The Planning Inspectorate

Appeal Decision

Inquiry held on 27-29 October 2015
Site visit made on 29 October 2015

by Paul Dignan MSc PhD

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 14 December 2015

Appeal Ref: APP/W1715/W/15/3005761
Land to the east of Grange Road, Netley Abbey, Southampton.

- The appeal is made under section 78 of the Town and Country Planning Act 1990 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 Sheet Anchor Properties Limited against Eastleigh Borough Council.
- The application Ref. O/14/75435, is dated 15 October 2014.
- The development proposed is Residential development of up to 250 dwellings, including allotments and open space, with associated means of access with other matters reserved.

Decision

1. The appeal is dismissed and planning permission for *Residential development of up to 230 dwellings, including allotments and open space, with associated means of access with other matters reserved* is refused.

Application for costs

2. At the Inquiry an application for costs was made by Sheet Anchor Properties Limited against Eastleigh Borough Council. This application is the subject of a separate Decision.

Preliminary matter

3. The application was submitted in outline. Details of the site access from the public highway are to be considered at this stage and all other matters are reserved for future consideration.

4. The appeal is against non-determination, but the Council has indicated that had it determined the application it would have refused it for 11 reasons. I have set these out in full in the Schedule attached to this decision. At the same time as making this appeal the appellant submitted a second, identical, planning application. On the basis of further information submitted in support of the second application, agreement on how to deal with infrastrastructure and environmental matters, and revision of the illustrative masterplan[1], the Council's objections set out in deemed reasons 2-11 have been overcome. The revision of the illustrative masterplan, largely to overcome flooding related issues, has the effect of reducing the quantum of housing that can be accommodated on the site to 230 dwellings. The parties have therefore agreed

[1] Revised Master Plan Drawing No. CSa/2510/107 Rev D

that the revised masterplan should form the basis of the development the subject of this appeal. The revision would reduce the extent of development on the site, but the relationship of the proposed layout with the surrounding land uses/users would be much the same, and it has been the subject of public consultation through the planning application process. For this reason I consider that no-one's interests would be prejudiced by my considering the proposal on the basis of the revised illustrative layout, and accordingly I shall adopt the following description of the proposed development: *Residential development of up to 230 dwellings, including allotments and open space, with associated means of access with other matters reserved*.

Policy

5. The development plan includes the saved policies of the Eastleigh Borough Local Plan Review (2001-2011) (LP). In February 2015 the Council was advised by the Inspector examining the proposed replacement local plan, the Submitted Eastleigh Borough Local Plan 2011-2029 (SELP), that it was unsound on the basis of inadequate provision for the supply of housing. That submitted plan has not been formally withdrawn, but its policies can carry very little weight. Nonetheless, it remains the most recent statement of the Council's development strategy for the Borough.

6. It is currently the case that the Council is unable to demonstrate a five-year housing land supply.

Main Issue

7. The appeal site is a single agricultural field of about 10.5 ha immediately adjoining the northern edge of the built-up area of Netley. It is in the countryside and also within land designated as a Strategic Gap. These aspects of the development are the basis of the sole remaining putative or deemed reason for refusal, as follows:

> Reason 1 - The proposal represents an inappropriate and unjustified form of development beyond the built up area which will cause an urbanising impact on the designated countryside and will physically and visually diminish the Strategic Gap between Southampton – Hedge End/Bursledon/Netley. As such the proposal is contrary to saved policies 1.CO, 2.CO, 18.CO and 59.BE of the Eastleigh Borough Local Plan Review (2001-2011), policies S1, S9 and DM1 of the Revised Pre- Submission Eastleigh Borough Local Plan (2011-2029) and paragraphs 17, 109, 152 and 156 of the National Planning Policy Framework.

8. Shortly before the commencement of this Inquiry, a decision on another appeal in the Borough was issued which had implications for the LP policies relied upon above. That appeal[2] (the Sovereign Drive appeal) concerned a proposal for 106 new dwellings on land in the countryside and also within a designated Local Gap. LP Policy 1.CO is a restrictive policy in respect of new development in the countryside. The Inspector in the Sovereign Drive appeal concluded that, for the purposes of the National Planning Policy Framework (NPPF), it was a relevant policy for the supply of housing and, in accordance with NPPF paragraph 49, should be considered as not up-to-date in the acknowledged absence of a five-year supply of housing land. He found, however, that the policies restricting new development in designated gaps, that is Local Gaps

[2] Appeal Ref. APP/W1715/W/14/3001499

which come under LP Policy 3.CO and Strategic Gaps which come under LP Policy 2.CO, were not relevant policies for the supply of housing in NPPF terms.

9. Although they differ on what flows from those conclusions in terms of the application of Policies 1.CO and 2.CO, the Council and appellant do not dispute those findings. Against that background, I consider that the main issue in this appeal is the effect of the proposal on the character and appearance of the area, having regard to the location of the site within a designated Strategic Gap.

Reasons

Character and appearance

10. Netley[3] is a relatively compact settlement extending into the Hamble Peninsula from Southampton Water. Other settlements on the peninsula are Hamble-le-Rice on the south-eastern tip, Bursledon to the north-east with Hedge End beyond. The Southampton conurbation lies to the north-west. The land between the settlements is predominantly open countryside designated in the LP as Strategic Gap or Local Gap.

11. The north-western and north-eastern edges of Netley are well defined, by Grange Road and Ingleside/ Woolston Roads respectively. In the vicinity of the appeal site, built development is mainly on the south-western side of Woolston Road. The appeal site is a large field extending across much of the north-eastern edge of the settlement, bounded by a rural section of Grange Road to the north-west, a strip of allotments with an area of Ancient Woodland, Priors Hill Copse, beyond, and a private road along its north-eastern side. This private road provides access to a strip of development to the north-eastern side of the field, a mix of bungalows, gypsy/traveller sites and industrial and storage buildings. There is also a camping/caravan site to the north of the private road at the Grange Road end. The field itself is well kept grassland, relatively flat but with a shallow valley at the Grange Road end. A public footpath follows the line of this valley across the site diagonally from Woolston Road to the northern corner at Grange Road. The site is bounded by hedgerows with mature trees along Inglewood/Woolston and Grange Roads, and sparse hedging and fences along the private track and allotment sides.

12. The appellant's Landscape and Visual Appraisal assesses the site as having a degraded character associated with horsiculture and an urban fringe character, assessing its overall landscape quality as low/medium and its landscape value as medium to low. The Council's published local landscape character[4] assessment recognises that degradation of the local landscape, Hound Plain, through fairly intensive use of land for horsiculture, amongst other things, has a detrimental impact. However, I cannot agree that the appeal site itself can be so simply dismissed as degraded. The land is being used for grazing horses, but I saw none of the other features, intrusive fencing, stables/shelters etc, that I would expect to see if it was in intensive or fairly intensive use for horsiculture. The Council's landscape witnesses' characterisation of the site's landscape quality and value as "ordinary" and "medium" respectively is appropriate in my view. It has a pleasant open semi-rural character which is easily appreciated from Woolston Road, the public footpath crossing the site

[3] incorporating Butlocks Heath, for the purposes of this appeal.
[4] Eastleigh Borough Council Landscape Character Assessment – 2011 – Hound Plain (Area 13)

and the gardens of The Roll Call public house which back onto it. The proposal would result in the loss of a significant piece of open countryside which makes a very positive contribution to the character and appearance of Netley.

13. The proposed development would also materially enlarge the settlement and extend the urban edge to the north-east, where it would merge with the existing strip of development beyond the site, effectively further extending the urban envelope. The resulting urban edge would be far less clear than at present, and the perception of open countryside beyond the settlement would be significantly diminished, particularly from the public domain within the settlement itself. The extensive landscaping proposed around the site edges would not compensate for, or even significantly mitigate, the loss of the open semi-rural outlook.

14. In the wider landscape the development would move the urban edge of Netley significantly closer to Burlesdon. There is no dispute that separation of the settlements on the peninsula is necessary if their character is to be preserved, and the peninsular landform itself constrains the opportunities for settlement expansion in directions that would not tend towards coalescence. At present the gap between the settlements in the vicinity of the appeal site is just over 1km, but the development itself would reduce that to about 0.85 Km, and the urban edge incorporating the existing cluster of development north-east of the site would be closer still. Hence the physical separation between the settlements would be seriously eroded. Priors Hill Copse has the effect of preventing intervisibility between the settlements at present, but the journey from Bursledon to Netley via the A3025 and Grange Road is short, and with the proposed development the experience of travelling through open countryside between the settlements would be significantly diminished. Turning into Ingleside/Woolston Road from Grange Road, the impression would no longer be of having countryside on one side and the settlement on the other. Consequently, along with the qualitative harm to the existing gap between the settlements that would result from the loss of open countryside, there would be physical and perceptual erosion of the distinction between the settlements.

15. Protecting gaps between settlements is a long-standing spatial planning tool in Eastleigh Borough and Hampshire as a whole. The current local plan places the appeal site within a Strategic Gap. The specific function of a Strategic Gap is to protect the individual identity of major settlements and prevent their coalescence. The relevant Strategic Gap is the Southampton-Hedge End/Bursledon/Netley gap, which is one of 2 such areas subject to LP Policy 2.CO, the other being Southampton-Eastleigh. The protection of the separate identities of smaller settlements at risk of coalescence with other settlements is provided for by the designation of Local Gaps, which are subject to LP Policy 3.CO. The relevant Local Gap is the Bursledon-Hamble-Netley Abbey gap, which is contiguous with the Strategic Gap, the boundary being to the east of the appeal site. Both policies seek to maintain the physical and visual integrity of the gaps by restricting new development.

16. By virtue of the location of the appeal site within the Southampton-Hedge End/Bursledon/Netley Strategic Gap, the proposal conflicts with LP Policy 2.CO. However, it is not disputed that the gap which would be most affected is that between Netley and Bursledon. On that basis the appellant contends that the aims of LP Policy 2.CO are not offended, noting the Council has offered no evidence of harm to the gap between Southampton and Netley. However, I

consider that the gap policies must be read together, with the Local Gaps simply providing protection for settlement gaps that do not have sub-regional or regional dimensions, but without overlap or duplication. That is how they are dealt with in the SELP. Its policies carry little weight, but its designation of gaps whose purpose is to maintain settlement identity as, simply, countryside gaps, is a common sense approach. What is not common sense is to treat the Strategic Gap, where it intrudes into the physical gap between two settlements whose coalescence is specifically opposed by the Local Gaps policy, as having no role in that respect.

17. The extension of built development into ordinary farmland is intrinsically harmful, in terms of the character of the area, due to, at the very least, the diminution of the countryside. Other harm in this case comes from the harm to the character of Netley and the significant intrusion on the settlement gap. There would thus be conflict with LP Policies 1.CO, 2.CO, 18.CO and 59.BE, which respectively aim to protect the countryside, manage the risk of settlement coalescence, protect landscape character and protect the character and appearance of the area.

Other matters

18. Highway safety and flooding matters were referred to in the deemed reasons for refusal that have now been resolved to the Council's satisfaction. However, they remain areas of concern to local residents. The proposed sole access from Woolston Road is at a point where visibility is less than ideal due to the vertical and horizontal alignment of the highway at that point. It is also in a location prone to flooding. The flooding experienced is likely to be significantly mitigated by the on-site flood mitigation works, and while I agree that the access looks poorly sited from a highway safety point of view, there are measures which would be secured to improve traffic flow and safety in the wider area.

Planning balance

19. Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. The NPPF is a material consideration in planning decisions and I have heard various arguments about how it should be taken into account in this case.

20. The first question I need to address is whether LP Policy 1.CO, and the conflict therewith, should be disregarded in its entirety. This point arises in part from the view expressed by the Inspector in the Sovereign Drive appeal that it is "effectively dis-applied" by virtue of paragraph 49 of the NPPF. My interpretation of that is not that he disregarded the policy, but that he gave it little weight. Paragraph 215 of the NPPF provides that due weight should be given to relevant policies in existing plans according to their degree of consistency with the NPPF, but that is still a matter of planning judgement. The judgement in *Crane*[5] makes it clear that out-of-date development plan policies should not be ignored, and that the apportionment of weight is still a matter for the decision maker.

[5] Crane v SSCLG [2015] EWHC 425 (Admin)

21. The second question that arises is whether LP Policy 2.CO should be considered as out-of-date by virtue of inconsistency with paragraph 215 of the NPPF. The Inspector in the Sovereign Drive appeal found LP Policy 2.CO, and by extension LP Policy 3.CO, to be a current development plan policy to which due weight should be accorded, but I have been referred to another appeal decision[6] where the Inspector expressed the view that the spatial application of LP Policies 1.CO and 2.CO was out of date and needs to be altered to meet the objectively assessed development needs of the Borough. That is clearly an application of paragraph 49 of the NPPF. Having accepted in this case that LP Policy 2.CO is not a relevant policy for the supply of housing, it can hardly be considered out of date in NPPF paragraph 215 terms on the basis that its spatial application restricts the supply of housing. After giving extensive consideration to the body of recent case law concerning the application of paragraphs 14 and 49 of the NPPF, the Inspector in the Sovereign Drive appeal concluded that the gap policies could exist regardless of the distribution of housing or other development. I see no reason to come to a different view. Nor do I accept that the gap policies are out of date because they reflect housing policy intended to run only up to 2011. A view will have to be arrived at as to whether the gaps defined in LP Policies 2.CO and 3.CO should be altered as part of the process of preparing the next Local Plan. There has already been development approved within the gaps in a piecemeal way, but their final form is a matter that is most appropriately addressed through the Local Plan process.

22. Leading on from these questions is that of the correct approach to the application of NPPF paragraph 14. This sets out how the presumption in favour of sustainable development is to be applied in practice, which for decision-taking has two pathways. The first favours development in accordance with the development plan, but the second alters the balance in favour of sustainable development in circumstances where the development plan is absent, silent or relevant policies are out-of-date. The Council's argument here is that since there is a relevant development plan policy, LP Policy 2.CO, with which the development is in conflict, the appropriate test is that set out in the first pathway, or the corollary thereof, namely that proposed development that conflicts with the development plan should be refused, unless material considerations indicate otherwise.

23. I accept that there is force in that argument, particularly as the NPPF makes clear that it does not change the development plan as the starting point for decision making. However, LP Policy 2.CO is not a relevant policy for the supply of housing. NPPF paragraph 49 is concerned solely with housing applications, it specifically directs that such applications be considered in the context of the presumption in favour of sustainable development, and it describes the circumstances in which relevant policies should be considered out-of-date. In considering housing applications therefore, I understand the reference to relevant policies in NPPF paragraph 14 to be a reference to relevant policies for the supply of housing. LP Policy 1.CO is the only such policy in play here, and it is out-of-date, hence the appropriate approach in this case is to consider whether the adverse impacts of the proposed development would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole. This does not supplant the development plan, it simply ensures that a shortfall in housing land supply is given appropriate

[6] Appeal Ref. APP/W1715/A/13/2207851

weight, by reference to the NPPF aim of significantly boosting the supply of housing, in the planning balance.

24. The proposed development would provide 230 dwellings, including affordable housing. In the context of the acknowledged shortfall against need, those are social benefits that must be accorded substantial weight. Economic benefits would be realised by the provision of these additional houses, most notably during the construction period through employment and investment. The sustainable location of the site in terms of access to service and employment has favourable environmental implications. Further environmental benefits are claimed through potential improvements to the site. Insofar as this relates to new planting on and around the site, the purported benefits were not challenged but I have some reservations in that respect, given the loss of open land. Nonetheless, the flood protection measures that would be secured would have wider benefits and this addresses an acknowledged problem in the area.

25. These benefits must be weighed against the harm. The loss of open countryside must be given weight, but the shortage of housing land almost certainly means that countryside will have to be allocated for development in order to address the shortfall. Hence little weight can be given to the conflict with LP Policy 1.CO. However, the harm to local character and the conflict with LP Policy 2.CO is a matter to which I give very substantial weight. I have interpreted LP Policy 2.CO as acting in concert with LP Policy 3.CO, and their combined role in maintaining the character and identity of the settlements in what is an extremely spatially contained peninsula would be significantly undermined by the proposal. I have also found harm to the character of Netley itself, and conflict with LP Polices 18.CO and 59.BE.

26. Having regard to the environmental, social and economic dimensions of sustainable development, I consider that the harm I have identified would significantly and demonstrably outweigh the benefits of the proposal. I find therefore that the proposal is not sustainable development and there are not material considerations to indicate that the appeal should be determined other than in accordance with the development plan. Since it would be contrary to the development plan, the appeal must therefore be dismissed.

Paul Dignan

INSPECTOR

APPEARANCES

FOR THE LOCAL PLANNING AUTHORITY:

Paul Stinchcombe QC	instructed by Legal and Democratic Services, Eastleigh Borough Council
He called	
Liz Harrison	Principal Planning Officer, Eastleigh Borough Council
Peter Armstrong	Chartered Landscape Architect, Hyland Edgar Driver

FOR THE APPELLANT:

Christopher Boyle QC	instructed by D2 Planning
He called	
Clive Self	Managing Director, CSA environmental
Des Dunlop	Planning Consultant, D2 Planning Ltd

INTERESTED PERSONS:

Derek Townsend	Millview Barn (Industrial Estate)
Dr Nigel Paterson	Local resident
Cllr John Forder	Ward councillor, Eastleigh Borough Council
Cllr Keith House	Leader, Eastleigh Borough Council
Cllr David Airey	Area member, Hampshire County Council
Cllr Lizette van Niekerk	Netley Abbey ward, Eastleigh Borough Council
Mrs D Kempster	Local resident
Mrs S Blake	Local resident

DOCUMENTS

1 Letter from Chief Executive Eastleigh Borough Council, dated 26 October 2015, to PINS.
2 Letter from Cllr Keith House, dated 26 October 2015, to Des Dunlop,D2 Planning Ltd.
3 Appeal decision APP/J2210/A/14/2227624
4 Assessment of sand/gravel recovery viability – Sanctus Ltd
5 Minerals Assessment Report - Sanctus Ltd
6 Appeal decision APP/W1715/W/14/3001499
7 Liz Harrison Proof of Evidence - APP/W1715/W/14/3001499
8 Council's opening submissions - APP/W1715/W/14/3001499
9 Appellant's closing submissions - APP/W1715/W/14/3001499
10 Officer's report to planning committee – Chestnut Avenue site - (Ref. O/15/76023)
11 Policy Framework for Gaps - Partnership for Urban South Hampshire (PUSH)
12 Transcript – Phides Estates (Overseas) Ltd v SSCLG and others [2015] EWHC 827 (Admin)
13 Signed S106 Agreement
14 Replacement Appendix H – Clive Self Proof of Evidence
15 Site access Drawings IMA-13-106-103 and IMA-13-106-104
16 Council's opening submissions
17 Speaking notes – Cllr Keith House

18 Speaking notes – Cllr David Airey
19 Speaking notes – Cllr Lizette van Niekerk
20 Officer's report to planning committee – Horton Heath site (Ref. O/14/75735)
21 Hamble peninsula map - annotated
22 Working Assessment of Greenfield Housing Sites in Eastleigh Borough (March 2004) and South Hampshire Strategy October 2012 Policy 15
23 Hampshire County Structure Plan 1996-2011 (Review) extract (Strategic and Local Gaps) and Eastleigh Borough Local Plan Review 2001-2011 Appendix I: Strategic and Local Gaps
24 Council's note on sustainable design and construction changes to residential applications from 26 March 2015
25 CIL compliance statement and map
26 Closing submissions - Council
27 Closing submissions - appellant
28 Costs application - appellant
29 Council's response to appellant's costs application
30 Netley Landfill Solar Project Mitigation Plan
31 Site visit Plan – Dr Paterson

SCHEDULE

Had the Council been in a position to determine the application it has indicated that it would have refused it for the following reasons:

Reason 1 - The proposal represents an inappropriate and unjustified form of development beyond the built up area which will cause an urbanising impact on the designated countryside and will physically and visually diminish the Strategic Gap between Southampton – Hedge End/Bursledon/Netley. As such the proposal is contrary to saved policies 1.CO, 2.CO, 18.CO and 59.BE of the Eastleigh Borough Local Plan Review (2001-2011), policies S1, S9 and DM1 of the Revised Pre-Submission Eastleigh Borough Local Plan (2011-2029) and paragraphs 17, 109, 152 and 156 of the National Planning Policy Framework.

Reason 2 – Insufficient information has been submitted to demonstrate that the proposed development would not result in the sterilisation of a potentially viable mineral resource, contrary to Policy S9 of the Revised Submission Eastleigh Borough Local Plan (2011-2029), Policy 15 "Safeguarding – mineral resources" of the Hampshire Minerals and Waste Plan (2013) and paragraphs 142-146 the National Planning Policy Framework.

Reason 3 – The proposal involves development that cannot be reconciled with the National Planning Policy Framework in that the significant movements generated by the proposal have not been demonstrated to be capable of being accommodated adequately on the existing transport network. This would result in a severe impact on road safety and operation of the local transport network contrary to policy 100.T of the Eastleigh Borough Local Plan Review (2001-2011), policy DM23 of the Revised Pre-Submission Eastleigh Borough Local Plan (2011-2029), Eastleigh Borough Council's Planning Obligations Supplementary Planning Document and paragraphs 17, 32-36, 152, 203 and 204 of the National Planning Policy Framework.

Reason 4 – The proposal involves development that cannot be reconciled with the National Planning Policy Framework in that the proposed access is insufficient to accommodate the development safely. This would result in an unacceptable impact on the safety of users of the development and adjoining highway contrary policy 102.T of the Eastleigh Borough Local Plan Review (2001-2011), policy DM23 of the Revised Pre-Submission Eastleigh Borough Local Plan (2011-2029) and paragraphs 32 and 25 of the National Planning Policy Framework.

Reason 5 – The proposed Masterplan (drawing CSa/2510/107) is not consistent with the Revised Site Specific Flood Risk Assessment dated February 2015 and the submitted Schematic Drainage Layout (drawing IMA-13-109/P/001 rev B) contained within it. These set out the requirement for an area of open space on the south-western boundary to the north-east of the Roll Call Public House to provide attenuation storage areas and the need to maintain the overland flow paths through the eastern half of the development. As such it is not considered that the form of the proposed development, as shown on the proposed masterplan (drawing CSa/2510/107), adequately deals with the flooding and drainage requirements of the site and the proposed development. The proposal is therefore contrary to policy 45.ES of the Eastleigh Borough Local Plan Review (2001-2011), and policy DM5 of the Revised Pre-Submission Eastleigh Borough Local Plan (2011-2029) and paragraphs 17, 103 and 152 of the National Planning Policy Framework.

Reason 6 – It is considered that insufficient information has been submitted to demonstrate that the site can accommodate the proposed level of development without significant adverse impact on the resultant residential layout, flooding and drainage requirements, landscaping requirements, residential amenities and the character and appearance of the surrounding area. As such the proposed development is contrary to policies 18.CO, 45.ES, 59.BE of the Eastleigh Borough Local Plan Review (2001-2011) and policies S1, S9, DM1 and DM5 of the Revised Pre-Submission Eastleigh Borough Local Plan (2011-2029), Eastleigh Borough Council's Quality Places Supplementary Planning Guidance and paragraphs 17, 16, 102, 109, 152 and 156 of the National Planning Policy Framework.

Reason 7 – It is considered that insufficient information has been submitted to enable the impacts on, and of, the development in terms of noise and air quality to be properly assessed. As such the proposed development is contrary to policies 30.ES and 33.ES of the Eastleigh Borough Local Plan Review (2001-2011), policy DM7 of the Revised Pre-Submission Eastleigh Borough Local Plan (2011-2029) and paragraphs 17, 109, 123, 124, 152 and 156 of the National Planning Policy Framework.

Reason 8 – It is considered that the proposed Masterplan (drawing CSa/2510/107) would result in an inappropriate setting for Hound Footpath no. 3 as, in part, it is shown to pass along one of the proposed estate roads, contrary to paragraph 7.8 of Defra's "Rights of Way Circular" (1/09) and paragraphs 61 and 152 of the National Planning Policy Framework.

Reason 9 – The application fails to secure the required affordable housing and as such is contrary to policy 74.H of the Eastleigh Borough Local Plan Review (2001-2011), policy DM28 of the Revised Pre-Submission Eastleigh Borough Local Plan (2011-2029), Eastleigh Borough Council's Affordable Housing Supplementary Planning Document and paragraphs 17, 50, 203 and 204 of the National Planning Policy Framework.

Reason 10 – The application fails to secure provision for developer contributions for on and off-site provision of facilities and infrastructure (including education, public open space, allotments, sports and recreational facilities, community infrastructure, right of way signage and public art) made necessary by the development or to mitigate against any increased need or pressure on existing facilities. As such the proposal is contrary to policies 147.OS and 191.IN of the Eastleigh Borough Local Plan Review (2001-2011), policies DM1, DM32 and DM37 of the Revised Pre-Submission Eastleigh Borough Local Plan (2011-2029), Eastleigh Borough Council's Planning Obligations Supplementary Planning Document and paragraphs 17, 152, 203 and 204 of the National Planning Policy Framework.

Reason 11 – The application fails to secure mitigation against recreational pressure impact from the development on the Solent and Southampton Water Special Protection Area. As such the proposals are contrary to the Conservation of Natural Habitats and Species Regulations 2010, policy DM9 of the Revised Pre-Submission Eastleigh Borough Local Plan (2011-2029) and paragraphs, 17, 61, 109, 118, 152, 156, 203 and 204 of the National Planning Policy Framework.