REF. NO. X/16/78095

PLANNING APPLICATION REPORT

DESCRIPTION/ ADDRESS	-	Variation of conditions 16 & 17 of planning permission F/14/74922 to meet code level 4 of the code for sustainable homes for water and energy only. Land Acres, Heath House Lane, Hedge End, Southampton, SO30 0LB

SITE VISIT DATE – Due to the "technical nature" of the application a site inspection is not required.

ARE PLANS ACCURATE? – The submitted drawings and associated documentation allows a comprehensive assessment of the development proposed.

HAVE ALL NECESSARY NEIGHBOURS BEEN CONSULTED? – In accordance with the Local Planning Authority's publicity of planning proposals all relevant neighbours have been consulted.

THE SITE AND ITS SURROUNDINGS

DESCRIPTION OF APPLICATION	Variation of conditions 16 & 17 of planning permission F/14/74922 to meet code level 4 for sustainable homes requirement for energy and water only.
SITE AREA	0.39 hectares
RESIDENTIAL DEVELOPMENT DENSITY (NET)	Approximately 10 dwellings per hectare.
TOPOGRAPHY	The site slopes relatively steeply down from Heath House Lane towards the southern boundary of the site, having a total fall of approximately 9.0 metres from the north-west corner (highest point) of the site to the south-east corner (lowest point).
TREES	The site, while not wooded has significant tree coverage made up of mainly mature Oak trees and has an 'edge of woodland' feel. The site is subject to a blanket Tree Preservation Order. To the south of the site is Pylands Woods which is designated as a Site of Importance for Nature Conservation (SINC).
BOUNDARY TREATMENT	The site boundaries with Heath House Lane and Heath House Close are marked by a metre high post and aril fence, together with trees and hedging. The boundaries with 'Land Acres' to the west and 'Bramblewood' to the west are marked by 1.8 metre close board fences and further planting. The southern boundary is marked by a drainage ditch which runs along the whole of the site boundary.
SITE CHARACTERISTICS	The site is currently designated as countryside, albeit immediately adjacent to the urban edge and as mentioned above has a woodland glade/edge of woodland feel. It has been used in the past to graze horses but is currently overgrown with nettles.
CHARACTER OF LOCALITY	The site sites on the southern edge of Hedge End with suburban residential development to the north and west, with less dense residential development along the southern side of Heath House Lane to the east.

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RELEVANT PLANNING HISTORY

REFERENCE	DESCRIPTION	DECISION
F/14/74922	Construction of 4 no. 5 bed detached dwellings with associated garages, amenity space and landscaping with access from Heath House Lane and Heath House Close, following demolition of existing barn	Approved Dec 2014
F/07/61156	Construction of replacement dwelling (amended design) following removal of existing mobile home & day room.	Approved Nov 2007
Z/30736/010/00	Outline: Construction of 31 No. 2 bed apartments in four blocks with access from Heath House Lane only.	Refused Aug 2003 dismissed at Appeal Jan 2004
Z/30736/009/00	Outline: Construction of 21No. two bedroom apartments in two blocks and 5No. dwellings with access from Heath House Lane and Heath House Close.	Refused Dec 2002
Z/30736/001/00	Erection of 8 detached houses and access road.	Refused Dec 1988
Z/30736/000/00	Outline: Residential development.	Refused Dec 1988

REPRESENTATIONS RECEIVED

SOURCE	SUMMARY OF CONTENT
None received.	

CONSULTATION RESPONSES

CONSULTEE	SUMMARY OF RESPONSE
Head of Regeneration and Planning Policy - Sustainability	No objection. Submitted information demonstrates that the latest Council requirements have been met.
Bursledon Parish Council	No objection.

POLICY CONTEXT

DESIGNATION APPLICABLE TO SITE
Outside Built-up Area Boundary Adjacent to Established Residential Area

DEVELOPMENT PLAN SAVED POLICIES, EMERGING LOCAL PLAN POLICIES AND SPD'S

Eastleigh Borough Local Plan Review (2001-2011), saved policies – 34.ES (Energy & climate change)

Submitted Eastleigh Borough Local Plan 2011 - 2029, July 2014, (the Submitted Local Plan) comprising:

- Revised Pre-submission Eastleigh Borough Local Plan 2011 - 2029, published February 2014; and
- Schedule of Proposed Minor Changes, submitted to the Secretary of State in July 2014'

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DEVELOPMENT PLAN SAVED POLICIES, EMERGING LOCAL PLAN POLICIES AND SPD'S

- Policy DM2 (Sustainability)

Supplementary Planning Document: Environmentally Sustainable Development

NATIONAL PLANNING POLICY GUIDANCE

National Planning Policy Framework

POLICY COMMENTARY

The above policies and guidance combine to form the criteria against which this application will be assessed.

COMMENT ON CONSULTATION RESPONSES

Noted.

COMMENT ON REPRESENTATIONS RECEIVED

n/a

PLANNING OBLIGATION/CONSIDERATIONS

On the basis of the "technical detail" of the application namely variation of planning conditions following amendments to the interruption of the Code for Sustainable Homes, contributions are not sought to offset the impact of the development on local infrastructure.

ASSESSMENT OF PROPOSAL

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:-

> *"If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."*

Policy 34.ES only grants planning permission for proposals which make an appropriate contribution towards the Government's target to reduce levels of carbon dioxide and other greenhouse gases in the atmosphere by:

i. ensuring the use of the most sustainable construction materials and construction methods;

ii. minimising the energy demands associated with the occupation of the development by using energy efficient equipment and incorporating high levels of insulation; and

iii. maximising the proportion of energy that is generated from renewable sources.

The original sustainability conditions were imposed in line with the Council's Environmentally Sustainable Development SPD. However, following a Written Update to Parliament from the Secretary of State for Communities and Local Government on 25th March 2015 and the coming into law of the Deregulation Act on 26th March 2015, the outcomes of the Housing Standards Review has come into force that partly relate to sustainable design standards. The outcome of the review has meant significant changes for the implementation of the EBC Environmentally Sustainable Development Supplementary Planning Document (ESD SPD).

Local Planning Authorities are no longer able to grant planning permission requiring compliance

ASSESSMENT OF PROPOSAL

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

with specific standards in the Code for Sustainable Homes. However, Local Planning Authorities are able to continue applying energy standards which exceed the Building Regulations (i.e. at Code 4 standard) until the 'Zero Carbon Homes' policy comes into force in late 2016.

It is Eastleigh Borough Council's position to continue to require specific standards of water efficiency as well, given our existing policy requirement in the ESD SPD is for Code 4 where there is a mandatory water consumption standard to be met. The combined energy and water standards are to be secured through standard conditions at design stage and post-construction stage.

The information submitted with the application demonstrates that these current water and energy requirements have been met by that built and as such there is no need for any further information to be submitted.

OTHER MATERIAL CONSIDERATIONS

Reference needs to be made the Submitted Eastleigh Borough Local Plan 2011 - 2029, July 2014. However very little weight can be given to these policies as, although the Submission Local Plan has not been withdrawn the Council has confirmed that it has decided to prepare a new local plan which will cover the period up to 2036. With regards to this application, the new policies essentially echo those of the current plan and are not considered to affect the recommendation put forward.

CONCLUSIONS

On the basis of this report the recommendation is to permit the variation.