

Morris, Rachael

From: Matt Whale [REDACTED]
Sent: 09 September 2026 13:38
To: Morris, Rachael; rachaelm@eastleigh.gov.uk
Cc: [REDACTED]
Subject: DC/26/102021 - Approval of Conditions 52 The Crossways

Importance: High

Follow Up Flag: Follow up
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Hi Rachael,

I am a resident of 25 The Crossways and have recently noticed that works appear to have commenced on the development opposite my property.

I was surprised to find that neighbouring residents do not appear to have been consulted regarding application DC/26/102021, which seeks the discharge of Conditions 3 (CEMP) and 4 (Foul Sewerage and Surface Water Drainage) attached to planning permission F/23/95155 for the construction of a dwelling adjacent to 52 The Crossways. The planning register shows DC/26/102021 remains under consideration with a statutory decision date of 23 October 2026.

I would be grateful if you could confirm:

1. Why neighbouring properties were not consulted on this application; and
2. Whether my comments can be formally registered and considered as part of the determination process.

I would like to formally object to the discharge of Conditions 3 and 4 unless and until the applicant can provide further information and evidence addressing several significant concerns regarding the impact of the development on The Crossways private estate.

Having reviewed the submitted Drainage Technical Note, it appears that elements of the proposed foul and/or surface water drainage strategy may require excavation, access, construction activity or infrastructure connections outside the applicant's ownership, potentially including land associated with No. 24 The Crossways.

The Council should satisfy itself that the submitted drainage proposals are not only technically acceptable but also deliverable in practice. At present it is unclear:

- Which elements of the proposed drainage infrastructure lie outside the applicant's ownership;
- Whether any third-party land is required to facilitate the drainage solution;
- Whether the applicant has secured the legal rights necessary to install, maintain, inspect, and repair the proposed drainage infrastructure; and
- What mechanisms exist to protect affected residents and landowners from disruption or future liabilities.

Planning permission does not in itself confer rights to enter, excavate upon, or connect into privately owned land or infrastructure. I therefore respectfully request that the Council clarify the ownership of all land affected by the proposed drainage works and seek evidence that the necessary rights and permissions are in place to implement and maintain the submitted drainage strategy.

Construction Access via Private Estate Roads

The submitted Construction Environmental Management Plan appears to rely upon construction traffic accessing the development through The Crossways.

The roads serving the estate are privately owned and managed, with residents contributing towards their maintenance through estate management arrangements. The Council should therefore carefully consider whether the submitted CEMP adequately addresses the impact of a proposed nine-month construction programme on this private infrastructure.

The information submitted does not appear to clearly identify:

- Baseline condition surveys of roads, kerbs, verges and associated infrastructure;
- Dilapidation surveys prior to commencement;
- Measures to monitor and rectify damage caused by construction traffic;
- Responsibilities for repairs following completion of the works;
- Construction vehicle management and parking arrangements;
- Wheel washing, road cleaning, and mud management procedures; and
- Measures to protect residents' amenity during the construction period.

I therefore request that the Council require a more robust and detailed construction management strategy before discharging Condition 3.

Estate Infrastructure and Existing Residents:

There remains uncertainty regarding which assets within The Crossways estate may be affected by the development and whether those assets are privately owned, estate managed or reliant upon third-party rights.

The discharge of Condition 4 should not proceed without a clear understanding of:

- Which existing estate assets are being relied upon;
- Who owns and maintains those assets;
- How future maintenance responsibilities will operate; and
- What protections exist for current residents should defects or failures arise in the future.

Whilst the principle of development has been established through planning permission F/23/95155, the Council must still be satisfied that the details submitted pursuant to Conditions 3 and 4 are practical, deliverable and capable of implementation. Given the apparent reliance upon land and infrastructure outside the applicant's ownership, together with the lack of clarity surrounding access rights and implementation arrangements, I do not believe sufficient evidence has been provided to justify the discharge of these conditions at this stage.

Accordingly, I respectfully request that the Council either:

- Refuse to discharge Conditions 3 and 4 in their current form; or
- Require the applicant to submit further information demonstrating:
 - Ownership of all land affected by the proposed works;
 - The legal rights relied upon to implement and maintain the drainage strategy;
 - The protection measures proposed for private estate roads and infrastructure;
 - A comprehensive dilapidation and reinstatement strategy;
 - Further evidence demonstrating that the submitted CEMP and drainage proposals are fully deliverable; and
 - Whether the applicant has secured any easements, licences or other rights required to utilise The Crossways road network or associated infrastructure.

I would also welcome clarification regarding the current planning status of the development:

My understanding is that application DC/26/102021 seeks approval of conditions which, if not discharged, may restrict lawful commencement of development. Given that permission F/23/95155 was granted on 5 October 2023, could the Council please confirm:

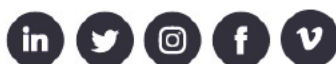
- Whether the development has lawfully commenced for the purposes of implementing the planning permission;
- Which conditions are considered pre-commencement conditions;
- Whether any material operation has taken place sufficient to preserve the permission; and
- The Council's view on the continued validity of planning permission F/23/95155 should the relevant conditions remain undischarged.

I would also like clarity on the fact the statutory decision date for DC/26/102021 – Approval of conditions is after the date that F/23/95155 expires and as work cannot start until the discharge of all conditions would mean planning permission will in effect lapse as it goes past the 3-year period for commencement.

I would appreciate a response to the above points and confirmation that these comments will be recorded as part of the determination of DC/26/102021.

Kind Regards

Matt Whale



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