Planning Inspectorate

Appeal Decision

Inquiry held on 22-25 & 29 September 2026

Site visits made on 21, 22 & 26 September 2026

by Nick Fagan BSc (Hons), DipTP, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26 October 2026

Appeal Ref: 6005642
Land at Denham's Corner, Snakemoor Lane, Horton Heath, Eastleigh SO32 2BW

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant outline planning permission.
- The appeal is made by Southern Strategic Land Two LLP, John Denham, Shirley George & Heather Baston ('the appellant') against the decision of Eastleigh Borough Council.
- The application Ref is O/25/99534.
- The development proposed is: Construction of up to 150 dwellings including 40% affordable housing, sustainable travel hub including parcel lockers, cycle hire and electric vehicle charging points for visitors, with associated vehicular access off Snakemoor Lane, dedicated cycle access off Snakemoor Lane, a shared pedestrian and cycle access off Botley Road, associated infrastructure, public open space and play area, hard and soft landscaping, boundary treatments, sustainable urban drainage systems and provision for biodiversity net gain.

Decision

1. The appeal is dismissed.

Preliminary Matters

2. A signed Section 106 Agreement (S106) between the owners, the developer, the Borough Council and the County Council was dated and received on 19 October, as per a timetable agreed on the last sitting day of the Inquiry. I refer to this as necessary below.

3. I conducted three non-accompanied site visits, which included walking the routes from the proposed site access on Botley Road to local facilities including the existing local schools and to the site of the proposed primary school at One Horton Heath. I indicated on Day 1 of the Inquiry that I was quite amenable to conducting an accompanied site visit including with the main and third parties, if anyone wanted me to, but no one requested this at any stage of the Inquiry and all parties were therefore content for me to walk the routes from the site to relevant local facilities on my own.

Main Issues

4. The main issues are as follows:

   - The extent to which the proposed development would result in landscape and visual harm to this greenfield countryside site and surrounding area.
   - Whether it would be, or could be, made accessible by sustainable transport modes.

- The appropriate weight to be given to any harms and to the benefits of the scheme, and consequently the overall planning balance as assessed against NPPF Policy S5.

Reasons

Landscape & Visual Effects

5. The main parties agree that there would be harm to landscape and visual receptors and therefore to the character of the area because of the urbanising effect of the proposed development. The difference between them concerns the degree of such harm: the appellant considers it to be localised and limited, whereas the Council argues it is greater and unacceptable because it cannot be satisfactorily mitigated.

6. The appeal site is not in a designated landscape. It is not in a Settlement Gap as defined in the local plan (LP)[1], and no features of special landscape value or valuable trees would be lost because of the proposed development. The Landscape Statement of Common Ground[2] says it is not a 'valued landscape', although that term was a reference from the 2024 version of the National Planning Policy Framework (NPPF) and is not referred to in the new version published in August; in any case, the Council argues that it possesses value that is worth preserving and that the proposed development would unacceptably harm.

7. Both parties' landscape and visual assessments are based on the agreed methodology set out in Appendix 2 of the Landscape and Visual Impact Assessment[3] written by the appellant's landscape consultant and submitted at application stage. This methodology (accurately set out in the table at paragraph 3.3 of Mr Dyer's Proof) follows that set out in GLVIA3[4], although the Council is concerned about missing assessments relating to some relevant landscape and visual receptors, which I address below.

Landscape Effects

8. Mr Nowak for the appellant only assesses the effect of the development on the two local landscape character areas, LCA9: Horton Heath Undulating Farmland within which the site lies, and LCA23: Durley Claylands, the LCA to the east of the stream in the valley bottom immediately to the east of the site. Mr Dyer for the Council argues that, because of only assessing the scheme's impact on these large LCAs, the appellant fails to meaningfully assess its impact on landscape character as a whole, and the site and its immediate locality in particular.

9. I agree. It is unusual to simply omit to assess the effect of a development on the site itself. The appellant's argument that it is 'inevitable' is no excuse for not doing so. It is of course inevitable that building a housing development on a green field in the countryside will have a considerable effect on its landscape character, but that effect should be factored into the landscape assessment, otherwise it will only be a partial and therefore flawed assessment.

[1] Eastleigh Borough Local Plan (2016-2036), adopted April 2022
[2] CD M4
[3] CD A14
[4] Guidelines for Landscape and Visual Impact Assessment, 3rd Edition, 2013, Landscape Institute and Institute of Environmental Management & Assessment – CD M1

10. It is also relevant to assess the effect of the development on Scorey's Copse, the adjacent ancient woodland abutting the north of the site and Scorey's Copse Rush Pasture, the open grassland and scrub between the eastern boundary of the site and the stream, which (together with Scorey's Copse and adjacent land to the north) forms a Site of Importance for Nature Conservation (SINC). Again, the appellant did not do so.

11. The proposed housing development would replace an open green field with built development and roads, which would obviously permanently alter the existing landscape resource. 150 new dwellings and the internal roads, footways and drives, parking areas, street lighting, domestic paraphernalia and activity would clearly be materially different from the present open green field. This development would also impact on Scorey's Copse, the Rush Pasture and users of Snakemoor Lane from where the development would be apparent, even with the proposed additional tree screen proposed on the northeast boundary of the site and the 8m wide strip between the houses and Snakemoor Lane.

12. There would be no disguising the fact that this field, which does not abut any built-up area and lies in what is clearly open countryside, would experience a complete change to an urban environment, which would also impinge on the surrounding ancient woodland and SINC, diminishing the rural character, remoteness and tranquillity of this part of the countryside. It is currently separated from Horton Heath by the ancient woodland at Scorey's Copse. I also agree with Mr Dyer that the attempted screening of the development from the Rush Pasture to the east would itself be at odds with the rural character of the site and its immediate area because it is currently experienced as more open and connected to the countryside towards Durley to the east.

13. The grassland buffers shown on the illustrative landscape masterplan to the north, east, and south adjacent to Snakemoor Lane would not secure the successful amalgamation of such urban development into what is currently open countryside divorced from adjacent settlements. I agree with Mr Dyer that an 8m gap between the rear gardens of the southerly houses and Snakemoor Lane would be unlikely to be sufficient in disguising this urban development and that there would be inevitable pressure to prune and thin trees in this strip, minimising its screening effect from Snakemoor Lane, which currently has a very rural aspect.

14. For these reasons I consider that Mr Dyer's judgements, as set out in Tables 1 & 3 of his Proof, indicate a reliable assessment of the development on the relevant landscape receptors. Mr Nowak has assessed the effects on LCAs 9 & 23 as **minor** and **negligible adverse.** I disagree because the open grassland buffers and the proposed tree screening on the site's northeast boundary would not be effective in mitigating the effect of the development on these wider LCAs even after 15 years. Mr Dyer's assessments of **moderate** and **moderate/minor adverse** for LCAs 9 & 23 respectively are more reasonable.

15. Mr Dyer's judgements of **major/moderate adverse** on the landscape features of the site itself, **moderate/minor adverse** on Scorey's Copse and **moderate adverse** on the Rush Pasture are reasonable when assessed against the definitions of the effects, as set out in Table A-11 on page A2-14 of Appendix 2 of the LVIA. A major effect is one of *'fundamental changes resulting in a complete or near complete variance with the landscape resource or visual amenity'*; there is no doubt that this is what would occur on the site itself. A moderate effect is *'a*

material but non-fundamental change to the landscape resource or visual amenity' and a minor effect is *'a slight but non-material change to the landscape or visual amenity'*; the effects of the development on Scorey's Copse and the Rush Pasture accurately fit the above judgements made by Mr Dyer.

Visual Effects

16. Mr Dyer sets out his judgements from the 15 viewpoints (VPs) in the LVIA, which together are agreed to be proportionate and sufficient to assess the visual impact of the proposed development. Tables 2 & 4 of his Proof do this. He criticises the LVIA for failing to consider the effect on the relevant receptors (whether users of PROWs, cyclists or drivers) at each of these VPs; rather it arrives at general judgements for groups of receptors based on VPs amalgamated together.

17. This is unusual in my experience. It is unclear how the effects have been assessed on the various visual receptors from each VP. I agree with Mr Dyer that the VPs most adversely affected would likely be VPs 1 & 2 from Snakemoor Lane, VPs 11 & 12 from PROW 085/719/1 running through the Rush Pasture and from VP15, from the graveyard of the church to the north, which is an elevated position above the site.

18. But because users of PROWs have been assessed based on a group of VPs that have different viewing directions, distances from the site, landscape contexts and levels of visibility of the proposed development, it is unclear how the key receptors from these key VPs have actually been assessed. Mr Dyer, in contrast, has assessed the relevant receptor from each VP.

19. Having walked the whole of PROWS/footpaths 085/719/1 & 069/15/1, I agree that recreational walkers from VPs 11 & 12 would be likely to suffer a **major/moderate adverse** effect, even at year 15. This is because walkers on the whole length of the footpath within the Rush Pasture would no longer be walking in a tranquil rural area but rather, they would perceive themselves to be walking in the vicinity of urban development. It is these footpath users that would be most severely impacted visually by the development because the additional tree planting on the site's northeast boundary would not totally screen the development (and nor should it seek to do so due to the more open landscape character of this area).

20. Receptors from VPs 1 & 2 on Snakemoor Lane would be drivers and cyclists. Even with an 8m screen between the hedge on the lane and the houses, the development with its two-storey dwellings would be visually apparent, especially in winter, partly for the reasons set out above. Whilst arguably these receptors are not as sensitive as walkers on PROWs, I agree with Mr Dyer that there would still be a **moderate adverse** impact resulting from built development so close to what is currently a country lane with an overtly country character.

21. Although the large graveyard of the church at VP15 would be approximately ½km away from the site, people wondering in the churchyard will be more aware of wider views, particularly because the church occupies an elevated position above the site and there are very likely to be views of the housing development from here, especially in winter when the trees are bare of leaves. I agree with Mr Dyer that there would be a **moderate adverse** impact from this VP.

22. Again, these impacts must be appreciated as per the definition of major and moderate effects as set out in Table A-11 on page A2-14 of Appendix 2 of the LVIA.

Additional Effects/Concerns

23. I have additional concerns regarding the inward-looking design of the development. There would be only one vehicular access into it from Snakemoor Lane. This access, which will need to be suitably engineered with adequate visibility splays requiring trimming or re-planting of the existing roadside hedge would itself change the character of this country lane.

24. The cycle and pedestrian access from Botley Road through the woodland would be unlikely to appeal to residents of the development unless it was adequately lit and wide enough. There are no other links indicated from the site to local routes apart from a proposed cycle access in the southeast corner of the site. There are no links to the surrounding PROWs. There seems to have been little thought as to how such an isolated housing estate in this countryside location is realistically going to connect to local sustainable transport routes.

Conclusion

25. In summary, the proposal feels like a typical urban development transposed onto a random field in the countryside that has a limited relationship with surrounding settlements, including Horton Heath. It would be alien to surrounding landscape and visual character and it would exhibit an unappealing inward-looking design with poor connectivity to surrounding PROWs and footways.

26. LP Policy S1 (Delivering sustainable development)1 states: *'To be sustainable, new development should'* do a number of things (listed a-k) including *'i. maintain local environmental quality, including avoiding damage to, and where possible enhancing, the existing valued urban and rural environments in the Borough and heritage assets'*.

27. Policy S5 (New development in the countryside) 2 states: *'In permitting new development in the countryside the Borough Council will seek to'* do a number of things (listed a-e) including *'a. avoid adverse impacts on the rural, woodland, riparian or costal character, the intrinsic character of the landscape…'*.

28. Policy DM1 (General criteria for new development) 1 states: *'All new development should (as relevant)'* do a number of things (listed a-k), including *'a. not have an unacceptable impact on, and where possible should enhance: i. the character and appearance of urban areas, the countryside and the coast'.*

29. For the above reasons, the proposed development would harm the landscape character of this part of the Borough's countryside and is consequently contrary to all the above LP policies.

30. In terms of the NPPF, DM Policy N2 (Improving the natural environment) 1. requires development proposals to do a number of things including *'a. Consider the environmental qualities of land proposed for development, including habitats, landscape character and the natural beauty of the countryside, and identify opportunities for those qualities to be conserved and enhanced'*. Whilst the appellant may have considered such qualities, it has not done so sufficiently

because they would not be adequately conserved. Consequently, the proposed development would fail to comply with Policy N2.

31. NPPF DM Policy DP3 (Key principles for well-designed places) requires *'1. Development proposals should respond to their context (the history, character and features of their site and its setting), so that they integrate with and enhance their surroundings'*. For the above reasons, the proposed development would not do so and consequently would fail to comply with this policy.

Accessibility by Sustainable Transport Modes

32. NPPF DM Policy TR3 (Locating development in sustainable locations) requires in 1 *'a. Development proposals which could generate a significant amount of movement, in the context of the area within which they would be situated, should be in locations that are sustainable (or which can be made so, taking into account planned improvements, including any provided as part of the development itself). This means the location should limit the need to travel, particularly by private car, and offer a genuine choice of transport modes for residents and users, unless the nature of the development would make this impractical'* [my underlining].

33. The appellant accepts that a package of measures needs to be provided to make the location of the proposed development sustainable. These would be delivered through the S106 (Schedule 7) and a S38/S278 agreement with the County Council as Local Highway Authority, and would comprise the following improvements to highway infrastructure:

- a new 3m wide footway/cycleway on Botley Road, from the roundabout to Blind Lane;
- a new toucan crossing for pedestrians and cyclists at the Botley Road entrance to the site;
- priority side-road crossings north of the site in Horton Heath (improvements to dropped curbs and tactile pavements);
- an improved central pedestrian splitter-island crossing on Botley Road at Denham's Corner roundabout
- a new bench at Botley Road/Knowle Lane junction;
- an improvement to the crossing at Bubb Lane with a new 3m wide section of shared pedestrian/cycle route;
- an extension of the 30-mph speed limit on Botley Road with street lighting;
- clearance of vegetation overgrowth on the Bubb Lane shared pedestrian/cycle route
- additional lighting on Bubb Lane

34. The question therefore is whether these improvements would '*limit the need to travel, particularly by private car, and offer a genuine choice of transport modes for residents and users'.*

35. Much time was spent during the evidence on this issue as to what *'a genuine choice of transport modes'* means in practice. The appellant was keen to express that this does not mean that every resident of the new development is required to

use sustainable transport modes to access local services. That is correct, but the Council is right in suggesting that for a genuine choice to be available, the above improvements would have to persuade a reasonable proportion of residents to walk, wheel, cycle or take the bus to local facilities rather than use their own private car for their regular journeys. This does mean attracting residents who might be persuaded to use such modes instead of driving – rather than the 'die-hards' who would always walk or cycle or who would always drive come what may. Hence the imprecation in LP Policy S11, Transport infrastructure 1 a. i. of ensuring new developments encourage such modes [my underlining]. It stands to reason that residents of the development are unlikely to be encouraged if the distances are too far and/or the routes are of poor quality or are likely to be perceived as unsafe.

36. Whether the above improvements would do that therefore depends on the time it would take to access local facilities by these sustainable transport modes, which is a function of the distance to them from the site. The quality, safety and convenience of these routes will also be crucial. I address each of these modes in turn below.

Walking

37. The distance from the centre of the development to various local facilities are set out in Table 1 of the Transport Statement of Common Ground. There is generally an insignificant difference between the distances arrived at by the appellant's witness and the County Council's witness, but I prefer the latter's figures because they measure from the centre of the site to the front door of the facility and take into account the location of crossing points on Botley Road, a busy road which means that it can only generally be crossed at crossings where it is safe to do so.

38. Manual for Streets[5] states that walkable neighbourhoods are typically characterised by having a range of facilities within 800m or 10 minutes' walk, but this is not an upper limit and walking under 2km offers the greatest potential to replace short car trips. The CIHT guidance suggests 2km is the preferred maximum walking distance.

39. However, nearly all the local facilities are more than 2km away from the centre of the site. The only facility within 800m is the Brigadier Gerard pub, which is hardly a vital day-to-day facility. The Londis convenience store in the petrol filling station on Botley Road is 1,160m away, which some residents might walk to. But the nearest existing schools in Horton Heath are over 2km away. There are no other grocery stores or GP or other medical facilities within walking distance of the site. The new primary school at One Horton Heath, due to open in 2028, would be 1.7km away and the local centre 1.75km away; I agree these facilities will be delivered in the coming years but when exactly is uncertain and it is unclear what specific facilities the local centre will contain. In any case, the new school and local centre would be unlikely to attract walkers from the site because of the route and distance.

40. Having walked the whole length of Botley Road to the existing schools and the site of the new school and local centre at One Horton Heath, including on a weekday, I very much doubt that most residents would even walk from the site to the Londis store because the footways on the road are narrow (particularly so at its southern end) and the road is busy, including with HGV traffic. Such a walk is unpleasant

[5] CD L1

and the improvements to the side road crossings in Horton Heath would not make it any less so. I very much doubt many, if any, parents would choose to walk their children to school over such a distance on such an unpleasant route and I'm sure they wouldn't let them walk this route on their own because they would worry it was unsafe, despite its 30mph speed limit. This would also apply to anyone wheeling to these facilities (i.e. in a wheelchair).

Cycling

41. I accept that 5km is an acceptable cycling distance for most cyclists, but whether any of the identified facilities would be likely to be accessed by bike depends on the nature and quality of the route. The schools, existing and proposed, Hedge End railway station, Sainsbury's in Hedge End, the Tollbar Way Employment Area, and the Fair Oak GP Surgery and pharmacy would all be within 5km.

42. However, the proposed shared 3m wide cycle/pedestrian lane between Denham's Corner roundabout and Blind Lane does not continue beyond there. Anyone cycling further north into Horton Heath would be forced to rejoin the carriageway of Botley Road, a busy road with much HGV traffic. This would put most people off cycling such a route –which would not be a genuine choice when faced with its alternative: getting in a car and driving.

43. I accept that the overgrowth on the shared Bubb Lane pedestrian/cycleway would be cleared but even with such clearance this route is generally less than 1.8m wide (much narrower at its eastern end), insufficient for two cyclists, or a cyclist and pedestrian, to comfortably pass each other. Its width is considerably less than 3m recommended for 2-way cycle lanes in LTN1/20[6]. This route is generally close to the carriageway, where the speed limit is 50mph. So, even assuming such a route would be lit at night, I very much doubt that many residents would cycle to Hedge End station, even with its generous cycle storage racks, which I noticed were completely empty when I went there in the middle of a weekday.

44. Some residents might cycle these routes but for the above reasons I do not consider that cycling them would be a realistic option when compared to getting in a car. I certainly can't see any likelihood of children cycling to school on Botley Road, even with their parents accompanying them.

Bus

45. There are bus stops on Botley Road 300m from the centre of the site. There are generally frequent services from these stops by the No 3 Bluestar route to Eastleigh and Southampton and settlements in between them.

46. However, there is a significant gap of 1 hour 45 minutes in the service in the am peak hours – there is a service at 07:14 but the next one is at 09:59. This would seriously put off people using the bus to get to work or children using it to get to school. For instance, any child getting the bus from the site to the Fair Oak schools would either arrive there at 07:19 (far too early) or 10:05 (late), both of which would not realistically happen. Again, anyone using this service to get to work in Eastleigh or Southampton would likely be too early or too late, and so would be obliged to use other means of transport. Additionally, I consider few residents would realistically use this service to get to Southampton at any time of the day

[6] CD L7, Table 5-2 on p.43 – Cycle Infrastructure Design, Local Transport Note 1/20, July 2020, Department of Transport

since the journey time is over an hour, far too long for most travellers accessing employment, or to go shopping or for other leisure pursuits.

Rail

47. There is an hourly service from Hedge End railway station to London Waterloo in one direction and to Portsmouth the other way. Yes, residents will have the option to walk or cycle to the station including for purposes of commuting. But, for the reasons set out above, I do not consider that either would be realistic for most residents. The distance would be too far to walk for most and the cycle route, although only 2.25km, is not wide enough or good enough to encourage more than a likely few residents to use it.

The Mobility Hub

48. The mobility hub would be the only facility on the site, apart from the children's play area and the public open space. It would include managed electric bike hire, communal electric vehicle charging spaces, a parcel-delivery hub and space for pop-up events such as bike maintenance and local produce sales, as well as a display board for public transport and community information.

49. It would theoretically help to encourage residents to use electric bikes or scooters and the local bus route and to that extent discourage residents from using their cars. But it would only really be as good as these alternative sustainable transport routes themselves, which for all the above reasons would not offer a realistic and therefore not a genuine choice when compared to the private car. Consequently, I envisage little take-up of e-bikes or scooters and the mobility hub facilities in general.

Conclusion

50. For the above reasons the proposed improvements offered by the appellant would not realistically limit the need to travel, particularly by private car, and would not offer a genuine choice of transport modes for residents and users of the development.

51. LP Policy S1 e. requires new development to *'minimise the need to travel longer distances and, where travel is necessary, prioritise more sustainable forms of transport, such as active travel, other alternatives to car use, or a combination of active travel and other alternatives to car use'*. As set out above, Policy S11 1 a. i. seeks to ensure new development encourages walking, cycling and the use of public transport.

52. The above improvements proposed by the appellant fail in prioritising these sustainable transport modes and do too little to encourage their realistic use. It may well be the case that the appellant has offered all the reasonable and legally enforceable requests for service improvements it can in relation to the CIL Regulation tests, but that does not mean they are sufficient to meet the above policy tests in the LP, nor indeed in the NPPF.

53. They would be insufficient for the above reasons, which is principally because the site is remote from the facilities that residents would require on a regular basis, the walking and cycling routes – even with the proposed improvements – would be generally poor and the local bus service would be insufficient, resulting in such sustainable transport modes not being generally taken up, meaning the

predominant use of private cars by residents to access local services and facilities. That would be contrary to LP Policies S1 and S11, and also to Policy DM13 General development criteria - transport 4, which only permits new development in locations that can be served by means of transport other than the private car.

54. The proposed development would be contrary to NPPF DM Policy TR3 1 a. because it would not be in a location that would offer a genuine choice of travel modes. It would also be contrary to TR4 (Street design, access and parking) 1 a. because it would not give priority first to walking, wheeling and cycle movements between the site and neighbouring areas. Because it doesn't do this effectively, it would also be contrary to Policy DP3 (Key principles for well-designed places) 2 d, which requires such good connections.

The Planning Balance including NPPF Policy S5

55. S70(2)(a) of the 1990 Act and S38(6) of the 2004 Act together require that the determination of whether to grant or refuse planning permission must be made in accordance with the development plan unless material considerations indicate otherwise. The benefits of this scheme could constitute such material considerations.

56. I have found that the proposed development would result in landscape and visual harm to this part of the countryside contrary to LP Policies S1 1 i, S5 2 and DM1 1 a, and that it would be poorly connected by sustainable transport modes to local facilities in the area contrary to LP Policies S1 e., S11 1 a. i. and DM13 4. These constitute substantial harms because they are also contrary to extant recently published government policy in the new NPPF: to DM Policies N2 1 a. and DP3 1 in respect of landscape and visual harm to the character of the countryside, and to TR3 1 a, TR4 1 a. and DP3 2 d, and are therefore up-to-date policies.

57. The site is situated in the countryside outside of the urban edge and is not an allocated site and is hence also contrary to LP Policy S5 1 because it is not one of the identified allowed exceptions.

58. As such, the proposed development is clearly contrary to the LP when considered as a whole.

59. However, I give little weight to the fact that the site lies in the countryside outside of the urban edge and that the proposed development would breach the Council's spatial strategy in Policy S5 1, because the Council cannot demonstrate a five-year housing land supply (5YHLS) based on the government's standard method. The Council accepts in principle that if it is to meet its housing requirement it will have to allow housing developments on greenfield sites in the countryside.

60. Indeed, the LP established a need at the time of adoption for 729 dwellings per annum (dpa) but only proposed a delivery of 599 dpa, whereas the current need under the standard method is 921 dpa. The parties are agreed that the HLS position lies somewhere between the appellant's suggested 2.36 years and the Council's suggested 3.69 years and agree that anywhere within that range comprises a significant shortfall, such that the delivery of these 150 dwellings would be a substantial planning benefit[7] of the scheme.

[7] My weighting scale for both harms and benefits is as follows: substantial, significant, moderate, and limited.

61. The Council also has a considerable shortfall of affordable housing and the proposal would deliver, through the S106, 40% (or 60) of the proposed dwellings as affordable housing units. Clearly, and undisputedly, this is also a substantial benefit of the scheme.

62. I agree with the appellant that the biodiversity net gain that would accompany the development would attract moderate positive weight. However, the public open space and play area on the development should only attract limited weight because, given the inward-looking design of the illustrative scheme, I consider that they are only likely to be used by residents of the new housing estate; existing residents are likely to continue to use the local PROWs. The economic benefits should only attract limited weight because it is very unclear how local shops and services will actually benefit from residents' demands, which are generally likely to be obtained by car trips, possibly to areas wider afield.

63. NPPF Policy S5 (Principles of development outside settlements) makes clear that *'1. Only certain forms of development should be approved outside settlements, as set out'* in a list a-j. The only possible relevant item on this list is j, which is development that would address an unmet need, including in the case of housing where the local planning authority cannot demonstrate a 5YHLS, and where the development would: *'i. Be physically well-related to an existing settlement'*.

64. The development here would not be physically well-related to an existing settlement for the reasons explained in the second main issue above. It is separated from built development in Horton Heath by Scorey's Wood. It very much feels like a field in the open countryside, which is what it is. Snakemoor Lane is a narrow rural lane with an overtly rural character. Unlike One Horton Heath, which physically abuts the existing built-up area of Horton Heath and has been carefully planned as a strategic allocated site linked to that existing settlement, with significant new infrastructure including a 3m wide cycle track next to the main linking access road, a primary school and a local centre, the isolated development proposed here would be a poorly connected suburban housing estate with no on-site facilities.

65. It would realistically rely on route connections to the wider urban community for all its day-today requirements including schools, heath facilities, grocery shops and employment, and one predominantly and realistically reliant on private car journeys to link it to such facilities because the sustainable transport routes would be poor. As such it would be directly contrary to national and local planning policy and would be the antithesis of properly planned development, which should minimise the need to travel and be successfully connected to surrounding such facilities by a network of such sustainable transport routes. Consequently, the proposed development does not meet the requirements of S3 1 j.

66. NPPF Policy S5 4. States: *'Development proposals which do not fall within one of the categories set out in this policy should only be approved in exceptional circumstances, where the benefits of the proposal would substantially outweigh the adverse effects, including to the character of the countryside and in relation to promoting sustainable patterns of movement.'* There are no such exceptional circumstances here and the benefits of the proposal would not substantially outweigh the harms.

67. For these reasons the proposed development is unacceptable.

Other Matters

68. Besides the transport infrastructure improvements and the affordable housing, the S106 would also deliver a range of other necessary requirements should the scheme have been allowed including various SANG and SAMM contributions designed to mitigate any adverse impacts on the Solent and New Forest European nature sites. However, since I am dismissing the proposed development, I do not need to consider these other obligations, which are only necessary to address the impacts of the scheme itself, nor do I need to carry out an appropriate assessment under the Habitats Regulations, given the scheme is not going ahead.

Conclusion

69. For the reasons given above the appeal should be dismissed.

Nick Fagan

INSPECTOR

APPEARANCES

FOR THE APPELLANT: *Hashi Mohamed* (of Landmark Chambers) called:
-Tom Wigglesworth – Ecology
-Michal Nowak – Landscape & Visual Matters
-Dave Neale – Transport & Highways
-Kathryn Ventham - Planning

FOR THE LOCAL PLANNING AUTHORITY: *Josef Cannon KC* (of Cornerstone Barristers) called:
-Tim Dyer, EBC – Landscape & Visual Matters
-Chris Hirst, Hampshire County Council – Transport & Highways
-Gary Osmond – Planning

INTERESTED PARTIES:
-Christopher Davidson, local resident
-Nicholas Fitzgerald, local resident

DOCUMENTS SUBMITTED AT THE INQUIRY

ID1. Opening Remarks on Behalf of Appellant
ID2. Opening Statement on Behalf of the Council
ID3. Statement by Christopher Davidson, local resident
ID4. Statement by Nicholas Fitzgerald, local resident
ID5. List of agreed Conditions
ID6. Appeal decision APP/W1715/W/22/3292580 – Land at Satchell Lane, Hamble-Le-Rice 20/12/2022
ID7. Closing Submissions on Behalf of the Council
ID8. Closing Submissions on Behalf of the Appellant
ID9. Summary of Planning Obligations in the S106
ID10. The signed and dated S106