
Appeal Decision

Inquiry held on 4 – 6 November 2025 and (online) 11 November 2025

Site visit made on 6 November 2025

by H Nicholls MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 February 2026

Appeal Ref: APP/L1765/W/25/3367467

Land at Lanham Lane, Winchester

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a failure to give notice within the prescribed period of a decision on an application for outline planning permission.
 - The appeal is made by Kier Group Limited against Winchester City Council.
 - The application Ref is 24/02737/OUT.
 - The development proposed is outline planning permission for up to 188 houses including custom and self build housing with all matters reserved except for access.
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This decision is issued in accordance with section 56 (2) of the Planning and Compulsory Purchase Act 2004 as amended and supersedes that issued on 15 December 2025.

Decision

1. The appeal is dismissed and outline planning permission for up to 188 houses including custom and self build housing with all matters reserved except for access is refused.

Preliminary Matters

2. The appeal follows the failure by the Council to determine the planning application within the prescribed time period. As the appeal is against non-determination, the Council issued no formal decision. Within the initial written submissions, the Council confirmed the putative reasons as to why planning permission would have been refused if they had been empowered to do so. The reason related to the principle of development in relation to its scale and location; effects on ecology and biodiversity net gain (BNG); highways capacity, safety and accessibility; landscape and visual impacts; flooding and drainage considerations; and the absence of a planning obligation securing necessary affordable housing and infrastructure. The appellant also contended that the Council could not demonstrate a five year supply of housing as per the requirements of the National Planning Policy Framework (the Framework).
3. Lanham Lane Residents Group was granted Rule 6 status on 15 August 2025 and is hereafter referred to as the R6P.
4. A case management conference (CMC) was held on 15 September 2025 with representatives of the appellant, the Council and R6P. At the conference, procedural matters including the main issues and the format of the inquiry were discussed and clarified, but the merits of the proposal were not discussed.

5. Since the CMC, a range of matters have been agreed between the appellant and the Council. These include: the ecology and BNG matters, highways aspects and flooding and drainage considerations. Consequently, evidence was not presented on these matters by the Council. However, the R6P maintained its position on some of these aspects and as such, the evidence in relation to such was tested as part of the inquiry.
6. As the appeal proposal is in outline with all matters save for access reserved, I have treated the layout and parameter plans as broadly indicative in nature.
7. Prior to the commencement of the inquiry, Southern Water submitted correspondence¹ with an appended plan to draw attention to the 'Andover Link Main' pipeline project (the ALM). The ALM is intended to be a below ground pipeline around 22.5km in length between the nearby Crab Wood Water Service Reservoir (WSR) to the Micheldever Road WSR in Andover. A screening request under the Environmental Impact Assessment Regulations 2017 (as amended) was submitted for the ALM to the Council in late 2023 and scoping request made under the same was submitted in June 2024. Subject to securing the necessary planning permission and consents, it is intended that works on the ALM will commence in the winter 2026/2027.
8. Between the 3 and 6 November 2025, I undertook a number of visits to the site and viewpoints from the surrounding area and undertook the suggested site visit walking route agreed between the parties and suggested to me by interested parties. I saw and experienced the site, surrounding local landscape, highway network and local residents going about their business at different times of the day and evening.
9. Following the exchange of evidence, the closing submissions from the main parties were in received writing on the 17 November 2025. The inquiry was subsequently closed in writing on the 18 November 2025.
10. A final planning obligation under Section 106 of the Town and Country Planning Act 1990 (S106) was submitted in draft form and discussed during the inquiry. The signed version of the same was received on 28 November 2025. The S106 includes obligations in relation to:
 - 40% affordable housing;
 - 6% self- and custom build housing plots;
 - A bus service contribution of £10,000 to upgrade the local bus stop;
 - A primary care contribution of £108,376 towards increasing primary care infrastructure at named local GP surgeries;
 - A primary education contribution of around £1,131,803 towards the expansion of Weeke Primary School;
 - A secondary education contribution of around £1,249,488 towards the expansion and/or improvement of Henry Beaufort School;
 - Highways works to include providing or upgrading works to various identified pedestrian crossings, provision of wayfinding signs, tactile paving and widening works (where possible);

¹ CD2.32

- Highway contributions of c. £900,000 towards measures within the *Winchester Local Cycling and Walking Infrastructure Plan (LCWIP)* that could include a toucan crossing and associated pedestrian and cycle facilities on Stockbridge Road, improved streetlighting along the secondary school walking route, improved cyclist provision along Chilbolton Avenue/Stockbridge Road roundabout and other various crossing point/tactile paving improvements;
 - Enhancements or maintenance contributions to local bridleways collectively totalling around £143,500;
 - Provisions relating to a Travel Plan; Traffic Regulation Order - to provide the modal filter at Lanham Lane; Biodiversity Net Gain measures, including monitoring requirements; open space land along with ongoing maintenance and the obligations in relation to a nutrient neutrality mitigation scheme.
11. The obligations in the S106 have been evidenced as being necessary, directly related to the development and fairly and reasonably related in scale and kind such as to comply with Regulation 122 of the Community Infrastructure Levy Regulations, 2010 (as amended). The S106 is therefore capable of being taken into account.

Main Issues

12. In view of the above, the main issues in the appeal are:
- whether the site is suitable for the proposed development, having regard to the development plan settlement strategy, and to the extent relevant, the emerging development plan;
 - the effect of the proposal on the character and appearance of the area;
 - the ecological effects of the proposal;
 - whether the site is sufficiently accessible by all non-car modes of transport and any highway safety and capacity considerations;
 - whether the Council can demonstrate an adequate supply of housing land.

Reasons

13. The appeal site is located in an elevated position to the western edge of Winchester and comprises a single arable field extending to around 9.6 hectares, most of which is used for arable purposes. It is bound by hedgerows and trees and informal walking routes run on the inside of the perimeter hedges. The site has a field gate access onto Dean Lane to the north. Lanham Lane bounds the eastern side of the site and has houses on its eastern side. Agricultural land adjoins the site to the west, with a row of houses at Westview Road also situated in this general direction. The residential area of Teg Down exists to the east.
14. The proposal is in outline form with all matters reserved save for the detailed access, the primary means of which would be from Lanham Lane in the form of an extension of the Teg Down Meads carriageway and footways. Up to 188 dwellings are proposed, of which 40% would be affordable housing and around 6% of which would be self/custom build plots. The indicative layout plans show that an area to the south of the site at the highest parts would be public open space, with the development concentrated in the middle and lower northern parts of the site. A

pedestrian and cycle link would access onto Lanham Lane towards the northern end, with a separate emergency vehicular access onto Dean Lane in the north-eastern corner of the site.

Principle of Development – Current Development Plan

15. The development plan for the area currently comprises the Winchester Local Plan Part 1 (adopted 2013) (LPP1) and the Winchester Local Plan Part 2 (adopted 2017) (LPP2). The accompanying policies maps to the development plan have defined settlement boundaries and the one for Winchester excludes the appeal site and the swathe of agricultural land to which it adjoins.
16. Policy DS1 of LPP1 reflects the presumption in favour of sustainable development and goes on to state that it will support the delivery of new housing, economic growth and diversification through a development strategy that places Winchester town at the top of the hierarchy with a provision for around 4,000 new homes. Following on from Winchester, the South Hampshire Urban Areas are intended to take an apportionment of 6,000 new homes along with economic growth development and related infrastructure. At the bottom of the hierarchy, the defined Market Towns and Rural Areas are intended to receive a total of around 2,500 dwellings in a manner that maintains their rural character and individual identities.
17. Policy DM1 of LPP2 sets out that development that accords with the development plan will be permitted within the defined boundaries of the settlements and that outside of these areas, countryside policies will apply and only development appropriate to a countryside location will be permitted, as specified in Policies MTRA4, MTRA5, DM10 – DM13, etc. As the appeal site is outside of the settlement boundary it is not in accordance with policies of the development plan that support development within settlements.
18. Policy MRTA1 of LPP1 seeks to deliver the spatial planning vision for the Market Towns and Rural Area through means such as identifying and providing for the needs of each settlement, to fulfil its needs relative to its role and function and by providing new homes to meet the local housing needs in this spatial area.
19. Policy MTRA4 of LPP1 permits certain forms of development in the countryside where justified, such as dwellings for agricultural workers, reuse of existing rural buildings, business development which has an operational need to be in the countryside, and small scale, low key tourism schemes. As a large scale market-led housing development, the appeal scheme does not fit under any of the permissible categories of development under LPP1 Policy MTRA4.
20. Whilst the appeal site is located adjoining an urban edge of Winchester which is a key settlement to receive growth under the development plan, it is outside of the settlement boundary and does not accord with any of the policies that permit certain types of development in the countryside. As such, the site is not a suitable location for the proposed development having regard to the settlement strategy outlined in the aforementioned policies of the currently adopted development plan.

Principle of Development – Emerging Development Plan

21. The emerging Winchester District Local Plan 2020-2040 (eLP) is currently undergoing its examination in public for which the hearings were undertaken in

June 2025. The Inspector's Note following the examination hearings was published on 10 September 2025² and indicates that subject to the recommended main modifications, the plan is likely to be capable of being found legally compliant and sound. The consultation on the main modifications had not yet commenced by the time of the inquiry but were anticipated to commence imminently, with adoption of the eLP anticipated in early 2026.

22. Emerging policy SP3 of the eLP is largely intended to serve the same role as LPP1 policy MTRA4 and will carry over much of the same wording. The main modifications proposed will expand the permissible types of development in the countryside and rural areas but will not be so broad as to permit largescale housing developments outside of settlement boundaries. The settlement boundary changes are proposed for Winchester will not result in the appeal site being within the settlement boundary. The appeal site has also been discounted from the selection process for a specific policy allocation under this emerging plan³. As such, it will remain a site within the countryside to which the countryside policies will apply.
23. In view of the above, the appeal site is not a suitable location for the proposed development under policy SP3 of the eLP and thus also conflicts with the emerging development plan which is at a well advanced stage of production.

Character and Appearance

24. The Landscape Statement of Common Ground (LSoCG) refers to the appeal site falling within the regional *Downland Mosaic Small Scale Landscape Character Type* (LCT) and *West Winchester Downs Landscape Character Area* (LCA) 7F (as assessed within the *Hampshire Integrated Character Assessment* (HICA) and the *Chalk and Clay Farmlands LCT* and *Sparsholt Woodlands LCA 2* as assessed within the *Winchester City Council Landscape Character Assessment SPD* (April 2022). It also falls within the area of 'supportive' landscape under the publication, *The Winchester City and its Setting* (WCS) (December 1998), although a small part on the western side falls within the more peripheral 'connective' landscape type.
25. The key landscape characteristics of the Sparsholt Woodlands LCA most relevant to the site and its surroundings are its high ridge to the south with land generally falling to the north-west or north-east; a landscape of mixed downland scale, dominated by the main west-east South Downs chalk ridge, with small escarpments and dry valley spurs off this feature; undulating, well-drained chalkland landscape to the north-west of Winchester, forming part of the setting of the City; very undulating chalkland landscape often with far reaching views over adjoining downs and lowland valley landscapes, but also more visually enclosed landscapes in dry valleys and woodland; medium-scale arable landscape with strong hedgerow network; strong rural character, dominated by woodlands, in particular, Crab Wood and West Wood; network of footpaths and narrow winding, often sunken lanes lends an historical character to the area; valley side settlements at Sparshot and Littleton.
26. The description of the supportive landscape type in the WCS is as follows: "Areas of town/landscape which support the character of the historic cores and areas

² CD4.17

³ As assessed under site reference WIN18 and appendix MW4 of Mark Willis Proof of Evidence

distinctive to Winchester. They provide the backdrop, ambience and bolster the sense of place of the city and its approaches by supporting and buffering its special character". The appeal site and its immediate surroundings get a specific mention where it is stated that "North of Teg Down, and the districts of Weeke and Harestock, a limited area of supportive landscape has been identified forming the margin of the residential areas and the ancient route of Lanham Lane and Salters Lane. This is an important buffer area on the limit of the built area with filtered views into and links with the farmland to the north-west." There is also an area of 'distinctive' landscape within the Sparsholt Woodlands LCA which is around Teg Downs, over which the Winchester Golf Course has been developed.

27. Reading across the descriptions of the landscape character types that apply to the appeal site and relating that to what I saw and experienced on my visits, it is clear that the site and its surrounds are elevated and undulating, strongly rural, and have a strong hedgerow network. It forms part of an area that performs an important landscape buffer function. Filtered views are available of the site and adjoining farmland from the ancient route of Lanham Lane. The connecting footpaths and bridleways that lead from Crab Wood and elsewhere to the site do give the area a sense of time-depth and enclosure, which contrasts with the open views available from the many informally used paths that stray onto areas of arable land.
28. The role of this area of supportive landscape as a buffer also relates to the topography of the area, where the Teg Down residential area is largely on the east-facing slope, with the appeal site straddling a local ridge and largely facing west. Aside the isolated row of houses at Westview Road, the urban extent of Winchester does not spill over the ridge onto the western slopes and urban influences are relatively minimal. Despite the proximity to the Teg Down residential area, the area is tranquil and vehicular movements along Lanham Lane and low level night lighting of dwellings here do not detract materially from its sense of rurality or tranquillity.
29. Therefore, notwithstanding the absence of a formal landscape designation and that it is described in the WCS as serving an important role as in the setting of Winchester as 'supportive' landscape rather than 'distinctive', the landscape appeared to me to have a particular quality, richness, sense of rurality, tranquillity, time depth and connectivity for recreational purposes that would place it towards the higher end of value and susceptibility to change. Consequently, my conclusion is that the site is within part of a highly sensitive landscape.
30. Paragraph 187 (a) of the Framework sets out that planning policies and decisions should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan). Although the site was previously locally designated, there are no longer any local level landscape designations in Winchester identified within the development plan to which Framework paragraph 187 (a) would most obviously apply. However, much of the debate has been about whether, absent any specific identification of its quality, the landscape should be considered 'valued' in terms of Framework paragraph 187 (a). For this purpose, I was referred to *Guidelines for Landscape and Visual Impact Assessment (GLVIA3)* and

Technical Guidance Note 02/21: Assessing landscape value outside national designations⁴ (TGN).

31. Having had regard to the landscape evidence and my own experiences, I find that the site and its immediate surroundings are not unremarkable, but rather that they do possess a combination of qualities that elevate them beyond the ordinary. These include the deeply rural and tranquil character of the locality; its scenic quality and the contrasting far reaching views with enclosed historic lanes offering more filtered views, and the degree to which the site and area are representative of key characteristics in the LCA and supportive landscape type of the WCS. As such, I am satisfied that it is valued landscape for the purposes of paragraph 187 (a) of the Framework.
32. In reaching this view, I do not attempt to define the geographical extent of the area that should be considered 'valued' for this purpose. Whilst Mr Willis suggested that the valued area could extend to the limits of the Sparsholt Woodlands LCA, I have not visited all corners of this extensive area. However, I consider that the site forms at least a part of the area that should be considered valued, along with the areas along the agreed site visit route, extending along Lanham Lane to Crab Wood, down Clarendon Way and over the 'distinctive' area of Teg Down, and around the public rights of way (PROWs) connecting Dean Lane with Crab Wood⁵.
33. In reaching this conclusion, I do not find that the informal recreational opportunities provided on the site itself should be disregarded or considered irrelevant on the basis that they do not benefit from formal PROW status. The TGN invites assessors to consider the extent to which areas are used informally for recreational purposes as one marker of value and it is evident that the site and surroundings have been regularly used over a long period of time. The frequency of use for recreational walking did not, in itself, materially detract from the tranquillity of the area.
34. In terms of how the appeal proposal would affect the landscape character, the introduction of up to 188 dwellings with associated estate roads would be a significantly urbanising feature. It would mark the spill over of the urban extent onto the western slopes in a material way, undermining the rural quality of the area that the Lanham Lane and adjoining buffer landscape have preserved since the construction of the Teg Down Meads residential area in the late 20th Century. With the introduction of a residential development would come additional activity and disturbance to the general ambience. At present, an urban quality exists in a localised area of the junction with Teg Down Meads and it transitions abruptly back to a rural character in either direction. The loss of hedgerow and trees extending over around 100 metres in length over Lanham Lane at this position and its widening and alteration on this and other sections would also remove a section of a key landscape feature and introduce more of an urban, engineered character.
35. The positive aspects of the proposal would be the absence of development at the highest, southernmost parts of the site and the indicatively shown distance between the Dean Lane emergency access by an infiltration pond and green space. The generous offset distances from Lanham Lane would also be beneficial. The introduction of landscaping, in the form of a new western tree buffer feature and replacement tree planting could offer some amelioration over time. Despite

⁴ CD16.6

⁵ Including public rights of way 220/7/1, 220/7/2, 220/14/3

these logical and positive design principles, I consider that the significance of effect on landscape character of the site and wider LCA2 area would be of a major adverse effect harmful on completion and would still be of a moderately-highly adverse significance of effect after 10 – 15 years post-completion.

36. The aforementioned ALM has also been discussed in relation to the loss of landscape features. It is intended that the ALM would be routed along the eastern and northern boundaries of the appeal site and there would be stand-off distances of c. 12.5 metres either side of the ALM, within which only prescribed landscaping would be permissible. Whilst it is suggested that the ALM will inevitably result in some extent of the same tree losses proposed by the appeal scheme and that tree replacements would be more likely to come forward through the appeal scheme than the ALM project, I do not consider that these aspects are so certain on the basis of the information available to date. It does at least appear that there is a need to consider the ALM, not least in terms of delivery timescales; a point to which I return later.
37. In terms of the visual effects of the proposal, much has been made of the supposed visual containment of the site. This containment can be attributed, in part, to the topography, with many visual receptor locations being set lower down on a slope facing on the opposite direction and to established hedgerow boundaries with trees that are characteristic of the area (assessed viewpoints (VPs) 10, 11, 12, 13 and the wider surrounds of Teg Down Meads residential area). With the exception of VP7 on Harestock Corner, the VPs are all on either the immediately adjoining roads of Lanham Lane, Dean Lane, or roads very close to the site, i.e. Westview Road and PROW 220/7/2. Another area was identified from where the development would be visible, at Dean Drove Road, which was added as part of the site visit itinerary but not formally assessed or documented in the evidence by Mr Morton.
38. In terms of the baseline views from Lanham Lane, these have been described as filtered, or where more open as 'opportunistic', where hedgerow gaps have widened through access by recreational walkers. Despite many views being through vegetation, they provide an outlook and connection to the wider countryside with visual connectivity onto a more expansive downland landscape. At most, a single dwelling rooftop appears shrouded in trees in such views and the dwellings at Westview Road are rarely detectable.
39. The view of the existing hedgerow at the proposed point of access has not been selected as a specific viewpoint but this would be the most deliberately opened section of Lanham Lane with the proposal in situ. It is clear that the visual effects here from the introduction and visibility of the access roads and dwellings would result in a major adverse visual effect on initial completion. Whereas Mr Morton has grouped the effects for representative viewpoints along Lanham Lane as being moderate/minor adverse at year 10, I find with Mr Willis that the effects on these viewpoints would be highly/majorly adverse. Due to the proximity of the development to these altered views, with some open additional open sections (for the pedestrian/cycle link), even beyond the establishment of some additional hedgerow and internal landscaping, the change would remain moderate to highly adverse in comparison to what presently exists.
40. The exception to a general finding of visual harm at the higher end is in relation to VP5 at the southernmost end of the site where the development would be largely

screened by topography and the existing reservoir. The introduction of additional landscaping at this viewpoint would not be harmful, though the more open views of the surrounding landscape from this viewpoint are already attractive without additional trees or changes to ground vegetation.

41. Viewpoint 1 is at the junction of Dean Lane and Salters Lane and from the existing gateway bordered by hedgerows and two substantial trees, the view is of a long, rising arable field towards an elevated treed backdrop. Due to the need to create an emergency exit with attendant visibility splays in this location, a greater extent of vegetation and tree removal is planned as part of this detailed part of the scheme than is apparent from the Landscape Strategy Plan. Though the development is indicatively shown as set some distance from this view beyond the infiltration pond and landscaping features, the development would be visible in the near to mid ground and the upper parts and roofscape layered onto the rising land beyond. In my view, the effects on the viewpoint here are underplayed at minor or moderately adverse and I place them in the highly adverse significance of effect.
42. From VP2 on Dean Lane, the significance of effect would be relatively minor adverse given the orientation and elevation of the viewpoint relative to the development. There is another more open area between VP1 and VP2 where greater visual change would be experienced.
43. From VP3 on Westview Road, the visual changes would be of at least a moderate adverse effect. Though there would be effects of greater significance from the rear of houses on Westview Road, particularly at first floor level, these are not representative views available to the public at large and would not be of an overbearing form of development.
44. Another greatly affected viewpoint would be the view from Dean Lane in the vicinity of the double-width field gate. Similar views are also available further east along the road where a hedgerow management intervention has left a large gap at present. At the time of my visit, the hedgerows were also generally lower and barer than was shown in the wireframe images provided in the Landscape and Visual Impact Assessment. From this particular view, which is heavily used by walkers and cyclists, the spillover of residential development onto the western slopes and at a skyline level relative to the viewpoint would be majorly adverse. Though the suggested landscape buffer could serve a role to reduce the effects of the development here, the elevation of such would not overcome the rooflines of the new buildings breaking the skyline in these views.
45. I accept that there would be no changes at VP8 or VP9, with these views being separated by topography, distance and woodland such that the site is not visible. The users of these routes will likely have experienced a change at viewpoints at either Dean Lane or Lanham Lane if accessing these PROWs along these linked routes.
46. It was agreed at the inquiry that the effects of the development ought to be assessed on the basis of views towards the appeal site, not on the basis of views available from the appeal site. Consequently, though extensive high quality views are available over the surrounding downland landscape, particularly from the higher parts of the site, the effects of the proposal on such have not been assessed.

47. Though the landscape strategy has led the formulation of the indicative layout and landscape principles for the development, and despite that the development plan policies may have some acceptance of landscape and visual change 'baked in', the proposal would still result in significant harm to the character and appearance of the area, contrary to in particular, policies CP20 of LPP1 and policies DM15, DM16 and DM23 of LPP2. Together, these policies seek protect and enhance the District's distinctive landscape and heritage assets and their settings and seek to avoid developments that have an unacceptable effect on the rural character of the area, by means of visual intrusion, the introduction of incongruous features, the destruction of locally characteristic rural assets, or by impacts on the tranquillity of the environment. For similar reasons, the proposal also conflicts with emerging policies NE9 and NE14 which share similar objectives to policies CP20 of LPP1 and DM15 and DM23 of LPP2.

Ecological Effects

48. It is a matter of agreement between the appellant and Council that the proposals are capable of securing the 10% mandatory BNG, with the most recently submitted version of the matrix showing a 26% gain in habitat units and 18% gain in hedgerow units. The R6P does not seek to challenge the conclusions on the amounts of BNG but questioned the absence of the 30 year management plan that would be necessary to realise the gains. The detailed S106 provided late in the inquiry eventually provided the framework for the approval of BNG aspects and their long-term management which resolved this particular area of uncertainty.
49. The R6P did however maintain the concerns that whilst there has been an assessment of impacts on individual species, such as for reptiles, bats and dormice, that there was insufficient consideration of the complex nature of the site's ecology, such as the value of the site for plants or invertebrates or the role in providing food or shelter for many bird and mammal species. It is also suggested that insufficient consideration has been given to how the site functions as part of the wider chalk downland ecosystem across the north of urban Winchester having regard to the Council's *Biodiversity Action Plan* (2021) and *Hampshire County Council's draft Nature Recovery Strategy*, such as how the site provides connecting corridors to a range of habitats, including the nearby *Crab Wood Site of Specific Scientific Interest* (SSSI).
50. It was accepted by the appellant's ecology expert witness, Dr Simpson, that it is not possible to understand every ecological aspect of any site as part of the planning process but that the minimum standards set by the Government must be met. At the opening of the inquiry, these minimum standards for assessment of ecological aspects had been met, along with the identification of mitigation and enhancement measures, where necessary. Planning conditions could be used to secure said mitigation, enhancement and management measures in the event that the appeal was allowed, including to mitigate for hedgerow losses.
51. Furthermore, the assessment of the baseline value for BNG processes does in fact consider the value of the existing landcover to understand the impact of changes to the same. As such, my conclusion is that the assessments for the various protected species, habitat types, existence of wider areas of ecological sensitivity (SSSIs) and BNG matrixes do provide a sufficient information to conclude that any harms would be sufficiently mitigated and enhancements would be appropriately secured. Whilst the granular level of detail sought by the R6P is not present, it is

not strictly a requirement of the relevant legislation, policies, or material considerations. As such, no conflict arises with policies CP13, CP15 or CP16 of LPP1 or policies NE1, NE4 and NE5 of the eLP. Amongst other things, these policies collectively seek to support development which maintains, protects and enhances biodiversity across the District, delivering a net gain in biodiversity.

Highway Safety, Capacity and Non-car Modes of Travel

52. Lanham Lane is a rural road which is of insufficient width to allow for two vehicles to pass without the use of passing places. It does not have any footways and lighting is relatively minimal. Nonetheless, it is used as a two-way road. Using this route, drivers can head towards Salters Road and onto Stockbridge Road without navigating the junction of Dean Lane and Stockbridge Road, hereafter referred to as Dean Lane Corner. Salters Lane is another section of rural road, largely without footways or streetlighting which is similar to Lanham Lane.
53. Dean Lane is a road which can accommodate two-way passing traffic for much of its length and has footways of varying widths between its junction with Stockbridge Road and close to the appeal site entrance. It has low level lighting along its urban extent. Beyond the appeal site entrance in a westerly direction, it becomes more rural in nature.
54. Teg Down Meads is a wide suburban street with footways, lighting and is of sufficient width to allow for passing vehicles, save for some sections which are frequently used for on-street parking. Teg Down Meads is sloping, with some sections of relatively challenging topography.
55. A part of the overall package of highway and sustainable travel measures, a modal filter is proposed on Lanham Lane. This would prevent it from continuing to be used as a through road and limit its use by vehicles to those wishing to access the houses accessed directly from Lanham Lane. Pedestrians and cyclists would be allowed to continue to use Lanham Lane, and a new turning head would be added close to the junction with Teg Down Meads with related widening works to allow for refuse vehicles to turn around. The effect of the modal filter would mean that traffic from the appeal scheme would be directed down Teg Down Meads towards the Dean Lane Corner junction, as too would vehicles that currently utilise Lanham Lane to travel onwards to Salters Lane and Stockbridge Road.
56. Taking the safety, capacity and non-car travel mode aspects in turn, the R6P's safety concerns for vehicle users focusses primarily on the suitability of the junction arrangement of Dean Lane and Teg Down Meads which would receive greater volumes of traffic as a result of the appeal proposals. Having considered the junction arrangement relative to the standards in Manual for Streets⁶, despite that it cannot be altered due to land ownership constraints, I do not share the concerns that the safety of users of the highway would be prejudiced through an intensification of its use. Visibility may be more constrained than ideal but navigating the junction with due care and attention is not overly challenging and does not feel unsafe.
57. With the exception of the Dean Lane/Stockbridge Road junction which I address separately below, I have considered the various junction modelling assessments and note the impact of the appeal proposal on those that are already exceeding or

⁶ Manual for Streets (2007) and Manual for Streets 2 (2010)

close to capacity. The addition of vehicles to the peak hour scenarios would not offer any remedy to the congestion already experienced at these locations, but those generated by the appeal proposal would not themselves amount to an unacceptable impact on the performance of these junctions.

58. In terms of the Dean Lane Corner junction, physical alterations would include the provision of a separate left-turn lane to offset some of the additional impact of the appeal proposal. In terms of capacity, I note that the R6P was able to identify that the rerouted Lanham Lane traffic had initially been omitted from the junction modelling. The impact on the junction having taken the more accurate trip figure into account would result the junction's ratio to flow capacity (RFC) reaching 0.82, where 0.85 is typically held to be a threshold at which the junction is starting to operate under much pressure, and 1 being its capacity. The RFC of 0.82 also links to the peak hour trips being reduced by 8.9% through modal shift interventions, i.e. bus travel, walking or cycling. I return to this below. A modest part of the increase in traffic to this junction and need for the left-hand turn lane would arise specifically from the modal filter on Lanham Lane.
59. Notwithstanding that the introduction of the modal filter on Lanham Lane was requested by the Highways Authority, it would also result in a number of trips being diverted on a longer journey. The R6P provides a figure of an additional 1km per trip that would have otherwise used Lanham Lane, which would cumulatively amount to a far greater total of lengthened journeys. Though I may not be able to rely on the precise number of total additional kilometres that would be travelled by those diverted by the modal filter, the outcome would nonetheless be counter-intuitive when considered alongside the other wider sustainability measures to reduce travel and travel distances by private vehicle.
60. Turning to the accessibility of the site and the useability of non-car modes of travel, I have considered the *Walking, Cycling and Horse-riding Assessment Report (V3)*⁷ (WCHAR), evidence of the R6P⁸ and I have travelled on foot to many of the key destinations listed therein. A range of cafes and supermarkets are located within Weeke Gate Shopping Centre around 1km from the site, along with two play parks and a nursery. The local primary school is around 1.2km from the site, Henry Beaufort (secondary) School is around 1.8km and the local doctor's surgery is circa 1km away. Winchester Railway Station is around 2.2km away from the site and the hospital is around 2.8km away. The City Centre is situated modestly beyond the Railway Station, around some 2.5km away.
61. It is not disputed by the main parties that these distances are beyond the 800m walking distance threshold set by Active Travel England but most are within the 'acceptable' or 'maximum preferred' walking distance of 1000m and 2000m respectively⁹. Where some features of some of these routes could be optimised to enhance the safety and attractiveness, these recommendations have been taken forward into the S106. Such measures include footway widening, resurfacing, tactile paving improvements and upgrading of crossings.
62. In terms of bus services, the appeal application was submitted at a time when a more regular bus service (the No 4 service) was available from the bus stop around 300 metres from the proposed site entrance. This connected with Weeke

⁷ CD12.4

⁸ Including resident surveys

⁹ Providing for Journeys on Foot (2010), CIHT

Gate Shopping Centre and with Winchester City centre. The cessation of this service earlier in 2025 means that there are only now 2 daily services from the closest bus stop, which offer a more limited choice of destinations.

63. However, there are bus stops with shelters around 900m from the site on both sides of Stockbridge Road/Dean Lane Corner which offer connectivity to the City Centre and other destinations such as Sparsholt and Salisbury. The services from these stops are regular and at least one shelter has a digitised real time service information board. The package of measures offered by the appeal scheme would include the similar upgrading of the other bus stop on Dean Lane Corner.
64. In terms of cycling, there is very limited infrastructure specifically for cyclists along the key routes identified in the WCHAR. Some of the collision history relevant to the area includes accidents involving cyclists particularly at the Dean Lane Corner junction, hence a suggested improvement at this location which would be delivered by the appeal scheme. Nonetheless, given the relatively highly trafficked nature of the roads, gradients, lack of dedicated infrastructure and relatively limited carriageway widths along all routes, in my view, the option to cycle is unlikely to be widely attractive to future residents.
65. The survey responses submitted by the R6P suggest that some residents of the Teg Downs residential area do walk to local facilities and the City Centre when time and weather allow. However, the R6P cites issues with inclement weather and the gradients along sections of the routes to and from the appeal sites as reasons why many future residents would rely on the use of a vehicle rather than walking. The walk back from the bus stop at Dean Lane Corner would involve the inclines along either Dean Lane or Teg Down Meads.
66. The loss of the No 4 bus from the closest bus stop has undoubtedly affected existing residents and has undermined the site's accessibility credentials in bus travel terms. Making bus travel more attractive as an alternative to the car would be more likely if the stops were closer than 900m away and not located at the bottom of a hill away from the site. However, the range and frequency of services available from the stops would mean that a choice to travel by bus would be available to future residents and would likely be taken up by at least some future residents.
67. Some sections of Teg Down Meads are unarguably topographically challenging as a walking route, though I have considered this in the context of the relatively hilly nature of routes leaving Winchester City Centre in general. The nature of the routes and distance to the appeal site from facilities and services combines to make the option to walk rather more time consuming and effortful than strictly ideal as a means to encourage non-car modes of travel.
68. Drawing all of these findings together, there are a wealth of facilities within around 2 – 2.5km from the site given that it is located on the outskirts of a city. I do not dispute that travel mode options would be available to future occupiers to reach these facilities, but in my view, the mode shift targets still appear relatively optimistic and much reliance on private vehicles would still be likely. Consequent negative impacts on the most affected junction at Dean Lane Corner could result from a failure to achieve these targets.
69. Nonetheless, where I have identified shortcomings with the highway outcomes and solutions proposed, when balanced with the other mitigating factors and S106

measures, they do not reach the threshold of conflicting with, in particular, policy CP10 of LPP1 or policy DM18 of LPP2. These policies seek to reduce demands on the transport network, manage existing capacity efficiently and secure investment to make necessary improvements and ensure that development is located and designed to reduce the need to travel and provides for the needs of pedestrians and cyclists, including safe and attractive routes to, from and within the site.

70. For similar reasons, the proposal would not conflict with Framework paragraphs 115 or 116 in respect of the need to prioritise sustainable transport modes and prevent development on highway grounds only where there would be an unacceptable impact on highway safety, or severe residual cumulative impacts on the road network, following mitigation, taking into account all reasonable future scenarios.

Housing Land Supply

71. The relevant five year period has been agreed in the Housing Supply SoCG¹⁰ as being the period between 1 April 2025 to 31 March 2030. The assessment of housing land supply requires the interpretation of the best information possible and reasonable judgements about the outcomes predicted across all housing supply sources. This inevitably leads to differences of assessment for particular sites between those involved. But in this case, a key issue is the difference of approach to the correct method of calculating the housing requirement.
72. The appellant indicates that with the housing targets in the current development plan having been superseded by the standard method on their fifth anniversary, the assessment made now should on whether or not a five year supply can be demonstrated relative to the standard method calculation of the requirement based on the 2024 Framework, not in some other hybrid way that would complicate and remove the transparency of the process. The Appellant has used the standard method figure of 1,148 dpa for the entire 2025-30 period (5,740 dwellings) without any allowance for an oversupply and has used a 5% buffer for the whole period. This generates a five-year housing land requirement of 6,027 dwellings.
73. The Council's approach to the calculation of its five year supply adopts a hybrid method utilising the 2024 Framework standard method with a 5% buffer for year 1, and then its eLP housing need target for years 2 – 5 inclusive, with a 20% buffer (in recognition that the Local Plan housing target is less than 80% of the 2024 standard method-derived need calculation). On this basis, the Council's five-year housing land requirement, including adjustments for over-supply¹¹, is 3,615 dwellings. This takes account of the fact that the eLP is being examined under the transitional arrangements as per the December 2023 Framework which enables the Council to rely on a housing target that differs from the 2024 Framework standard method-derived need. It does mean, however, that the Council would be required to commence the review of the eLP soon after its adoption in order to adapt to the changes. Indeed, the preparatory work for the plan to follow the eLP has already commenced with, amongst other things, a 'Call for Sites' process.
74. The differences between the parties on the calculation of the requirement is the greatest contributor to the appellant's figure of around 3 years' worth of housing

¹⁰ The Topic Specific Statement of Common Ground Housing matters, dated 24 October 2025, CD9.1

¹¹ Including dwelling equivalents from communal accommodation

land supply and of the Council's figure of around 5.28 years supply. On this particular issue, one of my own linked appeal decisions¹² has been put to me in evidence that finds against this same Council on the matter of housing land supply. In my decision, I indicated that there was insufficient evidence on which to assess the robustness of the Council's housing land supply position and that the eLP adoption was not so certain or so imminent that the approach to the five year calculation could be relied upon (i.e. without looking at the aspects that were then yet to be tested as part of the eLP examination).

75. The Council is right to highlight that that decision was made in March 2025 and that since then, the examination hearing sessions have been undertaken and concluded. The consultation on main modifications will also conclude in the near future. The attainment of these milestones and the indications given by the Inspector examining the eLP give far greater certainty to the Council's approach to the calculation of its five year requirement and overall supply. In addition to the advancement of the eLP, the Council has provided an in-depth evidence base to substantiate the approach to its five year housing land supply position, not limited to the PoE of Emma Betteridge and the Rebuttal of Tim Parton, which has also been reviewed and tested as part of this inquiry.
76. The examining Inspector's Note outlines that subject to the main modifications, the plan is likely to be capable of being found legally compliant and sound. Specifically on local housing needs, housing requirement and supply, the Inspector finds that overall, with the recommended main modifications (including the deductions of two sites from the supply and inclusion of another), the eLP is to be found sound in these respects.
77. Though the appellant has outlined some potential scenarios that could result in a delay to the adoption of the eLP, such as issues that arise out of the main modifications consultation or a challenge upon its eventual adoption, I do not consider these scenarios so likely that it should prevent weight being attached to the well-advanced eLP. I afford it significant weight, and by extension, I find that the Council's approach the calculation of the five year requirement¹³, including its windfall allowance and inclusion of dwelling equivalents, is robust both at the present point in time and for the anticipated point of adoption.
78. I therefore consider that the Council's current approach to its five year supply calculation is suitably robust on the basis that it reflects the position being taken in the advanced eLP which itself can now attract substantial weight. Even if I were to agree with the appellant on the disputed sites and sources of supply, the finding would be that the Council could still demonstrate a five year supply of housing. Despite the limited precedent examples on the oversupply or use of a hybrid method to calculating requirements, none of the other decisions or cases put to me by the appellant lead me to reach an alternative conclusion in this regard¹⁴.

¹² Appeal Refs 3350662 and 3347360

¹³ With reference to the supply of 3,823 dwellings and a finding of 5.28 year supply of housing

¹⁴ East Riding of Yorkshire v SSLUC [2021] EWHC 3271 (CD9.19); APP/R0660/A/13/2197532 & APP/R0660/A/13/2197529; APP/Y0435/W/17/3169314; 33216104; 3238460; Tewkesbury BC v SoSHCLG and anon [2021] EWHC 2782 (Admin); 3289643; 3358848; 3340006; 33350170

Other Considerations

Self and Custom Build Housing

79. The appeal scheme seeks to deliver 6% (or up to 12) self- and custom build housing plots. This percentage aligns with the requirement in policy H5 of the eLP. As at 30 October 2024, there were 471 entrants on the Council's Self-Build and Custom Build Register and 240 permissions had been granted until the end of the relevant monitoring period. The Council allege that despite the absence of an existing policy basis for securing self- and custom build housing, that a material number of additional permissions would have been granted in the most recent twelve month monitoring period. However, the data to which the Council referred was not available to the inquiry and thus, cannot be relied upon. As such, there is a high unmet demand at the present time and the contribution of up to 12 self- and custom build plots would be a clear benefit of the scheme in this regard.

Affordable Housing

80. The Housing Supply SoCG records that there is an acute need for affordable housing with a shortfall of over 2,000 dwellings. The appellant suggests that the eLP is unlikely to remedy the shortfall and that it may yet worsen. Be that as it may, the provision of 40% of the scheme (up to 75 dwellings) aligns with both the adopted and emerging policy requirement for affordable housing and attracts substantial weight as a contribution towards meeting the needs for such.

Planning Balance

81. The appeal scheme conflicts with the adopted development plan in respect of its location and scale and on the basis of the harm to the character and appearance of area.
82. Whilst the age of the development plan housing targets would typically suppress the weight I attribute to the relevant policies relating to the location and delivery of housing, it is clear that an evolution of these policies are coming forward through the very advanced eLP and the appeal scheme would remain in conflict therewith.
83. Under paragraph 49 of the Framework, weight may be given to relevant policies in emerging plans according to the stage of its preparation, the extent to which there are unresolved objections to relevant policies and the degree of consistency of the relevant policies in the emerging plan to the Framework. As an advanced plan which has been found consistent with the Framework and with which there are not expected to be any late stage unresolvable objections, I can attribute significant weight to the policies of the eLP.
84. The significant harms to the character and appearance of the area attracts no less than significant weight.
85. On the basis that there is an adequate five year housing land supply now, the provisions of Framework paragraph 11 d) are not engaged. However, even if, as the appellant alleges, a housing shortfall in the order of 2,000 homes existed now, that shortfall will only persist until the adoption of the eLP in a matter of months. The implications of the ALM delivery would nullify any intention to deliver the scheme in any accelerated timeframe, meaning that, on the appellant's evidence,

only up to around 120 of the proposed 188 units would be deliverable within the entire relevant five year period and towards the middle and later years of such a period. Accordingly, even if a shortfall presently existed and would be expected to last a matter of months, the appeal scheme would not be an obvious remedy.

86. Whether the appeal scheme, or other evolution thereof, should form a part of a solution for Winchester's growth as part of a future development plan to meet the adapted housing requirements is not a matter for this appeal. It will, however, inevitably form a part of the reassessment of all available options in the preparatory work already being undertaken for such.
87. Whilst such occurrences seem unlikely, should the eLP not progress in the manner anticipated or by the early 2026 deadline, such material changes in circumstance, or indeed any other material changes in circumstance, could act as material considerations of relevance in making decisions at that particular time.
88. There are benefits to balance against the harms in the application of the planning balance. The appeal scheme would deliver up to 188 dwellings which attracts substantial weight given the clearly expressed ambitions in the Framework to significantly boost the supply of homes. Of those dwellings, 40% would be provided as affordable housing tenures which would help to address the acute shortfall in affordable homes that exists. This in itself attracts significant weight. The self- and custom build housing plots also attract modest weight as a benefit of the scheme, commensurate with the smaller proportion of dwellings that this would represent of the total proposed overall.
89. I have also given modest weight to the other benefits that would be generated by the scheme, including the provision of public open space, including play space, and BNG benefits and the numerous measures that would enhance accessibility for bus passengers, walkers and cyclists. The direct and indirect economic benefits from the construction phase of the scheme and lasting economic advantages from new residents in the area also attract a modest degree of weight.
90. However, the totality of benefits and other material considerations advanced in favour of the scheme do not outweigh the clear conflicts with the adopted development plan and the eLP as a significant material consideration.

Other Matters

Solent Protected Sites

91. During the inquiry, a finalised version of the Nutrient Neutrality SoCG was submitted¹⁵ which cross-refers to the Shadow Habitats Regulations Assessment¹⁶ (sHRA) prepared on behalf of the appellant.
92. The affected sites include the River Itchen Special Area of Conservation (SAC) and associated downstream receptors, including Solent and Southampton Water Special Protection Area (SPA) and Ramsar Site; Solent Maritime SAC; Portsmouth Harbour SPA and Ramsar Site; and Chichester and Langstone Harbours SPA, SAC and Ramsar Site; collectively hereafter known as the Solent Protected Sites.

¹⁵ CD10.5

¹⁶ CD10.16

93. Adverse changes in water quality can lead to deterioration in the favourable condition of the Solent Protected Sites, undermining site integrity, contrary to the Conservation of Habitats and Species Regulations, 2017 (as amended) (Habitats Regulations).
94. In acknowledgement of the likely significant effect from the appeal scheme involving up to 188 dwellings with associated surface and foul wastewater, a nutrient budget has been calculated and a mitigation strategy has been devised as part of the *Nutrient Neutrality Assessment and Mitigation Strategy* (NNAMS). The main features of the mitigation strategy are to provide sustainable urban drainage system features (SUDS), such as permeable paving and an infiltration basin, and a Package Treatment Plant/s (PTP) to deal with foul wastewater. These aspects could be secured by way of planning conditions and S106 planning obligation, with further details as part of any future reserved matters/s applications.
95. Natural England (NE) has submitted correspondence¹⁷ which outlines that it has no objection based on the detail of the sHRA, subject to the appropriate mitigation being secured. As such, the principles for mitigation to secure nutrient neutrality are outlined in the sHRA that has been considered by NE and to which no objections have been raised.
96. In any event, as the appeal is failing for other reasons, it has not been necessary for me to undertake my own Appropriate Assessment under the Habitat Regulations.

Final Conclusion

97. In view of the above, the proposal conflicts with the development plan, when taken as a whole. The material considerations in this case, including the provisions of the Framework and the benefits of the scheme, do not indicate that a decision should be made other than in accordance with the development plan.
98. For the foregoing reasons, the appeal should be dismissed.

H Nicholls

INSPECTOR

¹⁷ dated 4 November 2025

APPEARANCES

For the Appellant:	
Satnam Choongh, Counsel Assisted by Jessica Lishman He called:	Instructed by Chantel Blair Robson of Cerda Planning
Cameron Austin-Fell BA (Hons), MSc MRTPI	Planning Director, RPS Consulting Services
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James Morton BA (Hons) MA LA CMLI	Head of Landscape Planning – Aspect Landscape
Tim Cooke MMATH (Hons) MCIHT	ADC Infrastructure
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For the Council:	
Clare Parry, Counsel She called:	Instructed by Winchester City Council
Rose Chapman BA MA MRTPI	Winchester City Council
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Michael Woods	Winchester City Council – S106 Matters
Lanham Lane Residents Group:	
Jean Jones MA BSc DipTP	Lanham Lane Residents Group – Accessibility matters
Colin Tyrell MA CEng FIHT MICE (ret)	Lanham Lane Residents Group – Highway safety/capacity matters
Dr Simon Eden PhD	Lanham Lane Residents Group – Landscape and ecology matters
Interested Parties:	
Richard Abel	Local resident
Christopher Napier	CPRE Hampshire
Katie Bradley	Hampshire and IOW ICB
Sue Wood	Chairman of Sparsholt Parish Council
Malcolm Dicken	Hampshire and Isle of Wight ICB

INQUIRY DOCUMENTS:

- ID1 – Appellant opening submissions
- ID2 – Winchester City Council opening submissions
- ID3 – Lanham Lane Residents Group opening submissions
- ID4 – CPRE representation
- ID5 – Hampshire and IoW NHS ICB representation
- ID6 – Representation from Mike Crewe
- ID7 – Representation from Susy Perry
- ID8 – Representation from Rowena Nixon
- ID9 – Representation from IoW NHS ICB
- ID10 – Representation from Mr Abel re drainage
- ID11 – Response from Natural England re Nutrient Neutrality
- ID12 – Updated Nutrient Neutrality SoCG also CD
- ID13 - Draft S106 and appendices dated 6.11.25
- ID14 - Representation from Mr Abel re nutrient neutrality solution
- ID15 – Final written comments on behalf of residents (Abel)
- ID16 – Updated draft S106 dated 11.11.25
- ID17 – Revised suggested planning conditions
- ID18 – Appellant email acceptance of pre-commencement conditions
- ID19 – R6P email concerning TRO condition 26
- ID20 – Email from Council concerning TRO condition 26
- ID21 – Email from appellant concerning TRO condition 26
- ID22 – Lanham Lane Residents Group closing statement
- ID23 – Council closing statement
- ID24 – Appellant closing statement
- ID25 – Engrossed S106 received following close of inquiry