

Appeal Ref
LPA Ref
Email

APP/W1715/W/24/3355788
F/24/97118
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gov.uk

The Planning Inspectorate
By Email Only

FAO: Joanna Carter

19 June 2025

Town and Country Planning Act 1990

Appeal By: Mr S Michael

Site Address: 17 O'Connell Road, Eastleigh, SO50 9GN

Appeal Reference: APP/W1715/W/24/3355788

LPA Reference: F/24/97118

National Planning Policy Framework

I am writing with reference to your recent email concerning the updated National Planning Policy Framework (NPPF) inviting the Local Planning Authority to comment on the relevance of this to the above referenced appeal.

The latest iteration of the NPPF was published in December 2024, subsequent to the determination of the planning application by the LPA on 20 May 2024. The LPA's Reasons for Refusal as set out within its Decision Notice made reference to the proposals being contrary to the requirements of Paragraph 135 of the NPPF (being the December 2023 iteration at that point) in the case of Reason for Refusal 1 and Paragraphs 180 and 186 in the instance of Reason for Refusal 2.

The requirements of these paragraphs have, to all intents and purposes and with only minor changes to their wording, been replicated within the updated NPPF, with Paragraphs 180 and 186 becoming Paragraphs 187 and 193 respectively, and 135 maintaining the same paragraph number.

As such, the LPA would highlight that there therefore remains a requirement within National Planning Policy for planning decisions to ensure that development will function well, add to the overall quality of the area and be sympathetic to local character, as well as to protect and enhance sites of biodiversity value, minimise impacts on biodiversity and, where such impacts do occur, to provide for adequate mitigation.

For the reasons given within the Council's Decision Notice and within the Case Officer's Delegated Report which supports this, both of which have been previously provided to the Planning Inspectorate with the LPA's Appeal Questionnaire, there remains a clear conflict between the proposals and the provisions of the National Planning Policy Framework. These provisions are consistent with the requirements of Policies DM1 and DM11 of the Eastleigh Borough Local Plan 2016-2036.

Accordingly, the proposals do not accord with the development plan for the purposes of Section 70(2) and 79(4) of the Town and Country Planning Act 1990 and Section 38(6) of the Planning and Compulsory Purchase Act 2004, and planning permission should therefore be refused unless material considerations indicate otherwise. The LPA consider that there are no such material considerations and, accordingly, respectfully request that the Inspector dismisses this appeal.

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