
Appeal Decision

Site visit made on 26 November 2025

by **A Tucker BA (Hons) IHBC**

an Inspector appointed by the Secretary of State

Decision date: 22 December 2025

Appeal Ref: APP/W1715/W/25/3371897

**The Log Cabin, Hillview Manor Park, Winchester Road, Fair Oak, Hampshire
SO50 7HD**

- 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 WPS Developments against the decision of Eastleigh Borough Council.
 - The application Ref is F/24/97740.
 - The development proposed is the erection of a dwelling to replace an existing residential Lodge.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are
 - The effect of the proposal on the character and appearance of the area,
 - Whether the site is suitably located for the development proposed, and
 - Whether the information provided is sufficient to ensure that the proposal would not harm protected species.

Reasons

Character and appearance

3. The appeal site is located in an open and largely undeveloped area between settlements. It sits towards the top of a north facing hill and adjacent to a woodland. The land falls away from the site where it levels out and then rises further to the north. As a result, from Winchester Road to the north of the appeal site there are attractive open views across undeveloped countryside in a westerly direction. These are framed to the south by the woodland and rising land of the appeal site.
4. The site is open to the north and northeast and visible from Winchester Road. Although there is some mature vegetation across the wider site, the existing residential unit can be easily seen, particularly when I visited the site when many of the trees were not in leaf. As well as the existing residential unit the wider site is occupied by various caravans and other structures. These are visible from the land to the north; their ad hoc placement is visually disruptive, and they detract from the open views across the undeveloped land to the north, particularly as they are sited prominently on rising land.

5. Although the existing building causes some visual harm, it is modestly sized, dark in colour and pushed into the corner of the site. The proposed dwelling would utilise a palette of materials that have the potential to be similarly mute, subject to the type of timber used for the cladding and how it would be treated.
6. However, the building would be of a substantially broader scale, with a more complex form and would occupy a much larger footprint than the existing residential unit; all factors that would add to its prominence. Its impact would be further increased by its position which would be forward of the existing residential unit and in a more open area of the site that is further from the mitigation offered by the existing boundary vegetation.
7. Additionally, the plans do not demonstrate a thorough understanding of the site, or that the context has been carefully considered. The site plan does not show how the curtilage would be defined, how existing features of the site would be incorporated, or what would happen to the rest of the site and the other buildings; and the drawings suggest that the building would sit on level ground. This is not correct and means it is not possible to see how the building would interact with the fall across the site.
8. Consequently, the visual impact of the proposed building would be significantly greater than the existing residential unit. It would appear isolated, and unrelated to nearby development, particularly as it would be away from the main area of Hill View Manor Park.
9. In summary, the proposal would harm the character and appearance of the area. It would thus be contrary to Policies S5 and DM1 of the Eastleigh Borough Local Plan 2016-2036 (LP), which together seek to avoid adverse impacts on local character.

Location

10. The appeal site is located outside of a settlement, in an area that the Council considers to be countryside where development is restricted by Policies of the LP. Policy S5 of the LP provides an exception for replacement buildings. The existing residential unit benefits from a Lawful Development Certificate (LDC) that was issued at appeal¹, for the stationing of a mobile home for residential purposes. As such, the principle of a permanent residential use at the site has been established and the replacement of the existing residential unit with the proposed dwelling would not result in an increase to the number of dwellings at the site.
11. Policy DM26 provides specific criteria for replacement dwellings in the countryside. Regarding criterion a, the replacement dwelling would be disproportionate to the size of the existing dwelling, with a significant increase in footprint. The curtilage of the existing residential unit is not defined in the submissions, although a red line boundary is drawn on the LDC. This would be significantly increased by the proposal. The proposal would therefore not accord with this criterion.
12. The proposal would not be on the same footprint as the existing building and would also not accord with criterion b.
13. Part 2 of the Policy states that permission will not be given for the replacement of mobile homes with permanent dwellings. The LDC was for a mobile home. Brick

¹ Appeal Ref: APP/W1715/X/14/2221824

walls have been built from the ground level up to the base of the unit and an area of decking has been attached to its front elevation, and such fixtures add to the impression that it is a permanent building. However, its appearance as a twin unit caravan is entirely retained, and it is appropriately sized to meet such a definition. The brick walls and decking give the impression of permanence, however there is nothing to suggest that either are structural or that they would prevent the unit from being moved from one place to another. It is therefore reasonable to conclude that it is a mobile home and therefore would not accord with Part 2 of Policy DM26.

14. In summary, the site is not suitably located for the development proposed as the proposal would not satisfy the criteria for a replacement dwelling established by Policy DM26 of the LP.

Protected species

15. The Preliminary Ecological Appraisal² (PEA) includes an assessment of the site for reptiles. It concludes that whilst the site has some suitability for overwintering reptiles the lack of water on site means that such use is only likely to be intermittent. This would appear to be a reasonable conclusion, that is made in the context of a carefully detailed PEA.
16. Furthermore, the PEA appears to relate to the whole site area and at my visit I saw that the area that would be affected by the proposal is largely laid to hardstanding or occupied by existing structures. The baseline plan included at page 44 of the PEA shows that most of the red line site area is classified as either sparsely vegetated land, buildings or artificial unvegetated unsealed surface.
17. In summary, the information provided is sufficient to ensure that the proposal would not harm protected species, and accords with the requirements of Policy DM11 of the LP, which seeks to ensure that development proposals will not have a direct or indirect adverse effect on protected species.

Other Matters

18. It is suggested that the proposal is required to provide housing for a site manager. It is unclear why for a development of this type a manager needs to permanently reside on site rather than obtain housing nearby. Additionally, the appellant suggests that the proposal is part of the expansion of the park, but the expansion does not appear to have been successfully progressed. These are therefore matters to which I give little weight.
19. The Council advises that it is unable to identify a five-year housing land supply. However, the proposal is for a replacement dwelling and would not deliver any additional dwellings. It would not result in the *provision of housing*, and Paragraph 11 d) of the National Planning Policy Framework would not therefore be engaged.
20. The proposal would deliver a better standard of accommodation at the site and there would be some economic benefits that would arise during the construction phase. However, given the modest scale of the development this should only attract limited weight.
21. The appellant refers to successful appeals for dwellings that replaced mobile homes. In all of these the principle of replacing a caravan or mobile home with a

² Weddles Hillview Manor Park, Eastleigh, Preliminary Ecological Appraisal, November 2024

dwelling was accepted, and none of the proposals were found to harm the character or appearance of the area. In the appeal before me there is clear conflict with the relevant Policy of the LP related to replacing a mobile home with a dwelling, which I have found would not be outweighed by other considerations, and the proposal would also harm the character and appearance of the area. These decisions do not therefore cause me to come to a different view.

Conclusion

22. The proposal would be contrary to the development plan and there are no material considerations, including the provisions of the Framework, that outweigh this finding. Therefore, for the reasons given, the appeal should be dismissed.

A Tucker

INSPECTOR