

HEWEB – Hedge End, West End and Botley Local Area Committee Monday 10 October 2022.

Application Number: O/22/92771
Case Officer: Clare Martin
Received Date: Friday 1 April 2022
Site Address: HOLLY TREE FARM, MADDOXFORD LANE, BOTLEY, SOUTHAMPTON, SO32 2DB
Applicant: Stratland Estates Ltd
Proposal: Outline planning application with all matters reserved (except for access) for the construction of up to 221 dwellings and a scout hall, new access onto Maddoxford Lane; pedestrian accesses, emergency vehicle link, parking, drainage, pumping station, hard landscaping, soft landscaping, play areas, ecological enhancements and diversion of public right of way (Botley Footpath 026/3/1) following the demolition of two dwellings and associated domestic outbuildings and stable block; demolition of car repair garage, sheds and cabins and clearance of scrap yard use.

Recommendation: **REFUSE**

FOR THE FOLLOWING REASONS:

1. The proposals represent 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, visual amenity, and the quality of the landscape, of the locality. The application is therefore contrary to Policies S1, S5, DM1 & DM36 of the Eastleigh Borough Local Plan (2016-2036) and the provision of the National Planning Policy Framework.
2. The proposal would result in the loss of the best and most versatile agricultural land, and the benefits of the development do not outweigh the loss of the agricultural land. The application is therefore contrary to the requirements of Policy S5 of the Eastleigh Borough Local Plan (2016-2036) and the provision of the National Planning Policy Framework.
3. The development would have an unacceptable impact on the public right of way to be diverted in terms of the proximity of the built form and its impact upon the setting of the route. Furthermore, a lack of information has been provided to demonstrate whether the diverted route can be satisfactorily upgraded to a bridleway without causing unacceptable harm to existing trees. The application is therefore contrary to Policies S12 and DM1 of the Eastleigh Borough Local Plan (2016-2036).
4. Insufficient information has been provided to demonstrate that the traffic movements generated by the housing development could be satisfactorily accommodated without causing an unacceptable interference with the safety and function of the highway network. The application is therefore contrary to the requirements of Policies S11 & DM13 of the Eastleigh Borough Local Plan (2016-

2036) and the provision of the National Planning Policy Framework.

5. Insufficient information has been provided to demonstrate that a satisfactory means of access can be created to serve the development without resulting in an unacceptable interference with the safety and function of the highway network, or an unacceptable loss of tree coverage, or increased urbanisation to the detriment of the prevailing countryside character. The application is therefore contrary to the requirements of Policies S5, S11, DM1 & DM13 of the Eastleigh Borough Local Plan (2016-2036) and the provision of the National Planning Policy Framework.
6. The submitted information fails to demonstrate that the pedestrian link and emergency vehicle link through to the neighbouring sites to the west have the adjoining landowners' permission and can be delivered, without which the development would be poorly served by sustainable transport methods. Furthermore, a lack of information has been provided to demonstrate that the routes can be constructed without causing unacceptable harm to existing trees. The application is therefore contrary to the requirements of Policies S1, S11, DM1 & DM13 of the Eastleigh Borough Local Plan (2016-2036) and the provision of the National Planning Policy Framework.
7. The submitted information fails to demonstrate that the site is able to accommodate the amount of development proposed without having an unacceptable impact upon the sites of importance to nature conservation; existing trees and ecological features; and public utilities present on the site and within the adjoining land. The application is therefore contrary to the requirements of Policies S5, DM1, DM11 of the Eastleigh Borough Local Plan (2016-2036) and the provision of the National Planning Policy Framework.
8. The submitted information fails to demonstrate that the site is able to achieve a well-designed development for up to 221 dwellings while meeting the necessary standards in terms of open space, green infrastructure and landscaping; urban design and heritage, residential amenity and car parking. The application is therefore contrary to the requirements of Policies S1, S8, DM1, DM12 & DM14 of the Eastleigh Borough Local Plan (2016-2036), the provision of the National Planning Policy Framework and the Councils Quality Places, Trees and Development and Residential Parking Standards Supplementary Planning Documents.
9. The submitted information fails to demonstrate that sufficient space has been provided for a well-integrated sustainable urban drainage system of a capacity to serve the development while not resulting in a detrimental impact upon the adjoining Sites of Nature Conservation. Furthermore, the sustainable drainage system fails to provide three forms of natural filtration, which is necessary to maintain the quality of runoff water entering the Solent and Southampton Water Special Protection Area and Ramsar Site and Solent Maritime Special Area of Conservation. The application is therefore contrary to the Conservation of Habitats and Species Regulations 2010, the requirements of Policies S1, DM5, DM6 & DM11 of the Eastleigh Borough Local Plan (2016-2036) and the provision of the National Planning Policy Framework.

10. The submitted information fails to demonstrate that the occupiers of the development will be protected from the effects of flooding over the lifetime of the development and a safe access to and from the development can be provided at times of flooding. Furthermore, the submitted information fails to demonstrate whether the eastern attenuation pond would be protected from the effects of fluvial flooding. The application is therefore contrary to the requirements of Policy DM5 of the Eastleigh Borough Local Plan (2016-2036) and the provision of the National Planning Policy Framework.
11. The submitted information fails to demonstrate that the site is able to accommodate the amount of development proposed while delivering biodiversity net gain. The application is therefore contrary to the requirements of Policy DM11 of the Eastleigh Borough Local Plan (2016-2036) and the provision of the National Planning Policy Framework.
12. 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 DM28, DM33, 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.
13. The application fails to provide for the required mitigation to offset the impacts of the development on the European protected sites (i.e. Solent and Southampton Water Special Protection Area & Ramsar Site, Solent Maritime Special Area of Conservation & New Forest Special Protection Area, Ramsar & Special Area of Conservation) from nutrient loading and recreational disturbance generated by the population increase resulting from the development. The application is therefore contrary to Policies S1, DM10 and DM11 of the Submitted Eastleigh Borough Local Plan 2016-2036, provision within the National Planning Policy Framework and The Conservation of Habitats and Species Regulations 2017.

Note to Applicant: The application was refused following the assessment of the following plans: 01, COP-01-P3, 1773-GA-001, 1773-GA-002, 14039.S1.

In accordance with paragraphs 186 and 187 of the National Planning Policy Framework, Eastleigh Borough council take a positive approach to the handling of development proposals so as to achieve, whenever possible, a positive outcome and to ensure all proposals are dealt with in a timely manner.

Report:

The application has been referred to Committee by Cllr House, Cllr Garton & Cllr Kinloch. The application is also to be determined by the Committee because it is a major development that is contrary to the Development Plan

Relevant Planning History

1. The relevant history in relation to this site is as follows:

- **V/21/91760** - Environmental Screening Opinion for the development of 221 dwellings and scout hall with associated site clearance and demolitions, access, parking, drainage, hard landscaping, soft landscaping and ecological enhancements. EIA Screening Opinion Issued – Not EIA Development (November 2021).
- **Z/15716/005 & Q/15716/006** – Lawful Development Certification for the change of use of the land from a farm to use for the storage of motor vehicles and motor vehicle body parts and scrap material associated therewith. The application related to an area of 0.7ha, near the site entrance. A certificate of lawfulness was refused by the Council and an enforcement notice issued. The enforcement notice was quashed on appeal (April 2001).

Character of the site and its surroundings

2. The 10ha site is located 100m to 170m to the south of Maddoxford Lane, and only adjoins Maddoxford lane on its north eastern corner next to the existing dwelling at Holly Tree Farm. The application site sits to the south of an allocated site for 30 dwellings (*Policy B01*) and to the south of a refused housing development for 92 dwellings (*land to the south of Maddoxford Lane and west of Westfield – F/19/85178*).
3. The majority of the application site is surrounded by countryside, apart from on its north-western tip where a development of 72 dwellings is under construction (*at Land South of Maddoxford Lane – F/19/84937*). Further housing is being constructed to the northern side of Maddoxford Lane, which marks the outer eastern edge of the Boorley Park development.
4. The application site itself comprises two large connecting fields and is gently sloping from the high point in the middle of the northern boundary down to the corners. Running diagonally alongside the length of the northern boundary is a row of power lines and underground water pipes. There is a further gas mains running north to south alongside the site's western boundary.
5. The main part of the site is used for agricultural purposes and has most recently been used for the growing of maize. The site is surrounded by a mature tree belt and vegetation, and this extends a little way into the middle of the site delineating the two fields. There are further significant trees around the sites north-eastern section where it accesses onto Maddoxford Lane.
6. The site access is characterised by a short narrow driveway, which serves two dwellings with domestic outbuildings, a handful of non-residential buildings and a

small car scrap yard. The driveway forms part of a public footpath that runs through the site (north to south) and leads out into an area of countryside. The public right of way is part of a wider footpath network connecting Maddoxford Lane to Botley.

7. The eastern section of the site leads down to the banks of the River Hamble and is partly within flood zones 2 and 3. This area is particularly sensitive as it contains three SINC (site of nature conservation) i.e. Holly Tree Farm Meadow that support a flora and fauna of less-improved wet conditions, which leads into Holly Tree Farm Wood that encompasses an area of ancient seminatural woodland, followed by an area of marshy grasslands to the south. There is a further SINC on the western side of the site, the outer edge of which runs along the site's southern boundary, which is a woodland habitat.

Description of application:

8. The application seeks outline planning permission for the construction of up to 221 dwellings and a scout hut together with supporting infrastructure including amended access from Maddoxford Lane, two leaps (local equipped area for play), two attenuation ponds, a pumping station and diversion of the existing public right of way.
9. The outline application is to consider the principle and amount of development on the site. The application also seeks detailed approval for the matter of access for which a transport assessment has been provided. All other matters of detail are to be fully considered under a separate application at the reserved matters stage (i.e. the appearance, scale, layout, and landscaping).
10. The whole development would be served by one vehicular access from Maddoxford Lane in the form of a standard priority junction at the north-eastern perimeter of the site. The existing public right of way would be rerouted away from the main vehicular access, and instead go alongside the scout hut and on through an area of housing. The proposal also includes a suggested vehicle link through to the new housing development to the west and a future pedestrian link through to the allocated housing site to the northwest.
11. An indicative masterplan along with a design and access statement has been included within the submission, which sets out the basic principles for the development and demonstrates one way in which the site may be developed for this number of units. The details include a mixture of different house types and sizes, although predominantly weighted towards two storey houses with a few two and a half storey houses and three storey apartment blocks towards the centre.
12. The development has an overall gross density of 22.1 dwellings per hectare on the 10ha site, or an approximate figure of 30-40dph if calculated using solely the developable area and supporting infrastructure. The housing development is set in from the site boundaries with the existing boundary treelines for the most part being retained as ecological corridors.

13. The illustrative layout shows the scout hut and one of the play areas at the front of the site (next to the access) with the main housing development divided into perimeter blocks on the central and western side of the site. A further play area, attenuation pond, and pumping station is located in the southwestern corner of the site. The area east of the access road, incorporating the two SINCS, has been kept free from development.

14. The application is accompanied by the following plans and technical assessments:

- Site Location Plan
- Site Access Plan
- Illustrative Masterplan
- Landscaping Layout Plan
- Landscaping Area Plan
- Constraints and Opportunities Plan
- Topographical Survey
- Planning Application Supporting Statement
- Design and Access Statement
- Landscape and Visual Impact Assessment
- Utilities and Servicing Statement
- Heritage Environmental Desk Based Assessment
- Noise Assessment
- Ecological Appraisal
- Arboricultural Impact Assessment
- Flood Risk Assessment
- Transport Assessment
- Phase 1 Geo-Environmental Preliminary Risk Assessment
- Air Quality Assessment
- Nitrates Budget Report and Calculator

Environmental Impact Assessment

15. A formal screening opinion has been undertaken for the development of 221 dwellings, scout hut and associated infrastructure on the site. It is the council's opinion that the development does not require a formal Environmental Impact Assessment to be submitted under the Town and Country Planning (Environmental Impact Assessment) (England) Regulations 2017.

Habitat Regulations Assessment

16. The housing development is in an environmentally sensitive location, within the catchment area for the River Hamble. It is considered that due to the type and location of development the proposal would, without mitigation, have a likely significant effect on the:

- Solent Maritime Special Area of Conservation (SAC),
- Solent and Southampton Water Special Protection Area (SPA) and Ramsar,
- New Forest Special Area of Conservation (SAC), Special Protection Area (SPA) and Ramsar.

17. Insufficient information has been provided within the planning submission for the Local Planning Authority to undertake the appropriate assessment under the Habitat Regulations.

Consultations

18. The consultation responses are summarised below:

Policy Team

19. The Council adopted the Local Plan 2016-2036 on 25th April 2022. This document now forms the planning policy framework for the borough until 2036.

Principle

20. The Local Plan extended the urban edge of Boorley Green eastwards to incorporate development east of Crows Nest Lane and the residential allocation BO1 (allocated for at least 30 dwellings). The Holly Tree Farm site is south and east of allocation BO1. It is outside the urban edge and identified as countryside on the Policies Map.

21. Policy S5(1) sets out the uses appropriate in the countryside and detailed criteria for new development in these uses. The appropriate uses do not include new residential development. The proposed development would therefore be contrary to the recently adopted Local Plan policy S5.

Agricultural Land

22. The red line boundary for this site includes agricultural land classified as Grade 1 and Grade 3, with the majority in Grade 1. This is the highest level of agricultural land. It is classified as excellent quality and 'best and most versatile' agricultural land (which covers Grades 1 - 3a).

23. Policy S5(2) provides a guide for appropriate new development in the countryside. It states that the Council will seek from new development to promote the beneficial management of the countryside, including safeguarding the best and most versatile agricultural land unless the benefit of the development clearly outweighs the loss. Development will therefore be resisted on best and most versatile agricultural land within the borough unless the developer can meet this criterion.

Highway Officer (HCC)

24. The planning application is supported by a transport assessment, including an automatic traffic count survey (ATC) and personal injury data.

Site Access

25. *Visibility splay based on existing highway conditions* - ATC surveys have been undertaken on the local road network surrounding the site for the week commencing Thursday 14th October 2021 to Wednesday 20th October 2021. The ATC site was located on Maddoxford Lane near to the proposed access and speeds were recorded as 31.7mph westbound and 30.4mph eastbound.

26. However, further information needs to be provided as to:

- How the traffic assessment calculates the recorded speeds.
- Weather conditions at the time.
- Raw data for the ATC.
- Full transcripts of the ten accidents in the vicinity of the site (recorded over the five-year period).
- A plan showing the correct visibility splays at the site access, based on the full data is required.

27. Until this information has been provided the highway authority is unable to comment on whether visibility at the proposed access will meet the appropriate highway standards.

28. *Maddoxford Lane* – The applicant needs to establish whether the existing carriageway construction of Maddoxford Lane between the proposed site access and Wallace Avenue is physically adequate to support the increase in vehicle numbers and loadings and if not improvements to the existing situation need to be considered.

29. *Tracking details* - The site access plan shows the tracking details for a 11.2-metre-long refuse vehicle. However, further tracking details are required to demonstrate that the design of the access off Maddoxford Lane is suitable. These include tracking for articulated vehicles used during the construction phase and tracking of a delivery van passing family sized cars.

30. Sustainable Transport

31. *Local Facilities/ Amenities* - North and West of the site sit the key facilities such as Boorley Park Primary School (700m 9 min walk from the site) and Deer Park Secondary School (2.1km away, which equates to a 25 min walk). The nearest bus stops are located along Winchester Road (1km from the site) and these provide routes to Southampton City Centre and Eastleigh. The nearest train station is Hedge End (2.1km from the site) and provides services to popular destinations within the south.

32. The following information needs to be provided by the applicant:

- The traffic assessment should be updated to include the walking/cycling distances to all key amenities to allow the Highway Authority to fully consider the appropriateness of the distances to local amenities.
- A full walking, cycling, horse riding assessment should be undertaken to identify any discrepancies/ potential improvements within the vicinity of the site in order to promote the use of sustainable travel for residents of the proposed development site.
- A travel plan, which can be secured through a future S106 agreement.

33. *Existing pedestrian/ cycle provision* - The nearest off-site pedestrian/ cycle provision is 400m west of the site access, on the northern side of Maddoxford Lane / Wallace Avenue. There is currently no provision or tie-in to existing infrastructure for pedestrians or cyclists from the proposed site access. Pedestrians and cyclists would have to utilise the narrow highway grass verge or use the carriageway to travel to and from the development.
34. *Proposed pedestrian cycle link* - The layout plan shows an internal pedestrian/cycle link to the neighbouring housing development to the west. However, it is the concern of the Highway Authority that this link cannot be guaranteed, given that planning permission has already been granted for the neighbouring site without this link. Therefore, the applicant needs to provide evidence that a legal agreement has been made on future pedestrian and cycle connectivity (and proposed emergency vehicular access) between developments in order to tie into suitable off-site sustainable infrastructure.
35. Full details of the link are required including: a plan showing the connection to appropriate infrastructure within the neighbouring site; whether this link will be offered to the highway authority for adoption; and if not how the link will be managed and maintained in perpetuity.

Public Right of Way

36. The applicant proposes to divert Botley footpath 3 to facilitate construction of the main access. The plans should be amended to provide an on-site bridleway, as part of a wider upgrade to the public right of way linking Maddoxford lane / Wangfield Lane and Winchester Street. The proposed 1.5-metre wide route does not provide a suitable bridleway link and the width and surfacing of this upgrade needs to be agreed with Hampshire Countryside Service.

Internal Layout and Car Parking

37. The internal layout of the development should provide enough turning space for vehicles to manoeuvre on site in order to access and egress the highway in a forward gear, without any conflict with parked vehicles or street apparatus.
38. The internal layout, including provision of parking spaces, can be formalised at the reserved matters stage if outline planning permission is approved. Should the proposed quantum of parking not conform to adopted standards, the Highway Authority will consider whether this is likely to result in a highway safety issue.

Impact on highway network

39. *Background data* - The background traffic data and growth rates provided within the transport assessment utilises data already collected from the neighbouring Maddoxford Lane site and is based on industry standards. This data is considered acceptable.

40. *Traffic generated* - The transport assessment shows that approximately 80% of the development traffic would turn left out of the site access and route towards Boorley Green and Winchester Road (B3354). The applicant has subsequently provided a forecast trip distribution, which predicted weekday peak hour traffic would result in a total of 71 additional movements in the AM and PM peaks at all of the following junctions:

- Woodhouse Lane / Winchester Road Priority junction
- Maddoxford Lane / Winchester Road Priority junction
- Crows Nest Lane / Maddoxford Lane Priority junction.

This equates to an average increase of one additional vehicle every one to three minutes.

41. Additional junctions such as the Kingsman Drive / Winchester Road roundabout and Botley Road / Snakemoor Lane / Winchester Road / Bubb Lane roundabout are forecast to see 22 additional movements in the AM and PM peaks.

42. However, further distribution analysis needs to be provided based on the impacts of the Botley Bypass as well as the increased proportion of traffic using Crows Nest Lane and Oatlands Road.

43. *Junction Assessment* - The transport assessment has reviewed the current and future operational performance of the site's access junction and also of the junction of Crows Nest Lane / Maddoxford Lane. However, further modelling is required for other junctions within the immediate vicinity including:

- Woodhouse Lane / Winchester Road Priority Junction. This includes further improved priority layout as per Hedge End North development & signalised arrangement as per Botley Bypass Improvements and subsequent traffic routing through Crows Nest Lane and Oatlands Road.
- Maddoxford Lane / Winchester Road Priority Junction
- Kingsman Drive / Winchester Road roundabout
- Crows Nest Lane / Maddoxford Lane Priority Junction.
- Botley Road / Snakemoor Lane / Winchester Road / Bubb Lane roundabout (Improved Layout as per Hedge End North Development).

44. Until this information has been provided the Highway Authority is unable to fully consider the traffic distribution information from the development and assess its impact on nearby road junctions.

Landscape Officer – Objection

45. Impact on countryside – The existing field boundary trees and hedgerows ensure the site is physically and visually separated from its surroundings. As a result, the site has a definite Countryside character, with a distinct sense of place and a moderate sense of tranquillity. The countryside character is evidenced moving eastwards along Maddoxford Lane, on the approach to Holly Tree Farm as the Lane drops in level and becomes more winding. The site forms part of a short but important 'green' break between the development at Boorley Park and existing dwellings on the edge of the village of Curdridge.

Detailed comments

46. *Change in character along Maddoxford Lane* - The proposed access into the site will involve the loss of some existing vegetation and result in increased pressure on retained mature trees. The countryside character of Maddoxford Lane will be adversely affected by the new access and associated works. The existing trees and vegetation need to be accurately plotted so the extent of losses can be more easily assessed. Further details are required of the access from Maddoxford Lane to demonstrate how the character of the Lane is going to be bolstered with new native planting. Any new footpath provision along Maddoxford Lane should be avoided as this will have a significant adverse impact on the landscape character of the lane.
47. *Impact on existing Public Footpath* - this is a well-used route and as ramblers move further away from Maddoxford Lane the path takes on a very definite Countryside feel, with attractive views over fields. The proposal shows the path partially re-routed and there would be significant open views of proposed dwellings, drives and parking. The character of this footpath will be negatively impacted, and further work is required to ensure the path is screened from the proposed development to maintain its attractive setting. This may require a wider landscape corridor that the path can run through.
48. *Impact on retained woodland/ SINC* - The area of existing woodland in the north-eastern sector of the site is shown as retained and managed. This may be harmed by increased access and further details are required as to how this woodland will be managed to avoid adverse impacts.
49. *Impact on existing watercourses (including the river Hamble)* - although the river is a small stream at this point, significant work is required to ensure that there will be no surface or ground water pollution resulting from runoff from the development. At present there is no clear incorporation of SUDS principles (apart from isolated attenuation basins) and there is definitely scope to include shallow swales for bio-retention. The attenuation basins should be creatively designed to have a natural profile and to have landscape and ecological interest.
50. *Deliverable tree planting* – Insufficient tree planting is proposed and the long term retention of trees within private rear gardens cannot be guaranteed. The opportunities for deliverable street tree planting are limited, and too many frontages are cramped with insufficient space for any new trees. The layout should be re-visited with an emphasis on street tree planting as required in the recently published Tree SPD. A tree strategy plan is required.
51. *The peripheral landscape corridors* are an interesting concept and need to be designed to maximise habitat value. At least some areas should be secured against access by dogs to avoid disturbance of wildlife. The landscape corridor link (No 6 on plan) looks promising despite being interrupted by access drives in two locations. Perhaps there's scope to narrow the roads where they cross this corridor to reduce the interruption to the link? The other landscape corridor (No 10) is less convincing and should be re-designed to create a genuine 'green corridor through the development

52. *The natural play areas* are welcomed, although the larger area should be better screened from the access drive and placed within a generous landscape setting.
53. *Pumping station* - The location and design of the pumping station should be carefully considered and well screened with planting and a black or dark grey weld mesh fence.

Ecology Officer - Objection

54. *SINC* - The illustrative layout does not allow sufficient buffers between the development and the SINC. A minimum 20m buffers is required adjacent to SINC's, and this should be increased for particular requirements, such as ancient woodlands. Insufficient buffers are also provided for other green infrastructure, such as the hedgerows. As such the development in contrary to Policy DM11
55. *Biodiversity Net Gain* – The submission does not include details biodiversity net gain information, which need to be provided upfront. It is unlikely that sufficient biodiversity net gain can be achieved with the current layout number of dwellings and supporting infrastructure. As such the development in contrary to Policy DM11
56. *Sustainable drainage* – The proposed SuDS scheme shows two attenuation basins with all drainage piped to these basins. In Catchment A the attenuation basin would discharge into a swale, and then into the protected waters of the River Hamble. In Catchment B there is no information about discharge from the attenuation basin, however the nearest watercourse, on the southern boundary of the site is a tributary of the River Hamble. The proposed sustainable drainage system is not acceptable as it fails to provide three forms of natural filtration as required for sites over 1 hectare or within 100m of a protected waterway. As such the proposal is contrary to Policy DM6.
57. *Protected Species* – The ecological appraisal provides information about the possibility of protected species using the site. It concluded that the site was of regional significance for foraging and commuting bats with Barbastelle bats recorded on site. The survey work was done according to best practice and in the correct seasons. The report also identified a low population of grass snakes, likely absence of dormice, confirmed presence of breeding and nesting birds, evidence of badger foraging on site, and a pond rated as good suitability for great crested newts adjacent to the site. It stated that part of the eastern and southern boundaries of the site were designated as a SINC and mentioned recreational pressure on the Solent Area SAC and the New Forest SPA.
58. The ecological appraisal identified the species that were likely to be impacted. In section 3.5 it mentions that an updated dormouse survey *was carried out between June and October 2021* as shown in Table 11 in section 4.9.2. The likely ecological impacts in absence of mitigation have been stated in section 5.0. Section 6 of the report lists recommendations for mitigation compensation and enhancement, and states that there should be no public access to the SINCS.

Tree Officer – Objection

59. *Tree Removal*– The area from Maddoxford Lane southwards (approx. 80-100m into the site) has significant canopy cover and a wide variety of tree species. A number of trees are proposed to be removed in order to facilitate the access road and these trees are of value to the rural character of the area. The route of the diverted public right of way also appears to run through a linear group of Oak trees and creating an access link through the trees would likely be impactful and would not be supported.

60. Furthermore, the applicants have failed to demonstrate that tree retention has been fully considered as part of the development and any tree removals would need exceptional justification (as set out within appendix 1 of the council's Trees and Development SPD).

61. *Impact on SINC* – The location of the eastern attenuation pond is not acceptable as it is within the buffer for the *Holly Tree Farm Wood SINC*. The location of the other attenuation pond on the south western boundary, nearby pumping station and surrounding development is also not acceptable as it is within the buffer of another SINC, which is designated for its restricted distribution woodland habitat.

62. *Other Impact on Trees*

- There are numerous examples where significant trees are too close to proposed units (for example T41).
- We would not be supportive of the proposed emergency vehicle link through the western boundary as it punches a hole in a significant linear tree feature.
- Insufficient space has been provided between the development and line of semi-mature oak trees (T36, T37, G9 which includes 5.no Oak Trees &), which are positioned next to the public right of way. Whilst these trees are currently relatively small in stature, they have the potential to form a significant linear feature that would be characteristic of a rural field boundary.
- Some of the trees on site may have veteran characteristics. We have had reports of such features and witnessed some trees of significant girth and retrenched crown (e.g. T46). There may be trees, especially on the boundaries, that should be assessed in the context of veteran trees given their girth, stature and features.

Urban Design Officer

Number of Units

63. The number of units proposed is considered to be excessive for what is a countryside edge site, which requires a softer and more sensible response. A looser grain that avoids terracing would be required to alleviate what is a fairly dense scheme and to create a more appropriate form of development. A significant reduction in dwellings is expected to increase the degree of space retained between buildings and to intensify the green space area.

Siting and External Layout

- The frontage outlook for some units would be dominated by parking and hardstanding, with no scope for soft landscaping or tree planting. Most rear

gardens are very constrained because of their small size and there appears to be, on a few occasions, very little consideration to overlooking to and from neighbouring properties.

- The development has been pushed as far out to the edges of the site as possible, leaving no room for worthwhile soft landscaping, let alone any new tree planting.
- A few areas of built form are separated by green wedges. This is supported, as it helps the development to create a soft edge to the countryside to the south and east. However, it is recommended to propose more and wider green wedges to provide valuable green corridors through the scheme. It is suggested that the primary vehicle route is designed as a tree-lined avenue to further enhance the rural character of the development.
- On a few occasions, the proposed layout shows a considerable extension of brick walls facing the public realm such as public open spaces and the green edge. These should be redesigned.
- There is a further concern regarding the group of dwellings to the east of the public right of way which will be visually exposed from the footpath.

Sustainability

- The scheme needs to integrate more fully with the housing development to the north west. The proposal should explore whether it is possible to share at least pedestrian and cycle links connecting the sites internally thus encouraging active travel and improving permeability.
- The proposal should significantly reduce vehicular dominance and prioritise pedestrian and cycle provision and links to public transport. A bus drop off point should be included at the site entrance next to the scout hut.
- Provide charging points for electric vehicles, Ebikes and other forms of micro-mobility within garages and/or locations that support the street scene and do not hinder pedestrian movement
- Consider introducing green and blue roofs and walls to reduce hard surfaces and control water at source
- Include additional trees and soft landscape within street scenes to reduce hard surfaces, slow surface water run-off, provide shade and create habitats / corridors for biodiversity

Scale and External Appearance

- It is recommended that buildings do not exceed two storeys in height and are reduced to 1-1.5 storeys on the southern periphery to create a softer edge to the development and transition into the countryside.
- The sketch views within the design and access statement suggest an appropriate style of buildings for the rural setting, which is to be considered at the reserved matters stage. However, the illustrative street scenes show very little distinction in terms of architecture style between the different character areas.

Environmental Health

Amenity

64. Further information regarding noise, vibration, odour and air quality will be required at the reserved matters stage, in particular the scheme will need to consider road traffic noise and vehicular emissions from Botley Bypass, noise and vibration from railway line; noise from the use of heat pumps; noise and odour levels for the proposed sewage pumping station.

Contaminated Land

65. The Phase 1 desk study includes a review of desk top information along with a site walkover survey. A number of potential on-site sources were identified including; a kerosene above ground storage tank, a rust above ground storage tank, numerous drums of an unknown content, farm buildings, storage of materials, a vehicle parts business, asbestos in buildings and partially buried in vicinity of buildings, evidence of burning, Made Ground in developed areas and the current and historic use of the site as a farm.

66. The desk study identified a number of plausible pollutant linkages that have the potential to impact the proposed development. As such a pre-commencement condition for a Phase 2 intrusive site investigation is recommended along with a condition securing verification of remedial work and a scheme of work to deal with asbestos.

Minerals and Waste (HCC) – Holding Objection

67. The site has significant mineral potential and request further exploratory work to be undertaken on site. This information must be submitted to the minerals and waste team in the form of a Mineral Resource Assessment (MRA). In the absence of further information on the mineral potential of the area and/or how this mineral potential will be handled by the development, the proposal is considered to be contrary to Policy 15 of the adopted HMWP.

Flood and Water Management (HCC)

68. The proposal is to divide the housing developments into two catchments (A and B) and discharge via two ponds, one to the River Hamble and one to the ordinary watercourse rather than rely on infiltration. Micro Drainage calculations have been provided giving greenfield runoff rates. However, the following information is required:

- Quick Storage estimates are needed to demonstrate that there is sufficient space on site to accommodate the required attenuation storage.
- Management – details as to how the increase in discharge volume is being managed. This site is a mostly greenfield site and will result in an increase in impermeable area of 3.60ha i.e., 1.42 ha (catchment A) and 2.18 ha (catchment B). There are 3 general options for dealing with the increase in discharge volume to prevent off site flood risk from increasing. 1) Discharge all runoff up to the 1 in 100 plus climate change storm events at greenfield QBAR, 2) Discharge existing volumes at existing rates and extra volumes at 2 l/s/ha 3) infiltrate the extra volume.

69. While at this stage we do not need a confirmed option we do need to know that there is sufficient space on site to attenuate the increase in volume appropriately.

Please provide supporting calculations showing the attenuation volume needed for one of these mitigation options. It should be clear that there is sufficient space on site to accommodate this.

70. At the reserved matters stage it will be necessary to provide infiltration testing and evidence that the onsite catchment areas are not changing compared to the existing situation.

Environment Agency – Objection

71. The submitted masterplan shows that all the built development is located within areas shown as Flood Zone 1, and therefore at a low risk of flooding. However, the flood risk assessment has not provided any current day or climate change flood levels which are required to demonstrate that the development will remain safe over its full lifetime (100 years), and that safe access to and from the site will also be available.
72. The masterplan shows an attenuation pond close to Flood Zone 3. This feature is integral to the proposed surface water drainage strategy for the site and therefore must remain free from flooding over the full lifetime of the development. The flood risk assessment should provide current day and climate change fluvial flood levels, proposed first floor levels of the buildings, access road levels and ground levels at the attenuation pond.
73. Furthermore, in section 4.6 the flood risk assessment it states that the site will be raised and the eastern bank of the River Hamble lowered and this information should be clarified. These actions could potentially increase the risk of flooding to off-site areas which is not acceptable. If areas of the site are raised this could potentially result in a loss of floodplain storage, either now or in the future, therefore a full assessment of the impacts will need to be carried out to determine whether compensatory floodplain storage volume will need to be provided on the site. Lowering the eastern bank of the River Hamble is likely to increase the frequency and severity of flooding to an area that doesn't appear to be within the application site.

Natural England – Holding Objection

74. A Habitats Regulations Assessment is required, to include consideration of nutrient impacts; recreational impacts on the New Forest SAC, SPA and Ramsar; recreational disturbance on the Solent and Southampton Water SPA; SuDS system and affect of water quality.
75. A pre-commencement condition requiring a Construction Environmental Management Plan to deal with Storage of construction materials/chemicals and equipment; Dust suppression; Chemical and/or fuel run-off from construction into nearby watercourse(s); Waste disposal & Noise/visual/vibrational impacts

Access Development Officer (HCC) – No response provided.

Built Heritage Consultant

76. The inclusion of three storey buildings on the site is not acceptable as it will contribute to the intrusion of alien-built form and impinge on the rural setting of the heritage assets at Newhouse Farm. If there must be development on the site then two storeys or less is preferable. In addition, the southern boundary will need reinforcement with more trees, some evergreen, again to maintain a rural setting for Newhouse Farm.

77. There is no objection to the access off Maddoxford Lane access, providing it is low key and in order to retain as much of the setting of Maddoxford Farm House as possible. It is suggested that conservation kerbs and mature vegetation are used to keep the entrance relatively rural as will the general separation of the footpath from the road edge, preferably with shrub separation too.

Archaeology (HCC) – No objection subject to a condition securing archaeological surveying and recording.

Housing Enabling Officer

78. The consultation response outlines the numbers, size and tenure of affordable housing required for the development, including the provision of wheelchair accessible dwellings. The affordable housing provision will need to be fully considered at the reserved matters stage.

Direct Services (Street scene) – No objection

Economic Development

79. Whilst the used car business at Holly Tree Farm is not one that we would wish to protect since it is operating unlawfully at the site, we are nonetheless concerned that a planning application has been received for more housing without provision for the employment space that will be required if the 450 potential occupants are to find work locally.

80. The Local Plan notes a requirement for 144,000 m² of employment space to match the planned requirement for local housing but this planning application has omitted to include any. It should be possible to adjust the application to move the Scout Hut into the site and locate a small business centre or community centre with space for pop-up businesses on the space close to the entry point to the site.

Asset Management – No response provided

Health and Wellbeing – No response provided

Public Health (HCC) – No response provided

Children Services (HCC) – No objection subject to the applicant entering into a section 106 agreement to provide the appropriate contribution towards the expansion of Boorley Park primary school and the future expansion of Deer Park Secondary School.

NHS Hampshire and Isle of White Integrated Care Board – No response provided

Southampton Airport – No objection, subject to a condition securing a bird management plan.

Southern Water

81. There is a high pressure water main next to the sites western boundary and clipping its south western corner. A 7m clearance is required on either side of the water mains from construction works and trees. A 5m clearance is required from water features.

Water Supply

82. Our investigations indicate that Southern Water can facilitate water supply to service the proposed development. Southern Water requires a formal application for a connection to the water supply to be made by the applicant or developer.

Foul Sewerage

83. Southern Water has undertaken a desktop study of the impact that the additional foul sewerage flows from the proposed development will have on the existing public sewer network. This initial study indicates that these additional flows may lead to an increased risk of foul flooding from the sewer network. Any network reinforcement that is deemed necessary to mitigate this will be provided by Southern Water.

84. Southern Water will liaise with the developer in order to review if the delivery of our network reinforcement aligns with the proposed occupation of the development, as it will take time to design and deliver any such reinforcement.

85. It may be possible for some initial dwellings to connect, pending network reinforcement. Southern Water will review and advise on this following consideration of the development programme and the extent of network reinforcement required.

86. Southern Water will carry out detailed network modelling as part of this review which may require existing flows to be monitored. This will enable us to establish the extent of any works required.

Southern Gas Network – Objection. There is a high pressure pipeline in the vicinity and detailed consultation needs to take place with Southern Ga Network before objection is removed.

Scottish and Southern Electric – Detailed mapping of site provided.

ESSO Pipeline – No objection as there is no apparatus situated near the proposed development.

Botley Parish Council - Objection

- Conflicts with Eastleigh Borough Local Plan (2013-2036).

- Conflicts with the Botley neighbourhood plan, which requires permitted sites to be completed before new development approved.
- The findings of the previous appeal decision are applicable to this application.
- Detrimental impact on the Countryside.
- Maddoxford Lane is unsuitable for the volume of traffic proposed.
- The transport assessment is out of data and does not account for current traffic conditions.
- No mains sewerage along Maddoxford Way.
- Proposal would have a significant adverse effect on the ecological value of the River Hamble.
- This part of Botley is affected by increased instances of flooding from the River Hamble.

Botley Action Group

- Site not allocated and is not an allowable development within the countryside as such the application conflicts with Eastleigh Borough Local Plan (2013 - 2036).
- Site not included within the Emerging Botley Neighbourhood Plan.
- Unnecessary development as the Council has a 5 year housing land supply.
- Excessive development and urbanisation.
- A prior housing development for Maddoxford Lane has been refused.
- Inadequate infrastructure.
- Unsuitable site access.
- Erode gap between Boorley Green and Curdridge village.
- Insufficient information about disposal of foul sewerage.
- Possible adverse affects on the river Hamble.
- Dubious benefits to the community.

Curdridge Parish Council

- Development conflicts with Eastleigh Local Plan.
- The dismissed appeal decision for the site to the north provides robust reasons why current development should be refused e.g. harm the character of the countryside, unsatisfactory design and layout etc.
- Should you be minded to permit the application then a construction logistics plan should be secured to ensure construction vehicles do not use Wangfield Lane and a community liaison representative is appointment.

Winchester City Council – Objection

- The site is located within the countryside and not allocated for housing in the Eastleigh adopted plan.
- This scale and type of housing development should come through Eastleigh's local plan process rather than an unsolicited planning application.
- The access into the site will involve the loss of some existing vegetation. Winchester City Council is concerned that this section of the Lane (abutting the WCC boundary) which has a definite Countryside character will be adversely affected by the new access and associated works.
- Support the Landscape Officer's assessment of the character of the locality.

- The application will have a negative impact on the nearby SINCS, hedgerows, significant trees and ancient woodlands.
- The site is within the wider setting of the Grade 2 listed building High House and Lower Wangfield Farmhouse(both within the Winchester District).

Durley Parish Council – No response provided.

Eastleigh Ramblers - Objection as the site has not been allocated for housing. If approved the diverted footpath should be a minimum of 2m wide and meet the relevant design standards.

Representations Received

87. A total of 79 letters of representations have been received in relation to the planning application: 63 in objection, 15 in support and 1 comment letter. The points raised are summarised below:

Principle of development and Need

- The application is not supported by local plan.
- The area is overdeveloped with new housing.
- The Council has a five-year housing land supply and new housing not needed.
- The countryside between Botley and Curdrige needs to be protected.
- There are community buildings within Botley that could accommodate the scouts.

Infrastructure and Transportation

- Lack of local facilities to support housing e.g. schools, doctors, dentists.
- Housing will add to existing drainage and sewerage problems.
- Access onto Maddoxford Road cannot take heavy traffic and already in a poor state of repair.
- Safety concerns with traffic turning right onto Maddoxford Lane and over narrow bridge.
- Local roads not able to accommodate additional traffic. Botley bypass has not yet been constructed.
- Out of date transport assessment.
- Lack of safe walking routes to secondary school, shops and infrequent buses.
- Loss of footpath through the site.

Amenity

- Loss of green space and countryside. Local residents need access to green spaces.
- Additional air pollution, noise pollution, light pollution and health implications.
- New dwellings have small gardens.

Other

- Site could have land contamination due to storage of motor vehicles.
- Hard surfacing will cause further flooding.
- Destruction of wildlife habitats.
- Impact of additional traffic impact on road surfaces and house foundations.
- Management companies looking after housing sites are unregulated.
- Social housing is not managed property and devalues area.
- Disruption during building works.

Supporting Comments:

- Need for more affordable housing in the locality.
- Community benefits, including new scout hut. Many children are unable to join a scout group due to the lack of availability in the area.
- Housing in a sustainable location.
- Provides better pedestrian access and emergency services link.
- Includes soft play facilities, green space and ecological enhancements. The proposal includes gifting woodland and new woodland walks.
- Beautiful location for residents of the new housing to enjoy.
- The local roads have been upgraded to enable housing in the locality.

Development Plan

Submitted Eastleigh Borough Local Plan 2016-2036

Strategic policies:

- S1 (Sustainable Development);
- S2 (Promotion of New Development);
- S3 (Housing Locations);
- S5 (New Development in the Countryside);
- S10 (Community Facilities);
- S11 (Transport Infrastructure);
- S12 (Strategic footpath, cycleway & bridleway links);

Development Management policies:

- DM1 (General Development Criteria);
- DM2 (Environmentally Sustainable Development);
- DM3 (Adapting to Climate Change);
- DM5 (Managing Flood Risk);
- DM6 (Sustainable Surface Water Management and Watercourse Management);
- DM8 (Pollution);
- DM10 (Water and Waste Water);
- DM11 (Nature Conservation);
- DM13 (Transport);

- DM14 (Car Parking);
- DM23 (Residential Development in Urban Areas);
- DM24 (Creating a Mix of Housing);
- DM28 (Delivering affordable);
- DM29 (Access Standards);
- DM30 (Internal Space Standards);
- DM33 (Recreation and Open Spaces Facilities in New Developments);
- DM36 (Community, Leisure and Cultural Facilities);
- DM38 (Funding Infrastructure).

Hampshire Minerals and Waste Plan

88. The site is in a Minerals Consultation Area and Policy 15 seeks prior extraction of minerals where appropriate.

Supplementary Planning Documents

- Trees and Development (April 2022),
- Quality Places (November 2011),
- Environmentally Sustainable Development (March 2009),
- Biodiversity (December 2009),
- Residential Parking Standards (January 2009),
- Planning Obligations (July 2008, updated 2010),
- Affordable Housing (July 2009).

National Planning Policy Framework

89. At national level, the National Planning Policy Framework (the 'NPPF' or the 'Framework') is a material consideration of significant weight in the determination of planning applications. The National Planning Policy Framework (the 'NPPF' or the 'Framework') sets out a presumption in favour of sustainable development, which has three overarching objectives; an economic (supporting economy and ensuring land availability); social (providing housing, creating high quality environment with accessible local services); and environmental (contributing to, protecting and enhancing natural, built and historic environment). These objectives should be delivered through the preparation and implementation of plans and the application of the policies in this Framework; they are not criteria against which every decision can or should be judged.

90. Paragraph 12 of the NPPF confirms that *“the presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision-making. Where a planning application conflicts with an up-to-date development plan, permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed”*.

National Planning Practice Guidance

91. Where material, the Planning Practice Guidance which supports the provisions and policies of the NPPF should be afforded weight in the consideration and determination of planning applications.

Assessment of Proposal: Development Plan and / or Legislative Background

92. Section 70(2) of the Town and Country Planning Act 1990 and Section 38(6) of the Planning and Compulsory Purchase Act 2004 require a Local Planning Authority determining an application to do so in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan comprises the Policies of the Eastleigh Borough Local Plan Review 2016-2036 and the Hampshire Minerals and Waste Plan 2013. The NPPF and the Planning Practice Guidance constitute material considerations of significant weight.

Principle:

93. The application site lies outside of the urban edge within an area designated as countryside. As such, Policy S5 of the adopted Local Plan is of relevance. This policy allows development for specific countryside uses such as agricultural developments; residential extensions and replacement buildings, existing employment uses; re-use of buildings; rural workers dwellings and accommodation for gypsies and travellers; outdoor recreation and open spaces; allotments and community farms; cemeteries and essential public utilities.

94. The application seeks outline approval for the development of the site for residential purposes in the form of up to 221 dwellings. Large-scale developments of this nature are not supported by Policy S5 and as such the proposals are contrary to the development plan and not acceptable in principle. The Eastleigh Local Plan 2016-2036 was adopted in April 2022 and therefore the policies fully aligns within the National Planning Policy Framework and can be given the strongest weight in decision making. The planning application should therefore be refused unless material considerations indicate otherwise.

95. One material consideration is the provision of the new scout hut, which has been included in the housing development. It is acknowledged that this facility would allow more children to take part in scouting, with the opportunity to enjoy a range of outdoor and adventurous activities and so providing positive benefits to their health and wellbeing. However, the scout hut could be applied for independently of the housing development and it is also noted that Policy DM36 does not support the principle of new community facilities within the countryside.

96. A second material consideration is the removal of the unconforming scrap yard at the northern end of the site, which would have a positive visual impact. It would also remove an unneighbourly use, which has the potential to create noise and disturbance to the handful of neighbouring residential properties. However, the scrap yard only covers a very small portion of the 10-hectare site and so the benefits associated with its removal are limited.

97. While both of these material considerations weigh positively against the scheme, it is considered that the addition of the scout hut and removal of the scrap yard do not justify the provision of 221 dwellings in the countryside, which is against policy.
98. Another material consideration is the current supply of housing, with the national planning policy framework requiring councils to provide a five year supply of housing based on the local housing need figure and a 5% buffer. Eastleigh meets this requirement and is able to demonstrate a 5.1 year housing land supply (as of August 2022). As such there is no immediate pressure for additional housing to be provided through unallocated sites outside of the urban edge.
99. It is also noted that the deletion of the strategic growth area from the local plan has reduced the number of allocated dwellings within the plan period. However, this shortfall only affects the second half of the plan period (from 2026 onwards). The Council is required to undertake an early review of the local plan to allocate further housing sites where necessary. The local plan process is the most appropriate route for new housing sites to be put forward for consideration, with the National Planning Policy Framework emphasising the need for developments to be plan led.
100. Furthermore, in a recent appeal decision for a major housing development at Sovereign Drive, the Inspector highlighted the primacy of Eastleigh Borough Council's newly adopted local plan and dismissed the appeal for an unallocated housing site outside of the urban edge. The Inspector also considered that the quality of the housing development and its impact on its surroundings was more important in that case than whether the Council could demonstrate a five year housing land supply.
101. In conclusion, the policies of the submitted local plan do not support the proposed housing development on this unallocated countryside site and there are no overriding material considerations that warrant a decision other than in accordance with the development plan.

Impact on Countryside and Surrounding Area

102. The character of Maddoxford Lane changes significantly moving eastwards, from the urban settlement of Boorley Green into the countryside. The area at the edge of Boorley Green is in a period of transition with a number of housing developments now under construction. These housing sites fall within the urban edge of the adopted local plan and are intended to form the settlement boundary, with the outer eastern edge of the Boorley Park development lining up with that of the allocated housing site (Policy B01).
103. From the settlement boundary, Maddoxford Lane then transitions into an area of pastured fields separated by well-established hedges and trees with only the occasional building. At the approach to Holly Tree Farm the lane drops in levels, becoming more winding, which reinforces the countryside character. The application site and surrounding fields are part of a short, but important, stretch of

countryside that forms a green break between the edge of Boorley Green and village of Curdridge.

104. The application is for the introduction of up to 221 dwellings on the 10ha site at Holly Tree Farm, a site which is almost completely surrounded by fields. It is therefore considered that the location of the housing development would be out of keeping with the established pattern of development within the locality. Furthermore, a development of this nature would erode the rural character of Holly Tree Farm and surrounding countryside by introducing a large scale built development consisting of buildings, roads, parking and the domestic activities associated with a residential use.
105. A very similar view was taken by the Planning Inspector when they dismissed an appeal for 92 dwellings on the land to the immediate north of this site (F/19/85178). Half of the neighbouring development was outside of the urban edge and in dismissing the appeal the Planning Inspector considered the major housing development would have a detrimental impact on the countryside character of the locality.
106. Turning to the details of the current proposal, the most significant impacts are likely to be felt at the site's access with Maddoxford Lane and along the public right of way as it crosses north-south through the application site.
107. The site is accessed from Maddoxford Lane at its north-eastern corner. This area contains a wide variety of trees and vegetation, stretching some 80m-100m back into the site. At present the access is fairly discrete consisting of a single lane access road serving a small collection of buildings. The proposed development would realign, widen and lengthen the site access in order to provide two way traffic into and out of the housing development. In doing so the proposal would not only result in the loss of significant canopy cover at the site entrance and north eastern corner, but also create an urbanising feature at odds with the rural character of the country lane. Furthermore, insufficient information has been provided to demonstrate whether the access design is suitable for the site and as such there is the potential for the impact to be greater than that shown on the access plan.
108. The current access road also forms the footpath for the public right of way, which cross the length of the site (north to south). The start of the public right of way is treed and runs between the two existing dwellings before traveling through a scrap yard. While it is acknowledged that the scrapyards is unsightly, the public right of way soon opens up into an area of countryside with attractive views over the site and surrounding group of fields.
109. Under the proposal the footpath would be re-routed through a landscaping strip within the housing development. The character of the southern section of the right of way would become more urbanised with views of dwellings, drives and parking along its route through the site. On balance the proposed development would take away from the countryside character and overall appeal of the public right of way.

110. The proposal would also have a wider impact on the surrounding area. The indicative layout plan is for two storey dwellings positioned in rows alongside the site boundaries and two and a half storey houses/ three storey flatted buildings towards the centre of the site. It is considered that the scale of the buildings and close grain of the development is not appropriate for its countryside location appearing as a very urban form of development. The taller dwellings would also have an impact on the setting of the grade II listed buildings at Newhouse Farm to the south east of the site.

111. While it is noted that most of the boundary trees and vegetation are to be retained, nevertheless, the development will be viewed over and through the parts of the boundary where vegetation is less dense and through the winter months when there is less foliage. This will be especially noticeable from public viewpoints particularly as walkers approach the site along the public right of way and also from vehicles traveling along this stretch of Maddoxford Lane. As such the development would have a detrimental impact on the countryside character of the locality.

Agricultural Land

112. Policy S5 (2.d) of the local plan requires development to safeguard the best and most versatile agricultural land, unless the benefit of the development clearly outweighs the loss. A provisional agricultural land classification has been provided by the Council's Policy Team and this lists the majority of the site as Grade 1 (the of the highest quality land) and a smaller section on the western side as Grade 3. Grades 1, 2 & 3a are considered to be high quality agricultural land, as set out within The National Planning Policy Framework.

113. No agricultural land report has been provided for the development site. While the northern tip of the site contains residential properties and a scrap yard, the majority of the site has previously been used for growing maize and therefore is likely to be high quality agricultural land. As such the proposed housing development is contrary to Policy S5 (2.d) as any benefits associated with the current development are not considered to outweigh the loss of the agricultural land.

Site Access and Public Right of Way

114. The outline application includes detailed consideration of the site access, which is shown on the access arrangement plan. The proposed development would be served by one standard priority junction off Maddoxford Lane at its north-eastern corner. A visibility splay of 2.4m by 42m is provided, which is based on cars traveling up to 29.8mph.

115. While the submission is accompanied by a transport assessment (including a traffic count survey and accident data), the Highways Officer has asked for further clarification on the data provided and requires the background data to be submitted. In the absence of this information, the Highway Officer is unable to comment upon whether the visibility at the junction is sufficient for the prevailing highway conditions.

116. Furthermore, the vehicular tracking information into and out of the new site access has only been provided for one type of vehicle i.e. a refuse lorry. This tracking information needs to be expanded to cover the range of vehicles likely to use the new junction, to demonstrate that they can safely turn into and out of the access and pass another vehicle coming the other way. Without this tracking information, the Highway Officer is unable to establish whether the design of the junction is suitable for the traffic using the development.
117. The access plan also shows the route of the diverted public right of way, comprising of a separate 1.5m wide footpath. This footpath is located to the west of the main access road, connecting Maddoxford Lane through the housing development and into the fields beyond. While a separate route for non-road users is welcomed, Hampshire County Council requires the public right of way to be widened to 3m in order to become a bridleway and would be part of a wider upgrade of the route from Maddoxford Lane and Botley.
118. However, the northern section of the site is heavily treed and creating both the wider bridleway and two-lane access road would likely result in the removal of significant tree coverage. In addition, the proposed works would likely have an indirect impact on retained trees as any new surfacing or levels changes may cause compacting and so damage their root systems.

Traffic Movements and Highways Impacts

119. The transport assessment predicts that the development would generate 111 two-way movements in the morning (08:00-09:00) and evening (17:00-18:00) peaks, 80% of which would turn left out of the site towards Boorley Green. While the Highway Officer has accepted the methodology for calculating the trip rates and background data used, additional information needs to be provided within the Transport Assessment. This information needs to consider whether the increase in traffic generated by the development, in combination with other housing developments in the locality, can be safely accommodated on the road network. The information also needs to include additional modelling data for nearby road junctions, consider the impact of the future Botley Bypass on traffic patterns, and provide engineering details as to whether the construction of Maddoxford Lane can accommodate the additional traffic.
120. Without this information, the Highway Officer is unable to assess the full impact of the development on the local road network. It may be that junction upgrades are required to accommodate the additional traffic flows and if this is the case funding would need to be secured through a legal agreement as part of the outline planning application.

Sustainable Transport

121. The site is on the edge of Boorley Green, which will include a small collection of shops and community/ recreational facilities at the new Boorley Park Development. Boorley Green also provides onward bus links to larger settlements at Hedge End, Eastleigh and Southampton where there are railway stations. It is therefore necessary for the proposed development to provide a safe and attractive footpath/ cycle link through to Boorley Green in order to promote sustainable transport options.
122. The nearest pedestrian/ cycle link to Boorley Green is 400m west of the site access on the northern side of Maddoxford Lane. It is considered unlikely that this footpath link could be extended eastward along Maddoxford Lane due to ownership issues and the Local Planning Authority would not wish to see the hedge removed to make way for a footpath/ cycle route. As such there is no reasonable prospect of extending the existing off-road footpath/ cycle route further along Maddoxford Lane to connect to the application site.
123. Instead, the indicative layout shows two possible new connections; a pedestrian link to the allocated housing site to the north and an emergency vehicular link through to the housing development to the west. While these offer possible solutions, Officers are doubtful whether the pedestrian link to the allocated site could be provided in the short to medium term as there is no current planning application for this site. In terms of the emergency vehicular link to the neighbouring development, no evidence has been forthcoming that the neighbouring developer would be willing to install such a link through their housing development. Due to the advanced stage of construction on the neighbouring site this link could not be secured through the planning process and indeed it may not be possible to redesign the neighbouring development to create a link.
124. Furthermore, concern is raised that both of the proposed pedestrian and vehicular links go through an important tree line along the site boundary. Without detailed drawings and tree information, it is considered that these links have the potential to damage trees of importance and an objection has been raised by the Tree Officer. It is also noted that the vehicular access would need to go over a buried gas main owned by a utility provider and it is unclear whether the utility provider would give permission for the new link.
125. With no reasonable prospect of a new footpath/ cycleway connection being delivered through the neighbouring sites, at least in the short term, the residents of the development would have to walk eastward along Maddoxford Lane. This would not be an appealing prospect as Maddoxford Lane is unlit and has no suitable verges separating pedestrians from traffic, with vehicles able to travel at the national speed limit. As such the development would be unable to provide a safe and desirable footpath/ cycle route to Boorley Green and so the new residents would be heavily reliant on private vehicles.

Protected Species and Biodiversity Net Gain

126. In terms of protected species, the site is of significance for foraging and commuting bats with Barbastelle bats recorded. There is a low population of grass snakes, a presence of breeding and nesting birds, evidence of badger foraging on site, and a pond rated as good suitability for great crested newts adjacent to the site. The ecological assessment provides appropriate mitigation for protected species and had the application been recommended for permission the further details of the mitigation could have been secured by condition.
127. In addition to mitigation, Policy DM11 requires development to provide a biodiversity net gain, which will rise to a 10% biodiversity net gain under the Environment Act 2021 that comes into force later on next year. While the ecological assessment acknowledges that habitat condition assessment work and biodiversity net gain information will be produced, this information has not been provided as part of the planning submission and so does not meet the policy requirement. Furthermore, the Ecology Officer has raised concern that it may not be possible to provide sufficient on-site biodiversity net gain for the development while accommodating a development of this size on the site.

Amount of Development

128. The proposal is an outline application that will consider the principle of developing the site for 221 dwellings (and a scout hut) and access for the development. While detailed consideration of the layout, appearance, scale and landscaping is to be considered under a reserved matters application an indicative masterplan and design and access statement has been provided with this application. These details set out one way the site could be developed to accommodate 221 dwellings and provides overarching design principles of the scheme.
129. The indicative layout sites the new housing, and scout hut, to the west of the proposed access road so that the two SINCs along the eastern side of the site remain free from development. The proposed development would take up the central and western portions of the site and has been designed to retain the existing treed boundaries with an additional landscape corridor created across the middle section of the site.
130. While this is a reasonable approach for the development, there are many instances where dwellings are too close to existing boundary trees so limiting the long-term health and retention of these trees or restricting the trees future potential to reach maturity. There are also examples of important veteran trees within the existing boundaries, which will require more space than that provided by the development.
131. Also of significant concern is the impact the development would have on the three SINCs (sites of importance to nature conservation) i.e. the two connected SINCs along the eastern part of the site and a further separate SINC in the western part of the site just outside its southern boundary. While the development is not within the SINCs, the indicative layout plan does not allow for a sufficient buffer (usually 20m) between the new built form and the edge of each of the SINC.

132. In this case the sites internal access road off Maddoxford Lane, along with the section of the development to immediate east of the access, and the south-eastern attenuation pond would all be within the buffers for the two eastern SINC's. Likewise, the south-western attenuation pond, pumping station and road network would be within the buffer for the southern SINC. Without a sufficient development free buffer, it is likely that the SINC's would be damaged by the proposal.
133. Furthermore, the current SINC's are not publicly accessible, and the housing development is likely to put additional pressure on the SINC's. No management plan has been put forward for the SINC's and given the lack on alternative on site open space provision it is likely that some residents will use these areas for recreation. This will result in a deterioration in the condition and quality of the SINC's, for example the inputs of nutrients due to dog waste can change the soil and water chemistry and therefore the flora of an area.
134. Another layout issue is the existing power lines and unground water pipes running alongside the site's northern boundary. Southern Water have indicated that a 7m buffer is required on either side of the water mains from both new development and tree planting. This has not been designed into the layout and as such the layout would need to be altered to provide additional clearance for the existing services.
135. It is noted that an easement has been provided for the high-pressure gas pipeline on the western boundary. However, Southern Gas Network have raised an objection to the development and the applicant will need to liaise with this provider to ensure that their equipment is not damaged by the development. This could result in further amendments to the layout and a reduction in the developable area.
136. In conclusion, the indicative layout fails to provide sufficient room for development free buffers, without which the development is likely to adversely affect trees, SINC's and the existing utilities. As such the actual amount of the site that can be developed will need to be reduced, which will likely mean that the site is unable to accommodate the 221 dwellings proposed. While it is acknowledged that the housing mix could be altered in favour of smaller taller residential units, this is likely to be out of keeping with the type of development in the locality and would be more appropriate for an urban location.

Public Open Space and Layout

137. Policy DM33 requires all new residential development to contribute towards recreational and open space facilities. It is expected that a development of this size will provide onsite public open unless there are opportunities to improve existing nearby open space facilities in which case the open space can be split between onsite and offsite provision. In addition, an area of at least 0.2m of useable open space in one or more locations should be provided for formal recreational uses, along with two LEAP's (local equipped play areas) one for young children and another for older kids.

138. The indicative layout fails to provide any significant usable public open space, with the SINC's on the eastern side not being suitable for recreational uses. The remaining green spaces within the development either contains existing trees or are to be retained/ enhanced for ecological corridors or as landscaping.
139. The layout does make provision for two LEAPs, but these are relatively small, and no informal recreational space is provided close by. Furthermore, the LEAPs are right next to residential properties, and while some element of visibility is encouraged, LEAPs should be at least 20m away from dwellings to prevent disturbance. Simply put the indicative layout does not provide a sufficient quality or quantity of usable open space.
140. There are also a number of design issues many of which are caused by the large number of dwellings proposed on the site. For example, most rear gardens are very constrained because of their small size and some properties lack on site car parking spaces. Where parking has been provided, these often dominate the frontage outlook of the dwellings with limited scope for soft landscaping or tree planting.
141. Furthermore, the proposal is not considered to create desirable living accommodation and there appears to be, on a few occasions, a high level of overlooking to and from neighbouring properties. The flatted blocks in the centre of the site are a prime example, having their main facing facades separated by only 9m (20m being the required standard for new dwellings) and the northern block is completely enclosed by roads.
142. The development itself has been pushed as far out to the edges of the site as possible, leaving no room for worthwhile tree planting or soft landscaping, and limited useable public open space. In a few areas the built form is separated by green wedges, but these are generally too narrow and not enough are provided to create valuable green corridors. The identified view points through the site have not been maximised and indeed the one from Hill Top View looks down the vista onto the pumping station.
143. The proposal also includes two attenuation ponds, which if well designed can create attractive landscaped and recreational features as well as providing ecological benefits. However, due to the lack of space afforded in the indicative layout plan the ponds are likely to be hard engineered urban features that would need to be fenced off and so would detract from the appearance of the development.
144. Overall, it is considered that the number of units proposed is excessive, given both the insufficient buffers provided and the cramped and poor-quality indicative layout. There are many instances where the indicative details fail to meet the necessary standards, as set out within Quality Places, Tree and Development and Residential Parking Standards SPD.

Drainage and Flooding

145. The development would drain through a series of pipes into one of two attenuation basins. In Catchment A (the northern half of the site) the attenuation basin would discharge into a swale, and then into the protected waters of the River Hamble. Limited information has been provided for Catchment B (the southern half of the site) and it is assumed that the attenuation basin would be pumped into the nearest watercourse on the southern boundary of the site, which is a tributary of the River Hamble. The drainage systems proposed do not provide the three forms of naturalised filtration required by Policy DM6 and so would have to be redesigned, potentially taking up additional space, to ensure the quality of the water entering the River Hamble is acceptable.
146. Furthermore, while basic drainage information has been provided, the Lead Flood Authority require further details showing how the increase in surface water discharge will be managed and calculations to demonstrate whether sufficient storage capacity is available within the proposed attenuation ponds. Without these details the Lead Flood Authority is not able to comment on the capacity and suitability of the proposed drainage system. At this stage it is questionable whether sufficient space is provided for the drainage system within the indicative layout as the attenuation ponds may have to be enlarged or additional drainage features added.
147. In terms of flood risk, the indicative plan shows all the built development is located within areas shown as Flood Zone 1, and therefore at a low risk of fluvial flooding. However, the accompanying flood risk assessment has not provided any current day or climate change flood levels details which are required to demonstrate that the development will remain safe over its full lifetime (100 years). It also does not show how safe access to and from the site can be achieved in the event of a flood.
148. An additional concern is the eastern attenuation pond, which is located close to flood zone 3. This feature is integral to the proposed surface water drainage strategy for the site and therefore must remain free from flooding over the full lifetime of the development. Without the necessary information provided, concern is raised that the attenuation pond may have to be re-sited further away from the River Hamble otherwise flooding events could disrupt the sites surface water drainage system.

Heritage

149. The closest historic assets to the site are the locally listed Maddoxford Farmhouse (50m to the north east of the Maddoxford Lane access point) and a collection of three Grade II listed buildings at Newhouse Farm (400m to the south along the public right of way).
150. The grounds for Maddoxford Farmhouse are close to the site entrance, on the opposite side of Maddoxford Lane. While it is noted that the treatment of the new entrance could impact the setting of this asset, the farmhouse is locally listed so a less significant heritage asset. The actual farmhouse is on the far side of the site and is relatively well screened by trees from the development. As such the

junction works are not considered to have an unacceptable impact on the heritage asset, and this impact could be lessened further if conservation kerbs are used and vegetation clearance is kept to a minimum.

151. The other three grade II listed buildings at Newhouse Farm are separated from the southern boundary of the site by a field and wooded copse and there is a significant change in levels down to the listed buildings. As such it is likely the new housing will be visible approaching the Newhouse Farm buildings along the public right of way. The proposed development therefore has the potential to compromise the rural setting of the heritage assets, particularly at the south-east corner of the site at the closest point to the farmstead.

152. The Built Heritage Officer has raised no objection to the development if the indicative three storey buildings in the centre of the site are lowered to two storey and the sites southern boundary is reinforcement with additional trees, some evergreen, to maintain the setting of the Grade II listed Newhouse Farm. However, these changes do not currently form part of the proposed development.

153. In term of Archaeology, there are no substantive archaeological records of the site although the heritage statement does refer to archaeological sites known in the surrounding landscape, which indicate that this landscape does have some archaeological potential. No objection has been raised by the County Council Archaeologist, subject to a condition securing archaeological surveying and recording.

Noise and Contaminated Land

154. The application is supported by information related to noise, vibration, ground gases and ground conditions. It is also acknowledged that the removal of the existing scrap yard from the northern part of the site will help lower noise and disturbance on the small collection of current dwellings around the site entrance.

155. The Environmental Health team has been consulted on the application and raised no objection. While there are a number of outstanding pieces of information still required, it is possible for the noise & vibration mitigation to be designed into the scheme at the reserved matters stage when the final layout and appearance is considered. The details of ground gases and associated mitigation would have been dealt with via conditions had the application been recommended for permission.

Minerals and Waste

156. The proposed development lies within the mineral and waste consultation area and is covered by Policy 15: Safeguarding – mineral resources of the adopted Hampshire Minerals and Waste Plan (2013). The purpose of the policy is to protect potentially economically viable mineral resource deposits from needless and unnecessary sterilisation and encourages the recovery of potential viable mineral resources prior to commencement of development.

157. Having reviewed the available data Hampshire County Council, as the Mineral Planning Authority, have concluded that the site has significant mineral potential. As such they have requested that further exploratory work be undertaken and this

inform a mineral resource assessment, that then needs to be submitted for approval. While this work has not been undertaken by the applicant, it would have been reasonable to deal with this as a pre-commencement had the development been recommend for permission.

Water and Foul Sewage

158. Southern Water have confirmed that they can provide a water supply to the site, but that there is currently inadequate capacity in the local network to provide foul and surface water sewerage disposal to service the development. The p development would increase flows into the wastewater sewerage system and as a result increase the risk of flooding in and around the existing area. Additional infrastructure would be required to provide the additional capacity; however, this can be secured through a process outside of the planning system, usually at the developer's expense. Southern Water therefore raised no objection to the application subject to conditions.

Impact on SPA

Nutrients

159. Natural England have advised that the increase in wastewater from new housing development within the borough is having a likely significant effect on the quality of water entering the Solent catchment area. New developments are 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). For this site the development is required to achieve nutrient neutrality for nitrogen.

160. A nitrogen budget calculator has been provided, which concluded that the development will result in an increased nitrogen load of 221.29kg/year. The accompanying report suggest ways in which it might be possible to provide nitrogen mitigation measures including:

- Rearranging the site layout to reduce the number of dwellings and provide more open space.
- Creating additional habitat on site including wetlands and ponds, which could form part of the sustainable urban drainage system.
- Buying nitrogen credits from an approved scheme.

161. However, while in theory these measures could provide the necessary nitrogen mitigation no firm details have been provided or mitigation secured as part of the planning application and therefore the necessary certainty that the development would not be harmful to the Solent has not been provided. Without the certainty of an agreed mitigation package, the application fails to demonstrate that the development would not have a likely significant impact on the water quality of the Solent and Southampton Water Special Protection Area & Ramsar Site, Solent Maritime Special Area of Conservation.

Recreational Disturbance

162. The site is within the 5.6km buffer of the Solent and Southampton Water Special Protection Area and 13.8km buffer of the New Forest. New housing development on this site is likely to result in a significant effect on the protected areas through an increase in residential disturbance. While it would be possible to mitigate for this increased residential disturbance (through schemes designed to manage and enhance these areas or provide suitable alternative recreational spaces) no mitigation has been secured as part of this development.

163. Without the certainty provided through an agreed mitigation package, the application has failed to demonstrate that the development would not have a likely significant impact through increased recreational disturbance on:

- The Solent and Southampton Water Special Protection Area & Ramsar Site, Solent Maritime Special Area of Conservation.
- New Forest Special Protection Area, Ramsar & Special Area of Conservation.

Planning Obligations

164. In accordance with Policies DM28, DM33 & DM38 of the Eastleigh Borough Local Plan (2016-2036), the Council's Planning Obligations & Affordable Housing Supplementary Planning Documents and the Community Infrastructure Regulations, there is a requirement for planning obligations to ensure on and off-site provision for facilities and infrastructure made necessary by the development, and to mitigate against any increased need/pressure on existing facilities.

165. As all of the information requested by the consultees has not been provided, it is not possible to draw up a full list of planning obligations. However, the list of planning obligations would have a minimum requirement of:

- Provision of 35% affordable housing on site
- Financial contributions towards:
 - i. Community infrastructure
 - ii. On-site public open space and play area provision
 - iii. Off-site public open space provision
 - iv. Sustainable transport measures and improvements
 - v. Improvements / enhancements to public right of way and local footpath network
 - vi. Primary and secondary education
 - vii. Health provision
 - viii. Public Art
- An application for the diversion of the public right of way and dedication agreement to provide bridleway rights.
- A mitigation package for the developments impact on the Solent and Southampton Water Special Protection Area & Ramsar Site, Solent Maritime Special Area of Conservation & New Forest Special Protection

Area, Ramsar & Special Area of Conservation. In terms of nutrient output and increase recreational disturbance.

Climate Change

166. In July 2019, the Council declared a Climate Change and Environmental Emergency. In doing so it agreed, among other things, to: (a) put in place measures to ensure the Council's own operations and functions achieve carbon neutrality by 2025; (b) work with partners to aim for all projects and services delivered in the Borough to achieve carbon neutrality by 2030; (c) ensure that the Council's procurement policy recognises carbon neutrality as one of its primary considerations; and (d) recognise the urgency of action to mitigate and adapt to climate change in every decision taken by the Council. This is underpinned by the Climate and Environment Emergency Strategy 2020–2030 and the supporting Climate and Environmental Emergency Action Plan – Update June 2020.
167. The declaration of the Climate Change and Environmental Emergency demonstrates a strong commitment from the Council to achieve net zero. The NPPF, development plan and adopted local plan policy do not set this as a specific target, but it is a material consideration to be considered alongside all other material considerations. In any case addressing climate change is a core part of the NPPF and local plan policy.
168. The NPPF aims for the need for housing to be met, and policy S2 of the Local Plan sets a target for 14,580 dwellings to be provided by 2036. The NPPF, Policies S1, DM2 and DM3 of the Local Plan and energy and water elements of the adopted Environmentally Sustainable Development SPD require development to be sustainable in terms of resource use, climate change and energy use. Had the application been recommend for permission it would be possible to impose conditions to this affect. When considering the impact of climate change, the proposed development would be expected to be resilient to the potential effects of climate change and is expected to reduce/limit impacts on climate emissions as a result of the development or its use.

Equalities Implications

169. Section 149 of the Equalities Act 2010 created the public sector equality duty. Section 149 states: -
- (1) A public authority must, in the exercise of its functions, have due regard to the need to:
- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
 - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

170. When making policy decisions, the Council must take account of the equality duty and in particular any potential impact on protected groups. It is considered that this application does not raise any equality implications.

Planning Balance

171. The national planning policy framework looks to achieve sustainable development, which has three overarching objectives i.e. economic, social and environmental.

172. The proposed development would provide some economic benefits. These include employment opportunities that would be created during the construction phase of the development, which will in turn result in increased spending within the local economy, for example on materials, goods and other services. In addition, the future occupiers of the residential properties would be likely to support local services and facilities, and a new homes bonus would also be paid. Furthermore, the proposals would result in financial contributions being secured to offset certain impacts of the development, and result in the enhancement of local infrastructure, facilities and public art.

173. The proposals would also provide some social benefits in delivering both affordable housing and market homes. The proposals also include the provision of a scout hut and play facilities and if permission were to be granted financial contributions would be sought towards local educational, health and community facilities that would benefit the residents.

174. Provided that they are appropriately secured, these elements are benefits of the development that would be considered in the planning balance and overall, it is considered that the development would be economically and socially sustainable.

175. Turning to environmental considerations, the proposal will result in some visual (and residential amenity) benefits by removing the small car scrap yard at the northern end of the site. However, the benefits associated with the removal of the scrap yard are outweighed by the visual impact of the major housing development. The report has outlined a number of serious environmental costs caused by the development including its impact upon the countryside location as well as existing trees, ecological features and the Sites of Importance for Nature Conservation.

176. Overall, it is considered that the environmental costs of the scheme strongly outweigh any economic and social benefits. In addition, the economic and social benefits identified are not unique to this scheme and could be accrued from a development of this size in a different location.

177. Furthermore, the Council has both a five-year housing land supply and a history of delivering housing sites (175% of housing delivery target). The Council has also a recently adopted local plan that set out its plan for sustainable development within the borough. As such there is no immediate pressure for

additional housing to be provided through unallocated sites outside of the urban edge.

Conclusion

178. Section 70(2) of the Town and Country Planning Act 1990 and Section 38(6) of the Planning and Compulsory Purchase Act 2004 require a local planning authority determining an application to do so in accordance with the Development Plan, unless material considerations indicate otherwise.
179. The principle of the housing development is not acceptable as it is located within the countryside and would result in the loss of high-quality agricultural land for which there is no over-riding justification.
180. It is considered that the proposal would amount to a visually intrusive form of development that would have an urbanising impact on the countryside and public right of way.
181. The number of units proposed is considered to be excessive, given the site constraints. The indicative layout would result in a cramped and poor-quality housing scheme that would have a detrimental impact on existing trees and ecological features, including the sites of importance for nature conservation.
182. Furthermore, insufficient information has been provided in relation to diverting the public right of way, site access, traffic impact on the highway network, sustainable transport, drainage, trees, ecology and flood prevention. The application also fails to secure planning obligations for the on and off-site provision of facilities and infrastructure and mitigation for the developments impact on the special area of conservation.
183. The application is contrary to planning policy and is therefore recommended for refusal.

