



Appeal Decision

Site visit made on 23 September 2025

by **M Aqbal BA (Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 27 November 2025

Appeal Ref: APP/L1765/W/25/3364106

Land at Gordon Road, Curdridge Winchester

- 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 Sabrecore Holdings Ltd against the decision of Winchester City Council.
 - The application Ref is 24/01317/FUL.
 - The development proposed is erection of 3 detached 4 bedroom dwellings with private amenity space, off-road parking, soft landscaping and associated works.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. Notwithstanding the Council's assertions, the appellant has confirmed that the proposal is not for self-build or custom homes. I have proceeded with the appeal on this basis.

Main Issues

3. The main issues are:
 - i) Whether the appeal site is in a suitable location for housing having regard to the spatial strategy for the area;
 - ii) Whether the proposal provides an appropriate mix of housing;
 - iii) Whether the proposal secures a Biodiversity Net Gain ('BNG'); and
 - iv) Whether the development would be likely to have a significant effect on the integrity of the Solent and Southampton Water Special Area of Conservation ('SAC'), Special Protection Area ('SPA') and Ramsar Site. ('the Solent').

Reasons

Suitable location for housing

4. The appeal site is located at the corner of Lockhams Road and Gordon Road and is largely flat and covered in grass bracken and scrub. To the south is Lockhams Copse. To the north and east are residential properties that are along Gordon Road which form part of Curdridge. To the west is Lockhams Road and open fields beyond. There appears to be no dispute between the main parties that for the purposes of the Development Plan, the appeal site forms part of the countryside.

5. Policy MTRA3 of the Winchester District Local Plan Part 1 (Joint Core Strategy), adopted in 2013 ('LPP1') forms part of the spatial strategy for the area. The reasoned justification for this Policy identifies that a key challenge is to allow some development to respond to local needs where appropriate and justified, whilst ensuring that this spatial area retains its overriding characteristics of being countryside with dispersed settlements of varying sizes.
6. In accordance with the above Policy, within Curdridge, a settlement with no clearly defined boundary, development and redevelopment may be supported if it consists of the infilling of a small site within a continuously developed road frontage or other development proposals may be supported to reinforce a settlement's role and function, to meet a community need or to realise local community aspirations. These should be identified through a Neighbourhood Plan or process which demonstrates clear community support.
7. The proposal would not involve the infill of a small plot within a continuous road frontage. Instead, it would extend the existing line of development, leading to encroachment into the countryside. Accordingly, the proposal does not amount to infilling.
8. The reasoned justification to the above Policy also says that a modest level of development may be allowed which could help, for example, to retain the local school or Post Office, provide affordable accommodation, or encourage more small businesses and opportunities for young people. In others the development requirements may relate to very specific concerns that have been identified in a community plan or Neighbourhood Plan.
9. In this case, Curdridge, does not benefit from a made Neighbourhood Plan. With regard to an alternative 'process which demonstrates clear community support' I have not been referred to any specific guidance on this. Therefore, the assessment of this is largely a matter of judgement for the decision maker.
10. The process used by the appellant to support the proposal is a referendum, which was organised and conducted by their appointed consultant. A Statement of Community Involvement ('SCI') was submitted alongside the application, providing details on how the referendum was carried out. Further information in support of this has been submitted during the appeal.
11. Publicity for the referendum was undertaken through letters delivered to households and posters displayed at various locations within the village. Copies of the leaflet and posters have been provided, together with some information identifying the broad locations that received the leaflets and the sites where notices were displayed. However, in the absence of independent verification, such as delivery records, photographic evidence of poster placement, or feedback from recipients it is not possible to determine the actual coverage, visibility, or impact of these measures. This lack of substantiated evidence raises legitimate concerns about whether the promotional activities achieved sufficient reach to ensure meaningful community engagement and awareness of the referendum.
12. Voting was conducted both in person and online, with the intention of maximising participation. The voting window was limited to a single afternoon from 1pm to 8pm with the count taking place immediately afterward. The SCI reports that 115 valid votes were cast: 54% in favour, 46% against. However, no substantive evidence has been submitted to verify these figures.

13. Although the appellant advises that the Council agreed that a majority of 50% or more would demonstrate local support, this threshold alone is simplistic and insufficient. Without confirmation of how many residents were eligible to vote, the reliability of the result is undermined. In the absence of clarity on electorate size and turnout, it cannot be established that the ballot outcome is representative of the community. Moreover, the referendum was not facilitated by an impartial third party, further limiting the weight that can be attached to its findings.
14. Moreover, the example ballot submitted poses the question: “Do you support the proposed market housing scheme on land at Gordon Road?” While simplistic, this wording does not adequately reflect or engage with the requirements of Policy MTRA3 of LPP1, which emphasises the need to demonstrate how proposals contribute to the realisation of local community aspirations.
15. Furthermore, the proposal fails to provide a clear rationale for how the addition of three dwellings would support or enhance the settlement’s established role and function within the wider spatial strategy. In particular, given my findings in respect of the proposed housing mix, as set out below. Without this contextual justification, the scheme cannot be shown to meet the objectives of Policy MTRA3 of LPP1.
16. Given the above limitations, it is difficult to fully assess the integrity and impartiality of the referendum process.
17. The appellant has offered a £50,000 contribution to the Parish Council for community projects, including improvements to the play park, the community hall, and repairs to the church roof. Although this offer is acknowledged in the Parish Council’s response, there appears to be no established policy basis that justifies this. As such, there is insufficient evidence to demonstrate that such a financial contribution is in accordance with the Development Plan and meets the tests set out in the National Planning Policy Framework (‘the Framework’) and Regulation 122 of the CIL Regulations 2010 (as amended).
18. Consequently, the proposed financial contribution attracts very limited weight in the planning balance. This also weakens the Parish Council’s support for the scheme, which is partly predicated on the offer of funding. Moreover, it is possible that some residents who expressed support for the proposal were influenced by the perceived benefits of the contribution, rather than by the planning merits of the development itself.
19. During statutory consultation on the application, about 94 representations were received from residents, broadly split evenly between support and objection (47 in favour and 47 against). Of the objections, 43 came from Curdridge residents and included detailed commentary on the application, indicating a high level of concern.
20. While there were also representations from Curdridge residents in support of the proposal, a further 26 of these were made without commentary, 23 of which were from within the Parish. These expressions of support, while noted, do not provide substantive views on the merits of the proposal and therefore attract limited weight.
21. According to the Curdridge Village Design Statement (2002), the Parish comprises approximately 500 dwellings. On this basis, even if I were to take the total local representations in support of the proposal with each one representing a household, these amount to about 70. This equates to support from around 14% of households. Although this level of participation is notable, it does not represent a

majority of the community and cannot be taken as evidence of broad-based support.

22. For the above reasons, the referendum and consultation responses reflect a divided opinion within the Parish, the overall response does not demonstrate strong or widespread community support for the proposal. As such, this proposal does not meet the requirements of Policy MTRA3 of LPP1 and is therefore not supported in a countryside location with regard to the area's spatial strategy.
23. Policy MTRA4 of LPP1, restricts development in the countryside to that which has an operational need. In terms of housing this is restricted to agricultural worker's dwellings and affordable housing exemption sites under policy CP4 of LPP1. As such, the proposal is also not supported by this Policy.

Housing Mix

24. In summary, Policy CP2 of the LPP1, says that new residential developments should address a broad spectrum of community housing needs by offering a diverse mix of dwelling types, tenures, and sizes. Priority should be given to delivering affordable housing, with larger sites expected to include market, affordable, and private rented homes. Generally, the majority of homes should be 2- and 3-bedroom properties, unless local housing imbalances justify a different mix.
25. The appellant's evidence, which references the Strategic Housing Market Assessment (2020 and 2024 update) and local estate agent reports, identify demand for 4+ bedroom homes in Curdridge. While this material demonstrates market interest in larger dwellings, it is inconclusive in relation to the requirement for developments to provide a balanced mix of dwelling sizes under Policy CP2 of LPP1. The submissions do not establish how demand for larger homes interacts with, or offsets, the identified need for 2–3 bedroom properties, which this Policy generally expects to form the majority of new provision.
26. In the absence of comparative data on smaller dwellings, I cannot be satisfied that the proposed housing would meet the broader spectrum of community needs envisaged by Policy CP2 of LPP1. Accordingly, the evidence advanced is of limited weight in justifying a departure from the Policy's requirements. Therefore, the proposal fails to provide an appropriate housing mix and would be contrary to policy CP2 of LPP1.

Biodiversity Net Gain

27. The proposal is supported by a Biodiversity Metric Gain Assessment. Based on this, the proposed scheme would provide a net gain of around 73.42% hedgerow units on site but a loss of about 68.23% habitat units. Therefore, to secure the required BNG for the scheme, the appellant will enter into agreement with a registered BNG credit provider. To this end, an agreement confirming that the appropriate BNG credits can be secured off site with a registered provider has been submitted. Accordingly, a Grampian condition could be used to secure the BNG credits if the appeal is to succeed.
28. Therefore, I find no conflict with Policy CP16 of LPP1, which amongst other things says development proposals must maintain, protect, and enhance biodiversity across the district.

The Solent

29. I am aware that the Solent coastline is internationally important for its wildlife interest. This importance has been recognised by international protective designations including four Special Protection Areas (SPAs) – the Portsmouth Harbour SPA, the Solent and Southampton Water SPA, the Chichester and Langstone Harbours SPA, and the Dorset and Solent Coast SPA. These SPAs have been designated predominantly for the protection of the large numbers of waders and wildfowl which spend the winter on the Solent.
30. The Council has been made aware by Natural England ('NE') that there are potential strategic issues regarding disturbance of the Solent arising from recreational pressures associated with new residents and the level of nitrate and phosphate deposition in the Solent resulting in evidence of eutrophication (excess mats of dense green algae which deplete oxygen as these subsequently decay) caused by agriculture, existing communities and proposed development.
31. The Solent is safeguarded under the Conservation of Habitats and Species Regulations 2017 (as amended). These Regulations require that, for development to be permitted, it must be demonstrated with certainty that the proposal will not have a likely significant effect on the Solent, either alone or in combination with other plans or projects.
32. The proposed development is likely to have a significant effect on the sensitive interest features of the Solent, due to increased recreational pressures and increased phosphate and nitrate levels, either alone or in combination with other proposals. Therefore, it is necessary for me, as the competent authority for the purposes of the Regulations, to conduct an Appropriate Assessment ('AA') in relation to the effect of the development on the Solent.
33. The proposal would introduce new residential development within 5.6 km of the Solent SPAs. Accordingly, the Council has adopted a policy to mitigate against adverse effects from recreational disturbance on the Solent SPA sites, as agreed by the Solent Recreation Mitigation Partnership. This financial contribution is based on the size of each new dwelling. The submitted Unilateral Undertaking includes an obligation requiring the appellant to make the required financial contribution for such mitigation.
34. However, the appellant's Nutrient Calculations suggest that the proposal would yield a net nitrogen nutrient increase. The appellant advises that they can purchase the required nitrate credits from several credit schemes in the area. However, and although the appellant advises that the details of these can be made available, the onus is on them to provide this within the timescales for submitting relevant information with the appeal.
35. In light of the concerns outlined above, the submitted information fails to provide sufficient certainty regarding the proposed nutrient mitigation measures. As a result, it cannot be concluded with confidence that adverse effects on the integrity of the protected sites would be avoided. This introduces a significant risk of granting a planning permission that may ultimately prove unimplementable.
36. I am aware that in conjunction with NE, the Council have adopted an interim strategy to address nutrient impacts through the use of Grampian conditions. Nevertheless, it remains my responsibility as the competent authority to be

satisfied, at the point of decision, that the development will not adversely affect the integrity of the Solent. In the absence of a fully developed and evidenced mitigation scheme demonstrating nutrient neutrality, there is insufficient information to complete an AA. Accordingly, the proposal fails to meet the requirements of the Regulations and cannot be permitted.

37. For the reasons outlined above, the proposal conflicts with Policies CP15 and CP16 of LPP1, which seek to protect and enhance biodiversity across the District, including designated sites.

Other Considerations

38. The Council advise that they can demonstrate more than 5 years' housing land supply ('5YHLS') taking account of the position in Winchester regarding previous over-provision and the imminent adoption of a new Local Plan under the Framework's transitional arrangements. Whilst I do not dispute the Council's approach in calculating the 5YHLS for the purposes of plan making, the examination of the New Local Plan has not yet concluded and therefore, I cannot be certain about the Council's housing land supply position.
39. On the other hand, and based on appeal Ref: APP/L1765/W/24/3350662, the appellant maintains that the Council cannot currently demonstrate a 5YHLS. Because the details of this appeal are not before me, I cannot be certain of this. As such, and for the purposes of this appeal, I am unable to conclude with certainty on the Council's housing land supply position.
40. Irrespective, and even if I were to accept the appellant's position that the Council cannot demonstrate a 5YHLS, this would mean that Paragraph 11d) of the Framework is engaged. Despite this, because the application of policies in the Framework as far as they protect habitat sites provide a strong reason for refusing the development proposed, which is reinforced by paragraph 195 of the Framework, the proposal would not benefit from the presumption in favour of sustainable development set out in the Framework.
41. The development is intended to be of high quality design, incorporating landscaping and sustainable design. These are standard expectations under national and local policy. However, the proposal would deliver BNG above the national requirements. As such, I acknowledge that overall, there would be some environmental benefits arising from the proposal.
42. The appellant contends that the appeal site benefits from access to local services and facilities within Curdridge, including a village hall and public house. That additional services are available in Botley, Hedge End, and Bishops Waltham, which can be reached by bus from the Cricketers bus stop, located approximately a three-minute walk from the site. Nevertheless, I have limited evidence regarding the frequency of this bus service and it is uncertain whether the route from the site to the bus stop is suitable for regular, day-to-day use by pedestrians. Also, the information regarding the availability of services in the wider area is limited. Therefore, I attach limited weight to the accessibility of the site's location.
43. Nonetheless, the delivery of three new dwellings would make a modest but important contribution to the Districts supply of housing. This would also positively contribute towards meeting the Council's overall housing land supply and boosts the delivery of homes in accordance with the Framework.

44. The proposal would create employment during the build phase. Thereafter, and despite my findings on the site's accessibility, new residents would provide some support towards enhancing or maintaining the vitality of rural communities, in accordance with the Framework.
45. I attach considerable importance to the provision of the new housing and the social, economic and environmental benefits associated with this, which also benefits from some local support. Even so, given that the proposal is limited to three dwellings and does not incorporate the required housing mix, as envisaged in the Development Plan, I attach only moderate weight to the proposal.

Conclusion and planning balance.

46. 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.
47. Although the proposal would deliver a BNG, it does not accord with the Council's spatial strategy and conflicts with the Development Plan by introducing new dwellings in a countryside location. Furthermore, the scheme fails to provide an appropriate housing mix for the area. In particular, the proposal fails to safeguard habitat sites and is therefore inconsistent with the Development Plan. This conflict is also contrary to the objectives of the Framework and, in my judgment, in itself attracts significant weight in the overall planning balance.
48. 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.
49. For the above reasons, I conclude that the appeal should be dismissed.

M Aqbal

INSPECTOR