



SATCHELL LANE
HAMBLE-LE-RICE

PLANNING, DESIGN & ACCESS STATEMENT
LAND AT SATCHELL LANE, HAMBLE-LE-RICE

FOREMAN HOMES LTD

DECEMBER 2020





AERIAL
VIEW OF
THE SITE

CONTENTS

INTRODUCTION	4
PURPOSE OF THE PLANNING, DESIGN & ACCESS STATEMENT	
SITE ASSESSMENT	6
LOCATION	
EDUCATION & EMPLOYMENT	
TRANSPORT	
CHARACTER OF THE AREA	
THE SITE	
HISTORY OF THE SITE	
UTILITIES & SERVICES	
ACCESS & PARKING	
PLANNING HISTORY	
PLANNING POLICY	18
PLANNING POLICY FRAMEWORK	
EASTLEIGH BOROUGH LOCAL PLAN (SAVED POLICIES) (2001-2011)	
AFFORDABLE HOUSING SUPPLEMENTARY PLANNING DOCUMENT (2016)	
HOUSING MIX SUPPLEMENTARY PLANNING GUIDANCE (2003)	
QUALITY PLACES SUPPLEMENTARY PLANNING DOCUMENT (2011)	
RESIDENTIAL PARKING STANDARDS SUPPLEMENTARY PLANNING DOCUMENT (2009)	
THE NATIONAL PLANNING POLICY FRAMEWORK (2019)	
DESIGN PROPOSALS	27
LAYOUT	
STREET-DESIGN	
ARCHITECTURAL CHARACTER & CGIS	
PLANNING ASSESSMENT	34
USE	
AMOUNT	
LAYOUT	
PRIVATE AMENITY	
SCALE & MASSING	
FLOOD RISK	
ECOLOGY	
TREES & LANDSCAPING	
NITRATES	
CONCLUSION	37

1 INTRODUCTION

- 1.1 This Statement has been prepared by Foreman Homes Ltd in support of a full planning application to Eastleigh Borough Council (hereafter referred to as EBC) seeking permission for the proposed development as follows:

“Full planning application for the erection of 61 no. dwellings with associated public open space, landscaping and amenity areas including access off Satchell Lane, Hamble”.

- 1.2 This Statement sets out the relevant background for the determination of the planning application, including a description of the site and its surroundings, details of the proposed development and an assessment of the relevant planning considerations.
- 1.3 Planning permission for the development of the site for up to 70 dwellings consented through Appeal on 20 December 2018 (App/W1715/W/18/3194846 / O/17/80319). This granted outline planning permission with all matters reserved except for access (Decision at Appendix A). This statement illustrates the adopted design approach and explains the planning rationale behind this detailed submission.
- 1.4 This document should be read in conjunction with the application drawings and other technical documentation submitted in support of the planning application.
- 1.5 Of the wide-ranging benefits of the scheme are the provision of housing within a sustainable location and the contribution towards identified housing need within the Eastleigh Borough.
- 1.6 The Planning, Design and Access Statement has been prepared in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015 and the guidance in the Communities and Local Government publication on information requirements and validation (March 2010). It identifies the context and justification for the proposed development in reference to relevant local, regional and national Planning Policy considerations including, but not limited to, the presumption in favour of sustainable development as set out in the National Planning Policy Framework (NPPF).

PURPOSE OF THE PLANNING, DESIGN & ACCESS STATEMENT

1.7 This document explores the design rationale behind the proposal, explains the vision for the site and lays out how site specific features have been utilised in shaping plans. Good quality design is integral to creating a sustainable development. The National Planning Policy Framework (NPPF) emphasises that developments should;

- function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit;
- are sympathetic to local character and history, including the surrounding built environment and landscape setting;
- are visually attractive as a result of good architecture, layout and appropriate and effective landscaping; and
- Achieving good design is about creating places, buildings, or spaces that work well for everyone, look good, last well, and will adapt to the needs of future generations.



FIGURE 1: VIEW OF THE SITE

2 SITE ASSESSMENT

LOCATION

- 2.1 The application site is shown edged red on the Location Plan at Figure 2. It measures 3.53Ha and is located to the west of Satchell Lane, Hamble.



FIGURE 2: LOCATION PLAN

- 2.2 Sustainably located, the Site is located on the settlement edge of Hamble-Le-Rice which is primarily characterised by residential housing, marine-related activities and recreational facilities.
- 2.3 The Site is approximately 1.3 miles to the east of Butlocks Heath and 2.3 miles to the south-west of Old Bursledon. It comprises grazing land and slopes from the north-west corner towards the eastern edge.
- 2.4 Local services and facilities are within walking distance of the site allowing for the promotion of sustainable development. Hamble village lies approximately 0.87 miles to the south of the site of which there are two routes via foot including an established footpath along the western boundary of the site. The second one is

along the paved footpath along Satchell Lane.

- 2.5 In terms of the broader context, the Site is surrounded by pockets of woodland with Royal Victoria Country Park, Netley just 2.2 miles away and Hamble Common 1.6 miles away. These doorstep locations offer beautiful, tranquil surroundings to residents and visitors to enjoy.

EDUCATION & EMPLOYMENT

- 2.6 Hamble Secondary School is located 0.6 miles away, and Hamble Primary School is 1.3 miles respectively. The area offers many employment opportunities at local shops and services as well as Hamble Court Estates Business Park and Cooper Vision.

TRANSPORT

- 2.7 The site is served by existing bus stops along the high street and accessible via the footpath which bounds the site. Further, the site is within close proximity to Hamble Train Station lying approximately 0.8 miles to the north-west of the site with regular services to Southampton Central and Fratton

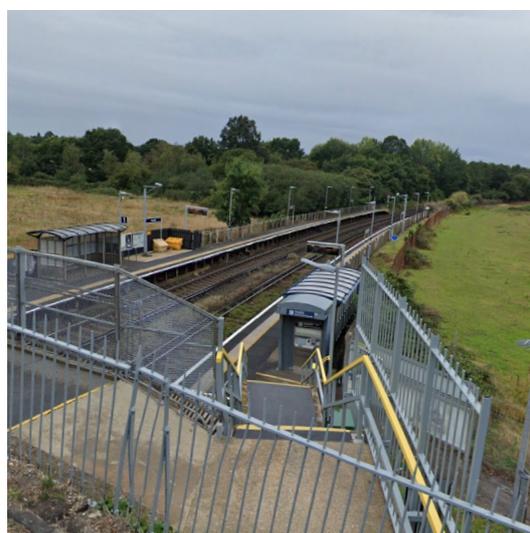


FIGURE 3: HAMBLE TRAIN STATION

CHARACTER OF THE AREA

- 2.8 Studies of the local architectural vernacular have driven the design rationale of the proposed homes. Analysis in the form of site visits and desk-based research has enabled an understanding of the architectural context in which the site is located.
- 2.9 The architecture along Satchell Lane varies as do the plot widths and building sizes. Dwellings include a mix of two-storey terraces and semi-detached houses and one and two-storey detached dwellings. As a consequence, there is no dominant or consistent architectural vernacular as the character changes along the length of the road.
- 2.10 Predominant features in the local area include:

Estates east of Satchell Lane

Mostly detached, with limited terraces and semi-detached houses
Predominantly red brick with grey/brown roof tiles

Satchell Lane (north)

Variety of house styles and architectural detailing
A verdant street character with trees and hedges

Historic Core

Tight building grain, with houses hugging the street
Variety of building materials, including stone, brick and render
Varying roof heights

Modern Infill

Range of house-types but with strong continuous frontage
Variety of building materials and details



FIGURE 4: SATCHELL LANE



FIGURE 5: THE SQUARE, HAMBLE



FIGURE 6: HALYARDS



FIGURE 7: SATCHELL LANE



FIGURE 8: HAMBLE VILLAGE



FIGURE 9: DWELLING WITH TIMBER CLADDING



FIGURE 10: 2 1/2 STOREY DWELLINGS OFF THE SQUARE



FIGURE 11: MERCURY GARDENS

THE SITE

- 2.11 The Site is irregular in shape and occupies a parcel of land which is well contained in views from the broader area by virtue of the existing built development and mature boundaries. Views of the Site are therefore limited but visible from Satchell Lane, the adjoining footpath and the neighbouring houses.
- 2.12 Sustainably located, the Site is located on the settlement edge of Hamble-Le-Rice which is primarily characterised by residential, marine-related activities and recreational facilities.
- 2.13 The Site comprises agricultural land which is currently used for grazing. It slopes from the north-west corner towards the eastern edge and lies within a curve formed by Satchell Lane. It is bound by the lane to the north, and by residential properties accessed off the lane to the east and south. To the west, the Site is bound by hedgerow adjacent to a public footpath.
- 2.14 Close to the Site is Riverside Park Camping, Caravan and Holiday Park, with several static caravans/lodges located along the north of the road. A short row of 20th Century terraces, the Halyards, lies opposite the Site to the north-east and forms the northernmost extent of residential development within the settlement. The existing houses west of Satchell Lane which back or side onto the Site have deep rear gardens and comprise large, detached, one or two storey homes. East of Satchell Lane opposite the Site is the 20th Century estate housing, accessed off culs-de-sac leading from Satchell Lane, with the River Hamble located beyond to the east.
- 2.15 An area of open land once used as Hamble Airfield lies to the south-west and west of the Site. The field is currently informally used for walking and dog exercising and comprises rough grassland and scrub. Around 400m south of the Site, along the southern edge of the former airfield and the northern edge of the residential development, lies a recreation ground, including The Pavilion (function hall, meeting rooms and changing facilities) and two Multi-use Games Areas. Hamble Lane lies to the west of the former airfield and leads north from Hamble village towards Hound.
- 2.16 The Site is located in the countryside; however, it lies adjacent to the existing

built-up residential area of Hamble-Le-Rice and would be well related to the existing settlement. Given its immediate built-up surroundings and sustainable location, it would positively lend itself to residential housing, ensuring efficient use of the land while contributing to EBC's housing provisions.



FIGURE 12: VIEW OF THE SITE



FIGURE 13: VIEW OF THE SITE

- 2.16 Mature trees and hedges are located to the boundary of the Site. The careful and considerate design has resulted in a generous separation between trees and dwellings. The arrangement of access and driveways results in the trees being distal to the properties and their gardens, and so ensures a long term harmonious relationship. The retention of the green links to the perimeter of the Site will ensure the area continues to provide substantial ecological benefits.
- 2.17 The western boundary is formed by a fence and hedge separating the Site from agricultural land associated with a former airfield. The larger parcel is Grade 1 (excellent) under Natural England's Agricultural Land Classification (August 2010), and the Site itself is classified as Grade 2 (very good) due to a slight drought limitation.

HISTORY OF THE SITE

- 2.18 The site falls within a large area described as airfields in the Hampshire Historic Landscape Character (HLC) survey.
- 2.19 In the mid-1920s, 200 acres of farmland on the west side of Satchell Lane was converted to an airfield used by the Hampshire Aero Club and in the 1930s it became a training site for pilots and was known as Britain's Air University. During the WWII the airfield served as a repair base for Spitfire aircraft. The airfield shut in 1986 and, today, the airfield is unrecognisable. There are a number of WWII pill-boxes in area, as well as air-raid shelters and other military sites plotted from aerial photographs. A structure identified as a WWII era Battle Headquarters was recorded at the former Hamble Aerodrome as part of recent archaeological investigations (ASE 2014). **(Orion, 2020)**
- 2.20 No statutory designations (Listed Buildings, Conservation Areas, Scheduled Ancient Monuments or World Heritage Sites) are located within or immediately adjacent to the study site boundary.



FIGURE 14: HISTORIC MAP OF THE SITE FROM 1930



FIGURE 15: HAMBLE VILLAGE (FRANCIS FIRTH)



FIGURE 16: HAMBLE VILLAGE (FRANCIS FIRTH)



FIGURE 17: HAMBLE AIRFIELD (GOOGLE IMAGES)

THE SITE WAS
FORMERLY AN
AIRFIELD USED BY
THE HAMPSHIRE
AERO CLUB IN THE
1930S.

UTILITIES & SERVICES

2.21 As part of the development planning process, searches have been undertaken with all the local service providers. The searches revealed that there is a large oil pipeline and a medium pressure gas main which lie to the west of the public footpath as well as a medium pressure gas main which crosses the northern part of the Site. In addition, there is a Gas Governor for pressure reduction from medium pressure to low pressure located to the west of the northwestern corner of the Site and a gas compound to the east of the northeastern Site corner. The development will, therefore, be designed to incorporate these services within suitable easements.

ACCESS & PARKING

2.22 Vehicular access to the site is provided in the form of a simple priority junction with Satchell Lane in the north-east corner of the site. The proposed access was permitted as part of the outline application and is therefore considered to be acceptable. The location has been carefully considered to minimise tree loss while ensuring a good level of connectivity to the existing built edge of the settlement. Clearance of some of the vegetation on the inside of the bend on Satchell Lane to the east of the new access will need to be undertaken in order to provide the required forward visibility splays. It is proposed to include new tree planting to compensate for the loss of the trees which require removal to accommodate the new road.

2.23 Parking proposed is compliant with Eastleigh Borough Council's policy on parking standards, as fully explored within the supporting Transport Assessment. Car parking is designed so that the street scene is not dominated by vehicles, ensuring that pedestrians and cyclists are not inconvenienced. The majority of car parking is to be within the curtilage of the associated dwelling and to take the form of a private driveway or garage. Parking provision is interspersed with new landscaping to ensure that vehicles do not dominate the street scene or detract from the development's overall character.



FIGURE 18: SATCHELL LANE

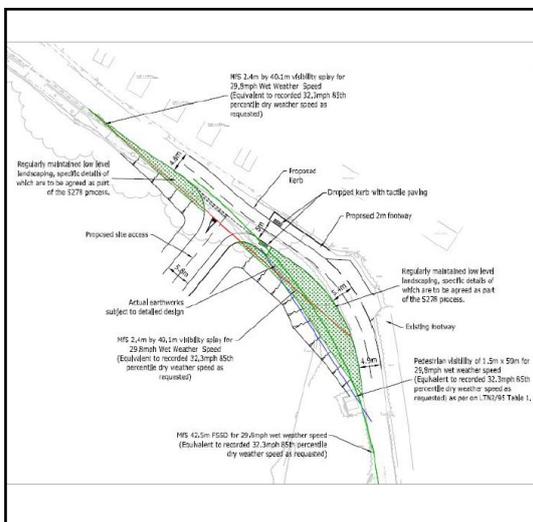


FIGURE 19: ACCESS APPROVED AT OUTLINE



FIGURE 20: FOOTPATH ADJACENT THE SITE

PLANNING HISTORY

2.24 An outline application was submitted in April 2017 (ref: O/17/80319) for the development of up to 70 no. dwellings with associated access, public open space, landscaping and amenity areas. The application was refused on the 26th September 2017 with five reasons for refusal. The main reasons related to the effect of the proposal would have on the character and appearance of the countryside, and that site was unsustainably located with regards to the proximity and accessibility to local services and facilities. The Council also stated that the access would have an unacceptable interference with the safety and function of the highway network, insufficient information had been provided to determine a suitable scheme for drainage, and the application fails to secure provision for developer contributions.

2.25 An appeal against the refusal to permit the application was submitted 25th January 2018 (APP/W1715/W/18/3194846) and was allowed at an inquiry on the 20th December 2018 (Appendix A). Only two issues were analysed as part of the appeal as the other reasons for refusal had been resolved. These reasons were the effect of the proposal on the character and appearance of the area and sustainable location of the site.

2.26 With regards to the first issue, the Inspector gave limited weight to the relevant policies, stating:

“I find that although LPR policy 1.CO (and related policies) do not apply a blanket prohibition in the countryside. However, the approach clearly lacks the flexible and balanced approach towards the issue enshrined in the Framework. On that basis, the policies should be accorded reduced weight” (paragraph 16)

And:

“The proposal would be in the countryside and would cause limited harm to the character and appearance of the area and conflict with the policies summarised above (which have limited weight) (paragraph 32)

2.27 This demonstrates that the perceived impact on the countryside and the character

of the area are not considered to be detrimental and should not hinder the development of this site for residential purposes.

2.28 The Council considered the site to be unsustainably located as the northern stretch of Satchell Lane was deemed to be an unsafe walking route to facilities. The Inspector agreed with this statement; however, the issue was dismissed with the Inspector concluding:

“Overall there is no policy requirement that a specific walking route should be acceptable, especially when other routes and transport modes exist. [...] the appeal site is sustainable in locational terms having regard to the proximity of and accessibility to local services and facilities.” (Paragraph 42)

2.29 Overall the Inspector’s conclusion was:

“The key factor to be set against the benefits of the proposal is the conflict with the settlement boundary and related landscape policies. As set out above, I attach limited weight to these matters, and this harm is substantially outweighed by the benefits of the proposal.” (Paragraph 66)

2.30 The scheme subject to this application primarily reflects the permitted development concept plan and the access off Satchell Lane. The outline permission was for the development of up to 70 no. dwellings; the proposal subject to this application allows for a reduction in numbers to 61 no. dwellings.

3 PLANNING POLICY

PLANNING POLICY FRAMEWORK

- 3.1 Section 38(6) of the Planning and Compulsory Purchase Act (2004) sets out a requirement that planning applications are to be determined in accordance with the Development Plan unless material considerations indicate otherwise.
- 3.2 Section 38(6) of the Planning and Compulsory Purchase Act (2004) sets out the requirement that planning applications are to be determined in accordance with the Development Plan unless other material considerations indicate otherwise.
- 3.3 Section 39 of the Act identifies the requirement for decision-makers to exercise their functions to contribute to the achievement of sustainable development. These requirements are to be considered in line with paragraph 11 of the National Planning Policy Framework (NPPF).
- 3.4 At a local level, the statutory development plan for the purpose of 38(6) comprises Eastleigh Borough Local Plan Review (2001- 2011). The proposed Eastleigh Borough Local Plan (2016-2036) remains un-adopted and is currently subject to examination by the Planning Inspectorate; therefore, this plan can be afforded limited weight.

EASTLEIGH BOROUGH LOCAL PLAN (SAVED POLICIES) (2001-2011)

- 3.5 **1.CO Protection of the Countryside:** The site is located within the countryside where policy aims to prevent development that does not require a countryside location.

The site lies adjacent to the existing built-up residential area of Hamble-Le-Rice. The principle of developing the site has been established through the permitted outline application for up to 70 no. dwellings (ref: O/17/80319). As part of the appeal, it was debated as to how much weight should be given to this policy due to age of the Local Plan Review (LPR), the use of the policies in other planning decisions within the countryside and the consistency with the National Planning Policy Framework. The Inspector stated:

"[...] In this case, I find that although LPR policy 1.CO (and related policies) do not apply a blanket prohibition on development in the countryside they are out of

step with national policy. I therefore attribute limited weight to the countryside policies.” (Paragraph 19 of the Appeal Decision)

This was coupled with the fact that although the Council could demonstrate a 5 year housing land supply, this had been achieved through allocations and permission for development on greenfield sites outside of the settlement boundaries and within strategic gaps. The Inspector stated that:

“I do not criticise the authority for any of these decisions but it is reasonable to infer that, in those cases, the Council either considered that the settlement boundary carried reduced weight or that the policy harm was outweighed by other considerations” (Paragraph 18)

In line with the Inspector’s conclusion, limited weight should be given to policy 1.CO and other related policies, when considering the application. There have been

- 3.6 **18.CO Landscape Character:** The policy sets out that development that does not respect or has an adverse impact on the intrinsic character of the landscape will be refused.

The site is well contained from the broader area by virtue of the existing trees and development along the eastern boundary. The development would be partially visible in long-distance views from the public footpath along the eastern bank of the River Hamble. However, this is a considerable distance away, and it is hard even to identify the site from that direction. There are limited views of the site from the road itself, and unobstructed views from the footpath which runs along the western side of the site. The site was identified in the Council’s study (2018) as being within an area having low sensitivity to residential development. This was defined as meaning that “development may be more easily accommodated without significant negative landscape or visual impact, with limited mitigation”.

As established in the determination of the outline application, the character of the countryside in this location is not considered to be of significant value:

“Overall, this is medium quality landscape area with a low sensitivity to residential

development. The effect of the proposal would be appreciated only from close views. That said, the proposal would be in the countryside and would cause limited harm to the character and appearance of the area and conflict with the policies summarised above (which themselves have limited weight)". (Paragraph 32 of the Appeal Decision)

The Inspector set out:

"[...] the site is strongly influenced by the proximity of the existing settlement." (Paragraph 22)

As development for up to 70 no. dwellings was acceptable, the proposal for 61 no. dwellings should also be considered in the same manner as it will have a smaller impact on the landscape character. The character has already been classified as being a medium quality landscape area the proposal should, therefore, be considered to be acceptable.

- 3.7 **20.CO Landscape Improvements:** In areas identified for landscape improvements, proposals which would prejudice such improvements or which in themselves would be detrimental to the quality of the landscape will not be permitted.

The northern and eastern boundaries of the site have been identified for landscape improvements as part of the Local Plan Review. This policy was given limited weight at appeal and therefore in accordance with the Inspector's conclusion, it should not be a material consideration in the decision of the application. The emerging plan, although it has limited weight at this stage, has removed this designation on the site therefore indicating this is no longer considered necessary.

- 3.8 **24.NC Protected Species:** Development will not be permitted where it would adversely affect species or habitats which are protected by legislation unless appropriate measures are proposed which would acceptably mitigate the impact on those species.

A Preliminary Ecological Appraisal (PEA) and associated reports have been submitted in support of the application. Mitigation measures set out within the reports will be incorporated. The assessment concludes that the site does not

provide a suitable habitat for reptiles therefore a presence/absence survey will not be required. It is considered that there will be no dormice on site, therefore no additional surveys will be required. There is a low potential for roosting bats and foraging and commuting, further surveys will therefore be undertaken during the relevant seasons. The site is within the 5.6km buffer zone of the Solent and Southampton Special Protection Area and therefore monetary contributions will be required to offset any impact the development will have on the SPA. Contributions will be secured by a S106 when permission is granted.

- 3.9 **34.ES Energy & Climate Change:** Planning permission will only be granted for proposals which make an appropriate contribution towards the Government's target to reduce levels of carbon dioxide and other greenhouse gases in the atmosphere.

The accompanying Sustainability Report demonstrates how proposals comply with the Council's requirements and policies. Relevant details are to be secured by condition.

- 3.10 **45.ES Flooding and Erosion:** Proposals must incorporate adequate measures for the disposal of surface water from the development. Where practical source control techniques and sustainable urban drainage systems should be incorporated.

The accompanying Flood Risk Assessment and Drainage Strategy sets out the proposed measures for disposal of surface water. The proposed strategy will utilise conventional gully and pipe drainage, along with permeable pavement to capture and attenuate runoff, with flows directed to the pond/swale in the east of the site. Rates will reflect greenfield run off and there will therefore be no risk of flood on or off site.

- 3.11 **59.BE Promoting Good Design:** Development will be permitted that accords with the policies in the Local Plan and provided they meet ten criteria. Proposals must take account of the context of the site including character and appearance of the locality. Development must make efficient use of the land and incorporate an appropriate mix of dwelling type. High standard landscape design and appropriate planting will be required.

The scheme meets all criteria, and the design rationale of the development is fully explored in this Statement.

The previous application was considered to be contrary to policy as the development was perceived to have an unacceptable urbanising and visually intrusive impact upon the countryside and would be detrimental to the character, visual amenity and quality of the landscape. The Inspector considered this would not be the case:

"[...] The proposal would not be out of keeping with the general form of development in this part of the settlement." (Paragraph 28)

The site has been identified in the As being within an area having low sensitivity to residential development which means "development may be more easily accommodated without significant negative landscape or visual impact, with limited mitigation". As part of the appeal the Council agreed that the character of the wider area would not be materially affected.

On this matter the Inspector concluded:

"Overall, this is a medium quality landscape area with a low sensitivity to residential development. The effect of the proposal would be appreciated only from close views. That said the proposal would be in the countryside and would cause limited harm to the character and appearance of the area and conflict with the policies summarised above (which themselves have limited weight" (Paragraph 32)

- 3.12 **72.H Housing Densities:** In areas which are close to good public transport, facilities and amenities the maximum residential density compatible with the protection of reasonable residential amenity up to or beyond 50 dwellings per hectare (dph) if appropriate. Only in exceptional circumstances will the Council accept densities of less than 30 dph where it is considered to be in the best interests of protecting the amenity of the area.

The proposed development of 61 no. dwellings equate to a density of 22 dwellings

per hectare. Although the site is located within walking distance from public transport and services, the reduced density should be considered good practice. The density will ensure that the new dwellings integrate with, and complement the local area in terms of scale, massing and layout while sympathetically responding to the site's edge of village location.

- 3.13 **73.H Creating Mixed Communities:** Housing developments will need to provide an appropriate mix of dwelling types. The desired mix is set out in the Council's Housing Mix Supplementary Guidance 2003.

A policy compliant mix of dwellings is proposed of varying scales and housing types. Dwellings will be a mix of 1, 2, 3 and 4 bedroom houses consisting of detached, semi-detached, terraced and maisonettes.

- 3.14 **74.H Affordable Housing:** developments should provide 35% affordable housing which should be a mix of type and tenure.

The proposal includes the provision of 21 no dwellings on site which will be a mix of affordable rent and shared ownership. Further details are included in the submitted Affordable Housing Statement.

- 3.15 **100.T Transport & New Development:** Development should be well served by public transport, cycling and walking, including measures that minimise its impact on the existing transport network. Development should be located to minimise travel demand and provide a choice of transport Mode.

There are many facilities located to the south of the site within Hamble village as well as services such as a secondary school, a health centre and railway station to the north. The previous application was refused on account that the facilities to the north could not be accessed safely through the use of the northern stretch of Satchell Lane. The southerly however, can also be used to access these facilities and the walking and cycling distance was considered acceptable by the Inspector at appeal. The Inspector concluded:

"The appeal site is sustainable in locational terms having regard to the proximity of and accessibility to local services and facilities. It complies with policy LPR 100.T" (Paragraph 42)

- 3.16 **102.T Development requiring new or improved access:** will be permitted provided it does not interfere with the safety, function and standard of service of the road network or have adverse environmental implications and is to the adopted standard of the highway authority.

The proposed access was permitted as part of the outline application as is therefore considered to be acceptable.

- 3.17 **165.TA Public Art:** The Council will encourage developers to set aside 1% of the cost of new development for commissioning art work.

A contribution will be made to public art and will be set out in the S106 agreement.

- 3.18 **147.OS Public Open Space:** new residential developments are required to provide 2.85 ha of open space per 1,000 population.

The proposed development includes an equipped play space which is located in the southern area of the site and green open space which is located in the centre. These areas will be sufficient to accommodate the needs of future and existing residents.

- 3.19 **191.IN Developers Contributions:** Appropriate proposals will be permitted where the developer has made the arrangements for the provision of or pay contributions towards infrastructure, services, facilities and amenities.

Relevant contributions will be made when permission is granted and will be covered through a S106 agreement.

AFFORDABLE HOUSING SUPPLEMENTARY PLANNING DOCUMENT (UPDATED MAY 2016)

- 3.20 The proposed dwelling mix will provide for a range of housing types that will meet needs in the surrounding area, including those requiring both smaller and family sized dwellings. The affordable housing requirement at this site is to be in accordance with Eastleigh's standards as set out in the Affordable Housing Statement.

HOUSING MIX (BASED ON HOUSE SIZE) SUPPLEMENTARY PLANNING GUIDANCE (2003)

3.21 Expands on the provision of policy 73.H of the Local Plan (2001- 2011). The scheme as proposed provides for a mixture of dwellings including detached, semi-detached, terrace and maisonettes.

QUALITY PLACES SUPPLEMENTARY PLANNING DOCUMENT (2011)

3.22 As explored in this Statement, the design approach has been fully informed by this guidance.

RESIDENTIAL PARKING STANDARDS SUPPLEMENTARY PLANNING DOCUMENT (2009)

3.23 This SPD sets out the standards for parking and cycle spaces required on site. The proposed provision is in accordance with policy.

THE NATIONAL PLANNING POLICY FRAMEWORK (2019)

3.24 The NPPF is a material consideration in the determination of planning applications. Paragraph 11 of the Framework states:

“Plans and decisions should apply a presumption in favour of sustainable development. For decision-taking this means:

c) approving development proposals that accord with an up-to-date development plan without delay; or

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

i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or

ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.”

3.25 To achieve sustainable development there are three overarching objectives: economic, social and environmental. The scheme demonstrates all three aspirations:

ECONOMIC

3.26 The development will provide employment opportunities throughout the construction stage. Financial contributions resulting from planning permission will be made towards improving infrastructure and other local projects. The development will allow for an increase in population and will bring income and businesses into the locality. The development will support growth, innovation and improved productivity of both the local area and the Borough as a whole.

SOCIAL

3.27 The site is sustainably located adjacent to the existing residential area of Hamble-Le-Rice which lies approximately 1.4km to the south. The development will provide a mix of size and type of homes, which will provide for current and future generations and encourage a cohesive mixed society. The incorporation of the equipped play space to the south and the open green in the centre of the site will allow for interaction of future and existing residents and will promote outdoor leisure and healthy living.

ENVIRONMENTAL

3.28 The proposal includes the retention and enhancement of landscaping which will promote biodiversity of the site. The site is within cycling and walking distance to a number of facilities and amenities which provides residents with the opportunity to access these through alternative transport measures than private cars. The Inspector concluded in the decision notice that:

“As agreed by the Council, the economic and social benefits of the proposal are worthy of significant weight.” (Paragraph 64 Appeal Decision)

and that the harm to the settlement boundary and related landscape policies

“[...] is substantially outweighed by the benefits of the proposal” (Paragraph 66 Appeal Decision)

Therefore, the proposed development should be considered acceptable and permitted without delay.

4 DESIGN PROPOSALS

- 4.1 The design of the proposals builds from the illustrative layout proposed from the approved Outline planning permission. It adopts detailed building and landscape designs which will respect and enhance the character of Hamble and the surrounding area. The design principles have been shaped by planning requirements and the results of on-site surveys, an iterative process.
- 4.2 The philosophy behind the design is to create a high quality, sustainable, residential development which responds to, and seeks to enhance, existing features in the landscape.



FIGURE 21: PROPOSED SITE LAYOUT

LAYOUT

- 4.3 The proposed development is for 61 no. dwellings with associated landscaping, open space and access off Satchell Lane. There will be a mix of 1, 2, 3 and 4-bed houses being in the form of detached, semi-detached, terraced and maisonettes. The majority of the dwellings will be large detached dwellings to reflect the character of the area.
- 4.4 Proposals have been developed to reflect the principles of good urban design while accounting for existing landscape features. The layout has been influenced by the desire to retain the existing gas main along its current alignment. The new homes are set back from the Site's boundaries to retain and respect the mature trees in the north, the existing neighbours to the east and the route of the public footpath to the west.
- 4.5 The principal street running through the development will be suitable for all types of predicted traffic movements. Secondary streets will provide essential connections between the spine street and the peripheral areas overlooking the new open spaces. The layout will have the related benefits of increasing natural surveillance resulting from active frontages and hence producing safer streets.
- 4.6 Off-street, allocated car parking will comply with policy requirements and ensure that vehicles do not dominate the street scene or act as a barrier for the movement of pedestrians or cyclists. The proposals for the Site comprise a considered and sensitively designed mix of new homes and supporting uses and green infrastructure to create a sustainable and vibrant new housing area for Hamble.
- 4.7 Landscaping and design principles create a hierarchy of spaces within the development. Identifiable character allows for clarity when moving through the Site and provides a clear definition of public and private space. Dwellings front onto the public footpath to the west, allowing for passive surveillance of the path to increase the sense of safety for pedestrians who use it.
- 4.8 An equipped play space will be provided in the southern area of the Site to accommodate future and existing residents. An open green will be delivered

within the centre to give more recreation opportunities as well as a focal point of the development where residents can interact and relax.

- 4.9 The design of the development has taken into consideration the relationship between the Site and the former airfield to the west in accordance with condition 15 of the Outline Application. Although the Site is naturally separated from the Site by the public footpath running along the western boundary and the strategic Esso pipeline running underground along this boundary, the layout also incorporates a landscape buffer to this area. The development will consist of roadways and footpaths which will not disturb the makeup of the adjoining Site.

STREET-DESIGN

- 4.10 Calming and slowing traffic is an integral part of delivering streets for people and encouraging more sustainable forms of movement such as walking and cycling. Recognised methods to slow vehicles and to encourage users to drive with caution are proposed and include;

- Locating buildings close to the street edge of the carriageway.
- The introduction of features that act as visual ‘incidents’ along the street.
- Changes in carriageway surface treatment.
- The use of well designed ‘shared surfaces’ to create streets for all.
- Safely restricting forward visibility through the arrangement of buildings, the building line and landscape treatment.



SEE HGP'S
SUPPLEMENTARY
DESIGN DOCUMENT
FOR FULL DETAILS
OF THE DESIGN
EVOLUTION.

ARCHITECTURAL CHARACTER & CGIs

4.11 The architectural design of the house-types has been progressed and influenced by the three key areas identified and incorporated into the proposal. Including:

1. Arrival
2. Rural Edge
3. Village Green



FIGURE 22: CGI VIEW POINTS

4.12 The specific areas add an intuitive sense of orientation throughout the site with subtle changes in materials and language that will reflect the immediate context. The following CGI viewpoints present how the architectural designs complement one another.



FIGURE 23: VIEW 1



FIGURE 23: VIEW 2



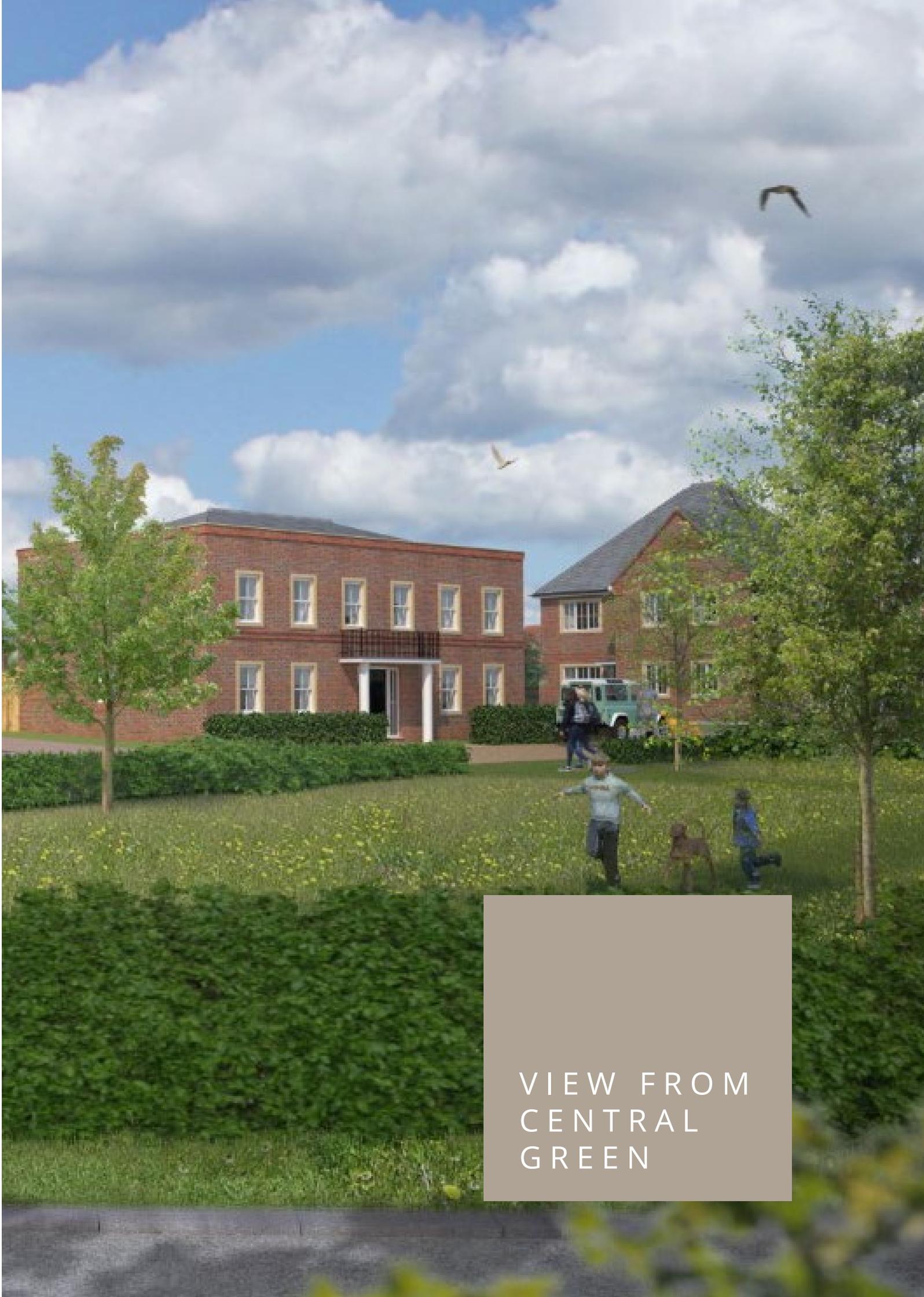
FIGURE 23: VIEW 3



FIGURE 23: VIEW 4



FIGURE 23: VIEW 5



VIEW FROM
CENTRAL
GREEN

5 PLANNING ASSESSMENT

USE

- 5.1 The site benefits from outline planning permission for up to 70 dwellings granted at appeal in December 2018. The proposal is for 61 no. dwellings and is a smaller quantum of development than that previously approved, and therefore generates lesser impacts.

AMOUNT

- 5.2 The proposal consists of 61 no. two storey dwellings that range in style depending on their defined character area. The dwellings range from approximately 45 – 273 square meters in size. Garages are provided for on plot parking and include suitable space for a bin and cycle store.

LAYOUT

- 5.3 This proposal seeks to make good of this underutilised land with a low density high quality housing scheme. 61 dwellings are proposed, each with their own garden and designated parking spaces in-line with the local guidance. The layout has been designed so that it minimises its impact on the surrounding neighbours placing each house away from the immediate boundary, whilst creating a pleasant environment complete with public open spaces and views out into the countryside.
- 5.4 The scheme has been considered in the context of the Council's Supplementary Planning Documents and conforms to current guidelines. The scale of the proposal is low density with only 2 storey dwellings proposed which will allow the scheme to sit comfortably adjacent to its neighbours. Overall the development will offer an attractive place to live within an engaging environment

PRIVATE AMENITY

- 5.5 All dwellings offer a sizeable, policy compliant garden area providing suitable residential amenity.

SCALE AND MASSING

- 5.6 The design has had careful regard to residential dwellings within the immediate vicinity, and the number of dwellings has been reduced from 70 to 61. All proposed dwellings are to be two storey matching the surrounding domestic scale. A

traditional approach has been sought through the design creating a consistent masterplan with character areas to be defined by detailing and materials. The street scenes show how the range of styles blend seamlessly to create a holistic proposal. The site sections and CGIs demonstrate how the proposed dwellings will sit within the character of the area.

FLOODING

- 5.7 The Flood Risk Map for Planning (Appendix A) shows the site to be within Flood Zone 1, an area with a low probability of flooding. The Long-Term Flood Risk Map shows the site at 'very low risk' of flooding from rivers and the sea. It also shows the site to be at 'very low risk' from surface water flooding.

ECOLOGY

- 5.8 The application is accompanied by a preliminary ecological appraisal (PEA) undertaken by Ecosupport. The report states there is low potential for roosting bats within the pillbox, low potential for breeding and nesting birds and moderate potential for foraging and commuting badgers. In the absence of any mitigation measures, the proposed development is anticipated to result in potential adverse affects. Suitable mitigation measures are outlined within the associated reports.
- 5.9 The site lies within the vicinity of the Solent SPA. In order to mitigate for the likely increases in residential pressure upon this SPA, due to the high densities of wildfowl and waders for which the area is predominantly protected, the Solent Recreation Mitigation Strategy (SRMS) has been introduced in collaboration with Natural England, comprising a partnership of all local councils. Mitigation towards the SPA must be provided for all new recreational developments within the 5.6km disturbance zone of the SPA.

TREES AND LANDSCAPING

5.10 The site is not covered by any statutory or non-statutory designations for landscape character or quality. The Landscape Strategy seeks to emphasise the key landscape features of the site and fundamental to the design approach has been a robust Landscape Strategy fully informed by existing site features and the palette, scale and species of locally found vegetation which will inform and enhance the setting.



FIGURE 49: EXAMPLE OF NATURAL PLAY

5.11 The green infrastructure and landscape design principles allow for the retention and strengthening of hedgerows and tree lines along the site boundaries; these have been recognised as key landscape features for the area. The tree-lined border to the north will help screen the development from external views while the western boundary will be enhanced through new planting, where achievable. The site is well contained through views from the south by virtue of the existing built development.



FIGURE 50: EXAMPLE OF MATURE HEDGEROWS

NITRATES

5.12 As the proposal will result in an increase in the number of dwellings, there will be a need to offset the nitrate generated by the development. Currently, development can be offset against Council owned land. This is known as “nitrate credit” and will be charged at £4,500 per dwelling. Foreman Homes seek to adopt a similar approach.



FIGURE 51: THE SITE

6 CONCLUSION

- 6.1 This Planning, Design and Access Statement has been prepared in support of the full planning application for 61 no. dwellings with associated public open space, landscaping and amenity areas with access off Satchell Lane.
- 6.2 Detailed assessment and evaluation of the site, its context and local vernacular has resulted in a coherent and integrated development proposal. The submitted application comprises a considered and sensitively designed mix of new homes, supporting uses and green infrastructure to create a sustainable and vibrant new housing area within Hamble.
- 6.3 In line with National and Local Government Policy and accepted best practice, considerable importance has been placed on achieving a high standard of design across the site. The application of sound urban design principles has provided the basis for a design and development framework where quality is paramount. The identification of opportunities and influences ensures that the proposed will be sensitively assimilated into the neighbourhood and the wider landscape. The design process is underpinned by the understanding that successful urban design is dependent on achieving an appropriate relationship between community needs and aspirations, development form and a positive response to local conditions.
- 6.4 In conclusion, the application has both been fully described and justified within this planning, design and access statement. The principle of development has already been agreed through the permission of the outline application. The proposal provides for an entirely acceptable form of sustainable development and, for the reasons set out, the application should be supported and planning permission granted.



Appeal Decision

Inquiry Held on 16, 17, 23, 24 October 2018

Site visit made on 24 October 2018

by Phillip J G Ware BSc(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20th December 2018

Appeal Ref: APP/W1715/W/18/3194846
Land at Satchell Lane, Hamble-le-Rice SO31 4HP

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Mr S Bull and Mr R Janaway against the decision of Eastleigh Borough Council.
 - The application Ref O/17/80319, dated 12 April 2017, was refused by notice dated 26 September 2017.
 - The development proposed is up to 70 dwellings together with associated access, public open space, landscaping and amenity areas.
-

Procedural matters

1. The application was submitted in outline, with only access to be considered along with the principle of the development. I have dealt with the appeal in this manner.
2. A Planning Obligation, dated 23 October 2018, was submitted during the Inquiry¹. I have taken account of this Obligation and will return to this below.

Decision

3. The appeal is allowed and planning permission is granted for a development of up to 70 dwellings together with associated access, public open space, landscaping and amenity areas on land at Satchell Lane, Hamble-le-Rice SO31 4HP in accordance with the terms of the application, Ref O/17/80319, dated 12 April 2017, subject to the conditions set out at the end of this decision.

Main issues

4. The application was refused by the Council for five reasons. By the time of the Inquiry three of these had been resolved and were no longer contested by the Council² (although some were still contested by third parties). These related to the detail of the access, drainage and developer contributions.
5. On that basis, there are two main issues in this case:
 - The effect of the proposal on the character and appearance of the area

¹ Document 11

² Details set out in Statement of Common Ground (SOCG) 1.5 – 1.11, together with Planning Obligation

Appeal Decision APP/W1715/W/18/3194846

- Whether the appeal site is sustainable in locational terms, having regard to the proximity of and accessibility to local services and facilities

Reasons

The site and the proposal

6. The appeal site is located on the inside edge of a curve in Satchell Lane, which is bounded by mature trees on either side. It is a grazing field around 3.6 hectares in extent. It slopes gently from the north-west corner to the eastern edge, where the land abuts the rear boundaries of properties fronting Satchell Lane. These rear boundaries are marked by a combination of hedgerows, timber fences and wire fences. To the west of the site, beyond a public footpath bounded by a sporadic hedge, is a large disused area of land which was once Hamble Airfield³.
7. The main part of Hamble-le-Rice lies to the south of the appeal site, with the railway station and educational and recreational facilities to the northwest. These are on the main road into the settlement from the M27 and the north.
8. The vehicle access would be in the north-eastern part of the site, onto Satchell Lane. The proposal is for up to 70 dwellings, with up to 35% affordable dwellings.
9. The site is within the 5.6 km buffer zone of the Solent and Southampton Special Protection Area and other designated areas.

Planning policy background and weight

10. The development plan includes the Eastleigh Local Plan Review 2001-2011 (LPR), adopted in 2006. All the policies relevant to this appeal were saved by the Secretary of State in 2008.
11. The site is outside, but directly adjacent to, the settlement boundary of Hamble-le-Rice as defined in the LPR. It is therefore in the countryside in policy terms. The key policy arising from this is LPR 1.CO (development outside settlement boundaries), which provides that planning permission will not be granted for development in the countryside unless it meets at least one of four criteria – none of which are argued in this case. There are also other LPR policies (18.CO, 20.CO and 59.BE) which follow on from the identification of the site outside settlement boundaries, and are essentially parasitic on LPR policy 1.CO.
12. The question of the weight to be accorded to these policies was the subject of considerable discussion at the Inquiry, and various potential reasons why the plan might be regarded as out of date and/or the policies might be accorded reduced weight were discussed. I can deal with a number of these matters briefly.
13. It is clear that the plan is not out of date simply because of its age (adopted some 12 years ago), nor because it predates even the first version of the National Planning Policy Framework (the Framework) 2012, nor because it made provision only until 2011. Nor, in the current situation where the parties

³ This is safeguarded for mineral extraction – as is the appeal site – in the Hampshire Minerals and Waste Plan (2013). No objection has been raised to the proposal on this basis.

agree that there is a five year housing land supply, does that indicate any reduced weight to the policies.

14. What is important is the degree of consistency of a particular policy or policies with the 2018 Framework. This will depend on the specific terms of the policy/ies and of the corresponding parts of the Framework when both are read in their full context.
15. The approach of LPR policy 1.CO. is clearly aimed at restricting development outside the urban edge unless certain criteria are met. These deal with agricultural and similar development where a countryside location is required, some outdoor recreational uses, some public services and developments meeting other policies in the plan.
16. LPR policy 1.CO (and related policies) does not impose blanket protection in the countryside. However the approach clearly lacks the flexible and balanced approach towards the issue enshrined in the Framework. On that basis the policies should be accorded reduced weight.
17. The question of the extent to which the weight should be reduced was canvassed at the Inquiry. Appeal decisions at various locations within the area were discussed⁴, but I am conscious that I do not know what evidence or arguments were advanced in those cases. Similarly a range of appeal decisions from elsewhere were considered, although these are of less relevance as the policy situation and the details of particular cases could be significantly different.
18. As stated above the fact that the authority can clearly demonstrate a five year housing land supply is not relevant to the weight which should be accorded to development plan policies. However when considering the currency of a policy, it is relevant to have regard to the record of how it has been applied. In this case the Council has achieved the current supply position in part by greenfield planning permissions outside settlement boundaries – in some cases on sites which were within Strategic Gaps (an additional policy objection which does not apply in this case). I do not criticise the authority for any of these decisions but it is reasonable to infer that, in those cases, the Council either considered that the settlement boundary carried reduced weight or that the policy harm was outweighed by other considerations.
19. In assessing the weight to be given to the settlement boundary and related policies the appellant accepted that a range from considerable/significant to full weight had been attributed in other cases. In this case, I find that although LPR policy 1.CO (and related policies) do not apply a blanket prohibition on development in the countryside they are out of step with national policy. I therefore attribute limited weight to the countryside policies.
20. Finally the emerging Eastleigh Borough Local Plan 2016-2036 has been the subject of public consultation, and adoption is hoped for in mid-2019. At this stage a number of the draft housing allocations are proposed outside the LPR

⁴ Land off Bubb Land (APP/W1715/W/16/3153928), Land adjacent to The Mazells (APP/W1715/W/17/3173253), Land south of Mallards Road (APP/W1715/W/16/3156702), and Land adjacent to the Roll Call (APP/W1715/W/18/3194697)

Appeal Decision APP/W1715/W/18/3194846

settlement boundaries. However given the stage which the plan has reached it can be accorded only limited weight – as agreed by the parties.

The effect on the character and appearance of the area

21. The site, as described in summary above, is within the South Hampshire Lowlands National Character Area which is described as a low lying plain between the chalk hills and Southampton Water. It is a gently undulating lowland river landscape which supports pasture in small to medium sized fields, bounded by agriculturally managed hedgerows. The coastal plain, in which the appeal site lies, is described as being more open. In the County Council's Integrated Character Assessment (2012) references are made to the valley landform. In the more local Landscape Character Assessment (2011) for the Borough the site is within the 'Hound Plain' area which is a gently domed landform falling towards the coast and the wooded valleys.
22. These general descriptions accurately portray the wider area around the appeal site, but in more detail the site is strongly influenced by the proximity of the existing settlement. This can be appreciated as the site slopes gently down from the edge of the airfield plateau.
23. The parties agree that the landscape character of the wider area would not be materially affected. There is agreement that this is an "ordinary" landscape of "medium quality" – albeit not an unattractive one. It is also agreed that this is not a 'valued landscape' in terms of paragraph 170 of the Framework. I have no reason to disagree with the views of the parties.
24. Of considerable significance is the Council's own 2018 study which identified the site as being within an area having low sensitivity to residential development. This was defined as meaning that "development may be more easily accommodated without significant negative landscape or visual impact, with limited mitigation".
25. The site is well contained from the wider area by virtue of the existing trees and development along the eastern boundary. As I saw from my site visit it would be partially visible in long distance views from the public footpath along the eastern bank of the River Hamble. However this is a considerable distance away and it is hard to even identify the site from that direction. Closer to the site the properties which bound the land to the east and south east have variable views from rear windows and gardens, although some of these are filtered by the intervening vegetation. There are limited views of the site from the road itself, and clear views from the footpath which runs along the western side of the site.
26. Clearly the change from an open field to a housing development, even allowing for landscaping and planting, would have a permanently urbanising effect and a consequent change in the appreciation of the immediate landscape. This would cause some limited harm to the existing landscape character, although this would also be the case in relation to any greenfield development proposal.
27. There was also an argument advanced by the Council that the site would extend the built up area as viewed from the road or the footpath, and some debate as to the current extent of the settlement in view of the particular nature of the development on the opposite side of the road. However, the precise location of the current built up area is not a matter on which the

decision should turn, as it is clear that the proposal would extend the settlement into what is currently open countryside.

28. The Council also criticised the proposal as being development in depth which, it was alleged, would be out of keeping with this part of the settlement. Although I appreciate that the houses backing onto the site are arranged in a linear form there are examples of development in depth elsewhere in the immediate area – particularly on the opposite side of Satchell Lane. The proposal would therefore not be out of keeping with the general form of development in this part of the settlement.
29. I fully appreciate that the outlook from some of the adjoining houses would be significantly changed, even with a potential set back of the new development to limit the effect. However that is not a matter, in either landscape terms or in relation to outlook, which is of overriding significance.
30. At the Inquiry the Council suggested that there is a value in the local landscape in its context as a route to and from the settlement. However this is not identified in any policy or guidance and the views of the site as one approaches the settlement are restricted by high banks and vegetation. Some parts of the wider area are identified by the Council as having a particular function of separating settlements and providing an open gap. The appeal site is not within such an area and does not perform a function in either this respect or as a gateway to the settlement.
31. Other decisions which were drawn to my attention have attributed a range of weights to the landscape consequences of development in greenfield locations. This variety is inevitable given the importance of the particular location of the site.
32. Overall, this is medium quality landscape area with a low sensitivity to residential development. The effect of the proposal would be appreciated only from close views. That said, the proposal would be in the countryside and would cause limited harm to the character and appearance of the area and conflict with the policies summarised above (which themselves have limited weight).

Sustainability/accessibility

33. Many of the facilities in the settlement are located to the south of the appeal site, around the centre of Hamble-le-Rice. However there are other services to the north including Hamble Secondary School, a health centre and the railway station. Due to the layout of the settlement, these facilities can also be accessed by a southerly loop, either through a housing estate or along the main road. However the shortest journey is northwards along Satchell Lane.
34. As clarified at the Inquiry, the Council's sole objection on sustainability/accessibility grounds focused on one point. That was whether accessibility by walking along the northerly route on Satchell Lane to Hamble Secondary School, the health centre and other facilities was safe and acceptable. There was no objection related to accessibility to these facilities by other means of transport, most particularly cycling, or access to other employment, leisure, retail, social or primary school provision. In addition the railway station was accepted to be within acceptable walking and cycling

Appeal Decision APP/W1715/W/18/3194846

distance along the southerly route. The appellant's evidence on these matters was not challenged.

35. The first matter to be decided is whether the northerly route is acceptable for those walking to school and other facilities. The appellant's expert evidence is that the route is already used by a limited number of children, that the proposal would generate few additional walking trips and that there is no record of pedestrian/vehicle accidents along the northern route over the past five years. None of these matters was contested by the Council, and I have no reason to disagree.
36. However the appellant's position was that the northern route was a safe walking route for those choosing to walk to the northern facilities. I have to disagree with that position. I walked the route, in both directions, on two occasions – once before the Inquiry and once at the conclusion of my formal site visit. The first visit was undertaken as dusk was falling. The road is unlit, possesses no footpaths for most of the route, and includes a number of tight bends. In many places there are steep banks which limit the ability of pedestrians to avoid oncoming traffic.
37. The agreed fact that a few children use the northern route as a route to school does not indicate that this is desirable or that it should be relied on as part of the accessibility credentials of the appeal site. I also appreciate that there are no recorded accidents, but this may simply be a function of the very limited number of people using what I regard as an unsafe route.
38. If the use of the northern part of Satchell Lane as a safe walking route to the facilities, especially the school, were a policy requirement and there was no alternative, I might have a very different view on this issue. However there is no such policy requirement and, in any event, alternative modes of transport and walking routes exist.
39. There is no necessity to use the northern route as access to the school because the southern routes (possibly including a short cut through a housing area) is within a reasonable walking distance. The shortest of these is within the distance considered acceptable for secondary school children by the education authority. As a further alternative, a pedestrian could start along the southern route and then take a bus from the end of Satchell Lane for the remainder of the journey.
40. I am conscious that there is an informal walking route across the former airfield, leading indirectly to the school and other facilities. However I place no reliance on this route as it does not appear to be legally established and its continuation is therefore uncertain. This route, leaving aside its legality, is unsurfaced and unlit, and is therefore unattractive and unwelcoming in inclement weather and certainly during the hours of darkness.
41. The Council's position in closing was that anyone "...attending the secondary school, health centre or the railway station will either have to risk walking along the northern route....or navigate fields and unauthorised footpaths, or go by car." However this omits the southern walking route(s), the part walking and part bus option, and the agreed acceptability of cycling by either route.
42. Overall, there is no policy requirement that a specific walking route should be acceptable, especially when other routes and transport modes exist. Although

I disagree with the appellant concerning the safety of the northern route for pedestrians, the appeal site is sustainable in locational terms having regard to the proximity of and accessibility to local services and facilities. It complies with policy LPR 100.T.

Other matters – nature conservation

43. There are overlapping European nature conservation designations around the River Hamble and the Solent Estuary to the east of the appeal site. These are the Solent Maritime SAC, Solent and Southampton water SPA and RAMSAR. They are saltmarsh and mudflat habitats which are important for a number of flora and fauna species including breeding and overwintering waterbirds.
44. Since the application was originally considered by the Council there has been a Court of Justice of the European Union (CJEU) judgement⁵. That requires the decision maker, when considering the effect that a proposal may have on a European Site, to consider mitigation within the Framework of an Appropriate Assessment (AA) rather than at the screening stage.
45. The appellant has provided a Habitats Regulations Assessment Technical Note⁶ which builds on the material submitted with the Statement of Common Ground. The Council has agreed both these documents and provided an HRA Screening proforma.
46. Whilst the site is not within the designated areas, it is sufficiently close that the proposal has the potential to result in likely significant effects on the European sites, and accordingly an Appropriate Assessment is needed. The proposed mitigation measures which are included and detailed in the s106 Obligation are intended to avoid or reduce the effects. On that basis I consider that the proposed development will not have any adverse effect on the integrity of the European sites, either alone or in combination with other plans or projects drawn to my attention. In coming to this conclusion I have taken account of the CJEU judgement, the positive response from Natural England⁷ and the comments provided by both the appellant and the Council.

Other matters – housing land supply

47. The Council gave evidence as to how the authority has managed to achieve its current housing land supply position and the parties agreed that the Council can demonstrate a five year land supply. The Council's evidence was that there is a figure of 7.8 years, with the appellant evidencing a 7.2 year supply. Both parties agreed that there is no need to explore the reasons for this slight difference further. At the close of the Inquiry it was suggested by the Council that the figure is around 10 years on the basis of recently released data. However again there is no need to explore this further. Overall, despite the presence of significantly more than a five year supply, the provision of market and affordable housing weighs significantly in favour of the proposal, in the light of the national policy to significantly boost the supply of homes.

⁵ People over Wind and Sweetman v Coillte Teoranta ECLI:EU:C:2018:244

⁶ Document 14

⁷ Document 13

Appeal Decision APP/W1715/W/18/3194846

Conditions and planning obligation

48. A range of conditions was discussed and agreed (without prejudice) at the Inquiry. I have made minor amendments in the interest of precision.
49. Given the outline nature of the proposal, a number of reserved and other matters need to be submitted for approval, in general accordance with the Development Concept Plan. The number of dwellings needs to be limited to accord with the application and the illustrative material, and the approved plans need to be identified to avoid confusion. In the interests of highway safety a condition is necessary to ensure the provision of the agreed sightlines. (1 - 6, 23 - 24)
50. In the interests of the amenity of the area and the appearance of the development, landscaping and planting details need to be submitted for approval in line with the material already submitted. An Arboricultural Method Statement and other related matters are necessary to control the method of working and to protect existing trees. (7 - 12)
51. Both to minimise effects on the area and local residents, and in the light of the proximity of European sites, a Construction Method Statement and a Construction Environmental Management Plan need to be submitted for approval. (13)
52. Given the location of the site within and adjacent to an area of sand and gravel resource, conditions are needed to deal with material recovered incidentally from excavation work and with the relationship between the proposed development and the safeguarded site for mineral extraction at Hamble Airfield. (14 - 15)
53. Foul and surface water drainage need to be controlled in the interests of avoiding flooding and pollution. (16 - 17)
54. To avoid and remove contamination in relation to human health, a condition is needed requiring an updated risk assessment and control over imported materials. (18)
55. A site-wide green infrastructure strategy and a mechanism for the protection of breeding birds is necessary for ecological reasons (19 - 20)
56. A written scheme of investigation and a programme of archaeological work is required so as to investigate any heritage assets. (21)
57. In the interests of environmental sustainability, details of energy efficiency and water consumption should be submitted for approval. All homes on the site should be constructed to Lifetime Homes Standard. (22, 25)
58. So as to promote sustainable modes of travel, a Travel Plan is necessary. (26)
59. There are two conditions which were put forward at the Inquiry which I have not imposed. The first would require a noise mitigation scheme to address the impact of traffic noise. However the reason put forward was to protect the amenities of the occupiers of nearby properties, which is not understood or justified. If the condition were intended to protect the amenity of future residents of the development, I have been provided with no evidence that future residents would be subject to any high noise levels, and the condition is unnecessary. The second condition would control plant and equipment giving

rise to emissions. However no justification has been put forward and, in the context of a residential development, I do not consider this to be necessary.

60. The Planning Obligation, which is in unilateral form, makes a number of provisions, including:

- Contributions to a range of matters including air quality monitoring, the Solent Disturbance Mitigation Project, footpath works, and education contributions
- Affordable housing at no less than 35%
- On-site open space and play areas
- Arrangements for unallocated parking areas

61. The CIL Compliance Schedule⁸ sets out the detailed background and justification for each of the provisions in the Obligation in terms of their necessity, relationship with the appeal scheme, and their reasonableness. I have no reason to disagree with the Schedule in relation to any of these matters.

62. The provisions of the Obligation are directly related to the proposed development and are necessary to make the development acceptable in planning terms. Therefore, I consider that the Obligation meets the policy in paragraph 56 of the Framework and the tests in Regulation 122 of the Community Infrastructure Levy Regulations 2010. I have therefore given due weight to those provisions, especially related to affordable housing, which go beyond mitigation.

Planning balance and conclusion

63. Given that the proposal has been the subject of Appropriate Assessment the presumption in favour of sustainable development in paragraph 11 of the Framework does not apply. The appeal therefore falls to be considered on the basis of the s38(6) balance and the appeal should be determined in accordance with the development plan unless material considerations indicate otherwise.

64. As agreed by the Council, the economic and social benefits of the proposal are worthy of significant weight. Given the national objective of significantly boosting the supply of homes, the provision of market and especially affordable housing carries significant weight. I appreciate the Council's point that the economic benefits related to short term construction jobs, and the longer term boost to local spending power, could arise from any similar development. However that does not detract from the fact that this particular development offers these benefits, which I accord significant weight.

65. I have concluded that the proposal meets the relevant accessibility policy. However this matter is essentially neutral in the planning balance.

66. The key factor to be set against the benefits of the proposal is the conflict with the settlement boundary and related landscape policies. As set out above, I attach limited weight to these matters, and this harm is substantially outweighed by the benefits of the proposal.

⁸ Document 12

Appeal Decision APP/W1715/W/18/3194846

67. For the reasons given above I conclude that the appeal should be allowed.

P. J. G. Ware

Inspector

Conditions

RESERVED MATTERS

1. The development hereby permitted shall begin either before the expiration of;
 - a) two years from the date of this permission or
 - b) one year from the date of approval of the last of the reserved matters to be approved, whichever is the later
2. No development shall start until details of the appearance, landscaping, layout, and scale (hereinafter called "the reserved matters"), have been submitted to and approved in writing by the Local Planning Authority. Application for approval of the reserved matters shall be made to the Local Planning Authority not later than one year from the date of this permission. The development shall be carried out in accordance with the approved details.
3. The residential development hereby permitted shall comprise no more than 70 dwellings.
4. The development hereby permitted shall be carried out in accordance with the details shown on Site Location Plan CSA/3212/106; visibility plan drawing 17-004-035 rev D "Required landscaping to provide visibility".
5. The development hereby permitted shall be carried out in general accordance with the details shown on drawing CSA/3212105 rev C "Development Concept Plan" and on drawing CSA/3212/108 "Illustrative Landscape Strategy" and no building shall be more than 2 storeys in height.
6. The development shall not be occupied until the works shown on drawing 17-004-035 rev D "Required landscaping to provide visibility" have been completed to the satisfaction of the Highways Authority.

LANDSCAPING & TREES

7. No development above slab level shall take place until a landscaping scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall cover all hard and soft landscaping, including new and replacement trees, ground level changes, boundary treatments, means of enclosure and landscaping to the SUDS to increase the aesthetic and biodiversity value of the site; and proposed and existing functional services above and below ground; and shall provide details of timings for the provision of all landscaping and future management and maintenance. The hard and soft landscape works shall be carried out in accordance with the approved plans and to the appropriate British Standard.
8. The landscaping shall be carried out no later than the first planting season following the completion of the development. If, within a period of 5 years after the date of planting, any tree, shrub or hedgerow (or its replacement) is removed, destroyed, damaged or dies, it shall be replaced in the same location during the next planting season with another of the same species and size.
9. The development must accord with the Tree Information report (reference 9415-KC-XX-YTREE-TreeSurvey-and-Impact Assessment) produced by Ian

Appeal Decision APP/W1715/W/18/3194846

Keen Ltd and drawing 9415-KC-XX-YTREE-TPP02Rev0 "Tree Protection Plan" produced by Ian Keen Ltd.

10. No development, or site preparation, shall commence until an Arboricultural Method Statement, prepared in accordance with BS5837:2012, is submitted to and approved in writing by the Local Planning Authority. This statement will include timings and the methodology for:
- a) Installation of protective fencing and ground protection
 - b) Excavations and the requirement for specialised trenchless techniques where required for the installation of services.
 - c) Installation of new hard surfacing, including construction methods, materials, design constraints and implications for levels
 - d) Retaining structures to facilitate changes in ground levels
 - e) Preparatory work for new landscaping
 - f) Auditable system of arboricultural site monitoring including a schedule of specific site events requiring input or supervision

The approved Arboricultural Method Statement shall be adhered to in full in accordance with the approved plans.

11. No development, or site preparation prior to operations which have any effect on compacting, disturbing or altering the levels of the site, shall take place until a suitably qualified person appointed on behalf of the developer and approved by the Local Planning Authority has been appointed to supervise construction activity occurring on the site. The arboricultural supervisor appointed on behalf of the developer will be responsible for the implementation of protective measures, special surfacing and all works deemed necessary to ensure compliance with the approved arboricultural method statement and that all such measures to protect trees are inspected by the Local Planning Authority Arboricultural Officer prior to commencement of works and any vehicle movements on site related to the development. Where a no dig solution is specified to protect root protection areas the arboricultural supervisor shall ensure that this is installed prior to any vehicle movement, earth moving or construction activity occurring on the site and that all such measures to protect trees are inspected by the Local Planning Authority Arboricultural Officer prior to commencement of any vehicle movements/use of the proposed access road.
12. Following inspection and approval of the tree protection measures, no access by vehicles or placement of goods, chemicals, fuels, soil or other materials shall take place within fenced areas nor shall any ground levels be altered or excavations take place within those areas. The tree protection shall be retained in its approved form until the development is completed.

CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN

13. No development shall take place, including any works of demolition, until a Construction Method Statement and Construction Environmental Management Plan (CEMP) has been submitted to, and approved in writing by the Local Planning Authority. The approved Statement and CEMP shall be adhered to throughout the construction period. The Statement/Plan shall provide for:
- a) No construction, demolition, ground or earth works, deliveries to the site or any other construction-related activities during the

- construction period except between the hours of 0800 to 1800 Mondays to Fridays or 0900 to 1300 on Saturdays and not at all on Sundays or Bank Holidays
- b) Means of access for construction work
 - c) A programme and phasing of construction work, including roads, footpaths, landscaping and open space
 - d) Location of temporary site buildings, compounds, construction material and plant storage areas used during construction
 - e) The arrangements for the routing/turning of lorries and details for construction traffic access, including signage to the site, and restriction on deliveries during school pick-up/drop-off times
 - f) The parking of vehicles of site operatives and visitors
 - g) Provision for storage, collection, and disposal of recycling/waste from the development during construction period
 - h) Details of wheel washing and highway cleaning measures to prevent mud and dust on the highway during demolition and construction
 - i) The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
 - j) Temporary lighting
 - k) Measures to control the emission of dust and dirt during construction; (having regard to the details contained in the "Best Practice Guidance – The Control of Dust and Emissions from Construction and Demolition", 2006 (London Authorities) and "Guidance on the assessment of dust from demolition and construction" 2014 (Institute of Air Quality Management)
 - l) No burning of waste material on site
 - m) A scheme for controlling noise and vibration from construction activities (to include any piling)
 - n) Safeguards for fuel and chemical storage and use, to ensure no pollution of the surface water leaving the site.
 - o) Diagrammatic and written details of construction drainage containing three forms of temporary filtration

MINERALS

14. Prior to the commencement of development a mineral recovery plan for the management of sand and gravel resource recovered incidentally from excavation work throughout the construction phase of the development shall be submitted to and approved in writing by the Local Planning Authority. The mineral recovery plan shall include details of methods for ensuring that all viable minerals excavated during the construction phase are put to beneficial use on site as part of the development. A method to record the recovery of minerals shall also be included within the plan. Records of the amount of recovered material shall be made available to the Minerals Planning Authority. The development must accord with these approved details.
15. Any reserved matters applications shall be accompanied by a report detailing how the relationship between the proposed development and the nearby safeguarded site for mineral extraction – Hamble Airfield – has been considered; taking into account impacts on the proposed design and layout of the development and how any potential significant impacts to and from the safeguarded site are to be avoided or mitigated.

Appeal Decision APP/W1715/W/18/3194846

DRAINAGE

16. No development shall take place until a drainage strategy detailing the proposed means of foul water sewerage disposal and an implementation timetable has been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved scheme and timetable.

17. No development shall take place until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the Local Planning Authority. The drainage strategy should demonstrate that the surface water run-off generated up to and including the 1:100 year event critical storm (plus 30% climate change allowance) will not exceed the run-off from the undeveloped site following the corresponding rainfall event. The scheme shall subsequently be implemented before the development is completed, and thereafter managed and maintained in accordance with the approved details. Those details shall include:
 - a) A technical note detailing any changes to the submitted Flood Risk Assessment, drainage design and the parameters used to demonstrate the design. The note shall be in accordance with the Indicative Surface Water Drainage Strategy plan ref: 17-004-017 submitted within the Flood Risk Assessment & Preliminary Surface Water Drainage Strategy dated April 2017 rev A, Appendix E
 - b) Detailed drainage drawings and calculations for a naturalised sustainable drainage system with 3 stages of natural filtration, and any swales, attenuation basins or watercourses to be designed to have sides no steeper than 1:4 gradient
 - c) Infiltration testing to BRE365
 - d) Plans and calculations showing exceedance routing in the event of blockages or storms exceeding design criteria
 - e) Information on water quality following the methodology in the Ciria SuDS Manual C753
 - f) Information about the design storm period and intensity, the method employed to deal with and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;
 - g) Control measures to ensure no pollutants leave the site
 - h) A timetable for its implementation and
 - i) A management and maintenance plan for all elements of the drainage system for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its life to maintain greenfield rates water flows and operational water quality. This must also include information on how the drainage features will be protected during construction

CONTAMINATION

18. No work shall commence on site until the following has been submitted to and approved in writing by the Local Planning Authority:

<https://www.gov.uk/planning-inspectorate>

14

- a) An updated risk assessment and supporting details to cover final site layout, changes to site levels and housing construction details
- b) A detailed discovery strategy for identifying and dealing with unexpected contamination encountered on site
- c) Specifications for imported soils, and reporting procedures to confirm materials imported are as agreed

BIODIVERSITY

- 19. The first reserved matters application shall include details of a site wide green infrastructure strategy detailing the extent and nature of the natural habitat, open space and corridors within the network. The network should incorporate all open space within the development and extend into the urban area via wildlife corridors and other enhancements. The strategy should be overarching, referencing all the species specific strategies and providing details relating to overall habitat connectivity within the network and any requirements above that provided for mitigation. The final green infrastructure should be multifunctional and provide gains for wildlife and the human population in line with national policy.
- 20. No tree/shrub clearance works shall be carried out on the site between 1st March and 31st August inclusive, unless the site is surveyed beforehand for breeding birds and a scheme to protect breeding birds is submitted to and approved in writing by the Local Planning Authority. If such a scheme is submitted and approved the development shall thereafter only be carried out in accordance with the approved scheme.

ARCHAEOLOGY

- 21. No development shall take place until the developer has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation and recording which has first been submitted to and approved in writing by the Local Planning Authority.

ENVIRONMENTAL SUSTAINABILITY

- 22. Prior to the occupation of any dwelling as built stage SAP data and as built stage water calculator for that dwelling confirming energy efficiency and the predicted internal mains water consumption to achieve the following shall be submitted to and approved in writing by the Local Planning Authority:
 - a) In respect of energy efficiency, a standard of a 19% improvement of dwelling emission rate over the target emission rate as set in the 2013 Building Regulations
 - b) In respect of water consumption, a maximum predicted internal mains water consumption of 105 litres/person/day

The development shall not be carried out otherwise than in accordance with the approved details.

DESIGN AND APPEARANCE

- 23. No development above slab level shall take place until details and samples of the materials to be used in the construction of the external surfaces of the

Appeal Decision APP/W1715/W/18/3194846

development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

24. No development shall take place until the following details have been submitted to and approved in writing by the Local Planning Authority:
- a) Plans including cross sections to show proposed ground levels and their relationship to existing levels both within the site and on immediately adjoining land
 - b) The width, alignment, gradient, sight lines and type of construction proposed for any roads, footpaths and accesses
 - c) The provision to be made for street lighting and any external lighting. Lighting shall be designed and located to minimise light spillage and avoid impacting on flight corridors used by bats
 - d) Details for the on-going management and maintenance of any roads, footpaths and accesses including any future plans for adoption
 - e) Any pumping stations and associated no build zone details
 - f) Crime prevention measures

Development shall be carried out in accordance with the approved details and the approved provision shall be retained and kept available.

LIFETIME HOMES

25. All affordable units to be erected on site shall be constructed to Lifetime Homes Standard.

TRAVEL PLAN

26. Prior to the occupation of the first dwelling within the development hereby permitted, a detailed Travel Plan shall be submitted to the Local Planning Authority and approved in writing. The Travel plan shall be designed to reduce dependency on the private car, including measureable and unambiguous objectives and modal split targets, together with a time-bound programme of implementations, monitoring and regular review and improvement; and be based on the particulars contained within the Charles & Associates Consulting Engineers Ltd's draft framework Travel Plan (17-004-015 Rev A) produced in support of the application for the development hereby permitted. The development shall be occupied in accordance with the approved details.

APPEARANCES

FOR THE LOCAL PLANNING AUTHORITY:

Mr P Stinchcombe QC	Instructed by the Legal Services Manager
He called	
Councillor K House	Leader of the Council, lead Member for planning policy, County Councillor for the appeal site, Board Member of Homes England
Mr P Armstrong MLI MUD Chartered Landscape Architect	Senior Associate, Hyland Edgar Driver Landscape Architects
Mr M Grantham BA MS (Transport Planning & Engineering)	Principal Transport Development Planning Officer, Hampshire County Council
Mrs L Harrison BA(Hons) DipTP MRTPI	Development Management Senior Specialist
S106 and conditions only Ms K Budden	Planning Officer

FOR THE APPELLANT:

Mr C Boyle QC	Instructed by Woolfe Bond Planning
He called	
Ms S Gruner B(Hons) (Landscape Architecture) CMLI	CSA Environmental
Mr G Charles BEng CEng MICE	Managing Director, Charles & Associates Consulting Engineers
Mr S Brown BSc(Hons) DipTP MRTPI	Principal, Woolf Bond Planning LLP
S106 and conditions only Mr B Ralph	Partner, Moore Blatch
Not called at the Inquiry Mr P McColgan	Associate Director, G L Hearn

INTERESTED PERSONS:

Mr S Gardiner	Local resident
Mr P Riley	Local resident
Ms J Austin	Local resident
Mr A Hamlett	Local resident
Ms A Jobling	Local resident, Clerk to the Parish Council

Appeal Decision APP/W1715/W/18/3194846

INQUIRY DOCUMENTS

1	List of persons present at the Inquiry
2	Email (15 October 2018) from Mr Brown on 5 year housing land supply
3	Pedestrian and cycle counts (Mr Charles)
4	Revised walking/cycling isochrones (Mr Charles)
5	Appeal decision (3097721) at Stanbury House, Spencers Wood
6	Mr Riley's statement
7	Hampshire County Council letter (undated) - education
8	Eastleigh Borough Local Plan policy HA3
9	Email (22 October) from Mr Charles re.walking distances
10	Schedule of sites granted planning permission after May 2017
11	Planning Obligation (23 October 2018)
12	CIL Compliance Schedule and related documents
13	Natural England response (22 October) to draft HRA
14	Revised Habitats Regulations Assessment technical note (October 2018)
15	Council's closing submissions
16	Appellant's closing submissions

CORE DOCUMENTS

CD1.1	Extracts of Adopted Eastleigh Borough Local Plan Review (2001-2011) (May 2006) and Proposals Map
CD1.2	Direction under Paragraph 1(3) Schedule 8 Planning and Compulsory Purchase Act 2004. Saved Policies Direction May 2009
CD1.3	Extracts of Submitted Eastleigh Borough Local Plan 2011-2029 and Proposals Map
CD1.4	Report on Examination into Eastleigh Borough Council's Eastleigh Borough Local Plan 2011-2029
CD1.5	Extracts of Emerging Local Eastleigh Borough Local Plan 2016-2036 and Proposals Map
CD1.6	EBC Planning Obligations SPD (July 2008)
CD1.7	EBC Planning Obligations SPD Background Paper (July 2008)
CD1.8	EBC Public Art Strategy 2015-2019 (February 2016)
CD1.9	EBC Landscape Character Assessment: Area 13 - Hound Plain
CD1.10	Extracts of Hampshire Minerals & Waste Plan 2013
CD1.11	HCC 'Integrated Character Assessment: Area 3D - Hamble Valley
CD1.12	HCC Integrated Character Assessment: Area 9D - Netley, Bursledon & Hamble Coastal Plain
CD1.13	Extract of Hampshire Rights of Way online maps
CD1.14	Solent Recreation Mitigation Strategy
National guidance	
CD2.1	Landscape Institute and The Institute of Environmental Assessment 'Guidelines for Landscape and Visual Impact Assessment' third edition (GLVIA)
CD2.2	National Character Area Profile NCA 126, South Coast Plain
CD2.3	Draft Planning Practice Guidance (March 2018)
CD2.4	Housing Delivery Test – Draft Measurement Rule Book (March 2018)
CD2.5	Planning Practice Guidance, as published, on annual local housing need figures

CD2.6	Independent Review of Build Out Rates – Draft Analysis (June 2018)
Planning History	
CD3.1	Z/18953/000 – Residential development – Land west of Satchell Lane and east of Hamble Airfield
CD3.2	Z/26999/000 – The erection of 2 detached houses – Land adjoining Folly’s End, Satchell Lane
Relevant Appeal Decisions	
CD4.1	APP/W1715/W/15/3005761 - Land to the east of Grange Road, Netley Abbey, Southampton (14.12.15)
CD4.2	APP/W1715/W/15/3139371 - Land off Botley Road, West End, Hampshire (7.10.16)
CD4.3	APP/W1715/W/15/3130073 - Land to the north west of Boorley Green, Winchester Road, Boorley Green, Eastleigh, Hampshire (30.11.16)
CD4.4	APP/W1715/W/16/3153928 - Land off Bubb Lane, Hedge End, Hampshire (13.19.17)
CD4.5	APP/W1715/W/16/3156702 - Land to the south of Mallards Road, Bursledon, Hampshire (2.8.17)
CD4.6	APP/W1715/W/17/3173253 and APP/W1715/W/17/3178540 Land adjacent to ‘The Mazels’, Knowle Lane, Horton Heath, Southampton, Hampshire (11.1.18)
Relevant Judgments	
CD5.1	North Wiltshire District Council v Secretary of State for the Environment [1992] 65.P & C.R.137
CD5.2	Hunston Properties v SSCLG and St Albans City & District Council [2013] EWHC 2678
CD5.3	Fox Strategic Lane and Property Ltd. V SSCLG [2013] 1P. & C.R.6
CD5.4	Zurich Assurance Ltd v Winchester City Council & South Downs NPA [2014] EWHC 758 (Admin)
CD5.5	Bloor Homes East Midlands Ltd v SSCLG [2014] EWHC 754 (Admin)
CD5.6	Satnam Millennium v Warrington Borough Council [2015] EWHC 370
CD5.7	Oadby & Wigston BC v SSCLG & Bloor Homes Ltd [2016] EWCA Civ 1040
CD5.8	Gladman Developments Ltd v Daventry DC [2016] EWCA Civ 1146
CD5.9	St Modwen Developments Ltd vs. SSCLG & East Riding [2016] EWHC 968 (Admin)
CD5.10	Suffolk Coastal DC v Hopkins Homes Ltd; Richborough Estates Partnership LLP v Cheshire East BC [2016] EWCA Civ 168
CD5.11	Suffolk Coastal District Council v Hopkins Homes Ltd and another; Richborough Estates Partnership LLP and another v Cheshire East Borough Council [2017] UKSC 37.
CD5.12	Lichfield v SSCLG [2017] EWHC 2242 (Admin)
CD5.13	People Over Wind v Teoranta judgment by the European Court of Justice (C-323/17)
CD5.14	Phides Estates (Overseas) Limited v. Secretary of State for Communities and Local Government [2015] EWHC 827 (Admin)



FOREMAN HOMES LTD

Unit 1, Station Industrial Park, Duncan Road, Park Gate, Southampton,
Hampshire SO31 1BX