

**SUPPLEMENTAL PLANNING STATEMENT FOLLOWING
PUBLICATION OF NATIONAL PLANNING POLICY FRAMEWORK
(AUGUST 2026)**

Old Oak Farm, Winchester, Fair Oak

Replacement of two lawful dwellings with two self-build dwellings

F/25/100632

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1 Introduction

- 1.1 We write further to the above application following publication on 17 August 2026 of the new National Planning Policy Framework (NPPF). The change is material and requires the application to be assessed afresh against the new national decision-making policies rather than by reference to the policy balance which applied when the previous appeal was determined.
- 1.2 The significance of the new Framework is not confined to a change in wording or paragraph numbering. It introduces a distinct set of national decision-making policies, expressly directs the weight to be given to certain development plan policies, introduces a positive national policy for specified forms of development outside settlements, and requires **substantial weight** to be given to homes which meet evidenced accommodation needs. Those changes are directly relevant to Old Oak Farm.
- 1.3 The key change in approach is that the new NPPF now contains national decision-making policies which expressly govern development outside settlements and the weight to be attached to evidenced accommodation needs. Annex A also directs that **materially inconsistent** development plan policies should be given very limited weight.

2 The new NPPF is immediately material to this application

- 2.1 Annex A of the August 2026 NPPF is explicit that the policies in the Framework are material considerations which must be taken into account in decision-making from the date of publication. The application is therefore to be determined against the new national policy framework.
- 2.2 Of particular importance, Annex A states that development plan policies, or parts of policies, which are **materially inconsistent** with national decision-making policies in the new Framework should be given “**very limited weight**”, unless they have been examined and adopted against this Framework. Eastleigh’s adopted Local Plan predates the August 2026 Framework. It follows that the correct exercise is now to consider the degree of material consistency between relevant Local Plan policies and the new national decision-making policies, rather than simply applying the Local Plan wording at full weight because it remains part of the statutory development plan.

3 Policy DM26 and the blanket prohibition on replacing mobile homes

- 3.1 Local Plan Policy DM26 is the principal source of technical conflict in this case because it states that mobile homes should not be replaced by permanent dwellings. The existing Planning, Design and Access Statement accepts that conflict, but explains why the objectives of the policy are not offended in the particular circumstances of Old Oak Farm.

- 3.2 The new NPPF **materially alters the weight** to be attached to that blanket prohibition. National policy no longer approaches development outside settlements simply as development to be resisted unless a local policy exception can be identified. NPPF Policy S3 requires a presumption in favour of sustainable development and directs decision-makers, outside settlements, to apply policy NPPF Policy S5. NPPF Policy S5 then identifies forms of development outside settlements which should be approved unless their benefits would be substantially outweighed by adverse effects when assessed against the national decision-making policies.
- 3.3 NPPF Policy S5(1)(c) is also important in demonstrating the new national approach to replacement development in the countryside. It positively provides for the reuse, extension, alteration or replacement of an **existing lawful building** of permanent and substantial construction, with replacement buildings to be in the same use. The significance is that it demonstrates a materially different national policy direction: lawful replacement development outside settlements is not subject to a blanket objection in principle (as Local Plan DM26 indicates) - the focus is on lawfulness, use, scale, impacts and the planning balance.
- 3.4 More directly NPPF policy S5(1)(j) provides a positive route for development outside settlements where it would address an evidenced unmet need, provided that the development is physically well-related to an existing settlement and can be accommodated having regard to infrastructure. The wording is deliberately broad — it is not confined to general market housing need. This is to be read with NPPF policy HO7 and the groups identified through NPPF policy HO1.
- 3.5 Against that national policy structure, the blanket element of Local Plan DM26 which prevents the replacement of a lawful residential mobile home with a permanent dwelling irrespective of the particular planning merits is **materially inconsistent** to the extent that it prevents the positive assessment now required by S5 and HO7. Accordingly, this part of DM26 should now be given **very limited weight under Annex A**. This is not an argument that all replacement mobile-home proposals must be permitted; it is an argument that the national policy balance can no longer be displaced by an absolute local prohibition which does not allow the decision-maker to assess evidenced need, sustainability, design, landscape effects, fallback and other material benefits.

4 Certificates of lawfulness and the established residential use

- 4.1 The two static mobile homes at Old Oak Farm benefit from certificates of lawful use for permanent residential occupation. The residential use of the land is therefore established and is not a speculative new residential use of undeveloped countryside. The existing statement records that the certificates were issued in November 2021 and that each mobile home is lawfully used as a permanent home.

- 4.2 That distinction is fundamental. The application does not increase the number of residential units. It replaces two existing lawful permanent residential occupancies with two permanent dwellings. The fallback position remains that the existing mobile homes can be replaced by other mobile homes within the lawful areas without an equivalent design-control exercise. The submitted statement also records Eastleigh's own approach at Hall Lands Farm, Fair Oak, where the Council accepted that a lawful residential use was not predicated on retention of the existing mobile home and treated the conflict with the then emerging replacement policy as carrying little weight.
- 4.3 The new NPPF strengthens the relevance of those matters because the decision-maker is now expressly required to undertake the national policy balance for development outside settlements. The certificates of lawfulness, the absence of any increase in the number of homes, the realistic fallback and the opportunity to secure a materially better designed and environmentally improved form of accommodation are therefore substantial material considerations in applying NPPF Policy S5.

5 Substantial weight to evidenced accommodation needs – policy HO7

- 5.1 NPPF Policy HO7 is a significant new national decision-making policy for this proposal. It states that, in applying the Framework, **substantial weight** should be given to the benefits of providing homes which contribute towards meeting the evidenced accommodation needs of the community, as identified through needs assessments and other relevant evidence. NPPF Policy HO7 expressly includes, but is not limited to, the different groups assessed under NPPF policy HO1.
- 5.2 NPPF Policy HO1 identifies both disabled people and people wishing to commission or build their own homes amongst the groups whose accommodation needs are to be assessed. Old Oak Farm engages both considerations.
- 5.3 First, the application is for two genuine self/custom-build homes. The submitted evidence records a material and continuing shortfall in self/custom-build provision within Eastleigh and offers to secure the dwellings as self-build through a Unilateral Undertaking. The previous Inspector accepted that the provision of two self/custom-build homes was a benefit, but attached only moderate weight on the evidence then available. The present application contains updated evidence of a substantially greater shortfall. Under the new NPPF HO7 policy, the starting point for an evidenced accommodation need is now **substantial weight**, not merely some or moderate weight.
- 5.4 Second, both proposed dwellings are designed to be fully wheelchair accessible. The previous Inspector also accepted the improved living conditions and accessibility standards for the existing occupiers as a benefit. Where the Council is satisfied, on the submitted evidence, that the wheelchair-accessible accommodation responds to an evidenced accommodation need, NPPF Policy HO7 requires **substantial weight** to be given to that benefit too. This should be considered separately from, and cumulatively with, the self-build need.

- 5.5 The combined effect is important. The planning balance should not treat the two dwellings simply as ordinary market housing outside a settlement. They are two replacement homes on land already in lawful permanent residential use, designed to meet accessibility requirements and proposed as secured self-build dwellings in an authority area where the submitted evidence identifies a significant shortfall.

6 Policy S5 and the location of Old Oak Farm

- 6.1 The site is outside the defined settlement boundary and NPPF Policy S5 therefore applies. The previous appeal Inspector nevertheless accepted that the site is sustainably located. The current submission also explains that the site is served by a footway along Winchester Road and is close to bus routes, employment, shops, services and community facilities.
- 6.2 The revised scheme has also moved the proposed dwellings back into the eastern, “tucked away” part of the site identified by the Inspector, rather than extending development towards Winchester Road. The proposal is therefore materially different from the scheme dismissed at appeal. It is contained within the established residential part of the land, adjacent to existing development and vegetation, and has been redesigned specifically to respond to the Inspector’s landscape concerns.
- 6.3 For the purposes of NPPF Policy S5(1)(j), the site is physically well-related to the existing settlement pattern and that the scale of two replacement dwellings can plainly be accommodated by existing and proposed infrastructure. In any event, the scheme does not represent an outward expansion in the number of homes; it is the replacement and improvement of two lawful residential occupancies.

7 The proposal now before the Council is materially different from the appeal scheme:

- **Siting:** the dwellings are moved back into the more enclosed eastern part of the site, close to the existing lawful residential areas and away from Winchester Road;
- **Scale:** the former two-storey contemporary dwellings have been replaced by single-storey three-bedroom barns;
- **Character:** the design is now a recessive rural “converted barn” vernacular, using dark timber and pitched roofs;
- **Curtilage:** garden areas are smaller and clearly contained, directly addressing the Inspector’s concern about urbanising domestic spread;
- **Landscape:** the scheme relies less on new screening and instead uses the established hedges and trees which already contain the residential area;
- **Trees:** the existing residential use is moved away from the root protection area of the mature oak trees;
- **Access:** the existing access is retained with improved visibility;

- **Wastewater:** the proposal replaces the existing septic-tank arrangement with a treatment solution identified in the submitted evidence as an environmental betterment; and
- **Accessibility and housing need:** the two homes are wheelchair accessible and are proposed as secured self-build dwellings.

8 Reframing the planning balance

- 8.1 The previous appeal was ultimately dismissed because the Inspector gave great weight to the protection of the countryside and concluded that the identified harm outweighed benefits to which moderate weight was collectively attached. That is not the balance which now falls to be applied.
- 8.2 The Council must now apply the August 2026 national decision-making policies. In doing so:
- (i) the materially inconsistent blanket element of Local Plan Policy DM26 should be afforded **very limited weight** under NPPF Annex A;
 - (ii) NPPF Policy S5 provides the relevant national policy framework for development outside settlements;
 - (iii) **substantial weight** must be given under NPPF Policy HO7 to the benefits of meeting evidenced accommodation needs; and
 - (iv) the substantially revised design and siting must be assessed on its own merits against the national policies relating to design, landscape, accessibility, transport and environmental effects.
- 8.3 **The effect is not merely to add another benefit to the previous balance. The new NPPF changes both sides of that balance: it materially reduces the weight which should be attached to a blanket local prohibition where that prohibition is inconsistent with the new national decision-making policies, while at the same time positively increasing the weight which must be given to evidenced housing needs.**

9 Conclusion

- 9.1 For the reasons set out above, we respectfully request that the application is reconsidered in full against the August 2026 NPPF before any recommendation is finalised.
- 9.2 It is considered that the Framework materially strengthens the principle of development in this case. The site already accommodates two lawful permanent residential uses; there is no increase in the number of homes; there is a credible fallback; the scheme is now materially smaller, more contained and more rural in character; and it delivers two accessible self-build homes responding to evidenced needs, together with landscape, tree, access and wastewater benefits.
- 9.3 We would therefore be grateful if the officer's assessment could expressly address NPPF policies S3, S5 and HO7 and Annex A, including the consequent weight to be given to the mobile-home replacement prohibition within Local Plan Policy DM26.

- 9.4 It is considered that, once the new national policy position is properly applied, the planning balance now falls clearly in favour of granting permission, subject to appropriate conditions and the proposed legal mechanism securing the self-build nature of the dwellings.
- 9.5 It is therefore respectfully requested that planning permission is granted.