Development Management
Reference No APP/W1715/W/16/3159802
Application No F/16/78096
Please ask for Gary Osmond
Direct dial 023 8068 8490
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The Planning Inspectorate
Temple Quay House
2 The Square
Temple Quay
Bristol
BS1 6PN

FAO: Jonathan Noble

1st June 2017

Dear Mr Noble,

Town and Country Planning Act 1990
Town and Country Planning (Development Management Procedure) (England) Order 2015

APPEAL BY: Carbury Investments Ltd.
SITE AT: Land Rear of 18-20a High Street, Botley, Southampton, SO30 2EA
APPEAL REFERENCE NUMBER: APP/W1715/W/17/3172807

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 DM1 (General criteria for new development), DM9 (Nature conservation), DM10 (Heritage assets), DM24 (Parking) and DM37 (Funding infrastructure) of this Plan are of relevance to the reasons for the refusal of this application. These policies are consistent with Saved Policies 25.NC, 59.BE, 104.T, 169.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Local Plan can be afforded very little weight in the determination of this appeal as, although it has not been formally withdrawn, the Council has decided to prepare a new local plan which will cover the period up to 2036.

Reasons for Refusal 1, 2, 3 & 4

The Appellant's responses in relation to reasons 1, 2, 3 & 4 all appear to centre around the fact that the application site is within the historic core of the village, where the relationships between commercial and residential uses and buildings may not always meet current policy standards. As such, they are of the view that any new development within the centre of the village should not be subject to the same standards which are used in more suburban situations. While the LPA do not entirely disagree with this view, any new proposals must at the very least demonstrate that they have tried to meet these standards or get close to them. If this would not be possible then it needs to be demonstrated that a well-considered design approach which uses clever layout and design features in order to overcome these issues has been used.

It is accepted that the appeal site is within the historic village core but the Appellant appears to be implying that the modest village of Botley should be compared against much denser historic urban environments such as the nearby city of Winchester. This is not considered to be a fair comparison as the historic pattern of development is quite different between a city and a market town.

Given the locally historic importance and age of Botley (the original village dating from the Middle Ages and being one of the main crossing points over the Hamble River) it needs to be demonstrated that any new development will respectfully and successfully assimilate into the existing pattern of development and the site's immediate context. Based on that submitted neither the LPA or the independent Winchester and Eastleigh Design Review Panel were of the opinion that the scheme presented would achieve this.

Reason for Refusal 5 - Insufficient parking

The delegated officer report and response from the Head of Transportation and Engineering addresses this reason for refusal and the LPA are of the view that the Appellant's appeal statement fails to demonstrate that the proposal would meet the requirements of the Council's Supplementary Planning Document 'Residential Parking Standards' for both the proposed and existing residential properties.

Reason 6 – Solent Disturbance Mitigation Project contributions

The LPA would be willing to withdraw this reason for refusal if a suitable Unilateral Undertaking is submitted which secures the necessary obligations.

Five Year Housing Supply

The Appellant makes reference to the authority not having a five year housing supply, which at the time the housing land supply report was prepared by GL Hearn was indeed the case. However, following recent planning approvals and allowed appeals, that is no longer the situation with the authority currently having a 5.22 years supply. Notwithstanding whether or not the authority has the required five year supply, the LPA are of the opinion that this should not be used as justification for an otherwise unacceptable development. While the addition of three residential units would

represent a modest benefit of the proposal in this regard, it is considered that this does not outweigh the unacceptable harm that would result to the character and amenity of the surrounding area or the amenity of neighbouring and future occupiers.

Conclusion

The LPA does not object to the principle of redeveloping the appeal site and is in agreement with the Appellant that in its current state it does little to complement or enhance the surrounding conservation area. However, the scheme as submitted is not considered to sufficiently take into account the site's surrounding context, the impact upon existing neighbouring occupiers and uses, or the character and appearance of the Botley Conservation Area. 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