



Appeal Decision

Inquiry held on 23 September 2025

Site visit made on 23 September 2025

by Matthew Jones BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19/11/2025

Appeal Ref: Appeal Ref: APP/L1765/W/25/3366618

Land at Southwick Road/School Road, Wickham, PO17 6FE

- 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 Croudace Homes Ltd against the decision of Winchester City Council.
- The application Ref is 24/02803/FUL.
- The development proposed is the erection of 60 dwellings, access and minor alterations to Grindall Field, landscaping, parking and other associated works.

Decision

1. The appeal is allowed and planning permission is granted for the erection of 60 dwellings, access and minor alterations to Grindall Field, landscaping, parking and other associated works at Land at Southwick Road/School Road, Wickham, PO17 6FE in accordance with the terms of the application, Ref 24/02803/FUL, subject to the conditions in the attached schedule.

Preliminary Matters

2. Amended plans submitted with the appeal seek to alter the layout by repositioning maisonettes in the centre of the site and altering the location of several of the affordable housing (AH) units. The layout of the proposed streets and public open spaces would not substantively change. Mindful of the principles set out by caselaw¹, given that these amendments amount to the modest relocation of a limited number of buildings / tenures internally within the site, the changes are not significant, and I accepted the plans without procedural prejudice to any party. In light of these amended plans, the Council confirmed before the Inquiry opened that it would not be pursuing the third and sixth reasons for refusal set out on its decision notice.
3. Before the Inquiry opened the appellant also submitted a draft planning agreement (the S106) which, amongst other things, seeks to secure offsite highway works and mitigatory payments in relation to the likely significant effects of the development on a number of European sites. On the basis of the draft agreement, the Council also withdrew its reasons for refusal two, four, five and seven. The completed version of the agreement was submitted following the closing of the Inquiry. I return to the matter of the obligations it contains later in this decision.
4. The emerging Winchester District Local Plan 2020–2040 (the ELP) is at a very advanced stage of preparation. The appeal site is proposed to be allocated for around 60 homes pursuant to Policy WK6 by the ELP. On 19 September the Council received 'Inspector Note 16' (the note). In the note the Inspector tasked

¹ Holborn Studios Ltd v The Council of the London Borough of Hackney [2017] EWHC

with the examination the ELP sets out that, subject to modifications, the ELP is likely to be capable of being found sound. One such modification is the deletion of Policy H2, which seeks to phase the development of greenfield sites for housing across the plan period, and the associated deletion of all references to that phasing requirement in other policies, including in emerging Policy WK6. Other modest changes to the drafting of Policy WK6 are also recommended.

5. The Council wrote to me on the same day informing me that, based on the contents of the note, it was also to withdraw reason for refusal one and it would no longer contest the appeal or call witnesses to provide evidence at the Inquiry. The Council's ultimate position is that planning permission should be granted.
6. Nonetheless, interested parties have made submissions in relation to the scheme and I shall address those below.

Main Issue

7. The appeal site comprises a gently sloping area of countryside to the east of the new residential development Wykeham Vale, beyond the settlement boundary for the village of Wickham. The appeal site also includes a section of the street Grindall Field, which extends to form the entrance to Wykeham Vale at its junction with the A32 to the west via a roundabout. The section of the A32 to the north of this roundabout is called School Road. The roundabout has several junction arms, including Fareham Road, which connects to the village centre to the northwest.
8. It is common ground that, given its location within the countryside, the appeal proposal would conflict with Policies DS1 and MTRA4 of the Local Plan Part 1 Joint Core Strategy (adopted 2013) (LPP1) and Policy DM1 of the Local Plan Part 2 Development Management and Site Allocations (adopted 2017) (LPP2) insofar as they relate to the development strategy for the location of new housing within the plan area. It is also accepted by the main parties, and myself, that this conflict draws the proposal into conflict with the development plan when read as a whole.
9. It follows that the main issue is whether other considerations indicate that I should make a decision other than in accordance with the development plan.

Reasons

10. Emerging Policy WK6 contains a series of criteria which any future development of the allocation must adhere to. Given the foregoing, and subject to the revisions to the policy wording as set out in the note, Policy WK6 is a material consideration of significant relevance in respect to the outcome of this appeal.
11. Criteria ii, iii and iv relate to highway matters. Vehicular access is proposed through an upgraded Grindall Field, ensuring good visibility for vehicles entering and exiting the development. A 5.5m carriageway width would be sufficient to allow two-way traffic movements, albeit there would be limited instances where domestic traffic would have to give way to allow refuse vehicles to pass. The scheme offers betterment compared to the existing layout of Grindall Field in this respect.
12. The removal of one visitor parking space to facilitate these improvements would have a negligible effect on the highway network in Wykeham Vale. This location has a clear place function, and drivers would be well aware of the prospect of pedestrians, oncoming vehicles, and the proximity of the adjacent area for child's play, which would be clearly physically separate from the carriageway in any event.

13. Upgrades to the pedestrian routes within Grindall Field would ensure better access to the child's play space and wider area. They would connect to a new crossing on the A32 just south of the roundabout. Together with enhancements to the width of the pavement along Fareham Road, they would promote adequate opportunities for safe walking and cycling and access to public transport to ensure that private journeys generated by the scheme are kept to a minimum. The site would also be permeable with access into both Grindall Field and towards The Glebe, the nascent wildlife and public open space to the north.
14. A further new pedestrian crossing would be provided across School Road to the northwest. I see no reason why the uncontrolled nature of the crossing would be unsafe, as visibility of the crossing would be very good, and drivers would logically drive according to the overt place function of the street. Bollards along School Road, which currently greatly impede pedestrian movement, would be removed. These would be two significant enhancements to the safety of School Road for pedestrians. Conversely, whilst the pavements along School Road are fairly narrow, I found it possible for pedestrians to pass with due care and attention.
15. To the north of School Road, the A32 meets Southwick Road and Bridge Street at a junction known locally as the Church Crossroads. Its junction arms are offset and it is busy, as I observed at my visit. I am aware that there have been a number of serious incidents and also several minor collisions at the junction, the latter at a fair frequency right up to the Inquiry itself. However, the expert evidence indicates that the proposal's trip generation would increase flows at the junction by around 7 vehicles during the morning peak period and 8 at the evening peak.
16. This means that, whilst I recognise the concerns about this junction now and going forward, the scheme itself would not significantly add to its current or projected use. Furthermore, it is likely that the new pedestrian crossing on School Road would slow approaching vehicles and so make users more aware of the junction; a point made in the supporting text to emerging Policy WK6. I am also aware that the highway authority has recently improved signage at the junction. As such, the overall effect of the development on the safety of this junction would be negligible.
17. Turning to the roundabout from which the site would be accessed, any queuing along Grindall Field would be very small even at peak times. 6,000 homes are to be constructed at Welborne to the south of the appeal site. However, the transport experts who have assessed the appeal scheme agree that modelling the forecast traffic movements using TEMPRO for the Winchester 013 mid-level output area is sufficient to identify likely traffic flows in the area in 2029 and so form an appropriate baseline from which to assess the traffic effects of the scheme. Doing so shows that, with a forecast Ratio to Flow Capacity of 0.74, the roundabout would comfortably maintain spare capacity to deal with traffic created by the proposal.
18. No alternative technical evidence has been put forward disputing this modelling. It also chimes with my own observations, with the roundabout comfortably free flowing at the time of my visit. Given the other improvements put forward, the expert evidence leads me to find that the development would have a modest beneficial effect on the safety of the highway and a negligible residual effect on the operation of the network overall. The scheme would accord with the transport related aims of emerging Policy WK6.

19. Turning to Policy WK6's environmental considerations, adequate accessible public open spaces would be provided within the site. Landscaped buffer areas would be established to the north, east and south site boundaries. These buffers, together with the low profile of the proposed housing, would minimise the effect of the scheme on the setting of listed buildings affected by the development (a matter I return to in more detail below). The site has evidenced archaeological potential, specifically there is the potential presence of the remnants of a Roman road. Suitable recording of any discovered archaeology could be secured with a condition.
20. Due to existing extensive landscaping, there is limited intervisibility between the appeal site and the South Downs National Park (the SDNP) some 200m to the north. The SDNP has the highest status of protection with respect to its landscape and scenic beauty, and these features would be conserved owing to the extent of existing landscape screening and the site's relationship to the existing built environment within Wickham. These factors would also ensure that the SDNP's dark skies would be adequately protected. With regard my to duty to further the statutory purposes of the SDNP, the additional planting to the north boundary of the site would further ensure that the natural beauty, wildlife and cultural heritage of the SDNP would be conserved, as would opportunities for the understanding and enjoyment of the special qualities of the SDNP by the public.
21. As the ground conditions onsite are unlikely to fully support infiltration, it is intended that surface water be managed and then drained to a watercourse offsite. Methods to manage surface water would chiefly comprise permeable surfaces, filter drains and perforated pipes, trenches filled with granular materials that convey runoff while allowing some infiltration, filter strips, wide gently sloping areas of grass or dense vegetation that slow surface water flows, ponds and wetlands, and oversized attenuation pipes and/or geo-cellular tanks designed to store water below ground.
22. Subject to a condition, the evidence put forward by the appellant indicates that adherence to a detailed drainage strategy would ensure that increased flooding can be avoided on and off site as a consequence of the development. The lead flood authority has latterly become concerned about the feasibility of the scheme, particularly in relation to the buoyancy of underground tanks. Ultimately, however, the use of tanks is one of a number of the mitigation methods open to the appellant. It would be a requirement that the full scope and feasibility of these methods across the scheme is agreed with the Council before any development on the site can begin. A Construction Environmental Management Plan that includes details of how drainage would be managed during works could also be secured by a condition.
23. The scheme would connect to the public sewer network. There have been issues with the network in the past, as set out by the Wickham Flood Investigation Report (2015). The latest analysis from the statutory undertaker states that there is existing capacity to accommodate foul water from the development: Southern Water has confirmed that there is currently space in the local network to accommodate a foul flow of 1.26 l/s for the development using the 150mm pipe in Grindall Field.
24. However, it is not clear to me if this means that the wider network beyond Grindall Field is capable of accommodating the increased flows when recent and committed developments in the area are taken into account. Given the clear history of foul water flooding that has occurred around Wickham, which appears to relate to the cumulative pressures placed on aging infrastructure through new housing development, I find that a precautionary approach is required.

25. On this basis it is necessary to impose a condition ensuring that the Council agree a phasing plan to ensure sufficient capacity exists at any given time. Doing so is consistent with Policy WK6 which states that the layout of the development must be planned to ensure future access to existing sewerage infrastructure for maintenance and upsizing purposes. The appellant is concerned about the enforceability and reasonableness of such a condition. However, it is well understood that negatively worded Grampian type conditions meet the necessary tests and have done so elsewhere in similar circumstances where the acceptability of a scheme is contingent on offsite improvements beyond the developer's direct control.
26. I have no reason to doubt the prospect that Southern Water, as the statutory undertaker, is capable to undertake any necessary infrastructure works. The Planning Practice Guidance (the PPG) supports the use of such conditions and also states that conditions may be imposed to ensure that a development is carried out in a certain sequence. A Grampian style phasing condition is therefore appropriate in this case.
27. As for planning obligations, all necessary contributions to infrastructure would be secured by the planning agreement, albeit I also return to that issue in more detail below.
28. The proposed development therefore would accord with the latest iteration of emerging Policy WK6. This is a significant consideration in favour of allowing this appeal, to which I return in the planning balance.

Listed Buildings

29. The appeal site is within the settings of three Grade II Listed buildings: The Old Rectory (listed as The Rectory) just over 100m to the north, Single Lodge and Gateway to Rooksbury around 200m to the northeast, and Castle Farmhouse, which is just over 300m to the southeast. I am mindful of my duty to have special regard to the desirability of preserving the settings of all of these listed buildings.
30. The significance The Old Rectory derives from its setting is largely focused on its relationship with the church and its high-quality, intimate grounds, reflective of the high status of the dwelling. Whilst the appeal site is former glebe land, this association with The Old Rectory is not obvious on the ground. Given also the cursory intervisibility between the listed building and the appeal site, the contribution that the site makes to the significance of The Old Rectory is very limited. With the careful landscaping of the north site boundary, the significance of The Old Rectory would not be harmed, and its setting would be preserved.
31. The Single Lodge and Gateway to Rooksbury logically draws a great deal of significance from the relationship the listed building maintains with the historic estate to the north. Given also the absence of intervisibility with the appeal site, the significance of the listed building would be unaffected, and the setting preserved.
32. Castle Farmhouse, as an historic farm dwelling, derives some significance from its wider agrarian setting. However, the views of the listed building from the site and vice versa are highly filtered by intervening vegetation. With the proposed additional landscaping along the nearest site boundary, the significance and setting of this listed building would also be unharmed by the proposed development.

Appropriate Assessments

Nitrates

33. The site is in the hydrological catchments of the Solent and Southampton Water Special Protection Area (SPA), the Solent Maritime Special Area of Conservation (SAC), the Portsmouth Harbour SPA and the Chichester and Langstone Harbours SPA and SAC (for brevity hereafter collectively the Solent Sites).
34. The Conservation of Habitats and Species Regulations 2017 (as amended) (the Regulations) require that permission may only be granted having ascertained that the development will not affect the integrity of such sites. As the competent authority I must carry out Appropriate Assessments to consider the implications of the proposal for the Solent Sites, alone and in-combination with other projects.
35. The Solent Sites are designated for their waterbird assemblage including teal, gull, tern, godwit, plover and goose. Enriched nutrient levels in the water is a primary reason for Natural England (NE) identifying these sites to be in an unfavourable condition. Excessive nutrient levels are accelerating the growth of certain plants through eutrophication, leading to the loss of important habitat. Water discharge from residential development contributes to this issue. Given that the proposal would contribute to increased discharge to the catchment of the Solent Sites, likely significant effects on their integrity cannot be ruled out in the first instance.
36. The S106 requires the scheme to adhere to an Allocations Agreement (AA). This agreement would offset nitrogen the scheme would generate with a corresponding reduction at land elsewhere. In practical terms, an agreement with a third party ensures that land is removed from agricultural use and allocated to the proposal for the lifetime of its use, subject to monitoring. To this end, Albion Water have confirmed that there is sufficient land available within its scheme at Knowle.
37. NE is satisfied that this arrangement is suitable to achieve nutrient neutrality and that the AA would secure this mitigation. This is subject to a condition that the Government's National Calculation Methodology for assessing water efficiency in new dwellings is utilised to demonstrate that no more than 110 litres of water per person per day shall be consumed within the development. I agree and conclude that owing to these measures the development would be nutrient neutral.

Recreation

38. The Portsmouth Harbour Special Protection Area and Solent and Southampton Water Special Protection Area are also close enough to the appeal site that likely significant effects cannot be ruled out to these sites with regard to the impact of increased recreational activity. Recreational disturbance can cause important habitat to be unavailable for use. Birds can be displaced which can affect the status and distribution of key bird species within the affected sites.
39. It is therefore accepted by the main parties, and agreed by NE, that when considered alone or cumulatively with other schemes, the proposal would have likely significant effects on the features of interest of these particular sites in respect to this issue. I agree. To address this specific issue, the Council adheres to the Solent Recreation Mitigation Strategy. Through this strategy, financial contributions are secured to contribute towards the delivery of Strategic Access Management and Monitoring. Relevant projects include the employment of rangers, new signage

and education initiatives, and the funding of research. The appellant intends to make the requisite financial payments, which are secured by the S106.

40. As such, I am satisfied, on the basis of the evidence before me, that the S106 provides a sufficient mechanism to secure and enable the delivery of proportionate and relevant mitigation pursuant to the Council's strategy for development which could affect the Solent Sites through recreation.

River Meon Compensatory Habitat

41. The River Meon flows through Wickham a short distance to the west of the appeal site. It is a priority chalk river system, with associated areas of floodplain and wet woodland. NE have advised that the River Meon acts as a compensatory habitat of the River Itchen Special Area of Conservation (the RISAC) which means it must be treated as though it is part and parcel of that site. The RISAC is designated for its watercourses which support populations of southern damselfly and bullhead fish.
42. Immediately to the south of the appeal site the adjacent watercourse runs through a culvert and connects to the River Meon. This means that any changes in the quality of water running through the ditch because of the proposal have the potential to disturb the ecology of the River Meon and by extension the RISAC. Likely significant effects cannot therefore be ruled out. However, I am satisfied that this is a matter that can be addressed through conditions relating to the surface water drainage strategy both for the construction and occupational phases of the development. Namely, there is the opportunity for water discharge to be controlled by planting and for the provision of gravel beds, and other already mentioned filtration systems, which would act to remove any micro-carbons.
43. The River Meon is also a well-used recreational asset. However, likely significant effects on the River Meon due to recreational pressure would be mitigated through the provision of footpaths within the open spaces of the scheme and the route to The Glebe, which would encourage connections to alternative walking routes.

Conclusion

44. I therefore find within my Appropriate Assessments that, with the provided mitigation, the proposal would not have adverse effects on the integrity of the Solent Sites. The proposal would accord with Policy CP16 of the LPP1, the Habitats Regulations and the National Planning Policy Framework (the Framework) insofar as they seek to secure the long-term protection of such sites.

Other Matters

45. With reference to Biodiversity Net Gain (BNG), the ecological evidence indicates that the statutory requirement for a 10% uplift would be exceeded. Part of the appellant's strategy involves land within The Glebe. At the Inquiry it was suggested that the archaeological potential of The Glebe precludes significant intervention which could undermine the delivery of the BNG.
46. However, the appellant also has potential arrangements to utilise open land currently within the grounds of The Old Rectory. Failing that, any shortfall could also potentially be made up through the purchasing of credits. In principle therefore, I am satisfied that the statutory requirement for BNG could be met by the scheme and that the statutory BNG condition could be discharged.

47. As for the wildlife within The Glebe more generally, it appears to me that the said open land within the grounds of The Old Rectory would prevent the proposed development from effectively cutting The Glebe off from the surrounding countryside habitat. The aforementioned means to control the quality and speed of water runoff towards the River Meon would equally ensure that water vole would not be unacceptably harmed by the development.
48. Looking at the site itself, there is the potential for the European Protected Species (EPS) the Great Crested Newt (GCN) to be present, owing to the proximity to a number of ponds to the north within the grounds of The Old Rectory. However, the latest survey work indicates that the ponds do not support this species. Given the absence of any other records of GCN on the appeal site and within a 1km radius of the appeal site, I am satisfied that GCN would not be harmed by the development.
49. Dormice is also an EPS and nests and other evidence of habitation have been recorded in the hedgerows around the appeal site. The majority of the habitats used by dormice would be retained, however the development has the potential to impact the local population through modest loss of habitat and disturbance. Vegetation removal to allow construction could lead to disturbance, injury or death of dormice. Some domestic cats have also been found to hunt dormice.
50. In order to mitigate these effects, compensatory planting would be provided elsewhere on site which could utilise suitable species which specifically support dormice, including hazel, oak, hawthorn, honeysuckle *Lonicera periclymenum* and beech *Fagus sylvatica*. Moreover, dormouse boxes could be installed within retained hedgerows to increase the capacity for the site to support the species.
51. Regulation 9(3) of the Regulations requires the competent authority to have regard to the requirements of the associated Directive insofar as it may be affected by the exercise of its functions. Permission should ordinarily be granted save only in cases where a development would either be likely to offend Article 12(1) or unlikely to be licensed pursuant to the derogation powers.
52. Bearing in mind the suggested mitigation measures, I find that the proposal would not offend Article 12(1). I am satisfied that the mitigation hierarchy has been followed and that there would be no significant harm to the long-term conservation status of the dormice. As the PPG makes clear, conditions should be used to enable development to proceed where it would otherwise have been necessary to refuse permission, by mitigating the adverse effects. Having carefully reviewed the conditions related to landscaping, ecological mitigation and habitat protection, I have no reason to doubt that they would be effectual here.
53. Turning to licensing matters, the views of NE are highly determinative and carry great weight. In this respect, the NE consultation responses do not object to the proposal on the basis of potential harm to dormice or their habitat, nor are any concerns raised over licensing issues. I have no reason to doubt that a mitigation license would be issued on the basis of the evidence that is before me.
54. The Wickham and Knowle Neighbourhood Plan has been referred to but is at a very early stage of preparation to the extent that it has had very little bearing on my assessment. Whilst the scheme would perpetuate the extension of new development into the countryside in this particular location, the site is largely screened from the wider landscape to the point that it would not be perceived as a harmful ribbon of development in relation to Wickham and its setting as a whole.

The density, proposed materials and urban design of the development would take direct reference from Wickham Vale, which I observed to be a well-designed place.

55. The modest increase in comings and goings related to the occupation of the development would not have a significant effect on the living conditions of residents within Wykeham Vale. The character of these effects would be residential and therefore compatible with the existing environment. I have no reason to doubt that adequate levels of parking would be provided within the scheme. The increased footfall to local facilities would likely enhance the vitality of Wickham.
56. The capacity of local facilities such as the primary school and doctor's surgery have been questioned, particularly within the context of significant urban extensions that are planned or happening in the wider surrounding area, such as at Welbourne. However, the relevant authorities responsible for these facilities have not objected to the increased demand for their services and, in the case of the NHS, it has confirmed that sufficient capacity is available to accommodate the new residents. It is not the role of the development to alleviate existing issues or the effects of other developments, but rather to ensure that it washes its own face in this respect.
57. In my view the positioning of the AH within the layout is sufficient to allow the AH to be indiscernible and avoid its unsatisfactory concentration in one area. The mix of affordable housing has an emphasis on houses for rent, which reflects the policy requirement for AH but also, I understand, the need for such in the area.

Planning Balance

58. The Government is seeking to significantly boost the supply of housing. The proposed development would make a significant contribution to addressing the need for housing, including AH, going forward. There would be associated economic benefits through the increased use of local facilities upon occupation. There would be economic benefits during construction, and the Employment and Skills Plan raises the prospect of these being local and lasting benefits.
59. I appreciate that there have been objections to various facets of the scheme and also the appellant's conduct in the manner the scheme has been advertised locally. However, even if the merits of the scheme, and the perceived effectiveness of the appellant's communication, fall short of that expected by some members of the community, the likely impending allocation of the appeal site as a consequence of the iterative plan making process, and the strong compliance of the appeal scheme with emerging Policy WK6, are compelling considerations which weigh significantly in favour of granting permission.
60. Indeed, together with the social and economic benefits of the proposal, they are considerations which indicate that I should make my decision other than in accordance with the development plan in this case.

Planning Obligations

61. The 40% AH is required to comply with Policy CP3 of the LPP1. The S106 would also secure the location and mix of the AH. In order to adhere to the objectives of sustainable transport, highway safety and the network, contributions are needed towards the cycling and walking improvements in Wickham, and the S106 would also secure the timing and delivery of the aforementioned physical improvements to the surrounding network.

62. For the same reasons the S106 would secure the final details and adherence to the draft Travel Plan attached to the agreement. The S106 would also provide for the necessary delivery, use and maintenance of the proposed public open space in the scheme. The economic benefits of the scheme in relation to the construction phase would also be secured by the S106 through the Employment and Skills Plan.
63. Regulation 122 of the Community Infrastructure Levy Regulations (2010) and the Framework set out that planning obligations must only be sought where they meet the relevant tests, including where they are necessary to make the development acceptable in planning terms, directly related to the development and fairly and reasonably related in scale and kind to the same. I am satisfied that all of the obligations are necessary, directly, fairly and reasonably related in scale and kind to the development and can be taken into consideration as part of the development.

Conditions

64. At the Inquiry the main parties and the interested parties present participated fully in discussions about what conditions should be imposed, were I minded to allow the appeal. Alternative conditions were also put forward by interested parties.
65. In addition to the standard condition setting out a time limit for the commencement of the development, a condition is necessary to set out the approved plans in the interest of certainty. Given that a condition requiring agreement to a BNG plan is set out in statute², it is not necessary for a condition to be imposed to achieve the same aim. However, a condition is required relating to the specific provision and management of onsite biodiversity gains prior to development commencing.
66. To assimilate the development into its setting and the setting of the SDNP, and to safeguard the settings of affected listed buildings, a condition shall provide for the delivery and maintenance of the proposed landscaping. Conditions securing a Written Scheme of Investigation and the implementation of such are essential given the evidenced archaeological potential of the appeal site.
67. In the interest of ecology and local character, a condition will require the agreement of any external lighting to be provided within the scheme. Further in the interest of local character and design, details of all windows and door shall be provided and agreed prior to their installation. Given the trees of clear public amenity value on the site, and in order to protect new trees going forward, a condition will set out arboricultural protection measures for before, during and after construction works.
68. Owing to the prospect of underground utilities being present, a condition is needed to provide for exploration of this issue prior to the commencement of the development. Similarly, and in the interest of the character and appearance of the area, it is necessary for finished ground levels and building heights to be agreed.
69. To protect various aspects of the environment and the living conditions of residents, a Construction Environment Management Plan will have be agreed prior to the commencement of construction work. In the interest of good design and local character, a condition shall require agreement as to the finer details of all finish materials. A condition shall safeguard against the risks of land contamination on the site and a further condition will address what needs to be done in the event that unsuspected contamination is found.

² Schedule 7A of the Town and Country Planning Act 1990 and paragraph 193 of the National Planning Policy Framework (2024).

70. In the interest of managing flood risk and the effects of the scheme on the River Meon, a detailed surface water drainage strategy will need to be agreed with the Council prior to the commencement of the development. A further condition will provide for the long-term maintenance arrangements of the drainage strategy.
71. A condition will secure details of the sustainability merits of the scheme in accordance with the requirements of Policy CP11 of the CPP1 and will also secure the maximum extent of domestic water discharge from the development in the interest of the relevant Solent Sites. Also under the terms of Policy CP11 and the environment, a condition will require details of air source heat pumps, electric vehicle charging points and solar panel provision. To ensure for a safe and efficient internal layout, a condition will require the laying out and retention of the parking and turning areas. For the same reasons a condition will ensure that the visibility splays are provided and kept clear for their intended purpose.
72. Further highway related conditions were put forward by interested parties during the Inquiry, but given the suite of highway works already proposed and secured would achieve the necessary requirements for highway safety, these conditions would fail the tests of reasonableness and necessity. Whilst the integrity of imposing conditions is met with a degree of scepticism by some interested parties, this is how the planning system functions, and the enforcement regime is the ultimate, appropriate recourse for the fulfilment of these conditions if necessary.

Conclusion

73. For the reasons given above, and taking all other matters raised into account, the balance of considerations falls in favour of the proposed development. I therefore conclude that the appeal should be allowed.

Matthew Jones

INSPECTOR

APPEARANCES

FOR THE APPELLANT:

Mr Christopher Boyle KC,

Miss Alice Drew BSc (Hons) MSc MRTPI

Mr David Earl

King's Counsel, instructed by Croudace
Homes Ltd

Planning agent

Transport specialist

FOR THE LOCAL PLANNING AUTHORITY:

Mr Jack Barber

Ms Liz Young BSc, MA, MRTPI,
Mr Adrian Fox BSc, MSc, MRTPI,
Ms Fiona Sutherland

Counsel, instructed by Winchester City
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Principal Planning Officer

Strategic Planning Manager

Solicitor

INTERESTED PARTIES

Ms Camilla Sharp

Mr Geoffrey Burton

Cllr Nicol Holladay

Dr Mark Ashton

Resident

Wickham Residents Association

Wickham and Knowle Parsh Council

Chair, The Glebe Working Party

DOCUMENTS SUBMITTED DURING AN AFTER THE INQUIRY

ID1 Inspector Note 16 relating to the emerging Local Plan

ID2 Council's opening statement

ID3 Appellant's opening statement

ID4 Mr Burton's written submissions

ID5 Cllr Holladay's written submission on behalf of the parish council

ID6 Biodiversity Net Gain plan showing The Old Rectory grounds

ID7 Summary of S106 agreement

ID8 Completed S106 agreement

ID9 Natural England consultation response

ID10 Southern Water consultation response

SCHEDULE OF CONDITIONS

- 1) The development hereby permitted shall begin no later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans:
 - Location Plan 1000 Rev A
 - Site Layout 1005 Rev D
 - Boundary Treatment Plan 1705 Rev C
 - Landscape Strategy Plan 10200- FPCR- XX- DR-L- 0005 P06
 - Parking Plan 1700 Rev C
 - Refuse Plan 1701 Rev C
 - Dwelling Distribution Plan 1708 Rev A
 - Garages and Carports Plans and Elevations 3300 REV A
 - Sycamore Affordable Plans and Elevations 3215 REV A
 - Laurel Affordable Plans and Elevations 3210 REV A
 - Laurel Affordable Plans and Elevations 3205 REV A
 - Hazel Affordable Plans and Elevations 3200 REV A
 - Kestrel Plans and Elevations 3050 REV A
 - Sorrell Plans and Elevations 3045 REV A
 - Rose Plans and Elevations 3041 REV A
 - Rose Plans and Elevations 3040 REV A
 - Bilbury Plans and Elevations 3037 REV A
 - Bilbury Plans and Elevations 3036 REV A
 - Bilbury Plans and Elevations 3035 REV A
 - Kite Elevations 3031 REV A
 - Kite Floorplan 3030 REV A
 - Kite Plans and Elevations 3025 REV A
 - Kite Plans and Elevations 3021 REV A
 - Kite Plans and Elevations 3020 REV A
 - Kite and Robin Plans and Elevations 3017 REV A
 - Kite Plans and Elevations 3015 REV A
 - Jay and Robin Plans and Elevations 3010 REV A
 - Robin Plans and Elevations 3005 REV A
 - Jay Plans and Elevations 3000 REV A
 - Access Drawing ITB17449-GA-005 Rev I
- 3) The development shall not commence until a Habitat Management and Monitoring Plan (HMMP) prepared in accordance with the approved Biodiversity Gain Plan has been submitted to and approved in writing by the Local Planning Authority and including:
 - a) a non-technical summary;
 - b) the roles and responsibilities of the people or organisation(s) delivering the HMMP;

- c) the planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the approved Biodiversity Gain Plan;
- d) the management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the completion of development; and
- e) the monitoring methodology and frequency in respect of the created or enhanced habitat to be submitted to the Local Planning Authority.

Notice in writing shall be given to the Local Planning Authority when the HMMP works have started. No dwelling shall be occupied until:

- a) the habitat creation and enhancement works set out in the approved HMMP have been completed; and
- b) a completion report, evidencing the completed habitat enhancements, has been submitted to, and approved in writing by the Local Planning Authority.

The created and/or enhanced habitat specified in the approved HMMP shall be managed and maintained in accordance with the approved HMMP. Monitoring reports shall be submitted to the Local Planning Authority in writing in accordance with the methodology and frequency specified in the approved HMMP.

- 4) No development shall take place above slab level until details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority. These details shall include:
 - a) the position, design and materials of all proposed boundary treatments (including all walls, fences, retaining walls and hedgehog fencing)
 - b) all hard surfacing materials
 - c) Proposed and existing services above and below ground (eg drainage, power, communication cables, pipelines etc.) in relation to all planting
 - d) retained landscape features and proposals for restoration
 - e) details of all trees, bushes and hedges which are to be retained.
 - f) Schedules of plants, noting species, plant sizes and proposed numbers / densities where appropriate.
 - g) tree pit details, sections and detailed plans
 - h) Establishment and Maintenance programme.

All hard and soft landscape works shall accord with the approved details and shall be delivered in line with the Establishment and Maintenance Programme. If within a period of five years after planting any tree or plant is removed, dies or becomes seriously damaged, defective or diseased, another tree or plant of the same species and size as that originally approved shall be planted at the same place, within the next planting season.

- 5) No development shall take place until a Written Scheme of Investigation for archaeological evaluation (trial trenching) has been submitted to and agreed in writing by the Local Planning Authority and implemented in full in accordance with the approved details.

- 6) No development shall take place until a Written Scheme of Investigation for a programme of archaeological mitigation works has been submitted to and agreed in writing by the Local Planning Authority and the programme of archaeological mitigation works has been implemented in accordance with the approved details. Following completion of archaeological fieldwork and prior to development above slab level, a report of post-excavation assessment shall be submitted to an approved in writing by the Local Planning Authority.
- 7) No external lighting shall be installed on the site unless details of such have been submitted to and approved in writing by the Local Planning Authority. The lighting scheme should be in accordance with Guidance Note 08/23 produced by the Bat Conservation Trust and Institute of Lighting Professionals. This information shall include a layout plan with beam orientation and a schedule of equipment in the design (luminaire type, mounting height, aiming angles and luminaire profiles). The lighting shall be installed, maintained and operated in accordance with the approved details.
- 8) Protective measures, including fencing, ground protection, supervision, working procedures and special engineering solutions shall be carried out in strict accordance with the Arboricultural Report, Method Statement and Tree Protection Plan (10200-T-03) written by FPCR Environment & Design dated December 2024.

An arboriculturist shall be appointed to monitor and supervise all activity occurring on the site where there is potential for negative impact on retained trees, including installation of approved tree protection measures. A schedule of supervision visits shall be recorded, to be reported back to the Local Planning Authority for the duration of any demolition and construction works.

A post-construction tree health assessment shall be completed to ensure that all retained and protected trees have not been adversely affected and that approved tree protection measures have not been contravened. The assessment will be recorded and completed by the appointed arboriculturist and reported back to and agreed by the Local Planning Authority prior to the first occupation of any dwelling hereby approved.

- 9) No development including site clearance, demolition, ground preparation, temporary access construction/widening, material storage or construction works shall commence on site until a plan showing the location of all existing and proposed utility services has been submitted to and approved in writing by the Local Planning Authority. The plan shall include gas, electricity, communications, foul and surface water and drainage. No development or other operations shall take place other than in complete accordance with the utility services plan.
- 10) No development shall take place until the following information shall have been submitted to and approved in writing by the local planning authority:
 - a) a full site survey showing: the datum used to calibrate the site levels; levels along all site boundaries; levels across the site at regular intervals and floor levels of adjoining buildings.

- b) full details of the proposed finished floor levels of all buildings and hard landscaped surfaces.

The development shall be carried out in accordance with the approved details

11) No development shall take place until a Construction Environmental Management Plan (CEMP) has been submitted to, and approved in writing by the Local Planning Authority. The CEMP shall provide for:

- a) Programme for construction and hours of working
- b) Construction site layout, storage and welfare arrangements
- c) Measures to avoid or mitigate impacts on species and habitats, with particular reference to the management of silt and surface water
- d) Use of fences and barriers to protect adjacent land, footpaths and protected habitats
- e) Measures to control noise, dust, vibration and lighting impacts
- f) A Construction Traffic Management Plan to include construction traffic routes and their management and control, parking and turning provision to be made on site, measures to prevent mud being deposited on the highway, adequate provision for addressing any abnormal wear and tear to the highway, and a programme for construction.
- g) Measures to control chemical and/or fuel run-off
- h) Waste disposal / management
- i) Soil Resource Plan to inform soil management
- j) Toolbox talks to staff
- k) The provision to be made for contractor's vehicles parking and plant, storage of building materials and any excavated materials, huts and all working areas.
- l) Site monitoring, community liaison and communication including complaints procedure

The approved CEMP shall be adhered to throughout the construction period for the development.

12) No development above slab level shall commence until full details of all external materials to be used in the construction of the hereby approved dwellings have been submitted to and approved in writing by the Local Planning Authority. This shall include the provision of information related to brickwork, flintwork, hanging tiles, timber boarding, roof coverings, rainwater goods, fascias, eaves and verges. The submission shall include samples as appropriate, including where necessary sample panels erected on site. The development shall be carried out and thereafter maintained in accordance with the details so approved.

13) Prior to installation, details of all windows and doors shall have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out and thereafter maintained in accordance with the details so approved.

14) No development shall take place until a scheme to deal with contamination has been submitted to and approved in writing by the Local Planning Authority. The

scheme shall conform to current guidance and best practice and include the following phases:

- a) A preliminary site investigation or desk top study documenting all the previous and existing land uses of the site and adjacent land and preliminary conceptual site model identifying all identified potential risks
- b) A site investigation report documenting the ground conditions of the site and incorporating chemical and gas analysis identified as appropriate by the preliminary conceptual site model as presented in the desk top study
- c) A remedial strategy detailing the measures to be undertaken to remove or avoid risk from contaminants and/or soil gas identified when the site is developed and proposals for future maintenance and monitoring. Such scheme shall include nomination of a suitably qualified person to oversee the implementation of the works.

Where contamination has been identified, written verification produced by the suitably qualified person nominated in the approved remedial strategy shall be submitted to and approved in writing by the Local Planning Authority. The report must demonstrate that the approved remedial strategy has been implemented fully.

- 15) Development shall cease on site if, during any stage of the works, potential contamination is encountered which has not been previously identified. Works shall not recommence before an assessment of the potential contamination has been undertaken and details of the findings along with details of any remedial action required (including timing provision for implementation), has been submitted to and approved in writing by the Local Planning Authority. The development shall not be completed other than in accordance with the approved details.
- 16) No development shall begin until a detailed surface water drainage scheme for the site, based on the principles within the Flood Risk Assessment ref: 304361-SWH-ZZ-01-DR-RP-0001, has been submitted and approved in writing by the Local Planning Authority. The submitted details should include:
 - a) A technical summary highlighting any changes to the design from that within the approved Flood Risk Assessment.
 - b) Infiltration test results undertaken in accordance with BRE365 and providing a representative assessment of those locations where infiltration features are proposed and demonstrating the 1m unsaturated zone.
 - c) Evidence of groundwater monitoring/assessment. Confirmation on how impacts of high groundwater will be managed in the design of the proposed drainage system to ensure that storage capacity is not lost, and structural integrity is maintained.
 - d) Detailed drainage plans to include type, layout and dimensions of drainage features including references to link to the drainage calculations and how silt will be managed.
 - e) Details of flow routing from existing pond to take into consideration disruption to existing flow routes and ensuring surface water drainage networks are not overwhelmed by overland flows.

- f) Detailed drainage calculations to demonstrate existing runoff rates are not exceeded and there is sufficient attenuation for storm events including 1:30 + climate change, up to and including 1:100 + climate change.
- g) Evidence that urban creep has been included within the calculations.
- h) Confirmation that sufficient water quality measures have been included to satisfy the methodology in the Ciria SuDS Manual C753.
- i) Exceedance plans demonstrating the flow paths and areas of ponding in the event of blockages or storms exceeding design criteria.
- j) Details as to how the River Meon will be protected from pollutants.

17) Details for the long-term maintenance arrangements for the surface water drainage system, inclusive of retained existing surface water drainage features, shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of any of the dwellings. The submitted details shall include:

- a) Maintenance schedules for each drainage feature type and ownership, including the existing pond
- b) Details of protection measures

The surface water drainage system shall be thereafter maintained in accordance with the approved details.

18) Details for the onsite strategy for the disposal of foul water shall be submitted to and approved in writing by the Local Planning Authority before the commencement of the development hereby permitted. The development shall not be occupied until the approved measures have been implemented.

19) Prior to the occupation of the dwelling hereby permitted, detailed information, demonstrating that the development will achieve a dwelling emission rate (DER) at least 19% lower than the 2013 Part L Target Emission Rate (TER) (Equivalent of Code for Sustainable Homes Level 4 for Energy) and no more than 105 Litres per person per day predicted internal water use (110 Litres per person per day total) (Equivalent of Code for Sustainable Homes Level 3 / 4) in the form of an 'as built' stage SAP calculation and a water efficiency calculator shall be submitted to the Local Planning Authority for its approval. The development shall be occupied in accordance with the approved details.

20) Prior to the occupation of the development hereby permitted, details of the specification and location of the following must be submitted to and approved in writing by the Local Planning Authority:

- a) Air source heat pumps
- b) Electric vehicle charging
- c) Solar Panels

The development shall be carried out fully in accordance with the approved details and shall be retained as such for the lifetime of the development.

21) No dwelling shall be occupied until the parking and turning space for each dwelling has been provided in accordance with drawing no.1700 Rev C. The

approved parking spaces shall thereafter be kept available at all times for that purpose.

- 22) No planting within the vehicular visibility splays should exceed 600mm in height to ensure visibility splays are kept clear and maintained at all times.
- 23) The proposed development shall be carried out fully in accordance with the recommendations contained within the ecological impact assessment (January 2025). All enhancement measures shall be implemented in full before the development is occupied and shall remain in place for the lifetime of the approved development.
- 24) Prior to development above slab level, a phasing plan shall be submitted to and agreed in writing by the Local Planning Authority. The phasing plan shall ensure that adequate wastewater capacity is available to serve the dwellings and the development shall be carried out in accordance with the phasing plan.

Richborough