

Subject: RE: Objection to Planning Application Ref H/25/100469

From: David Bailey

Sent: 14 January 2026 00:18

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Objection to Planning Application Ref H/25/100469 – Change of Use from Garden Store to Residential Annexe at Barn Court, High Street, Bursledon SO31 8DL

I am writing to formally object to the above-referenced revisited planning application for the change of use from a garden store to a residential annexe at Barn Court, High Street, Bursledon. My objection is based on several material grounds, particularly the adverse impact this proposal will have on my amenity and privacy, as well as concerns regarding the accuracy and completeness of the application documentation.

1. Consultation Period and Decision Timing

It is important to note that the consultation period for this application is published on the EBC planning portal as ending on 23 January 2026, while the decision date is listed as 14 January 2026. Since the determination date is tomorrow, I wanted to make sure you got my objection before you make your decision, so felt I should email you both directly as well as submitting in the normal way on the planning portal. I trust that my objection will be duly considered before any determination is made, given this discrepancy on the Council's website.

2. Incomplete and Inaccurate Application Information

The application omits key details, including drawings that do not show the full extent of the development, such as the lean-to store and adjacent buildings. These are relevant and should be included. The application form incorrectly states that the development is incomplete and that no external materials, tree removal, or new pedestrian walkways are involved. In reality, a permanent path and tall fence have been constructed, resulting in the loss of natural hedgerows and disturbance to sensitive root areas, all without prior consent. These elements should either be included in the application or be considered unlawful and removed. Furthermore, the submission lacks a planning statement and fails to justify the requested change of use in accordance with local and national planning policy, particularly within the conservation area.

3. Impact on Residential Amenity and Privacy

The proposed change of use will directly affect my property through increased light pollution, noise, and loss of privacy. As previously shown in photographs issued to the Council, the window of the proposed kitchen has a direct line of sight into my living spaces, especially when the boundary hedge is trimmed outside the nesting season. This will result in a significant loss of privacy for my household. Despite raising these concerns in previous submissions, they have not been addressed by the case officer, nor has there been any attempt to view the development from my perspective or in an objective way.

4. Concerns from Previous Appeal Decisions

The applicant has submitted an annotated copy of the planning inspector's decision to dismiss the appeal from a previous application. The inspector noted that the building does not meet minimum space standards for a separate dwelling and that the kitchen was not equipped for independent living. Should the Council approve this application, conditions must be imposed to prevent future use as a separate or rental dwelling, restricting occupation to direct family members or carers only as it would be very easy for the necessary electrical and plumbing installations to be added (to what is an overly large kitchen for its stated intended ancillary use) to provide full cooking and laundry facilities and the existing lean to and adjacent garden store could be incorporated into the footprint in an attempt to meet minimum space standards for a

separate dwelling. There is also a reference in the appeal report to a hardstanding pathway being used by the annexe for pedestrian access. This path was unlawfully constructed in contravention of arboricultural advice, permitted development rights and existing planning conditions and should be considered unlawful development.

5. Biodiversity and Environmental Impact

The application's biodiversity checklist is based on the incorrect premise that there are no material changes to the structure. In fact, the development of the annexe has involved new subterranean drainage through tree root zones, raised ground levels around mature trees to form a lawn, and the replacement of native hedgerows with fencing (mostly unconsented works), all of which harm local biodiversity. Council ecology officers have previously recommended the installation of bat and bird boxes, which, to our knowledge, have not been implemented so far. Additionally, unconsented fencing has disrupted wildlife corridors used by hedgehogs and other species.

6. Drainage and Waste Water Concerns

As identified by the EBC Heritage officer in his email of 18 December 2025 (included document on the application page), there is no information provided on wastewater disposal or any S106 agreement for a new connection with Southern Water. The development shares a drain run with neighbouring properties (including our own), which has a history documented with Southern Water of blockages and flooding by raw sewage into the gardens. Any new connection to this run is likely to exacerbate these issues. Full details of drainage solutions and agreement with SW should be required before any approval is considered.

7. Breach of Existing Planning Conditions

In the construction of the original building, the applicant failed to discharge condition 4 of planning consent H/22/93123 prior to commencing works, specifically the requirement for an arboricultural method statement and tree protection plan. This omission, along with unauthorised tree works, ground-level changes and excavations, constitutes a potential breach of Section 171A of the Town and Country Planning Act (1990). Despite previous reports to the case officer and enforcement, this matter remains unaddressed.

Conclusion

Given the above, I strongly urge the planning authority to refuse this application for change of use. Should the Council determine to approve the application, robust and enforceable conditions must be imposed to prevent further development, revoke any further permitted development rights or future use of the building as standalone or rental accommodation. In addition, consideration should be given to protecting my rights to prevent loss of amenity and privacy.

Thank you for considering our objection.

Yours sincerely,

David and Irene Bailey

The Long Cottage

High Street

Bursledon

SO31 8DL