



Appeal Decision

Site visit made on 14 October 2025

by **J Hills MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 23 October 2025

Appeal Ref: APP/C1760/W/25/3367177

Mornington, North Lane, West Tytherley, Hampshire SP5 1LX

- 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 Ryan English of A C English Developments Ltd against the decision of Test Valley Borough Council.
 - The application Ref is 24/02671/FULLS.
 - The development proposed is erection of 2no 1.5-storey self-build dwellings, with associated works, parking, access, and hard and soft landscaping.
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Decision

1. The appeal is dismissed.

Background and Main Issue

2. The appellant has submitted a signed unilateral undertaking (UU) which secures a financial contribution towards Strategic Access Management, and Monitoring and Suitable Alternative Natural Greenspace to mitigate the impact of the proposed development on the New Forest Special Protection Area (SPA). Additionally, a contribution is made towards the Solent SPA as it is an area which, as designated by Natural England, needs action to be taken concerning nutrient neutrality. The Council has raised no objection to the UU and no longer wishes to defend these reasons for refusal. I shall therefore determine the appeal on the basis that its concerns over the effect on the integrity of the European sites have been addressed. Similarly, the UU would ensure the properties come forward as self-build, thus overcoming the 4th reason for refusal.
3. Prior approval was granted¹ in 2020 under Schedule 2, Part 3, Class Q of the General Permitted Development (Order) for the conversion of 2 agricultural buildings at the appeal site to form 2 dwellings. Following this, a scheme² to demolish these buildings and erect 2 dwellings was given permission in February 2023. There is no dispute that the 2023 permission remains an extant fallback.
4. In that context, it is not contested that the appeal site lies in the countryside where development is strictly controlled. This is set out in Policy COM2 of the Test Valley Borough Local Plan (LP). The Council contends that the proposal amounts to unjustified development in this location, arguing it would be harmful in comparison with the fallback. Be that as it may, the fallback has a realistic prospect of being carried out and establishes the principle of 2 residential properties at the appeal

¹ 20/01695/PDQS

² 22/01874/FULLS

site. This is a material consideration that carries significant weight, to the extent where conflict with the locational policy can be set aside.

5. I therefore consider the main issue to be the effect of the proposed development on the character and appearance of the area.

Reasons

6. Although the appeal site is not located on designated land, it nonetheless lies within an attractive and visually pleasing part of the countryside. Situated opposite a wooded area, the site comprises a large, levelled plot fronting a road that connects to nearby rural villages. The surrounding properties vary in scale and design, yet they share common characteristics such as spacious plots and pitched roofs. This roof form is typical of the local vernacular. Notably, the smaller dwelling to the east features distinctive dormer windows set into the roof slope—a design element that contributes to the area's character and was observed during my visit. Additionally, many nearby properties are constructed with brick or rendered walls and topped with reddish roof tiles, while timber detailing is generally reserved for outbuildings.
7. To reduce their overall height, the proposed properties have been designed with a low profile to incorporate the first floor into their roof spaces. While the height itself is not inherently problematic, the cheek by jowl arrangement of matching roofscapes would nevertheless cover much of the overall plot width. Notwithstanding the Council's landscape officer comments, while the garaging would be set back, it would cover a proportionally large area. Even with the inclusion of reddish-brown roof tiles, the continuous block and massing of roofing with a small gap in between would be an uncharacteristic feature. Although hipped, the smaller dormers to the rear would be closer to more typical design elements. Even so, these would not be obvious from public viewpoints. For the reasons given, the eye would be drawn to the incongruity of design on the most prominent elevations.
8. The use of timber boarding as a reference to previous structures on the appeal site is understood. However, the proposed design incorporates a large, projecting central dormer and multiple hipped roof forms culminating in expansive crown roofs. This results in a complex and visually busy architectural composition that contrasts sharply with the simpler, more utilitarian design of outbuildings and pitched roofs typically found in the area.
9. The proposed landscaping would go some way towards softening the overall appearance of the scheme. However, even if a rendered or brick walling finish could be secured using a planning condition, the overall arrangement lacks the restraint and coherence characteristic of the local vernacular. This conflicts with paragraph 135 of the National Planning Policy Framework (the Framework) which says, amongst other things, that decisions should ensure developments add to the overall quality of the area, are visually attractive as a result of good architecture, and are sympathetic to local character.
10. I therefore conclude on this main issue that the proposal would have a harmful effect on the character and appearance of the area. As such, there would be conflict with LP policies E1 and E2, and Policy HD4 of the West Dean and West Tytherley Joint Neighbourhood Development Plan (NP). Collectively in this respect, these policies aim to permit high quality development in terms of design

and local distinctiveness, integrating building styles, and reflecting local vernacular.

Other Considerations

11. *Fallback* – As set out above, there is a realistic fallback. Whilst the fallback and appeal scheme cover similar footprints, the fallback includes a simple and utilitarian architectural design. This, together with its smaller scale and associated landscaping would be far less conspicuous than the appeal proposal. The effects would not be similar, and I therefore give the fallback very little weight in respect of design comparisons.
12. This would be materially different to the conclusions drawn by officers in respect of a planning permission at Dellands Farm, where no additional adverse impacts were identified for 3 dwellings replacing smaller barns. Additionally, I am not aware of the site-specific circumstances surrounding that permission. In any case, I have determined this appeal on its merits. I give this matter little weight.
13. The evidence shows a shortfall in the required number of completed self-build homes. While the fallback could conceivably have been delivered as a self-build scheme, it is not clear how this would have been secured. Conversely, and in this respect, the signed UU accompanying this appeal provides that level of certainty. The contribution to this statutory requirement weighs moderately in favour of the proposal.

Other Matters

14. I have paid careful regard to local support for a proposal that would make use of a site that has previously been left dilapidated, and one that has been undeveloped for some time. Additionally, it is noted that there have been no objections in relation to highways matters or trees, though these would be neutral considerations. Therefore, none of these other matters advanced in support of the appeal would outweigh the harm identified to the character and appearance of the area.

Planning Balance

15. The Council concedes that it is unable to demonstrate a 5-year supply of deliverable housing sites. It is uncontested that the current supply is about 2.76 years. The Framework indicates that where the requisite housing land supply does not exist, permission should be granted unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.
16. In that context, the importance of good design is embedded within the Framework, and it is explained in paragraph 11 d) ii. that particular regard is paid to key policies for securing well designed places. Footnote 9 identifies paragraph 135 as one of these key policies. The development would not be sympathetic to local character, visually attractive as a result of good architecture, and neither would it add to the overall quality of the area. The identified conflict with this policy weighs heavily against the proposal.
17. Against this adverse impact, I need to balance the benefits. The social benefits of housing delivery carry significant weight. While the appeal scheme would deliver 2 family homes, the contribution to the overall supply of housing would be limited

given the fact a fallback for 2 dwellings exists. Nevertheless, the benefits of securing self-build housing can be attributed a good deal of weight. There would be economic benefits associated with employment generation during the construction phase and thereafter through consumer spending in the local economy. However, overall, I consider that the adverse impacts of granting permission would significantly and demonstrably outweigh the benefits. The proposal would not constitute a sustainable form of development within the terms of the Framework.

Conclusion

18. The proposal would conflict with the development plan as a whole and even when considered cumulatively, other considerations, including the provisions of the Framework, do not outweigh this finding. Therefore, for the reasons given, the appeal should not succeed.

J Hills

INSPECTOR