



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: 03 September 2025

Appeal Ref: APP/M1710/W/25/3359870

Land off Wellhouse Road, Beech GU34 4AH.

- 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 Land Regeneration Ltd against the decision of East Hampshire District Council.
 - The application Ref is 26870/012.
 - The development proposed is outline planning application for 5 dwellings, access and associated parking.
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Decision

1. The appeal is allowed and outline planning permission is granted for 5 dwellings, access and associated parking at Land off Wellhouse Road, Beech GU34 4AH, in accordance with the terms of application Ref 26870/012 and subject to the Schedule of Conditions to this Decision.

Preliminary Matters

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 sections and a layout, these are for illustrative purposes only.
3. The scheme originally submitted with the application was for the erection of 6 dwellings. During the application process this was reduced to 5 dwellings and my Decision reflects this. These would comprise 4 x 4 bedroom units and a single 3 bedroom unit.

Main Issues

4. The main issues are:
 - i) The effect of the proposal on the character and appearance of the area; and
 - ii) Whether the proposed housing mix would be acceptable for the area.

Reasons

Character and appearance

5. The appeal site ('the site') is located to the north of Wellhouse Road and comprises an area of maintained grassland previously used as a smallholding. It is bounded on all sides by a mix of mature vegetation and trees. Beyond its landscaped boundary, the site is surrounded by residential development to the east, south, and west. To the north lies an area of woodland that encompasses a further dwelling, accessed from Snode Hill. The site slopes upwards from

Wellhouse Road in the south to the northern boundary, resulting in a level difference of approximately 15m from the entrance to the northern edge.

6. Policy BPC02 of the Beech Neighbourhood Plan 2019–2028 ('NP') states that land outside the Beech Settlement Policy Boundary (as shown in Map 2) will be considered countryside. Although parts of the site's southern and eastern boundaries are contiguous with the settlement boundary, the site lies outside it and forms part of the countryside.
7. Policy BPC02 only supports sustainable development with a proven need to be located in a countryside setting, such as rural exception site housing or housing promoted by national and district-level policies, provided its impact on the countryside and its intrinsic character and beauty is acceptable. The supporting text to this Policy emphasises the aim of ensuring future development truly protects the rural environment within Beech Parish.
8. The appeal site lies within an area identified in the Council's Landscape Capacity Study (2018) ('LCS') as requiring the conservation of existing settlement density and form, with a focus on limiting backland development and reinforcing the established street pattern. Beech is a settlement shaped by its varied topography and architectural styles, which is set within a medium-sensitivity landscape that has experienced minimal suburban intrusion. The village is well-contained by woodland and strong natural boundaries, particularly to the south, which help soften its built form. The LCS underscores the importance of preserving Beech's distinctive landscape character, including its wooded dry valley, traditional field patterns, and rural surroundings while avoiding visually intrusive development on elevated ground and inappropriate expansion along rural lanes.
9. Beech's existing settlement pattern comprises mainly linear development located off two principal roads: Wellhouse Road and Medstead Road. However, there are some small cul-de-sac developments, such as those immediately east of the site and west along Wellhouse Road, opposite St Peter's Church.
10. Because the site lies north of the settlement boundary, the grain of development is looser. Nearby development to the east and west mainly comprises large, individually designed, detached dwellings on spacious plots.
11. The site is set back from Wellhouse Road and is enclosed by a combination of fencing and vegetation along its boundaries. Its grassland character and vegetated edges are typical of fields in the surrounding area, contributing to the rural character and appearance of the countryside. However, its visual quality is somewhat limited by its relative containment and diluted by glimpses of nearby development to the east. Consequently, the site's overall contribution to the intrinsic character and beauty of the countryside is primarily derived from the landscaping along its boundaries.
12. Although the application is in outline, the illustrative plan (SSA2 Rev SK06) provides an indication of the scheme's density, design and future layout. Given that the proposed access point is fixed, the site has an irregular footprint, and the scheme proposes a maximum of five dwellings, it is highly probable that any final scheme would reflect this illustrative layout.
13. Due to the site's location north of Wellhouse Road and its irregular footprint, it is unlikely to support the prevailing linear development pattern of the settlement.

Even so, the illustrative layout reflects nearby cul-de-sac arrangements. Based on the illustrative plan, the proposed scheme comprises detached, individually designed dwellings occupying spacious plots, which is reflective of the area.

14. Though landscaping is a reserved matter, the illustrative plan shows that the existing boundary landscaping is largely to be retained, which would retain the existing field pattern. Also, new planting proposed along the frontage of each plot. Moreover, the development is unlikely to have any unacceptable adverse impact on the woodland surrounding Beech. Subject to the reserved matters, I see no reason the development could not achieve a high-quality design, which has some consistency with the nearby pattern and style of development.
15. As noted, the appeal site is relatively well-contained visually by existing landscaping. I acknowledge that this containment may be reduced when leaf cover diminishes, such as in winter. The Council is particularly concerned that this, combined with level changes within the site, would result in a visually prominent development when viewed from the north.
16. Due to the established woodland north of the site, views from that direction are likely to be filtered by trees and associated branches, even in winter. Matters relating to scale will be addressed through reserved matters, which offers the opportunity to mitigate visual effects if the appeal succeeds. Similarly, concerns about the scheme appearing overtly suburban could be addressed through careful consideration of scale, layout, materials and landscaping at the reserved matters stage.
17. Nonetheless, because of its nature and extent, the proposal would have an erosive effect on the site's landscape and rural character. Development here is also unlikely to align with the prevailing linear settlement pattern. As such, this would result in harm to the character and appearance of the site and area.
18. Having considered the Council's submissions, including reference to its Landscape Value Addendum, I acknowledge that the appeal site holds some local landscape value. However, it is not a valued landscape in the context of the National Planning Policy Framework ('the Framework') and the impact on landscape and rural character would be localised and largely contained. Furthermore, based on my observations, the scheme could be designed with some consistency with the nearby pattern of development. Therefore, the extent of any harm would be moderate.
19. Even so, because the proposal would introduce market housing in the countryside, which harms the character and appearance of the area, this conflicts with NP Policy BCP02. I also find conflict with Policy CP20 of The East Hampshire District Local Plan: Joint Core Strategy adopted by East Hampshire District Council on 8 May 2014 ('JCS') and Policy BPC06 of the NP. Together, these policies require that developments conserve and enhance local distinctiveness, sense of place and tranquillity of the landscape and also require that development proposals should not change the predominantly linear architectural character of the settlement within Beech's valleys.
20. The Council's decision also refers to policies BPC07 of the NP and CP29 of the JCS. These policies primarily address detailed design matters and are largely relevant to the reserved matters.

Housing Mix

21. The scheme proposes open market housing, and the Council's main concern relates to the proposed housing mix.
22. While the main parties refer to the Housing and Employment Development Needs Assessment (May 2022) ('HEDNA') the full details of this document are not before me. As such, the weight I can attach to it is limited.
23. Nevertheless, the appellant cites parts of the HEDNA, identifying a requirement for 10–15% of four-bedroom properties, which the scheme provides, along with one three-bedroom unit as encouraged under NP Policy BPC07. This would help meet the need for smaller units. The appellant's evidence includes letters from two estate agents confirming demand for three and four bedroom homes in the area.
24. Based on the available evidence, there appears to be a need for the type of dwellings proposed, which also incorporates a housing mix. As such, the proposed housing mix would be acceptable.
25. Therefore, I find no conflict with JCS Policy CP11, which requires new residential development to provide a range of dwelling types to meet housing need.
26. Although NP Policy BPC07 encourages the development of two and three-bedroom homes suitable for starter households or downsizers, it does not preclude developments that include larger homes. In any event, the scheme includes a three-bedroom dwelling. As such, I also find no conflict with NP Policy BPC07.

Other Matters

27. The nearest listed buildings are Wellhouse Cottages, which are Grade II listed and located to the south of the site. Their significance is primarily derived from their historical and architectural value and their setting is largely confined to their plots. These dwellings are separated from the site by a lane and intervening vegetation. Consequently, there is limited intervisibility between them and the appeal site. Therefore, and based on the matters under consideration at this outline stage, I am satisfied that the proposal would not cause harm to the setting and significance of these designated heritage assets.
28. Although not cited in the Council's reasons for refusal, reference has been made to JCS policies CP2, CP10, and CP19, as well as the Council's adopted Housing Outside Settlement Boundaries Supplementary Planning Document. Collectively, these outline the Council's housing requirements and 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.
29. The above policies broadly align with the aims of the Framework, which says that all plans should promote a sustainable pattern of development that seeks to: meet the development needs of the area; align growth and infrastructure; improve the environment; mitigate climate change. However, while the Framework recognises the intrinsic character and beauty of the countryside, it does not establish a presumption against all forms of development within it but rather encourages a balanced consideration of proposals in light of their context and potential impact.

Moreover, in this case the Council's spatial strategy is currently failing to deliver sufficient homes to meet its housing land supply target. Accordingly, the above JCS policies do not alter my overall decision.

30. A number of third parties have submitted representations regarding the proposal. Beyond the main issues, concerns have been raised about highway safety, particularly in relation to increased traffic, the geometry and visibility associated with the access point and Wellhouse Road.
31. Based on the submissions before me, including Highway Technical Notes, the scheme would utilise the existing southern access, where visibility complies with both local and national standards. It has also been demonstrated that the development would likely result in a minimal increase in traffic during both AM and PM peak periods, with an overall increase of approximately 28 daily vehicular movements. Car and cycle parking would be provided in accordance with the Council's requirements. Vehicles, including refuse trucks, would be able to enter, turn, and exit the site in forward gear. I have also considered the absence of footpaths along Wellhouse Road and nearby. Nonetheless, this is an existing arrangement and there is no evidence to suggest that this would unacceptably affect highway safety as a consequence of the proposal.
32. Furthermore, highway safety was not included in the Council's reasons for refusal, and I have not been presented with any substantive technical evidence to suggest otherwise. Similarly, there is limited evidence of inadequate infrastructure, including drainage capacity, to support the proposed development.
33. In light of the submitted ecological reports, and subject to the implementation of proposed mitigation measures therein, the development would not result in unacceptable impacts on protected or priority species and habitats.
34. I acknowledge that construction activities associated with the proposed development would inevitably cause some inconvenience, noise, and disturbance. However, these impacts could be managed through a Construction Method Statement.
35. For the purposes of determining this appeal, the access forms part of the site, which the appellant confirms is within their ownership. Regardless, issues relating to land ownership and access rights are civil matters between the relevant parties. Similarly, matters relating to the relocation of utilities would be a matter for the developer and relevant parties.
36. Specific concerns regarding the arrangement of individual plots and the scale and design of the development would be addressed at the reserved matters stage.
37. Individually or cumulatively, the above concerns are not sufficiently compelling to justify dismissal of this appeal.

Other Considerations

38. As the Council cannot demonstrate a five-year supply of deliverable housing sites, paragraph 11(d) of the Framework applies. In a recent appeal (APP/M1710/W/23/3329928), the Inspector found that the Council could only demonstrate a 3.59-year supply of deliverable housing land. I have no reason to reach a different conclusion.

39. Consequently, Paragraph 11d) ii) of the Framework applies. This states that where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission 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.
40. However, paragraph 14 of the Framework states that in cases where paragraph 11(d) applies to housing proposals, the adverse impact of allowing development that conflicts with a neighbourhood plan is likely to significantly and demonstrably outweigh the benefits, provided that: a) the neighbourhood plan became part of the development plan within the past five years; and b) it contains policies and allocations to meet its identified housing requirement.
41. Even if paragraph 14 is engaged, a planning balance still needs to be undertaken. For the reasons outlined below, I consider that the adverse impact of allowing development that conflicts with the neighbourhood plan does not significantly and demonstrably outweigh the benefits.
42. I have limited evidence to support the appellant's claim that providing larger homes may enable buyers to 'move up' the property ladder, thereby freeing up more affordable housing and helping to address the housing crisis.
43. Nonetheless, the proposal would deliver up to five new homes. Given the Council's current housing land supply shortfall, this represents an important benefit in line with the Framework's objective of significantly boosting the supply of homes.
44. The construction of the development would generate some economic activity. New residents would also support shops, services, and facilities in the wider area, and contribute through the Community Infrastructure Levy. Therefore, there would be some economic benefits arising from the proposal.
45. The proposal is likely to deliver new on-site habitats through planting, and the new homes are likely to meet Net Zero standards. These factors contribute to the environmental benefits of the scheme.
46. Taken together and considering the scale of the scheme (five dwellings), I attach more than moderate weight to these benefits.

Conditions

47. In imposing conditions, I have had regard to the Framework and the Planning Practice Guidance. I have imposed conditions for the submission of reserved matters and the implementation of the permission.
48. A condition specifying the relevant plans, drawings and documents is necessary as this provides certainty. Because access is the only matter under consideration, I have specified this.
49. A condition requiring that the development incorporates measures that provide at least 10% of energy demand from decentralised and renewable or low carbon energy sources is necessary to safeguard against climate change and support sustainable development.

50. To preserve and enhance on-site nature conservation and habitats a condition requiring the provision of a Biodiversity Enhancement Strategy is necessary and reasonable.
51. For the reasons already stated and concerns raised by third parties, it is reasonable and necessary to require a Construction Method Statement.
52. A Condition requiring a scheme to prevent surface water from the development site discharging on to the adjacent highway; a flood risk assessment and detailed geotechnical site investigation and a detailed drainage layout plan and run-off calculations are necessary in the interests of safeguarding against flood risk.
53. A condition requiring the details of the internal road(s), new footpaths and cycle storage / vehicle parking is necessary in the interests of the satisfactory functioning of the development and highway safety.
54. A condition requiring investigations in respect of land contamination and verification of remediation measures is reasonable and necessary in the interests of health and safety.
55. Because landscaping is a reserved matter and this is likely to be influenced by any final layout and scale, I have not specified a condition requiring that the development be carried out in accordance with the submitted Tree survey, Arboricultural Impact Assessment and Tree Protection Plan.
56. The Council's suggested conditions requiring details of all external facing and roofing materials, including boundary treatments, the existing and proposed ground levels and finished floor levels, would be agreed under the reserved matters and such conditions are neither reasonable nor necessary at this stage.
57. Where necessary and in the interests of clarity, flexibility and precision, I have altered the conditions to better reflect the relevant guidance.

Planning balance and conclusion

58. The proposal would introduce new development in the countryside contrary to the development plan, which seeks to safeguard this and its rural character. Furthermore, the proposal would result in some harm to the landscape and rural character of the area. However, given the site's context, I have found that development here would result in a moderate level of harm to the character and appearance of the area, to which I attach moderate weight.
59. On the other hand, the proposal would provide an adequate mix of housing. Also, cumulatively, the proposal would provide benefits which are consistent with the Framework and these are afforded more than moderate weight.
60. As a result, when assessed against the policies in the Framework, the adverse impacts associated with the proposal, would not significantly and demonstrably outweigh the benefits arising from this. Consequently, the presumption in favour of sustainable development applies and this indicates that planning permission should be granted, and the appeal is allowed.

M Aqbal

INSPECTOR

Schedule of Conditions

- 1) Approval of the details of landscaping, layout, scale and appearance (hereafter called "the Reserved Matters") must be obtained from the local planning authority in writing before development commences and the development must be carried out as approved.
- 2) Approval of the Reserved Matters must be made to the local planning authority not later than the expiration of three years from the date of this permission.
- 3) The development hereby permitted must be begun no later than the expiration of two years from the date of approval of the last of the Reserved Matters to be approved.
- 4) The development hereby permitted shall be carried out in accordance with the following approved plans and documents:
Location Plan;
Existing site plan & sections SEA2 Rev SK04;
Proposed site plan & sections SSA2 Rev SK06 – Only as far as this relates to the proposed access arrangement;
Swept Path Analysis NJC-002 Rev A; and
Preliminary Ecological Appraisal (including Phase 1 Bat survey), March 2023.
- 5) Prior to the commencement of the development hereby permitted, a scheme shall be submitted to and agreed in writing by the local planning authority to demonstrate that the built development hereby permitted incorporates measures that provides at least 10% of energy demand from decentralised and renewable or low carbon energy sources (including a timetable for implementation and the submission of verification report and completion certificate).

The verification report and completion certificate confirming that the built development hereby permitted has been constructed in accordance with the approved scheme, shall be submitted to and approved writing to the local planning authority, in accordance with the approved timetable.

The developer shall nominate a competent person for the purpose of assessing and providing the above required verification report and certificate.

- 6) Prior to the commencement of the development hereby permitted, a Biodiversity Enhancement Strategy (including a timetable for its implementation) shall be submitted to and approved in writing by the local planning authority. The content of the Biodiversity Enhancement Strategy shall include the following:
Conservation and enhancement objectives for the proposed enhancement measures (including the mitigation and precautionary measures as set out in the Ecology Technical Note No, 3 – EHDC Planning Ref: 26870/012/OUT Land at Wellhouse Road, Beech, Hampshire, GU34 4AH 05 March 2024);
Details of measures to achieve stated objectives;
Plans and drawings showing the locations of proposed measures;
Details of initial aftercare and long-term maintenance (where relevant).

The Biodiversity Enhancement Strategy shall be implemented in accordance with the approved details and timetable.

- 7) Prior to the commencement of the development hereby permitted, a Construction Method Statement shall be submitted to and approved in writing by the local planning authority. Thereafter, the development shall be undertaken in accordance with the approved Construction Method Statement.
- 8) No development including any preliminary groundworks shall take place until: a Phase 1 Desk Study report documenting the ground conditions of the site with regard to potential contamination has been submitted to and approved in writing by the local planning authority. This report shall adhere to BS10175:2011.
 - b) Where shown to be necessary by the Phase 1 Desk Study, a Phase 2 Site Investigation adhering to BS 10175:2011 shall be submitted to and approved in writing by the local planning authority.
 - c) Where shown to be necessary by the Phase 2 Site Investigation a detailed Phase 3 remediation scheme shall be submitted for approval in writing by the local planning authority. This scheme shall detail measures to be taken to mitigate any risks to human health, groundwater and the wider environment. Any works which form part of the Phase 3 scheme approved by the local planning authority shall be completed in full before any permitted building is occupied.
 - d) The effectiveness of any remediation scheme shall be demonstrated to the local planning authority by means of a validation report (to incorporate photographs, material transport tickets and validation sampling). Any such validation should include responses to any unexpected contamination discovered during works.
- 9) No dwelling hereby approved shall be first occupied until vehicle parking and cycle storage provision for this; the carriageway between the dwelling and the adopted highway, and any footpath from which it gains access, have been constructed in accordance with a scheme that has been submitted to and approved in writing by the local planning authority. Thereafter, those areas shall be retained for such purposes.