



Appeal Decision

Hearing held on 25 February 2026

Site visits made on 24 February 2026 and 21 April 2026

by Bhupinder Thandi BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 07 July 2026

Appeal Ref: APP/M1710/W/25/3373291

**Land south of the Pigeon Coop, Dean Field, Kingsley, Bordon, Hampshire
GU35 9FT**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr David Matthews against the decision of East Hampshire District Council.
 - The application Ref is 59744.
 - The development proposed is one pitch for Gypsy/Traveller's use.
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Decision

1. The appeal is allowed and planning permission is granted for one pitch for Gypsy/Traveller's use at land south of the Pigeon Coop, Dean Field, Kingsley, Bordon, Hampshire GU35 9FT, in accordance with the application 59744, subject to the conditions set out in the schedule to this decision.

Preliminary Matters

2. The Hearing was scheduled as a one day in person event. However, due to the appellant's landscape expert being ill on the day it proceeded as per the agreed programme apart from landscape matters. A virtual event was arranged for a later date to hear the landscape evidence, but the expert remained ill. As such, the appeal was switched to a hybrid procedure whereby, I have taken into account the evidence presented orally at the event and the written evidence submitted in respect of landscape. I am satisfied that no interested parties have been prejudiced by my approach.
3. In Part E of the appeal form it is stated that the description of development has not changed but, nevertheless, a different wording has been entered to that on the application form. Neither of the main parties has provided written confirmation that a revised description of development has been agreed. Notwithstanding the description of development on the application form I have used the description on the decision notice as it simply and accurately describes the proposal.
4. Following determination of the application the local planning authority have advised that the need for a Habitat Regulations Assessment (HRA) has been screened out and thus a HRA is not required. On this basis they no longer wish to defend reason for refusal 3 relating to the likely impact on the Wealden Heaths Phase II Special Protection Area. Accordingly, I have not addressed this in my reasoning below.

Main Issues

5. The main issues are:

- The effect of the proposal upon the character and appearance of the area; and
- The effect of the proposal upon the settled community of Kingsley.

Reasons

Character and appearance

6. The village of Kingsley consists of linear development largely following the alignment of Forge Road. That said, development at the western end of the village, in which the appeal site sits, is more dispersed surrounded by fields and paddocks.
7. The appeal site is formed of a broadly L shaped plot that sits in a small dip in the landscape. It accommodates a touring caravan, pigeon coops and associated structures with a gravel parking area and a large ornamental grassed area. The site is enclosed by perimeter planting formed of coniferous/evergreen hedgerow.
8. I am advised that the site and the surrounding area once formed part of Dean Farm golf course which has now been carved up with the immediate context characterised by a mix of paddocks and development including Gypsy and Traveller sites and an affordable housing scheme.
9. Whilst having regard to the site's location beyond the defined settlement boundary of Kingsley and in designated countryside because of its former use and the presence of existing development the area displays a manicured and ornamental landscape, comprising native and non-native trees and vegetation, rather than an undeveloped and untamed rural landscape that one would typically experience in countryside locations.
10. I acknowledge that the proposed development would sit in a location away from Forge Road and further into the countryside compared to existing pitches and housing. However, it sits in an area that is not devoid of residential development and is influenced by regular human activity and would not look out of place.
11. It would represent only a small incursion into the local landscape discreetly located within a dip. The proposed development would be modest providing a single pitch and would be viewed in the context of built form, structures and associated infrastructure rather than against an expansive open landscape. Conditions relating to the number of caravans, vehicles, external lighting and landscaping would assist in limiting its visual impact.
12. The proposed perimeter planting would not unduly draw the eye nor appear alien when taking into account the manicured and ornamental landscape in which the site sits and the mix of native and non-native trees and vegetation that exist locally. Nor would the proposed planting interrupt or visually block views over the surrounding landscape given the site sits within a dip and occupies only a modest area.
13. To my mind, past development that has taken place on the former Dean Farm golf course and the human influence upon the immediate landscape has to some extent blurred the lines between the defined settlement and the surrounding countryside.

Whilst the proposal would to a degree result in the spread of built form for the reasons set out above, I do not find that this would be materially harmful upon the openness of the area.

14. Having regard to their written evidence in relation to visual amenity and landscape character the appellant contends that the effects of the proposed development upon landscape character would be negligible. Based on the available information before me and without any evidence to the contrary I can only come to the same conclusion.
15. As such, the proposed development would not result in an unacceptable impact upon the openness of the local area or lead to an urbanising effect upon it. It, therefore, accords with Policies CP19, CP20 and CP29 of the East Hampshire District Local Plan: Joint Core Strategy (2014) (JCS) which, amongst other things, seek to conserve and enhance the special characteristics of the district's natural environment and for the layout and design of development to be appropriate and sympathetic to its setting.

Impact on the nearest settled community

16. Paragraph 26 of the Planning Policy for Traveller Sites (PPTS) states that local planning authorities should very strictly limit new traveller site development in open countryside that is away from existing settlements or outside areas allocated in the development plan. Local planning authorities should ensure that sites in rural areas respect the scale of, and do not dominate, the nearest settled community, and avoid placing an undue pressure on the local infrastructure.
17. The settlement of Kingsley contains dwellings and some services and facilities. A number of lawful and unauthorised Gypsy and Traveller sites are located close to the western edge of the village positioned next to and between residential and commercial development at this end of the village.
18. The appellant's written evidence advises that according to the recent and available Office of National Statistics figures Kingsley has a population of 693 people. I have not been provided with any information to suggest that this figure is not accurate.
19. The site is located beyond Kingsley, around some 200m from the settlement edge but this is not such a distance that one would consider it to be away from the village. When taking into account the overall size and population of Kingsley, the location of Gypsy and Traveller sites, in relation to it, interspersed between residential and commercial development and the low overall number of pitches on the ground I am of the view that a further single pitch in combination with other sites would not lead to an over proliferation of sites in this location nor would it encircle or dominate the settled community of Kingsley.
20. There is no evidence before me to suggest that the presence of the current Gypsy and Traveller community, irrespective of whether the pitches are authorised or not, are dominating the settled community or placing undue pressure on local infrastructure. In this regard there is nothing to indicate that the scheme before me and an increase of one pitch would tip the balance.
21. I acknowledge the appeal decision referred to by the Council. However, from the limited details before me, I am not satisfied that the merits and circumstances of

that appeal is materially similar to the appeal proposal before me. In any case, every appeal must be considered on its own merits, as I have done.

22. Accordingly, and given the varied nature of nearby housing and commercial development and scattered nature of Gypsy and Traveller sites locally, I conclude that the increase in population resulting from the proposal would not adversely affect the nearest settled community of Kingsley. The proposal would therefore accord with JCS policies CP15, CP27 and CP29 which, amongst other things, require development to respect local character, identity and context; avoid undue pressure on local infrastructure and services and seek to prevent an unacceptable impact on the amenity of nearby occupiers.

Other Matters

23. The Council's decision notice does not allege conflict with JCS Policy CP19 insofar as it relates to demonstrating a genuine and proven need for new development to be located within a countryside location although the Officer's report refers to conflict.
24. In this regard the PPTS supports the principle of Gypsy and Traveller sites in rural locations. The PPTS also sets out that local planning authorities should use a robust evidence base to establish the accommodation needs to inform the preparation of local plans and make planning decisions. At paragraph 10, it states that local planning authorities should identify and update annually 5 years' worth of deliverable sites for gypsies and travellers.
25. The Gypsy and Traveller Accommodation Assessment (July 2024) (GTAA) provided the context for determination of the application. However, at the Hearing the Council advised that an updated position had been published as part of their annual monitoring report. The updated position, as at 31 March 2025, indicates a minimum requirement for 62 pitches over the plan period for those falling within the definition set out in the PPTS. It is evident that the Council has not granted planning permission for pitches sufficient to meet this need.
26. The Council is unable to demonstrate a 5-year supply of deliverable pitches for Gypsies and Travellers with the supply in the region of 1.8 years. On this basis, I can only come to the conclusion that there is a considerable unmet need for such pitches in the area.
27. The JCS identifies the number of pitches required over the plan period. However, there is nothing to indicate that specific sites have been allocated to meet this requirement.
28. At the hearing the Council advised that the new local plan is at Regulation 18 stage but was unable to say whether the plan would include any site allocations to address this requirement.
29. It is apparent that the Council has failed to deliver the required number of pitches on the ground and it is clear that this matter has been ongoing for a number of years. Furthermore, I have not been presented with any compelling evidence to suggest that the Council has a plan to address this shortfall either in the short or medium term.
30. Therefore, drawing these matters together it is evident that there is a genuine and proven need for Gypsy and Traveller pitches in this countryside location.

31. Finally, whilst written and verbal submissions were made in respect of the personal circumstances of the appellant given my findings in respect of the main issues there is no need for me to explore this matter in detail.

Conditions

32. I have considered the suggested conditions in light of the Framework and the Planning Practice Guidance. In the interests of precision and clarity I have undertaken some rationalisation and rewording of the conditions suggested.
33. In addition to the standard three-year time limit condition for implementation; it is necessary to specify the approved plans in the interests of certainty. A condition restricting the occupancy of the site to Gypsies and Travellers is necessary given the need for such pitches in the district.
34. Conditions relating to the number of caravans, commercial activities, hard and soft landscaping, the parking area and external lighting have been imposed to ensure the satisfactory appearance of the development.
35. Conditions for details of surface water and foul water drainage are necessary in the interests of sustainability and to prevent flooding.
36. The Council has suggested a condition for a Construction Logistics Plan, however, as the proposal is for a single pitch and which is unlikely to involve a significant amount of construction work, I do not find that such a condition would be reasonable or necessary. A separate condition for the hard surfaced areas to be made of porous materials is not necessary as such details would form part of the landscaping condition.
37. Following conclusion of the Hearing the Council provided a suggested condition for a Wildlife Protection and Mitigation Plan. Having regard to the appellant's Preliminary Ecological Appraisal and Preliminary Roost Assessment and the very limited potential for species on site and the low impact of the proposal I am of the view that such a condition is not necessary and therefore has not been imposed.

Conclusion

38. For the reasons set out above the appeal succeeds.

B Thandi

INSPECTOR

APPEARANCES

FOR THE APPELLANT:

Dr Angus Murdoch Murdoch Planning

Mr Dave Matthews Appellant

FOR THE LOCAL PLANNING AUTHORITY:

Mr Andrew Forrest Planning Officer

Ms Tracy Farthing Senior Planning Officer

SUBMISSIONS AFTER THE HEARING

East Hampshire Five Year Supply of deliverable land for Gypsy, Traveller and Travelling Showpeople Accommodation (As at 31 March 2025)

Condition suggested by the East Hampshire District's Council's Ecologist

Schedule of Conditions

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with drawing numbers: Block and Location Plan Drawing Number P0; Proposed Ground Floor Plan Drawing Number P1; Site Plan Drawing Number P2; 3D1 Drawing Number P3; Elevations Proposed Drawing Number P4; Elevations Existing Drawing Number P5 and Parking Plan Drawing Number P6.
- 3) The site shall not be occupied by any persons other than Gypsies and Travellers, defined as persons of nomadic habit of life whatever their race or origin, including such persons who on grounds only of their own or their family's or dependants' educational or health needs or old age have ceased to travel temporarily or permanently, and all other persons with a cultural tradition of nomadism or of living in a caravan, but excluding members of an organised group of travelling showpeople or circus people travelling together as such, in accordance with Planning Policy for Traveller Sites or replacement planning policy or guidance.
- 4) No development shall take place until a detailed surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details. The sustainable drainage system shall be managed and maintained thereafter in accordance with the approved management and maintenance plan.
- 5) The development shall not be occupied until disposal of foul water has been provided on the site to serve the development hereby permitted, in accordance with details that have first been submitted to and approved in writing by the local planning authority.
- 6) The development hereby approved shall not be occupied until details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority. The landscaping works shall be carried out in accordance with the approved details before any part of the development is brought into use.
- 7) The development hereby permitted shall not be occupied until the vehicle parking spaces have been provided in accordance with Parking Plan Drawing Number P6. Thereafter those spaces shall be retained for the parking of vehicles only.
- 8) No external lighting shall be installed and brought into use until details of its nature and luminance have first been submitted to and approved in writing, and any external lighting shall then be installed and used in accordance with the approved details only.
- 9) No more than 2 caravans, as defined in the Caravan Sites and Control of Development Act 1960 and the Caravan Sites Act 1968 as amended of which no more than 1 shall be a static caravan shall be stationed on the site at any time.
- 10) No vehicle over 3.5 tonnes shall be stationed, parked or stored on the site.
- 11) No commercial activities shall take place on the land, including the storage of materials.