

- 1 The proposed subdivision of the application site and scale of dwelling proposed would result in a cramped and constrained plot of a size which is significantly smaller than neighbouring plots and introduce a form of backland development which is out of keeping with the prevailing pattern and character of existing development in the immediate surrounding area, to its detriment. As such, the application is considered to be contrary to Policy DM1 of the Eastleigh Borough Local Plan (2016–2036), as well as the Council’s Supplementary Planning Documents ‘Quality Places’ and ‘Character Area Appraisals – Hedge End, West End and Botley’ and the provisions of the NPPF.
- 2 The proposed subdivision of the application site and scale of dwelling proposed would result in a cramped and constrained plot of a size which would not provide a private amenity space of a size and shape commensurate with the nature of the dwelling it is intended to serve, or a

suitable setting for the dwelling, to the detriment of the amenity of future occupiers of the development and out of keeping with the prevailing character of development in the locality. The application is therefore considered to be contrary to Policy DM1 of the Eastleigh Borough Local Plan (2016–2036), as well as the Council's

Reason 1 – The Principle of Development

Clearly there are developments in the locality that are of a similar context as highlighted below given the area has undergone significant changes as such this development would not have the demonstrably harmful impact on local character, as the Council perceived given several recent developments have opened up the linear enclosure in places along the street frontage and introducing more depth to the settlement form, have given the area distinctive architectural styles from different periods, set in a non-uniform pattern of development. As a result it must be agreed that the traditional, linear settlement pattern has become more varied and is relatively compact in this area as highlighted below;



1, 18–20 Oatlands Road



Thaxted and Field View on Winchester Road and Maddoxford Lane

Impact upon the character and appearance of the area

Clearly there are developments in the locality that are of a similar context as highlighted above. As such this development would not have the demonstrably harmful impact on local character, as the Council perceived give the resultant density would equate to a very modest 20 dwelling per hectare (Policy DM 1b state that efficient use of site to maximise opportunities to increase density should be supported whilst Policy DM23 1 states within the urban edge as defined on the policies map, residential development through new build, conversion, sub-division or extension will normally be permitted subject to the general development criteria and transport policies of this Local Plan. Further supported by 2c which require a minimum density of 40 dwelling per Hecate).

Importantly developments have opened up the linear enclosure in places along the street frontage, surround areas and introduced more depth to the settlement form, have given the area distinctive architectural styles from different periods, set in a non-uniform pattern of development. As a result it must be agreed that the traditional, linear settlement pattern had become more varied and is relatively compact in this area.

Furthermore front boundary enclosures along Oatlands Road vary considerably, not only in terms of their form but also in terms of their presence. There are numerous examples where front boundaries are absent and hard-surface prevails



18-20 Oatlands Road

Reason 2 – Residential private amenity

The garden area measures a minimum 6.2m x 21.1m not taking account of the side and front parts results in over 135sqm of private rear space well in excess of the 60% (61.2sqm required based on house GIA of 102sqm) as required under the Quality Places SPD, which would be ample to provide any new occupiers with an acceptable level of amenity for recreation and utilitarian use with sufficient distances from neighbouring properties to be private.

The appellant questions the logic behind the council's application of SPD with regard to garden sizes/usability given that a new large development with close proximity of this site is being built with shoebox size back gardens serving 3 + bedroom homes as highlighted below;



Development currently being built at Wallace Avenue north east of site clearly showing cramped/squeezed in gardens.

It is very clear that the same standards are being applied differently to large scale developments than one off scheme scontradicting the commitment to create good quality places to live, it would be very disappointing if the inspectorate brushes this argument without serious consideration/comment given that this transgression is being committed nationwide and pertinently the preface of the Quality Places states;

“This document clearly outlines the criteria by which all development proposals will be assessed, from one house to the largest estate or commercial project.”

Reason 3

The appellant requests the following conditions with regard to these matters;

The development hereby permitted shall not commence until contributions towards 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) have been secured.

The development hereby permitted shall not be occupied unless a Nitrate Mitigation Vesting Certificate confirming the purchase of sufficient nitrates credits from Eastleigh Borough Council (tbc with applicant) Nutrient Offset Scheme for the development has been submitted to the council.

Reason: To demonstrate that suitable mitigation has been secured in relation to the effect that nitrates from the development has on the Protected Sites around The Solent.

Conclusion

We know that each site should be judged on its own merits however the local plan 2016–2032 clearly focuses as much new housing development as possible within the existing urban areas, make efficient use of the sites, maximise opportunities to increase density through new build, conversion, sub-division all of which the scheme achieves whilst providing a 3-bedroom dwelling for which there is the largest need and more importantly helps family members onto the housing ladder.

Finally, the scale, form and appearance of the development, as a single storey property would respect the proximity of surrounding properties and gardens whilst appearing to be an ancillary outbuilding when viewed from the access drive and request this appeal be allowed.