For official use only (date received): 29/04/2015 21:35:29

The Planning Inspectorate

PLANNING APPEAL FORM (Online Version)

WARNING: The appeal **and** essential supporting documents **must** reach the Inspectorate within the appeal period. **If your appeal and essential supporting documents are not received in time, we will not accept the appeal.**

Appeal Reference: APP/W1715/W/15/3028068

A. APPELLANT DETAILS

The name of the person(s) making the appeal must appear as an applicant on the planning application form.

Name	Mr Richard Paine
Address	Nightingale Cottage, High Street Shirrell Heath SOUTHAMPTON SO32 2JH
Phone number	07810126735
Email	richard833@btinternet.com

Preferred contact method: Email ☑ Post ☐

B. AGENT DETAILS

Do you have an Agent acting on your behalf? Yes ☐ No ☑

C. LOCAL PLANNING AUTHORITY (LPA) DETAILS

Name of the Local Planning Authority	Eastleigh Borough Council
LPA reference number	F/15/75801
Date of the application	09/01/2015

Did the LPA validate and register your application? Yes ☑ No ☐

Did the LPA issue a decision? Yes ☑ No ☐

Date of LPA's decision: 23/04/2015

D. APPEAL SITE ADDRESS

Is the address of the affected land the same as the appellant's address? Yes ☐ No ☑

Does the appeal relate to an existing property? Yes ☐ No ☑

Address: 48 St Margarets Road

Bishopstoke
eastleigh
Hants
Grid Ref Easting: 446551
Grid Ref Northing: 119749

Is the appeal site within a Green Belt?	Yes	☐	No	☑
Are there any health and safety issues at, or near, the site which the Inspector would need to take into account when visiting the site?	Yes	☐	No	☑

E. DESCRIPTION OF THE DEVELOPMENT

Has the description of the development changed from that stated on the application form?	Yes	☐	No	☑

Please enter details of the proposed development. This should normally be taken from the planning application form.

Erection of 1no. 3 bed dwelling with associated bin, cycle, storage and parking

Area (in hectares) of the whole appeal site [e.g. 1234.56]	0.01 hectare(s)

Does the proposal include demolition of non-listed buildings within a conservation area?	Yes	☐	No	☐

F. REASON FOR THE APPEAL

The reason for the appeal is that the LPA has:

1. Refused planning permission.	☑
2. Refused permission to vary a condition(s).	☐
3. Refused prior approval of permitted development rights.	☐
4. Granted planning permission for the development subject to conditions to which you object.	☐
5. Refused approval of the matters reserved under an outline planning permission.	☐
6. Granted approval of the matters reserved under an outline planning permission subject to conditions to which you object.	☐
7. Refused to approve any matter required by a condition on a previous planning permission (other than those specified above).	☐
8. Failed to give notice of its decision within the appropriate period (usually 8 weeks) on an application for permission or approval.	☐
9. Failed to give notice of its decision within the appropriate period because of a dispute over provision of local list documentation.	☐

G. CHOICE OF PROCEDURE

There are three different procedures that the appeal could follow. Please select one.

1. Written Representations	☑

(a) Could the Inspector see the relevant parts of the appeal site sufficiently to judge the proposal from public land?	Yes	☑	No	☐

(b) Is it essential for the Inspector to enter the site to check measurements or other relevant facts? Yes ☐ No ☑

2. Hearing ☐

3. Inquiry ☐

H. FULL STATEMENT OF CASE

The full statement of case is set out in

☑ the box below

I am appealing the decision made by Eastleigh Borough Council to refuse the application for the following reasons.

The council state in resusal point 1 that "The proposed dwelling by reason of its design and overall appearance would represent an inappropriate development of a residential garden and introduce a prominent and visually intrusive form of development to the locality,"

The whole street is made up of varying property types with various forms of architecture and various forms of sizes from large detached dwelling to Semis and terraces, the street also includes bunaglows and blocks of flats. for this reason I believe that proposed dwelling fits in with the varying forms of existing dwellings in the street and will add to the street frontage and character or the area.

Reason 2 states The proposed development owing to the severance of the land would result in no on-site parking for 48 St Margarets Road. Although the plans in there current form show no parking to the exisiting property there is sufficient frontage on the existing property of 48 St Margarets to form a new parking space to serve that dwelling which we can and ensure is in place prior to starting work on the new dwelling.

Reason 3 No information has been submitted to allow the local planning authority to make a full and proper assessment of the proposal in respect to the requirements of the Environmentally Sustainable Development' SPD (2009). We accept that this was not undertaken but would ensure that the relavant report is provided and agreed prior to starting on site.

Further reasons for consideration on this appeal are:

The need for new housing is an overriding planning justification. Although the appeal application is for 1 dwellings only it still contributes to housing targets and paragraph 49 of the NPPF applies. It cannot be dismissed as having only limited significance as, until there is an adopted up to date Local Plan, the NPPF is a major material consideration. Given that Eastleigh Borough Council do not have an adopted local plan and the planning inspector at the hearing in November 2014 suggested that using both the sedgfield and Liverpool methods The council did not have a 5 year housing land supply priorty should be given to new dwellings.

(a) Do you intend to submit a planning obligation (a section 106 agreement or a unilateral undertaking) with this appeal? Yes ☐ No ☑

(b) Have you made a costs application with this appeal? Yes ☐ No ☑

I. (part one) SITE OWNERSHIP CERTIFICATES

Which certificate applies?

CERTIFICATE A

I certify that, on the day 21 days before the date of this appeal, nobody, except the appellant, was the owner of any part of the land to which the appeal relates; ☐

CERTIFICATE B

I certify that the appellant (or the agent) has given the requisite notice to everyone else who, on the day 21 days before the date of this appeal, was the owner of any part of the land to which the appeal relates, as listed below: ☑

Owner's Name: mr Shane Munkton
Address at which notice was served: 17 West Drive, Bishopstoke, SO50 6FN
Date the notice was served: 27/04/2015

CERTIFICATE C and D

If you do not know who owns all or part of the appeal site, complete either Certificate C or Certificate D and attach it below. ☐

I. (part two) AGRICULTURAL HOLDINGS

We need to know whether the appeal site forms part of an agricultural holding.

(a) None of the land to which the appeal relates is, or is part of, an agricultural holding. ☑

(b)(i) The appeal site is, or is part of, an agricultural holding, and the appellant is the sole agricultural tenant. ☐

(b)(ii) The appeal site is, or is part of, an agricultural holding and the appellant (or the agent) has given the requisite notice to every person (other than the appellant) who, on the day 21 days before the date of the appeal, was a tenant of an agricultural holding on all or part of the land to which the appeal relates, as listed below. ☐

J. SUPPORTING DOCUMENTS

01. A copy of the original application form sent to the LPA. ☑

02. A copy of the site ownership certificate and agricultural holdings certificate submitted to the LPA at application stage (these are usually part of the LPA's planning application form). ☑

03. A copy of the LPA's decision notice (if issued). Or, in the event of the failure of the LPA to give a decision, if possible please enclose a copy of the LPA's letter in which they acknowledged the application. ☑

04. A site plan (preferably on a copy of an Ordnance Survey map at not less than 10,000 scale) showing the general location of the proposed development and its boundary. This plan should show two named roads so as to assist identifying the location of the appeal site or premises. The application site should be edged or shaded in red and any other adjoining land owned or controlled by the appellant (if any) edged or shaded blue. ☑

05. (a) Copies of all plans, drawings and documents sent to the LPA as part of the application. The plans and drawings should show all boundaries and coloured markings given on those sent to the LPA. ☑

05. (b) A list of all plans, drawings and documents (stating drawing numbers) submitted with the application to the LPA. ☑

06. (a) Copies of any additional plans, drawings and documents sent to the LPA but which did not form part of the original application (e.g. drawings for illustrative purposes). ☐

06. (b) A list of all plans, drawings and documents (stating drawing numbers) which did not form part of the original application. ☐

07. A copy of the design and access statement sent to the LPA (if required). ☑

08. A copy of a draft statement of common ground if you have indicated the appeal should follow the hearing or inquiry procedure. ☐

09. (a) Additional plans, drawings or documents relating to the application but not previously seen by the LPA. Acceptance of these will be at the Inspector's discretion. ☐

09. (b) A list of all plans and drawings (stating drawing numbers) submitted but not previously seen by the LPA. ☐

10. Any relevant correspondence with the LPA. Including any supporting information submitted with your application in accordance with the list of local requirements. ☐

11. If the appeal is against the LPA's refusal or failure to approve the matters reserved under an outline permission, please enclose:

(a) the relevant outline application; ☐

(b) all plans sent at outline application stage; ☐

(c) the original outline planning permission. ☐

12. If the appeal is against the LPA's refusal or failure to decide an application which relates to a condition, we must have a copy of the original permission with the condition attached. ☐

13. A copy of any Environmental Statement plus certificates and notices relating to publicity (if one was sent with the application, or required by the LPA). ☐

14. If the appeal is against the LPA's refusal or failure to decide an application because of a dispute over local list documentation, a copy of the letter sent to the LPA which explained why the document was not necessary and asked the LPA to waive the requirement that it be provided with the application. ☐

K. OTHER APPEALS

Have you sent other appeals for this or nearby sites to us which have not yet been decided? Yes ☐ No ☑

L. CHECK SIGN AND DATE

(All supporting documents must be received by us within the time limit)

I confirm that all sections have been fully completed and that the details are correct to the best of my knowledege.

I confirm that I will send a copy of this appeal form and supporting documents (including the full statement of case) to the LPA today.

Signature	Mr Richard Paine
Date	29/04/2015 21:35:29
Name	Mr Richard Paine

The gathering and subsequent processing of the personal data supplied by you in this form, is in accordance with the terms of our registration under the Data Protection Act 1998. Further information about our Data Protection policy can be found on our website under Privacy Statement.

M. NOW SEND

Send a copy to the LPA

Send a copy of the completed appeal form and any supporting documents (including the full statement of case) not previously sent as part of the application to the LPA. If you do not send them a copy of this form and documents, we may not accept your appeal.

To do this by email:

- open and save a copy of your appeal form
- locating your local planning authority's email address:

http://www.planningportal.gov.uk/planning/appeals/online/tutorialshelp/appeal/sendingacopytothecouncil

- attaching the saved appeal form including any supporting documents

To send them by post, send them to the address from which the decision notice was sent (or to the address shown on any letters received from the LPA).

When we receive your appeal form, we will write to you letting you know if your appeal is valid, who is dealing with it and what happens next.

You may wish to keep a copy of the completed form for your records.

N. APPEAL DOCUMENTS

We will not be able to validate the appeal until all the necessary supporting documents are received.

Please remember that all supporting documentation needs to be received by us within the appropriate deadline for the case type. If forwarding the documents by email, please send to **appeals@pins.gsi.gov.uk**. If posting, please enclose the section of the form that lists the supporting documents and send it to PO Box 3035, Bristol, BS1 9AY.

You will not be sent any further reminders.

Please ensure that anything you do send by post or email is clearly marked with the reference number.

The documents listed below were uploaded with this form:

Relates to Section:	SUPPORTING DOCUMENTS
Document Description:	01. A copy of the original application sent to the LPA.
File name:	Application Form-1465070.pdf
Relates to Section:	SUPPORTING DOCUMENTS
Document Description:	03. A copy of the LPA's decision notice (if issued). Or, in the event of the failure of the LPA to give a decision, if possible please enclose a copy of the LPA's letter in which they acknowledged the application.
File name:	Decision Notice-1517657.pdf
Relates to Section:	SUPPORTING DOCUMENTS
Document Description:	04. A site plan (preferably on a copy of an Ordnance Survey map at not less than 10,000 scale) showing the general location of the proposed development and its boundary. This plan should show two named roads so as to assist identifying the location of the appeal site or premises. The application site should be edged or shaded in red and any other adjoining land owned or controlled by the appellant (if any) edged or shaded blue.
File name:	14.032.004_RevA_Proposed Site Plan.pdf
Relates to Section:	SUPPORTING DOCUMENTS
Document Description:	05.a. Copies of all plans, drawings and documents sent to the LPA as part of the application. The plans and drawings should show all boundaries and coloured markings given on those sent to the LPA.
File name:	14.032.001_Location Plan.pdf
File name:	14.032.004_RevA_Proposed Site Plan.pdf
File name:	14.032.002_Exisitng Site Survey.pdf
File name:	14.032.006_RevA_House Type_ Street Scene.pdf
File name:	14.032.005_RevA_Proposed Site Plan_Roof.pdf
File name:	14.032.003_Demolition Plan.pdf
Relates to Section:	SUPPORTING DOCUMENTS
Document Description:	07. A copy of the design and access statement sent to the LPA.
File name:	D& A statement.pdf

The documents listed below were already attached elsewhere with this form:

Relates to Section:	SUPPORTING DOCUMENTS
Document Description:	02. A copy of the site ownership certificate and agricultural holdings certificate submitted to the LPA at application stage (these are usually part of the LPA's planning application form).
File name:	planning application form
Relates to Section:	SUPPORTING DOCUMENTS
Document Description:	05.b. A list of all plans, drawings and documents (stating drawing numbers)

	submitted with the application to the LPA.
File name:	all plans in previous section

The documents listed below are to follow by post:

Relates to Section:	SUPPORTING DOCUMENTS
Document Description:	04. A site plan (preferably on a copy of an Ordnance Survey map at not less than 10,000 scale) showing the general location of the proposed development and its boundary. This plan should show two named roads so as to assist identifying the location of the appeal site or premises. The application site should be edged or shaded in red and any other adjoining land owned or controlled by the appellant (if any) edged or shaded blue.
Relates to Section:	SUPPORTING DOCUMENTS
Document Description:	07. A copy of the design and access statement sent to the LPA.

PLEASE ENSURE THAT A COPY OF THIS SHEET IS ENCLOSED WHEN POSTING THE ABOVE DOCUMENTS TO US

Completed by	MR RICHARD PAINE
Date	29/04/2015 21:35:29