



The Occupier
27 HOUND ROAD GARDENS
NETLEY ABBEY
SOUTHAMPTON
SO31 5FW

Application EA/26/102005
Please ask for John Saunders
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Working hours
Email john.saunders@eastleigh.gov.uk

Wednesday 30 September 2026

Dear Sir/Madam

**TOWN AND COUNTRY PLANNING ACT 1990
APPEAL UNDER SECTION 174**

Address of site to which the appeal relates: Land on the South East side of Grange Road, Netley Abbey, Southampton, SO31 8GD
Alleged breach: Without planning permission, the laying of a hardstanding.
Application Reference: EA/26/102005
Appellant's name: Deborah Kempster And Mark Kempster
Planning Inspectorate appeal reference: 6015367 And 6015368 (Linked Appeals)
Appeal start date: Tuesday 22 September 2026

I refer to the above details. An appeal has been made to the Secretary of State against an enforcement notice issued by Eastleigh Borough Council on Wednesday 22 July 2026

The enforcement notice was issued for the following reasons:

(1) It appears to the Council that the above breach of planning control has occurred within the last 10 years and that steps should be taken to remedy the breach in accordance with s.174(4) of the above act.

(2) The hardstanding represents an unjustified form of development in an area of designated countryside and within a settlement gap which, by reason of its layout, extent and design, has an unacceptably harmful and detrimentally urbanising impact upon the character of the land and that of the immediate surrounding area.

The hardstanding represents an undesirable intrusion into an area of countryside and designated settlement gap for which there is no overriding agricultural or planning justification. As such the proposal is contrary to Policies DM5 and DM6 of the Local Plan.

The development includes a significant and unjustified expanse of hardstanding laid across the entirety of the site and the subsequent loss of soft landscaping and trees with no replacement soft landscaping scheme provided to reintroduce planting to the site boundary. Furthermore the proposed hardstanding material comprises a mixture of bricks, concrete, plastic and other waste material within the MOT Type 1 offering an unsuitable set of materials laid as hardstanding for this countryside location. Also the poorly compacted material creates uneven levels and an unkempt appearance that creates a poorly designed and unduly harmful intrusion into an area of countryside which would be detrimental to the rural, verdant character and designated settlement gap the site is located within, amounting to significant overdevelopment. For these reasons the hardstanding has created a poor design that fails to respond to the character of this countryside setting, contrary to Policies S5, S6, DM1 and DM11 of the Local Plan and the aims of the Quality Spaces SPD.

The installed hardstanding has not been compacted to secure the loose materials which could therefore enter the road network through vehicle movements when entering and exiting the site, and disrupt the safe flow of traffic along Grange Road, contrary to Policy DM13 of the Local Plan.

(3) The unauthorised development is contrary to:

- (a) Policies S5, S6, DM1, DM5, DM6, DM11 and DM13 of the Eastleigh Borough Local Plan 2016- 2036,
- (b) the adopted Quality Spaces SPD,
- (c) the adopted Trees and Development SPD,
- (d) the requirements of the National Planning Policy Framework (NPPF), in particular Section 15 - Conserving and enhancing the natural environment.

(4) The Council does not consider that planning permission should be granted because retrospective planning permission has already been refused under application F/25/100674.

The enforcement notice requires the following steps to be taken:

- i. Remove from the land the hardstanding, hardcore and any sub base;
- ii. Once the hardstanding, hardcore and sub base have been removed, reinstate the grassed surface.

The appellant has appealed against the notice on the following grounds:

- (c) that those matters (if they have occurred) do not constitute a breach of planning control;
- (d) that, at the date when the notice was issued, no enforcement action could be taken in respect of any breach of planning control which may be constituted by those matters;
- (f) that the steps required by the notice to be taken, or the activities required by the notice to cease, exceed what is necessary to remedy any breach of planning control

which may be constituted by those matters or, as the case may be, to remedy any injury to amenity which has been caused by any such breach;
(g) that any period for compliance specified in the notice falls short of what should reasonably be allowed.

The appeal will be determined on the basis of written representations. The procedure to be followed is set out in the Town and Country Planning (Enforcement) (Written Representations Procedure) (England) Regulations 2002.

If you wish to make comments you can do so online at <https://acp.planninginspectorate.gov.uk>. If you do not have access to the internet, you can send your comments to:

The Planning Inspectorate
c/o QUADIENT
69 Buckingham Avenue
Slough
SL1 4PN

All representations must be received by Tuesday 3 November 2026. Any representations submitted after the deadline will not usually be considered and will be returned. The Planning Inspectorate does not acknowledge representations. **All representations must quote the appeal reference.**

Please note that any representations you submit to the Planning Inspectorate will be copied to the appellant and the Council and will be considered by the Inspector when determining the appeal.

If you submit comments and then subsequently wish to withdraw them, you should make this request to the Planning Inspectorate by Tuesday 3 November 2026.

Details of this appeal can be found on our website at <https://planning.eastleigh.gov.uk/s/public-register>. The appeal documents are available for inspection at Eastleigh House. The Council's statement should be available within a month of the date of this letter. Should you wish to see the documents please contact John Saunders on the above number.

You can get a copy of one of the Planning Inspectorate's "Guide to taking part in planning appeals" booklets free of charge from GOV.UK at <https://www.gov.uk/government/collections/taking-part-in-a-planning-listed-building-or-enforcement-appeal> or from us.

When made, the decision will be published online at <https://acp.planninginspectorate.gov.uk>

Yours faithfully

A handwritten signature in black ink that reads "N Parker". The signature is written in a cursive style with a horizontal line underneath the name.

Nicholas Parker
Planning Manager