REF. NO. X/15/76966

PLANNING APPLICATION REPORT

DESCRIPTION/ ADDRESS	-	Variation of condition 8 of planning permission F/14/75578 to meet code level 4 requirements for energy & water only Didcot Winchester Road Botley Southampton SO32 2DH

SITE VISIT - No

ARE PLANS ACCURATE? - Yes

HAVE ALL NECESSARY NEIGHBOURS BEEN CONSULTED? - Yes

THE SITE AND ITS SURROUNDINGS

DESCRIPTION OF APPLICATION	As above
SITE AREA	1002m2
DENSITY (DWELLINGS PER HECTARE)	20 dwellings per hectare
TOPOGRAPHY	N/A
TREES	N/A
BOUNDARY TREATMENT	N/A
SITE CHARACTERISTICS	N/A
CHARACTER OF LOCALITY	N/A

RELEVANT PLANNING HISTORY

REFERENCE	DESCRIPTION	DECISION
F/14/75578	Construction of detached 4 bedroom dwelling with attached garage, parking, amenity space, bin & cycle storage accessed from Oatlands Road	Permit

REPRESENTATIONS RECEIVED

SOURCE	SUMMARY OF CONTENT
None	

CONSULTATION RESPONSES

CONSULTEE	SUMMARY OF RESPONSE
Botley Parish Council	No comment

POLICY CONTEXT

DESIGNATION APPLICABLE TO SITE
Within Built-up Area Boundary Within 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

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

Submitted Eastleigh Borough Local Plan 2011 - 2029, July 2014: DM" (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'

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

N/A

COMMENT ON REPRESENTATIONS RECEIVED

N/A

PLANNING OBLIGATION/CONSIDERATIONS

N/A

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).

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ASSESSMENT OF PROPOSAL

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

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

OTHER MATERIAL CONSIDERATIONS

Also of relevance is the Submitted Eastleigh Borough Local Plan 2011 - 2029, July 2014. While not yet adopted it does carry weight by virtue of being intended as the current local plan's replacement. 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

In light of the changes in national and local planning policy the variation is recommend for approval.