Report:

This application has been referred to Committee because it is a major development.

The site and its surroundings

1. The site lies to the north of the existing Fair Oak settlement and to the west of Pylehill and forms part of the FO1 housing site in the Submitted Eastleigh Borough Local Plan 2011-2029 for which outline permission has been granted for 330 dwellings, open space and a community building. The site as a whole comprises fields used for grazing, agriculture and informal recreation bisected by a north-south public footpath with mature hedges adjoining. The whole site is largely enclosed by existing woodland to the north and west (Crowdhill Copse) which provide a natural enclosure and screening. To the southwest is land to be provided as natural public open space/meadow and Stoke Park Wood beyond. Existing housing development (Upper Barn Copse) is to the immediate south east of this community building site. East of the site's central footpath and hedge are Phases 1 and 2 of the development, with Phase 1 currently under construction. Phase 3 surrounds the rest of the application site. The access off Winchester Road forms the single vehicular access to the development.

Description of application

2. The application is for "reserved matters" for the required community building with external space, car park, access and landscaping, located within the 0.19ha central part of the 17ha site. The reserved matters gives details of appearance, site layout, soft and hard landscaping (including boundary treatments) and the scale of buildings. Access from Winchester Road was approved as part of the outline permission.

3. The applicants will also need to submit a discharge of condition application which will include full and final details of matters such as materials, landscaping and sustainable construction methods. The reserved matters application does not therefore reconsider the principle of development or matters such as traffic or infrastructure impacts as these were fully addressed at the outline stage.

4. The application's site plan (as amended), floor plan and elevations are accompanied by a Design and Access Statement, updated landscape and ecology management plans and an arboricultural report/tree protection plans.

5. Located at the north-east corner of phase 3 within the "Neighbourhood Centre" part of the site, the community building is on the axis of pedestrian and vehicle routes and east of the existing public footpath no. 31 (which is to be upgraded to a bridleway).

6. The community building accords with the specifications set down in the Section 106 agreement for the site ref O/13/73707 and provides two halls (at 20mx15m and 15mx10m size) with storage space and sufficient height for a badminton court and the drying of tents, a kitchen, an office, NHS standard consulting room, toilets, plant room and entrance lobby. Externally, enclosed space for a play group or other users is also provided. The application has been amended to increase the on site car parking provision specified in the legal agreement of 15 spaces to 17 spaces (in addition to visitor spaces nearby) and to provide a public space in front of the building. Cycle parking and a bin store are also included and the building meets Building Regulations requirements for inclusive access.

7. Architecturally, the proposed design reflects broadly the Arts and Crafts style adopted for the surrounding dwellings with the use of traditional brickwork and interlocking tiles. Entrances are identified by the use of substantial timber structures supporting gabled canopies and windows on all elevations offer natural surveillance.

Relevant planning history

8. Outline planning permission O/13/73707 granted Sept 2014 for residential development of up to 330 dwellings, public open space, community building and vehicular access off Winchester Road, subject to conditions and S106 agreement.

9. Reserved matters consents R/14/75539 for Phase 1: 41 dwellings (Bloor Homes) and R/15/76118 for Phase 2: 81 dwellings (Linden Homes) approved February and June 2015.

10. Current applications for site are R/15/77100: Reserved matters for Phase 3: 185 dwellings; X/15/77353: variation of conditions 10 and 11 of planning permission O/13/73707 to only require compliance with energy and water standards equivalent to Level 4 of the Code for Sustainable Homes.

Representations received

11. 2 responses (1 objection/1 observation) were received from nearby residents in Upper Barn Copse seeking noise pollution controls similar to those used at Horton Heath Community Centre and a high standard of sound insulation, time restrictions for use at night and possible air conditioning. Objection to quality of life adversely affected due to noise and location of building, opening windows facing properties, light pollution.

Consultation responses

12. **Fair Oak and Horton Heath Parish Council** – no objection

13. **Planning Policy and Implementation** – sought design amendments to improved public space to front of building, relocate bin store and enhance landscaping (amended plans received).

14. **Head of Transportation and Engineering** – no objection. 15 parking spaces anticipated to be sufficient for community use building where opportunities to walk and cycle will be easily achievable. Overspill parking to be limited by site TROs which will include yellow lines in vicinity of site to prevent obstruction and visibility disruption on the highway bend. Amendments to bellmouth junction into site for raised crossing and details of drainage and materials for car parking sought. Building should not overhang public footway/bridleway.

15. **Southern Water** – water main easement to be protected. No additional comments further to outline application.

16. **Head of Countryside and Trees** – clarification regarding dormice presence sought. Tree protection information required. (further tree information and amended landscape and ecology reports received).

17. **Head of Environmental Health** – no objection or further conditions recommended.

18. **Ramblers Association** – Footpath 31 Fair Oak to be upgraded to bridleway under S106 agreement. Specification to be submitted to HCC. Query whether services for building will require excavation of the footpath. Seek appropriate sight lines and raised table to slow traffic at junction of footpath/bridleway with new estate road. No overhang of porch over path and requisite 4.3m path width should be shown on plans.

19. **Southampton Airport** – no objection

20. **Direct Services** – no objection

Policy context: designation applicable to site

Development plan saved policies, emerging local plan policies and SPD's

National Planning Policy Framework

21. The NPPF states that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. Para 14 sets out a general presumption in favour of sustainable development and states that development proposals which accord with the development plan should be approved without delay. Where the development plan is absent, silent, or relevant policies are out-of-date planning permission should

be granted unless the adverse impacts of the development would outweigh the benefits; or specific policies in the Framework indicate development should be restricted (paragraph 14). Local plan policies that do not accord with the NPPF are now deemed to be “out-of-date”. The NPPF requires that due weight should be given to relevant policies in existing plans according to their degree of consistency with the NPPF. In other words the closer the policies in the plan accord to the policies in the Framework, the greater the weight that may be given.

22. Three dimensions of sustainability given in paragraph 7 are to be sought jointly: economic (supporting economy and ensuring land availability); social (providing housing, creating high quality environment with accessible local services); and environmental (contributing to, protecting and enhancing natural, built and historic environment) whilst paragraph 10 advises that plans and decisions need to take local circumstances into account, so they respond to the different opportunities for achieving sustainable development in different areas.

23. Para 17 sets out 12 core planning principles that include;

- proactively drive and support sustainable economic development to deliver the homes, infrastructure and thriving local places that the country needs. Every effort should be made to identify and then meet the housing and other development of an area and respond positively to wider opportunities needs
- always seeking to secure high quality design and a good standard of amenity for all existing occupiers of land

24. Para. 56 – Requirement for good design.

25. Para. 58 – Policies and decisions should aim to ensure developments establish a strong sense of place; optimise the potential of the site; respond to local character and history; create safe and accessible environments; are visually attractive as result of good architecture and appropriate landscaping

26. Para. 60 – Policies and decisions should not attempt to impose architectural styles or particular tastes. It is proper to seek to promote or reinforce local distinctiveness

27. Para. 61 – Securing high quality and inclusive design goes beyond aesthetic considerations. Planning decisions should address the connections between people and places and the integration of new development into the natural built and historic environment

28. Para 69 – Decisions should aim to achieve places which promote meetings between members of the community, safe and accessible environments and developments containing clear and legible pedestrian routes, high quality public space which encourages the active and continual use of public areas.

29. Para. 70 – Decisions should plan for the provision and use of shared space, community facilities etc. and ensure an integrated approach to the location of housing and other uses.

30. Para 123 – Avoid, mitigate and reduce noise which gives rise to significant adverse impacts on health and quality of life.

31. Para 196 indicates that planning law requires that planning applications are dealt with in accordance with the development plan unless material considerations indicate otherwise. The NPPF is such a material consideration.

32. Para 203 - LPAs should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations.

33. Para 204 – Obligations should only be sought where they are necessary, directly related, related fairly and reasonably in scale and kind to the development.

34. Para 216 - Decision-takers can give weight to relevant policies in emerging plans according to the stage of preparation, the extent to which there are unresolved objections to relevant policies and the degree of consistency to the relevant policies in the emerging plan to the policies in the NPPF.

National Planning Practice Guidance

35. Where material, this guidance should be afforded weight in the consideration of planning applications.

36. Determining a planning application – To the extent that development plan policies are material, a decision must be taken in accordance with the development plan unless there are material considerations that indicate otherwise. Where the plan is absent, silent or out of date, an application must be determined in accordance with the presumption in favour of sustainable development.

37. Design – Good quality design is an integral part of sustainable development. Achieving good design is about creating places, buildings or spaces that work well for everyone, look good, will last well and adapt for the needs of future generations. Good design responds in a practical and creative way to both the function an identity of a place. It puts land, water, drainage, energy, community, economic, infrastructure and other such resources to the best possible use over the long as well as the short term.

38. Planning Obligations – these should mitigate the impact of unacceptable development in order to make it acceptable. Obligations

should be directly related to the development and fairly and reasonably related in scale and kind.

Saved Policies of the Adopted Eastleigh Borough Local Plan Review (EBLP 2001-2011)

39. The key relevant policies of the adopted local plan are:

- 25.NC – nature conservation
- 29.ES – noise protection
- 34.ES – environmentally sustainable development
- 36.ES - lighting
- 45.ES – Sustainable Drainage requirements
- 59BE - seeks to ensure the high quality design of new development, taking full and proper account of the context of the site including the character and appearance of the locality
- 82.H – allocates land off Hardings Lane as reserve housing site
- 104.T – parking provision
- 190.IN – Infrastructure provision

Hampshire Minerals and Waste Plan 2013 - The application site lies within a Minerals Safeguarding Area

Submission Eastleigh Borough Local Plan 2011-2029 (not withdrawn)

40. Following the initial hearing in November 2014 the Local Plan Inspector has advised the plan would be found to be unsound if it progressed on grounds of an inadequate supply of housing. At present, the submitted local plan not been formally withdrawn and thus carries some weight, although in the light of the Inspector's comments this is very limited. Nevertheless, it represents the most recent policy guidance in respect of the application site which has been subject to public consultation.

- S1 – promoting sustainable development
- DM1 – includes general criteria for development including that it should not have an unacceptable impact on the character and appearance of urban areas and the countryside and that proposals should take full account of the context of the site (character, appearance, compatible with adjoining uses, scale, materials, density, design etc.)
- DM2 – sets out detailed requirements for development to be environmentally sustainable
- DM5 – Sustainable surface water management
- DM7 – pollution protection, including noise and light
- DM24 – Parking criteria given
- DM37 – Funding infrastructure through planning obligations
- FO1 – allocates land off Hardings Lane and Winchester Road for residential development (approx. 330 dwellings) and public open space with vehicular access off Winchester Road.

Supplementary Planning Guidance

- Supplementary Planning Document: Quality Places (November 2011)
- Supplementary Planning Document: Environmentally Sustainable Development (March 2009)
- Supplementary Planning document : Biodiversity (December 2009)
- Supplementary Planning Document: Planning Obligations (July 2008, updated 2010)

Policy commentary

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

Assessment of proposal: Development plan and / or legislative background

42. 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".

The Principle of Development

43. In granting outline permission the principle of development, including traffic and infrastructure considerations, has been approved and this is not a matter for reconsideration with this reserved matters proposal.

44. The outline permission further included detailed approval of the vehicular access, including junction design, off Winchester Road and this matter is also not to be reconsidered.

Sustainable Development

45. The outline application considered matters of sustainability and concluded that the provision of up to 330 dwellings on site, 35% of which are to be affordable, and the provision of public open space, a bridleway and community building were a benefit contributing towards social sustainability. In addition to the provision of the dwellings themselves, the construction jobs and the New Homes Bonus that would arise from the development were also considered to be benefits that would ensure the development was economically sustainable. Financial contributions were also secured towards community infrastructure, education, play area and open space management, and

sustainable integrated transport measures would provide further investment and social improvements in the local area. Taking into account matters concerning the level of development and public open space, landscape impact, impact on transport network, noise, air quality and contamination, ecology and trees, drainage and flood risk, and archaeology it was concluded that the development was environmentally sustainable. As such the proposed development is considered to be sustainable in principle. The detailed matters arising from the proposed layout are covered below relating to the reserved matters that are to be considered – appearance, layout, scale and landscaping.

46. The outline application established a Masterplan for the whole site and a development framework to be followed by the subsequent Reserved Matters applications for individual phases of the development. This phase for reserved matters approval follows the sustainability principles established by the Masterplan and Section 106 agreement

Layout and car parking

47. The Section 106 agreement for the outline permission provided for a 0.19ha site for the community building and associated facilities. The site layout plan, as amended following consultee responses, provides for suitable siting of the building within the designated site with appropriate setbacks from the new estate road, hedge, public footpath, water main and nearest existing and prospective residents. The car parking now proposed is sufficient for the proposed use, as confirmed by the Head of Transportation and Engineering. The 17 spaces on site now exceed the 15 required by the Section 106 agreement and relevant standards. In addition, there are a further 14 visitor spaces in close proximity of the community building which would be available for public use. The location of external spaces are also acceptable and both the enclosed external space and informal space at the building entrance have been increased The internal layout of the building has been developed in consultation with Fair Oak and Horton Heath Parish Council and the uniformed groups and is fit for purpose. The NHS standard consultation room, a requirement of the Section 106 agreement, would be sufficient for local health provider users.

Appearance and scale

48. The proposals would result in an attractive, sensitively designed community building which will sit comfortably within the new residential development and street scene. The traditional Arts and Crafts design approach using good quality detailing is appropriate to this semi-rural location and the building's context within Phase 3 of the development. The height of the building is not of a scale that would give rise to unacceptable impacts on nearby properties.

49. The opportunity to include public art on or around this focal building is also being explored.

Landscaping

50. Changes to the alignment of the car park entrance have enabled the car park to be moved northwards creating additional space for landscaping adjacent to the boundary with Phase 3. Working with the constraint of the water main, over which no tree planting is permissible, the revised landscape plans are considered acceptable. Revised landscape management plans for the whole area have also been received.

Residential Amenity

51. The principle of the provision of the community building and its indicative siting in the location proposed were considered at outline planning stage and approved subject to conditions. The specific conditions relating to the community building and residential amenity were condition 4(f) for street lighting and external lighting; condition 18 for construction hours; condition 27 for construction management; condition 34 for a maximum of two adult supervised overnight stays per month for the junior sections of the uniformed groups and otherwise use of the building restricted to 0800-2200 hours Mondays to Thursdays, Sundays and Bank Holidays and 0800 to 2300 hours on Fridays and Saturdays. These are considered to be sufficient to control the use of the building and site in relation to existing and new neighbours. The nearest existing neighbours in Upper Barn Copse are in excess of 70m from the building and also screened by a substantial hedge with mature trees. The Head of Environmental Health has not sought any additional conditions or building design amendments.

Trees and Biodiversity

52. The development does not impact existing trees or biodiversity and although no dormice to date have been in evidence on the site, the scheme for the whole site does include provision for dormouse mitigation. Final landscape and ecology management plans for the whole of the area, including the community building site, have been submitted, as have tree protection details for the construction phase.

Sustainability Measures

53. The building is to be constructed to BREEAM Excellent standard for environmentally sustainable development**.**

54. The proposals are considered to meet all relevant Development Plan, NPPF and NPPG policy and guidance.

Other material considerations

55. 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.

Conclusion

56. The community building reserved matters details would enable the delivery of a high quality and well-designed development which is acceptable in respect of the matters to be considered, and approval is recommended.