

JAMES BLAKE
ANNIVERSARY HOUSE
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BOURNEMOUTH
BH9 1EU

Application	F/26/100809
Please ask for	Gary Osmond
Direct dial	023 8068 8490
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Friday 20 March 2026

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

Application No. F/26/100809

In pursuance of their powers under the above Act and in accordance with your application received on Monday 26 January 2026 the Council, as Local Planning Authority hereby
Refuse Planning Permission For the following :

Description:	Construction of 8No. detached dwellings with associated amenity space, parking and landscaping
Site:	The Orchard, 5 Westgate Mews, Kenilworth Gardens, Southampton, SO30 3RE

For the following reasons:

- 1 Layout:
The proposed development fails to adequately take into account the site constraints, resulting in an unnecessarily cramped and constrained development which fails to provide an appropriate quality of environment for future occupiers, or provide adequate room for soft landscaping and new/replacement tree planting, to the detriment of the amenity of future occupiers and the character of the locality. As such the application is considered to be contrary to Policy DM1 of the Eastleigh Borough Local Plan 2016-2036 and the Council's 'Quality Places' Supplementary Planning Document.
- 2 Access:
It has not been demonstrated that the existing site access via Westgate Mews is sufficiently adequate and suitable for the scale of the development proposed,

and that it would not lead to an unacceptable impact upon the amenity and safety of existing Westgate Mews residents and future residents of the proposed development. As such, the application is considered to be contrary to Policies DM1 and DM13 of the Eastleigh Borough Local Plan 2016-2036 and the Council's 'Quality Places' Supplementary Planning Document.

3 Amenity:

The proposed site layout fails to mitigate the oppressive effect of the retained boundary hedge and wall, which will adversely impact the outlook of future occupiers of the development and light to the proposed dwellings and their gardens. This together with the excessive amount of hardstanding will dominate the development, to the detriment of the amenity and quality of environment for future occupiers. As such the application is considered to be contrary to Policy DM1 of the Eastleigh Borough Local Plan 2016-2036 and the Council's 'Quality Places' Supplementary Planning Document.

4 Noise:

It has not been demonstrated that the amenity of future occupiers of the development would not be unacceptably impacted by noise and other forms of disturbance from neighbouring commercial uses, and the neighbouring sports stadium, contrary to Policies DM1 and DM8 of the Eastleigh Borough Local Plan 2016-2036 and the Council's 'Quality Places' Supplementary Planning Document.

5 Trees:

It has not been demonstrated that sufficient new trees can be accommodated within the resulting development to replace those which have been removed in accordance with the Council's 'Trees and Development' Supplementary Planning Document, or that neighbouring trees would not be put under future pressure as a result of the development. As such, the application is considered to be contrary to Policy DM1 of the Eastleigh Borough Local Plan 2016-2036 and the above-mentioned Supplementary Planning Document.

6 Protected species and biodiversity:

It has not been demonstrated that the proposed development will not result in harm to protected species or their habitat. Neither has it been demonstrated that the development can provide a biodiversity net gain of at least 10%. As such, that proposed is considered to be contrary to Policy DM11 of the Eastleigh Borough Local Plan 2016-2036 and the requirements of Schedule 14 of the Environment Act 2021.

7 Nitrates and recreational disturbance:

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), and New Forest National Park (SPA, SAC and Ramsar sites) from additional recreational pressure and nitrogen loading generated by the population increase and additional sewage resulting from the development. The proposal is therefore contrary to the requirements of Policies DM1, DM10 and DM11 of the Eastleigh Borough Local Plan 2016-2036, the provisions of the NPPF (2023) and the Conservation of Habitats and Species Regulations 2017.

Note to Applicant: The application was refused following the assessment of the following plans: PL01; PL02; PL03; PL04; PL05; PL06; PL07; PL08; PL09; PL10; PL11; PL12; 7549-MJA-SW-XX-DR-C-001-P3; 706 - 1 - R1; 706 - 2 - R1; & 24137-TPP-04. In accordance with paragraph 38 of the National Planning Policy Framework (February 2019), 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, appearing to read "N Parker", with a horizontal line underneath the name.

Nicholas Parker
Planning Manager

N.B. See Attached Notes