

Eastleigh Borough Council -
(Development Management)
UPPER MARKET STREET, EASTLEIGH,
SO50 9YN

Reference: PA-0002932/01
Customer reference: O/26/101177
12 May 2026

Outline application with all matters reserved (apart from access) for the construction of up to 280 dwellings (Use Class C3) and associated provision of public open space, play area, landscaping, earth works, surface water drainage, infrastructure works and vehicle access off Maddoxford Lane following removal of existing buildings and structures.

**BOORLEY GREEN FARM CROWS NEST LANE SOUTHAMPTON EASTLEIGH
BOROUGH SO32 2DD**

Dear Planning Officer,

Thank you for contacting us.

This is our response to your consultation O/26/101177.

Environment Agency position

The proposed outline planning permission will only be acceptable if the following planning condition(s) are included.

No built development shall take place within Flood Zone 3 as shown on the submitted Flood Risk Assessment. These areas shall be retained for green infrastructure / open space.

Reason(s)

To reduce the risk of flooding to the proposed development and its future users.

The previous use of the proposed development site as a scrap yard presents a medium risk of contamination that [may mobilise/ could be mobilised] during site works and construction to pollute controlled waters. Controlled waters are particularly sensitive in this location because the proposed development site is located upon a secondary aquifer A and evidence of shallow groundwater which may also be in connection with surface waters of the river Hamble.

The application's Ground Investigation Report, Holly Tree Farm, Maddoxford Lane, Boorley Green, Hampshire, SO32 2DB, Geo-Environmental Services Limited, 16/10/25, version 1.1, Reference:GE23094/GIR/OCT25 demonstrates that it will be possible to manage the risks posed to controlled waters by this development. Further detailed information is however required before built development is undertaken. We believe that it would place an unreasonable burden on the developer to ask for more detailed information prior to the granting of planning permission but respect that this is a decision for the LPA. This is required prior to commencement of the development.

In light of the above, the proposed development will be acceptable, if a planning condition is included requiring the submission of a detailed land contamination management strategy. This should be carried out by a competent person in line with paragraph 196 of the NPPF.

Without the following conditions we would object to the proposed development in line with paragraph 187 of the NPPF because it cannot be guaranteed that the development will contribute to and enhance the natural and local environment by remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate or will not be put at unacceptable risk from, or be adversely affected by, unacceptable levels of water pollution.

No development approved by this planning permission shall commence until a remediation strategy to deal with the risks associated with contamination of the site in respect of the development hereby permitted, has been submitted to, and approved in writing by, the LPA. This strategy will include the following components:

- 1. Up to date Preliminary Risk Assessment (PRA) and conceptual model following the results of an exploratory investigation**
- 2. A detailed site investigation scheme, based on the results from (1) to provide information for a detailed risk assessment to all receptors that may be affected, including those off-site. This should include further investigation and sampling of the Scrap Yard area of the site that was inaccessible at the time of the initial report and analysis of groundwater quality samples for contaminants of concern arising from the scrap yard.**
- 3. A tiered risk assessment using the results of the site investigation referred to in (2).**

4. An options appraisal including sustainability and treatability studies of the remediation measures required and how they are to be undertaken.

5. A remediation strategy and verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy are complete and identifying any requirements for longer-term monitoring of pollutant linkages, mitigation, maintenance and arrangements for contingency action.

Any changes to these components require the written consent of the LPA. The scheme shall be implemented as approved.

Reason(s)

- To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution in line with paragraph 187 of the NPPF.
 - To ensure the development will contribute to and enhance the natural and local environment by remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate in line with paragraph 187 of the NPPF.
- Prior to any part of the permitted development being occupied or brought into use, a verification report demonstrating the completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to, and approved in writing, by the LPA. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.**

Reason(s)

- To ensure that the site does not pose any further risk to the land and water environment by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is complete. This is in line with paragraph 187 of the NPPF.

NLQ C 03 Long-term monitoring

The development hereby permitted may not commence until such time as a detailed scheme for groundwater monitoring in respect of contamination has been submitted to, and approved in writing by, the LPA.

The scheme shall, where necessary, be supported by:

- detailed sampling and analytical schedules
- programme for future maintenance and decommissioning
- schedule for submission of interim and final monitoring reports
- contingency action plan including the list of potential mitigation measures that will be implemented, should unexpectedly changes in groundwater quality be noted as a result of decommissioning or redevelopment works.

The scheme shall be fully implemented and subsequently maintained, in accordance with the timing/phasing arrangements embodied within the scheme, or any details as may subsequently be agreed, in writing, by the LPA.

Reason(s)

- To ensure that the site does not pose any further risk to the water environment by managing any ongoing contamination issues and completing all necessary long-term remediation measures. This is in line with paragraph 187 of the NPPF.

If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the LPA) shall be carried out until further investigation and a remediation strategy detailing how this contamination will be dealt with has been submitted to, and approved in writing by, the LPA. The remediation strategy shall be implemented as approved.

Reason(s)

- To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution from previously unidentified contamination sources at the development site. Piling using penetrative methods can result in risks to potable supplies from, for example, pollution/turbidity, risk of mobilising contamination, drilling through different aquifers and creating preferential pathways.

Controlled waters are particularly sensitive in this location because the proposed development site is located upon a secondary aquifer A and evidence of shallow groundwater which may also be in connection with surface waters of the river Hamble.

In light of the above, the proposed development will only be acceptable if a planning condition controlling disturbance of the aquifer is imposed. Without this condition we would object to the proposed development in line with paragraph 187 of the NPPF

because it cannot be guaranteed that the development will not present unacceptable risks to groundwater resources.

The Piling using penetrative method hereby permitted by the LPA may not commence until such time as a scheme has been submitted to, and approved in writing by, the LPA.

The scheme shall be based on the information submitted as part of the application and, where necessary, supported by:

- **Foundation Works Risk Assessment**
- **A conceptual site model**
- **Specification of the type, number and depth of proposed piles/ foundations/ dimensions of shaft/tunnel/ design of heating and cooling system**
- **A detailed groundwater monitoring programme including a schedule for submission of interim and final monitoring reports**
- **A contingency action plan including the list of potential mitigation measures that will be implemented, should unexpected changes in groundwater quality be noted as a result of decommissioning piling works.**
- **Timing/phasing arrangements.**

The scheme shall be fully implemented and subsequently maintained, in accordance with the timing/phasing arrangements contained in the scheme, or any details as may subsequently be agreed, in writing, by the LPA.

Reason(s)

To ensure that the proposed construction, does not harm groundwater resources in line with paragraph 187 of the NPPF.

Advice to LPA

As the developed area of the site will be situated entirely within Flood Zone 1, the risk of flooding from rivers and the sea is deemed low. However, surface water flooding is evident at the site. As this is outside the EA's remit, we advise that careful consideration is given to the adequacy of the mitigation measures proposed to address this risk.

Environmental permit – Flood risk activities - advice to applicant

The Environmental Permitting (England and Wales) Regulations 2016 require a permit or exemption to be obtained for any of the following activities:

- erecting any temporary or permanent structure in, over or under a main river, such as a culvert, outfall, weir, dam, pipe crossing, erosion protection, scaffolding or bridge
- altering, repairing or maintaining any temporary or permanent structure in, over or under a main river, where the work could affect the flow of water in the river or affect any drainage work
- building or altering any permanent or temporary structure designed to contain or divert flood waters from a main river
- dredging, raising or removing any material from a main river, including when you are intending to improve flow in the river or use the materials removed
- diverting or impounding the flow of water or changing the level of water in a main river
- quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert
- any activity within 8 metres of the bank of a main river, or 16 metres if it is a tidal main river
- any activity within 8 metres of any flood defence structure or culvert on a main river, or 16 metres on a tidal river
- any activity within 16 metres of a sea defence structure
- activities carried out on the floodplain of a main river, more than 8 metres from the river bank, culvert or flood defence structure (or 16 metres if it is a tidal main river), if you do not have planning permission (you do not need permission to build agricultural hay stacks, straw stacks or manure clamps in these places)

For further guidance please visit [Flood risk activities: environmental permits - GOV.UK](https://www.gov.uk/guidance/flood-risk-activities-environmental-permits) or contact our National Customer Contact Centre on 03708 506 506 (Monday to Friday, 8am to 6pm) or by emailing enquiries@environment-agency.gov.uk.

The applicant should not assume that a permit will automatically be forthcoming once planning permission has been granted, and we advise them to consult with us at the earliest opportunity.

Developers should ensure that all contaminated materials are adequately characterised both chemically and physically, and that the environmental permitting status of any proposed on-site operations are clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays. We recommend that developers should refer to the waste management page on GOV.UK.

We will consider any queries in relation to the use of Definition of Waste: Development Industry Code of Practice (DoWCoP) (which is to be updated) through our environmental permitting enhanced pre-application advice service, considering site conditions, the materials that are proposed to be used, and the potential for harm to the environment and to human health. We can also provide advice as to whether an environmental permit is required.

Contaminated soil that is (or must be) disposed of, is waste. Therefore, its handling, transport, treatment and disposal are subject to waste management legislation, which includes:

- Duty of Care Regulations 1991
- Hazardous Waste (England and Wales) Regulations 2005
- Environmental Permitting (England and Wales) Regulations 2016
- The Waste (England and Wales) Regulations 2011

Developers should ensure that all contaminated materials are adequately characterised both chemically and physically in line with British Standard BS EN 14899:2005 'Characterization of Waste - Sampling of Waste Materials - Framework for the Preparation and Application of a Sampling Plan' and that the permitting status of any proposed treatment or disposal activity is clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays.

If the total quantity of hazardous waste material produced or taken off site is 500kg or greater in any 12-month period, the developer will need to register with us as a hazardous waste producer. Refer to the hazardous waste pages on GOV.UK for more information.

If you have any questions regarding our response, please contact planningssd@environment-agency.gov.uk.

creating a better place
for people and wildlife



Yours sincerely,

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