To: **Head of Development Control**

FAO: **Dawn Errington**

From: **Planning Policy and Design Section (Regeneration and Planning Policy Unit)**

Date:

Register No: 2316 **Application Ref:** C/15/76952

Application Address:

Land at Maidenstone Heath, Blundell Lane, Bursledon, Southampton, SO31 1AA

Application Summary:

Outline: Construction of 8no. dwellings with with all matters reserved.

Policy Officer: Lucy Harding

Comments:

Relevant policy and guidance is provided by the Eastleigh Borough Local Plan Review (2001-2011) (EBLPR) and the National Planning Policy Framework (NPPF). The Submitted Eastleigh Borough Local Plan 2011-2029 was not supported by the Inspector at Examination and as such its policies and strategy are of very little weight. However, the Plan has not been withdrawn and as such it technically remains a material planning consideration and is the most recent statement of the Council's development strategy for the borough. It is therefore relevant to note that this site was not proposed to be allocated for development in the 2011-29 Plan.

Adopted Local Plan 2001-2011

The site is located outside the urban edge of Bursledon and partially within the Old Bursledon Conservation Area and the countryside and Local Gap as defined by the Proposals Map. The site is also not allocated for housing development in the adopted Local Plan.
Old Bursledon comprises low density housing, woodland, open fields and salt marshes adjacent to the River Hamble. It lies south of Portsmouth Road and west of the A27. Much of the settlement falls within a conservation area. There is a special character to Old Bursledon, with scattered housing served by narrow country lanes with established hedgerows, banks, walls and trees. There are several public footpaths and views over the river valley also. There are small areas of undeveloped land which contribute to the area's rural character with market gardening, horse paddocks and grazing. The coastal salt marshes are designated as a Site of Special Scientific Interest (SSSI). Other land uses that maintain the open character of the conservation area are the junior school with its playing fields, the recreation ground, Greylades which has extensive private grounds and a number of private houses with large gardens. The country lanes that serve Old Bursledon are also an essential part of its character. In some places, the road narrows to one car width, many are without footways and contain sharp bends with sub-standard visibility. They are a distinctive feature however and to attempt to widen or improve them would be detrimental to the conservation area's character.
Old Bursledon is excluded from the urban edge of Bursledon because of its semi-rural character and the construction of single dwellings would erode its special character and should be resisted. Appropriate changes of use, extensions to existing buildings or the construction of

suitable ancillary buildings such as garages are not precluded, provided they are not detrimental to the character of the area either in themselves or by reason of additional traffic movements. Saved policy 179.LB requires that in order to protect the special loose-knit character of Old Bursledon (as identified on the Proposals Map) and to ensure the retention of existing open areas, further development will be refused within the special policy area with the exception of replacement dwellings, appropriate extensions or changes of use, provided that these respect and enhance the character of the Special Policy Area. The development comprises the development of 8 new dwellings. The existing buildings on site (Maidenstone Heath and Barn Owl Cottage) are excluded from the development proposal. There would be a potential cumulative effect upon the Old Bursledon Conservation Area and its setting, due to future development of land to the west and north east considered below.
Saved policy 1.CO considers protection of the countryside. The policy states that planning permission will not be granted for development outside the urban edge unless:
i.It is necessary for agricultural, forestry or horticultural purposes;
ii.It is for outdoor recreation, or ancillary to such a use;
iii.It is essential for the provision of a public utility service; and
iv.It meets the criteria in the other policies in the Plan.

The site falls within the Hedge End-Bursledon Local Gap. Local Gaps provide an important function of protecting the individual identity of settlements and prevents their coalescence. Saved policy 3.CO also states that planning permission will only be permitted for appropriate development in a local gap if it cannot be acceptably located elsewhere and it would not diminish the gap physically or visually. The application would need to demonstrate how the development would take into account the management/mitigation of physical or visual impacts upon the Local Gap in order to justify its acceptability in such a location.
It also falls partially with the Old Bursledon Conservation Area. Saved policy 169.LB lists criteria that planning applications should meet in order to be permitted in conservation areas. The application should demonstrate, where relevant, how:
•It preserves or enhances the character or appearance of Old Bursledon conservation area;
•Any new building or extension does not detract from the character of the area and where appropriate, retains the existing street building line and street scene rhythm;
•The mass, materials and form of the building and associated landscape features are in scale and harmony with the existing and adjoining buildings and the area as a whole and the proportions of its parts relate well to each other and to the existing buildings;
•Architectural details on buildings of value are retained;
•Materials to be used are appropriate to and sympathetic to the existing buildings and particular character of the area; and
•They do not generate excessive traffic, car parking, noise or cause detriment to the character of the local environment.

Particular attention should be given to the design details, to ensure that the conservation area's character is retained. Detailed plans would be required and should include elevations, showing the new buildings in the street scene or its setting as well as details of colours and materials, existing trees and the landscape treatment proposed.

Saved policy 171.LB also requires that the setting of existing buildings located within a conservation area is not harmed by the alteration to existing streams, ponds, trees, hedges, walls, fences, gardens, open space, railings, pathways and similar features. Any scheme proposing additional features or amendments to them should consider impact upon the overall setting of the conservation area. As the application is outline, such detail has not been provided and therefore it would be difficult to assess how the character of the conservation area has been

considered. Paragraph 11.10 of the adopted Local Plan states that:

"Particular attention will be given to the design details in applications for development in a conservation area, to ensure that its character is retained. Detailed plans will normally be required for proposed development in conservation areas and they should include elevations, showing the new building in the streetscene or its setting, details of colours and materials, existing trees and the landscape treatment proposed. Applications in outline form only, or otherwise providing insufficient information are unlikely to be registered".

Without this information, the proposed development does not meet the tests set out by and is therefore contrary to, saved policies 1.CO, 3.CO, 169.LB, 179.LB and 171.LB.

Eastleigh Borough Local Plan 2011-2029 (Feb 2014)
The site is located outside the defined urban edge of Bursledon and within the Hedge End and Bursledon countryside gap and partially in Old Bursledon Conservation Area as defined by the Policies Map. It is not allocated for housing development, however 9.2ha of land located north of Bridge Road (A27) and west of Blundell Lane identified for allocation for residential development and is the subject of outline planning consent O/13/73701 dated 31 July 2014 and subsequent reserved matters planning consent R/15/75967 dated 16 September 2015 for 90 dwellings is located immediately west of the site. There is also an area of land to the north east of the site at Riverside Boatyard which is also for allocation for employment development.
With the above identified allocations and future development in mind, the countryside gap role that this site serves is therefore very important in maintaining the semi-rural feel within the Conservation Area. Furthermore, the borough's countryside is an important and diminishing resource and the Council is keen to protect the countryside from the urbanising impact of development which can arise from the impact of buildings, structures, lighting and other activities. The borough's countryside performs an important role in separating and providing a setting for the settlements within it. Maintaining the individual identities of the borough's communities is an important priority for the Council; coalescence of settlements is a key consideration in the borough. Policy S9 does not support proposed development in countryside gaps where it would result in the physical or visual diminishment of the gap, has an urbanising effect that would be detrimental to the openness of the gap, the character of the countryside or the separate identity of the adjoining settlements. It is likely that the proposed development would introduce harm to the Hedge End and Bursledon countryside gap and therefore it would be difficult to support the proposal in planning policy terms.
The site is also located partially within the boundary of the Old Bursledon Conservation Area. Policies S12 and DM10 consider heritage assets. A heritage asset includes listed buildings and conservation areas and the policy provides the Borough Council's commitment to conserve and enhance heritage assets by restricting development likely to harm them or their settings through management of development proposals and encouraging development that enhances them, ensures their long-term management and maintenance and where possible, enables public enjoyment of the asset. The policy tests provided by policy DM10 require proposals to demonstrate how they would not harm or detract from the significance or special interest of the asset and how it would sustain and enhance its special character and qualities. Any harm resulting from the development would require justifying through the demonstration of exceptional circumstances. It also requires high standard of design that respects and complements the character and quality of the Conservation Area.
The application provides no detail of the 'high standard of design' that is required for meeting the requirements of Policy DM10. There are also

no exceptional circumstances provided as to why this site is the most suitable for this development falling partially within a conservation area.
Paragraph 5.64 states that:
"For development in conservation areas outline applications will not normally be acceptable. The Council will normally require detailed plans showing elevations, materials and relationship to the neighbouring buildings and spaces including trees and landscape features".
The most recent quarterly update of the housing supply paper (September 2015) shows that the Council does not have a 5 year supply, compared to the Council's interim housing target of 615 dwellings per annum. The proposed development would contribute towards the provision of housing within the borough however this alone is not sufficient to justify acceptability of such a scheme. Furthermore, as 8 dwellings are proposed on the site, policy DM28 requires financial contributions to be sought, equivalent to 10% on-site provision of affordable housing. The application appears to not consider this.
The Case Officer should be satisfied that further policy tests established by policy DM10 have been considered, together with requirements of policies: DM1 (general criteria for new development), DM2 (environmentally sustainable development), DM5 (sustainable surface water run-off), DM7 (pollution), DM23 (transport), DM24 (parking), DM28 (affordable housing) and DM29 (internal space standards).
NPPF
The NPPF states due weight should be given to relevant policies in existing plans according to their degree of consistency with the framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given). Paragraph 49 of the NPPF requires that relevant policies for the supply of housing should not be considered as being up to date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites. As the Council cannot demonstrate a 5 year housing supply, then saved policy 1.CO, insofar as it restricts housing development, is considered to be out of date.
With regard to the function of land in the countryside one of the core principles of the NPPF (para 17) states that development should:
'take account of the different roles and character of different areas,
promoting the vitality of our main urban areas, protecting the Green Belts
around them, recognising the intrinsic character and beauty of the countryside and supporting thriving rural communities within it';
In this case the site is clearly separate from the nearest settlement edge and has an important role in contributing to the contrast between the developed settlement of Bursledon and the intrinsic undeveloped character of the surrounding countryside. Housing should be planned to reflect local needs, particularly affordable housing, including rural exception sites where appropriate. LPAs should consider whether allowing some market housing would facilitate the provision of significant additional housing to meet local needs. In order to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities (paragraph 55).
The NPPF requires good design. This includes, scale, massing, density, height, landscape, layout, materials and access and how such development relates to its surroundings. Securing high quality and inclusive design goes beyond aesthetic considerations. It should also address connections between people and places and the integration of new development into the natural, built and historic environment. Furthermore, great weight should be given to outstanding or innovative designs which help raise the standard of design in the area. Permission should be refused for development of poor design that fails to take opportunities available to improve the character and quality of an area.

The NPPF also considers rural housing and the potential issues associated with the promotion of sustainable transport in rural areas. Decisions should also ensure that development in rural areas generating significant movement are located where the need to travel will be minimised and the use of sustainable transport modes can be maximised.
Furthermore, paragraph 132 considers that when the impact of a proposed development is considered on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. The site falls partially within a conservation area, therefore the development should be assessed both in terms of impact upon the conservation area as well as its setting.
Principle and conclusion
Further comment relating to the heritage statement will be provided by the Conservation Officer.

It is considered that, based on the assessment above, that the proposed development does not accord with the policies contained in the adopted and emerging development plan. The application is outline and the Local Plan considers that outline planning applications are not adequate for sites falling within (albeit partially) a conservation area, such as this site. The full impact upon the Old Bursledon Conservation Area cannot be assessed because detailed information relating to specific building design and materials is not provided. Any potential harm posed by the development at this location has also not been justified as no exceptional circumstances have been provided, as saved policy 179.LB and policy DM10 require.

Furthermore, the site falls within a Local Gap and the Applicant has not demonstrated how potential visual and/or physical harm to the Hedge End-Bursledon Local Gap could be mitigated and therefore how the tests of Policy S9 could be met. The site provides an important role in maintaining a semi-rural feel to the conservation area and the identity of Bursledon. Combined with additional development pressure from sites to the west and north east of the site, it is therefore considered to be inappropriate development for the proposed location.
Finally, the application also neglects to consider affordable housing which, according to saved policy DM28, should entail a contribution equivalent to a provision of 10%.
In other locations and circumstances, the Council has granted planning permission for residential development on sites not previously identified for housing where it is considered that the impact is acceptable given the other benefits. However, given the issues outlined above the current proposals cannot be supported.
We would raise an objection on this basis.

Design Officer: Tim J S Dyer

Comments: This site lies on the boarder of the Old Bursledon Conservation Area (zone 1c) with approximately two thirds of the site within and one third without the area. The boundary was revised at the last re-appraisal to generally follow the mature tree line surrounding the historic Blundell Lane farmstead. While this appears to have been appreciated by the applicants architects it is then promptly ignored.
The row of houses proposed in an urban fashion clears both the substantial conservation area boundary and everything else in its way, cleaning the plot for maximum return but losing the majority of individual character within the site. One finds this quite surprising when the site is not only designated countryside and a gap but the Old Bursledon Conservation Area Appraisal and Management Proposals

SPD is quite specific about future development along Blundell Lane 'the local planning authority will not permit development that intensifies land use or urbanises the character of Blundell Lane within this part of the conservation area'. Further policy trangressions are highlighted in the policy response by Lucy Harding.
The layout pays no respect to its countryside location, leaving no room for any replacement landscaping or tree planting and impinging on the setting of the adjacent historic properties, most notably Maidenheath House and The Stables.

Design Officer 2: Julian Davies

Comments

Part of the site is within the Bursledon Conservation Area (character zone 1c) The Bursledon Conservation Appraisal and Management Proposals 2012 notes that a number of the buildings associated with the site make a significant contribution to the character of this part of the conservation area.
The whole of the site together with the associated buildings in the northern corner is also recorded In the Council's Heritage Background Paper in appendix B as an historic park/garden.
In my opinion the enclosed character of this site is markedly distinct from the adjoining more open land (BU2) which was allocated for housing in the most recent submitted Local Plan.
Although part of the site is not within the Conservation Area boundary, any development of the type proposed would undoubtedly have a significant effect on the setting of the main building of Maidenstone Heath and the Conservation Area itself.
As Lucy has indicated, any proposals in this context should take account of the criteria set out in saved policies 1.CO,3.CO,169.LB,179.LB,171.LB as well as the advice contained within our Quality Places SPD (especially with regard to consideration of context and character).
As well as the policies S12 and DM 10 in the submitted plan, DM1 has relevance ,reinforcing and adding to the principles set out in DM10 ib and id, iii, iv and vi in particular with regard to character and appearance, heritage assets, context, scale density , design and siting, the relationship with existing buildings and views, loss or damage to trees and ponds and achieving a net increase in green infrastructure.

- As proposed the indicative plan appears to largely ignore the character and setting of the primary existing historic building and reproduce a cramped version of part of the layout of the adjoining site
- The proposals not only require the removal of a large number of trees (including part of G6 identified in the applicant's survey as being B grade) but leave no space to achieve any replanting of an appropriate scale anywhere on the site and there is no scope to increase green infrastructure here
- The existing low key access from Blundell Lane would be replaced by a new road squeezed between the frontage of the proposed houses and the existing pond (which may well need to be re-engineered with a retaining structure because the access is proposed so close to the edge)
- The proposed layout and density of the indicative layout does not appear to relate to the character of the site, the Conservation Area or the setting of the building

In my view, as set out, the proposals would be detrimental to the Conservation Area, the setting of the locally listed building , the landscape features within the site and would conflict with the Local Plan policies as set out by Lucy. Others will wish to comment on the impact on trees and possibly the effect on surface water drainage and flood risk.

Design Officer 3:

Comments

Response: