

EVIDENCE-BASED REPRESENTATION

Planning Application APP/26/00324 Land at Southleigh, Havant

Submitted by [REDACTED]

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Document Control

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Document title	Comprehensive Evidence-Based Representation: Planning Application APP/26/00324, Land at Southleigh
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Important note	The Green Party newsletter passages are presently taken from correspondence quoting Emsworth Green News Winter 2026 Issue 14. The original newsletter will be appended to the final evidence bundle if available.
Drafting principle	This document distinguishes verified documents, quoted correspondence, reasonable inference and legal/planning analysis. It avoids asserting unlawfulness as fact where the evidence more properly supports concern, perception or need for scrutiny. Application documents are referred to by the title, reference, project number, drawing number, revision or page visible on the submitted document. No application paragraph or drawing number has been invented.

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Appendix A - Member Questions

1. Are Members satisfied that APP/26/00324 has been assessed on its planning merits and not as an inevitable consequence of earlier strategic promotion?
2. Are Members satisfied that the public record demonstrates an open-minded decision-making process?
3. Are Members satisfied that the Green Party newsletter and councillor correspondence have been considered in the context of apparent predetermination and public confidence?
4. Are Members satisfied that the DCF participation arrangements were fair, transparent and proportionate?
5. Are Members satisfied that the absence or uncertainty of a direct A27/south-west link has been fully assessed?
6. Are Members satisfied that local network impacts, including the level crossing and town centre routing, are acceptable?
7. Are Members satisfied that cumulative impacts from neighbouring authorities, the A259 corridor and Amazon DPO1 have been assessed?
8. Are Members satisfied that ecological connectivity and landscape-scale habitat corridors are protected?
9. Are Members satisfied that farmland bird impacts and off-site compensation have been resolved?
10. Are Members satisfied that heritage harm to the setting of Southleigh Park House has been properly identified and weighed?
11. Are Members satisfied that formal sports, education, early years, drainage, healthcare and community infrastructure are secured?
12. Are Members satisfied that the Environmental Statement assesses likely significant effects and reasonable alternatives?
13. Are Members satisfied that every mitigation relied upon is necessary, deliverable, enforceable and fairly related to the development?
14. Have Members been given the Hampshire County Council Minerals and Waste Team response, reference CONS/2026/0471, and have they been advised how the Policy 15 mineral safeguarding objection is to be resolved?
15. If permission is granted, what evidence demonstrates that the decision is rational in the Wednesbury sense, having regard to all material considerations?

Appendix B - Short Form Portal Submission

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1. Executive Summary

This representation objects to planning application APP/26/00324, Land at Southleigh. It is submitted as a comprehensive evidence-based planning representation addressing the substantive planning merits, the applicant's own evidence, the Council's pre-application feedback, the reliability of the evidence base, public participation, democratic governance and the overall planning balance.

This document incorporates the complaint correspondence, Stage 1 and Stage 2 complaint responses, the Stage 1 rebuttal dossier, the Stage 2 response, the Development Consultation Forum transcript, the Havant Civic Society material, councillor correspondence and the quoted passages from Emsworth Green News Winter 2026 Issue 14.

The central submission is that the application should be refused unless and until the Local Planning Authority is satisfied, on properly evidenced grounds, that the proposal is sustainable development; that transport, ecological, heritage, drainage and infrastructure impacts are acceptable; that mitigation is certain, deliverable and enforceable; and that the decision-making process is demonstrably open-minded, procedurally fair and rational.

This document does not allege that any single document conclusively proves unlawful predetermination. That would overstate the evidence. The submission is more disciplined: the contemporaneous documents, when read together, create a legitimate and serious concern as to whether the principle of development at Southleigh has been treated as a practical assumption rather than a genuinely open planning question. That concern must be addressed expressly before determination.

The Council is respectfully invited to approach the application on the basis that an emerging allocation, political aspiration, housing pressure or developer promotion cannot lawfully substitute for the statutory planning judgement required under section 38(6) of the Planning and Compulsory Purchase Act 2004. The decision must be made in accordance with the development plan unless material considerations indicate otherwise.

Headline conclusions

- The applicant's own public newsletter states that the proposals follow a 'longstanding aspiration of the Council' to develop the site. That is directly relevant to public perception and to the need for a demonstrably open-minded application-level decision.
- The Stage 1 complaint response confirms that Planning Officers corresponded with and held meetings with Bloor in the context of the Local Plan and Bloor's intended application, that Bloor presented a draft masterplan, that the Council provided initial comments, and that those discussions took place under a Planning Performance Agreement.
- The Stage 2 complaint response records that the Council has identified Southleigh in planning strategies and emerging Local Plans since 2016, and states that, from a planning policy perspective, the Council has determined that the site should be identified for development and allocated, while maintaining that each application must be assessed on its own merits.
- The quoted Green Party newsletter passages and the subsequent 26 January 2026 councillor email stating that, due to political alliance arrangements, councillors were 'obliged to support the local plan' are material to the objective appearance of political independence and open-mindedness.
- The DCF transcript records that the site was not allocated in the adopted development plan, that the emerging Local Plan had only minimal weight at that stage, and that the application would be for outline permission to establish the principle of development. This makes it particularly important that the principle remains genuinely open.
- The DCF transcript records repeated councillor concern about transport, the absence of a direct A27 link, cumulative traffic, GP capacity, housing mix, biodiversity, flooding, utilities and infrastructure delivery.
- The Council's February 2025 officer feedback raises unresolved concerns on road access, highway coordination, masterplan layout, parkland encroachment, heritage harm, ecology, formal sports provision and drainage.

- The applicant's own 2022 and 2025 Local Plan representations identify uncertainty around the A27 link, seek flexibility around infrastructure and viability, and support the strategic allocation while also resisting certain policy requirements. This is relevant to certainty of mitigation and delivery.

Request

For the reasons set out in this representation, planning permission should be refused. In the alternative, the application should not be determined until all material evidence has been disclosed, all statutory and technical consultees have responded on the final scheme, all mitigation is shown to be certain and enforceable, and Members have been provided with a full and balanced report addressing each of the matters identified below.

2. Status and Methodology

This document is prepared as a planning representation. It is not a legal opinion and it is not a substitute for specialist legal advice. It does, however, identify legal principles that are directly relevant to the discharge of the Council's planning function.

The methodology adopted is straightforward: first, identify the material planning issue; secondly, identify the relevant policy or legal principle; thirdly, set out the documentary evidence; fourthly, analyse whether the application has adequately addressed the issue; and fifthly, state the planning consequence.

The document uses an exhibit-led approach. Each key document is given a reference code so that Members and officers can follow the evidence without the argument becoming a fog of unsupported assertion. This is important because the strongest parts of the case arise from the applicant's own documents, the Council's own correspondence and public records of the DCF process.

For the application submission itself, I have not used invented numbering. Where I rely on the applicant's papers, I refer to the submitted document title and the visible reference on that document - for example the White Peak Planning Statement ref: 2023.003, the Stantec Transport Assessment Project Number 332610150, or the Stantec access drawing numbers and revisions. Where a submitted document has no paragraph numbering, I use the page, section heading, figure, table or drawing number that is visible on the submitted material.

Where correspondence is quoted directly, the date, sender, recipient and context are identified where available. Where the original source document has not yet been uploaded, the document states that the quote is presently derived from later correspondence and will be verified by additional documents if needed and appending the original.

Evidential hierarchy

- Primary application documents and formal applicant representations.
- Council documents, officer feedback, complaint responses and disclosed correspondence.
- Development Consultation Forum transcript and public meeting records.
- National policy, legislation, Planning Practice Guidance and established planning/public law principles.
- Public correspondence, councillor and political statements, but only where original wording, date and context can be verified.

3. Evidence Architecture and Exhibit Schedule

The following exhibit schedule is used throughout this document. The final submission will append the underlying documents in the same order, either as a PDF evidence bundle or as individually labelled attachments.

Ref	Document / evidence	Relevance
E01	1Members Briefing: APP/26/00324	The original ground framework and Members questions.
E02	Bloor Homes Southleigh Newsletter, 29 May 2025, V03/V04	States that proposals follow a "longstanding aspiration of the Council" and confirms outline application to establish principle.
E03	Barton Willmore/Stantec representations for Bloor Homes and the White Family, 14 November 2022	Records 2016 strategic site history, support for HBC position, A27 link uncertainty and deliverability narrative.
E04	HBC Officer Feedback to Bloor Homes, Emerging Southleigh Masterplan, February 2025	Officer concerns on access, highway coordination, ecology, parkland, heritage, sports, drainage and sustainable transport.
E05	HBC email to Bloor Homes, 3 April 2025, Link to the South West for Strategic Site	Forwards GIS shapefiles and records safeguarding/masterplan dialogue.
E06	White Peak Planning representations for Bloor Homes, 30 June 2025	Applicant seeks flexibility on infrastructure, access, viability, BNG, nutrient neutrality and housing policy.
E07	Bloor Homes email to HBC, 4 June 2025	Records delayed engagement following helpful dialogue with officer team and sharing of materials.
HBC01	COM26 - Stage 1 complaint response, 15 August 2025	Council response to concerns on predetermination, greenfield prioritisation, road safeguarding, Duty to Cooperate and FOI/EIR.
HBC02	Southleigh Stage 1 Rebuttal Dossier, 17 August 2025	Sets out procedural and legal rebuttal to Stage 1 response.
HBC03	COM2/4 - Stage 2 complaint response, 11 September 2025	Monitoring Officer/Chief Legal Officer response to Stage 2 complaint.
HBC04	Southleigh Stage 2 Response, James Hannon	Further response alleging flawed closure and late consideration of FOI/EIR material.
HDT01	Housing Delivery Test letter to Minister, 18 September 2025	Evidence of cross-authority concern about formulaic housing delivery methodology where National Parks constrain land supply.
SPG01	Southleigh Planning Group Briefing Note	Contemporaneous summary of concerns: predetermination, brownfield, A27, infrastructure, carbon, Wednesbury.
DCF01	Havant Civic Society slides for Bloor Southleigh DCF	Slides and questions focusing on local road capacity, cumulative traffic, Amazon DPO1 baseline and consultation transparency.
DCF02	Havant Civic Society draft transcript of Bloor Homes Southleigh DCF, 27 January 2026	Public transcript recording officer, applicant, councillor and community statements.
CR01	Speaker Slot Request email, 8 January 2026	Request by directly affected resident to speak at DCF.
CR02	Follow-up to Democratic Services, 15 January 2026	Concern at lack of acknowledgment and participation process.
CR03	██████████ response, 15 January 2026	Referral to Planning; not treated as Democratic Services matter.
CR04	Further governance email, 15 January 2026	Clarifies that issue concerns democratic access and governance, not planning merits.
CR05	██████████ response, 19 January 2026	States not a matter for Democratic Services and leaves matter with planning colleagues.
CR06	Tier 1 complaint email, 19 January 2026	Formal complaint alleging democratic process failure and inappropriate deflection to Planning Services.
CR07	Email to councillors concerning lack of response and DCF process, 15 January 2026	Records concern that direct participation was unavailable and Emsworth impacts were being marginalised.
GP01	Emsworth Green News Winter 2026 Issue 14 - passages quoted in correspondence	Public political newsletter material: original newsletter to be appended.
CR08	Email to Cllrs Rason and Mychaleckyj, 25 January 2026	Challenges newsletter framing as mitigation of assumed outcome rather than scrutiny of principle.
CR09	Councillor Grainne Rason email, 26 January	States: "Due to our alliance and therefore

	2026	being in the administration, we are obliged to support the local plan."
CR10	Response to Councillor Rason, 26 January 2026	Explains why the assertion is legally/procedurally problematic and asks for clarification.
JR01	Skeleton Argument - Southleigh Hannon	Earlier draft JR analysis and grounds; supporting background, not primary evidence.
JR02	Southleigh JR test Submission JH	Earlier legal submission test; useful for chronology of legal concerns, not primary evidence.
Application documents	Submitted application documents cited in this representation	The application material is cited by its own submitted title, visible reference, project number, drawing number, revision or page. These are not substituted for the author evidence references above.
Planning Statement	Planning Statement, Southleigh, Bloor Homes Limited, White Peak Planning Ltd, March 2026, ref: 2023.003	Planning case, development description, policy context and planning balance.
ES NTS	Environmental Statement: Non-Technical Summary, Southleigh, Havant, Bloor Homes, April 2026, ref: 2023.003	Alternatives, construction/occupation timescales, BMV agricultural land and summary of effects.
ES Ch.8	Environmental Statement Chapter 8 - Landscape and Visual Effects, Southleigh, Havant, ref: 2023.003	Landscape effects, landscape character and visual effects.
ES App.8.2	ES Appendix 8.2 - Published Landscape Character Assessment Extracts, Parts 1 and 2	Havant and Emsworth Coastal Plain; Southleigh Agricultural Plain; green gaps and landscape character.
TA	Transport Assessment, Stantec UK Limited, April 2026, Project Number 332610150, Revision C Final	Transport strategy, trip generation, modal assumptions, access and Appendix K junction modelling outputs.
FTP	Framework Travel Plan, Stantec UK Limited, April 2026, Project Number 332610150, Revision D Final	Sustainable travel measures and mode shift assumptions.
FRA	Flood Risk Assessment, Stantec UK Limited, Project Ref: 332310755/316, Rev P1, April 2026	Flood risk, drainage and water environment evidence.
SWDS	Surface Water Drainage Strategy, Stantec UK Ltd, April 2026, Project Number 332610150	Surface water drainage strategy and SuDS basis.
Ecol. Baseline	Appendix 9.1: Ecological Baseline, Ecological Planning & Research Ltd, Final Report, Issue 23/25-1A, 03 March 2026	Habitats, species, birds, bats, dormice, reptiles and ecological baseline.
HRA Info	Appendix 9.2: Information for Habitats Regulations Assessment, Ecological Planning & Research Ltd, Final Report, Issue 23/25-2A, 04 March 2026	Information to inform the competent authority under the Habitats Regulations.
ALQ	Agricultural Land Quality at Southleigh, Havant, Reading Agricultural Consultants, June 2023	Agricultural land classification and BMV context.
Noise	Appendix 6.3: Site Suitability Noise Assessment, Suono, Reference 2856.AP.03.02, 29 May 2025	Outline-stage acoustic assumptions and reserved matters dependence.
Obligations	Ref: 2023.003.Planning Obligations Statement, Southleigh - Obligations Statement, 02/06/26	Draft Heads of Terms, without prejudice and subject to CIL Regulation 122.
PP1	Parameter Plan 1: Land Use and Access, Stantec, Project No 333101046, Drawing No BL-M-03, Revision J	Land use and access parameter plan.
PP2	Parameter Plan 2: Green and Blue Infrastructure, Stantec, Project No 333101046, Drawing No BL-M-04, Revision J	Green and blue infrastructure parameter plan.
Access drawings	Site Access Drawings: 332310755-STN-HGN-CH-SW-DR-0001 Rev P03; 332310755-STN-HGN-CH-SW-DR-0002 Rev P03; 332310755-STN-HGN-XX-SK-H-0003 Rev P03; 332310755-STN-HGN-XX-SK-H-0004 Rev P02	Southleigh Road west, Eastleigh Road, Southleigh Road east and Normandy Way access drawings.
Minerals consultee	Hampshire County Council Minerals and Waste Team consultee response, reference CONS/2026/0471, dated 30 June 2026	Mineral safeguarding, MRA requirement and objection/contrary policy position.

4. Planning History and Chronology

The chronology distinguishes the long-running strategic planning background from the more recent decision-making process now relevant to application APP/26/00324. The earlier history explains context; the recent correspondence and DCF process are material to procedural fairness and the objective appearance of open-minded decision-making.

Date / period	Evidence	Event	Planning significance
December 2016	E03	Bloor records that Southleigh had been identified by HBC as a strategic site since the Local Plan Housing Statement in December 2016.	Historic planning background; not determinative of the present application.
2017	E03 / DCF02	Master-planning workshops and masterplan framework referenced in later documents and DCF transcript.	Important because public expectation included strategic/spine road access and comprehensive planning.
2021-2022	E03 / DCF02	Previous Local Plan examined and later withdrawn. Southleigh had appeared as a strategic site.	Relevant to unresolved delivery and transport issues carried forward.
14 November 2022	E03	Bloor Homes and landowners support HBC continuing to identify Southleigh for around 2,100 homes.	Shows applicant alignment with Council strategic direction.
January-February 2025	E04	HBC officer feedback on emerging masterplan: road access, highway coordination, parkland, heritage, ecology, formal sports and drainage.	Material because it identifies unresolved matters prior to submission.
3 April 2025	E05	HBC sends GIS shapefiles for south-west link/safeguarding to Bloor.	Shows officer-developer engagement on safeguarding and masterplan alignment.
29 May 2025	E02	Bloor newsletter states proposals follow a longstanding aspiration of the Council and that outline permission would establish the principle of development.	Central to perception of predetermined principle.
4 June 2025	E07	Bloor tells HBC engagement was delayed following helpful dialogue with officers to avoid complications with Local Plan events.	Shows coordination of engagement timetable and messaging.
30 June 2025	E06	Bloor submits Local Plan representations seeking policy amendments and flexibility.	Relevant to infrastructure certainty and future deliverability.
15 August 2025	HBC01	Stage 1 response confirms meetings/correspondence with Bloor, draft masterplan comments and PPA.	Primary Council evidence on pre-application engagement.
17 August 2025	HBC02	Stage 1 rebuttal challenges premature closure, PPA engagement, brownfield, Duty to Cooperate, housing narrative and FOI/EIR timing.	Shows concerns raised contemporaneously.
11 September 2025	HBC03	Stage 2 response confirms Southleigh identified in strategies/emerging Local Plans since 2016 and that Council had determined policy position to identify/allocate.	Important nuanced evidence: Council distinguishes policy allocation from application merits.
18 September 2025	HDT01	EHDC/MP letter to Minister challenges formulaic HDT in National Park context.	Relevant context for housing target methodology and cross-boundary pressure.
8 January 2026	CR01	██████████ requests a speaking slot at the DCF in his own capacity.	Starts DCF democratic access chronology.
15 January 2026	CR02 / CR03 / CR04	Follow-up and Democratic	Supports procedural fairness and

		Services referral to Planning; governance issue clarified.	governance concern.
19 January 2026	CR05 / CR06	Democratic Services maintains not a matter for Democratic Services; Tier 1 complaint raised.	Material to Ground 12 and democratic governance.
Winter 2026	GP01	Emsworth Green News Issue 14 passages describe councillor focus on how proposals could meet housing need while respecting concerns and asking questions on access, traffic, housing sizes, insulation, amenities and more.	Material public framing of development as mitigation/delivery question; original to be appended.
25 January 2026	CR08	Email challenges Green Party newsletter framing and asks whether councillors consider Southleigh acceptable in principle.	Places councillors and Council on notice of concern before DCF.
26 January 2026	CR09	Councillor Rason replies: "Due to our alliance and therefore being in the administration, we are obliged to support the local plan."	Material to objective appearance of open-mindedness and fettering.
27 January 2026	DCF02	DCF takes place. Officers state site is not allocated in adopted development plan and emerging Local Plan has minimal weight. Bloor confirms no direct A27 link proposed. Councillors raise extensive infrastructure concerns.	Crucial public record of policy status, applicant stance and unresolved concerns.
2026	Application documents	APP/26/00324 submitted as outline application to establish principle of development.	Present application must be determined on its own merits.

5. Legal and Policy Framework

5.1 Statutory planning duty

The starting point is section 38(6) of the Planning and Compulsory Purchase Act 2004. Decisions must be made in accordance with the development plan unless material considerations indicate otherwise. This statutory duty is not displaced by aspiration, political preference, draft allocations or developer confidence.

An emerging local plan may be a material consideration, but the weight to be given to it depends upon its stage, unresolved objections, consistency with national policy and the degree of certainty around its evidence base. An emerging allocation is not a planning permission by instalments.

Section 70 of the Town and Country Planning Act 1990 is also relevant. It requires the decision-maker to have regard to the development plan, so far as material, and to any other material considerations. That is why this representation repeatedly identifies the matters that must be placed before Members and expressly weighed.

The courts have been clear that the weight to be given to a material consideration is normally a matter for the decision-maker. In *Tesco Stores Ltd v Secretary of State for the Environment* [1995] 1 WLR 759, Lord Hoffmann explained that, provided the authority has regard to all material considerations, it is for the authority to decide what weight should be given to them. That assists the Council, but it also defines the discipline required. The material considerations must first be identified and considered. They cannot be ignored because they are inconvenient or because housing need is pressing.

5.2 National Planning Policy Framework

The NPPF is a material consideration in planning decisions. It supports housing delivery and sustainable development, but also requires proper consideration of transport, environmental protection, biodiversity, heritage, flood risk, infrastructure, climate resilience, the effective use of land and planning conditions/obligations.

Hopkins Homes Ltd v Secretary of State for Communities and Local Government [2017] UKSC 37 is a useful reminder that the NPPF must be read sensibly and as a whole. Housing supply policies matter, but they do not disapply the environmental, transport, heritage, ecological and infrastructure requirements that also form part of national planning policy.

5.3 Predisposition, predetermination and apparent bias

Section 25 of the Localism Act 2011 confirms that a councillor is not to be taken to have had a closed mind merely because they had previously expressed a view or campaigned on an issue. That is an important democratic safeguard.

However, section 25 does not abolish procedural fairness. It does not authorise a councillor or authority to treat an application as predetermined. The relevant distinction remains between lawful predisposition and unlawful predetermination. A member may have a provisional view, but must remain capable of being persuaded by the evidence and by the officer report at the point of decision.

That is the narrow point taken here. I do not say that councillors cannot support a Local Plan, nor that officers cannot meet developers. The concern is whether, at the point of determining an outline application which would establish the principle of development, Members remain visibly free to decide that permission should be refused.

The evidential issue in this case is not whether one phrase proves illegality. It is whether the public record, considered cumulatively, gives rise to a legitimate concern that the principle of development had been treated as assumed before the outline application was determined.

5.4 Consultation and public participation

Public participation in planning is not simply a matter of holding events. The process must be fair, transparent and proportionate to the scale and impact of the proposal. Where a Council-facilitated DCF allows the developer and councillors to engage but denies directly affected residents a direct speaking slot, the Council should be able to identify the policy or constitutional basis for that limitation and explain how resident concerns are nevertheless effectively captured.

The representation does not assert that every DCF must permit every resident to speak. The point is narrower: where a resident makes a reasoned request to speak on matters already raised with the Council, and where the response is referral to Planning Services rather than substantive governance consideration, that process becomes relevant to Ground 12 and to public confidence.

R (Kides) v South Cambridgeshire District Council [2002] EWCA Civ 1370 is relevant for a simple reason: material considerations arising before the decision is made must be considered. That includes the applicant's final submission, statutory consultee responses, consultation material, councillor correspondence, DCF material and properly made public representations.

6. Wednesbury, Rationality and Decision Quality

The Wednesbury principle concerns irrationality in public law. A decision may be vulnerable if the authority fails to take into account relevant considerations, takes into account irrelevant considerations, or reaches a conclusion unsupported by the evidence. This representation does not ask the Council to adjudicate upon a judicial review claim. It asks the Council to avoid creating one.

The relevant authority is Associated Provincial Picture Houses Ltd v Wednesbury Corporation [1948] 1 KB 223. I rely on it carefully. I do not ask Members to apply a judicial review test as if they were a court. I ask that the eventual

decision be made in a way that is rational, evidence-led and visibly based on the material considerations before the Council.

That means the officer report should do more than list representations. It should grapple with the substance of them. It should identify the harm, identify the claimed benefits, explain the weight given to both and then explain why any grant of permission is justified despite unresolved or adverse matters.

The issue is practical. The Council is aware of housing need, but it is also aware of serious constraints: uncertainty around the A27/south-west link, level crossing and local road constraints, the ecological corridor function, heritage setting issues, agricultural land loss, infrastructure delivery and public participation concerns. A rational decision must grapple with those matters, not merely recite housing need.

The Stage 1 response records a theoretical capacity of 7,981 dwellings against an objectively assessed need of 17,840, and states that even considering Southleigh and other greenfield sites, the need is still not going to be met by a wide margin [HBC01]. That is important. It means Southleigh cannot be justified simply as a complete answer to the Borough's housing need. It may contribute, but contribution is not the same as acceptability.

If the Council concludes that permission should be granted notwithstanding unresolved harm, the officer report must explain why that conclusion is rational. It should set out the benefits, identify the harms, explain the weight attached to each, identify the evidence relied upon for mitigation, and explain why deferred matters are capable of lawful control.

The same point applies to conditions and obligations. *Newbury District Council v Secretary of State for the Environment* [1981] AC 578 remains the usual starting point for the validity of planning conditions. Conditions must be imposed for a planning purpose, fairly and reasonably relate to the development, and be reasonable. Where infrastructure or mitigation is essential to acceptability, it should be secured with that discipline, not left as a general aspiration.

For landscape and heritage setting, *R (Samuel Smith Old Brewery (Tadcaster) v North Yorkshire County Council* [2020] UKSC 3 is relevant because landscape assessment is not confined to whether a view is pretty or whether built form can be screened. Character, openness, setting and the nature of the place are legitimate planning matters. That is directly relevant to Southleigh, the Southleigh Agricultural Plain and the gap between Havant/Denvilles and Emsworth/Warblington.

For ecology and Habitats Regulations matters, the Council must be satisfied in its role as competent authority. *R (Morge) v Hampshire County Council* [2011] UKSC 2 and *People Over Wind and Sweetman v Coillte Teoranta* (C-323/17) are useful reminders that ecological legal duties must be discharged with care and that mitigation cannot simply be assumed away at the wrong stage of assessment.

"Whilst we looked to allocate as much brownfield land as possible, this could not meet the need for development and so greenfield development is needed as well. Nonetheless, even considering Southleigh and other greenfield sites, the need for housing development is still not going to be met by a wide margin."

COM26 Stage 1 response, 15 August 2025 [HBC01]

7. The Fifteen Grounds of Objection

Ground 1 - Apparent Predetermination, Procedural Fairness, Democratic Governance and Whether the Decision-Making Process Demonstrably Remained Open-Minded

Issue

The concern is not that the Council has historically considered Southleigh through plan-making. That is legitimate. The concern is whether, by the time of application APP/26/00324, the cumulative public record gave the appearance

that the principle of development had become treated as settled, with public engagement directed principally to mitigation, delivery and refinement rather than whether outline permission should be granted at all.

Core evidence

E02 Bloor Homes public newsletter dated 29 May 2025 states that the proposals follow a "longstanding aspiration of the Council" to develop the site and explains that the outline application would establish the principle of development.

HBC01 Stage 1 response confirms that Planning Officers corresponded and held meetings with Bloor, that Bloor presented a draft masterplan, that the Council provided initial comments, and that the discussions took place under a PPA.

HBC03 Stage 2 response confirms that Southleigh has been identified in planning strategies and emerging Local Plans since 2016 and states that from a planning policy perspective the Council has determined that the site should be identified and allocated.

GP01 Emsworth Green News Winter 2026 Issue 14, as quoted in correspondence, refers to councillors examining how proposals can meet the local need for new houses while respecting community concerns and asking questions about access roads, traffic volumes and speeds, housing sizes, insulation, amenities and more.

CR09 Councillor Rason email dated 26 January 2026 states: "Due to our alliance and therefore being in the administration, we are obliged to support the local plan."

DCF02 DCF transcript records that the site is not allocated in the adopted development plan and that the emerging Local Plan had only minimal weight at that stage.

CR01-CR06 Correspondence records a request to speak at the Council-facilitated DCF, subsequent follow-ups, referral to Planning Services and a Tier 1 complaint concerning democratic access and governance.

Key quotations

"These proposals follow a longstanding aspiration of the Council to develop this site, as one of very few places in Havant District that can be brought forward to help meet the area's growing housing need."

Bloor Homes Southleigh Newsletter, 29 May 2025 [E02]

"Planning Officers have been corresponding and holding meetings with Bloor Homes in the context of the Local Plan and Bloor's intention to make a planning application in the near future."

COM26 Stage 1 response, 15 August 2025 [HBC01]

"The Council and Bloor have been discussing at a high level the work Bloor have already undertaken to inform their proposal. Bloor has presented to the Council a draft masterplan for the site and the Council has provided initial comments."

COM26 Stage 1 response, 15 August 2025 [HBC01]

"As such, from a planning policy perspective, the Council has determined that the site should be identified for development and allocated. Nonetheless, as a matter of fact and law, every planning application is assessed on its own merits."

COM2/4 Stage 2 response, 11 September 2025 [HBC03]

"Due to our alliance and therefore being in the administration, we are obliged to support the local plan."

Email from Cllr Grainne Rason, 26 January 2026 [CR09]

"The site is not allocated for development in the development plan and is outside the urban area identified in those plans... the emerging Local Plan... has only minimal weight in making planning decisions."

DCF transcript, planning policy overview [DCF02]

Analysis

None of the above documents, viewed individually, proves unlawful predetermination. A council may prepare a Local Plan. Officers may engage with promoters. Councillors may discuss public issues. Section 25 of the Localism Act protects democratic predisposition.

The point is cumulative. The applicant publicly characterised the proposal as following a longstanding Council aspiration. The Council confirmed PPA engagement, draft masterplan presentations and officer comments. The Monitoring Officer confirmed that, from a planning policy perspective, the Council had determined the site should be identified and allocated. A Green Party newsletter appears to have framed councillor activity around how proposals might meet need while respecting concerns. A councillor then stated that due to alliance/administration arrangements they were obliged to support the Local Plan.

That sequence is relevant to the objective appearance of fairness. The fair-minded and informed observer would understand that plan-making and development management are distinct, but would also expect councillors and officers to maintain that distinction visibly and carefully. This is especially so because APP/26/00324 is an outline application intended to establish the principle of development.

The DCF transcript sharpens the point. The public were told the site was not allocated in the adopted development plan and that the emerging Local Plan had only minimal weight. If that is correct, then the principle of development remained very much a live question at application stage. It was not an administrative follow-through from the emerging plan.

The DCF participation correspondence is also material. A directly affected resident sought a speaking slot, explaining that his concerns were detailed, technical and derived from sustained engagement. Democratic Services referred the issue to Planning Services and later maintained that it was not a matter for Democratic Services. The resident then lodged a Tier 1 complaint specifically framed as democratic process and governance, not planning merits. This supports the contention that public participation arrangements require explicit scrutiny.

The Council can address this concern by ensuring that the officer report sets out the chronology, explains the distinction between plan-making and application determination, identifies any councillors who may need to consider predetermination or bias, and confirms that the application is being determined on its merits, with no assumption that the emerging allocation dictates the outcome.

Planning consequence

The application should not be determined unless Members are provided with full and clear advice on the distinction between emerging allocation, pre-application engagement, political statements and the determination of APP/26/00324. If the Council cannot demonstrate a fair, open-minded and procedurally robust process, the application should be refused or deferred.

Ground 2 - Failure to Demonstrate that the Proposal Represents Sustainable Development

Issue

Sustainable development is not achieved by counting houses alone. It requires an integrated judgement across environmental, social and economic objectives.

Documentary evidence

E04 HBC officer feedback identifies unresolved matters on road access, highway coordination, heritage, parkland, formal sports and drainage.

DCF02 DCF transcript records extensive councillor and community concern about transport, GP capacity, infrastructure, ecology, flooding and energy.

E06 Bloor Local Plan representations seek flexibility on policy requirements relevant to infrastructure and viability.

The submitted Planning Statement is White Peak Planning Ltd, March 2026, ref: 2023.003. The submitted Planning Obligations Statement is ref: 2023.003.Planning Obligations Statement, dated 02/06/26. It describes the Heads of Terms as draft, without prejudice, to be agreed during determination and subject to CIL Regulation 122. That matters because the claimed benefits of the development depend upon legal certainty, phasing and enforceability, not merely broad agreement that contributions may be sought.

Analysis

The applicant relies heavily on housing delivery, affordable housing and strategic scale benefits. Those are material considerations, but they do not extinguish the need to assess environmental harm, transport dependency, infrastructure certainty and cumulative effects.

The DCF transcript shows that Bloor described many community facilities, health uses and infrastructure components as matters to be worked through or subject to future triggers. That is not unusual at outline stage, but it matters where those elements are essential to acceptability.

A scheme cannot be sustainable if the infrastructure which makes it acceptable is uncertain, deferred or dependent on later third-party decisions without enforceable mechanisms.

Planning consequence

The proposal has not yet been shown to represent sustainable development. The planning balance should not be resolved in favour of permission while essential mitigation and acceptability remain uncertain.

Ground 3 - Failure Properly to Consider Brownfield Land and Reasonable Alternatives

Issue

The application concerns major greenfield development. The Council must be satisfied that reasonable alternatives and less harmful options have been properly considered.

Documentary evidence

HBC01 Stage 1 response states brownfield capacity is insufficient and that the SHELAA theoretical capacity is 7,981 dwellings against need of 17,840.

HBC02 Stage 1 rebuttal challenges absence of a sequential test, density optimisation study and viability-tested regeneration options.

The applicant's Environmental Statement: Non-Technical Summary, April 2026, ref: 2023.003, page 13, states under 'Alternatives - Site Location' that 'Alternative locations for development have not been considered as the site is proposed for allocation under Allocation 1: Southleigh of the emerging Local Plan.' That is a significant application document statement. It means the Council must be particularly careful not to treat an emerging allocation as if it has already answered the alternatives question at application stage.

Analysis

Housing need cannot be used as a shortcut around alternatives. If the Borough faces a housing shortfall even after using available opportunities, that does not prove that Southleigh is acceptable. It proves only that the planning balance is difficult.

The Council should identify what brownfield options exist, what work has been done on intensification, what cross-boundary requests have been made, and why a greenfield release of this scale is justified notwithstanding permanent environmental harm.

The Wednesbury/rationality point arises because the Council itself accepts that even with Southleigh and other greenfield sites the Borough will not meet need by a wide margin. The claimed benefit is therefore partial and must be weighed against specific harm.

Planning consequence

Permission should not be granted unless the Council has clearly addressed reasonable alternatives and explained why irreversible release of Southleigh is justified notwithstanding less harmful options.

Ground 4 - Irreversible Loss of Agricultural Land and Food Security

Issue

Development of Southleigh would result in the permanent loss of agricultural land and countryside. Once built over, that land cannot meaningfully be restored as productive farmland.

Documentary evidence

SPG01 Southleigh Planning Group briefing identifies greenfield release, unused brownfield land, carbon and food/security implications as central concerns.

DCF02 Community/councillor discussion included concern about loss of prime arable land and mismatch with housing need.

E04 Officer feedback recognises historic farm buildings and agricultural heritage as part of sense of place.

The Environmental Statement: Non-Technical Summary, April 2026, ref: 2023.003, page 19, states that approximately 64 ha of the site is classified as Grade 2 agricultural land and 35 ha as Subgrade 3b, and that the development would lead to the loss of approximately 64 ha of Grade 2 BMV land, resulting in a substantial adverse effect. The Agricultural Land Quality report, Reading Agricultural Consultants, June 2023, explains at paragraphs 1.4

and 1.5 that Grade 2 is very good quality agricultural land and that Grades 1, 2 and 3a are Best and Most Versatile agricultural land.

Analysis

The NPPF requires recognition of the economic and other benefits of best and most versatile agricultural land. The assessment must identify land quality and give explicit weight to irreversible loss.

Green infrastructure, parkland and biodiversity measures may provide benefits, but they do not recreate agricultural productivity or food resilience.

Where agricultural land loss is permanent, the officer report should not treat it as a minor consequence of housing delivery. It requires clear assessment and weight.

Planning consequence

The Council should give explicit weight to irreversible agricultural land loss. If agricultural land evidence is incomplete or understated, the application should be refused or deferred.

Ground 5 - Strategic Green Corridor, Habitat Connectivity and Landscape Fragmentation

Issue

Southleigh is not merely a collection of fields. It forms part of a wider landscape and ecological corridor connecting harbour environments, Warblington, Hollybank Woods, woodland, parkland and wider green infrastructure.

Documentary evidence

E04 HBC officer feedback identifies the parkland, West Brook, eastern boundary habitats and linkages beyond the red line boundary as highly material.

DCF02 Bloor ecologist described habitat corridors and links from Southleigh Forest to parkland, Westbrook Stream and locally designated sites.

DCF02 Councillor Roberts raised bats, owls, reptiles, deer and corridor function at the DCF.

The submitted landscape material reinforces the point. ES Appendix 8.2, Published Landscape Character Assessment Extracts, records the Southleigh Agricultural Plain as 'one of the least altered LCAs within the borough' and identifies the farm complex as the only built form in that area. The same submitted appendix also records the threat of 'Potential permanent loss of agricultural land to urban extensions particularly in the Havant Emsworth Gap' and identifies the opportunity to 'Improve and maximise the function of gaps'.

Analysis

This ground is strategic. It is not limited to counting protected species. The issue is landscape-scale permeability, ecological function and long-term management.

The applicant presented ecological corridors as part of the benefit of the scheme. The Council must test whether those corridors are wide enough, protected enough, dark enough, wet enough and legally secured for the lifetime of the development.

If development narrows, urbanises or fragments the corridor while relying on residual landscaping to claim enhancement, that conclusion requires careful scrutiny.

Planning consequence

The application should be refused unless the Council is satisfied that the strategic corridor will be protected, enhanced, legally secured and managed for the lifetime of the development.

Ground 6 - Ecology, Biodiversity and Adequacy of Mitigation

Issue

The Council must be satisfied that ecological mitigation, BNG, species protection, nutrient/water impacts and habitat management are certain and enforceable.

Documentary evidence

E04 Officer ecological feedback identifies farmland birds, rare bat use, potential survey issues and the need to consider linkages beyond the red line boundary.

DCF02 Bloor ecologist accepted that farmland birds such as skylark cannot realistically be mitigated within the confines of a residential development and may require off-site skylark plots.

E06 Applicant representations seek flexibility on BNG and nutrient neutrality matters.

The Ecological Baseline, Appendix 9.1, EPR Final Report, Issue 23/25-1A, dated 03 March 2026, records Skylark as a Red List species and section 5 records farmland birds, barn owl foraging, bats, reptiles, water vole survey work and other ecological receptors. Paragraph 5.41 records farmland birds, particularly Skylark, as present. Paragraph 5.43 evaluates the breeding and wintering bird assemblages as being of District importance. Those are not minor matters to be swept up by a general BNG statement.

Analysis

The DCF transcript contains a significant ecological admission: some farmland bird impacts cannot realistically be mitigated within the residential development itself. That makes off-site compensation, legal securing and long-term management central, not optional.

BNG is habitat-based and does not necessarily resolve species-specific harm. The officer report must not confuse BNG metric output with full ecological acceptability.

Nutrient, water quality and recreational pressure matters must also be resolved before permission where they are necessary to make the development acceptable.

Planning consequence

Ecological mitigation, BNG, nutrient/water quality and species protection must be resolved to a level appropriate for outline permission. If they remain uncertain, permission should be refused or deferred.

Ground 7 - Heritage Harm and the Setting of Southleigh Park House

Issue

The proposal affects designated and non-designated heritage assets, including the setting of Southleigh Park House and associated parkland.

Documentary evidence

E04 HBC heritage feedback identifies Southleigh Park House as a Grade II listed building and records that parkland to the south contributes to its significance.

E04 Officer feedback states that there was minimal justification at that stage for encroachment into the parkland and that harm to setting would arise.

The Historic Environment Desk-Based Assessment submitted as ES Appendix 10.1 was prepared by Stantec for Bloor Homes and identifies the heritage baseline for the application. That material must be read alongside the officer heritage feedback already identified in E04. The planning consequence is straightforward: once harm to setting is identified, the officer report must explain the level of harm and the public benefits said to outweigh it.

DCF02 Officer planning history presentation identifies Southleigh Park House and associated development context.

Analysis

The Council must identify the heritage asset, assess significance, identify harm, give great weight to conservation and then weigh any harm against public benefits.

Less than substantial harm is still harm. It is not a planning triviality. If parkland encroachment remains within the submitted scheme, the public benefits relied upon to justify it must be clearly identified and weighed.

The fact that a development is strategic or provides housing does not remove the need for a disciplined heritage balance.

Planning consequence

If the scheme still encroaches into the setting of Southleigh Park House without compelling justification, refusal is justified or the scheme should be revised.

Ground 8 - Transport Impacts, Highway Capacity and Network Resilience

Issue

Transport is a central issue. The proposal would place additional traffic on a constrained local network including Southleigh Road, Horndean Road, Bartons Road, the Warblington level crossing, Havant and Emsworth routes and A27/A259 corridors.

Documentary evidence

E04 HBC officer feedback states the charette anticipated separate A27 access and that absence of that connection would be a difficult sell in public and possibly councillor expectation terms.

DCF02 Councillors Munday, Collings, Berwick, Brown, Gray and others raised serious concerns about network capacity, level crossing delay, cumulative impacts and lack of A27 link.

DCF01 Havant Civic Society slides identify four constrained routes, cumulative developments, Amazon DPO1 baseline and consultation questions.

The submitted Transport Assessment is Stantec UK Limited, April 2026, Project Number 332610150, Revision C Final. Its contents list Appendix K as 'Junction Modelling Outputs'. The submitted Appendix K material, including the A27/Havant Road/Emsworth Road junction modelling extracts, records in one 2038 Core Future Base + Committed Development + Proposed Development scenario an Emsworth Road arm result of Max RFC 1.45, Max Delay 704.62 seconds, Max Queue 145.7 PCU and Max LOS F. I rely on those figures because they appear in the applicant's submitted transport modelling material.

Analysis

The DCF transcript demonstrates that transport concern was not abstract or isolated. It was repeatedly raised by local councillors with direct knowledge of the network.

Bloor accepted that the development will generate traffic and indicated a forecast that around 55% of peak movements would be by car. The remainder depends on active travel, bus improvements and modal shift. Those assumptions require robust testing.

The Council must ensure that the Transport Assessment accounts for seasonal congestion, school peaks, level crossing downtime, diverted traffic, Amazon DPO1, committed developments in adjoining areas and network displacement.

Planning consequence

The application should not be approved unless the Highway Authority and Council demonstrate, on final evidence, that safe and suitable access is achieved and that residual cumulative impacts are acceptable.

Ground 9 - Uncertainty and Dependence upon the A27 Link Road / South-West Link

Issue

The A27/south-west link is central to public expectation and strategic conception of Southleigh. Safeguarding is not delivery.

Documentary evidence

E03 Bloor 2022 representations state the cost and ability to provide a new A27 junction is likely to prove challenging and that most of the development may be delivered before any junction.

E04 HBC officer feedback records that the A27 connection was understood not now to be required and that this would be difficult for public/councillor expectations.

DCF02 Bloor confirmed at DCF that proposals do not include direct access to the A27.

E05 HBC provided GIS shapefiles for the south-west link/safeguarding to Bloor.

The access drawings submitted with the application confirm the actual access package now before the Council: Southleigh Road Proposed Development Access (Western), Drawing No. 332310755-STN-HGN-CH-SW-DR-0001, Revision P03; Eastleigh Road Proposed Development Access, Drawing No. 332310755-STN-HGN-CH-SW-DR-0002, Revision P03; Southleigh Road Proposed Development Access (Eastern), Drawing No. 332310755-STN-HGN-XX-SK-H-0003, Revision P03; and Normandy Way Proposed Bus Gate Access, Drawing No. 332310755-STN-HGN-XX-SK-H-0004, Revision P02. None of those drawings is a delivered direct A27 access.

Analysis

The core issue is certainty. If the A27/south-west link is necessary, it must be secured. If it is not necessary, the Council must show why the local network can accommodate the development without it.

Bloor's position appears to rely on policy shift, modal shift, active travel and local junction mitigation. Councillors and residents questioned whether that is realistic given existing congestion.

The mere safeguarding of land does not provide a road, bridge, junction, funding, design, National Highways agreement or delivery programme.

Planning consequence

The Council must not grant permission on the basis of uncertain infrastructure. If the link is necessary it must be secured; if it is unnecessary that conclusion must be robustly evidenced.

Ground 10 - Infrastructure Capacity and Deliverability

Issue

A development of this scale requires schools, early years provision, healthcare, sports, community facilities, drainage, utilities, sustainable transport and long-term management.

Documentary evidence

E04 HBC feedback requires full engagement with Education Authority, detailed early years planning, formal sports assessment, drainage maintenance and pollution control.

DCF02 Councillor Rason asked about GP surgery delivery; Bloor accepted it can provide space but cannot bring the doctors.

DCF02 Southern Water/Budds Farm capacity was raised; Bloor referred to local capacity for initial parcels and infrastructure charges for reinforcement.

DCF02 Bloor discussed triggers and future determination of infrastructure timing.

The Planning Obligations Statement, ref: 2023.003.Planning Obligations Statement, dated 02/06/26, is expressly a draft Heads of Terms document. It states that the Heads of Terms are provided on a without prejudice basis, to be agreed during determination and subject to CIL Regulation 122. The Framework Travel Plan, Stantec Project Number 332610150, Revision D Final, is similarly part of the future management and behaviour-change package. These documents may assist, but they do not remove the need for legally precise occupation triggers and enforceable delivery mechanisms.

Analysis

The distinction between land allocation and delivery is crucial. Providing a space for a GP surgery is not the same as delivering GP services. Identifying potential community facilities is not the same as securing sustainable operation.

The DCF transcript records that some infrastructure elements will be determined later through application triggers or reserved matters. That may be acceptable only if the outline permission contains enforceable controls preventing unacceptable occupation before infrastructure is in place.

The officer report must identify the infrastructure required, delivery mechanism, cost, phasing, trigger, responsible body and enforcement mechanism.

Planning consequence

The application should be refused unless all necessary infrastructure is identified, costed, phased, secured and enforceable.

Ground 11 - Deficiencies within the Environmental Statement and Environmental Impact Assessment

Issue

The EIA must identify, describe and assess likely significant effects, reasonable alternatives, cumulative effects and mitigation.

Documentary evidence

E04 Officer feedback identifies multiple matters requiring further work before acceptability can be established.

DCF01 Havant Civic Society questions whether the baseline for cumulative transport is reliable.

DCF02 DCF transcript records uncertainty on traffic modelling, infrastructure, ecology, flood mitigation and utilities.

The Environmental Statement: Non-Technical Summary, April 2026, ref: 2023.003, page 13, records that development is estimated to be occupied for approximately 100 years and that alternative locations have not been considered because the site is proposed for allocation in the emerging Local Plan. The Site Suitability Noise Assessment, Suono Appendix 6.3, Reference 2856.AP.03.02, paragraphs 1.2 and 1.3, also records that the application is outline only and that detailed acoustic design can be expected at reserved matters stage. These are important examples of matters being deferred or narrowed within the application evidence.

There is also now a formal minerals issue. Hampshire County Council Minerals and Waste Team, reference CONS/2026/0471 dated 30 June 2026, states that the site lies within the mineral and waste consultation area, that no adequate Mineral Resource Assessment has been provided, that desk-based review or off-site boreholes would be insufficient, and that in the absence of further information the proposal is considered contrary to Policy 15 of both the adopted and emerging Hampshire Minerals and Waste Plans. That is a material planning issue and should be expressly addressed before any determination.

Analysis

An Environmental Statement is not adequate merely because it is long. It must allow the decision-maker and public to understand significant effects and mitigation.

Particular attention should be given to whether the ES assesses the no-A27-link scenario, cumulative traffic, ecological connectivity, farmland birds, heritage setting, drainage exceedance and long-term infrastructure delivery. Where mitigation is uncertain, residual effects cannot be confidently assessed.

Planning consequence

The Council should require clarification or further environmental information if significant effects cannot be understood or if mitigation remains uncertain.

Ground 12 - Consultation, Transparency and Procedural Fairness

Issue

The public participation process must be fair, transparent and proportionate to the scale and impact of the proposal.

Documentary evidence

CR01-CR06 Correspondence records request to speak at DCF, lack of substantive response, referral to Planning and Tier 1 complaint.

DCF02 DCF Chair and officers stated the meeting was not the statutory consultation and that residents must respond later to the planning application.

E07 Bloor email records delayed engagement following helpful dialogue with officer team.

HBC01/HBC03 Complaint responses address FOI/EIR, PPA, consultation and predetermination concerns.

Analysis

The DCF was Council-facilitated, involved Members, allowed councillor questions and informed officer discussions with the developer. It was therefore part of the pre-application ecology of decision-making even if not statutory consultation.

A directly affected resident made a reasoned request to speak and framed the issue as democratic access and governance. The response path appears to have referred the matter back to Planning rather than giving a substantive governance decision.

The Council should explain the basis of DCF participation rules, how questions were selected, how feedback was recorded, and how direct resident concerns were incorporated into officer discussions.

Planning consequence

The Council should ensure that consultation and DCF participation concerns are placed before Members and addressed in the officer report before determination.

Ground 13 - Failure Properly to Assess Cumulative Effects

Issue

Southleigh cannot be assessed in isolation. Cumulative effects include transport, ecology, infrastructure, healthcare, education, water, recreation and cross-boundary growth.

Documentary evidence

E04 Officer feedback expressly requires knock-on impacts of traffic routing to be fully understood across multiple roads and centres.

DCF01 Havant Civic Society slides identify neighbouring/cross-border developments and Amazon DPO1 as cumulative baseline issues.

DCF02 Councillor Berwick raised approximately 11,500 homes along the A259 corridor and asked whether the assessment was holistic and future-looking.

This is particularly important because the applicant's Transport Assessment relies upon future-year assessment and Appendix K junction modelling outputs. The Council should test not simply whether modelling tables have been produced, but whether the assumptions properly capture real-world cumulative traffic, committed development, Amazon DPO1 traffic, rail crossing delay, school peaks, seasonal conditions and cross-boundary growth.

Analysis

The cumulative issue is not limited to adding housing numbers. It concerns real network behaviour and shared infrastructure under stress.

The applicant indicated that the transport assessment would include future-year assessment and committed growth. The Council must test whether that modelling includes all relevant development, seasonal peaks, Amazon traffic and network displacement.

Ecological cumulative effects also require assessment beyond the red line, including strategic corridor function and hydrological links.

Planning consequence

The Council should require a clear cumulative effects assessment across transport, ecology, infrastructure, water and community impacts before any grant of permission.

Ground 14 - The Overall Planning Balance

Issue

The planning balance must not become a housing arithmetic exercise. Housing need is important, but it is not an all-purpose solvent for unresolved harm.

Documentary evidence

HBC01 Council accepts severe housing need and theoretical capacity shortfall, but also that even Southleigh and other greenfield sites do not meet need.

E04 Council officer feedback identifies multiple harms and unresolved matters.

DCF02 Public and councillor questions identify the practical consequences of the scheme for existing communities.

Analysis

The benefits include housing, affordable housing, potential school/local centre, open space and economic activity. Those benefits must be recognised.

Against them are harms and uncertainties: procedural fairness concerns, transport impacts, absence of direct A27 link, strategic corridor risk, agricultural land loss, heritage harm and infrastructure uncertainty.

The officer report must allocate weight to each benefit and harm and explain why the balance falls as it does. It should not treat emerging allocation status as determinative.

Planning consequence

On the present evidence, the adverse impacts and unresolved uncertainties substantially undermine the case for permission. Refusal is the proper planning outcome unless the Council can demonstrate otherwise through evidence.

Ground 15 - Overall Conclusions and Request for Refusal

Issue

This application raises strategic issues requiring exceptional discipline from the decision-maker.

Documentary evidence

All evidence listed in the exhibit schedule.

DCF02 Public record of the DCF shows multiple unresolved concerns before submission/determination.

HBC01-HBC04 Complaint trail shows concerns raised before determination and therefore part of the contemporaneous record.

Analysis

The Council must decide APP/26/00324 on its planning merits. It is not enough to say that Havant needs housing, that Southleigh has appeared in emerging plan work, or that detailed matters can be resolved later.

The application should be refused because the proposal has not demonstrated sustainable development, has not resolved transport and infrastructure uncertainty, risks strategic environmental harm, and raises serious procedural fairness concerns.

If the Council is not minded to refuse, determination should be deferred until the evidence base is complete and every material issue raised in this representation has been addressed in the officer report.

Planning consequence

Refuse planning permission, or defer until the evidence base is complete and the planning balance can be lawfully, transparently and rationally undertaken.

8. Overall Planning Balance

The planning balance must be undertaken by reference to the statutory development plan, national policy and all material considerations. The Council must identify both benefits and harms, allocate appropriate weight, and explain why the resulting conclusion is rational.

Matter	Indicative weight	Qualification
Market and affordable housing	Substantial in principle	Weight depends on deliverability, phasing, tenure, affordability mix and whether harms are adequately mitigated.
School/local centre/community facilities	Moderate to substantial if secured	Several matters remain subject to future engagement, design, triggers and legal securing.
Green infrastructure/open space	Moderate	Must be tested against loss of existing landscape, agricultural, ecological and heritage functions.
Economic construction benefits	Moderate	Temporary construction benefits cannot by themselves justify permanent environmental harm.
Strategic planning contribution	Moderate to substantial	Emerging allocation status is not permission and does not remove need for application-level assessment.
Procedural confidence	Adverse if unresolved	If Members are not satisfied the process is open-minded and fair, determination should not proceed.
Transport and A27/south-west link uncertainty	Significant adverse unless resolved	The acceptability of the local network without direct strategic access must be robustly evidenced.
Ecology and strategic corridor	Significant adverse unless resolved	Mitigation must be secured at landscape scale, not merely via residual planting.
Heritage harm	Adverse requiring great weight	Less than substantial harm remains harm and must be weighed against public benefits.

9. Recommendation and Request to the Local Planning Authority

The Local Planning Authority is respectfully requested to refuse planning permission for APP/26/00324. Suggested refusal themes are set out below for consideration. They are not intended to replace the Council's own officer drafting.

1. The proposal fails to demonstrate that it constitutes sustainable development having regard to environmental, social and economic effects.
2. The proposal would result in unacceptable or insufficiently mitigated impacts on the local and strategic highway network, including uncertainty around the A27/south-west link and the ability of the local network to accommodate development traffic.
3. The proposal fails to demonstrate that necessary infrastructure, including education, community, sports, drainage, sustainable transport, healthcare and ecological mitigation, is certain, deliverable and enforceable.
4. The proposal would cause harm to the historic environment, including the setting of Southleigh Park House, which has not been adequately justified or outweighed by public benefits.
5. The proposal fails to demonstrate adequate protection and enhancement of ecological assets, strategic habitat connectivity, farmland birds, biodiversity net gain and related mitigation.
6. The proposal would result in irreversible loss of agricultural land and countryside without adequate justification having regard to reasonable alternatives and the overall planning balance.
7. The Environmental Statement and supporting documents do not adequately resolve significant effects, alternatives, mitigation and cumulative impacts.
8. The decision-making process requires further transparency and assurance to demonstrate that the application has been considered with an open mind and on its planning merits.
9. The proposal has not resolved minerals safeguarding. Hampshire County Council Minerals and Waste Team, reference CONS/2026/0471, has requested further on-site exploratory work and a Mineral Resource

Assessment and has stated that, in the absence of further information, the proposal is contrary to Policy 15 of the adopted and emerging Hampshire Minerals and Waste Plans.

10. Evidence Bundle and Verification Notes

The submission includes an indexed evidence bundle (to follow). The Green Party newsletter will be appended in original form if required. At present, its quoted passages are included because they are recorded in correspondence dated 25 January 2026, but the original publication is the preferable exhibit.

The DCF transcript is described as an unverified draft transcript. It should be cross-checked against the livestream or official recording if available. Nevertheless, it is useful as a contemporaneous record of the meeting and the statements attributed to officers, applicant representatives, councillors and community speakers.

Earlier referenced JR draft documents are not used as primary evidence of facts. They are used to test the evolution of legal concerns and the issues that had been identified before determination and are the author's reference documents for escalation, if needed.

The application technical documents, including ES, Transport Assessment, Ecology, Heritage, Utilities and Drainage reports form part of the application documentation.

Appendix A - Member Questions

1. Are Members satisfied that APP/26/00324 has been assessed on its planning merits and not as an inevitable consequence of earlier strategic promotion?
2. Are Members satisfied that the public record demonstrates an open-minded decision-making process?
3. Are Members satisfied that the Green Party newsletter and councillor correspondence have been considered in the context of apparent predetermination and public confidence?
4. Are Members satisfied that the DCF participation arrangements were fair, transparent and proportionate?
5. Are Members satisfied that the absence or uncertainty of a direct A27/south-west link has been fully assessed?
6. Are Members satisfied that local network impacts, including the level crossing and town centre routing, are acceptable?
7. Are Members satisfied that cumulative impacts from neighbouring authorities, the A259 corridor and Amazon DPO1 have been assessed?
8. Are Members satisfied that ecological connectivity and landscape-scale habitat corridors are protected?
9. Are Members satisfied that farmland bird impacts and off-site compensation have been resolved?
10. Are Members satisfied that heritage harm to the setting of Southleigh Park House has been properly identified and weighed?
11. Are Members satisfied that formal sports, education, early years, drainage, healthcare and community infrastructure are secured?
12. Are Members satisfied that the Environmental Statement assesses likely significant effects and reasonable alternatives?
13. Are Members satisfied that every mitigation relied upon is necessary, deliverable, enforceable and fairly related to the development?
14. Have Members been given the Hampshire County Council Minerals and Waste Team response, reference CONS/2026/0471, and have they been advised how the Policy 15 mineral safeguarding objection is to be resolved?
15. If permission is granted, what evidence demonstrates that the decision is rational in the Wednesbury sense, having regard to all material considerations?

Appendix B - Short Form Portal Submission

I object to planning application APP/26/00324. I have submitted a comprehensive evidence-based representation setting out fifteen grounds of objection. In summary, the application fails to demonstrate sustainable development; fails properly to address reasonable alternatives, agricultural land loss, ecological connectivity, biodiversity, heritage harm, transport impacts, the uncertain A27/south-west link, infrastructure capacity, EIA adequacy, consultation, minerals safeguarding and cumulative effects; and raises serious concerns regarding procedural fairness and the need for a demonstrably open-minded decision-making process. For the reasons set out in the full representation, planning permission should be refused.

Appendix C - Extracts and Quotations Schedule

Source	Quotation / extract	Use
Bloor Homes Newsletter, 29 May 2025	These proposals follow a longstanding aspiration of the Council to develop this site...	Ground 1, chronology, public perception
COM26 Stage 1 response, 15 August 2025	Planning Officers have been corresponding and holding meetings with Bloor Homes...	Ground 1, PPA/pre-app engagement
COM26 Stage 1 response, 15 August 2025	Bloor has presented to the Council a draft masterplan for the site and the Council has provided initial comments.	Ground 1, officer engagement
COM2/4 Stage 2 response, 11 September 2025	From a planning policy perspective, the Council has determined that the site should be identified for development and allocated.	Ground 1, policy/application distinction
Councillor Rason email, 26 January 2026	Due to our alliance and therefore being in the administration, we are obliged to support the local plan.	Ground 1, open-mindedness/fettering perception
DCF transcript, 27 January 2026	The site is not allocated for development in the development plan and is outside the urban area identified in those plans.	Ground 1, application-level principle
DCF transcript, 27 January 2026	The emerging Local Plan... has only minimal weight in making planning decisions.	Ground 1, statutory planning duty
DCF transcript, 27 January 2026	None of the proposals we are suggesting have a direct access with the A27.	Ground 9, transport/A27
DCF transcript, 27 January 2026	We can provide the spaces and we can allow the uses. We, as an organisation, cannot bring the doctors.	Ground 10, healthcare deliverability
DCF transcript, 27 January 2026	Realistically, those cannot be mitigated within the confines of a residential development...	Ground 6, farmland birds/skylark