



Land at Denham's Corner, Snakemoor Lane, Eastleigh, SO32 2BW
Section 78 Appeal by Southern Strategic Land Two LLP; John Denham;
Shirley George and Heather Baston

Statement of Case

February 2026

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Appendix A Pre Application Response (07/03/25)

Appendix B Screening Opinion (13/05/25)

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1 Introduction

1.1.1 This Statement of Case is submitted on behalf of Southern Strategic Land Two LLP; John Denham; Shirley George and Heather Baston (the Appellants) in support of an appeal against the refusal of an outline planning application by Eastleigh Borough Council (EBC), for the proposed residential development of land at Land at Denham's Corner, Snakemoor Lane, Eastleigh (the Appeal Site).

1.1.2 The application was submitted under the following description of development:

Construction of up to 150 dwellings including 40% affordable housing, sustainable travel hub including parcel lockers, cycle hire and electric vehicle charging points for visitors, with associated vehicular access off Snakemoor Lane, dedicated cycle access off Snakemoor Lane, a shared pedestrian and cycle access off Botley Road, associated infrastructure, public open space and play area, hard and soft landscaping, boundary treatments, sustainable urban drainage systems and provision for biodiversity net gain.

1.1.3 However, it was validated with the description of development as follows

Outline application for up to 150 dwellings including 40% affordable housing, with vehicle and cycle accesses from Snakemoor Lane, pedestrian/cycle access from Botley Road, sustainable transport hub, public open space and play area, and associated infrastructure and landscaping (all matters reserved except for access).

1.1.4 The appeal is progressed on the basis of the above description of development as amended.

1.2 Background to the Appeal

1.2.1 Prior to the submission of the outline planning application, meetings were held with planning, highways and arboricultural officers. Alongside this, as detailed in the Statement of Community Engagement, extensive community engagement was carried out including near neighbour 1-2-1 meetings; a wider consultation event and meetings with local Councillors and Botley Parish Council.

1.2.2 A copy of the Council's formal pre-application response dated 7th March 2025 is enclosed at **Appendix A** – the response concludes:

“As detailed in this letter, the proposal would not accord with the policies of the Eastleigh Borough Local Plan in respect of development location and there are significant concerns about visual and landscape impacts and accessibility. The Local Planning Authority would therefore be unlikely to support this proposal should an application be submitted”.

- 1.2.3 The Council's formal Screening Opinion was received on the 13th May 2025 (**Appendix B**) and confirms that the development does not constitute EIA development as set out below:

“Accordingly, the screening assessment has identified that significant effects on the environment are not considered likely either alone or in combination with other development and, therefore, it is the opinion of Eastleigh Borough Council as the Local Planning Authority that the proposed development does not constitute EIA development as defined by the Regulations”.

- 1.2.4 Copies of relevant pre-application responses will be included within the Core Documents.

1.3 Application Submission

- 1.3.1 The outline planning application was submitted to the Council on the 10th June 2025 and validated on the same date. The application was accompanied by a comprehensive suite of technical reports (as subsequently updated) in accordance with EBC's validation requirements. A full set of the Appeal documents will be provided within Section A of the Core Documents, and a schedule of submissions is included with the Appeal, however these are set out in the table below:

<u>Document</u>		<u>Consultant</u>
Design and Access Statement	-	Corstorphine and Wright
Landscape and Visual Appraisal	-	Deacon Design
Transport Statement and Travel Plan	-	DTA
Arboricultural Survey	-	Barrell Trees
Ecology (including BNG)	-	EcoSupport
Fra and Drainage Strategy	-	SLR
Nutrient Neutrality and Mitigation Statement	-	SLR
Sustainability Statement	-	Turley
Statement of Community Involvement	-	Consult Communications
Heritage Assessment / Archaeology	-	BSA Heritage
Housing Need and Affordability Statement	-	Tetlow King
Five Year Housing Land Supply	-	Turley
Noise and Air Quality	-	Hawkins Environmental

Agricultural Land Classification Report	-	Kernon
Contamination Report	-	Advanced Investigation Systems

1.3.2 In addition, the following plans were also submitted with the outline planning application.

- Location Plan and Site Plan
- Block Plan
- Built Framework and Parameter Plan
- Building Heights Parameter Plan
- Access Parameter Plan
- Accessibility Plan
- Tree Protection and Survey Plan
- Illustrative Layout Plan
- Illustrative Landscape Masterplan

1.3.3 An agreed list of plans and documents will be produced in conjunction with the Council.

1.3.4 During the determination of the application, the Appellants continued to liaise with the Council and relevant statutory consultees. The agreed date for the determination of the application ran to the 9th September 2025.

1.3.5 A notice of intention to appeal and for this to be heard by way of an Inquiry, was submitted to EBC and the Planning Inspectorate on the 25th September 2025.

1.4 Appeal

1.4.1 The Application was refused under delegated powers on the 24th December 2025 with the following 5 reasons for refusal:

1. ***The site is outside of the urban edge and is not allocated for residential development. The proposal represents an inappropriate and unjustified form of development, which would have an unacceptably urbanising and visually intrusive impact upon the designated countryside to the detriment of the character and visual amenity of the local area. These adverse impacts cannot be appropriately mitigated and therefore the application is contrary to Policies S1, S5 & DM1 of the Eastleigh Borough Local Plan (2016-2036) and provisions within the National Planning Policy Framework (December 2024).***

- 2. The site is considered to be poorly connected by sustainable transport modes to local facilities in Horton Heath, Fair Oak and the surrounding area. The measures included within the proposed development would not result in a genuine choice of transport modes and as such the proposals would result in a car dependant development increasing congestion on the highway network. The application is therefore contrary to Policies S1, S11, DM1 & DM13 of the Eastleigh Borough Local Plan (2016-2036) and provisions within the National Planning Policy Framework (December 2024).**
- 3. It has not been demonstrated that the proposed site access or the alterations required to local highway infrastructure to serve the development can be undertaken in a manner which will meet the necessary Highway Authority standards and not impact upon traffic flow and movements in the locality. The application is therefore considered to be contrary to Policies S11 & DM13 of the Eastleigh Borough Local Plan (2016-2036) and provisions within the National Planning Policy Framework (December 2024).**
- 4. The application fails to secure provision for developer contributions for the on and off-site provision of facilities and infrastructure made necessary by the development or to mitigate against any increased need or pressure on existing facilities. The application is therefore contrary to the requirements of Policies S10, DM13, DM28, DM33, DM36 and DM38 of the Eastleigh Borough Local Plan (2016-2036), the Eastleigh Borough Council's Planning Obligations Supplementary Planning Document and provisions within the National Planning Policy Framework (December 2024).**
- 5. The application fails to secure mitigation to offset the impacts of the development on the European protected sites (i.e. River Itchen Special Area of Conservation SAC) from the effects of nutrient loading. The application is therefore contrary to Policies S1, DM10 and DM11 of the Eastleigh Borough Local Plan (2016-2036), provisions within the National Planning Policy Framework and The Conservation of Habitats and Species Regulations 2017 (as amended).**

1.4.2 This Statement of Case sets out the case the Appellants intend to put forward at the Appeal and the documents the Appellants intend to refer to in evidence. The Appellants reserve their right to update their Statement of Case and / or produce additional evidence over and above that identified here upon receipt of the Council's Statement of Case.

1.4.3 The Appellants also intend to agree topic specific Statements of Common Ground with the Council. The Appellants will also look to agree a draft set of planning conditions with the Council to be submitted to the Inspector prior to the commencement of the Inquiry.

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- 1.4.4 As required, the Appellants have also included a draft S106 Agreement to secure the provision of necessary infrastructure.
- 1.4.5 As set out in the enclosed Appeal Form and the accompanying procedural note, the Appellants considers an Inquiry is the most appropriate procedure given the anticipated need to call expert evidence (including detailed technical evidence) on:
1. Landscape
 2. Highways and Transportation
 3. Nitrates / Phosphates
 4. Affordable Housing
 5. Education
 6. Housing Land Supply
 7. Planning
- 1.4.6 In addition, there will be a need to cross examine the Council's witness on these matters. Moreover, the Appeal has generated significant public interest to date with 103 public comments having been submitted and therefore an Inquiry can best allow for these third parties to be heard. The Appellants have produced a separate procedural note setting out how the Appeal meets the tests for an Inquiry.
- 1.4.7 The Appellants will demonstrate firstly that the Appeal Scheme is in accordance with the Development Plan through the embedding of the presumption in favour of sustainable development into the Development Plan; and secondly that, on the basis of the Council being unable to demonstrate the requisite housing land supply, that the policies which are most important for determining the application are out-of-date and that there are no adverse impacts of the Appeal Scheme that would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.
- 1.4.8 This Statement sets out the case that the Appellants intend to put forward at the Public Inquiry and the documents that the Appellants intend to refer to in Evidence. It is set out as follows:
- Section 2 sets out the relevant planning history;
 - Section 3 provides an overview of the Appeal Site and its surroundings;
 - Section 4 provides a summary of the Appeal proposals;
 - Section 5 sets out the relevant planning policy context to the appeal;
 - Section 6 sets out the Appellants case, including an assessment of the proposals against the Development Plan and the benefits to be attributed to the Appeal Scheme;
 - Section 7 provides a summary of third party comments on the planning application;

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- Section 8 addresses planning contributions and obligations.
- Section 9 provides a summary conclusion.

2 Planning History

2.1 Site Planning History

- 2.1.1 A review of Eastleigh Borough Council's online planning search has been undertaken and no on-site planning application history relevant to the current proposals was found.

2.2 Wider Planning History

- 2.2.1 **One Horton Heath** - Land at Burnetts Lane, Fir Tree Lane and Allington Lane: Outline Planning permission O/20/89498 for a phased mixed-use development of up to 2,500 residential units, local centre, non-residential floorspace, primary school and public open space. This is of particular relevance to the sustainability considerations of the Appeal Scheme.

- 2.2.2 **Land south of Snakemoor Lane / East of Winchester Road:** Planning permission was sought in 2019 for the construction of five detached adaptable dwellings for disabled persons/inter-generational families with widened vehicular access from Snakemoor Lane, new pedestrian access from Winchester Road, with land available for strategic Denham's Corner roundabout improvement scheme under reference F/19/85710. The application was refused on 24th September 2019. A revised planning application seeking the permission for the construction of five adaptable dwellings for disabled persons/ inter-generational families with widened vehicular access from Snakemoor Lane, new pedestrian access from Winchester Road, with land available for strategic Denham's Corner roundabout improvement scheme was submitted under reference F/20/87925. This application was also refused, on 22nd March 2021. The proposal was dismissed at a subsequent appeal on the 6th July 2022¹. However, paragraph 12 of the appeal decision confirms the thoughts of the Planning Inspector regarding the location of development, stating:

"I recognise that Policy S2 of the LP does not say that other areas, outside of the defined main built-up areas, are not sustainable. Moreover, the site is not 'isolated' in the context of paragraph 80 of the National Planning Policy Framework".

- 2.2.3 **Land Adjacent to the Brigadier Gerard Public House:** Planning permission F/19/86328 for the construction of four no. three-bedroom dwellings with associated amenity space, parking, landscaping, ecological buffer and new access from Botley Road was permitted on 8th January 2020. In addition, planning permission F/20/87859 for the construction of one no. three-bedroom house with car parking was permitted on 4th December 2020.
- 2.2.4 **Land West of Woodhouse Lane, Hedge End:** Hybrid planning application O/18/83634 the proposed development of a residential and education led site. Outline: Up to 605 residential dwellings, a local centre, pedestrian and cycle links, public open space. Full: 7 Form Entry secondary school with the potential to expand to 9 Form Entry and associated sports provision. This was approved in 2019.
- 2.2.5 **Land South of Mortimers Lane, Fair Oak:** Outline application with all matters reserved (apart from access) for the construction of up to 245 dwellings (Use Class C3) and up to 350sqm multi-functional building (Use Class E - commercial, business or service or Use

¹ APP/W1715/W/21/3283337

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Class F2 - Community), with associated open space and play area, landscaping, SuDS, infrastructure, mobility hub and vehicular access off Mortimers Lane. Refused against Officer recommendation on the 17th December 2025. At the time of the preparation of this Statement of Case, no appeal has been received according to the Council's on-line planning system.

- 2.2.6 The One Horton Heath application is of particular relevance to the Appeal Scheme as it clearly sets out the suitability of this location to accommodate growth and the significant change which the area will undergo.

3 The Appeal Site and Its Surroundings

3.1 The Site and Surrounding Area

- 3.1.1 As confirmed in the submitted Design and Access Statement and the Planning Statement, the application site comprises approximately 9.05 hectares of land and is currently an agricultural field in rotation between pasture and cereal crop with areas of marshy grassland and mature woodland (both designated as SINCs) located beyond the site boundary to the north and east respectively.
- 3.1.2 The site is bound by Scorey's Copse (an Ancient Woodland) on its northern and north-western boundary with the Scorey's Copse Rushes Stream on its eastern edge. Existing dwellings and the B3354 Botley Road are located on its western side and Snakemoor Lane is located to its southern boundary.
- 3.1.3 To the south east of the site is the village of Horton Heath which includes local facilities and amenities including a petrol station, community centre, convenience store, dentist and public house.
- 3.1.4 The site lies within an area which will undergo considerable change, situated between large new developments currently underway (including One Horton Heath) that will significantly increase the population density of the area, as well as the range of services on offer locally.
- 3.1.5 A new primary school is proposed as part of One Horton Heath which will be within a 10 min walk of the site. Wyvern campus (infants, juniors, secondary) (Fair Oak), Berrywood (Hedge End) and Durley Schools are also nearby. Boorley Garden Send School is also being delivered nearby, set to open in September 2026.
- 3.1.6 Bus routes run adjacent to the site along Botley Road and Snakemoor Lane, offering connections to Eastleigh, Southampton, Botley, Bishops Wordsworth, and Horton Heath. Rail links are also available via these bus routes connecting Hedge End with the rest of the region, including direct trains to Portsmouth and London. In addition, Hedge End railway station is accessible by car via Shamblehurst Lane within 2 minutes from the site and by bike via national cycle route 23 to the west of the site, which has been the subject of a recent upgrade (the shared pedestrian cycle path between Bubb Lane and the station being widened with lighting added in Spring 2025).
- 3.1.7 The site is not within a Conservation Area and there are no listed buildings within the immediate area.
- 3.1.8 The site is at a low risk from flooding being within Flood Zone 1 which has the lowest probability.

4 The Appeal Proposal

4.1 Appeal Scheme

- 4.1.1 The Appeal Scheme provides for up to 150no. new homes which will include a mix of detached, semi-detached, terraced and bungalow units to reflect the character of the area. 40% affordable housing will be provided – which is 5% greater than the Development Plan requirement. The affordable housing tenure split is policy compliant (65:35 in favour of Affordable Rent), with the additional 5% to be provided as Low Cost Ownership.
- 4.1.2 The scheme is designed to be a landscape led development and create an environment that is appropriate for its setting.
- 4.1.3 Vehicular access to the site will be from Snakemoor Lane with a pedestrian / cycle access only on to Botley Road. The application also includes a sustainable transport hub to assist in securing more sustainable modes of transport for future residents.
- 4.1.4 The Appeal Scheme is submitted in outline with only means of access for determination at this stage however a parameter plan and illustrative layout plans have been submitted alongside.
- 4.1.5 The Appellants will demonstrate that the Appeal Scheme can deliver a high quality, landscape led, sustainable form of development which will assist in meeting housing need.

5 Planning Policy

5.1 The Development Plan

5.1.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires local planning authorities to determine planning applications in accordance with the Development Plan unless material considerations indicate otherwise.

5.1.2 The Development Plan comprises:

- The Hampshire Minerals and Waste Plan (2013).
- Eastleigh Borough Local Plan (2016 – 2036) – adopted in April 2022

5.2 Hampshire Minerals and Waster Plan (2013)

5.2.1 The Appeal Site is not a designated minerals site and neither it is identified as a reserve site. The Appellants do not rely on the policies therein as part of its case.

5.3 Eastleigh Borough Local Plan (2016 – 2036) – adopted in April 2022 (EBLC)

5.3.1 The Appellants will refer primarily to the following policies cited in the decision notice alongside and /or other relevant policies following receipt of the Council's Statement of Case.

- Strategic policy S1, Delivering sustainable development
- Strategic policy S2, Approach to new development
- Strategic policy S3, Location of new housing
- Strategic policy S5, New Development in the countryside.
- Strategic policy S9, Green infrastructure Strategic policy
- Strategic policy S10, Community facilities
- Strategic policy S11, Transport infrastructure
- Policy DM1, General criteria for new development
- Policy DM10, Water and Waste Water
- Policy DM11, Nature conservation
- Policy DM13, General development criteria - transport
- Policy DM28, Delivering affordable housing
- Policy DM33, Provision of recreation and open space facilities with new development
- Policy DM36, Community, leisure and cultural facilities

- Policy DM38, Funding infrastructure.

- 5.3.2 It is noted that via Policy S1, the presumption in favour of sustainable development is embedded within the Development Plan. Thus, in the event that conflict with Development Plan policy were to be identified; if the harm caused by this conflict is outweighed by the benefits – a finding of accordance with the Development Plan can still be achieved.
- 5.3.3 The Appellants reserves the right to add to the above upon receipt of the Council's Statement of Case.

5.4 Other Material Considerations

Local Plan Review

- 5.4.1 The review of the Local Plan is at an early stage with only issues and options consultation carried out. At this stage, the draft plan carries no weight in the decision making process. The current Local Development Scheme (LDS) sets out the following headline programme:

Autumn 2027 – consultation on Regulation 19 Plan

Spring 2028 – submission of Local Plan

Spring 2029 - adoption

- 5.4.2 Thus, a new plan is some 3 years away from adoption working on a best case scenario and based on the current LDS, the draft Plan would not carry any weight until late 2028 / early 2029.

Housing Land Supply

- 5.4.3 The Appellants will draw particular attention to the shortfall in housing land supply upon adoption and the timescales for an early review as per paragraph 4.12 of the Adopted Local Plan (ALP) which states:

***“... The total supply identified in Strategic Policy S3 (9,394 dwellings) falls short of the required 14,580 dwellings 2016-2036 by a considerable margin (5,186 dwellings). However, 2,572 of these dwellings were completed in the years 2016-2019 leaving an actual shortfall of 2,614. This shortfall has arisen primarily as a result of the local plan examination Inspector's recommended deletion of the Strategic Growth Option which was proposed in the submitted version of the local plan. The Inspector recommended that this shortfall, which will occur in the later years of the plan period, should be addressed through an early review of the local plan. Accordingly, the Council will commence an update of this Local Plan within 1 year of its adoption.*”**

- 5.4.4 Whilst the Council carried out a call for sites in summer 2023. First consultation was not carried out in Autumn 2024 with the publication of the Issues and Option plan. This was some 2.5 years after adoption of the plan.

- 5.4.5 At an appeal for "land to the West of Cobbett Way, Botley² confirmed that the Council was unable to demonstrate a 5 year supply of housing land. The Council consider they can demonstrate 4.1 years supply (with a base date of 1st April 2024). At the time of the submission of the Application, the Appellants considered the position to be 2.81 years (a shortfall of 1,676 homes). The Appellants will present evidence to demonstrate that there is a chronic shortfall in housing delivery in the Borough and that the extent of the shortfall is far greater than the Council's calculations show.
- 5.4.6 It is expected that it will be an agreed position that the tilted balance is engaged by virtue of paragraph 11(d) of the NPPF and that the most important policies for the determination of the application are out of date (which the Appellant's will contend comprises all those policies cited at paragraph 5.3.1 of this Statement of Case as a minimum). The Appellants will also demonstrate that there is nothing within footnote 7 which would dislodge the application of the tilted balance for the Appeal Scheme. Indeed, it is expected that this would be an agreed position with the Council given that the Council's planning policy response to the Appeal Scheme is framed around the application of the tilted balance.

National Planning Policy Framework (NPPF) 2024

- 5.4.7 At the time of writing this Statement of Case, the NPPF 2024 represents the current NPPF. The Appellants are aware that this position may change prior to the determination of an appeal and will respond accordingly at the appropriate time.
- 5.4.8 Insofar as it is relevant, reference may be made to the consultation draft NPPF 2025 as an indication of the direction of travel in national Government thinking.
- 5.4.9 The Appellants will set out the Appeal Scheme's compliance with the NPPF – the paragraphs are dependent upon the Council's decision on the Appeal Scheme however the following chapters will be referenced:
- Chapter 2: Achieving Sustainable Development
 - Chapter 4: Decision Making
 - Chapter 5: Delivering a sufficient supply of homes
 - Chapter 6: Building a strong competitive economy
 - Chapter 9: Promoting sustainable transport
 - Chapter 12: Achieving well designed places
 - Chapter 15: Conserving and enhancing the natural environment
- 5.4.10 The Appellants will also demonstrate how the development is sustainable. This will include:
- The provision of up to 150 Class C3 market and affordable dwellings, in very close proximity to local services, infrastructure and facilities to meet a local need;
 - Sustainable transport hub;
 - Economic benefits through the construction phase, and long-term support for the town centre and local economy;
 - Financial contributions towards off-site infrastructure; and
 - Social and environmental benefits through the provision of accessible open space and equipped play and informal recreation areas, 40% on-site GI, SuDs

² APP/W/1715/W/24/3350858)

features, retained trees and hedgerows, buffer planting, habitat creation, , biodiversity net gain and pedestrian and cycle links throughout the Site, promoting active travel.

Planning Practice Guidance

- 5.4.11 With regard to the Mead Realisations Court of Appeal judgement, the Appellants will have regard to the relevant aspects of the Planning Practice Guidance (PPG)³.

5.5 Summary on Policy Weight

- 5.5.1 There are no site-specific policies within the EBLP.

- 5.5.2 The EBLP confirms that at the time of adoption there was a significant shortfall in housing supply against identified need and therefore the review of the Plan was to commence within 1 year of plan adoption. Whilst the plan was nonetheless able to proceed to adoption; based upon the currently LDS – it will be a minimum 7 years between adoption of a plan which did not meet housing need to adoption of a plan which does (assuming that the future plan meets housing need in full). In the meantime, the need for market and affordable housing continues to increase and the Council fall further behind in supply for both with no plan led way of accelerating delivery.

- 5.5.3 Paragraph 11 of the NPPF states that plans and decisions should apply a presumption in favour of sustainable development. Paragraph 11 d) goes on to state that for decision-taking this means:

“d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

- i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or***
- ii any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.”***

- 5.5.4 As the Council cannot demonstrate the requisite supply of deliverable housing sites, the most important policies for determining the application are considered to be out-of-date. There is nothing relevant within footnote 7 to the Appeal Site which would otherwise dislodge the presumption.

³ *Mead Realisations Ltd v Secretary of State for Housing Communities and Local Government and another* [2025] EWCA Civ 32

6 Appellants Case

6.1 Decision-Making Approach

6.1.1 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act (2004), the Development Plan is the starting point for the determination of planning applications. Determination is required to be in accordance with the Plan unless material consideration indicate otherwise. For this Appeal, the Development Plan comprises the following, which the Appellants will assess the proposals against

- The Hampshire Minerals and Waste Plan (2013).
- Eastleigh Borough Local Plan (2016 – 2036) – adopted in April 2022

6.2 The Need for the Development

6.2.1 The Appellants evidence will demonstrate that the Council do not currently have the requisite Housing Land Supply and therefore the provisions of paragraph 11 d) of the NPPF apply. In addition, paragraph 60 of the NPPF sets out the importance of a sufficient amount and variety of land coming forward where it is needed, in order to support the Government's objective of significantly boosting the supply of homes.

6.2.2 In this regard, and as set out elsewhere in this statement, the proposed development would deliver a considerable number of homes, in an area where there is a shortfall in housing land supply. Inspector Harold Stephens noted in an appeal at Rectory Farm, Yatton⁴ at paragraph 37 that:

'In Hallam Land Management Ltd v Secretary of State for Government [2018] EWCA Civ 1808, the Court made plain that the extent of any such shortfall [in housing land supply] will bear directly on the weight to be given to the benefits or disbenefits of the proposed development. In a 5YHLS shortfall scenario two things are relevant; (i) the extent of the shortfall and (ii) retrievability i.e., how likely or quickly it will be made up.'

6.2.3 As such, very substantial weight should be provided to the provision of housing, in a suitable / sustainable location, which would make an important and positive contribution to boosting the supply of housing within the Borough. This top level weight is afforded given the extent of the shortfall and the fact that there is no plan led solution on the immediate horizon. Between now and 2029 – this shortfall will need to be made up via sites such as the Appeal Site.

6.3 The Need for Affordable Housing

6.3.1 The Appeal Scheme includes an affordable housing provision of 40%, which exceeds the adopted Local Plan requirement.

6.3.2 The provision of 40% affordable housing will assist in meeting affordable housing need in Horton Heath and across the Eastleigh area. It will also help to increase the range, type

⁴ APP/D0121/W/21/3286677

and tenure of dwellings available within the locality, and contribute to a mixed and balanced society.

6.3.3 The Appellants evidence will demonstrate that the Local Authority has an acute housing delivery shortage and affordable housing need.

6.3.4 As such, very substantial weight should be afforded to the delivery of up to 60 affordable homes in this location.

6.4 Principle of Development

6.4.1 The Council's planning policy response (July 2025) raises an in principle objection to the development of the site as it is outside of the settlement boundary. In addition, whilst no planning balance exercise is set out within the response, it draws the conclusion that whilst acknowledging that the Council have a shortfall in 5 year supply, the benefits do not outweigh the harm.

6.4.2 The Appellants will show that the Local Housing Need (LHN) figure is now significantly greater (c 27%) than the adopted Local Plan figure – thus the shortfall against need continues to grow.

6.4.3 The Appellants will conduct a full planning balance exercise; and noting that the test is not one of the benefits outweighing the harms – instead the adverse impacts must significantly and demonstrably, outweigh the benefits; the Appellants will demonstrate this balance tips firmly and decisively in favour of the grant of planning permission.

6.4.4 It is expected that both parties benefits and harms and the respective weightings to be attributed will be agreed in the Planning Statement of Common Ground.

7 Reason for Refusal 1: Landscape / Urban Design

- 7.1.1 The Appellant's planning evidence will set out the correct approach to the consideration of unallocated sites outside the settlement boundary, demonstrating that housing numbers, spatial strategy and settlement boundaries are all out of date and thus the weight to them, and conflict with them, can only be afforded limited weight. Furthermore, the Appellant will demonstrate that the shortfall in housing land supply clearly demonstrates that the Council cannot meet its current housing need on sites within settlement boundaries and therefore sites such as the appeal site need to come forward to meet market and affordable housing need.
- 7.1.2 The Appellant will call landscape / urban design evidence which will demonstrate that proposed residential development is appropriate in principle and that the level of scheme detail is proportional to an outline planning application remembering that landscaping is a reserved matter, with matters of detail (such as tree planting) capable of being resolved at the reserved matters stage.

Landscape

- 7.1.3 The Appellant will demonstrate that the site and the local landscape form part of "ordinary countryside", which is not a designated or valued landscape. There are no statutory landscape designations, no features of special landscape value within the site, and no arboricultural constraints that preclude development within the site. The Site is outside a designated Settlement Gap and has not been deemed necessary for maintaining separation between settlements in the Borough.
- 7.1.4 The Appellant's evidence will demonstrate that the existing mature woodlands surrounding the site form an effective, instant screen for the Appeal Scheme.
- 7.1.5 The Appellant will demonstrate that the site is suitable for residential development type and that Snakemoor Lane, with proposed landscaping, can serve as a new, defensible village boundary. The Appeal Scheme proposes a contained, softened edge with building set-backs, private gardens and a landscape buffer that will read as a village edge rather than ribbon or sporadic development. The Appellants will show that Council's assertion of an "unacceptably urbanising" effect is not supported by any objective evidence.
- 7.1.6 The evidence will demonstrate that any landscape and visual effects will be localised, limited and not significant. The evidence will show that the landscape effects of the proposed development will affect the landscape predominantly within the site itself, which is inevitable for any similar development. While there will inevitably be some degree of urbanising effect in the immediate vicinity of the site, the proposed scheme will benefit from effective screening, and the geographical extent and scale of any material effects will be minimal. The Appellant will argue that the visibility of the proposed built form will be limited due to the combination of topography, existing woodlands/tree cover and proposed vegetation.
- 7.1.7 The Appellant will argue that level of adverse effects on visual receptors will be low and any negative effects associated with the replacement of an agricultural field with residential development will be perceived predominantly from a local road adjacent to the site, even in winter conditions when vegetation is not in leaf. Whilst there will be glimpsed

view of the Appeal scheme from a very small number of local footpaths and public roads in the vicinity of the site, those views would be limited or barely perceptible.

- 7.1.8 The Appellant will contend that the overall impact on landscape character will be limited, as the appeal scheme does not affect any landscape features of high value and will have low visibility within the local landscape. The relevant Landscape Character Area already accommodates similar developments, and the proposed scheme does not introduce any uncharacteristic elements that would be considered inappropriate in this setting. With the implementation of a suitable landscape and Green Infrastructure (GI) framework, the character area is well placed to absorb the proposed development without incurring unacceptable harm to its overall character.

Design

- 7.1.9 The Appeal Scheme has been well designed to be accommodated in its landscape context and that it will provide several important benefits to the local landscape, which should be balanced against some limited, yet negative landscape effects that the development will inevitably cause as a result of being a greenfield site.
- 7.1.10 The Appellant will argue that the scheme is 'proportionate' to its context and the site is not 'overdeveloped'. The Illustrative Masterplan proves that the site can accommodate the proposed quantum of development. Generous landscape buffers have been provided along sensitive boundaries to address the adjacent context.
- 7.1.11 The Appeal Scheme respects the adjacent woodlands by providing appropriate landscape buffers and boundary treatments and the proposed footpath connecting the site with Botley Road can be implemented without any unacceptable landscape effects in line with standard guidance and best practice.
- 7.1.12 Since the submission of the planning application the Appellant has responded to the Council's concerns by revising the scheme design to further mitigate those aspects of the scheme that the Council has found to be negative, and to refine the initial proposals. The Appellant believes that any remaining points of disagreement, for example the quantity and type of planting along Snakemoor Lane, are minor and can be resolved and controlled through the use of planning conditions and S106 planning obligations.
- 7.1.13 The Appellant's evidence will also discuss the relationship of the Appeal Site with Horton Heath and the proposed connections that would serve the residents for recreational and commuting purposes.
- 7.1.14 The Appellant will demonstrate that the proposed development will introduce many beneficial features to the landscape through both inherent and secondary mitigation measures, thereby supporting principles of effective design.

Summary

- 7.1.15 The Appellant will argue that by virtue of good design the proposed development does take appropriate account of the context of the area, minimises and suitably mitigate harm and ensures that development in the countryside avoids, where possible, adverse impacts on the rural character of the landscape.

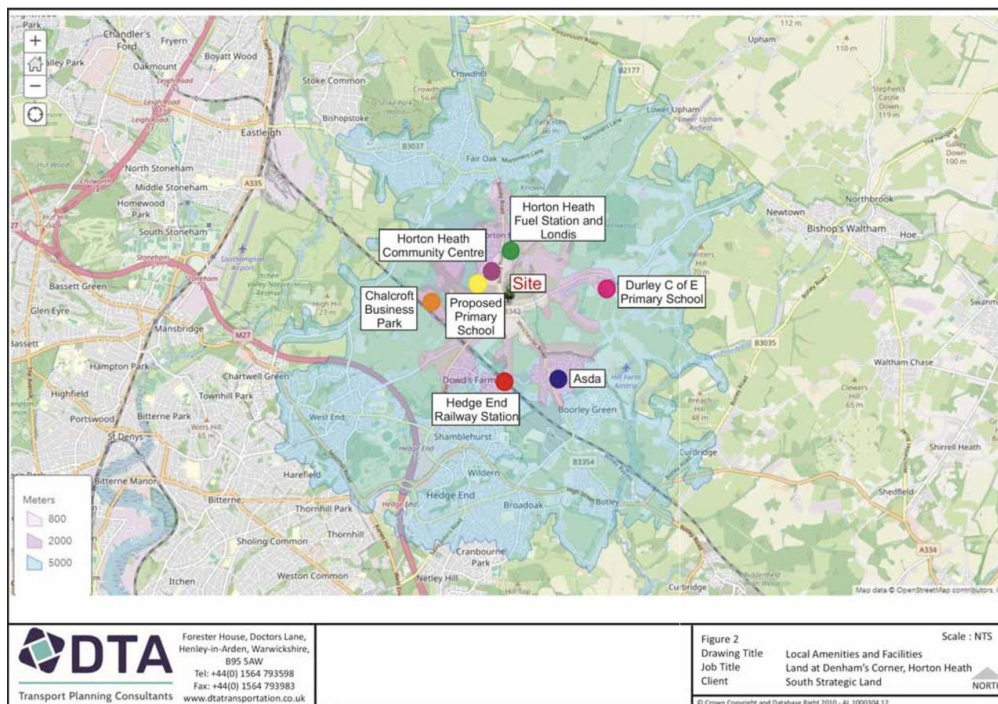
8 Reason for Refusal 2: Sustainability

8.1.1 The Appellant's highways consultant has been in continuous dialogue with the Highway Authority and will demonstrate that far from being poorly connected, the site is in fact well connected to local services and facilities. In addition, the Appeal Scheme specifically includes a sustainable transport hub to facilitate non car modes of travel. With regard to paragraph 110 of the NPPF, the Appellant will demonstrate that the opportunity for sustainable transport solutions is proportionate to the location of the site. Furthermore, to the extent that there is vehicular traffic arising from this development, there has been no suggestion of unacceptable levels of congestion and thus evidence will be produced to substantiate this.

8.1.2 The walking and cycling distances to local services and facilities are set out in the table below and indeed, the Appellant's evidence will look at the offer at One Horton Heath also remembering the significant change that the delivery of this allocated site will have on the surrounding area.

Facility/ Amenity	Distance from Site Access	Walking Time (Mins) 1.4m/s	Cycling Time (Mins) 4.2m/s
Horton Heath Community Centre	800m	9 minutes	3 minutes
Horton Heath Service Station (with Londis)	1.1km	13 minutes	4 minutes
Durley Church of England Primary School	1.1km	13 minutes	4 minutes
Thurlow Dental	1.3km	16 minutes	5 minutes
Asda Botley Green	1.5km	18 minutes	6 minutes
Fair Oaks Infants and Junior School	1.7km	20 minutes	7 minutes
Stokewood Surgery	3.4km	40 minutes	14 minutes

8.1.3 The Appellant's will also review accessibility by bus provision and confirm that the site is in a suitable and accessible location.



Summary

8.1.4 The Council's planning policy consultation response states that:

There is ancient woodland to the north, land in flood zones 2 and 3 to the east, a designated SINC to the north and east, and woodland to the west of the site. While the proposal includes buffers to these areas, and to areas of high flood risk to the east of the site, this restricts the links between the site and Horton Heath and limits the opportunities for footpaths and cycle links. The site is also not particularly accessible by non-car modes to local services. It is greater than 1,600 metres away from the nearest local or neighbourhood centre which would create car-dependency. The proposal would therefore be an isolated development, detached from Horton Heath.

8.1.5 Mindful that the test in the NPPF paragraph 110 is "...locations which are or can be made sustainable..."; the Appellants will demonstrate that with the measures set out in the Appellants' Transport Assessment and Travel Plan, the location is one which can be made sustainable.

8.1.6 The Appellants will produce evidence to demonstrate that:

- The site is shown to be well served for pedestrian, cyclist and public transport infrastructure.
- Key amenities are accessible within the recommended walking and cycling distances;
- The community transport hub and the provision of a direct pedestrian / cycle connection onto Botley Road will serve to further enhance the sustainability credentials of the site.

9 Reason for Refusal 3:Highways

9.1.1 A Transport Note (copy submitted with this appeal) has been supplied to the Highway Authority for review. This note sets out, in summary, that:

- (i) The Site Access drawing (Revision G) has been updated to ensure no overhang occurs on the southern side of Snakemoor Lane; additional tracking has been provided; revised kerb lines and dimensions of existing and proposed road widths provided. The Appellant is of the view that the level of detail requested is for the S278 stage however none the less, this has been provided.
- (ii) Pedestrian / cycle access – further topographical information has been provided and a scheme to widen the southern footway to provide a footway / cycleway (including upgrading the signalised crossing to a Toucan crossing is provided).
- (iii) A stage 1 Road Safety Audit (RSA) has been provided.
- (iv) The travel plan has been updated.
- (v) Updated junction modelling outputs are provided.

9.1.2 The Appellant's evidence will therefore demonstrate that the site access will meet the required standards and will not impact traffic flow in the locality and movements in the locality. Furthermore, with regard to paragraph 116 of the NPPF, any alleged impact on the road network comes nowhere near the high bar of "severe" and there is no unacceptable impact on highway safety.

Summary

9.1.3 In summary therefore, the Appellant's evidence will demonstrate that:

- (i) Matters relating to the travel plan can be captured by planning condition
- (ii) The access points and junction arrangement are capable of being addressed through the S278 process.
- (iii) That with regard to off-site provision for cyclists – cycling provision will be improved where feasible (mindful the Council have already designated the route as a strategic cycle route) however widening the footway beyond the extent of the highway limits beyond Blind Lane is not feasible due to third party landownership and the Appellants do not consider this is necessary.

9.1.4 The Appellants evidence will also demonstrate that:

- (iv) A review of the latest five-year personal injury collision data for the surrounding area does not indicate any existing highway safety issues that would warrant mitigation as part of the development;
- (v) The site access arrangements are considered to be safe and suitable to accommodate the proposed development
- (vi) Forecast traffic generation will be negligible during peak periods and there will be no discernible impact on the local road network as a result of the development

10 Reason for Refusal 4: Planning Obligations

- 10.1.1 The Appellant's have submitted a draft S106 Agreement with this appeal. At this stage, the extent of contributions and therefore CIL compliance is unknown, and the Appellant's therefore reserve the right to call additional evidence when the extent of contributions is known.
- 10.1.2 At this stage, the Appellant's plan to call evidence in respect of education provision, in response to the consultation from Hampshire County Council dated 17th December 2025 which stated:

"The proposed development of up to 150 eligible dwellings would usually be expected to generate a total of 45 additional primary age children and 32 additional secondary age pupils. This is based on a rounded figure of 0.3 primary age children per new dwelling and 0.21 secondary age children per dwelling which was derived by conducting demographic surveys of developments that have been completed within Hampshire and calculating the average number of primary age children on those development".

"The development site is served by Fair Oak Infant School, Fair Oak Junior School and Wyvern College. These schools are full, and a contribution would be sought. However, at this stage, due to the uncertainties surrounding the wider development plans in this area I am unable to provide a full response at this time".

- 10.1.3 In the absence of any meaningful engagement from Hampshire County Council, the Appellants will produce evidence in this regard to demonstrate that there will be no adverse impact which cannot otherwise be mitigated via planning obligations.

11 Reason for Refusal 5: Appropriate Assessment

- 11.1.1 The delegated Officer report confirms that there are two aspects to this reason for refusal notwithstanding that the reason for refusal is neither clear nor precise in this regard.

Recreational Impacts

- 11.1.2 The Appeal Site is located within the 5.6km Solent Mitigation Disturbance Zone associated with the Solent and Southampton Water Special Protection Area (SPA) and the 13.8km catchment zone for the New Forest SPA, SAC and Ramsar site in relation to recreational disturbance.

- 11.1.3 On the 7th October 2025, Natural England raised an objection to the application for the first time, for the reason set out below:

“As submitted, we consider it will have an adverse effect on the integrity of the New Forest Special Area of Conservation (SAC), Special Protection Area (SPA) and Ramsar site from increased recreational disturbance. The impacts are also likely to affect the features of the associated Sites of Special Scientific Interest which underpin the above habitats site designations.

We have reached this view due to the reliance on an unproven mitigation approach which has a significant level of uncertainty regarding its effectiveness at avoiding recreational impacts on the New Forest designations. Based on the information provided, we advise it would not be currently possible to conclude no adverse effects on the integrity of the New Forest designated sites through an appropriate assessment under the Conservation of Habitats and Species Regulations, 2017 (as amended). Natural England is a statutory consultee on the appropriate assessment stage of the Habitats Regulations Assessment process, and a competent authority should have regard to Natural England's advice”.

- 11.1.4 Natural England, in their response, then go on to explain that there are some issues which remain to be resolved (in summary):

- 11.1.5 **Recreational impacts on the New Forest SAC, SPA and Ramsar – Objection Analysis** shows that new residential development within a 13.8 km buffer zone of the New Forest designated sites is likely to have a significant effect on the sites via recreational impacts (including for example disturbance, trampling and eutrophication), alone and/or in combination with other plans or projects.

- 11.1.6 It is noted the applicant proposes to provide a financial contribution towards Eastleigh Borough Council's Interim Mitigation Strategy to address recreational impacts on the New Forest designated sites. Natural England understands this strategy was approved at a cabinet committee meeting in March 2022, to last for 5 years up to March 2027. Natural England have supported this work across the affected authorities, however even interim mitigation should be demonstrated to be reliable, deliverable and effective before it can

be relied upon for planning applications. We also note that the local authorities are not currently in agreement on the greenspace requirements for mitigation in this area.

- 11.1.7 *Natural England currently have serious concerns with various elements of the interim strategy, including the reduced provision of Suitable Alternative Natural Greenspace (SANG), the lack of information on increasing visitor capacity at the Itchen Valley Country Park and lack of an accompanying monitoring strategy. This leads to a significant level of uncertainty remaining as to the effectiveness of the proposed in-borough measures. Additionally, we have concerns that the approach will harm ancient woodland at the proposed SANG site east of Allington Lane due to pressure from increased access.*
- 11.1.8 *We do not consider the interim strategy is sufficiently evidenced or incorporating of the precautionary principle where uncertainty remains. We advise that further information is provided that demonstrates the effectiveness of providing SANG at a 2ha/1000 people standard, an assessment of current visitor levels/increased capacity at Itchen Valley Country Park (IVCP) and agreed measures, and an accompanying monitoring strategy. Without this information, we advise it is not currently possible to conclude that development relying on this approach is suitably mitigated.*
- 11.1.9 *Consequently, it is Natural England's view that the planning authority will not be able to ascertain that this proposed development would not adversely affect the integrity of the New Forest SPA/SAC/Ramsar. In combination with other plans and projects, the development would be likely to contribute to a deterioration of the quality of the habitat by reason of increased access to the site including access for general recreation and dog-walking. There being alternative solutions to the proposal and there being no imperative reasons of overriding public interest to allow the proposal, despite a negative assessment, the proposal will not pass the derogation tests of Regulation 64.*
- 11.1.10 It was then brought to the Applicant's attention by Natural England that the Council had prepared a shadow HRA for the site (which had not been made available to the Appellants) – the conclusions of which Natural England disagreed with. The Council's sHRA makes reference to credits being available for Itchen Valley Country Park, however Natural England have expressed concerns in this regard in relation to unsatisfactory car parking and monitoring provisions. There is an alternative option at Stoke Park..
- 11.1.11 The delegated Officer report notes that the Council is aware of Natural England's concerns in respect of their interim strategy but consider their mitigation strategy provides sufficient and appropriate mitigation such that there would be no adverse effects on the integrity of the New Forest SAC, SPA and Ramsar site.
- 11.1.12 Advice was sought from the Council in respect of the availability of SANG credits in October 2025 with the Council's project officer responding as follows:
- "Whilst we do offer our SANG mitigation for sale, this is something that will be allocated by your planning officer within the council. Your planning officer should be able to advise on this further for you".***
- 11.1.13 Despite the Appellant's attempts to secure further detail in this regard, no response has been forthcoming.
- 11.1.14 The Appellants will therefore produce evidence to demonstrate that there are sufficient credits available at either one of the above two options to mitigate the impact of the Appeal Scheme and that there will no adverse impact arising in this regard.

Nutrients / Phosphates

- 11.1.15 The Appeal site is within the catchment of the Solent Special Protection Area (SPA) and Special Area of Conservation (SAC). Development within this area has the potential to generate adverse impacts with regard to nitrate (N) pollution of the Solent. The Appellants submitted a Nutrient Neutrality Assessment and Mitigation Strategy (NNAMS).
- 11.1.16 Natural England has advised that the increase in wastewater from new housing developments within the Borough is having a detrimental effect on the quality of water entering the Solent catchment area through eutrophication. As such, all development for additional housing is required to reach nutrient neutrality (ensuring that development does not add to existing nutrient burdens), in order to meet the requirements of the Conservation of Habitats and Species Regulations 2017 (as amended).
- 11.1.17 On the 29th October 2025, the Council advised that there was availability on both nitrate and phosphate credit schemes to accommodate the development. Nitrate credits being charged at £3,000 per credit and phosphates at £50,000 per credit. Both costs are exclusive of VAT. On the 29th October 2025, the Appellant requested the reservation forms.
- 11.1.18 On the 6th November 2025, the Appellant sought confirmation that Natural England were satisfied with the Council's phosphate mitigation scheme as they had previously expressed concern. The Council responded on the 11th November 2025 advising that:
- "I can confirm that Natural England agree with a significant enough portion of our scheme to offer phosphate credits for sale. They do still have queries over some of our parcels of land, but I am not allocating credits to these parcels for sale".***
- 11.1.19 The Appellant returned the completed reservation forms on the 20th November, using the figures contained in the Council's HRA and it was re-confirmed on the 4th December 2026 that the Council can mitigate the scheme. On the same day, the Appellant requested the reservation invoice and shortly after, the Council confirmed that the Accounts team had been asked to raise the reservation invoice. This was chased again by the Appellant on the 15th December, then the 8th January, 15th January, 23rd January and 30th January 2026. The Council responded on the 3rd February 2026 advising that this was in hand.
- 11.1.20 It is therefore expected that this matter is capable of being dealt with and that an agreed position will be reached with the Council in this regard.
- 11.1.21 In summary, the Appellants will seek to resolve matters relating to Section 106 matters (including SANG / nitrate / phosphate credits) in advance of the commencement of the Inquiry.

12 Harms and Benefits

12.1 Harms

12.1.1 Following receipt of the Council's case, the Appellants will review any identified harms and address in evidence.

12.1.2 The harms are currently identified comprise:

- Development of a greenfield site outside of the settlement boundary – limited weight
- Localised landscape harm – limited weight.
- Loss of 2.9ha of BMVL - limited weight

12.2 Benefits

12.2.1 The Appeal Scheme will deliver considerable wider sustainability benefits to the community and are summarised as the following:

- Provision of up to 150no. additional homes. There is an established and identified need for housing in Eastleigh Borough stemming from adoption of a plan which did not meet identified housing need. Very substantial weight is therefore awarded to the quantum and range of additional housing that the proposal will provide in the Borough.
- Provision of up to 60 affordable homes (40%). In addition to market housing, there is an acute need for affordable housing in Eastleigh Borough, and the proposal will clearly deliver more affordable housing than the policy requirement of 35%. This again has very substantial weight in the planning balance.
- Provision of public open space. A significant proportion of the site will be laid out as open space. This should be afforded significant weight in the planning balance.
- Sustainability benefits - provision of a community transport hub to further enhance the sustainability credentials of the site – moderate weight.
- Ecological enhancements . BNG provision – the Appeal Scheme can deliver 41.12% net gain in habitat units and 31.75% net gain in hedgerow units. This is given moderate weight.
- Additional convenience and comparison goods spend a proportion of which will be local benefiting the centre-related uses and other uses in Horton Heath. This will help bolster and sustain the health of high street businesses. This can be afforded significant weight.
- Temporary local employment provision. The development of up to 150 homes in Horton Heath will provide local employment in the construction industry on a temporary basis. Such employment provision can have multiplier effects throughout the local economy and is therefore afforded significant weight. Bolstering this, there will be ongoing employment benefits to local companies through future property maintenance and enhancement work. The Appellant's will produce an Economic Benefits Statement in this regard.
- Off-site infrastructure upgrades – limited weight.

12.3 Planning Balance

12.3.1 The Appellants conclusion will therefore be that with the presumption in favour of sustainable development embedded within the plan, even if some conflict with policy is identified, a finding of the Appeal Scheme being in accordance with the Development Plan can still be achieved.

12.3.2 However, the Appellants will also demonstrate that the tilted balance is engaged. Paragraph 11(d) of the NPPF advises planning permission should be granted unless there are adverse impacts which significantly and demonstrably outweigh the benefits of a proposal. The Appellants will demonstrate that the benefits clearly outweigh the adverse impacts of the Appeal Scheme. With regard to footnote 7 of the NPPF, as far as the Appeal Scheme is concerned there is nothing contained within this footnote which amounts to a "clear" reason for refusal in this regard.

13 Third Party Comments

13.1.1 The Appellants will provide responses to these comments in evidence and reserves the right to produce additional documentation should further matters be raised.

14 Planning Conditions and Obligations

14.1.1 The Appellants and Council will agree a draft list of planning conditions in advance of the Inquiry.

14.1.2 The Appellants and Council will also seek to agree in accordance with the tests set out in Framework / CIL Regulations 122 appropriate developer contributions and other necessary planning obligations through the completion of a Section 106 Agreement.

14.1.3 A draft S106 agreement accompanies this appeal submission.

15 Summary

- 15.1.1 The Appellants evidence will demonstrate that the appeal scheme is in accordance with the Development Plan and should therefore be approved without delay. However, with regard to paragraph 11(d) of the NPPF, the Appellants will also demonstrate that the alleged adverse impacts of the proposed development come nowhere near to outweighing the benefits, let alone significantly and demonstrably, and thus, following the application of the tilted balance, planning permission should be granted for the development.

Appendix A Pre-Application Response (07/03/25)

MR DANIEL WISEMAN
2 WESSEX BUSINESS PARK
COLDEN COMMON
SO21 1WP

Application	Q/24/98539
Please ask for	Rebecca Altman
Direct dial	023 8068 8266
Working hours	Tues 9am-3pm; Wed-Fri 9am-5pm
Email	rebecca.altman@eastleigh.gov.uk

Friday 7 March 2025

Dear Daniel

Town and Country Planning Act 1990
The Town and Country Planning (Development Management Procedure)
(England) Order 2015

Application No:	Q/24/98539
Description:	Pre-application for 155 no. dwellings with associated vehicular, cycle and pedestrian access points off Snakemoor Lane, a shared pedestrian and cycle access off Botley Road, associated landscaping, drainage, infrastructure and biodiversity net gain (proposed outline scheme with all matters reserved except access).
Site:	Land at Denhams Corner, Snakemoor Lane, Eastleigh, SO32 2BW

I refer to your pre-application enquiry for residential development of the above site. The advice is informed by the submitted information, the meeting held on 19 December 2024 and the site visit on 16 January 2025.

Site and proposals

The site comprises a field of approximately 9.05ha, located on the north side of Snakemoor Lane, to the east of Botley Road (B3354). The site is bordered by Scorey's Copse to the north, which is a designated Site of Importance for Nature Conservation (SINC) and Ancient Woodland. The trees in Scorey's Copse and to the west are all covered by an area Tree Preservation Order (TPO). There is a watercourse to the east of the site, which is a tributary of the River Hamble, and the land adjacent to this is also a SINC (Scorey's Copse Rush Pasture SINC). A public right of way (footpath 719) runs through Scorey's Copse and to the east of the watercourse. Botley Road lies beyond the woodland to the west and there are two

residential properties on the corner of Snakemoor Lane and Botley Road. To the south is Snakemoor Lane with fields and scattered housing and farms beyond.

The site lies within the countryside as defined by Policy S5 of the Eastleigh Borough Local Plan. The nearest settlement is Horton Heath to the north. There is an existing farm access into the site from Snakemoor Lane, and the land levels on the site drop downwards to the east. There is no planning history associated with the site.

The proposal is for a residential development of 155 dwellings, with vehicle access from Snakemoor Lane. A separate pedestrian access point is proposed onto Botley Road, through an area of woodland. The plans indicate that the developed area would be on the central and western sides of the site, with the eastern side accommodating open space and drainage features. A separate area of open space is also shown on the west side of the site. An additional indicative access point for cyclists is proposed in the south-east corner of the site onto Snakemoor Lane.

Environmental Impact Assessment (EIA)

The proposal would fall into the definition of 'Urban development projects' as per Column 1, 10(b), of the table in Schedule 2 of the Environmental Impact Assessment Regulations (2017). The proposal would also exceed the thresholds set out in Column 2 of the table (over 150 dwellings on a site greater than 5ha), which means that screening is required to determine if an Environmental Impact Assessment is required. Should the proposal be pursued, it would be recommended that a separate submission is made for a formal screening opinion from the Local Planning Authority.

Local Plan policies and guidance

The most relevant policies of the Eastleigh Borough Local Plan would include:

- S1, S2 and S3 (Sustainable development and location of development)
- S5 (Countryside)
- DM1 (General criteria for new development)
- DM2 and DM3 (Environmentally sustainable development and climate change)
- DM5 and DM6 (Flood risk and drainage)
- DM8 (Pollution)
- DM11 (Nature conservation)
- DM13 and DM14 (Transport and parking)
- DM24 and DM28 (Housing mix and affordable housing)
- DM29 and DM30 (Accessibility standards and space standards)
- DM33 (Open space)
- DM38 (Funding infrastructure)

There are also a number of relevant Supplementary Planning Documents (SPDs), including Quality Places, Affordable Housing, Planning Obligations, Parking

Standards and Trees and Development. These can be found on the Council's website via the following link: [Supplementary planning documents \(SPDs\)](#).

Policy context and principle of the proposal

Policies S1, S2 and S3 of the Eastleigh Borough Local Plan set out the approach to sustainable development and its location, which aims for as much development as possible to be located in existing urban areas. Policy S5 relates to the countryside and sets out the type of development that would be supported in principle, including development through the re-use and replacement of existing buildings. The policy does not support new build residential development in the countryside, other than in specific circumstances (e.g. for Gypsies, Travellers and Travelling Showpeople), or on allocated sites. The proposal would therefore be in direct conflict with Policy S5.

The Council is currently working on a review of the Local Plan to address housing supply needs, and an Issues and Options consultation closed in January 2025. As part of this, the Council consulted on greenfield sites in the countryside that had been submitted by developers for potential development, which included the site subject to this enquiry, ref. BOT001 (albeit with a larger site boundary). No decision has been made at this stage on the suitability of any of the submitted sites, all of which will be subject to further detailed review in due course. At this stage, the submitted sites do not carry any weight in decision making.

In accordance with the NPPF (December 2024), the Council is required to demonstrate a five year housing land supply. It has recently been accepted through an appeal decision (Cobbett Way, ref. 3350858), that the Council cannot demonstrate a five year housing land supply. It is therefore acknowledged that for any future decision relating to this site, it would be necessary to weigh the benefits of the scheme against the adverse impacts in accordance with paragraph 11(d) of the NPPF.

Based on the information submitted, there are a number of concerns regarding the principle of developing the proposed site, notably in relation to the site's location divorced from existing settlements, the visual impacts on the countryside and character of the area and concerns about accessibility. These matters are all covered in more detail in the relevant sections of this letter, but in summary it is not considered that the benefits of the proposed development (most notably housing delivery including affordable housing) would outweigh the adverse impacts.

Some of the above points were considered in an appeal decision from 2022 on a site on the opposite side of Snakemoor Lane (Land south of Snakemoor Lane, ref. 3283337). Whilst this was for a much smaller proposal for 5 dwellings, the same type of assessment was undertaken in determining whether the principle of the development was acceptable in the countryside location, weighing up the benefits with the adverse impacts. Ultimately the Inspector concluded that the site was not a

suitable location for development having regard to the spatial strategy for the Borough (paragraph 17), the lack of accessibility to public transport and facilities and the impact on the character and appearance of the area (paragraph 26). I am not aware of any significant changes in the characteristics of the area since the Inspector's decision.

It is recognised that any new housing development has the potential to offer other benefits alongside housing delivery, including the provision of construction jobs, increased local spend etc, but these are benefits that could equally be achieved by a development in a more suitable location that accords with the Local Plan strategy.

Accessibility

The nearest settlement to the site is Horton Heath, with the nearest shops being approximately 1km from the site (via Botley Road). The proposed plans show a pedestrian footway link through woodland onto the east side of Botley Road with a new crossing point to link with the footpath on the west side of the road. From the site visit it was evident that there is no existing footpath along the east side of Botley Road or along Snakemoor Lane. The proposals are for vehicle access only from Snakemoor Lane with potential cycle access further to the east.

The footpath route along Botley Road to Horton Heath was considered in the previous appeal for land south of Snakemoor Lane, where the Inspector noted that it was not very wide, uneven in places and inconsistently lit. Improvements may therefore be needed to this route if it were to serve additional development, and this is acknowledged in the pre-application covering letter. In terms of access to public transport, it is acknowledged that there are bus stops near to the site, but the Highway Authority has confirmed that these only provide an hourly service between Southampton and Eastleigh. A map has also been provided to show that Hedge End railway station is around 1.85km from the site, but the route shown along Shamblehurst Lane is narrow with no footway.

It is noted that the Highway Authority have recommended connecting the development to the public right of way to the north of the site. However, there would likely be ecological concerns with such a proposal due to disturbance to the SINC, and it may not be a feasible option. You may wish to contact the Hampshire Countryside Service to consider this matter further.

In summary, whilst the actual distances to services and facilities may not be significant, the nature of the identified routes with limited footways or narrow roads means that in reality, pedestrian and cycle accessibility to services is likely to be limited. It is considered that residents of a development in the proposed location

would be highly reliant on the private car, which would be contrary to Local Plan and national policy objectives for sustainable travel.

Impact on the character of the area

The site currently comprises an open field, with key views into the site from Snakemoor Lane and the nearby public footpath as shown in the draft Landscape and Visual Impact Appraisal. The site is not visually related to any existing built form, other than the two dwellings on the corner of Snakemoor Lane and Botley Road, and other residential development in the immediate area is low density and scattered in form. The Inspector for the appeal south of Snakemoor Lane commented on the transition between Horton Heath and the area surrounding the site, noting that when travelling south along Botley Road, there is a clear distinction between the built up character of Horton Heath and the more rural area south of the junction with Blind Lane. Snakemoor Lane itself has a particularly rural feel with the surrounding land comprising mainly fields with some scattered housing and farms. Any large scale residential development on the proposed site would inevitably result in a significant change to the visual character of this area, from an open field to an urban development of housing with its associated infrastructure, including the creation of a formal residential access. These concerns have been emphasised in the comments of the Council's Landscape Officer, which have been provided to you. In summary, it is considered that the proposed development would result in a harmful visual impact on the character and appearance of this rural area.

Layout and design

Notwithstanding the in principle objection to the proposed development, the submitted plans have been reviewed by the Council's Urban Design and Landscape Officers and their full comments have been provided to you. In summary, there would be no in principle objection to the perimeter block style layout, but there are various elements that would require further review and consideration such as frontages to open spaces, creation of an attractive entrance, parking layouts, building heights, architectural design / detailing, and sustainable design features. Further detail would be required in order to fully assess whether such a scheme could integrate successfully into its setting, to include section plans, levels details, elevations and visuals. The Landscape Officer commented that the layout does not prioritise connected green infrastructure and raised concerns about the SuDS layout and the available space for street planting. Significant concerns are also raised by the Landscape Officer about the visual impact of the development, including the access

creation, on the character of Snakemoor Lane and the surrounding countryside as noted in the previous section of this letter.

Housing mix, density, and affordable housing

In accordance with Local Plan Policy DM28, the scheme would be required to provide 35% affordable housing, which would amount to 54 dwellings. This should comprise a 65/35% split between rented and low cost home ownership, and the dwellings should be dispersed with open market homes. Further advice is set out in the Housing Officer's comments. You have confirmed that you intend to provide 40% affordable housing, which would exceed the policy requirement and would be a positive provision. This would be weighed in the planning balance as a positive benefit but is unlikely to be sufficient to overcome the adverse impacts of the proposal as set out in this letter.

In terms of housing mix, the proposal is for a mix of 2, 3 and 4 bedroom dwellings, three of which are shown as bungalows. The majority of the dwellings would be 2 or 3 bedroom, which accords with general guidance set out under Policy DM24 of the Local Plan. As this is not an urban or allocated site, there are no specific policy requirements for density, but it is calculated that the proposal would have a relatively low density of around 17 dwellings per hectare (based on the whole site area). Given the sensitive countryside location, a higher density is unlikely to be achievable whereas a site located within or adjacent to a settlement is more likely to deliver higher density development with a greater contribution towards housing land supply.

Ecology and trees

The site lies adjacent to two SINC's, and there are records of protected species in the area including bats and badgers. There is also the potential for great crested newts to be present on the site. For an application, a full Ecological Impact Assessment would be required along with any Phase II surveys (to include great crested newt assessments) and a Biodiversity Net Gain metric and strategy. It is noted that Ash dieback has been identified on the site and the ecological impacts of this must be considered, with precautionary methods to avoid spreading the disease.

Buffers of at least 20m would be required to protect the SINC's and this appears to be shown on the submitted plans. Any lighting for the scheme would need to be carefully designed to avoid impact on bats and birds and it would be useful to

combine a lighting plan with the landscape plans. Swift bricks would be recommended in all dwellings where appropriate.

Given the proximity to the tributary of the River Hamble, the drainage strategy for the site would need to incorporate three forms of naturalised filtration to avoid adverse impacts from surface water run-off.

In relation to trees, the Council's Tree Officer has raised objection based on the plans currently provided. As well as the protected trees in the woodland to the north and west, there are significant trees around the periphery of the site including two very significant field boundary Oaks adjacent to Snakemoor Lane. The submitted Tree Survey has been reviewed along with the proposed layout and there are concerns that the southern edge of the development would be too close to existing trees. There are also concerns that the pedestrian route through the woodland to the west would place unacceptable pressure on trees, and that the cycle link appears to terminate in the root protection area of a Category A tree, which would not be acceptable. These concerns would need to be carefully considered and detailed Arboricultural information provided with any future application. Tree planting should follow the advice set out in the Council's Trees and Development SPD.

A site visit with the Tree Officer was not arranged as part of this pre-application process given the wider concerns about the principle of the proposal, but you may wish to liaise further with the Council's Tree Officer if the proposals are progressed.

Flood risk and drainage

The site itself lies within Flood Zone 1 (low risk of flooding), but is adjacent to Flood Zones 2 and 3. Due to the size of the site, a Flood Risk Assessment would be required with an application, along with a detailed foul and surface water drainage strategy. You may wish to apply for separate pre-application advice from the Lead Local Flood Authority (LLFA) for further advice on the drainage requirements. The water quality requirements of Policy DM6 of the Local Plan would also need to be adhered to.

Amenity of neighbouring residents

There are only two residential properties close to the site, on the corner of Snakemoor Lane and Botley Road. From the information submitted, it would appear that a sufficient distance could be achieved between these existing dwellings and the proposed new dwellings to minimise impacts, but this would only be fully

assessed with detailed plans, including details of levels, boundary treatment and planting.

Access and parking

Separate pre-application advice has been received from the Hampshire Highway Authority (letter dated 10 December 2024). This provides detailed advice that would need to be taken into account regarding the scope of a Transport Assessment and access proposals, and confirms a requirement for a Travel Plan.

Specific details of parking numbers have not been provided at this stage, but should accord with the Council's Adopted Parking Standards. The plans indicate a mix of on-plot parking and parking courts, with frontage and street parking kept to a minimum, which would generally be welcomed. Parking courts would need to be designed to ensure good surveillance and an attractive environment that would not encourage anti-social behaviour. Further advice about parking and concerns about the location of some of the parking close to open spaces are set out in the Urban Design Officer's comments.

Pollution – contaminated land, air quality and noise

- **Contaminated land:** Farmland use has the potential to cause contamination. Any future application should be supported by a Preliminary Investigation and Site Investigation to determine the risks of contamination and the need for mitigation.
- **Air Quality:** The development would generate traffic through the construction and operational phases. An application should be accompanied by an Air Quality Assessment and, where applicable, should outline any mitigation measures required.
- **Noise:** There are no significant noise concerns relating to the site, although there would be some traffic noise from Snakemoor Lane. An application should be supported by an Accoustic Report to demonstrate compliance with day/nighttime noise requirements within dwellings and private amenity areas.

Climate change and sustainable construction

All new developments are expected to maximise opportunities for reducing carbon emissions and increasing energy efficiency. A Sustainability Statement would be required with an application to identify measures to be incorporated into the development to enhance energy efficiency and mitigate impacts of climate change.

Impact on European protected sites

The proposal would result in an increase in residential development within the buffer zones for the Solent and New Forest protected areas. Impacts relating to increased recreational disturbance and increased nutrient output would need to be addressed.

- **Recreational pressure – Solent:**

For recreational pressure on the Solent protected areas, mitigation can be achieved using the Solent Recreation Mitigation Strategy, which sets out monetary contributions based on the nature and size of the development. Further details can be found via the following link: [Our strategy - Bird Aware Solent](#)

- **Recreational pressure – New Forest:**

For the New Forest, the Council has an Interim Mitigation Strategy whereby applicants can pay a financial contribution towards the provision of SANG (suitable alternative natural greenspace) within the Borough and New Forest rangers, to off-set the impacts of increased recreational pressure. Further details can be found via the following link: [Recreational disturbance \(eastleigh.gov.uk\)](#). Please note, however, that Natural England has raised concerns about the Council's Strategy (including in the recent Cobbett Way appeal), and discussions are on-going between both parties.

- **Nutrients:**

Natural England has provided evidence that nutrient outputs (nitrates and phosphates) from new housing development is leading to harmful impacts on habitats and bird species. Nitrate mitigation is required for this site and phosphate mitigation may also be required if the site is served by the Chickenhall Lane wastewater treatment works.

Mitigation can be achieved using the Council's Nutrient Neutrality Offset Scheme:

<https://www.eastleigh.gov.uk/planning-and-building/nutrient-neutrality-offset-scheme>.

A Nutrient Budget calculation would be required as part of the application submission to determine the appropriate level of mitigation, which would be subject to agreement in liaison with Natural England.

- **Water quality:**

Due to the proximity to the watercourse, which is a tributary of the River Hamble, you would also need to demonstrate that there would be no adverse pollution impacts on the watercourse from the construction or operation of the development.

Planning obligations

In accordance with the Council's Planning Obligations SPD, the development would generate a requirement for developers contributions towards a variety of

infrastructure improvements. This would include community infrastructure, public open space and public art. Where open space is provided on site, this would need to be usable open space, .e.g. excluding areas such as narrow strips of land or land with significant levels changes. There may also be a need for health contributions and requirements from Hampshire County Council such as off-site highway works / improvements, education contributions, or enhancements to rights of way. Heads of Terms would need to be agreed at application stage, with input from relevant consultees.

Application submission requirements

Should you choose to submit a planning application, please refer to the Council's Local List for information about the documents to be submitted: [local-validation-list-2024.pdf \(eastleigh.gov.uk\)](https://www.eastleigh.gov.uk/local-validation-list-2024.pdf).

Summary

As detailed in this letter, the proposal would not accord with the policies of the Eastleigh Borough Local Plan in respect of development location and there are significant concerns about visual and landscape impacts and accessibility. The Local Planning Authority would therefore be unlikely to support this proposal should an application be submitted.

I trust this information is of assistance. Please accept all advice without prejudice to any future decision of the Local Planning Authority.

Yours sincerely

A handwritten signature in black ink, appearing to read "N Parker", written over a horizontal line.

Nicholas Parker
Planning Manager

Appendix B Screening Opinion (13/05/25)

Daniel Wiseman
Gillings Planning
First Floor
13 Oakmount Road
Chandlers Ford
Eastleigh
SO53 2LG

Application V/25/99246
Please ask for Rebecca Altman
Direct dial 023 8068 8266
Working hours Tues 9am-3pm; Wed-Fri
9am-5pm
Email Rebecca.altman@eastleigh.gov.uk

Tuesday 13th May 2025

Dear Mr Wiseman

Screening Opinion under the Town and Country Planning (Environmental Impact Assessment) Regulations 2017, Part 2, Regulation 6

Application No: V/25/99246

Description: Construction of up to 155 dwellings, including 40% affordable housing, with associated vehicular, cycle and pedestrian access points off Snakemoor Lane, a shared pedestrian and cycle access off Botley Road and associated landscaping, drainage, infrastructure and biodiversity net gain.

Site: Land at Denhams Corner, Snakemoor Lane, Eastleigh, SO32 2BW

Applicant: Gillings Planning

Date Information received:
17.04.25

Deadline for issuing screening opinion:
08.05.25

Site Description

The site comprises an agricultural field of approximately 9.05ha, located on the north side of Snakemoor Lane, to the east of Botley Road (B3354). The use of the field rotates between pasture and cereal crop. The site is bordered by Scorey's Copse to the north, which is a designated Site of Importance for Nature Conservation (SINC) and Ancient Woodland. The trees in Scorey's Copse and to the west are all covered by an area Tree Preservation Order (TPO). There is a watercourse to the east of the site, which is a tributary of the River Hamble, and the land adjacent to this is also a

SINC (Scorey's Copse Rush Pasture SINC). A public right of way (footpath 719) runs through Scorey's Copse and to the east of the watercourse. Botley Road lies beyond the woodland to the west and there are two residential properties on the corner of Snakemoor Lane and Botley Road. To the south is Snakemoor Lane with fields and scattered housing and farms beyond.

The site lies within the countryside and the nearest settlement is Horton Heath to the north. There is an existing farm access into the site from Snakemoor Lane, and the land levels on the site drop downwards to the east.

Proposed Development

The proposal is for the construction of up to 155 dwellings with associated infrastructure and open space. Vehicle access would be from Snakemoor Lane, and there would be pedestrian and cycle access points from Snakemoor Lane and Botley Road. The indicative plan shows the housing located on the central and western sides of the site, with open space mainly on the eastern side. The footpath link to Botley Road would be created through an area of woodland.

Is an Environmental Impact Assessment Required?

The Local Planning Authority are of the opinion that an Environmental Impact Assessment is **not required** for this development.

Screening Assessment

The EIA Regulations (the Regulations), in conjunction with the Planning Practice Guidance (PPG) set out the legal framework in relation to EIA. The EIA Regulations contain two development schedules, Schedule 1 development and Schedule 2 development. Schedule 1 contains a list of development where EIA is mandatory. Schedule 2 contains a list of development types and development thresholds where the requirement for EIA should be considered.

The Local Planning Authority must screen planning applications for development of a description contained within Schedule 2, Column 1, which is within a sensitive area or meets or exceeds the relevant thresholds contained in Column 2, to determine whether it is likely to have significant effects on the environment when having regard to the selection criteria contained within Schedule 3 of the Regulations.

Schedule 1 Development

Schedule 1 developments are large scale projects for which significant effects would be expected and comprise developments such as power stations, airports etc. The development is not of a type listed in Schedule 1 of the Regulations.

Schedule 2 Development

Schedule 2 development means development, other than exempt development, of a description mentioned in Column 1 of the table in Schedule 2 where:

- (a) any part of that development is to be carried out in a sensitive area; or
- (b) the applicable threshold or criterion in the corresponding part of column 2 of that table is respectively exceeded or met in relation to that development.

Is the development Schedule 2 development?

The development proposed is of a type listed in Column 1 of the table of Schedule 2 (Category 10(b), urban development projects).

Sensitive areas

As set out in Paragraph 032 of the PPG, the more environmentally sensitive the location, the more likely it is that the effects on the environment will be significant and will require an EIA. Certain designated sites are defined in regulation 2(1) as sensitive areas, which are:

- Sites of Special Scientific Interest and European Sites;
- National Parks, the Broads and Areas of Outstanding Natural Beauty; and
- World Heritage Sites and scheduled monuments.

The development site is not located in a sensitive area and therefore the thresholds set out in Column 2 of the table in Schedule 2 for category 10(b) developments should be applied.

Thresholds

The thresholds for “urban development projects” are:

- The development includes more than 1 hectare of urban development which is not dwellinghouse development; or,
- The development includes more than 150 dwellings; or
- The overall area of the development exceeds 5 hectares.

The proposed development is for up to 155 dwellings on a site of 9.05ha. The development is, therefore, Schedule 2 development and it is necessary to consider whether the proposal is likely to have significant effects on the environment taking account of the relevant selection criteria in Schedule 3 of the EIA Regulations.

The PPG states that only a very small proportion of Schedule 2 development will require an EIA and gives indicative screening thresholds of the type of development for which an EIA is unlikely to be necessary. For “urban development projects” it states that EIA is unlikely to be necessary for the redevelopment of land unless the new development is on a significantly greater scale than the previous use, or the types of impact are of markedly different nature or there is a high level of contamination. For sites which have not previously been intensively developed it gives a suggested threshold of 5ha or development that would have significant

urbanising effects in a previously non-urbanised area (e.g. new development of more than 1,000 dwellings). The proposed number of residential units is well below the broad indicative thresholds given by the PPG for residential development.

Schedule 3: Selection Criteria for Screening Schedule 2 Developments

Schedule 3 includes three broad categories for consideration which comprise of: the characteristics of the development; the environmental sensitivity of the location; and, the types and characteristics of the potential impacts, which includes such matters as: the magnitude and spatial extent of the impact; the nature of the impact; the probability and complexity of the impact; the onset, duration, frequency and reversibility of the impact; and, the possibility of effectively reducing the impact. The relevant matters to the particular development proposed are considered below.

1. Characteristics of development

a) Size and design of the development:

The site is 9.05ha in size and the proposed development would be of a relatively low density, taking account of the rural setting and the need to protect adjacent ecologically sensitive areas. Whilst the scheme would need to be assessed in detail through an application process, based on the indicative information it is not considered to be of a size or design that would result in significant environmental impacts such as to warrant the need for an EIA to be undertaken.

b) Cumulation with other existing development and/or approved development:

The site is not directly adjacent to any proposed development sites, but is located near to a major development area known as One Horton Heath, which is a scheme for up to 2,500 dwellings located to the west of Horton Heath. This development was subject to its own Environmental Impact Assessment, where the impacts on the wider environment were assessed in detail and relevant mitigation agreed, including a package of off-site highway improvement works and air quality monitoring to mitigate impacts of increased traffic on the surrounding road network. Other nearby development has been of a smaller scale and any impacts would have been mitigated on a site specific basis. It is considered that the cumulative impact is not likely to have significant effects on the environment such as to warrant the need for an EIA to be undertaken.

c) Traffic and transport impacts:

The proposed development would result in a permanent increase in the number of vehicles travelling on the local road network and could affect existing traffic flows. The Highway Authority has confirmed that a development

of this scale would require a full Transport Assessment to be submitted with an application, to include appropriate mitigation of impacts. It is considered that without mitigation, the traffic impacts would be likely to have a negative effect on the local highway network. Appropriate mitigation in this instance would likely be in the form of improvements to pedestrian and cycle connections to nearby services and facilities, to reduce occupants dependence on the private car, along with implementation of a Travel Plan. Such mitigation could be secured by legal agreement or by condition, and subject to this, it is not considered that the traffic impacts, either alone or in combination with other permitted development, would warrant an EIA.

The proposed development would also result in additional traffic during the construction phase, which would include heavy goods vehicles. This impact would, however, be temporary in nature and is considered to be typical of a development of this type. It is not considered therefore that it would have significant effects on the environment if appropriately managed through a Construction Environmental Management Plan.

d) Use of natural resources:

The development would permanently change the use of the land, would involve potential changes to the topography of the site and the use of construction materials. It is not, however, considered that this would result in significant effects on the environment such as to warrant an EIA. Once operational, the development would require the use of certain resources including energy and water. Similar resources would also be required to be utilised during the construction phase. However, these would not be significant in scale and would not exceed the expected levels for a typical residential development proposal of this nature.

e) Production of waste:

The production of waste which would result from the construction phase would be typical for an urban development project of the nature proposed with waste levels not being considered to be significant. The provisions for the storage, collection, and disposal of rubbish from the development during the construction phase could be managed through a Construction Environmental Management Plan. It is not considered that the waste arising from the operational phase of the development would be significant and this would be appropriately managed in line with the Council's waste management and recycling provision.

f) Pollution and nuisance:

Pollution arising from the resultant increase in traffic generation and activities would need to be carefully considered with regard to the impact on the environment and human health. However it is considered that mitigation could

be secured through design, planning condition or S106 planning obligation such that the impact would not be significant enough to warrant an EIA being undertaken. An Air Quality Assessment would need to be submitted with an application and assessed through the application process.

g) Risk of major accidents and/or disasters:

The anticipated risk of accidents occurring is considered to be low if appropriately managed. The construction and operational phases of the development would not involve the use of high risk substances or technologies. There is also not considered to be a significant risk of accidents occurring as a result of the proposed end uses, including those related to transport, although this would be subject to design and layout considerations. The construction phase would be managed by the developer in accordance with a Construction Environmental Management Plan and the relevant Health and Safety Regulations and other associated statutory provisions.

h) Risk to human health:

The site is not located within an identified contaminative area and radon risk is low, but the past use as farmland has the potential to have caused ground contamination. Ground investigation would be required to establish the extent of any contamination and the need for mitigation measures. It is not, however, considered that the risk of contamination would be of a level to warrant an EIA, as any impacts could be mitigated with appropriate remediation measures. This would be fully assessed as part of the application process and remediation (if required), could be secured by condition.

The site does not lie within an Air Quality Management Area (AQMA). However, pollution arising from the increase in traffic generation would need to be carefully considered and would be assessed as part of the application process through submission and review of an Air Quality Impact Assessment, with any required mitigation secured via condition.

i) Noise and disturbance:

The development would result in an increase in noise levels during the construction process but this would not be anticipated to be unusual for a development of this type, and could be controlled through the use of a Construction Environmental Management Plan. This would incorporate a range of measures including the appropriate location of plant and on-site facilities, details of any piling, lorry routing and the control of construction and delivery hours to minimise the impact upon sensitive receptors.

During the operational phase, the development would result in an increase in noise levels relative to the existing situation on site, with this mainly arising from additional traffic movement and general residential activity, but this is

considered unlikely to result in significant effects on the environment such that an EIA would be required.

2. The Location of the Development - the environmental sensitivity of the location

(a) Existing and approved land use:

The site is an agricultural field and the online Magic Map service (DEFRA) identifies it as a mix of Grade 3b (moderate quality) and Grade 2 (very good quality) agricultural land. The Grade 2 classification covers approximately 3ha (approx. 35%) of the site. Grades 1, 2 and 3a are considered as the 'best and most versatile' (BMV) agricultural land for planning purposes. The National Planning Policy Framework requires agricultural land quality to be recognised in planning decision making, noting that areas of poorer quality should be preferred to those of higher quality (paragraph 187 and footnote 65). For any loss of BMV over 20ha for development that does not accord with an adopted development plan, there is a need to consult Natural England to assess the impacts of the loss. In this case, the proposal would not accord with Eastleigh's development plan but as the area of BMV land is less than 20ha, Natural England would not be required to be consulted on this matter. However, it would still be a material consideration for the planning decision making process. In summary, whilst the loss of BMV is a material consideration, the BMV classification in itself is not considered to warrant an EIA for this development.

The site is in a rural location, detached from major settlements, with only a small number of houses close to the site. The development would significantly alter the character of the site from a rural field to an urban development, and the landscape and character impacts of this would need to be carefully assessed through the application process. However, it is considered that the impacts on existing populations and land uses would not be significant subject to appropriate design and mitigation (e.g. layout to place housing away from site boundaries with adjacent housing and provide appropriate buffers to sensitive nature conservation areas).

(b) Natural Resources:

It is not considered that the proposals would result in an excessive use of resources that would have a significant effect on the environment.

(c) Natural Environment:

The development would have the potential to impact on European and locally protected nature conservation sites if no mitigation were achieved. Potential impacts in relation to flood risk and any impacts on the historic environment would also need to be assessed.

Impact on protected nature conservation areas

Natural England has confirmed that the site has the potential to impact on a number of designated sites, as listed below. Potential impacts would result from nutrient loading on water quality, and from increased recreational pressure.

- Lee-on-the-Solent to Itchen Estuary Site of Special Scientific Interest (SSSI)
- Lincegrove and Hackett's Marshes SSSI
- Upper Hamble Estuary and Woods SSSI
- Solent Maritime Special Area of Conservation (SAC)
- Solent and Southampton Water Special Protection Area (SPA)
- Solent and Southampton Water Ramsar
- New Forest SPA, SAC and Ramsar

The watercourse adjacent to the site is a tributary of the River Hamble and feeds into the European protected sites. Mitigation of impacts to water quality could be achieved by appropriate design of the drainage system, and incorporation of filtration measures (at least 3 forms of naturalised filtration), which could be secured by condition. It would also be necessary for the scheme to achieve nutrient neutrality to protect water quality and it would be possible for the applicant to mitigate nutrient impacts using the Council's Nutrient Mitigation Strategy or similar approved scheme. This could be secured by legal agreement or condition.

The site also lies within the catchment areas for the New Forest National Park and the Solent protected sites, where there is the potential for impacts due to increased recreational pressure. These impacts could be mitigated through the payment of contributions towards appropriate mitigation schemes, e.g. the Solent Recreation Mitigation Strategy and the Council's New Forest Mitigation Strategy, and secured by legal agreement.

In terms of locally designated sites, the site lies adjacent to two Sites of Importance for Nature Conservation. The proposal (based on indicative plans) shows buffers between the development and these nature conservation areas in order to minimise impacts, and this matter would need to be assessed in detail as part of any future application. The site is also in an area where there are records of protected species, including bats and badgers, and where there is suitable habitat for great crested newts. The provision of new footways and cycleways also has the potential to impact on wildlife through the removal of hedgerow. Potential impacts on protected species that may be present would need to be assessed in detail through submission and review of an Ecological Impact Assessment as part of the application process, with any necessary mitigation agreed and secured by condition. Other mitigation that may be required could include restrictions on lighting in certain areas, enhancements to existing habitats and provision of new habitats, all of which could be secured by condition. Subject to mitigation, the ecological impacts of the development would not be considered to be of an extent that would warrant an EIA.

Flood risk

The site lies within Flood Zone 1 and is therefore considered to be at low risk of flooding. However, the adjacent land next to the watercourse is within Flood Zones 2 and 3. Any potential food risks as a result of the proximity to the watercourse would need to be fully assessed through submission of a Flood Risk Assessment, with mitigation measures agreed and secured by condition where required.

Protected trees

There are protected trees on and adjacent to the site and the copse to the north (Scorey's Copse) is designated Ancient Woodland. Potential impacts could include damage or loss of trees, along with indirect impacts on woodland from domestic pets and recreation. These impacts could be mitigated by various measures that could be secured by condition, e.g. the provision of appropriate buffer zones and tree protection measures.

Historic environment

There are no sites or buildings of historic significance in the vicinity of the site and the site is not within a conservation area. The proposal would not be considered to result in significant effects on the historic environment.

Landscape impacts

There are no statutory landscape designations affecting the site, but the proposal would have an impact on the landscape and visual character of the area, which would need to be carefully assessed through the application process. An application would be expected to be accompanied by a suite of detailed landscape documents including a Landscape and Visual Impact Assessment, landscape masterplan and maintenance proposals. Whilst this would be a key consideration in the assessment of the schemes acceptability, the landscape impacts would not be considered to be of a scale to warrant an EIA.

3. Types and characteristics of the potential impact

a) Magnitude and spatial extent of the impact:

As detailed above, the potential types and spatial extent of the likely impacts are not significant in EIA terms.

b) Nature of the impact:

The nature of the potential impacts are fully considered in Sections 1 and 2 of this assessment.

c) Transboundary nature of the impact:

It is not considered that any transboundary impacts are likely.

d) Intensity and complexity of the impact:

The impacts are not complex in EIA terms, as detailed in Sections 1 and 2 of this assessment.

e) Probability of the impact:

The impacts detailed in Sections 1 and 2 above are likely to occur but can be satisfactorily mitigated.

f) Expected onset, duration, frequency and reversibility of the impact:

The impacts detailed in Sections 1 and 2 above are likely to be either temporary during the construction period or permanent during the implementation phase, but can be satisfactorily mitigated.

g) Cumulation of the impact of other existing and/or approved development:

As detailed in Section 1, the in-combination effect is not considered to result in significant effects in EIA terms.

h) Possibility of effectively reducing the impact:

As indicated in this assessment, the impacts can be reduced through design, S016 planning obligations and conditions.

Conclusion

The development has been screened against the relevant provisions of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 and the Planning Practice Guidance. This screening assessment has considered whether the proposed development is likely to give rise to significant effects on the Environment.

The development is not Schedule 1 development but falls under Schedule 2 of the EIA Regulations. The site is not located within a sensitive area as defined by the EIA Regulations but the proposals exceed the defined thresholds in Schedule 2 for urban development projects of this nature, thus requiring the proposals to be assessed against the criteria in Schedule 3. For the reasons set out above it is considered that subject to mitigation, the development would not be likely to have significant environmental effects on the application site or its immediate surroundings, nor do the characteristics and location of development indicate that the development is likely to give rise to significant environment effects that warrant an EIA being undertaken.

Mitigation measures, which are typical for a development of this type and nature, would be necessary and these are able to be appropriately provided and controlled through the planning application process, including though the use of planning conditions and S106 planning obligations.

Accordingly, the screening assessment has identified that significant effects on the environment are not considered likely either alone or in combination with other development and, therefore, it is the opinion of Eastleigh Borough Council as the Local Planning Authority that the proposed development does not constitute EIA development as defined by the Regulations.

Yours sincerely

A handwritten signature in black ink that reads "N Parker". The signature is written in a cursive style with a horizontal line underneath the name.

Nick Parker
Planning Manager