly surfaced bridleway. This bridleway serves a limited number of detached dwellings that are scattered along its length, interspersed with large areas of undeveloped agricultural land.
5. To the west of the site is Paddock Grange a dormer bungalow. To the east is a historic hedgerow boundary to the property known as Little Barn.

6. Whilst there are some examples of dwellings along Homestead Road that are fairly closely spaced, most of these are located away from the site. Therefore, the scattered nature of existing dwellings defines its rural identity.
7. The site is currently unmanaged and contains remnants of former buildings. However, these structures are small and in a dilapidated condition, contributing little to the visual character of the area. Therefore, the site retains a distinctly rural appearance and does not present as part of any residential plot. Its largely undeveloped nature is consistent with other agricultural land parcels along Homestead Road. Overall, the site contributes to the low-density, informal character of the area and reinforces the areas largely rural identity.
8. The submitted illustrative drawings depict a single storey dwelling set back from Paddock Grange, with space around the building and retained landscaping along its boundaries. The proposal also includes areas for ecological enhancement, such as new planting and a pond. The scheme would make use of the existing access to the site. However, at this stage, there is insufficient certainty that the site would be developed in this manner, particularly in terms of appearance, layout, scale, and landscaping. Therefore, I cannot be confident that the proposal would lead to any improvement in the site's visual character.
9. On the information before me, the Medstead Village Design Statement emphasises the importance of preserving visual gaps between buildings in rural areas. Notwithstanding the presence of nearby dwellings, the area retains a spacious, undeveloped feel, introducing a new dwelling would erode this openness, particularly by infilling the gap between Paddock Grange and Little Barn and by creating a more continuous built frontage. Thereby, diminishing the area's rural character.
10. For the above reasons, the proposal would harm the character and appearance of the area and would fail to accord with Policy CP29 of the East Hampshire District Local Plan: Joint Core Strategy ('JCS'), which along with other matters seeks to ensure that development proposals are designed to a high standard that is appropriate and sympathetic to spaces around buildings and landscape features.

Location for housing

11. The site lies beyond the defined settlement boundary of Medstead and is therefore, in accordance with the development plan, designated as a countryside location.
12. In accordance with Policy CP19 of JCS, development in such areas is only permitted where a genuine need for a countryside setting can be demonstrated. Similarly, Saved Policy H14 of the East Hampshire District Local Plan: Second Review ('LP') imposes comparable restrictions on residential development outside settlement boundaries. The proposed development does not satisfy the requirements set out in these policies. Additionally, Policy 1 of the Medstead and Four Marks Neighbourhood Plan ('NP') stipulates that new development within the plan area should be located within the designated settlement boundary.
13. Along with other development plan policies, the above policies aim to direct new development to the most sustainable and accessible locations in the district, in line with its spatial strategy. This includes an approach to sustainable development in the countryside, defined as areas outside settlement policy boundaries where a policy of general restraint is applied to protect the countryside for its own sake, save for uses that have a genuine functional need to be located in the countryside.

14. The wider area offers a modest range of amenities, including a primary school, nursery, public house, and church located approximately 1 kilometre from the appeal site in Medstead. Additional services are available in Four Marks, designated as a Small Local Service Centre, and in Alton, identified as a Market Town with a broader range of facilities including retail, employment opportunities, and a railway station. These settlements, situated approximately 2 kilometres and 7 kilometres from the site respectively, are understood to be served by the local bus network.
15. Notwithstanding the fact that the site is not considered isolated in the context of the National Planning Policy Framework ('the Framework') and relevant case law, the accessibility of the site remains constrained. Homestead Road is a narrow, unlit lane with no dedicated footways, rendering it unsuitable for pedestrians and cyclists, particularly during adverse weather conditions or outside daylight hours. Consequently, it is unlikely that future occupants would access nearby services on foot or by bicycle, or walk to the nearest bus stop, which lies approximately a ten-minute walk away in Medstead. Given the site's poor accessibility, visitors to the proposed dwelling are also likely to be largely reliant on private motor vehicles. Therefore, the location of the appeal site would not minimise demand for travel.
16. Even when taking account of the Framework, which acknowledges that opportunities to maximise sustainable transport solutions will vary between urban and rural areas, the location of the appeal site does not offer genuinely sustainable travel choices to a range of nearby shops, facilities and services. It is therefore reasonable to conclude that residents would be predominantly reliant on private motor vehicles to access day-to-day services and facilities, even if journeys are likely to be relatively short and limited in association with a small scale rural development.
17. For the above reasons and given that I have found that the proposal would harm the character and appearance of the area, the appeal site is not in a suitable location for housing with regard to the development plan. As such, the proposal conflicts with Policy CP19 of the JCS, Saved Policy H14 of the LP and Policy 1 of the NP.

River Itchen SAC and Solent SPA

18. The site is located within the drainage catchment area for the River Itchen SAC and Solent SPA.
19. The Council has been made aware by Natural England that there are potential strategic issues regarding the level of nitrogen and phosphorus deposition in the River Itchen SAC and Solent SPA resulting in evidence of eutrophication, caused by agriculture, existing communities and proposed development. New housing development therefore needs to be appropriately assessed to address the uncertainty about the deterioration of the water environment.
20. River Itchen SAC and Solent SPA are protected by the Conservation of Habitats and Species Regulations 2017 (as amended). In order for development to be acceptable, these Regulations require it to be demonstrated that it will have no likely significant effect on the River Itchen SAC and Solent SPA, either alone or in combination with other proposals. If it cannot, measures must be proposed to remove the impact, for example, a satisfactory scheme of mitigation (i.e. one that can demonstrate the nutrient neutrality of the proposed development), or the proposal should be refused.

21. As the competent authority, I am responsible for undertaking an Appropriate Assessment as to whether the integrity of the River Itchen SAC and Solent SPA would be affected by the development.
22. The submitted Nitrate Budget Assessment Report, identifies that the proposed scheme would support an additional population of 2.4 persons, resulting in an annual increase in nitrogen and phosphorous loads.
23. As the proposal would lead to an increase in nutrient deposition, mitigation is required. Given that there is no opportunity to implement a mitigation scheme on-site, the purchase of credits from an authorised provider would be necessary. Provided that the proposed mitigation measures are secured and implemented, the development is unlikely to result in a significant effect on nutrient levels within the River Itchen SAC and Solent SPA.
24. By referring me to another appeal decision, the appellant advises that mitigation measures could be secured via a condition that prevents the development from commencing until the mitigation measures have been approved in writing by the Council, which demonstrate that the additional nutrient loading generated by the proposal would not have an adverse effect on the integrity of the protected sites.
25. Irrespective, the suggested mitigation measures include the appellant committing to securing off-site credits. This still requires that there is certainty and transparency about the delivery of mitigation in order to ensure that the identified potential for an adverse effect on the integrity of the protected sites is not realised and to avoid an unimplementable planning permission. In this case, the Council advises that there are no schemes in place to secure phosphate credits in the district.
26. Therefore, without the submission of a satisfactory scheme of mitigation (i.e. one that can demonstrate the nutrient neutrality of the proposed development) I am unable to conclude that the development would not add to the unfavourable nitrate / phosphate levels within the River Itchen SAC and Solent SPA. As such, the proposal is contrary to Policies CP21 and CP22 of the JCS. Together, these policies require that development proposals must maintain, enhance and protect the district's biodiversity and its surrounding environment, including designated sites.

Other considerations

27. The Council is currently unable to demonstrate a 5-year supply of housing land. Therefore, Paragraph 11d) of the Framework is engaged. However, the application of policies in the Framework insofar as they protect habitat sites provide a strong reason for refusing the development proposed. This is reiterated by paragraph 195 of the Framework and as such, the proposal would not benefit from the presumption in favour of sustainable development set out in the Framework.
28. Although I do not dispute that the site was previously developed, on the information before me, I cannot be certain that this is Previously Developed Land, as defined in the Framework.
29. The Self Build and Custom Housebuilding Act 2015, requires local planning authorities to establish and publicise a local register of custom-builders who wish to acquire suitable land to build their own home. The Housing and Planning Act 2016 sets out that local planning authorities have a duty to grant planning permission in

respect of enough serviced plots of land to meet the demand for self build and custom housebuilding in the authority's area arising in each base period.

30. The need for Self Build and Custom Housebuilding in the district exceeds the supply. As such, the Council is failing in their obligations and their duty under the Self build and Custom House-building Act 2015. The submitted Unilateral Undertaking includes an obligation which confirms that the proposed dwelling would be for a Self-Build and Custom house.
31. Accordingly, should the appeal be allowed and subject to the subsequent approval of reserved matters, the proposal would deliver an additional dwelling. This would make a modest but important contribution to the objectives of the Framework, particularly in significantly boosting the supply of housing and encouraging the delivery of small sites for self-build and custom-build homes.
32. There would also be jobs created during construction of the development and notwithstanding the site's poor accessibility, occupiers are likely to support local services and facilities.
33. The proposal is likely to deliver new on-site habitats through planting, and the new home is likely to be of sustainable construction. These factors contribute to the environmental benefits of the scheme.
34. Therefore, there would be some social, economic and environmental benefits arising from the proposal. However, given the modest scale of the proposal (single dwelling) any associated benefits attract less than moderate weight.

Planning balance and conclusion

35. Section 38(6) of the Planning and Compulsory Purchase Act 2004, requires that decisions on planning applications should be made in accordance with the development plan unless material considerations indicate otherwise.
36. I have found that the proposal is not in a suitable location for housing with regard to the Council's spatial strategy and would also harm the character and appearance of the area. Furthermore, it has not been demonstrated that the proposal would not harm the integrity of the River Itchen SAC and Solent SPA. Harm associated with these matters and conflict with the development plan attracts substantial weight.
37. Having taken account of the other considerations in support of the proposal, I do not consider these to be sufficiently forceful, to outweigh the harm and conflict with the development plan I have identified. Consequently, in the circumstances of this case, the material considerations do not justify a decision other than in accordance with the development plan taken as a whole.
38. For the above reasons, I conclude that the appeal should be dismissed.

M Aqbal

INSPECTOR