Development Management
Reference No APP/W1715/W/15/3023067
Application No O/14/74970
Please ask for Gary Osmond
Direct dial 023 8068 8490
Hours of work Mon-Thurs 9-5 Fri 9-4.30
e-mail gary.osmond@eastleigh.gov.uk

The Planning Inspectorate
Temple Quay House
2 The Square
Temple Quay
Bristol BS1 6PN

FAO: Neale Oliver

09 July 2015

Dear Mr Oliver,

Town and Country Planning Act 1990
Town and Country Planning (Development Management Procedure) (England) Order 2010

APPEAL BY: SO31 Land Ltd.
SITE AT: Land At, Station Road, Bursledon, Southampton, SO31 8AA
APPEAL REFERENCE NUMBER: APP/W1715/W/15/3023067

With reference to the above planning appeal and the Appellant's submitted appeal statement, the Local Planning Authority (LPA) are of the opinion that this statement raises no new issues or evidence and as such would ask that the appointed Inspector treats the delegated officer report and consultee responses, which were submitted with the appeal questionnaire, as the LPA's statement of case together with the following comments.

Submitted Eastleigh Borough Local Plan 2011 - 2029, July 2014

With reference to the Submitted Eastleigh Borough Local Plan 2011 - 2029, July 2014, which comprises the Revised Pre-submission Eastleigh Borough Local Plan 2011 - 2029, published February 2014; and Schedule of Proposed Minor Changes, submitted to the Secretary of State in July 2014 of which Policies S9 (Countryside and countryside gaps), DM1 (General criteria for new development), DM4 (Flood risk), DM6 (Flood defences, land reclamation and coast protection), DM7 (Pollution), DM9 (Nature conservation), DM10 (Heritage assets), DM23 (General development criteria - transport), DM32 (Provision of recreation and open space facilities with new development),DM35 (Community, leisure and cultural facilities), DM37 (Funding infrastructure) and BU7 (Residential extensions and replacement dwellings, Old Bursledon Special Policy Area) of this Plan are of relevance to the reasons for the refusal of this application. These policies are consistent with Saved Policies 1.CO, 22.NC, 23.NC, 25.NC, 30.ES, 32.ES, 35.ES, 40.ES, 41.ES, 42.ES, 43.ES, 44.ES, 59.BE, 101.T, 147.OS, 169.LB, 179.LB and 191.IN of the Eastleigh Borough Local Plan Review 2001-2011.

It is, however, acknowledged that whilst still a material consideration, the policies of

the Submitted Local Plan can be afforded very little weight in the determination of this appeal as, although it has not been formally withdrawn, the Council has decided to prepare a new local plan which will cover the period up to 2036.

Reason for Refusal 8 – Planning Obligations

In accordance with the requirements of saved Policies 101.T, 147.OS and 191.IN of the Eastleigh Borough Local Plan Review (2001-2011), Policies DM23, DM32, DM35 and DM37 of the Submitted Eastleigh Borough Local Plan 2011-2029, July 2014, and Supplementary Planning Document 'Planning Obligations', this application was subject to developer's contributions towards the provision of community infrastructure, off-site public open space and sustainable transport works in the local area, as well as towards the Solent Disturbance Mitigation Project, which requires any new residential development within the defined catchment area to contribute towards the mitigation of the increased recreational pressure upon the Solent and its important nature conservation areas resulting from the development.

It is acknowledged that since this application was refused there has been a change in Government policy which sets a threshold of ten residential units or less for when tariff based planning obligations can be secured. This being the case, the LPA would no longer require contributions towards community infrastructure, off-site public open space and sustainable transport works in the local area. However, the contributions towards the Solent Disturbance Mitigation Project are still required and would need to be secured before the LPA would be willing to withdraw this reason for refusal in full.

Conclusion

Whilst it is acknowledged that there is a need for the provision of new housing within the Borough and that the addition of three dwellings would represent a modest benefit of the proposal in this regard, it is considered that this does not outweigh the significant and unacceptable harm that would result to the surrounding countryside location, the Old Bursledon Conservation and Special Policy Areas, protected trees, local, national and international biodiversity and nature conservation interests, flooding and water quality or the amenity of future occupiers through overshadowing, noise and potential land contamination. Accordingly, the Local Planning Authority respectfully request that the Inspector upholds the reasons for refusal and dismisses the appeal.

However, should the Inspector be minded to grant permission the Local Planning Authority would wish that the conditions attached in Appendix A are included as part of any approval.

Yours faithfully,

L O'Driscoll

Louise O'Driscoll
Head of Development Management