MINOR DEVELOPMENT PLANNING APPLICATION REPORT REF. NO. F/11/69924

DESCRIPTION/ ADDRESS	Construction of 2no. second floor flats with second floor covered link to main building (amendment to planning permission F/10/68116). Catherine Court Development Leigh Road Eastleigh SO50 9DT

SITE VISIT DATE	19.1.12			
ARE PLANS ACCURATE?	x	Yes		No. If not why not…….
HAVE ALL NECESSARY NEIGHBOURS BEEN CONSULTED?	x	Yes		No. If not why not…….

THE SITE AND ITS SURROUNDINGS

DETAILED DESCRIPTION OF APPLICATION	Addition of 2 second floor flats onto approved Assisted Living block facing Sopwith Road. 1 x 1 bed and 1 x 2bed with internal lift. Increases total no. of flats to 56, plus ground floor retail unit. Access off Sopwith Road to internal car park.					
SITE AREA	0.615ha					
RESIDENTIAL DEVELOPMENT DENSITY (NET)	91dph					
TOPOGRAPHY	x	Level		Sloping …..		Other …
TREES	x	No		Yes, …..		
BOUNDARY TREATMENT		…1.5m high railings on boundary with Sopwith Road flats and fence behind				
SITE CHARACTERISTICS	Purpose-built Assisted Living development for Mc Carthy and Stone with ground floor retail unit. 3 affordable units also to be built at rear. Separate vehicular accesses, with A/L units having shared rear car park accessed off Sopwith Road. The 0.63ha application site forms part of the former Pirelli factory site and is on the corner of Leigh Road and Sopwith Road, adjoining the Good Companions public house. It is currently being developed . The site is prominent due to the curvature of Leigh Road, but is level and cleared. It is constrained by a sewer which crosses its centre. The development underway is an assisted living development for 54 apartments (38x1 bed and 16x2 bed), with a communal residents lounge, dining room, laundry, guest suite, refuse area, 3 lifts and a house managers office. This has 27 car parking spaces, accessed off Sopwith Road; 15 mobility scooter spaces and 10 cycle stands.					

THE SITE AND ITS SURROUNDINGS

CHARACTER OF LOCALITY	High density housing development on former Pirelli site. 3 storey flats opposite and adjacent. The site is on the outskirts of the town centre, with land uses becoming mixed residential and commercial eastwards along Leigh Road, whereas to the north and west they are high density residential of different eras. The general context is very urban in appearance.

RELEVANT PLANNING HISTORY

REFERENCE	DESCRIPTION	DECISION
F/10/68116	1. Construction of mixed use development comprising 54 no. assisted living extra care apartments, 327 sqm food retail (class A1), 3 no. affordable housing dwellings, new access, car parking, servicing and landscaping4771/121 outline permission for residential and office redevelopment of former Pirelli site. Granted 2002	Permit 21.9.11
4771/124	2. Full permission 214 dwellings and 6937sqm office.	Granted 2002
F/07/58997	3. Erection of 2no. office (Class B1) blocks with ancillary floor space, associated car park and site works.	Granted 2007 (now expired)

REPRESENTATIONS RECEIVED

SOURCE	SUMMARY OF CONTENT
1 neighbour objection	Estate already over-parked and development will add to problem

CONSULTATION RESPONSES

CONSULTEE	SUMMARY OF RESPONSE
BAA	No objection. Informative re cranes.
ENG	No objection. Parking considered sufficient (supported by revised transport statement). Additional transport contributions required.
HHS	No objection subject to additional off-site affordable housing contribution as one additional unit required.
HPP	No objection subject to minor design detail amendments
HEH	No objection
SWS	No comments received

POLICY CONTEXT

DESIGNATION APPLICABLE TO SITE
Within Built-up Area Boundary Within Established Residential Area Within designated Employment Area on EBLP Review (2001-2011) Policy 109.E

DEVELOPMENT PLAN POLICIES

Eastleigh Borough Local Plan Review (2001-2011) 59.BE (Development Criteria), 72.H (Density), 75.H (Density), 100.T (Minimise Travelling), 101.T (Infrastructure Contributions), 104.T. (Parking), 147.OS (Public Open Space), 191.IN (Social Infrastructure), 108E and 109E (employment)
Draft Eastleigh Borough local Plan (2011-2029)
Supplementary Planning Document: Quality Places
Supplementary Planning Document: Planning Obligations
Supplementary Planning Document: Residential Car Parking
Supplementary Planning Document: Environmentally Sustainable Development
Supplementary Planning Document: Accommodation for Older People and Those in Need of Care

CHARACTER APPRAISAL AREA

Eastleigh Character Area

PLANNING POLICY GUIDANCE / STATEMENT

PPG - 13 Transport
PPS -- 1 Delivering Sustainable Development
- 1 Planning and Climate Change Supplement
3 Housing

POLICY COMMENTARY

The above policies combine to form the criteria against which this application will be assessed with particular regard to residential amenity, highway matters, trees, nature conservation, street scene and character of the area

PLANNING OBLIGATION/CONSIDERATIONS

In accordance with the provisions of Circular 05/05 and policies 101.T, 147.OS and 191.IN of the Eastleigh Borough Local Plan Review 2001-2011 and saved policy T5 of the former Hampshire County Structure Plan Review contributions are sought to offset the impact of the development on local infrastructure. For this development contributions are sought towards Community Infrastructure, Sustainable Transport and Public Open Space. The applicant has agreed / not agreed to secure the contributions through a direct payment / unilateral undertaking / Section 106 Legal Agreement.

ASSESSMENT OF PROPOSAL

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

1. 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."

MATERIAL CONSIDERATIONS

Principle

2. The site lies within the urban edge of Eastleigh, fronting Leigh Road, a main access route to the town centre. It is not in the town centre, but is part of the former Pirelli site, half of which has now been developed for housing. When the decision was made to allow the redevelopment of the Pirelli site, this site was retained for employment uses, to help replace the employment lost on from the remainder of the site. The application site was vacant for some 8 years, but two applications for office development have been granted planning permission, one for a single 4-storey block, and the other for two smaller 4-storey blocks.

3. The site is allocated for employment, and the residential proposals for this site are contrary to most of the national, regional and local policies for employment development. The proposed shop also appears to be contrary to national and local policies. However, the following considerations were material to the previous decision to grant permission for the 54 apartment assisted living scheme:

i) The site has been cleared for several years and is perceived by some as having a negative physical impact on the area. There is also some evidence of anti-social behaviour affecting the site and its environs. It's development would therefore have some environmental benefits and would also provide for affordable housing both on and off site, which would be a community benefit of some importance. The accommodation for the frail elderly would also assist in meeting future need and demand in this area of housing.

i) There had been attempts to market the site with its planning permissions for office development over several years. There had been only limited interest, insufficient to enable office development to proceed. There were no guarantees that this site would ever be developed for office uses as development would need to be market led, and market advice was that it would not be commercially viable to develop the site speculatively for offices in the short term. There were also concerns that the site is isolated from the main cluster of larger offices in Eastleigh at Southampton Road.

ii) The PUSH strategies of 'city centres first' and regeneration of Eastleigh town centre and River Side (which post-date the adoption of the local plan) could suggest that it may not be appropriate to encourage office uses outside these areas. Retention of this site for office uses may compromise deliverability of other office sites within Eastleigh town centre or River Side.

iii) The proposed development does offer some employment opportunities, estimated at approximately 28 full-time equivalent jobs, and the applicants have agreed to an Employment Training Management Plan for trainees employed either during construction or within the development, which offers some mitigation.

iv) the convenience store would be within walking distance of residents of the Pirelli site and other residential areas nearby, and would therefore provide a sustainably located local retail facility. It is a small store, unlikely to have a significant adverse impact on the

ASSESSMENT OF PROPOSAL

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

town centre or any other local centre. The provision for such facilities made within the original Pirelli scheme has not materialised in the form of usable convenience retail facilities.

v) there is an established need for accommodation for elderly people in this area. The site is only a 500m level walk from the town centre and there could be some limited potential for 'grey pound' benefits for town centre.

4. Thus the development and two additional flats now proposed could have community and environmental benefits in terms of provision of accommodation for elderly people and affordable housing, and developing a site that has lain vacant for some years. Set against this, it represents a net loss of employment land, and the loss of an opportunity to provide a significant number of jobs within walking distance of Eastleigh town centre. However, the realities of the property market have to be recognised and it is not surprising that there was no interest in office development on the site in the current economic climate. It was also apparent that there was little interest even when the market was more buoyant.

5. The proposals are contrary to national, regional and local planning policies in respect of employment, and for this reason a planning policy objection was been raised, but in principle, providing the benefits of the development are considered to outweigh the concerns regarding the loss of employment potential, the development was be supported and therefore in principle the development of two additional assisted living units should also be supported.

Design

6. Policy 59.BE of the adopted Local Plan sets out a list of development criteria which must be complied with, including the requirement to take full and proper account of the context of the site and to be appropriate in mass, scale, layout, materials, density, design and siting, both in themselves and in relation to adjoining buildings, spaces and views, natural features and trees worthy of retention (criterion i); the need to make the most efficient use of the land (criterion ii) and to provide a high standard of landscape design (criterion iv). The Council's SPD on Accommodation for Older People and Those in Need of Care (2011) also gives specific guidance on the type of development proposed and the proposals meet guidance on location in relation to facilities, access and topography as well as having its own on-site provisions. Secure areas for the charging of mobility scooters/wheelchairs are provided. The Quality Places SPD gives further general design guidance.

7. The site abuts, but is not within, the town's Urban Renaissance Quarter and is prominent in its Leigh Road context, enabling a building of some stature to be developed. Whilst the proposal has considerable mass and depth, its height and relationship with both the Leigh Road and Sopwith Road street scenes is considered acceptable and is similar to that approved previously for the office developments. The contemporary design approach responds to its context by using traditional facing materials and the scheme overall would provide a high quality development. It would also positively enhance its corner location and the eastern side of Sopwith Road through the use of tree planting and landscaping. The two additional flats would add a second floor to the annexe building fronting Sopwith Road. The additional height and mass of this element of the overall scheme would still be appropriate to its context of 3 storey development, and the annexe would remain lower than adjoining buildings. The covered link is acceptable following minor design amendments and the provision of an entrance gate of more stature.

ASSESSMENT OF PROPOSAL

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

Access and parking

8. The site is in a sustainable location and the proposed zebra crossing in Leigh Road and cycleway works will improve its accessibility by non-car users. Overall, the traffic movements, particularly at peak times are less than that of the previous office proposals and accommodation for the elderly in particular is a low traffic-generator. Both access points are acceptable in highway safety terms.

9. Parking locally is a significant issue and road traffic orders prevent overspill parking from the development in Leigh Road or outside the site in Sopwith Road. The developments must therefore provide sufficient unallocated parking for their own needs, ideally to current adopted standards. The submitted plans do not show an increase to 27 spaces previously approved for the 54 assisted living apartments. However, Mc Carthy and Stone have significant evidence to demonstrate that their proposed level of parking will be sufficient, and the advice of PPG13 is that Council's should accept such evidence. The average age of entry to the Mc Carthy and Stone assisted living developments is in fact 81 years and 11 months, when the majority of residents would be at or close to the stage of giving up driving and car ownership. A condition setting the minimum age of residents in the assisting living development to 70 also ensures that general use and general parking requirements would not result in the future. Access for the disabled has been a specific consideration for the development and a range of provisions is made. The provision for mobility scooter storage was also significantly increased as this is likely to be a popular alternative to car ownership for this development.

Environmental Issues

10. The residential development would be required to meet a minimum of Code Level 3 for sustainable construction

Affordable housing

11. Policy 74.H of the adopted Local Plan seeks a target of 35% of affordable housing on sites capable of accommodating 15 or more dwellings. This is justified due to the high level of housing need in the Borough. It is accepted, however, that the specific extra care provision by McCarthy and Stone is not currently in a format which enables on-site affordable extra care housing and an off-site contribution has been negotiated. All the housing will be to Lifetime Homes standards.

Drainage

12. Southern Water have previously advised that additional works to increase foul sewage capacity will be necessary and must be provided at the developers' expense. The development will not be able to connect to the drainage system unless these works are completed. A scheme of sustainable surface water drainage is also required by condition. The development is not sited directly on the main sewer which crosses the site although no tree planting can be provided within 3m of its centre line.

Residential Amenity

13. The development has been sited and designed so as to ensure that adequate daylight and sunlight is retained for existing adjoining residential properties and is provided for new

ASSESSMENT OF PROPOSAL

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

residents of the development, as sought by the Council's Residential Amenity SPG. There are no specific standards for the level of amenity space for the assisted living apartments. However, both survey information from existing residents of other McCarthy and Stone developments and appeal decisions dealing with this matter indicate that the level of provision of private amenity space, combined with the indoor communal space, would be adequate. The rear two bedroomed flat has a private balcony. All external space would be landscaped to a high standard in order to provide an attractive outlook for residents and setting for the building.

14. Conditions are recommended to protect amenity during the construction process.

Planning obligation /considerations

15. Under the provisions of the Planning & Compulsory Purchase Act 2004, Regulation 122 of the Community Infrastructure Levy Regulations and Circular 05/2005 local planning authorities can, in determining planning applications, only secure planning obligations where it can be demonstrated that the obligations meet certain tests, including one of reasonableness.

16. The adopted SPD on Planning Obligations sets out a framework for planning obligations and provides general guidance on and justification for the type and level of contributions sought as does the Affordable Housing SPD. Negotiations with the applicants have concluded with the following heads of terms for the required Section 106 Agreement (all amounts to be index-linked):

- Affordable housing provision: off-site contribution of £20,000
- Sustainable transport provision: in addition to zebra crossing in Leigh Road and on-site cycleway link (valued at £100,000) and previous £10,000 towards provision of dropped kerbs and monitoring fee for Travel Plan, an additional £3658 towards backway access improvements
- Community infrastructure: additional £936 towards projects in Eastleigh
- Public open space: additional £514 towards projects in Eastleigh
- Public art: £600 off-site contribution
- Admin and monitoring fee £1713

See also accompanying document: Developers' Contributions for Proposed Additional 2 Units at Catherine Court

OTHER MATERIAL CONSIDERATIONS

It is considered that there are no other material considerations to warrant a decision otherwise than as recommended.

CONCLUSIONS

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The recommendation is to permit subject to conditions and the completion of the required Section 106 agreement