The Planning Inspectorate

Appeal Decision

Inquiry held on 12-15 and 19-21 April 2016
Site visit made on 21 April 2016

by John Woolcock BNatRes(Hons) MURP DipLaw MRTPI

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

Decision date: 24 May 2016

Appeal Ref: APP/W1715/W/15/3063753
Land off Bubb Lane, Hedge End, Eastleigh, Hampshire SO30 2UN

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (the 1990 Act) against a refusal to grant outline planning permission.
- The appeal is made by Gladman Developments Ltd against the decision of Eastleigh Borough Council (EBC).
- The application No.O/14/75166, dated 29 August 2014, was refused by notice dated 12 March 2015.
- The development proposed is residential development comprising up to 335 residential dwellings (including 35% affordable housing), 0.2 hectares of land for a doctor's surgery and associated car parking, structural planting and landscaping, informal public open space and children's play area, surface water attenuation and associated ancillary works.

Decision

1. The appeal is dismissed.

Preliminary matters

2. The site address on the application form is given as Hedge End, but local residents pointed out at the Inquiry that the site lies within the administrative boundary of West End.

3. EBC considered a revised scheme from that originally submitted with the application. The amendment reduced the proposed development from 335 to 328 dwellings, and the revised illustrative framework provided for an additional access off Tollbar Way, along with a larger undeveloped area within the south-western part of the site. The revised scheme is described in EBC's decision notice as "residential development comprising up to 328 dwelling, public open space and children's play area, land for doctors surgery and associated car parking, with accesses off Bubb Lane and Moorgreen Road, structural planting and landscaping and surface water attenuation and ancillary works". However, it was clarified at the Inquiry that the reference to "land for doctors surgery" was an error in drafting the decision notice.[1] EBC determined the application on the basis of the illustrative framework shown on Drawing No.6041-L-10 rev C, which indicated land for "Play Areas and Community Building" where the land for a "Doctor's Surgery" had been shown on the framework submitted with the application.

[1] ID16.

4. EBC refused the application for 11 reasons, which are set out in full at Annex A to this decision. Subsequently an Agreed Statement of Common Ground between Hampshire County Council & Ashley Helme Associates Ltd, dated 24 December 2015 (HSoCG), stated that it was agreed that all highways and transport issues raised in reasons for refusal Nos. 3 and 4 had been satisfactorily addressed and that the Highway Authority no longer objected to the development proposal subject to the package of mitigation measures set out in the agreed statement. Reason for refusal 11 concerning noise impact was withdrawn by EBC by email dated 14 January 2016. A later Supplementary Statement of Common Ground, dated 11 April 2016 (SuppSoCG), states that subject to appropriate conditions and obligations only the first and second reasons for refusal would be contested at the Inquiry.

5. Following the discussion at the Inquiry about suggested planning conditions and a unilateral undertaking, EBC confirmed that only the reasons for refusal concerning development in the countryside and the strategic gap, along with the impact on the intrinsic character of the landscape, were now relied upon. However, local residents objected to the proposal on these and other grounds. There is particular local concern about the likely effects on the road network and the safety of road users. Local residents gave evidence to the Inquiry about these other matters, in written representations and submissions at open sessions of the Inquiry, including the evening session held on 19 April 2016. Objectors also asked the appellant's witnesses questions at the Inquiry. I have taken this evidence, along with letters to EBC at the application stage and subsequent letters about the appeal, into account in coming to my decision.

6. At the Inquiry the parties requested that the description be amended to correct the erroneous reference to "land for doctors surgery", and to omit reference to access from Bubb Lane and Moorgreen Road because access is a reserved matter.[2] This would be an amendment of the scheme at the appeal stage, but I am satisfied that it would not result in a substantially different proposal from that which was before EBC when it determined the application. Furthermore, given the references to health provision in EBC's committee report, and to EBC's determination on the basis of the amended illustrative framework, I do not consider that anyone would be prejudiced by the appeal proceeding on the basis of the revised description.[3] I therefore ruled at the Inquiry that the description of the proposal should be amended to "Outline planning permission for up to 328 dwellings, public open space, children's play areas, structural planting and landscaping, surface water attenuation and associated ancillary works, with all matters reserved for future determination", and that the appeal should proceed on the basis of Alternative Development Framework, Drawing No.6041-L-10 rev D, which deleted the annotation for a "community building".

7. The appeal application is in outline with all matters reserved for later consideration, and so I have had regard to the details shown on Drawing No.6041-L-10 rev D as illustrative material not forming part of the application.[4]

[2] SuppSoCG paragraph 2.2.
[3] CD5.1.
[4] In the event that the appeal were to be allowed the matters that would be reserved for later consideration are layout, scale, appearance, access and landscaping.

Main issues

8. The main issues in this appeal are the effects of the proposed development on:

   (a) The character and appearance of the area, having particular regard to local and national policy for development in the countryside and for housing.

   (b) Highway safety.

   EBC acknowledges that it cannot currently demonstrate a five-year supply of deliverable housing sites, but there is a dispute about the scale of the shortfall in housing supply.

Planning policy

9. The development plan for the area includes saved policies of the Eastleigh Borough Local Plan Review 2001-2011 (EBLP), which was adopted in May 2006. The appeal site lies outside the defined urban edge where ELP Policy 1.CO provides only for certain specified development that does not include the appeal scheme. The site also lies within a strategic gap where Policy 2.CO provides that planning permission would not be granted for development which would physically or visually diminish the strategic gap identified on the proposals map. Policy 18.CO provides that development which would fail to respect, or would have an adverse impact on the intrinsic character of the landscape, would be refused. Policy 59.BE sets criteria for development, including taking account of the context of the site and the character and appearance of the locality. It adds that development should be appropriate in terms of, amongst other things, siting in relation to adjoining buildings, spaces and views, natural features and trees. The criteria include a high standard of landscape design, and note that development adjacent to or within the urban edge must not have an adverse impact on the setting of the settlement in the surrounding countryside.

10. Both EBLP Policies 1.CO and 2.CO have the effect of constraining the supply of housing land and so are relevant policies for the supply of housing for the purposes of the *National Planning Policy Framework* (hereinafter the *Framework*).[5] Paragraph 49 of the *Framework* provides that housing applications should be considered in the context of the presumption in favour of sustainable development, and that relevant policies for the supply of housing should not be considered to be up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites. I deal later with what weight should be given to relevant EBLP policies.

11. EBC and other nearby local authorities are participating in the Partnership for Urban South Hampshire (PUSH). Policy Frameworks, published by PUSH and intended to provide a sub-regional context for development plans, include a Policy Framework for Gaps, dated December 2008.[6] Criteria for the designation of gaps were subsequently revised by Policy 15 of the South Hampshire Strategy, which was published by the PUSH authorities in October 2012.[7] Policy 15, amongst other things, states that a Gap will be designated between Southampton and Hedge End/Bursledon/Netley. Policy 15 criteria for

[5] ID4.1 and SuppSoCG paragraph 7.8.
[6] CD10.5.
[7] CD10.4.

Gap designation and definition of boundaries can be summarised as the need to retain the open nature and/or sense of separation between settlements, to define the settlement character of the area and separate settlements at risk of coalescence, but no more than is necessary to do so having regard to their physical and visual separation, and that the boundaries should not preclude provision being made for the development proposed in the Strategy. However, the Strategy is not a statutory plan and is intended to provide a framework to inform and support the preparation of local plans. This limits the weight that can be given to Policy 15 in determining this appeal.

12. The Submitted Eastleigh Borough local Plan 2011-2029 (SELP) was found to be unsound in the Local Plan Inspector's Report dated 11 February 2015, but has not been withdrawn.[8] SELP Strategic Policy S9 Countryside and countryside gaps identified a countryside gap between West End and Hedge End in order to maintain the separate identity of settlements and separation from Southampton. The SELP is a material consideration, but I agree with the appellant and EBC that only extremely limited weight can be given to its policies in determining this appeal.[9]

13. Issues and Options for the emerging Eastleigh Borough Local Plan 2001-2036 (eELP) were the subject of public consultation until 17 February 2016. The eELP is in the very early stages of its preparation and should also be attributed extremely limited weight.[10]

The site and its surrounds

14. The 18.88 ha appeal site comprises open agricultural land located to the north-west of Hedge End. It is bounded by Bubb Lane, Berrywood Cottages and Moorgreen Road to the north and west, beyond which lies open countryside that includes a crematorium and a garden centre. To the east lies Tollbar Way (B3342) and Berrywood Business Village, with suburban housing beyond. The site's southern boundary adjoins Footpath 9 a Public Right of Way (PRoW) that links Moorgreen Road to Tollbar Way in the vicinity of Dowds Farm Community Park and recent residential development in the vicinity of Wellstead Way. Footpath 10 extends south from Footpath 9 through open countryside to the M27 motorway.

15. Several trees near to the appeal site are the subject of a Tree Preservation Order (TPO). These include a belt of mature trees along the southern boundary of the site. The south-eastern corner of the appeal site adjoins the northern part of Moorgreen Meadows Site of Special Scientific Interest (SSSI). The SSSI broadly follows the alignment of a stream and its associated wetland and extends south to the M27. There are also open fields and allotments off Moorgreen Road in this area between the appeal site and the M27. Footpath No.8 crosses the northern part of the site, linking Bubb Lane with residential development on the eastern side of Tollbar Way at Grange Park to the north of Maunsell Way. This residential area also includes Hedge End railway station. Footpath No.13 runs to the north of the site parallel with the railway line. Burnetts Lane to the west of the site joins Bubb Lane/Moorgreen Road and provides access to Chalcroft Distribution Park. A large residential scheme, known as the Chalcroft Farm and Horton Heath West Project, is proposed

[8] CD9.4.
[9] SoCG paragraph 3.9.
[10] SuppSoCG paragraph 6.1.

further to the north-west. PRoW in and around the appeal site link into a wider network of local footpaths.

The proposed development

16. Outline planning permission is sought for up to 328 dwellings, and so allowing the appeal would permit a scheme that delivered less than this number of residential units. However, I am required to deal with the appeal on a worst-case basis in terms of any adverse effects, and so I have assessed the proposal as a scheme for 328 dwellings. This would maximise the housing benefits of the proposal.

17. An undertaking pursuant to section 106 of the 1990 Act, dated 21 April 2016, provides that 35% of the dwellings would be affordable housing dwellings, and would make provision for open space and recreation. An area of not less than 9.9 ha of public open space would be provided on the site. The obligation includes financial contributions towards education, public art and local infrastructure, along with a travel plan and related funding, together with financial contributions towards sustainable integrated transport and a traffic regulation order. Woodland enhancement within the Moorgreen Meadows SSSI is also included within the undertaking. In the event that the appeal was to be allowed these obligations would be subject to my finding that they would comply with relevant statutory and policy requirements.

Reasons

Character and appearance

18. The appeal site lies within National Character Area 128, South Hampshire Lowlands, which refers to its domination by Southampton and its adjoining towns and suburbs.[11] Objectives for NCA128 include a well-connected network of high-quality greenspace in and around Southampton, Romsey, Eastleigh and Havant, and adds that new development should be informed by an understanding of local character and distinctiveness. It also seeks to encourage a softer transition between rural and urban landscapes through the planting of native trees around new development. In Hampshire County Council's Integrated Landscape Character Assessment the site and its wider landscape lies within the Forest of Bere West Character Area 2e.[12] This notes that the M27 broadly separates this character area from the development along the south coast, and refers to urbanising influences in the southern part of Area 2e.

19. In the *Landscape Character Assessment for Eastleigh Borough Background Paper* the appeal site lies within Area 9: Horton Heath Undulating Farmland. The site's southern boundary adjoins Area 11: M27 Corridor.[13] Area 9 is characterised by undulating landform with frequent low ridges, medium sized fields with good hedges and intrusive urban edges in some areas. In terms of landscape character sensitivity it is described as relatively large, complex and rural in character. For visual sensitivity, Area 9 has notable tree belts and hedgerow trees, but is largely open, with rural views normally ending at wooded horizons. Key issues include visual intrusion of existing settlement edges at Hedge End, future development increasing intervisibility between

[11] CD10.13.
[12] CD10.9.
[13] CD10.8.

settlements, and significant pressure for development. Area 11 is dominated by the motorway, but its key characteristics include the proximity of the urban edge, along with pockets of relatively quiet rural areas shielded by woodland and landform.

20. In terms of landscape resource, the main features of the site are its openness and its rural character, albeit in the wider context development off Tollbar Way, including the Berrywood Business Village, has some influence on the character of the area. These are not exceptional features, and the site is not the subject of any special designation. It seems to me that it has medium landscape value and ordinary landscape quality, and medium sensitivity to the type of development proposed. However, its openness and rural character have particular significance here because of the site's context and the proximity of urban development to the east and south-west. The national, county and local character assessments cited above all refer to the important relationship, in landscape terms, between urban development and its rural setting, in a part of the country that is the subject of considerable development pressure.

21. The appellant's landscape expert describes the site and its immediate context as fairly flat at around 25-30 m AOD, and that the site slopes very gently north-east towards Hedge End settlement edge.[14] However, it was apparent from my site visit that subtle features of the local topography have an important influence on how the site is perceived in its local context. These local features are evident on the detailed Topographical Land Survey submitted with the flood risk assessment.[15] The land does generally slope down from the south-western part of the site to its lowest point near to the intersection of Footpath 8 and Tollbar Way. But there is a low but pronounced local ridge, clearly defined by the 33 m contour, located to the west and south-west of the farm buildings at Berrywood Farm.[16] This low ridge has a gently spur that extends down towards the area where Bubb Lane and Moorgreen Road intersect with Burnetts Lane. The significance of this low ridge in the local landscape is that it helps, in some views, to visually separate the north-eastern part of the appeal site, beyond Berrywood Farm and its access drive off Bubb Lane, from the south-western and southern part of the appeal site. This south-western part of the appeal site has a strong relationship with the open countryside that lies to the north of the M27, and which is traversed by Footpaths 9 and 10.

22. Views from these well-used footpaths are to open fields both sides of the alignment of Footpath 9 and the protected trees. The illustrative framework indicates residential development along this low ridge and spur, and it is difficult to envisage how the site could reasonably accommodate 328 dwellings without utilising this area. Residential development on this part of the appeal site would appear as an intrusive feature that would take away the sense of being in the open countryside for those using Footpaths 9 and 10. This would be likely to be so even if development was set well back from the southern boundary of the appeal site with intervening landscaping. Layout and landscaping are reserved matters, but the topography would make it difficult to fully screen buildings and associated infrastructure in the vicinity of this low

[14] Mr Rech's Proof of Evidence paragraph 3.9.
[15] This local detail is evident from the 0.5 m contour interval on the survey drawings at CD1.12.
[16] The low ridge is apparent in photographs from Mr Armstrong's VP9 and VP12 and Mr Rech's VP7 and VPC. From these viewpoints some of the Berrywood farm buildings are apparent, but the buildings used for business are set down at a lower level in the local landscape.

ridge. Furthermore, if this could only be achieved by dense and tall planting, not only would this take time to mature, but it would be likely, by its very design, to then become a feature that itself detracted from the feeling of open countryside that currently exits.

23. The magnitude of change from the proposed residential development of the appeal site would be major, and with medium sensitivity, the proposal would have an adverse effect on the landscape resource of moderate/major significance. I am not convinced that mitigation by tree planting and landscaping would, in this case, ameliorate the harm to the landscape resource over time. Dense planting to screen buildings would adversely affect the openness of the area. Views from public vantage points, such as the PRoW, towards residential buildings and associated infrastructure on the appeal site, or of dense screen planting, would be likely to have an adverse effect of moderate/major significance.

24. The appellant argues that the existing settlement edge along Tollbar Way is a harsh urban edge and to be regarded as a negative aspect of the landscape baseline, and that the appeal scheme would provide an opportunity to create a softer 'serrated' edge of the sort encouraged by the assessment for NCA128. It was apparent from my site visit that this edge is landscaped, and did not appear to me to be either raw or harsh. The treatment along parts of Tollbar Way might not be ideal, but any resultant harm falls far short of justifying residential development of the appeal site to create a softer edge a considerable distance further into the countryside setting of the settlement.

25. I find that residential development of the appeal site for 328 dwellings would harm the landscape character of the area and would adversely affect its visual amenity. The development would have an adverse impact on the intrinsic character of the landscape and so would conflict with EBLP Policy 18.CO. It would also be contrary to EBLP Policy 59.BE because it would have an adverse impact on the setting of the settlement in the surrounding countryside. The harm I have identified to the character and appearance of the area weighs heavily against allowing the appeal.

Strategic Gap and Countryside Policy

26. The appeal site lies outside the defined urban edge and so the proposal is contrary to EBLP Policy 1.CO. The proposed development would also breach EBLP Policy 2.CO because the dwellings and associated infrastructure would both physically and visually diminish the strategic gap. For the reasons set out above these policies are out-of-date, but that does not mean that they should be dis-applied. The weight afforded to them in determining this appeal is a matter of judgement, having regard to relevant factors, including the particular purpose of the restrictive policies.

27. Policy 1.CO results in a blanket ban on any development outside the urban edge that falls outside specific criteria, and so does not provide for the balancing exercise required by the *Framework* for determining sustainable development. This limits the weight that can be given to the conflict with Policy 1.CO. But I do not consider that a similar argument applies in the same way to Policy 2.CO. Application of Policy 2.CO requires the exercise of some judgement about whether a particular development would physically or visually diminish a strategic gap. In addition, the restrictive policy targets certain specific areas for a particular reason, rather than applying restrictions to all

areas outside the defined urban edge.

28. The background to Policy 2.CO is that policy for strategic gaps derives from the now revoked Structure Plan, which identified, amongst others, the strategic gap "Southampton – Hedge End/Bursledon/Netley". The supporting text to EBLP Policy 2.CO states that within the countryside there are areas of land between major settlements which perform the specific function of protecting the individual identity of those settlements and of preventing their coalescence. The reference to 'major settlements' means to me that 'Southampton' here is to be read as the urban settlement, not just the administrative area of Southampton. That is clearly the interpretation given to it in the EBLP's proposal map designation of the strategic gap effectively between West End and Hedge End. Whether this is the correct interpretation or not makes no difference to how the development plan currently stands.

29. Some development within gaps has been permitted on the basis that the benefits of the additional housing outweighed any harm and policy conflict. Furthermore, SELP proposed the allocation of some land for residential development within strategic and local gaps designated in the EBLP.[17] However, neither of these considerations necessarily means that Policy 2.CO should be given no weight. Clearly the policy and designations shown on the proposals map will remain part of the development plan until replaced. The appellant considers that there is no proper evidence base for Policy 2.CO, and cites the SELP Inspector's preliminary concerns that he had seen nothing in the Council's evidence base which seeks to justify on a rigorous and comprehensive basis the need for a gap designation; the choice of location for gaps or the extent of the designated area of any of the gaps identified in the SELP.[18] This again is an issue for future policy that does not alter the current policy position as set out in the development plan. Insofar as an evidence base is concerned for determining this appeal, the Inquiry and my site visits provided considerable evidence about factors relevant to local circumstances here regarding the relationship between settlements.

30. The use of strategic gaps, as a planning instrument, has a long and respectable provenance in South Hampshire. There are clear indications that local planning authorities would like to continue to rely on such designations to assist in shaping future growth. What form these might take is a matter for the development plan process, but the concept of strategic separation of settlements, as an important planning policy tool, is a consideration which should not be dismissed in determining this appeal.

31. A strategic gap was described at the Inquiry as a 'creature of policy' rather than a feature of the landscape, but there are some areas of overlap between these considerations. The perception of a gap has a visual dimension. An important factor here is the local topography. The low ridge located in the south-western part of the appeal site, as described in the previous section of this decision, helps to create a greater sense of separation between the urban settlements. The open agricultural land on the ridge, seen behind the protected trees along the southern boundary of the appeal site, contrasts sharply with the built development that forms part of the Southampton urban conurbation. I include within this urban conurbation the development along, and set back from, the part of Moorgreen Road north of the M27, because the

[17] ID57.
[18] CD9.3 paragraph 9.

motorway bridge does not divide this built area from the rest of the urban conurbation. Along with other parts of settlements, the built area off Moorgreen Road north of the M27 is excluded from the defined LCAs in the *Landscape Character Assessment for Eastleigh Borough*. It is significant in this regard that one of the objectives of this assessment is to understand the landscape context for settlements and the role of the landscape in maintaining their separate identities.[19] Evidently the assessment considered this area to be part of a settlement for the purposes of considering separate identities.

32. The open countryside to north of the M27, including the appeal site, helps to retain a sense of separate identity for Hedge End. The development of the appeal site for 328 dwellings with associated infrastructure would be likely, as indicated on the illustrative framework, to build on or near to the low ridge, which would impair the visual separation of urban settlements. This would harm, not protect, the individual identity of Hedge End.

33. The concept of a 'gap' designation applying here has a purpose and function which is consistent with both sound planning principles and past planning practice in South Hampshire. For the reasons set out above, the proposed development would be likely to significantly erode the gap between the urban settlements of Southampton and Hedge End. This would result in harm to the proper planning of the area. In my judgement, it is appropriate here to give some weight to the conflict with Policy 2.CO, notwithstanding that this policy is out-of-date.

Highway safety

34. Access is a reserved matter. But the appellant's Transport Assessment acknowledges that it must demonstrate that suitable vehicular access is capable of being provided, and accordingly presented three access points, at Bubb Lane, Moorgreen Road and Tollbar Way.[20] The traffic implications of the scheme are of particular concern to local residents. Many referred to local highway improvement schemes that, in their experience, had not been successful in relieving congestion and improving highway safety. The cumulative impact of the proposed development with other planned development in the area remains a concern for many local residents, who are not reassured by the technical assessments and modelling that has accompanied development proposals.

35. The area has some major traffic generators, such as the Ageas Stadium and retail parks, and congestion associated with junction 7 of the M27 was apparent at times during my stay in the area. Moorgreen Road has traffic calming which makes it easier for pedestrians to cross, but which appears from my site visits to exacerbate congestion associated with children getting to and from St James School. Local anxiety about traffic from the appeal scheme adding to existing problems on the local road network is understandable.

36. However, the appellant's highway evidence demonstrates that with some improvements to the local network the traffic from the proposed development would be unlikely to result in any severe residual cumulative impacts. The cumulative assessment for the Chalcroft Farm and Horton Heath West Project came to a different conclusion to the appellant's assessment regarding the

[19] CD10.8
[20] CD2.3.

need for improvements to the junction of Bubb Lane and Tollbar Way.[21] However, this might result from a minor difference in modelling and does not undermine the fact that the appellant's overall assessment demonstrates a reasonable prospect of providing satisfactory access to the proposed development. The details would be a matter to be determined at reserved matters stage.

37. The Highway Authority has no objection to the proposal subject to the mitigation measures that are now set out in the unilateral undertaking.[22] I find no highway safety reasons to dismiss the appeal, and find no conflict with EBLP Policy 102.T, which permits development provided that it would not interfere with the safety, function and standard of service of the road network.

Housing land supply

38. In the absence of an up-to-date housing requirement figure in the development plan, the full objectively assessed need for market and affordable housing (OAN) should be used as the requirement figure for the purposes of assessing a supply of deliverable sites sufficient to provide five years worth of housing.[23] Furthermore, for the purposes of this section 78 appeal, a 'policy off' approach should be applied, such that no uplift to OAN is made arising from any requirement to provide for the needs of neighbouring authorities, and no downward adjustment to OAN is made arising from any constraints. These are matters for the development plan process. I have considered the housing supply position on the basis of the evidence before the Inquiry.

39. As an interim figure, pending finalisation of the PUSH Spatial Strategy for distribution of housing need across the Housing Market Area, EBC considers that the OAN should be 590 dwellings per annum (dpa). The appellant considers that this should be 630-640 dpa. The parties concur that a 20% buffer should apply because of a record of persistent under delivery of housing, but disagree about how it should be applied. There is also dispute about some matters concerning the predicted housing supply. Overall, EBC's analysis would result in a 4.93 year supply, whereas the appellant's best case is 3.36 years.

40. I deal first with OAN. The latest DCLG household projections indicate a need for 523 dpa. In terms of any demographic adjustments, the parties agreed that there is no robust basis for an adjustment by reference to 'unattributed population change'. With respect to household formation rates EBC took a midpoint from sensitivity analyses, which resulted in an uprating of the demographic-based need for housing to 534 dpa. However, I consider that there is evidence to support the appellant's view that this should be a range of 537-573 dpa. First, I agree with the appellant that the scenarios used by EBC in the sensitivity analyses are not of equal utility, as scenario 2 could only suppress the OAN. This calls into question the validity of the midpoint relied upon by EBC. Second, there is local evidence that household formation rates in Eastleigh have been affected by suppression caused by market factors.[24]

41. Turning to other factors, the parties agree that no above-trend migration would be needed to support economic growth, and I have no reason to find otherwise.

[21] ID14.
[22] HSoCG.
[23] ID52.2.
[24] CD10.6 and CD9.4.

The parties agree about a need for an adjustment for market signals, but disagree about an adjustment for affordable housing. EBC made an overall 10% upward adjustment to reflect market signals and to improve affordability.[25] The appellant considers that there should be a 10% uplift to reflect market signals, along with a further uplift to reflect affordable housing needs. There is an accepted need for 373 affordable dpa. At 30% of overall provision this would give rise to a requirement of 1240 dpa, which may not be achievable. The adjustment to be made is a matter of judgement, and I find that the appellant's adjustment would reasonably accord with the judgment in *Kings Lynn* about both deliverability and affordable housing needs having an important influence in increasing the OAN.[26]

42. EBC acknowledges that it may in due course be asked to meet some element of unmet housing need from Southampton. Furthermore, on 25 May 2016 ONS will publish 2014 based Sub National Population Projections for each local planning authority to 2036. The housing requirement for Eastleigh will need to be revised in the light of this new projection. However, I consider for the time being that it would be reasonable, on the evidence adduced at this Inquiry, to accept that the OAN for Eastleigh should be 630 dpa. This would be a considerable increase above the average from 1996/97 to 2014/15 of 426 net completions per annum.[27] However, there is no compelling evidence before me to indicate that an OAN of 630 dpa would be either unrealistic or undeliverable.

43. I have had regard to the views expressed by other Inspectors and the Secretary of State about the application of the 20% buffer to any shortfall.[28] However, I disagree with the case argued by EBC at the Inquiry, and find that the 20% buffer should apply to both the housing requirement and shortfall, because it seems to me that this would accord better with the aims of the *Framework* to boost significantly the supply of housing and to ensure choice and competition in the market for land. I note also that this would be consistent with the approach that EBC adopted in the evidence base underlying the SELP, where it applied the buffer to both the requirement and shortfall.[29]

44. I have, therefore, considered the housing supply position on the basis of the "Sedgefield Approach 4: Buffer Applied to requirement and shortfall (630 dpa)" as set out in Appendix 1 of the SuppSoCG. This sets out a supply of 4.29 years on EBC's supply predictions, and 3.43 years on the appellant's supply predictions. I believe that a realistic position lies towards the upper end of this range because the appellant has applied discount rates for lapses that do not appear to be justified by historic lapse rates, and has taken a pessimistic view about the likely contribution from large sites in the five year period.

45. The evidence before me does not support EBC's view that it is 'a whisker' away from demonstrating a five year supply of deliverable housing land. Notwithstanding EBC's considerable efforts to improve housing provision, something in the order of a four year supply at the time of this Inquiry indicates that EBC has a considerable way to go to demonstrating a five year supply of deliverable sites. There is no convincing evidence that measures

[25] The demographic need of 534 plus 10% to give 587 dpa, which EBC rounded up to 590 dpa.
[26] CD12.18 paragraphs 35 and 36.
[27] The 19 year average from 1996/97 to 2014/15 of net completions is 426 dwellings per annum. The rolling 5 year average ranges from a maximum of 632 in 2005/06 to a minimum of 270 in 2000/01. [ID2]
[28] CD11.21, CD11.20 and CD11.24.
[29] ID21.

currently taken have been effective in increasing the rate of housing delivery.[30] The scale of the shortfall is a significant material consideration in determining this appeal. The contribution that the appeal scheme would make to the housing supply, and particularly to affordable housing provision in the area in accordance with EBLP Policy 74.H, would be a significant benefit of allowing the appeal.

Other matters

46. Southern Water refers to the currently inadequate capacity in the local network to provide foul sewage disposal to service the proposed development.[31] However, there is no convincing evidence that outline planning permission should be refused on this ground. In the event that permission were to be granted Southern Water would be likely to have sufficient time to plan and implement improvement works prior to foul flows from the development being introduced into the public sewerage system.[32] I was referred to past surface water flooding on lower parts of the appeal site, which affected a section of Tollbar Way. Drainage is a matter that could be reasonably addressed by planning conditions, and I note that the illustrative framework includes an indicative area of 0.56 ha for attenuation areas sited near to the lowest lying parts of the site. I find no reason to dismiss the appeal on drainage grounds.

47. There is also local concern about the effects on nature conservation. Subject to appropriate planning conditions and the obligations, I do not consider that harm to biodiversity would be significant, and I find no conflict with EBLP Policy 25.NC. Furthermore, the proposal would not affect the integrity of any European site, and would not adversely affect the SSSI or protected species/habitat. However, I am not convinced that the proposal would bring ecological benefit through increased biodiversity, as claimed by the appellant. The additional residents in the area would bring additional pressure on areas of local wildlife interest, and this harm might not be offset by the creation of improved wildlife habitat within the proposed development.

48. Notwithstanding local reservations about access to local services, I consider that the proposal would comply with EBLP Policy 100.T insofar as the development could be well served by public transport, cycling and walking. There is also concern about additional residents adding to demand for local services and facilities, but I am satisfied that contributions towards improvements necessary as a result of the proposed development would reasonably address these concerns.

49. The proximity of new dwellings to the crematorium was raised in written submissions. There is concern about activity associated with nearby residential development impacting adversely on mourners leaving the chapel. The relationship between these uses is an important consideration, but it seems to me that how it was dealt with would be a matter for the detailed design and layout of the scheme. It is not a matter that would rule out the grant of outline planning permission.

50. I was referred to other appeal decisions concerning housing supply and gap designations, but I do not find them very helpful in deciding this appeal on its

[30] ID2.
[31] CD13.2.
[32] ID53.3-ID53.5.

planning merits. Much depends on the specific circumstances which apply, and none of these cases cited is directly comparable to the appeal before me.

Planning balance

51. The proposal would harm the character and appearance of the area and conflict with EBLP Policies 18.CO and 59.BE. The core planning principles of the *Framework* include recognising the intrinsic character and beauty of the countryside, but these policies prohibit any adverse effects, and so are not fully consistent with the sustainable development provisions of the *Framework*. For similar reasons, not much weight can be given to the conflict with EBLP Policy CO.1.

52. The core planning principles of the *Framework* include taking into account the different roles and character of different areas, and paragraph 10 of the *Framework* provides that decisions need to take local circumstances into account, so that they respond to the different opportunities for achieving sustainable development in different areas. I find, therefore, that some weight can be given to the conflict with EBLP Policy 2.CO, arising from the harm that would result from the proposal to the separation of settlements, which I consider to be a relevant planning consideration in the circumstances which apply in this case. However, this weight is limited because of the significant shortfall in housing supply, and the lack of convincing evidence that EBC's efforts to address this are proving effective.

53. I find that the proposal would conflict with the development plan taken as a whole, but EBC cannot demonstrate a five-year supply of deliverable housing sites and relevant development plan policies are out-of-date. Therefore, paragraph 14 of the *Framework* provides that planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the *Framework* taken as a whole, or specific *Framework* policies indicate that development should be restricted.

54. I turn next to consider the planning balance in this case, but in doing so note the submissions about the unresolved conflict in authority regarding the application of the presumption within paragraph 14 of the *Framework*.[33] In my view, the *Framework* requires only one overall balancing exercise, having regard to the economic, social and environmental dimensions, to determine whether development is sustainable development to which the presumption should apply.

55. Given the current scale of the housing shortfall, the provision of additional market and affordable housing would be a significant benefit of the proposal. Additional economic and social benefits would accrue from construction jobs, spending by new residents, along with additional Council tax and about £2.5 m in New Homes Bonus. The infrastructure provided by the obligation would be necessary for the scheme to proceed, but its use by others not resident on the appeal site would be of some benefit to the community.

56. Against these benefits must be weighed the harm I have identified to the character and appearance of the area, along with the harm to the proper planning of the area that would result from the erosion of the separation

[33] CD12.1/CD12.4 and ID4.2.

between settlements. I consider that the appellant's evidence understates the significance of this environmental harm. A change from open rural land to suburban development in this sensitive location between settlements would be a dramatic and adverse alteration to the landscape. This is a consideration that should be given substantial weight in my view. Furthermore, the proposal would thwart the underlying aims of local planning policy and practice to retain the separate identity of settlements. This tips the planning balance further against the proposal.

57. The environmental dimension here weighs heavily against the proposal. In my judgement, the adverse impacts of the proposal would significantly and demonstrably outweigh the benefits, when assessed against the policies in the *Framework* taken as a whole. I conclude that the proposal would not be sustainable development for the purposes of applying the policy set out in the *Framework*.

Conclusions

58. I am required to decide this appeal having regard to the development plan, and to make my determination in accordance with it, unless material considerations indicate otherwise. The proposal would conflict with the development plan, and does not gain support from the *Framework*. For the reasons given above and having regard to all other matters raised, I conclude that the appeal should be dismissed.

John Woolcock
Inspector

ANNEX A

Reasons for refusal 1-11 cited in EBC's Decision Notice dated 12 March 2015.

(1) The proposal represents an inappropriate and unjustified large residential scheme beyond the defined built up areas which would fail to respond to the context of the site, would significantly diminish and urbanise the narrow and sensitive area of designated countryside and Strategic Gap between Hedge End and West End and erode the separate identities of these settlements. As such the proposal is contrary to saved policies 1.CO and 2.CO and Policy 59.BE of the adopted Eastleigh Borough Local Plan Review (2001-2011), Policy S9 of the Submitted Eastleigh Borough Local Plan (2011-2029) and the *Framework* paragraphs 10, 14, 17, 109 152 and 156.

(2) The proposed development would have an adverse impact on the intrinsic character of the landscape and would therefore be in conflict with saved policy 18.CO of the adopted Eastleigh Borough Local Plan (2001-2011), Policy S9 of the Submitted Eastleigh Borough Local Plan (2011-2029) and *Framework* guidance.

(3) The Transportation Assessment as submitted does not adequately or accurately demonstrate the likely impact of the development or the deliverability of the proposed improvements to the local highway network and therefore in the opinion of the Planning Authority the proposal involves development that cannot be reconciled with the *Framework* in that the significant movements generated could not be accommodated adequately on the existing transport network. This would result in a severe impact on the road safety and operation of the local transport network contrary to the *Framework* and Saved Policies 100T, 101T and 102T of the adopted Eastleigh Borough Local Plan Review (2001-2011) and Policy DM23 of the Submitted Eastleigh Borough. Local Plan (2011-2029).

(4) In the opinion of the Planning Authority the proposal involves development that cannot be reconciled with the *Framework* in that it would result in the users of the development being unable to make use of sustainable transport opportunities. This would result in a greater number of trips by private car which will create a severe impact on the local transport network and environment contrary to the *Framework*, Saved Policies 100T, 101T and 102T of the adopted Eastleigh Borough Local Plan (2001-2011) and Policy DM23 of the Submitted Eastleigh Borough Local Plan (2011-2029).

(5) The application contains insufficient information to demonstrate that Moorgreen Meadow SSSI will not be impacted by the rise in Nitrogen Oxide levels and appropriate mitigation has not been provided for impacts identified within the wet woodland habitats of the Moorgreen Meadow SSSI contrary to *Framework* advice, saved Policy 25.NC of the adopted Eastleigh Borough Local Plan Review (2001-2011) and Policy DM9 of the Submitted Eastleigh Borough Local Plan (2011-2029).

(6) No adequate mitigation has been proposed to compensate for the likely further recreational pressure on the Moorgreen Meadows SSSI with resultant detrimental impact likely on the interest features of this SSSI, contrary to *Framework* advice, saved Policy 25.NC of the adopted Eastleigh Borough Local Plan Review (2001-2011) and Policy DM9 of the Submitted Eastleigh Borough Local Plan (2011-2029).

(7) The application fails to secure the required affordable housing, and as such it is contrary to saved policy 74.H of the adopted Eastleigh Borough Local Plan, Policy DM28 of the Submitted Eastleigh Borough Local Plan 2011-2029 and to paragraph 50 of the *Framework*.

(8) The application fails to secure provision for developer contributions and obligations for on and off-site provision for facilities and infrastructure (including public open space, education, sustainable transport, health and community infrastructure 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 saved policies 147.OS and 191.IN of the adopted Eastleigh Borough Local Plan, policy DM32 of the Submitted Eastleigh Borough Local Plan 2011-2029 and paragraphs 70 and 73 of the *Framework*.

(9) 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, Policies S12 and DM9 of the Submitted Eastleigh Borough Local Plan 2011-2029 and paragraph 118 of the *Framework*.

(10) Insufficient information has been submitted to enable the Local Planning Authority to undertake a Habitats Regulations Assessment and to assess whether this proposal either alone or in combination will have a significant effect on the River Itchen SAC under the Conservation of Habitats & Species Regulations 2010 (as amended).

(11) The application contains insufficient information to demonstrate that the noise impact associated with the proposed development will not be unacceptable and are capable of being adequately mitigated, contrary to saved Policies 30.ES and 31.ES of the Eastleigh Borough Local Plan Review 2001-2011, Policy DM7(iii) of the Submitted Eastleigh Borough Local Plan 2011-2029 and paragraph 123 of the *Framework*.

APPEARANCES

FOR THE LOCAL PLANNING AUTHORITY:

Paul Stinchcombe QC Ned Helme of Counsel	Instructed by Richard Ward Legal Services Eastleigh Borough Council.

They called

Cllr Keith House	Leader Eastleigh Borough Council.
Peter Armstrong BA(Hons) DipLA MA Urban Design CMLI	Senior Associate Hyland Edgar Driver Landscape Architects.
Nick Ireland BA(Hons) MTPl MRTPI	Planning Director GL Hearn.
Chris Hemmings BA(Hons) MSc DipSurv MRTPI MRICS	Associate Director GL Hearn.
Liz Harrison BA(Hons) DipTP MRTPI	Principal Planning Officer Major Applications Team Eastleigh Borough Council.

FOR THE APPELLANT:

Martin Carter of Counsel	Instructed by Robert Gaskell BA(Hons) MA MRTPI Senior Planner Gladman Developments Ltd.

He called

Simon Helme BEng(Hons) MSc MCIHT	Director Ashley Helme Associates Ltd.
Martin Taylor BSc MSc MRTPI MIED	Associate Director, Nathaniel Lichfield & Partners.
Philip Rech BA(Hons) BPhil CMLI	Director FPCR Environment & Design Ltd.
Robin Shepherd BSc(Hons) DipTP MRTPI	Senior Planning Partner Barton Willmore LLP.

INTERESTED PERSONS:

Cllr Sarah Turl	West End Parish Council and Chairman Moorgreen Road Residents' Association.
Ruth Watson	Secretary Burnetts Lane Residents' Association.
Cllr Cynthia Garton	Hedge End Town Council.
Michael Starling	Local resident.
Cllr Derek Pretty	Eastleigh Borough Council.
Cllr Bruce Tennent	Hampshire County Council, Eastleigh Borough Council, Hedge End Town Council and West End Parish Council.
Cllr Peter Brown	West End Parish Council.
Richard Denning	Local resident.
Lorraine Healy	Local resident.
Judith Maddison	Local resident.
Jamie Downer	Local resident.
Norman Quarrelle	Local resident.
Cllr Ron Davis	West End Parish Council.
Rob Ball	Local resident.

Nigel Wood	Local resident and Curator of West End Local History Society's Museum and Heritage Centre.
Phil McConnell	Local resident.
Peter Sillence	Local resident.
Nick Thompson	Local resident.
Cllr Anne Mortimer	Chairman West End Parish Council.
Andy Milner	Local resident.
Ken Willis	Local resident.
David McNaughton	Chairman Burnetts Lane Residents' Association.
Cllr John Goguel	West End Parish Council.
Sally Willis	Local resident.
Nigel Caplen	Local resident.
Michael Starling	Local resident.
Cllr Gareth Bates	West End Parish Council.

DOCUMENTS SUBMITTED AT THE INQUIRY

Document	1	Alternative Development Framework Drawing No.6041-L-10 rev D.
Document	2	Table of Net Completions in Eastleigh Borough from 1996-2015.
Document	3.1	Plan indicating Local and Strategic Gap, Land East of Grange Road, Netley.
	3.2	Plan indicating Local Gap, Sovereign Drive Site.
Document	4.1	*Suffolk Coastal DC v Hopkins Homes Ltd; Richborough Estates Partnership LLP v Cheshire East BC and another* [2016] EWCA Civ 168.
	4.2	*Cheshire East BC and SSCLG and Renew Land Developments Ltd* [2016] EWHC 571 (Admin).
Document	5	Opening statement of the appellant.
Document	6	Opening submissions on behalf of Eastleigh Borough Council.
Document	7	Eastleigh Housing Delivery Rates 1 April 2011 – 31 March 2014.
Document	8	Statement by Cllr Bruce Tennent.
Document	9	Statement by Ruth Watson for Burnetts Lane Residents' Association.
Document	10	Statement by Cllr Derek Pretty.
Document	11	Statement by Richard Denning.
Document	12	Statement by Norman Quarrelle.
Document	13	Statement by Michael Starling and Wendy Fitzgerald.
Document	14	iTransport Drawing No.ITB9310-GA-022 Bubb Lane/Tollbar Way, Chalcroft Farm and Horton Heath West Project. [requested by Inspector]
Document	15	Statement by Lorraine Healy.
Document	16	Agreed note on amended description of application O/14/75166.
Document	17	Schedule from planning obligation for Boorley Green development setting out timing for highway works.
Document	18	Sheet Anchor Properties s288 challenge to Grange Road Netley decision (CD11.1).
	18.1	Facts and Grounds.
	18.2	First Defendant's Summary Grounds.
	18.3	Summary Grounds on behalf of interested party.
Document	19	Note on Highways appearances for the appellant.

Document	20	Letter to Moorgreen Road Residents Association from Hampshire County Council, dated 15 March 2006, concerning traffic calming.
Document	21	Five Year Housing Land Supply Position Housing Implementation Strategy 30 September 2014 concerning application of the 20% buffer.
Document	22.1	CIL Compliance Schedule.
	22.2	Email dated 8 April 2016 from Dr Simon Le Besque West End Surgery.
	22.3	Plan showing location of s106 financial contributions projects.
Document	23	Statement by Cllr Cynthia Garton.
Document	24	Statement by Richard Denning.
Document	25	Letter dated 11 April 2016 from Judith Maddison.
Document	26	Extract from Test Valley Borough Revised Local Plan DPD 2011-2029.
Document	27	Note about developers of Dowd's Farm development.
Document	28	Emails about phasing of development at Chestnut Avenue.
Document	29.1	Statement by Lorraine Healy.
	29.2	Email dated 20 April 2016 from Sarah Turl regarding dates of emails from the Moorgreen Road Residents Association.
Document	30	Statement by Judi Maddison RGN RSCN MSc.
Document	31	Statement by Jamie Downer.
Document	32	Extract from JNCC Protection of species of wild animals submitted by Mr Quarrelle.
Document	33	Statement by Cllr Ron Davis.
Document	34	Statement by Rob Ball.
Document	35	Statement by Nigel Wood.
Document	36	Statement by Phil McConnell.
Document	37	Statement by Peter Sillence.
Document	38	Statement by Nick Thompson.
Document	39	Statement by Cllr Anne Mortimer.
Document	40	Statement by Andy Milner.
Document	41	Statement by Ken Willis.
Document	42	Statement by David McNaughton.
Document	43	Statement by Cllr John Goguel.
Document	44	Statement by Sally Willis.
Document	45	Statement by Nigel Caplen.
Document	46	Statement by Michael Starling and Wendy Fitzgerald.
Document	47	Statement by Craig Lissaman.
Document	48	Bodkin Farm appeal decision Appeal Ref:APP/J2210/A/14/2227624.
Document	49	Note on 1st phase of residential development at Boorley Green - reserved matters application approved on 21 March 2016 subject to amended/additional plans.
Document	50.1	DCLG *Household Projections 2012-based: Methodological Report*.
	50.2	DCLG *Stage 2 Projections*.
Document	51	*Solihull MBC v Gallagher Estates Ltd and another* [2014] EWCA Civ 1610.
Document	52.1	*Hunston Properties Ltd v SSCLG and another* [2013] EWHC 2678 (Admin).
	52.2	*Hunston Properties Ltd and another v St Albans City and District Council* [2013] EWCA Civ 1610.

Document	53.1	Draft conditions.
	53.2	Advice to Eastleigh Borough Council in the matter of the Ministerial Statement in Respect of Energy Standards.
	53.3	Gladman Foul Drainage Note.
	53.4	*Barratt Homes Ltd v Dwr Cymru Cyfyngedig* (Welsh Water) [2009] 1 P.&C.R. 25.
	53.5	Proposed Development of land off Bubb Lane, Hedge End – Foul Drainage Analysis Supplementary Report October 2015 by Gladman Developments Ltd.
Document	54	Undertaking pursuant to section 106, dated 21 April 2016.
Document	55	High Court refusal of application for permission to proceed in the matter of a claim for planning statutory review *Sheet Anchor Properties v SSCLG and Eastleigh BC*. [re CD11.1]
Document	56	Policy 37.ES Eastleigh Borough Local Plan Review 2001-2011.
Document	57	Agreed note on land proposed for development within the Strategic and Local Gaps, April 2016.
Document	58	Conditions following roundtable discussion.
Document	59	Closing submissions on behalf of Eastleigh Borough Council.
Document	60	Closing submissions of the appellant.

PLANS

Plans submitted with application

Plan	A	Location Plan, Drawing No.6041-L-04.
Plan	B	Development Framework, Drawing No.6041-L-02 rev J.

Revised illustrative plan before the Council when it determined the application

Plan	C	Alternative Development Framework, Drawing No.6041-L-10 rev C.

Amended illustrative plan at the appeal stage

Plan	D	Alternative Development Framework, Drawing No.6041-L-10 rev D.

CORE DOCUMENTS

CD1 Application Documents

1.1	Application Covering Letter, Application Form and Certificates
1.2	Location Plan (6041-L-04)
1.3	Development Framework (6041-L-02 J)
1.4	Planning Statement
1.5	Design & Access Statement
1.6	Landscape and Visual Assessment
1.7	Transport Assessment
1.8	Travel Plan
1.9	Ecological Appraisal
1.10	Arboricultural Assessment
1.11	Affordable Housing Statement
1.12	Flood Risk Assessment
1.13	Air Quality Assessment
1.14	Noise and Vibration Assessment
1.15	Archaeological Desk-Based Assessment
1.16	Foul Drainage Analysis

1.17 Lighting Assessment
1.18 Socio - Economic Report
1.19 Statement of Community Involvement

CD2 Additional & Amended Reports Submitted after Validation
2.1 Revised Framework Plan Draft (6041-L-10C)
2.2 Revised Draft S106 Heads Of Terms
2.3 Revised Transport Assessment (Figures and Tables)
2.4 Revised Transport Assessment (Appendices and Drawings)
2.5 Revised Air Quality Assessment
2.6 Revised Framework Plan Final (6041-L-10C)

CD3 Application Correspondence
3.1 Letter from Gladman to Eastleigh BC - Pre App Advice - 18/2/14
3.2 Letter from Eastleigh BC to Gladman - Pre App Confirmation - 25/2/14
3.3 Letter from Gladman to Eastleigh BC - EIA Screening Request - 10/4/14
3.4 Email from Ashley Helme to Hampshire CC Highways - Introduction - 11/4/14
3.5 E-mail from Wardell-Armstrong to Eastleigh BC - Proposed Methodology - 29/4/14
3.6 Email chain - Eastleigh BC and FPCR - Agreement of viewpoints - 30/4/14
3.7 E-mail from Eastleigh BC to Wardell - Armstrong - Acceptance of Methodology -1/5/14
3.8 E-mail from Wardell - Armstrong to Eastleigh BC - Acceptance - 2/5/14 55
3.9 E-mail chain from Ashley - Helme to Hampshire Highways - TA Scoping Study -14/5/14
3.10 E-mail from Ashley - Helme to Hampshire Highways - Questions regarding scoping study - 20/5/14
3.11 Letter from Gladman to Eastleigh BC - EIA Screening Request - 9/7/14
3.12 E-mail chain - Eastleigh BC to Gladman - EIA Screening Request - 30/7/14
3.13 Letter from Gladman to National Planning Casework Unit - EIA Screening Request - 13/8/14
3.14 E-mail from Gladman to Eastleigh BC - Transport Assessment - 25/9/14
3.15 E-mail from Gladman to Eastleigh BC - Validation Letter - 29/9/14
3.16 Letter from Dept for Communities to Eastleigh BC - Screening Direction - 23/10/14
3.17 E-mail chain - Natural England and FPCR - Moorgreen SSSI - 6/11/14
3.18 E-mail chain - Natural England and FPCR - Moorgreen SSSI - 6/11/14
3.19 E-mail chain - Natural England and FPCR - Moorgreen SSSI - 6/11/14
3.20 E-mail chain - Natural England and FPCR - Moorgreen SSSI - 12/11/14
3.21 E-mail from Gladman to Eastleigh BC - Highways Response - 19/11/14
3.22 E-mail from Gladman to Eastleigh BC - Highways Response - 19/11/14
3.23 E-Mail from Ashley - Helme to Hampshire Highways - 20/11/14
3.24 E-mail from Gladman to Eastleigh BC - Recommendation Information - 20/11/14
3.25 E-mail chain - Gladman and Eastleigh BC - Response to the above - 5/12/14
3.26 E-mail from Gladman to Eastleigh BC - Response to the above - 8/12/14
3.27 E-mail chain - Gladman and Eastleigh BC - Response to the above - 8/12/14
3.28 E-mail from Gladman to Eastleigh BC - Chief Executive Letter - 11/12/14
3.29 E-mail from Ashley - Helme to Hampshire Highways - 12/12/14
3.30 E-mail chain - Natural England and FPCR - Moorgreen SSSI - 19/12/14
3.31 E-mail from Hampshire Highways to Ashley - Helme - Response to 3.17 - 19/12/14

3.32 E-mail from Ashley - Helme to Hampshire Highways - 23/12/14
3.33 E-mail chain - Gladman and Eastleigh BC - 23/12/14
3.34 E-mail from Ashley - Helme to Hampshire Highways - 16/1/15
3.35 E-mail from Ashley - Helme to Hampshire Highways - 16/1/15
3.36 E-mail from Hampshire Highways to Ashley - Helme - 16/1/15
3.37 E-mail from Ashley - Helme to Eastleigh BC - 20/1/15
3.38 E-mail from Gladman to Eastleigh BC - Extension of Time Letter - 20/1/15
3.39 E-mail from Eastleigh BC to Ashley - Helme - Bus Services - 21/1/15
3.40 E-mail from Eastleigh BC to Brian Botley - Bus Services - 21/1/15
3.41 E-mail from Eastleigh BC to Ashley - Helme - Bus Shelters- 22/1/15
3.42 E-mail from Gladman to Eastleigh BC - Update on information - 22/1/15
3.43 E-mail from Gladman to Eastleigh BC - Update on TA and AQA - 26/1/15
3.44 E-mail from Gladman to Eastleigh BC - Update on TA and AQA - 27/1/15
3.45 E-mail chain - Natural England and FPCR - Moorgreen SSSI - 29/1/15
3.46 E-mail from Gladman to Eastleigh BC - Update on TA and AQA - 10/2/15
3.47 E-mail from Gladman to Eastleigh BC - Update on TA and AQA - 11/2/15
3.48 E-mail from Gladman to Eastleigh BC - Highways Response - 12/2/15 207
3.49 E-mail from Ashley - Helme to Hampshire Highways - 12/2/15
3.50 E-mail from Ashley - Helme to Hampshire Highways - 12/2/15
3.51 E-mail from Eastleigh BC to Gladman - 12/2/15
3.52 E-mail from Gladman to Eastleigh BC - Updated Framework Plan - 12/2/15
3.53 E-mail from Eastleigh BC to Gladman - 3/3/15
3.54 E-mail chain from Gladman to Eastleigh BC - Minutes of Committee Meeting - 11/3/15
3.55 E-mail from Eastleigh BC to Gladman - Decision notice - 13/3/15

CD4 Consultation Responses
4.1 Consultation Response from County Archaeologist
4.2 Consultation Response from Biodiversity Officer
4.3 Consultation Response from School Organisation Officer
4.4 Consultation Response from Head of Direct Services
4.5 Consultation Response from Eastleigh Ramblers
4.6 Consultation Response from Head of Transportation and Engineering
4.7 Consultation Response from Sustainable Places Advisor
4.8 Consultation Response from Environmental Health (Noise and Air)
4.9 Consultation Response from Fisher German
4.10 Consultation Response from Hampshire CC Highways
4.11 Consultation Response from Countryside Access Development Officer
4.12 Consultation Response from Hedge End Town Council
4.13 Consultation Response from Highways Agency
4.14 Consultation Response from Head of Housing and Environmental Health
4.15 Consultation Response from Health and Safety Executive
4.16 Consultation Response from Landscape Impact Officer (Julian Davies)
4.17 Consultation Response from Natural England
4.18 Consultation Response from Parks and Open Spaces Manager
4.19 Consultation Response from Policy Officer
4.20 Consultation Response from Tree Services Manager
4.21 Consultation Response from West End Parish Council

CD5 Committee Report and Decision Notice
5.1 Committee Report
5.2 Decision Notice

CD6 Relevant Post Application Correspondence
6.1 18 August 2015 (email chain) Ruth Harding (Paris Smith) to James Podesta (GDL) Confirmation of withrdawal RfR 11
6.2 14 January 2016 (email chain) Dawn Errington (EBC) to Peter Kozak (PINS) Confirmation of withdrawal of RfR 11
6.3 2 February 2016 (email chain) Mark Utting (B.W) & Robin Shepherd (B.W.) to Dawn Errington (EBC) SoCG
6.4 23 February 2016 (email chain) Mark Utting (B.W.) to Liz Harrison (EBC) Scope of evidence
6.5 2 March 2016 (email chain) Mark Utting (B.W.) to Liz Harrision (EBC) Housing land supply
6.6 4 March 2016 email from Liz Harrison (EBC) to Mark Utting (B.W.) Council's housing land supply position
6.7 15 March 2016 (email chain) Liz Harrison (EBC) to Riob Gaskell (GDL) RfR to be pursued at the inquiry

CD7 Development Plan
7.1 Eastleigh Borough Local Plan Review (2001-2011) (May 2006) [Extracts]
7.2 Direction under Paragraph 1(3) Schedule 8 Planning and Compulsory Purchase Act 2004. Saved Policies Direction May 2009

CD8 Supplementary Planning Documents
8.1 Quality Places SPD (November 2011)
8.2 Environmentally Sustainable Development SPD (March 2009)
8.3 Planning Obligations SPD (July 2008)
8.4 Planning Obligations SPD Background Paper (July 2008)
8.5 Public Art Strategy 2015-2019 (February 2016)
8.6 HCC Developers' Contributions towards Children's Services Facilities (October 2015)
8.7 Solent Recreation Mitigation Partnership's *Interim Solent Recreation Mitigation Strategy* (December 2014)

CD9 Emerging Local Plan
9.1 Submission version of 2011-2029 Local Plan (and Policies Map) [Extracts]
9.2 Local Plan Examination 2011-2029 - Inspector's Preliminary Conclusion on Housing Needs.
9.3 Eastleigh Borough Local Plan Examination Inspector's Post Hearing Note 3 - Other Matters
9.4 Local Plan 2011-2029 - Inspector's Final Report
9.5 Local Plan 2011-2036 - Issues and Options (Reg 18) Consultation Document (December 2015)

CD10 Evidence Base
10.1 Five Year Housing Supply Position: Housing Implementation Strategy (September 2015)
10.2 Partnership for Urban South Hampshire (PUSH) - Strategic Housing Market Assessment (with appendices) (January 2014)
10.3 Partnership for Urban South Hampshire (PUSH) - Green Infrastructure Strategy (June 2010)
10.4 Partnership for Urban South Hampshire (PUSH) - South Hampshire Strategy – A Framework to Guide Sustainable Development and Change to 2026 (October 2012)

10.5 Partnership for Urban South Hampshire (PUSH) - Policy Framework for Gaps (December 2008)
10.6 An Analysis of OAN in the Light of the 2012 Based Sub-National Populations Projections (JGC Study June 2014)
10.7 Eastleigh Housing Needs Study 2015
10.8 Landscape Character Assessment of Eastleigh Borough (December 2011) [Extracts] Areas 9 and 11
10.9 The Hampshire Integrated Character Assessment [Extracts] Character Area 2E - Forest of Bere West
10.10 Housing Strategy for Eastleigh 2012-2017
10.11 Eastleigh Corporate Plan 2015-2025
10.12 Solent Local Enterprise Partnership (LEP) Transforming Solent Strategic Economic Plan (March 2014)
10.13 Natural England National Character Area Profile 128 'South Hampshire Lowlands'
10.14 Guidelines for Landscape and Visual Impact Assessment (3rd Edition) Landscape Institute and the Institute of Environmental Management and Assessment (2013)
10.15 SLAA Interim Update December 2015, Appendix 5: Site Assessments – West End [Extracts] Pages 13-24
10.16 Green Infrastructure Background Paper (Updated October 2014)
10.17 Eastleigh Borough Council Local Development Scheme (April 2015)
10.18 Report to the Paternship for Urban South Hampshire Overview and Scrutiny Committee (January 2016)
10.19 Amber Valley Local Plan Part 1 Core Strategy Examination - Letter from Inspector R. Foster (10 August 2015)
10.20 Cabinet Report - Eastleigh Borough Interim Housing Requirement (March 2016)
10.21 Review of Housing Needs in Eastleigh Borough (GL Hearn March 2016)
10.22 Housing Background Paper (December 2015)
10.23 Authority Monitoring Report 2013 -2014 (Adopted September 2014) [Extracts]

CD11 Relevant Appeal Decisions
11.1 Land to the east of Grange Road, Netley Abbey (APP/W1715/W/15/3005761)
11.2 Land west of Westergate Street, Westergate, Sussex (APP/C3810/A/14/2220943)
11.3 Land to the east of Sovereign Drive and Percosa Road, Botley (APP/W1715/W/14/3001499)
11.4 Land east of Rope Lane, Crewe (APP/R0660/A/14/2227068)
11.5 Land at Hamble Lane, Bursledon (APP/W1715/A/13/2207851)
11.6 Land off School Lane, Bunbury (APP/R0660/A/14/2227135)
11.7 Land off Shaw Drive, Grimsby (APP/B2002/W/14/3001106)
11.8 Land off Worcester Road, Drakes Broughton (APP/H1840/W/15/3008340)
11.9 Land adjacent to 28 Church Street, Davenham, Cheshire (APP/A0665/W/15/3005148)
11.10 Land at Pulley Lane, Droitwich Spa (APP/H1840/A/13/2199085 and APP/H1840/A/13/2199426)
11.11 Land south of Cirencester Road, Fairford (APP/F1610/A/14/2213318)
11.12 Land west of Beech Hill Road, Spencers Wood (APP/X0360/A/13/2209286)
11.13 Land south of Greenhill Road, Coalville (APP/G2435/W/15/3005052)
11.14 Land at Abbey Lane, Aslockton (APP/P3040/A/14/2227522)
11.15 Land at Valley Road, Overseal, Swadlincote (APP/F1040/W/15/3033436)

11.16 Land between Station Road and Dudley Road, Honeybourne (APP/H1840/A/12/2171339)
11.17 Highfield Farm, Tetbury (APP/F1610/A/11/2165778)
11.18 Long Marston, Pebworth (APP/H1840/A/13/2202364)
11.19 Land off Bath Road, Leonard Stanley (APP/C1625/A/13/2207324
11.20 Land Bounded by Gresty Lane, Rope Lane, Crewe Road and A500, Crewe (APP/R0660/A/13/2209335)
11.21 Land at Well Meadow, Well Street, Malpas (APP/A0665/A/14/2214400)
11.22 Land off Chapel Drive, Aston Clinton, Buckinghamshire (APP/J0405/A/13/2210864)
11.23 Land at Goch Way, Andover (APP/C1760/A/14/2222867)
11.24 Land at Cottage Farm Glen Road, Oadby, Leicestershire (APP/L2440/A/14/2216085)

CD12 Relevant Judgements
12.1 *William Davis Ltd v SSCLG* [2013] EWHC 3058 (Admin)
12.2 *South Northamptonshire v SSCLG* [2014] EWHC 573 (Admin)
12.3 *Cheshire East v SSCLG* [2015] EWHC 410 (Admin)
12.4 *Wenman v SSCLG* [2015] EWHC 925 (Admin)
12.5 *Hopkins Developments Ltd v SoS* [2014] EWCA Civ 470
12.6 *Crane v SoS* [2015] EWHC 425 (Admin)
12.7 *Phides Estates v SoS* [2015] EWHC 827 (Admin)
12.8 *Wynn-Williams v SoS* [2014] EWHC 3374 (Admin)
12.9 *Edward Ware Homes Ltd v SoS* [2016] EWHC 103 (Admin)
12.10 *Stroud District Council v SoS* [2015] EWHC 488 (Admin)
12.11 *Colman v SoS, North Devon District Council, RWE Npower* [2013] EWHC 1138 (Admin)
12.12 *Cotswold DC v SoS for CLG and Hannick Homes & Development Ltd* [2013]
12.13 *Bloor Homes East Midlands Ltd v SSCLG* [2014] EWHC 754 (Admin)
12.14 *Dartford BC v SSCLG* [2014] EWHC 2636 (Admin)
12.15 *South Northamptonshire v SSCLG* [2013] EWHC 11 (Admin)
12.16 *Gallagher Homes Ltd and Lioncourt Homes Ltd v Solihull Metropolitan Borough Council* [2014] EWHC 1283
12.17 *Oadby and Wigston Borough Council v SSCLG* [2015] EWHC 1879
12.18 *Kings Lynn & West Norfolk v SSCLG & Elm Park Holdings Ltd* [2015] EWHC 2464 (Admin)
12.19 *Zurich Assurance Limited v Winchester District Council and South Downs National Park Authority* [2014] EWHC 758
12.20 *Wainhomes v Wiltshire Council* [2013] EWHC 597 (Admin)

CD13 Additional Documents
13.1 Committee Minutes 9 March 2015
13.2 Consultation Response from Southern Water
13.3 Updated Noise and Vibration Impact Assessment (December 2015)
13.4 Design and Access Statement Addendum (February 2016)
13.5 Green Infrastructure Principles Plan
13.6 Gladman Representations - Issues and Options Consultation
13.7 Consultation Response from West End Surgery
13.8 Hatch Farm, West End Committee Report (March 2016)
13.9 Planning Practice Guidance - Housing and Economic Development Needs Assessments
13.10 Planning Practice Guidance - Housing and Economic Development Land Availability Assessments

13.11 Planning Advisory Service's Report on Objectively Assessed Need and Housing Targets
13.12 Simpson, L. and McDonald, N. (April 2015) *Making sense of the new English household projections*, TCPA
13.13 Skeleton Arguments in Richborough, Cheshire East Judgement
13.14 Bubb Lane Constraint Plan