

From: Dan Wilden <dan@puretownplanning.co.uk>
Sent: Monday, June 17, 2024 12:55 PM
To: NEW West 2 <west2@planninginspectorate.gov.uk>
Subject: RE: Planning Inspectorate APP/W1715/W/24/3339114: 17 O'Connell Road, SO50 9GN

Dear Sean

Please treat this email as the appellant's final comments in respect of the LPA statement of case and 3rd party representation.

LPA Statement

Reason for refusal 1 – relationship with 17 O'Connell Road

As the Inspector will note when the site visit is undertaken, the two windows in question have now been blocked up as part of renovation works to no. 17 (these works being undertaken under permitted development). As the LPA have stated "it is acknowledged that if those windows were blocked up, then the issue relating to this reason for refusal would no longer be of relevance." So, we can assume that the LPA will no longer pursue this reason for refusal.

Reason for Refusal 2 – impact on the character of the area

As you would expect the appellant disagrees with the LPAs comments. The appellant does not feel that O'Connell Road has a particularly distinctive character – this is an estate development where the various different roads have a strong visual similarity and the wide splayed street corners results in two perpendicular streets being readily seen in the same view and appreciated together. The appellant considers that the infill dwellings in Spencer Road, particularly no. 20a, give a strong impression as to how the appeal property would sit comfortably within a similar streetscene and without causing demonstrable harm which would outweigh its benefits.

Reason for Refusal 3 - mitigation of impacts on protected sites

The appellant has hand-delivered a signed Unilateral Undertaking to the LPA which secures the various mitigation requirements. By separate email I will send the Inspectorate a scanned copy of the original ccd to the Council for them to confirm.

Suggested conditions

3-4 It is difficult to see a reason for contaminated land to be suspected and hence the report being justified. Perhaps it would be more reasonable to use a condition which requires all works to cease and a contamination study be undertaken if contamination is found in the process of the development.

Representation from Mrs Hazel McArdle

It is noted that these points of objection are in contradiction to the only comments made in the course of the planning application by Mrs McArdle which were specifically indicated by her to be "not an objection".

Para 1: This appeal is against the application for a 3 bedroom dwelling. A second application for a 2 bedroom property has subsequently been turned down but is not the subject of this appeal.

Para 2: The appellant disagrees and considers that the additional dwellings in Spencer Road sit comfortably without harm.

Para 3: The issues around the driveway at no. 2 Spencer Road are not relevant to this appeal (not least because different access and parking arrangements are proposed). The appellant is of the view (and the LPA agree) that the proposed garden areas will be perfectly usable for the dwellings as proposed. The type of subdivision of the gardens has not been specified in the application.

Para 4: The proposed parking spaces to serve no. 17 are clearly shown on the application plans – to the side (not front) of no. 17. They will be accessed off O’Connell Road and will be well away from no. 2 Spencer Road. The tree referred to presumably is the small flowering cherry in the front garden of no. 17 – this will not be affected by the new parking spaces.

Para 5: With a boundary fence between 17 O’Connell Road and 2 Spencer Road, it is considered that the proposal will not harm the amenities of no. 2 Spencer Road – something which the LPA agree.

Kind Regards

Dan Wilden

Director



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