

**EASTLEIGH BOROUGH COUNCIL**

**Town and Country Planning Act 1990 – Section 78**

**Town and Country Planning Appeals (Determination by Inspectors) (Inquiries Procedure) (England) Rules 2000**

**REBUTTAL PROOF OF EVIDENCE**

**of**

**Gary Osmond BA Arch. MA LRTPI**

**Planning appeal against refusal to grant full planning permission for the development of residential development of 61 no. dwellings, with associated public open space, landscaping and amenity areas with access off Satchell Lane.**

**Land at Satchell Lane, Hamble-Le-Rice, Southampton**

**Appeal by Foreman Homes Ltd**

**Planning Inspectorate Reference: APP/W1715/W/22/3292580**

**Eastleigh Borough Council Reference: F/20/89488**

**OCTOBER 2022**

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## **1.0 Introduction**

- 1.1. My name is Gary Osmond. My qualifications and experience are set out in section 2 of my main Proof of Evidence.
- 1.2. This Rebuttal Proof of Evidence relates solely to the submission by the Appellant of an additional Illustrative Landscape Masterplan under reference 403.064427.00001.SL1 (herein referred to as Drawing SL1), which was first submitted to the Planning Inspectorate and the Council as part of the Appendices to the Landscape Proof of Evidence of Mr Jeremy Smith (Reference 403.064427.00001, Version 3, dated October 2022) and which is integral to the Appellant's evidence. The issue of whether Drawing SL1 should be accepted as new evidence as a matter of principle is discussed in the Rebuttal Proof of Miss Altman. This Rebuttal Proof addresses the implications of Drawing SL1 in relation to layout, design and landscape impacts, in the event that the new plan is accepted.
- 1.3. The evidence I have prepared and provide in this Rebuttal Proof is true and has been prepared and given in accordance with the guidance of my professional institution and I confirm that the opinions expressed are my true and professional opinions.

## **2.0 Design implications of Drawing SL1**

- 2.1 Whilst Drawing SL1 does not appear to alter the position and orientation of dwellings, roads and footpaths from that originally submitted, it does revise the number and position of some trees, as well as the nature of planting in particular areas. It is accepted that changes such as these are relatively minor and could have resulted from a reasonable evolution of the landscape strategy at the approval of conditions stage of the planning process. However, SL1 also makes a significant change in relation to the position and nature of the on-site play area, as well as introducing additional access points to the Public Right of Way to the west of the Appeal Site. These are quite substantial changes which

have been introduced at a late stage in the appeal process and without warning from the Appellant. These changes also have implications for the Council's design response to the Appeal Scheme, which are set out below.

- 2.2 It should be noted that the scale stated on Drawing SL1 is incorrect, appearing to be 1:500 @ A1, rather than 1:500 @ A3 as stated, and should not be relied upon for taking accurate measurements. As such, all dimensions referenced in this Rebuttal Proof are approximations using the originally submitted site layout plan (Core Document 1.2) as a guide.

### Play Area location

- 2.3 Drawing SL1 moves the on-site play area from the southern corner of the site into a more central area previously described as the 'village green' in the originally submitted scheme. With this change the play area is downgraded from a Local Equipped Area for Play (LEAP) to a Local Area for Play (LAP), which has ramifications in relation to the Appeal's legal agreement, as discussed in Miss Altman's Rebuttal Proof. In addition to moving the play area, SL1 also amends the original village green space to include a more formalised landscape space, including what is described in Mr Smith's Proof as "a small amenity grassland area (sufficient for a kick-about) with seating" (Table 1, Page 17 & 18, and para. 166). The original play area site becomes an informal area of open space taken up by a proposed community orchard.
- 2.4 From a purely urban design perspective, in principle there is no objection to moving the on-site play provision to a more central location. Indeed, it was something originally suggested in my urban design consultation response at the time of the planning application. However, it is disappointing to see that the change being suggested reduces the level of play provision available from a LEAP to a LAP – LAPs being intended for very small children and often having minimal play equipment, as opposed to a LEAP which is intended for a wider age range and incorporating dedicated play equipment and what would be expected for a housing development of this size.

- 2.5 No reason for this reduction in play provision has been provided. However, it is expected that the space available at the village green site is insufficient to acceptably accommodate the originally proposed LEAP in terms of available site area and proximity to adjacent residential dwellings. Accepted national guidance such as 'Guidance for Outdoor Sport and Play' published by Fields in Trust in November 2020 (see additional Appendix GO-5) sets out in table 4 on page 9, that LEAPs should have minimum dimensions of at least 20 x 20 metres (400 square metres) and have a minimum separation distance of 20 metres between the activity zone and the habitable room façade of the nearest dwellings. Whilst the village green space can physically accommodate a LEAP, it cannot do so in a manner which also gives the minimum 20 metre separation distance required without substantial alterations to the surrounding housing layout. In contrast, a LAP only needs to be a minimum of 10 x 10 metres (100 square metres) with a separation distance of just 5 metres to the nearest dwelling.
- 2.6 The LAP is accompanied by what has been described by Mr Smith as a 'kick-about area'. Again, such a recreational space would be welcomed in principle. However, the grass area shown measures approximately 10 x 15 metres (150 square metres), which at around a quarter the size of a 5-a-side pitch appears rather small and would limit its useability for such a purpose.
- 2.7 It is also suggested in Mr Smith's Proof that the village green space should become a more formal landscaped space, including pleached Hornbeam trees and other ornamental planting, as well as raingardens and the LAP. Whilst potentially an attractive area, concerns remain that much is expected of this relatively modest space, as previously expressed in paragraph 6.18 of my main Proof of Evidence. The continued attractiveness of such a formal space is heavily reliant upon regular maintenance and intensive management, something that in reality rarely happens in residential developments of this nature, particularly when resources for such management by the local authority or parish are limited and already stretched.

2.8 Turning the previously relatively informal village green into a much more formal space also alters the character of this part of the development, potentially contrary to its intended character area, and would introduce a much more urban feel at odds with the rural fringe nature of the locality. It also limits scope to plant trees of any significant scale, the village green being one of the few spaces large enough to accommodate larger trees.

#### Western access points

2.9 In addition to that originally proposed at the northern end of the site, Drawing SL1 adds two additional points of access to the Public Right of Way which runs parallel to the western site boundary with the adjacent former airfield, one centrally and one to the southern end adjacent to the new orchard. The addition of these extra points of access would address the concerns expressed in paragraph 6.25 of my main Proof of Evidence by improving connectivity and options for recreational use. However, whilst welcome additions to the scheme, it is again questioned why something so simple was not included with the originally submitted proposals. This again demonstrates a lack of thought given to the resulting quality of the development by the Appellant.

### **3.0 Conclusion**

3.1 Whilst Drawing SL1 does address previous concerns in relation to the limited connections to the adjacent Public Right of Way, it still fails to adequately address the remaining design concerns set out in my main Proof of Evidence. It also raises new concerns in relation to moving the play area from the southern corner of the site to the area described as the village green and the resulting downgrading of on-site play provision from a LEAP to a LAP. The suitability and reasoning behind changing the previously informal village green into a much more formal urban park space is also questioned, in terms of how it alters the nature and character of this part of the development and reduces opportunities for larger specimen tree planting.

3.2 In the event that Drawing SL1 is accepted, the Inspector is requested to consider the concerns set out above in addition to those set out in my main Proof of Evidence.