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Grounds For Appeal

In respect of Refusal of Grant of Planning Permission

By

Eastleigh Borough Council Planning Application Reference F/25/100361

For

Construction of 1no. detached two-bedroom bungalow within the side garden of Quob Store Bungalow

At

QUOB STORE BUNGALOW, ALLINGTON LANE, WEST END, SOUTHAMPTON, SO30 3HQ

April 2026

1 SUMMARY

1.1	This appeal relates to an application for an additional dwelling unit on garden land adjacent to the applicant's residence.
1.2	The site sits within area designated as 'Countryside' by the local planning authority but is directly between two residential units and would form a natural infill to an existing line of development. It would not lead to any further development opportunities and would effectively complete a logical line of housing from the nearby junction with Quob Lane.
1.3	The site is excess to needs of Quob Store Bungalow, to which it currently belongs.
1.4	The application was supported with an ecological assessment that showed no loss of ecological value. The site is entirely finished with scalplings and is clearly of limited ecological value. Although it is within the designated Countryside area, it is specifically located in a moderately developed part and served from a well-used road linking densely populated parts of the area.

1.5	It is not agreed that this proposal would be harmful to the local character of the area given its type and setting and given the extensive nearby development at One Horton Heath alone, adding circa 2500 new units on around 300 Acres of undeveloped land. Whilst acknowledging the council policies relating to Countryside development, it is maintained that there is a balance to be struck between sensible and much needed new housing and the harm it might cause and that on this occasion it should be tipped in favour of permission.
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2 BACKGROUND AND GENERAL

2.1	The application is on behalf of Mr L Martinez.
2.2	Mr Martinez is the owner and occupier of Quob Store Bungalow.
2.3	Quob Store Bungalow is a recent development allowed under Permitted Development rights to replace a heavily dilapidated cattery building that formerly occupied the site. The applicant was owner of the site, which was acquired with Quob Cottage and which the applicant formerly occupied before downsizing into Quob Store Bungalow.
2.4	The application site is part of the garden to Quob Store Bungalow which has never been cultivated and is excess to the requirement of the applicant. It was originally heavily overgrown and a cause of vermin problems and as part of improving the land within his ownership, the applicant cleared it and re-finished it in scalping, in line with its former use for vehicle parking and associated activities of previous occupiers.
2.5	For convenience, on occasions the applicant parks vehicles on the site but that is not necessary in the longer term and in general terms it is excess to the needs and the size relevant to Quob Store Bungalow.
2.6	To the west side, the property adjacent to the application site (known as Arkenfield) is a small single-bedroom house formed from a previous commercial use under Permitted Development rights.
2.7	The site is almost directly opposite a large scale poultry farm and other varying commercial uses are scattered along Allington Lane.
2.8	Allington Lane is a busy link between the heavily developed areas of West End and Fair Oak, which are within a few minute's drive in either direction.

3 GROUNDS FOR APPEAL

3.1	The application was for a two-bedroom bungalow of similar scale and type as Quob Store Bungalow. It is a low impact design and consistent with surrounding developments.
3.2	The proposal received no overriding objections from public consultation nor any objection from any statutory consultees. This is confirmed in the publicly available delegated officer's report and specifically relates to public consultation, Parish Council consultation, Ecologist, Tree Consultant, HCC Highways and Environmental Health. To be clear, statutory consultees did request further information or inclusion of appropriate conditions but none made outright objection.
3.3	The site has its own access that, historically, was used by commercial vehicles prior to the current applicant's ownership. The application drawing was adjusted to meet comments from the Highways Authority. Access arrangements did not form any part of grounds for refusal.
3.4	The use of the neighbouring property, Arkenfield, was raised in emails with the Planning Officer and it was confirmed that property is in residential use following conversion from an office use under Permitted Development rights. There is no conflicting use on the neighbouring land that could lead to noise or other nuisance to the new development. The delegated officer's report clearly states that proposal is not considered to result in unacceptable harm to the residential amenity of neighbouring occupiers or future residents.
3.5	No objection has been raised to the size or siting of the property other than its location in area designated as 'Countryside' by the council. The delegated officer's report clearly concludes that the 'harm' does not arise from the architectural design or scale of the proposed building itself.
3.6	Ground for refusal 2 states:- <i>Insufficient information has been provided to demonstrate that the proposed development would not result in adverse effects on protected species and other ecological features on or in the vicinity of the site, or that it would achieve no net loss, or where possible a net gain, for biodiversity. In the absence of this information, the Local Planning Authority is unable to conclude that the proposal would accord with local and national biodiversity policy requirements. The proposal is therefore contrary to Policy DM11 of the Eastleigh Borough Local Plan (2016–2036) and the contents of the National Planning Policy Framework (2024).</i>
3.7	The approved metric (Joe's Blooms) was uploaded with the application and shows no actions required, particularly given the site clearly has limited biodiversity value. If the information was inadequate, that could have been addressed but this was not raised at any time during the course of the application process. It is not fundamental to the basis of the appeal, which if upheld could form a condition.

3.8	Similarly, no request for further details in respect of ground for refusal 3 was requested and can be dealt with. The proposal is for a private treatment plant and it can be said with confidence compliance can be proven. Again, this can be addressed by Condition if necessary.
3.9	The fundamental issue upon which the appeal pivots is the location of the proposal within an area designated as Countryside.
3.10	The application was preceded by pre-application advice and it was known that it would not be supported by the council. Before the decision was issued, the council offered the opportunity to withdraw the application and advised:- <i>As set out in the pre-application response, the proposal would introduce a new dwelling outside the urban edge, and therefore conflicts with Policies S5 and DM26 of the Eastleigh Borough Local Plan (2016–2036). While the development would make a modest contribution to housing supply, the harm arising from the site's isolated and unsustainable countryside location is not considered to be outweighed by this benefit. As such, the tilted balance does not justify an approval in this instance.</i>
3.11	The applicant disagrees with the basis of the decision. Whilst the site is within the 'Countryside', it is far from being isolated and apart from the properties immediately adjacent, to the west in particular, is within a kilometre or so of a moderate sized park homes development and a further ribbon of dwellings before the road turns over the M27 motorway into the dense residential development at West End.
3.12	The proposal forms a natural and logical infill between existing developments and would not cause any pressure for further proposals as it would effectively complete the development of this area, in a similar manner as other parts of Allington Lane.
3.13	It is not agreed the site is unsustainable. Services infrastructure is generally in place, with the exception of mains sewer but the proposal is to use a package treatment plant in the same manner as other units nearby. The area already supports well established residential and commercial development.
3.14	It is not accepted that the development would cause any undue harm. The location is already developed and served by an established road linking two centres of dense development. It received no objection locally and would provide an additional, individual property in a period when pressures for additional housing are at their highest. In the Officer report, it is accepted that any new housing will make a positive contribution to supply, particularly at a time when the council cannot demonstrate a five year housing land supply. It is accepted one unit makes a small contribution but it can be provided with relative ease, with minimal adverse impact.
3.15	We would urge the inspector to agree the view that the development is a logical and natural infill and that any harm on the countryside is, on this occasion, negligible and to uphold the appeal.