

## The Planning Inspectorate

### COMMENTS ON CASE (Online Version)

Please note that comments about this case need to be made within the timetable. This can be found in the notification letter sent by the local planning authority or the start date letter. Comments submitted after the deadline may be considered invalid and returned to sender.

**Appeal Reference: APP/W1715/W/24/3345833**

#### DETAILS OF THE CASE

Appeal Reference APP/W1715/W/24/3345833

Appeal By MRS HELEN JONES

Site Address  
60 Bursledon Road  
Hedge End  
Southampton  
Hampshire  
SO30 0BY

#### SENDER DETAILS

Name MR CHRIS LARKIN

Address  
58 Bursledon Road  
Hedge End  
Southampton  
Hampshire  
SO30 0BY

#### ABOUT YOUR COMMENTS

In what capacity do you wish to make representations on this case?

- ☐ Appellant
- ☐ Agent
- ☒ Interested Party / Person
- ☐ Land Owner
- ☐ Rule 6 (6)

What kind of representation are you making?

- ☐ Final Comments
- ☐ Proof of Evidence
- ☐ Statement
- ☐ Statement of Common Ground
- ☒ Interested Party/Person Correspondence
- ☐ Other

## YOUR COMMENTS ON THE CASE

Appeal reference: APP/W1715/W/24/3345833

We refer to the above planning appeal and wish to make the following comments.

We welcome Eastleigh Borough Council's decision to refuse the application on the grounds that the proposal is an overdevelopment of a small and very narrow plot and contrary to several aspects of the Eastleigh Borough Local Plan 2016-2036.

We understand that our comments on the application have been forwarded to the Planning Inspector and so will not repeat them here. We assume they will be taken into consideration as, in our opinion, all are still relevant. However, in the light of the appellant's appeal statement, we do have some additional points to make.

### Overlooking

The application and appeal submission significantly understates the impact that the proposed first floor rear window will have on our privacy. The site is significantly higher than our patio - 0.75m higher at the centre of the boundary taken at a point perpendicular to the rear corner of our house, rising to over 1 metre at the site boundary between the site and 2 Foord Road. The window itself is excessively large and, due to the topography of the site, will be significantly higher than our garden leading to an unreasonable level of overlooking, particularly taking into consideration the closeness of the building to the boundary.

The screening benefit of the hedge has also been overstated by the applicant. In practical terms, in order to safely maintain it (and prevent it becoming a nuisance to our neighbours) we keep it restricted to 2 metres high which is insufficient to effectively screen the large bedroom window from a direct line of sight into most of our garden, patio and also kitchen/diner.

We also note that the 8.8m separation distance to the boundary claimed by the applicant on the 1:100 site plan is inaccurate as the measurement appears to have been made from inside our garden and not the boundary line. Furthermore, the plot is not rectangular (being more parallelogram shaped) and, by scaling from the plan, it is possible to establish that the distance between part of the first floor rear window close to the easterly corner of the dwelling and the boundary is only 7.5m (24 ft), which is considerably closer than the 8.8m claimed.

Photograph 1 of the applicant's submission is also misleading as it gives the impression that our house is a considerable distance from the boundary. This is not the case and would be confirmed by an inspection of the site. We submit a photograph of the site and our house taken from Foord Road (taken using a standard iPhone camera function) which in our opinion more accurately reflects the spatial relationship between nos. 58 and 60 Bursledon Road. Therefore, point 2 in the applicant's appeal statement is disputed. Our negative concerns are not 'perceived', they are real and caused by the lack of effective separation between us and the proposed dwelling which is on a plot that is significantly higher than our own.

We dispute the applicant's inference that having a window on the south west elevation to our house which overlooks no 60 is a relevant consideration as it is an original feature and has not been added since the property was built (circa 1898). No. 60 has a window in an identical position. In fact, it was the late relatives of the current applicants (who lived in no. 60) who installed a window (date unknown) into the north east elevation of no. 60 which directly overlooks our property.

In our opinion, overlooking issues caused by developing a very restricted site with houses in very close proximity (and on an elevated site relative to two of its three direct neighbours) should be addressed by sensitive and imaginative design rather than relying on a vegetation screen which is not protected in any way, and may not be maintained or be removed completely by future occupiers. The current design has absolutely no regard to the adverse impact that the rear window will have on our privacy and the appellant statement offers nothing by way of practical reassurance that the overlooking issue has been resolved.

#### Ecology

In support of the Ecology Officer's report, we confirm the presence of slow worms in our garden and two bats regularly fly over our house and the site. These are visible at dusk. We have video evidence of the bats if the Inspector wishes to see it.

#### General

As we have previously discussed with the planning officer, we are not opposed in principle to development on the site; indeed we recognise that it will provide needed housing in the Borough. However, given the constraints of the site (particularly in terms of width) and the significant change of level between the proposed dwelling and nos. 58 and 60 Bursledon Road, we feel that the whole proposal should be reconsidered and a new design submitted that is of an appropriate scale and minimises the intrusive effect and overlooking it will have on the 3 existing houses (58 and 60 Bursledon Road and 2 Foord Road) that are all very close to the site.

#### Site visit

We invite the Inspector to visit our house to gain an appreciation of the site topography and assess the significant adverse effect that the proposed dwelling will have on our privacy and residential amenity.

#### Conclusion

We respectfully request that the Inspector upholds Eastleigh Borough Council's reasons for refusing the application and dismisses the appeal.

If the Inspector is minded to approve the application, we support the Council's comments in its statement dated 25th July 2024 and request that a condition is applied that specifically requires the whole rear bedroom window to be fitted with permanent obscure glazing (to Pilkington L3 - or higher) that maintains privacy in both directions and explicitly prohibits the use of electric switchable glass with adjustable opacity which has the potential to be overridden by future occupiers.

Thank you for considering our comments in the appeal process and we look forward to hearing the decision in due course.

Kind regards

Chris and Maureen Larkin

Owners – 58 Bursledon Road, Hedge End

## COMMENT DOCUMENTS

The documents listed below were uploaded with this form:

**Relates to Section:** REPRESENTATION  
**Document Description:** Your comments on the appeal.  
**File name:** Site adjacent to 60 Bursledon Road.JPG  
**File name:** 60Bursledon planningappeal Aug 24.pdf

PLEASE ENSURE THAT A COPY OF THIS SHEET IS ENCLOSED WHEN POSTING THE ABOVE DOCUMENTS TO US