

From: [Louise Cutts](#)
To: [Parker, Nicholas](#)
Cc: [Parker, Nicholas](#); [Joe Cutts](#)
Subject: RE: F/23/96082 - Old Oak Farm, Winchester Road, Fair Oak
Date: 17 November 2023 18:46:23
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)
[image007.png](#)
[image009.png](#)

Dear [REDACTED]

Thank you for your e-mail.

Your e-mail suggests that because the proposal is contrary to one of your policies, then it cannot be supported. You will know that a lawful planning assessment does not stop there. The LPA is duty-bound under Section 38(6) of the Planning and Compulsory Purchase Act 2004 to consider other material considerations, the combined weight of which might indicate a decision other than in accordance with policy. I would be interested to understand the weight that the LPA will be attaching to all the other material considerations detailed in the planning assessment submitted with the application, in your officer report.

I am happy to extend the time to decision to 5th January 2024 to allow for the submission of the contamination desk study.

Kind regards

Louise Cutts BA (Hons) Dip TP MRTPI
Director



Meadowsweet Cottage, Morleys Lane, Ampfield SO51 9BJ

Tel: 07940 033645

Email: louisecutts@wessexplanning.com

Website: <http://www.wessexplanning.com/>

From: [REDACTED]
Sent: Friday, November 17, 2023 4:25 PM
To: Louise Cutts <Louisecutts@wessexplanning.com>
Cc: Parker, Nicholas <nicholas.parker@eastleigh.gov.uk>; Joe Cutts <joeecutts@wessexplanning.com>
Subject: RE: F/23/96082 - Old Oak Farm, Winchester Road, Fair Oak

Afternoon Louise

Thank you for your below email.

The proposals are contrary to Policy and therefore cannot be supported. This was set out at pre-application stage and is reinforced by EBC Policy comments as part of this application.

Thank you for advising your intent to appeal any refusal. Would you be able to submit the desktop study within the next couple of weeks? The Council's Contaminated Land Officer would need at least two weeks to review any new information. As such, I would suggest an extension of time until 5 January 2024 (this factors in a couple of weeks for submission, and review accounting for colleagues annual leave over the Christmas period).

Kind Regards

Senior Planning Officer

Planning & Environment - Planning/Development Management



Eastleigh Borough Council | Eastleigh House | Upper Market Street | Eastleigh | SO50 9YN



From: Louise Cutts <LouiseCutts@wessexplanning.com>

Sent: Wednesday, November 15, 2023 2:10 PM

To: [REDACTED]; Parker, Nicholas <nicholas.parker@eastleigh.gov.uk>

Cc: Joe Cutts <joecutts@wessexplanning.com>

Subject: RE: F/23/96082 - Old Oak Farm, Winchester Road, Fair Oak

Thank you for your e-mail Summer.

It is disappointing that the weight you appear to have placed upon each of the significant material considerations does not, in combination, outweigh the limited harm to the countryside in this location, and that you are not convinced of the scheme's obvious benefits in terms of countryside character.

My client intends to appeal any refusal, and the Inspector will want to see continued cooperation between the applicant and the LPA. To refuse to extend the period of time so that my client can address the comments of your environmental health officer may be seen as uncooperative thereby attracting an award of costs for unreasonable behaviour. On this basis, can I repeat my request for an extension of time please? The requested report will not take long to complete, and with an agreed extension of time, there is no sanction for the LPA.

Kind regards

Louise Cutts BA (Hons) Dip TP MRTPI

Director



Meadowsweet Cottage, Morleys Lane, Ampfield SO51 9BJ

Tel: 07940 033645

Email: louiseCutts@wessexplanning.com

Website: <http://www.wessexplanning.com/>

Sent: Wednesday, November 15, 2023 10:44 AM

To: Louise Cutts <LouiseCutts@wessexplanning.com>

Cc: Joe Cutts <joecutts@wessexplanning.com>

Subject: RE: F/23/96082 - Old Oak Farm, Winchester Road, Fair Oak

Morning Louise

Thank you for your below email.

It is noted that you wish to provide additional information with regard to land contamination. However, as set out in the pre-application response, the principle of development is unacceptable

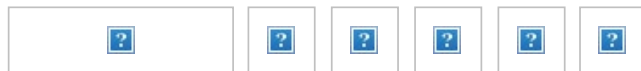
and therefore addressing technical concerns would not overcome the fundamental issues with the proposals. Given the above, the LPA do not consider that it would be necessary to provide any additional documents at further expense to the applicant.

Joe requested consultee responses, which were provided. There has been no request from the LPA to provide this information, therefore I do not see the need extend the determination date.

Kind Regards

Senior Planning Officer

Planning & Environment - Planning/Development Management



Eastleigh Borough Council | Eastleigh House | Upper Market Street | Eastleigh | SO50 9YN



From: Louise Cutts <LouiseCutts@wessexplanning.com>

Sent: Friday, November 10, 2023 2:53 PM

Cc: Joe Cutts <joecutts@wessexplanning.com>

Subject: RE: F/23/96082 - Old Oak Farm, Winchester Road, Fair Oak

Dear [REDACTED]

Thank you for the update. My response to the comments is below:

1. The planning policy comments are what is expected from a planning policy officer. The application considers the known conflict with policy head-on. As you will no doubt be aware, it is for you, as the Development Management officer to apply the Section 38(6) planning balance, detailed in the planning statement in paragraphs 8.1 onwards, which assesses the weight of the material considerations in details:
 - The fall-back position of replacing the mobile homes with something larger without the need for planning permission
 - The benefit in moving the residential use to a position outside the RPA of the mature trees
 - Precedent at Waratah
 - Waste Water benefits – the current waste flows into a septic tank
 - Improving space standards for occupier in line with national guidance
 - Access improvement to a blind bend
 - Landscaping improvements – both short and long term, with significant reinforcement and new tree planting not to mention the improvement in the existing site condition.
 - The self-build duty aspect, which, in itself, is determinative
 - The sustainable location and position immediately adjacent the settlement boundary.
 - High quality design and wheelchair accessible nature of the proposals.
2. The size of the dwellings has been considered with the use of a Landscape and Visual Impact Appraisal and landscaping strategy.
3. The Environment Agency's lack of objection is noted.
4. The contamination officer requests a desk study. **I would ask for an extension of time so that one can be completed. This will allow the officer to recommend conditions.**
5. The arboricultural officer's comments are also noted and my client is agreeable to the condition proposed.

If we could have a chat/call about the above, that would be appreciated. When are you available?

Kind regards

Louise Cutts BA (Hons) Dip TP MRTPI
Director



Meadowsweet Cottage, Morleys Lane, Ampfield SO51 9BJ

Tel: 07940 033645

Email: louisecutts@wessexplanning.com

Website: <http://www.wessexplanning.com/>

Friday, November 10, 2023 2:27 PM

To: Joe Cutts <joecutts@wessexplanning.com>

Cc: Louise Cutts <Louisecutts@wessexplanning.com>

Subject: RE: F/23/96082 - Old Oak Farm, Winchester Road, Fair Oak

Hello Joe

Thank you for your below email.

Please see attached comments from the Environment Agency and EBC Policy.

Please also see below comments:

Council's Contaminated Land Officer:

Thanks for consulting the Pollution Team. After a review of the application, please see our comments on contaminated land below for the application reference F/23/96082 at OLD OAK FARM, WINCHESTER ROAD, FAIR OAK, EASTLEIGH, SO50 7HD for the removal of two mobile homes and accompanying buildings and replacement with two new self-build dwellings, creation of new paddock area, improvements to access sight lines, and new landscaping of site frontage:

The Planning, Design and Access Statement for Old Oak Farm, Winchester Road, Fair Oak, dated 25th September 2023 by Wessex Planning indicates the site currently comprises two mobile homes with associated garden areas including chicken coops, dog kennels, and household items that would usually be stored inside a garage or other outbuilding. Various old cars and caravans are also kept on the site primarily for residential storage purposes but also in connection with the keeping of the applicant's horses.

A review of historical available maps/ photographs shows that the site has not developed until 2005, where a track road was noted and several structures in the southeast corner, with evidence of paddocks from 2012. Made ground is anticipated to be present due the historical developments on site.

In addition. our records indicate that the site is located on land with a former contaminative use.

The proposed development involves the construction of two self-build dwellings: Plot 1 (placed on the higher, southern side of the access track, cut into the embankment), and Plot 2 (sited on the lower, northern side of the access track). Each plot would benefit from a large garden, a single garage and parking areas.

Therefore, considering the site's history, located within an identified brownfield area, and the earthworks involved in the proposed development, it is advised that the application should be accompanied by Desk Study as minimum to demonstrate how contaminated land will be effectively managed. Desk Study must comply with BS10175:2001 'Investigation of potentially contaminated land - code of practice', and include a conceptual site model, preliminary code of practice and site walkover survey. The LPA would review the submitted Desk Study and then

could advise whether they are agreeable, and what/ whether additional conditions are required.

Council's Arboriculturalist:

We have no issue regarding the development of the and towards Winchester Road – there are several small trees but none are significant from an amenity perspective.

As stated at pre-app, we do have some concerns regarding the and to the rear of the site, as this is where there are some more significant trees. The provided arboricultural information is simply a tree survey, so does not detail anything other than what is there. We would request that the applicant submits a simple method statement to cover the demolition process, as this could have the potential to harm the trees if carried out in an uncontrolled manner.

Therefore, we raise no arboricultural objection, subject to the following condition:

No excavation, demolition or development related works shall take place on site until an arboricultural method statement, detailing demolition activities, is submitted and approved by the LPA. The approved method statement must be adhered to in full, and may only be modified subject to written agreement from the LPA. Reason: to retain and protect the existing trees which form an important part of the amenity of the locality.

I hope the above is of assistance.

Many thanks

Senior Planning Officer

Planning & Environment - Planning/Development Management



Eastleigh Borough Council | Eastleigh House | Upper Market Street | Eastleigh | SO50 9YN

This email is subject to recording and/or monitoring. Any content or attachments are for the person to whom it is addressed and may be confidential.

If you get it by mistake, please email us back as soon as possible, and then delete it from your system; please do not pass it on to anyone else or use the information in it.

We do our best to guard against viruses. If you get a virus, we cannot accept liability for any damage.

You should carry out your own virus check before you open attachments.

Eastleigh Borough Council



From: Joe Cutts <joecutts@wessexplanning.com>

Sent: Friday, November 10, 2023 8:52 AM

Cc: Louise Cutts <louiseCutts@wessexplanning.com>

Subject: F/23/96082 - Old Oak Farm, Winchester Road, Fair Oak

Hi Summer,

I note that the consultation period for the above application has expired and looking at the LPA website,

consultation responses have been received from Ecology, Highways, Southern Water, and a public comment from Richard Niziolek.

Please can you advise whether there are any other consultee responses that have been received by the LPA but yet to be uploaded to the LPA website and if so, please could you forward them to me?

Thanks,

Kind Regards

Joe Cutts

Director



Meadowsweet Cottage, Morleys Lane, Ampfield SO51 9BJ

Email: joecutts@wessexplanning.com

Website: <http://www.wessexplanning.com/>