



Appeal Decision

Site visit made on 18 November 2025

by **B Plenty BSc (Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 27 November 2025

Appeal Ref: APP/L1765/W/25/3368976

**Mount Folly Farm, Southwick Road, North Boarhunt, Fareham, Hampshire
PO17 6JH**

- 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 Macra Ltd against the decision of Winchester City Council.
 - The application Ref is 24/02442/OUT.
 - The development proposed is Outline planning application for the construction of 2no. dwellings with all matters reserved except for access.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The proposal has been made as an application, with all matters reserved apart from means of access. The means of access is shown to be from Southwick Road, the details of which are shown on a specific plan (Drawing No. NJC-001 of the Technical Highway Note). Indicative plans have been provided that show one way that the housing could be arranged on site. Whilst this demonstrates that two dwellings could be readily accommodated on site, it is an indicative arrangement only and as such has been afforded limited weight in my consideration of the scheme.
3. A Legal Agreement, in the form of a Unilateral Undertaking (UU), has been submitted that provides a Solent Disturbance and Mitigation Charge to ensure that the proposed development will not result in any harm to the Solent Special Protection Area. This also provides a suitable Reptile Receptor Site and Nitrate Neutrality mitigation. I shall return to these matters later.
4. The appeal is supported with an updated Ecological Impact Assessment. This demonstrates that the nearby pond is the only waterbody capable, locally, of providing habitat for Great Crested Newts (GCN). A habitat Suitability Index Assessment has demonstrated that, following an eDNA survey, GNC has not been found to be present in the pond. In response to this finding, the Council no longer seeks to defend the third reason for refusal, I see no reason in evidence to disagree with this conclusion and shall therefore not consider this matter further.
5. The Emerging Winchester Local Plan (ELP) has been submitted for examination to the secretary of state in April 2025. The appellant has identified that several housing policies are relevant to the appeal, namely; SP2, D4, H1, H3 and H4. The appellant identifies that ELP policy H4 reflects the requirements of policy MTRA3. This continues to identify North Boarhunt as a named settlement where infilling

would be supported. This also applies increased weight to the contribution that windfall sites make to the Council's Housing Land supply. Nonetheless, as the emerging plan is at an early stage I can afford only moderate weight to its policies.

Main Issues

6. The main issues are:

- Whether the appeal site is a suitable location for residential development taking into consideration local policies, including its effect on the character of the settlement, and
- the proposal's effect on the integrity of the Solent Special Protection Area.

Reasons

Suitability of location

7. The Winchester District Local Plan – Part 1 Joint Core Strategy [2013](CS) establishes the Council's approach to the distribution of housing across the district. Policy MTRA3, of the CS, relates to 'other' Settlements in the Market Towns and Rural Areas. This identifies the Council's approach to development in both settlements with defined boundaries and settlements without such boundaries. North Boarhunt falls within the latter category. Within such settlements, the policy states that development and redevelopment that consists of infilling of a small site within a continuously developed road frontage may be supported. In such circumstances development would need to be found to also be a form compatible with the character of the village and not involve the loss of an important gap.
8. It is undisputed between main parties that the site is regarded as a small site. Nevertheless, the policy's reference to 'an important gap' is a term not defined by the policy and is therefore a matter of planning judgement.
9. CS policy MTRA4 relates to development in the countryside. This is defined as land outside the built-up areas of the settlements covered by, amongst other things, CS policy MTRA3. In the countryside, by virtue of CS policy MTRA4, development is significantly restricted to a limited range of development that does not include the proposal. The Council asserts that if the site is within a settlement without a boundary, and is not regarded to be an infill plot, it would then fall to be considered by CS policy MTRA4. Nonetheless, as the appeal site falls within the built-up area of the settlement of North Boarhunt, it would be covered by policy MTRA3. Therefore, it would not be subject to policy MTRA4 and would not be regarded as being within the open countryside for policy purposes.
10. North Boarhunt is a large village, with housing and other activities mainly focussed along Trampers Lane and the B2177 (Southwick Road). The settlement is largely linear along these principal roads. Pockets of other significant development, in the settlement, includes several caravan sites, a garden centre, farms and plant nurseries. The settlement has a main cluster of grouped development found close to the junction of Southwick Road and Trampers Lane. Away from this central cluster the settlement has a more dispersed pattern, with separate houses and large format buildings, loosely arranged and sometimes separated from each other by fields.

11. The Appellant's Planning, Design and Access Statement considers the setting of the appeal site and its relationship to surrounding development. The entrance signs to the village are around 700m from the appeal site to its east and west, placing the site within the village. However, its position alone does not justify why this gap should be regarded as suitable for development. The appellant has also provided a village plan showing nearby infill plots that have been approved in recent years. These show several plots, similar in size to the appeal site, that have been deemed to comply with policy MTRA3. Nonetheless, each case must be considered on its own merits where site specific context is important.
12. The appeal site is a paddock. It is between a retained part of the existing paddock, with Mount Folly Farm beyond, and Mount Folly House and is enclosed by hedging. To the rear of the site, and in several places opposite the site moving northwest, there are several fields and dwellings that stand on large plots. These reinforce the dispersed nature of development to the northwest of the site. As a result, the site makes a positive contribution to the character and appearance of the area due to its undeveloped nature.
13. To the northwest of the site, due to the retained part of the field and the loose arrangement of low-level buildings that form Mount Folly Farm, the built form becomes more subdued. This creates a distinct change to the character of the street where the buildings become more loose-knit and give way to larger plots and parcels of green space. Furthermore, from the highway the site provides glimpsed views of fields beyond and a woodland group in the distance. As the site marks a transition from the close-knit development to the southeast and the more loosely defined development to the northwest, its purpose as defining a more diffused part of the settlement increases its importance as a gap.
14. Although the gap in question is not formally identified or defined within the adopted development plan or supporting documents, I do not consider this to diminish its importance in the context of policy MTRA3. The policy does not require such gaps to be designated in order for them to be regarded as significant. Rather, its purpose is to maintain the character and integrity of settlements by preventing coalescence and ensuring that development respects the established pattern of built form. In this instance, the gap contributes to the sense of openness within the village and provides a clear visual break between clusters of development. Its erosion through inappropriate infill would materially alter the spatial character of the settlement and undermine the objectives of policy MTRA3. Accordingly, I attach weight to the role of this gap in preserving the village's form and identity.
15. I am cognisant that the proposal gained no objection from the Council's Landscape Team. However, due to the site marking a transitional point within the settlement its role, where continuous development begins to give way to more dispersed development, it should be regarded as an important gap for the purpose of policy MTRA3. Consequently, its loss as a gap would be out of keeping with the loose-knit character of development beyond Mount Folly House to the northwest.
16. The proposed development was reduced in size to enable it to be regarded as a 'small' plot, during preapplication discussion. However, the site cannot be regarded as a gap within a continuous frontage due to the retention of a small paddock to its side. Furthermore, Mount Folly Farm presents a disjointed and ad-hoc group of converted buildings to the highway. These do not directly address

Southwick Road and do not establish a context that would enable the proposal to infill an otherwise continuously developed road frontage.

17. Accordingly, for the above reasons, the proposal would result in the loss of an important gap that would also not be within a continuous road frontage. It would therefore be incompatible with the character and appearance of the settlement. As such, the proposal would not represent a suitable location for residential development in conflict with CS policy MTRA3, the requirements of which have been outlined above.

The Solent Special Protection Area (SPA)

18. The appeal site is close to the Solent Coastline SPA, which is a European Designated Site afforded protection under the Habitat and Species Regulations [2017] (the habitat regulations). CS Policy CP16 supports development which maintains, protects and enhances biodiversity across the District, has regard to protecting sites of European importance from inappropriate development and for new development to avoid adverse impacts, or if unavoidable ensure that impacts are appropriately mitigated.
19. The proposed development, in-combination with other developments, could result in recreational disturbance to the features of interest of the Solent Coastline. The impact of increased pressure from new residential development combined would be to result in likely significant effects. In those circumstances, having regard to the Habitats Regulations, planning permission should not be granted unless an Appropriate Assessment (AA) has been undertaken to assess the likely effects.
20. Mitigation has been provided in the submitted UU which provides a Solent Recreation Mitigation Partnership payment. This would provide mitigation that is intended to prevent an adverse impact on the integrity of the SPA. I am cognisant that, based on the submitted UU, the Council no longer seek to defend the second reason for refusal.
21. Furthermore, the Council has concluded through AA that the effect of additional dwellings would increase nitrates leading to an adverse effect on the integrity of the Solent SPA. However, the Winchester City Council's Position Statement, demonstrates that such effects can be mitigated through the imposition of a Grampian condition requiring a mitigation package.
22. Nonetheless, potential mitigation, such as offered through a mitigation payment, cannot be taken into account when determining whether an AA is required. It may be considered, if an AA has been undertaken, that the development would harm the integrity of the Solent SPA. However, as I am dismissing the appeal for other reasons it is not necessary for me to consider this matter further as it could not change the outcome of the appeal.

Other Matters

23. The appellant asserts that Grey House, a site opposite the appeal site, was approved for two houses as a negotiated solution with the Council following the initial refusal for three houses. The revised scheme included the retention of a parcel of land that was retained for Grey House. However, whilst similar in size to the proposal, the appeal site is further from the concentrated cluster of the development that forms the core of the settlement and Mount Folly Farm presents

a more diffused form of development than that found at Grey House. As a result, the appeal site and its context is materially different to that seen at Grey House and does not therefore set a clear precedent.

24. The proposal would locate housing within a village deemed by the Council to be suitable for growth, enabling future occupiers to gain reasonable access to goods and services. The National Planning Policy Framework recognises that small and medium sized sites can make an important contribution to meeting housing requirements in the area. Socially, the dwellings would make a small contribution of new housing, thus contributing to the Government's objective to significantly boost the supply of homes. In economic terms, the appeal scheme would provide construction jobs and some local investment during its build out, as well as longer term expenditure in the local economy. Nonetheless, the benefits of the scheme are afforded modest weight only in favour of the proposal that does not outweigh the conflict found with the development plan.

Conclusion

25. For the reasons given above the appeal should be dismissed.

B Plenty

INSPECTOR