

MR ANDREW BURGESS
ANDREW BURGESS PLANNING
4 LINDEN CLOSE
WALTHAM CHASE
SOUTHAMPTON
SO32 2TZ

Application	F/22/94046
Please ask for	Summer Sharpe
Direct dial	023 8068 8841
Working hours	Mon to Fri 8:30am to 5pm
Email	summer.sharpe@eastleigh.gov.uk

Friday 20 January 2023

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

Application No. F/22/94046

In pursuance of their powers under the above Act and in accordance with your application received on Wednesday 26 October 2022 the Council, as Local Planning Authority hereby **Refuse Planning Permission For** the following :

Description: Erection of two-bedroom detached dwelling in garden of existing property
Site: 49 BISHOPSTOKE ROAD, BISHOPSTOKE, EASTLEIGH,
SO50 6BF

For the following reasons:

- 1 The proposed dwelling, by reason of its inappropriate siting, lack of buffer and close proximity to the existing TPO'd trees and River Itchen (SAC) to the west, would result in an unacceptably cramped layout and would undermine the positive contribution that the site presently makes to the character of the area, currently comprising a buffer to protected trees and the designated River Itchen (SAC). The proposals are therefore contrary to the requirements of Policy DM1 of the Eastleigh Borough Local Plan (2016-2036), the Council's adopted Trees and Development (2021) and Biodiversity (2009) SPDs and the provisions of the National Planning Policy Framework (2021).
- 2 The proposed two-storey dwelling, by reason of its scale, siting and close proximity to the eastern boundary, would result in a sense of enclosure creating an unacceptable and overbearing impact and loss of privacy, as a result of the balcony, upon the amenities of the occupier of 49 Bishopstoke Road. The proposal is therefore contrary to Policy DM1 of the Eastleigh Borough Local Plan (2016-2036), Quality Places SPD (2011), and the contents of the National Planning Policy Framework (2021).

- 3 The proposed dwelling, due to its close proximity to the TPO'd trees along the western boundary, being situated within the RPAs, and in combination with the excessive proposed pruning works, would have an adverse impact upon the protected trees in terms of their health and longevity, as well as the positive contribution they make towards the visual amenity. The proposals are therefore contrary to Policy DM1 of the Eastleigh Borough Local Plan (2016-2036), the Council's adopted Trees and Development SPD (2021), and the provisions of the National Planning Policy Framework (2021).
- 4 The proposed development, owing to the close proximity to the TPO'd trees on the site, would fail to provide an acceptable level of amenity for the future residents of the development as a result of dominance and overshadowing to the property, thereby placing unacceptable pressure for future pruning or potential removal of these trees. The application is therefore considered to have failed to demonstrate that the proposed development would not have an adverse and unacceptable impact upon the future health, stability and retention of protected trees that are an important feature which contribute positively to the amenity of the locality. The proposals are therefore contrary to the requirements of Policy DM1 of the Eastleigh Borough Local Plan (2016-2036), the Council's adopted Trees and Development SPD (2021), and the provisions of Section 12 of the National Planning Policy Framework (2021).
- 5 Insufficient information has been provided with regard to flood risk and surface water drainage to ensure that there would be no adverse pollutants released into the adjacent River Itchen (SAC). This is as a result of the close proximity and lack of buffer of the proposed dwelling to the designated River Itchen (SAC) to the west. The proposals are therefore contrary to the requirements of DM1, DM3, DM6, DM8 and DM11 of the Eastleigh Borough Local Plan (2016-2036), and the provisions of the National Planning Policy Framework (2021).
- 6 The application fails to provide the required mitigation to offset the impacts of the development upon the European protected Solent Complex (SPA, SAC and Ramsar sites), River Itchen (SAC), and New Forest National Park (SPA, SAC and Ramsar sites) from additional recreational pressure and nitrogen and phosphate loading generated by the population increase and additional sewage resulting from the development. The proposal is therefore contrary to the requirements of Policy DM11 of the Eastleigh Borough Local Plan (2016-2036), the provisions of the National Planning Policy Framework (2021) and the Conservation of Habitats and Species Regulations 2017.

Note to Applicant: The application was refused following the assessment of the following plans: Locality and Block Plan As Existing 2078 900, Block Plan As Proposed 2078 D01 Rev A, South and East Elevations As Proposed 2078 D04A, Elevations As Proposed 2078 D03 Rev A, Plans As Proposed 2078 D02 Rev A, Elevations As existing 2078 903, Plans As existing 2078 902, and Elevations As existing 2078 904. In accordance with paragraph 38 of the National Planning Policy Framework (2021), Eastleigh Borough Council takes a positive approach to the handling of development proposals so as to achieve,

whenever possible, a positive outcome and to ensure all proposals are dealt with in a timely manner.

Yours faithfully

A handwritten signature in black ink, which appears to read "Andy Grandfield". The signature is written in a cursive, flowing style.

Andy Grandfield
Executive Head for Planning and Economy

N.B. See Attached Notes