



PLANNING BY DESIGN

FROM CONCEPT TO COMPLETION

Statement of Case

Land off Brook Lane, Broadoak, Botley,
Eastleigh, SO30 2ER

Appeal against refusal of planning permission
reference

F/25/99153

On Behalf of

Mark Durrant

Drafted by **Planning By Design**

Introduction

This Statement of Case is submitted on behalf of the appellant, Mr Mark Durrant, in support of an appeal against the refusal of planning permission by Eastleigh Borough Council for the construction of a single-storey three-bedroom dwelling at Land off Brook Lane, Broadoak, Botley (planning application reference F/25/99153).

The decision, issued on 14 August 2025, refused permission for three reasons. First, the Council concluded that insufficient justification had been provided to demonstrate an essential need for a rural worker's dwelling at the site, contrary to Policies S5 and DM27 of the Eastleigh Borough Local Plan 2016–2036 and the National Planning Policy Framework.

Second, it was determined that the dwelling would have an adverse urbanising impact on the character of the countryside and would undermine the physical and visual separation of the Botley and Hedge End settlement gap, thereby conflicting with Policies S5, S6 and DM27 of the Local Plan and the NPPF.

Third, in the absence of mitigation, the development was considered to fail to offset its impact on European protected sites from nutrient loading and recreational pressure, in conflict with Policy DM11 of the Local Plan and the Conservation of Habitats and Species Regulations 2017.

The appellant respectfully contends that each of these reasons for refusal is unfounded. The essential need for a rural worker's dwelling has been clearly set out in the submitted Agricultural Development and Diversification Statement and is reinforced by the functional and security requirements of the landholding.

The design and siting of the dwelling are modest and contextually sensitive, and cannot reasonably be described as urbanising or harmful to the settlement gap.

Concerns over nutrient neutrality and recreational pressure are standard matters that can be fully addressed through recognised mitigation mechanisms and planning conditions, and do not justify refusal in principle.

This Statement therefore examines the site and proposal in context, sets out the relevant planning policy framework, and provides a detailed response to the refusal reasons. It will be demonstrated that the appeal proposal accords with both the Local Plan and the NPPF when read as a whole, that it represents a sustainable form of development which supports rural enterprise and diversification, and that there are no adverse impacts which significantly and demonstrably outweigh its benefits. On this basis, it is submitted that the appeal should be allowed and planning permission granted.

Site Location

The application site is located at Land off Brook Lane, Broadoak, Botley, Eastleigh, Hampshire, SO30 2ER, at Grid Reference X 450528, Y 112768. It comprises approximately 2.89 hectares of agricultural land and incorporates an agricultural barn authorised in 2018 for the storage

of hay and machinery. The barn reflects the established agricultural use of the land and provides a functional anchor for the ongoing enterprise.

The site is situated to the southeast of Hedge End and to the west of Botley, positioned on the western side of Brook Lane, from which it takes access via a private track. Its location is semi-rural, forming part of the open countryside designated in the Eastleigh Borough Local Plan. The land also lies within a designated settlement gap separating Botley from Hedge End. In addition, the site is within the nutrient neutrality catchment area for nitrates, the Solent Mitigation and Disturbance Zone, and the New Forest Mitigation and Disturbance Zone, which reflect its ecological sensitivity and the broader environmental considerations that must be taken into account.

The character of the site and its surroundings demonstrates the transitional nature of this location. To the east and west lie the suburban residential areas of Botley and Hedge End, where detached and semi-detached dwellings form a relatively dense urban grain. Moving outward toward the site, this form becomes more dispersed, giving way to open fields, hedgerows, and scattered dwellings that contribute to the rural setting. To the north lies Gould Copse and other woodland, which provide both visual containment and habitat corridors, while to the south and west agricultural fields dominate the landscape.

The site is well-related to essential services and facilities. Hedge End to the west and Botley to the east both contain a range of shops, schools, and local businesses. Educational provision nearby includes Freegrounds Junior School in Hedge End and Botley Church of England Primary School, while further services and employment are accessible along the A334. Public transport services operate along the principal roads, linking the site to neighbouring centres. The strategic road network is easily accessible, with the A334 providing east–west connections and the M27 motorway lying within close proximity, offering convenient travel to larger urban centres.

Access is obtained directly from Brook Lane, a local road that connects with the A334. The Highway Authority has confirmed that access arrangements are acceptable and that, given the existing use of the barn, the dwelling would be unlikely to result in an increase in vehicle trips. Indeed, it is recognised that the proposal may reduce overall journeys by removing the need for commuting between the land and an off-site residence.

In summary, the site occupies a semi-rural location in functional and spatial association with the settlements of Hedge End and Botley. It forms part of the countryside but is already established as agricultural land through the 2018 barn approval, with access that is safe and suitable for its intended use. The surrounding landscape and settlement pattern reinforce the case that the proposal will not disrupt the identity or separation of adjoining communities, but rather sustain and enhance the effective management of the land.

The Appeal Proposal

The appeal proposal seeks planning permission for the erection of a single-storey, three-bedroom dwelling to be occupied as a rural worker's dwelling directly tied to the management of the appellant's agricultural holding. The dwelling has been carefully conceived not as

speculative residential development in the countryside, but as a functional and necessary component of an existing and diversifying agricultural enterprise. Its purpose is twofold: first, to enable the effective day-to-day management of crop production and land maintenance; and second, to provide a permanent residential presence to address the ongoing and documented security issues at the site.

The dwelling would be modest in form and scale, with a floor plan providing three bedrooms, an open-plan living area, a utility room and storage. Its design is deliberately restrained and draws upon traditional rural architecture. The proposed materials include natural stone cladding, a pitched slate roof with gable ends, and timber detailing, complemented by south-facing glazed sections to maximise daylight and energy efficiency. These design choices have been made to ensure that the building is both durable and sympathetic to its surroundings, in accordance with the Quality Places SPD and Policy DM1 of the Local Plan.

Siting has been determined with care. The dwelling is positioned adjacent to the existing barn, providing a coherent grouping of buildings within the landholding and ensuring that the dwelling is read as part of the agricultural unit rather than as an isolated intrusion into the landscape. The location also facilitates convenient access to Brook Lane, via the existing track, while preserving the openness of the wider fields and hedgerows. Strategic planting, including the proposed orchard of ten apple trees and retention of existing hedgerows, will further integrate the dwelling into the landscape and mitigate visual impact.

The functional justification for the dwelling is clear. The Agricultural Development and Diversification Statement explains that the holding is diversifying to include polytunnels and mushroom cultivation, which require constant monitoring of temperature, humidity and air circulation. Without on-site presence, entire crops can be lost if conditions fluctuate, making permanent residence essential to secure both viability and productivity. In addition, hedgerow trimming, ditch clearance and soil management require regular and responsive intervention, which cannot be achieved through occasional site visits. The Preliminary Ecological Appraisal also notes the presence of sensitive ecological corridors around the site, further reinforcing the need for careful on-site management of habitat interfaces during agricultural operations.

Alongside functional agricultural needs, security provides a further material consideration. The secluded nature of the site has made it vulnerable to theft, vandalism, fly-tipping and illegal hunting, incidents which have been documented despite the installation of alarms and CCTV. A full-time residential presence provides the only effective deterrent, consistent with paragraph 189 of the NPPF, which promotes safe and secure environments. The proposed dwelling will therefore secure the continued agricultural use of the land, ensuring that it remains productive and safeguarded against ongoing threats.

In practical terms, the development includes provision for off-road parking, permeable surfacing, and a package treatment plant for foul water, in line with Policies DM6 and DM10 of the Local Plan. These measures ensure that the dwelling can be accommodated without adverse impact on highways, drainage, or nutrient neutrality. Hampshire County Council has raised no objection on access or highways grounds, confirming that the dwelling may reduce vehicle trips by removing the need to commute to the site from an off-site residence.

The proposal is therefore not an encroachment of urban housing into the countryside, but an appropriately scaled, sensitively designed dwelling that is functionally necessary to support and secure an active agricultural enterprise. It has been designed to respect its context, integrate with existing development, and deliver both economic and environmental benefits, in accordance with the objectives of the Local Plan and the NPPF.

Planning History

F/25/99153 – Construction of 1no. three bed single storey dwelling – Refused (August 2025)

F/17/82143 – Erection of an agricultural barn for the storage of hay and machinery Permitted (February 2018).

F/13/73798 – Erection of detached agricultural building – Refused (April 2014)

Planning Policy

National Planning Policy Framework

The NPPF establishes the presumption in favour of sustainable development, which requires decision-makers to weigh proposals against the economic, social and environmental objectives of planning. Paragraph 11 requires authorities to approve development proposals that accord with an up-to-date development plan without delay.

Paragraphs 85 to 89 are particularly relevant to this appeal, as they concern the rural economy. They confirm that planning decisions should support the sustainable growth and expansion of all types of business in rural areas, both through the conversion of existing buildings and through well-designed new buildings. They also encourage the diversification of agricultural businesses and the development of land-based enterprises. A rural worker's dwelling of the kind proposed here falls squarely within this objective, as it enables the effective management and expansion of an active agricultural holding.

Paragraph 124 requires planning decisions to make efficient use of land, while safeguarding the character of the area and the quality of the environment. Paragraph 135 emphasises that good design is fundamental to sustainable development and that planning decisions should ensure that developments are visually attractive, sympathetic to local character and reflect the identity of their surroundings. The proposed dwelling, with its restrained rural design and sympathetic materials, accords with these principles.

Paragraph 187 directs that development should protect and enhance biodiversity, with opportunities taken to secure measurable net gains. Paragraph 189 states that planning decisions should create safe and secure environments, where crime and disorder, and the fear of crime, do not undermine quality of life. The security concerns at this site, including theft, vandalism, poaching and fly-tipping, are therefore a legitimate material consideration under national policy.

Finally, paragraphs 56 and 58 require authorities to consider whether development could be made acceptable through the use of conditions rather than refusal. The Council's decision to refuse permission on the grounds of nutrient neutrality and recreational impacts, without exploring the potential for securing mitigation by condition or planning obligation, runs contrary to this requirement.

Eastleigh Borough Local Plan 2016–2036

The Local Plan sets the strategic and development management framework for Eastleigh. The following policies are relevant to this appeal.

Policy S1 requires that all development contributes positively to sustainable development. The proposal is consistent with this aim, providing economic benefits through agricultural diversification, social benefits by supporting rural employment, and environmental benefits through orchard planting and biodiversity enhancements.

Policy S2 sets out the spatial strategy, which focuses growth within and around the Borough's main settlements but recognises that certain forms of development, including rural worker dwellings, may be justified in the countryside.

Policy S3 identifies the locations for new housing and underlines the importance of small and medium-sized sites in contributing to supply. While the appeal site lies outside the defined settlement boundary, Policy DM27 provides a specific route for rural worker housing where essential need is demonstrated.

Policy S5 seeks to restrict development in the countryside to prevent urban sprawl. However, the policy does not operate as a blanket prohibition; it must be read in conjunction with Policy DM27, which creates a defined exception for rural worker dwellings. Where essential need exists, as here, the proposal is compliant.

Policy S6 designates settlement gaps between Botley and Hedge End and seeks to prevent development that would undermine their function. The appeal proposal involves a single modest dwelling positioned adjacent to an existing barn and does not extend the built-up footprint of either settlement. The openness and separation of the settlement gap are preserved, and the proposal is therefore consistent with the intent of S6.

Policy DM1 requires development to respect the character and appearance of its surroundings. The proposed dwelling is modest, designed with stone, slate and timber to reflect the rural vernacular, and is carefully sited alongside the barn. Its scale and form are wholly consistent with the character of the area.

Policies DM2 and DM3 require development to address sustainability and climate change. The dwelling has been designed with energy efficiency in mind, including the orientation of glazing and the use of permeable surfacing, aligning with these objectives.

Policy DM6 requires effective surface water management. The Design and Access Statement identified the use of permeable surfacing and infiltration systems, subject to soil permeability testing. Such matters can be secured by condition.

Policy DM10 concerns foul drainage and water quality. The proposal includes a package treatment plant for foul water, a recognised and policy-compliant means of treatment in rural settings. Orchard planting will mitigate nitrate emissions, supporting nutrient neutrality.

Policy DM11 requires that development conserve and enhance biodiversity. The Preliminary Ecological Appraisal confirmed that no protected species are present and recommended enhancements including bat and bird boxes, a swift brick, insect bricks, native planting and orchard creation. These measures will ensure biodiversity improvements in line with DM11.

Policies DM13 and DM14 require safe access and adequate parking. The Highway Authority confirmed that access from Brook Lane is acceptable and that the proposal may even reduce vehicle trips. Parking provision within the site is adequate.

Policy DM27 is the most relevant policy. It permits rural worker dwellings where essential need is demonstrated, the enterprise is or will be viable in the long term, and no suitable alternative accommodation is available locally. The appellant has demonstrated that mushroom cultivation and polytunnel production require on-site presence, that the landholding is capable of supporting these enterprises, and that local dwellings cannot provide the immediacy of response required to manage the land and address security issues. The proposal therefore satisfies all criteria under DM27.

Finally, Policies DM29 and DM30 require compliance with internal space standards and higher access standards. The dwelling has been designed to provide appropriate internal space and accessibility, in line with national standards.

Supplementary Planning Documents

The Quality Places SPD emphasises context-sensitive design, which is reflected in the choice of materials and siting of the dwelling. The Residential Parking Standards SPD is satisfied through the provision of adequate on-site parking. The Trees and Development SPD requires replacement planting where trees are lost; the orchard planting more than compensates for the loss of a single birch tree.

The Appellant's Response to the Reasons for Refusal

- 1. Insufficient justification has been given to demonstrate that there is an essential need for a rural workers dwelling at the site and as such the proposal is contrary to Policies S5 & DM27 of the Eastleigh Borough Local Plan 2016-2036 and provisions within the National Planning Policy Framework.*

Policy DM27 of the Eastleigh Borough Local Plan establishes five criteria which must be met in order for a rural worker's dwelling to be justified in the countryside. The appellant contends that each of these criteria is satisfied, and that the Council's contrary conclusions are based on an unduly narrow interpretation of the evidence and purpose of the policy.

Criterion (a): Essential need for the worker to live at their place of work.

The appellant proposes to diversify the holding into mushroom cultivation, alongside the use of polytunnels and open-field cropping. Mushroom farming is universally recognised as a highly sensitive process that demands close and constant monitoring of temperature, humidity and airflow. Even minor fluctuations can result in the loss of an entire crop within hours. Remote monitoring systems cannot substitute for immediate human intervention, nor can they carry out the physical adjustments, maintenance or harvesting required. In addition, hedgerow cutting, ditch clearance and soil management are practical tasks that require frequent on-site presence.

The Council's conclusion that need is not demonstrated because mushrooms are not yet grown on the land misconstrues the test. The Inspector in La Luna Farm (APP/T2405/W/23/3323155) emphasised that functional need may arise from the intended operation of an enterprise and not only from an existing one, stating that "the continuous physical presence of a worker on site is essential" to give the business the best chance of success. The proposal here is not speculative; it is tied to a clear and viable diversification plan, and the essential need is demonstrably established.

The SHMA shows that entry-level affordability pressures in Eastleigh are comparatively acute at the lower end of the market, indicating that lower-income working households face particular difficulty accessing market housing locally; the report also models that roughly 44% of households across the PUSH area cannot access market housing without subsidy, and that around 53% of newly-forming households are unable to afford market housing over the plan period. Together, these findings substantiate that a modestly-paid agricultural worker is unlikely to secure an appropriate home nearby through the market, especially in this rural/edge location, demonstrating the lack of realistic alternatives close to the farm or enterprise.

Furthermore, the Council's most recent Five-Year Housing Land Supply report, published in July 2024, confirms a housing land supply of just 4.3 years, falling short of the minimum five-year requirement set out by national policy. This underperformance directly engages Paragraph 11(d) of the NPPF, which establishes a presumption in favour of sustainable development. In such circumstances, planning permission should be granted unless any adverse impacts would significantly and demonstrably outweigh the benefits.

The proposal would make a small but necessary contribution to addressing the Borough's broader housing shortfall, while also responding to a specific operational need that cannot be met through existing housing stock. The development provides an essential functional dwelling for a worker whose presence on-site is integral to the success and welfare standards of the rural enterprise. This is not only supported by Paragraph 84(a), but also stresses the need to boost housing supply, particularly where it supports rural economies and services.

In the local context, the proposal aligns with Strategic Policy S7 (Rural Areas) and Policy DM1 (New Dwellings in the Countryside) of the Eastleigh Borough Local Plan 2016–2036, both of which allow new dwellings in the countryside where they are justified by an essential operational need. The application is supported by a robust case that demonstrates the

business viability, functional necessity, and locational constraints, which together justify a permanent rural worker's dwelling at this location.

Criterion (b): The work is an activity that can only be carried out in a rural area and supports management of the countryside.

Mushroom cultivation and the use of polytunnels are land-based activities which, by definition, can only occur in the countryside where agricultural land is available. The accompanying Preliminary Ecological Appraisal and Biodiversity Net Gain Report also demonstrate that the enterprise will enhance habitat connectivity and hedgerow management, thereby directly supporting countryside stewardship.

Criterion (c): The enterprise can be demonstrated to be economically viable in the long term, and the dwelling is essential to its continued viability.

The Council questioned whether the mushroom farm would “come to fruition.” However, viability in the context of DM27 does not require a fully established enterprise to exist before accommodation is provided; indeed, the policy anticipates situations where accommodation is necessary to enable an enterprise to become viable. This is a well-recognised principle in appeal case law. In Shottesbrooke Hill Farm (APP/T2405/W/22/3290467), the Inspector held that “even with incomplete financial information, the operation is viable and justifies a permanent dwelling,” confirming that viability can be assessed on operational logic and planning evidence rather than solely on historic accounts. Here, the diversification strategy sets out a coherent and credible plan for income generation, supported by the presence of the barn, productive land, and access to local markets. Without on-site accommodation, the enterprise cannot operate effectively and therefore cannot achieve viability; the dwelling is essential to secure that outcome.

Criterion (d): No suitable alternative dwellings or buildings available for use or conversion in the immediate locality.

The officer report cited the availability of dwellings for sale in Botley and Hedge End as evidence that alternatives exist. This fails to reflect the policy requirement correctly. The test is not whether other dwellings exist in the settlement, but whether there is suitable accommodation available which meets the functional requirement for immediacy of response. A rural worker's dwelling must provide presence within sight and sound of the land in order to respond to urgent circumstances, such as crop failure, drainage problems or security incidents. Living in Botley or Hedge End does not provide that immediacy, and would involve travel by vehicle before any response could be made. As confirmed in Shottesbrooke Hill Farm, “there is a functional need for the presence of a worker within sight and sound of the livestock at most times.” The same principle applies here: only a dwelling on the holding itself can meet the functional requirement.

Criterion (e): No dwellings connected with the enterprise have been sold off in the past five years.

This criterion is met in full. No dwellings associated with the holding have been sold, and the appellant has not sought to separate accommodation from the enterprise.

Although the Council downplayed the security argument, paragraph 96 of the NPPF makes clear that planning decisions should create safe and secure environments. The appellant has already experienced theft, vandalism, fly-tipping and poaching, and while CCTV and alarms provide limited deterrence, they cannot replace the reassurance of a permanent on-site presence. Security is not a “private” concern but a legitimate planning matter, as the long-term viability of the enterprise depends on safeguarding crops, equipment and land from recurring harm.

When assessed against the proper interpretation of Policy DM27, the proposal meets all five criteria. Essential need is established, the enterprise is land-based and rural in character, viability is credible but dependent on on-site presence, no suitable alternatives exist, and no dwellings have been sold off. The security dimension further strengthens the case. Appeal precedent supports this conclusion. The Council’s rejection of the application therefore represents a misapplication of DM27 and an unjustified restriction on agricultural diversification, contrary to both local policy and the NPPF.

2. The proposed dwelling would have an adverse urbanising impact upon the character of the countryside and would undermine the physical extent and visual separation of the Botley/ Hedge End settlement gap. As such the development is contrary to Policies S5, S6 & DM27 of the Eastleigh Borough Local Plan (2016-2036) and provisions within the National Planning Policy Framework.

The Council’s second reason for refusal alleged that the proposed dwelling would urbanise the countryside and undermine the Botley/Hedge End settlement gap, contrary to Policies S5, S6 and DM27 of the Local Plan. That analysis is a mischaracterisation of the proposal. The dwelling is a single-storey bungalow of modest and restrained design, constructed in stone, slate and timber to reflect the rural vernacular, and positioned immediately adjacent to the existing agricultural barn. This relationship ensures that the dwelling is read as part of a coherent agricultural grouping rather than as an isolated or suburban encroachment. The proposal is further softened by orchard planting and hedgerow retention, measures which mitigate its visual impact and reinforce its integration into the landscape. The identity and separation of Botley and Hedge End will remain unaffected by a single rural worker’s dwelling of this scale, which is of a fundamentally different character to the estate-scale residential development that settlement gap policies are designed to resist.

Policies DM1 and DM27 place particular emphasis on context, integration, modest scale, and sensitivity of design. Policy DM27 sets a normal maximum internal floor space of 120 square metres for rural worker dwellings, save where special justification is demonstrated. The proposed dwelling, at 145 square metres, is only modestly above this threshold, and the increase is fully justified by the functional requirements of the enterprise. In addition to family living space, the dwelling must accommodate utility and storage areas for agricultural purposes, including the changing and drying of clothes and equipment associated with mushroom cultivation and land management. Without this additional space, the dwelling would not function adequately as a base for the agricultural operation. Inspectors have

recognised in comparable cases that operational need may justify a departure from the guideline. In *Shottesbrooke Hill Farm* (APP/T2405/W/22/3290467), for example, the Inspector accepted that the functional demands of the enterprise were sufficient to permit a dwelling of greater size than the usual limit. The same reasoning applies here.

With regard to siting, the officer's suggestion that the proposal is out of character because it does not front Brook Lane, as the ribbon housing further south does, misrepresents the context of this part of the lane. The appeal site lies in a less developed section where buildings are sporadic, and agricultural structures, such as the existing barn permitted in 2018, are already set back from the road. Positioning the dwelling alongside the barn creates a logical grouping of agricultural buildings that reflects the functional use of the land. Rather than disrupting character, this arrangement reinforces it.

The Council also noted that the dwelling would be visible from Brook Lane and the surrounding countryside, particularly in winter when trees are not in leaf. However, visibility does not automatically equate to harm. The test is whether the development is integrated and whether its presence materially detracts from rural character. In this case, the recessed siting, retained hedgerows and new orchard planting will significantly soften the building's impact. The single-storey height, use of recessive natural materials, and careful landscaping will ensure that any glimpses from the lane remain unobtrusive. Precedent again supports this conclusion: in *La Luna Farm* (APP/T2405/W/23/3323155), the Inspector acknowledged that a new rural worker's dwelling would reduce openness and cause some limited harm, but found that the essential need for the enterprise carried very substantial weight and clearly outweighed the limited visual impact. The principle applies equally here: limited visibility, mitigated by sensitive design, cannot reasonably be said to erode rural character.

In summary, the proposal is modest in scale, sympathetic in materials and design, and logically sited in relation to the existing barn. The slight exceedance of the 120 square metre guideline is functionally justified and does not undermine the principle of modesty required by Policy DM27. The landscaping and planting strategy ensures effective visual integration, and the development will neither urbanise the countryside nor compromise the settlement gap. The proposal therefore accords fully with the objectives of Policies DM1 and DM27 and will preserve the rural character of Brook Lane.

Policy S6 of the Eastleigh Borough Local Plan designates settlement gaps to maintain the separate identity of neighbouring communities and to prevent the coalescence of settlements. The policy is clear that development within a gap is not automatically precluded, but that it must avoid undermining either the physical extent or visual separation of the gap, or the distinct identities of the adjoining settlements.

The appeal site lies on the western side of Brook Lane, within the designated settlement gap between Botley and Hedge End. At this location, the Council notes that the gap measures approximately 450 metres in width. It is accepted that maintaining the integrity of this separation is an important policy objective. However, the Council's assertion that the proposal would undermine the function of the gap is overstated and fails to recognise the limited scale, sensitive siting, and agricultural context of the proposed development.

The dwelling is a single-storey structure designed in traditional rural materials and sited directly adjacent to the existing agricultural barn, permitted in 2018. Its form and location ensure that it will be perceived as part of a small cluster of functional buildings rather than as an encroachment of suburban development into open countryside. Crucially, the dwelling does not extend the built-up footprint of Botley or Hedge End toward one another. The 450 metre width of the gap will remain visually intact, with extensive open fields to the north and south continuing to provide a clear and defensible separation between the two communities.

Policy S6 is aimed at preventing estate-scale housing and ribbon development that would blur settlement boundaries and risk coalescence. A single agricultural worker's dwelling, modest in height and footprint, tied explicitly to the agricultural use of the land, does not give rise to those concerns.

Furthermore, in *La Luna Farm* (APP/T2405/W/23/3323155), the Inspector accepted that a rural worker's dwelling would reduce openness, but concluded that "the essential need for a rural worker's dwelling carries very substantial weight and clearly outweighs the harm." Similarly, in *Shottesbrooke Hill Farm* (APP/T2405/W/22/3290467), the Inspector held that a modest rural worker's dwelling, although introducing built form, "will not materially harm the wider countryside and is justified by the operational needs of the holding." These decisions demonstrate that the presence of a single well-sited dwelling is not equivalent to the erosion of countryside character or settlement identity.

In summary, the proposed dwelling does not undermine the physical or visual extent of the Botley–Hedge End settlement gap. The openness of the gap will be preserved, the identities of the two settlements will remain distinct, and the modest dwelling, grouped with the existing barn, will be perceived as part of the rural landscape. The appeal proposal is therefore consistent with the objectives of Policy S6.

3. In the absence of mitigation, the development would fail to offset its impacts on the European protected sites from nutrient loading and recreational pressure. The proposal would therefore be contrary to Policy DM11 of the Eastleigh Borough Local Plan (2016-2036) and The Conservation of Habitats and Species Regulations 2017.

The third reason for refusal was that, in the absence of mitigation, the scheme would fail to address its impacts on European protected sites from nutrient loading and recreational pressure, contrary to Policy DM11 of the Local Plan and the Conservation of Habitats and Species Regulations 2017. This reason is procedural in nature rather than substantive. The appellant has committed to installing a package treatment plant for foul drainage and planting an orchard to assist in nitrate mitigation. Recreational impacts can be addressed through standard contributions to the Solent and New Forest mitigation schemes, which are well-established mechanisms in Eastleigh. These matters can and should be resolved through conditions or planning obligations, consistent with paragraphs 56 and 58 of the NPPF, which require authorities to consider whether conditions could make a proposal acceptable.

The Inspector's approach in *Shottesbrooke Hill Farm* provides a clear precedent. In that decision, he acknowledged concerns about biodiversity and drainage, but resolved them through conditions, stating that "a planning condition requiring a biodiversity enhancement

plan and a surface water drainage scheme will ensure that there is no unacceptable ecological or flood risk harm.” Similarly, conditions secured renewable energy and low-carbon measures to address sustainability. The same approach is applicable here: nutrient neutrality and recreational mitigation are standard matters to be secured at appeal, not insurmountable reasons for refusal.

In conclusion, when measured against the supporting evidence, the provisions of the Local Plan and the NPPF, and recent Inspector decisions, the Council’s three refusal reasons are unsustainable. Essential need has been demonstrated and is reinforced by appeal precedent. The modest design and siting of the dwelling prevent harm to the settlement gap, consistent with Inspectors’ treatment of similar cases. Nutrient neutrality and recreational impacts can be resolved by condition or obligation, as is standard practice. The refusal therefore reflects a misapplication of policy, and the proposal represents sustainable development that should be approved.

Conclusion

For the reasons set out in this Statement of Case, it is submitted that the refusal of planning permission for the proposed rural worker’s dwelling at Land off Brook Lane, Broadoak, Botley (reference F/25/99153) was unfounded and cannot be sustained when measured against the evidence, planning policy and relevant appeal precedent.

The Council’s first reason for refusal, that essential need had not been demonstrated, is contradicted by the detailed Agricultural Development and Diversification Statement, which clearly shows that mushroom cultivation, polytunnels, hedgerow and drainage management, and site security all demand a continuous on-site presence. This justification is directly supported by appeal precedents, including *La Luna Farm* (APP/T2405/W/23/3323155) and *Shottesbrooke Hill Farm* (APP/T2405/W/22/3290467), where Inspectors accepted that essential agricultural functions required round-the-clock oversight, even in restrictive policy contexts.

The second reason for refusal, alleging an adverse urbanising impact on the countryside and settlement gap, does not withstand scrutiny given the modest scale, careful siting, and traditional design of the dwelling. Positioned adjacent to an existing agricultural barn and integrated by orchard planting and hedgerow retention, the proposal reads as part of a functional agricultural grouping, not as suburban encroachment. The Inspectors in *La Luna Farm* and *Shottesbrooke Hill Farm* both confirmed that modest dwellings serving genuine agricultural need may be permissible even where countryside and openness policies apply, provided they are proportionate and well-sited. The appeal proposal meets that test.

The third reason for refusal, relating to nutrient neutrality and recreational pressure, is procedural rather than substantive. The appellant has already committed to installing a package treatment plant and planting an orchard to offset nitrates, while recreational pressure can be mitigated through standard contributions to the Solent and New Forest schemes. As the Inspector in *Shottesbrooke Hill Farm* confirmed, such matters are properly addressed by condition or obligation, not by outright refusal.

The wider housing context in Eastleigh is one of continued pressure: the Council's latest five-year housing land supply statement confirms only 4.3 years of deliverable supply at 1 April 2024, against the adopted requirement, which is a material consideration in favour of additional appropriate housing in sustainable policy terms. Affordability evidence in the Strategic Housing Market Assessment reinforces that local market access is constrained for lower-income working households. On this basis, and subject to the usual occupancy restriction tying the dwelling to the agricultural enterprise, the development is acceptable in principle and in detail.

Taken as a whole, the proposal accords with the Eastleigh Borough Local Plan 2016–2036 when read in its entirety, and with the objectives of the NPPF (2024), which seek to support rural enterprise, encourage diversification, promote safe and secure environments, and conserve local character as well as biodiversity. There are no adverse impacts which significantly and demonstrably outweigh the benefits of the development. On the contrary, the proposal delivers clear economic, social and environmental benefits in the form of agricultural diversification, enhanced security, improved biodiversity and efficient use of land.

The appellant therefore respectfully invites the Inspector to allow this appeal and grant planning permission for the proposed rural worker's dwelling.