The Planning Inspectorate Ref: APP/W1715/A/14/2215139

LPA Ref: F/13/73273

STATEMENT OF THE LOCAL PLANNING AUTHORITY
TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

Appeal Site:
Land adjacent to 39 Nightingale Avenue
Eastleigh
SO50 9JS

Name and Address of Appellant:
Mr C A Jenman
The Lookout
21 Avon Run Road
Christchurch
BH23 4DY

1.0 Particulars of the Application/Appeal

1.1 This appeal relates to a full planning application for the erection of 1No. attached 3-bed dwelling which was refused under delegated powers on 30th October 2013.

2.0 Reasons for refusal

2.1 (1)The proposed development by reason of its massing, design, detailing, and overall appearance on this prominent open corner plot would create an unwelcome, incongruous and visually dominant feature that does not respect the uniform pattern of semi-detached houses to open spaces, thereby having a detrimental impact on the character and appearance of the Aviary Estate Special Policy Area. As such the proposal conflicts with the guidance contained within saved Policies 59.BE & 183.LB of the Eastleigh Borough Local Plan Review [2001-2011].

2.2 (2) Insufficient information has been submitted to demonstrate that bin and cycle storage can be provided for the existing property (No.39) with adequate means of rear access, or that will not have an adverse visual impact on the street scene. As such the development would conflict with the guidance contained in saved Policy 28.ES, 104.T and 59.BE of the Eastleigh Borough Local Plan Review (2001-2011), Supplementary Planning Document: Quality Places and Supplementary Planning Document: Residential Parking Standards.

2.3 (3)The proposals fail to make contributions towards the provision of community infrastructure, off-site public open space and sustainable transport, the need for which will increase as a direct result of the development proposed. The proposals are therefore contrary to saved Policies 101.T, 147.OS and 191.IN of the Eastleigh Borough Local Plan Review (2001-2011) and Supplementary Planning Document: Planning Obligations.

3.0 The Appeal Site and Surroundings

3.1 The appeal site is located within the Aviary Estate, an inter-war council estate adjacent to Fleming Park. The estate is unique in the local area because of its architectural style, pattern of buildings, layout and inclusion of public open space. The properties on the estate are a mixture of terraced and semi-detached with front projections, hipped roofs and symmetry being a particular design feature. It is acknowledged that over time some properties have been altered however the estate as whole retains a reasonable degree of uniformity. It is this uniformity and set spacing between properties and around open spaces that give the area its distinctive open character.

3.2 The appeal site is located on a slightly elevated large corner plot, at the end of a row of semi detached houses and in a prominent open location off Nightingale Avenue, which is a key route through the Aviary Estate. This large corner plot consists of the existing property No.39 which is a two storey semi detached house with a wrap around garden. At the time of determining the application the property had a detached single garage to the rear of the garden. No.39 and its neighbor No.37 are one such pair of properties that have been altered. No.37 was granted permission in 1982 for and has subsequently constructed a two storey front extension which has compromised the symmetry of the overall building however at the time of determining the application this was not evident from the street scene due to the vast screening to the front of No.39.

4.0 Planning History

4.1 The application site has been the subject of pre-application advice regarding the principle of a dwelling on the site. Whilst the principle of development was acceptable the scale, form and design was found to be unacceptable and numerous concerns were raised. Despite this an application was submitted and registered under Planning Application F/13/72333 for a 2 storey side extension to provide 2no. 1 bed flats and conversion of existing dwelling to provide 2no. 1 bed flats with associated access, parking, landscaping, cycle and bin provision. This application was refused in July 2013. The appeal application was the applicants attempt to address the previous reasons for refusal, and whilst most reasons were addressed concerns regarding the scale, form, and design of the proposed dwelling together with the amenity of No.39 Nightingale Avenue remained and formed the reasons for refusal for this appeal.

5.0 Relevant Planning Policies

5.1 National Planning Policy Framework (NPPF):

5.2 Paragraph 14 of the National Planning Policy Framework sets out a presumption in favour of sustainable development. For decision-taking this means: approving development proposals that accord with the development plan without delay; and where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless specific policies in the Framework indicate that development should be restricted or, any adverse impacts of doing

so would significantly and demonstrably outweigh the benefits, when assessed against the policies within the Framework as a whole.

5.3 Paragraph 17 sets out the core planning principles that should underpin decision-taking. Included within these core principles is a requirement that planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings; and, encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value.

5.4 Paragraph 53 states that local planning authorities should consider the case for setting out policies to resist inappropriate development of residential gardens, for example where development would cause harm to the local area. As the officers delegated decision report has been submitted to the Inspectorate as part of the Council's appeal documentation, it is not intended to reiterate the site context and instead, it is politely suggested the Inspector consider this statement in association with the officers report.

5.5 Paragraph 56 states that the Government attached great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. It goes on to state in paragraph 64 that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

5.6 Eastleigh Borough Local Plan Review (2001-2011):

5.7 The relevant policies in the determination of the planning application were Saved Policies 28.ES, 59.BE, 72.H, 100.T, 101.T, 104.T, 147.OS, 183.LB and 191.IN of the current Eastleigh Borough Local Plan Review (2001-2011) which was adopted in May 2006. Policies 59.BE, 101.T, 147.OS, 183.LB and 191.IN are of specific relevance to the reasons for refusal.

5.8 Saved Policy 59.BE requires development to take full and proper account of the context of the site including the character and appearance of the locality and be appropriate in mass, scale, materials, layout, design and siting. It also requires a high standard of landscape design, have a satisfactory means of access and layout for vehicles, cyclist and pedestrians, make provision for refuse and cycle storage and avoid unduly impacting on neighbouring uses through overlooking, loss of light, loss of outlook, noise and fumes.

5.9 Saved Policy 101.T states that development which results in additional traffic on the local road network greater than the levels of growth permitted by the Road Traffic Reduction Act (RTRA) targets for the Borough of Eastleigh will only be permitted if the Council is satisfied that there is a proven need for the development in the location proposed and be subject to the provision of contributions towards the implementation of the Local Transport Plan and/or other transport proposals set out in this local plan. Any such contributions will be set at a level appropriate to the scale and impact of the development.

5.10 Saved Policy 147.OS states the Borough Council will require, in connection with new residential developments, the minimum provision of 2.85 hectares of public open space per 1,000 population. In practice, this means that where a development involves the net increase of between 1 and 24 residential units, the Council will seek agreements for a contribution towards open space provision or towards improving equipment/facilities on sites in the locality.

5.11 Saved Policy 183.LB seeks to protect the pleasing and distinctive character of the Aviary former public housing estate. The estate is typified by housing grouped around open spaces of various sizes. The housing has a number of rustic architectural features. While this development is somewhat typical of the era in which it was built, the Aviary Estate is a particularly good example which has been largely unspoilt over the years either by inappropriate extensions or by the development of key open spaces. It requires, amongst other things, the size, scale, architectural style, materials, and detailing of any proposal to closely reflect the character of the existing development and that the open spaces are retained and their settings are not adversely affected.

5.12 Saved Policy 191.IN states that appropriate proposals for development will be permitted provided that the developer has made arrangements for the provision of the infrastructure, services, facilities and amenities directly made necessary by the development or has made arrangements to contribute towards the early improvement of existing infrastructure, services, facilities and amenities, the need for which will increase as a direct result of the development proposed.

5.13 Revised Draft Eastleigh Borough Local Plan (2011-2029):

5.14 At the time of the determination of the planning application the document intended as the current Local Plan's replacement, the Eastleigh Borough Local Plan 2011-2029, had reached pre-submission consultation stage. The relevant policies to this application essentially replicated the requirements of those of the current plan and were not considered to affect the decision made. These policies were DM1 (General criteria for new development), DM2 (Environmentally sustainable development), DM23 (General development criteria – transport), DM24 (Parking), DM25 (Residential development in urban areas), DM29 (Internal space standards for residential development), DM32 (Provision of recreation and open space facilities with new development), DM35 (Community, leisure and cultural facilities), and DM37 (Funding infrastructure).

5.15 This document has, since the determination of the planning application, been replaced by a Revised Pre-Submission Eastleigh Borough Local Plan (2011-2029). The consultation period on the revised pre-submission plan concluded on 24th March 2014 and the Council is currently considering the representations received. The aforementioned policies essentially remain unchanged from the pre-submission consultation document, both in terms of their content as well as their respective reference numbers. Whilst it is acknowledged that this document due to its status can be afforded only very limited weight, it is still considered to be of relevance as it is intended as the current Local Plan's replacement, with its adoption being scheduled for 2015.

5.16 Eastleigh Borough Council Supplementary Planning Documents/Guidance:

5.17 The following Supplementary Planning Documents (SPD) were of relevance in the determination of the planning application:

- Supplementary Planning Document: Quality Places (November 2011)
- Supplementary Planning Document: Character Area Appraisals – Eastleigh (January 2008)
- Supplementary Planning Document: Residential Parking Standards (January 2009)
- Supplementary Planning Document: Environmentally Sustainable Development (March 2009)
- Supplementary Planning Document: Planning Obligations (July 2008) updated (November 2010)

5.18 The sections on 'Site Context' and 'Residential Amenity' of the Quality Places SPD as well as the Planning Obligations SPD in its entirety are of direct relevance to the reasons for refusal. A copy of the relevant sections of the Council's Quality Places SPD are included in the Councils Questionnaire.

6.0 Principle of Development

6.1 Regard has been given to the presumption in favour of sustainable development running through the NPPF and reflected within the Council's Environmentally Sustainable Development Supplementary Planning Document (SPD).

6.2 The appeal site lies within the urban edge and within an established residential area where saved policy 72.H and emerging policy DM25 accepts the principle of creating new dwellings.

6.3 The density of this proposal is 35 dwellings per hectare which is within the councils range of acceptable densities.

6.4 The site is located in close proximity to local shops, on a bus route and within reasonable walking distance of community facilities. The proposed dwelling would achieve Code for Sustainable Homes Level 4 and would contribute to the area's housing stock. The LPA does not dispute that the proposed dwelling would be sustainable.

6.5 The principle of development is generally considered acceptable subject to compliance with the relevant local planning policies and guidance and the National Planning Policy Framework (NPPF). The proposal must therefore be acceptable in nature, scale, form and design and must not detrimentally affect the character and appearance of this Special Policy Area.

7.0 Statement of Case

7.1 The first reason for refusal relates to the inappropriate massing, design, detailing, and overall appearance on the proposed dwelling on what is a prominent open corner plot on the Aviary Estate where the architectural style and pattern of buildings are recognised as a particularly good example of the post war development and thus protected by a dedicated policy (183.LB).

7.2 The locality contains many pairs of symmetrically designed brick/rendered houses which, although some have been altered, retain a reasonable degree of uniformity. It is this uniformity and set spacing between properties that give the area its distinctive character.

7.3 It is the view of the LPA that the new dwelling has been sited inappropriately, creating a terrace of houses. Whilst terraced houses can be seen throughout the estate the terraces retain a balanced and symmetrical appearance with forward projecting 'book ends' with a continuous build line between. This proposal appears to have tried to replicate the designs of houses in the area however it relates poorly to the existing pair of houses to which it is attached. It is acknowledged that the new property has a forward projection, a hipped roof, and that the ridge is set below that of the existing properties however it the forward projection at No.39 prevent a symmetrical appearance being achieved.

7.4 It is acknowledged that, as a result of permission in 1982, No.37 has constructed a two storey front extension which has compromised the symmetry of the semi-detached pair of houses however this is not evident in the street scene because of the substantial screening to the front of No.39. The proposed new house will further unbalance this pair of houses and the culmination of the 3 houses when viewed together will result in an unbalanced and out of keeping rows of terraces in the area.

7.5 The inappropriate design and detailing of the proposed property further accentuates the unacceptable nature of the development. The relationship between existing and proposed properties appears awkward with a slight set back and a fully hipped roof which slopes away from No.39. As a result of the plot width being constrained it is difficult to achieve the setting needed for a detached house. Instead the design of the proposal is such that it appears to be a separate house awkwardly attached to the existing semi-detached houses instead of an appropriately designed terrace of houses.

7.6 In this elevated large corner plot location the inappropriate nature of the proposal is accentuated and will be highly visible on what is the key route through the Aviary Estate.

7.7 Overall the proposal is considered to create an unwelcome, incongruous and visually dominant built form that fails to respect the uniform pattern of development in the area thus having a detrimental impact on the character and appearance of the Aviary Estate Special Policy Area.

7.8 The second reason for refusal relates to the lack of information submitted as part of the application to demonstrate that bin and cycle storage can be provided for the existing property (No.39 Nightingale Avenue). Whilst No.39 is not included within the defined application site, as identified by a red line on the site plan, No.39 is within the ownership of the applicant and the effects of the proposed new dwelling on No.39 are a material consideration. The LPA was concerned that the plans didn't identify adequate means of access to the rear of No.39 and did not detail how the bin and cycle storage arrangements would work. In view of this there was risk that the bin and cycle store would be provided on the frontage which would potentially have an adverse visual impact on the street scene.

7.9 It is acknowledged that this issue could easily be overcome through the provision of additional information/amended plans however none were forthcoming. As an alternative, had the proposal been considered acceptable in all other respects a condition would have been applied requiring the provision of rear access.

7.3 The third reason for refusal relates to the Council's procedure for securing the necessary developer's contributions to mitigate the impact of the proposed development of the locality. In accordance with the provisions of Saved Policies 101.T, 147.OS and 191.IN of the Eastleigh Borough Local Plan Review (2001-2011) as well as the Council's adopted Planning Obligations Supplementary Planning Document, applicants for eligible new developments in the Borough are required to contribute towards the improvement and/or provision of infrastructure, services, facilities and amenities in the local area, the need for which increases as a direct result of the proposed development.

7.4 For this proposal, contributions were sought towards community infrastructure, sustainable integrated transport works and off-site public open space. Full details of the councils approach to developer contributions, the exact level of contributions required as a direct result of this development, and appropriate schemes for which these monies would be used are included within Appendix Two.

7.5 Despite the appellant/agent being advised of this requirement for planning obligations these were not secured as part of the planning application and therefore formed a reason for refusal.

7.6 The LPA is not aware of any Unilateral Undertaking having been submitted to address this reason for refusal.

8.0 Grounds of Appeal

8.1 The appellant's grounds for appeal are noted however it is not the LPA's working practice to get embroiled in individual comments and running commentary provided within the amended application report.

8.2 At the time of determining the application the information provided within the application report was considered factually correct and based on a desk based and on site assessment of the proposals.

8.3 The appellant's appraisal of built forms within the Aviary Estate is a well-researched document. It is felt however that the majority of the pictures and information provided support the view that the estate has a pleasing and distinctive character with a number of rustic architectural features which have remained largely unspoilt. The tenure and upkeep of the housing within the estate is irrelevant to planning not constituting a material consideration.

8.4 It is acknowledged that the development has occurred through the estate and indeed it is the aim of the LPA to enable development, however such development should be appropriate in mass, scale, materials, layout, design and siting. It should also have a high standard of design, satisfactory means of access and layout for vehicles, cyclist and pedestrians whilst avoiding unduly impacting on neighbouring uses through overlooking, loss of light, loss of outlook, noise and fumes.

8.5 There are acknowledged to be some good examples of development throughout the estate. Conversely there are also bad examples, some of which have been highlighted by the appellant. It is not possible for the LPA to remedy the effects of previous development but to learn from them and to ensure that future development is of a high quality.

8.6 As detailed within section 4 of this statement pre-application advice has been provided and a planning application considered however each time the nature of the proposal has altered. As the nature and built form have altered our advice has changed to address the concerns or constraints raised by the proposal. The councils position has always remained that the principle of development is considered acceptable however due to the size and location of the site within the Aviary Estate Special Policy Area the scale, form, design, and its impacts on the character and appearance of the area is always going to carry considerable weight in the determination of any application.

8.7 To date the appellant is not considered to have provided the right design solution to enable the development of the appeal site.

9.0 Conclusions

9.1 In response to the appellant's grounds of appeal the LPA believe this statement fully responds to the majority of the matters raised.

9.2 The LPA are of the opinion the refusal of the application is justified for the reasons identified and amplified in this statement. The appointed Inspector is respectfully requested to dismiss the appeal.

9.3 However, should the Inspector be minded to grant permission the Local Planning Authority would wish that the conditions attached in Appendix 2 are included as part of any approval.

APPENDIX ONE

SUPPLEMENTARY STATEMENT
THE COUNCIL'S APPROACH TO DEVELOPERS' CONTRIBUTIONS

1 Introduction

1.1. When determining Planning applications, the Borough Council needs to take into account all material considerations, including the provision of infrastructure necessary to support development and the reasonable need arising directly from the development proposed.

1.2 The purpose of this statement is to set out the Council's approach to requesting developers contributions.

2 Statutory Context

2.1 Section 106 of the Town and Country Planning Act 1990 establishes the statutory framework for developer contributions through the use of the planning obligations.
An obligation may:

- be unconditional or subject to conditions;
- impose any restriction or requirement in 106(1) (a) to (c) for an indefinite or specified period (thus enabling, for instance, an obligation to end when a planning permission expires);
- provide for payments of money to be made, either of a specific amount or by reference to a formula and require periodical payments to be paid indefinitely or for a specific period.

The Community Infrastructure Levy Regulations 2010 (SI 2010/948) as amended by the Community Infrastructure Levy (Amendment) Regulations 2011 (2011/987) require under Regulation 122 that 3 tests are met if they are to constitute a reason for granting permission. They must be:

- necessary to make the proposed development acceptable in planning terms;
- directly related to the development
- fairly and reasonably related in scale and kind to the development.

3 Local Plan Context

3.1 The Eastleigh Borough Local Plan Review (2001-2011) includes Saved Policy 191.IN, which states:

> ***Appropriate proposals for development will be permitted provided that the developer has made arrangements for the provision of the infrastructure, services, facilities and amenities directly made necessary by the development or has made arrangements top contribute towards the early improvement of existing***

infrastructure, services, facilities and amenities, the need for which will increase as a direct result of the development proposed.

Saved Policies 100.T and 101.T in respect of sustainable transport considerations state:

100.T Development which accords with other relevant policies of this Plan will be permitted provided it meets all the following criteria:

i. it is, or could be well served by public transport, cycling and walking;
ii. it includes measures that minimize its impact on the existing transport network;
iii. that where a large number of journeys are likely to be generated, the development is located to minimize travel demand and provide a choice of transport mode; and
iv. that where appropriate a Transport Assessment in accordance with the thresholds set out in Table B of the Hampshire Parking Strategy and Standards is included with the proposals.

101.T: Development which results in additional traffic on the local road network greater than the levels of growth permitted by the RTRA targets for the Borough of Eastleigh will:

i. only be permitted if the Council is satisfied that there is a proven need for the development in the location proposed and;
ii. be subject to the provision of contributions towards the implementation of the Local Transport Plan and/or other transport proposals set out in this local plan. Any such contributions will be set at a level appropriate to the scale and impact of the development

Saved Policy 147.OS requires on or off-site public open space provision:

The Borough Council will require, in connection with new residential developments, the minimum provision of 2.85 hectares of public open space per 1,000 population. In practice;

i. where the development involves the net increase of between 1 and 24 residential units, the Council will seek agreements for a contribution towards open space provision or towards improving equipment/facilities on sites in the locality;
ii. where the development involves a net increase of between 25 and 44 residential units, open space provision will be sought on-site, unless the open space requirement arising can be accommodated by enhancing existing public open space within a 300 metre walking distance of the development, in which case a financial contribution will be sought towards off-site improvements;
iii. where the development involves a net increase of 45 residential units or more, appropriate open space provision will be sought on-site to meet the open space needs arising from the development.

Public art is sought by Saved Policy 165.TA:

> ***The Borough Council recognises the contribution of the arts to the quality of life of its residents and will promote the commissioning of appropriate public art in new development. The Council will encourage developers to set aside 1% of the cost of new development for commissioning art work.***

3.2 The Council has also published a revised Pre-Submission Draft Eastleigh Borough Local Plan 2011-2029, the consultation concluded on 24th March 2014 and the council is currently considering its response. This document is intended to be the current local plan replacement and includes the following policies:

Policy DM18, Sport and recreation facilities with new development:

> ***"All new residential development will be expected to provide and/or contribute to sport, recreation and green infrastructure facilities in accordance with the standards set out in strategic policy S14, Chapter 5.***
>
> ***Where a development involves a net increase of:***
> ***i. between 1 and 50 units, the Council will seek agreements for a contribution towards open space provision on sites in the locality;***
> ***ii. 50 units or more, the Council will seek provision of a minimum of 0.2ha of open space to be provided on site, with play equipment and a contribution towards other open space provision in the locality to meet the open space needs arising from the development.***
>
> ***Other forms of development including employment may be required to contribute to the green infrastructure necessary to serve the scheme, such as green routes. Contributions should include provision for the long-term management and maintenance of the green infrastructure features provided."***

Policy DM46, General development criteria - transport

> ***"All new development must have safe and convenient access to the road network, and make provision for access to, and by, other transport modes including public transport and cycle and pedestrian routes. Access arrangements to the highway network must:***
> ***i. meet national and local guidance and standards***
> ***ii. not cause or increase danger to road users; and***
> ***iii. be provided without unacceptable environmental impact***
> ***All new development will be required to contribute to off-site improvements to the transport infrastructure in accordance with Hampshire County Council's transport contributions policy, to the extent these are necessitated by the development. Development proposals that will generate vehicle movements likely to have an adverse impact on traffic conditions beyond the immediate vicinity of the***

development site must be subject to Transport Assessment, and will be required to incorporate and implement mitigation measures to reduce car use such as Travel Plans.
New development intended to serve or accommodate large numbers of people will only be permitted in locations that as well as having adequate road access, are or can be served by means of transport other than the private car, including bus, train, cycle and pedestrian access."

Policy DM55, Community, leisure and cultural facilities
".....The developers of new housing likely to increase use of local community, leisure or cultural facilities will be required to contribute to or provide any enhancement of existing facilities or new facilities necessitated by the scheme. ....."

3.3 The Council adopted a Supplementary Planning Document (SPD): 'Planning Obligations and the use of Developers' Contributions' and associated Background Paper in July 2008 (www.eastleigh.gov.uk/ebc-1479). This stems from the policies of the adopted Eastleigh Borough Local Plan Review 2001-2011 (Adopted May 2006), Government guidance in Circular 05/2005 Planning Obligations and best practice guidance from the DCLG and Audit Commission, now superseded by the National Planning Policy Guidance and Community Infrastructure Levy Regulations 2010 (SI 2010/948) as amended by the Community Infrastructure Levy (Amendment) Regulations 2011 (2011/987). The SPD provides additional guidance on the legal and policy basis for negotiating planning obligations, increases developers' awareness of planning obligations and contributions and provides transparency to the process of negotiations.

The Council is satisfied that the SPD requirements are also compliant with the 3 CIL Regulation 122 tests detailed above.

The raft of adopted and draft planning policy demonstrate that the obligations sought are necessary to meet the additional need for infrastructure provision as a result of the new development proposed, thus meeting the CIL Reg 122 test of necessity in planning terms.

3.3 The following sections detail the exact contributions required and the projects towards which the funds would be directed, which are directly relevant and proportionate to the appeal application.

4 Contributions

4.1 Community Infrastructure
The policy basis for the requirement of Community Infrastructure contributions is contained within 191.IN of the adopted Local Plan.

The Council has long-established standard charges for community infrastructure (previously called social and recreational facilities) which have been widely accepted by house builders and the Planning Inspectorate as reasonable and fairly related to the scale of their developments.

There is no surplus of existing facilities within the local area and therefore all new development needs to ensure that it can deliver the necessary community infrastructure demands which are likely to arise in the future as a result of development.

Developments with a net increase of 1 dwelling unit and above are required to make provision for community infrastructure. These are commensurately adjusted for the size and occupancy of dwelling units and are based on Council experience of the recent cost of community infrastructure provision and current planned community facilities and infrastructure. The costs and calculation for community buildings provision per person are detailed further in the Planning Obligations SPD Background Paper: This results in the following level of contributions being required for residential applications:

Size	Occupancy	Community infrastructure charge*
1 bedrooms	1.5 persons	£900
2 bedrooms	1.7 persons	£1020
3 bedrooms	2.3 persons	£1380
4 bedrooms	3.0 persons	£1800
4+ bedrooms	3.5 persons	£2100

The appeal proposal, being a new 3 bed dwelling would result in a community infrastructure requirement of £1380.00 plus index linking to the Retail Price Index (excluding mortgages) from January 2008 to the date of payment. These contributions are clearly proportionate and reasonable in relation to the development proposed.

In accordance with the Local Plan policies the contribution towards Community Infrastructure would be used towards appropriate projects such as community centres and other community buildings, sports clubhouses and pavilions, other recreational and sporting facilities, children's and young people's play areas, social facilities including youth clubs, community safety projects, libraries, life-long learning projects, museums, health facilities, art projects, extended schools initiatives, environmental improvements, footpaths, cycleways, and recreational bridleways.

A full list of all Community Infrastructure schemes in this local area has been attached. This list has been agreed by the Eastleigh Local Area Committee. The Council considers that the most appropriate scheme(s) from this list, which complies with the CIL Reg 122 tests, would be towards project E1 for improvements at Fleming Park Golf Course. These projects would be delivered at or close to the time of development construction, ensuring compliance with the CIL Regulations.

4.2 Public Open Space & Play Provision

The policy basis for the requirement of Community Infrastructure contributions is contained within 147.OS of the adopted Local Plan.

The Council has long-established standard charges for Public Open Space and Play Provision which have been widely accepted by house builders and the Planning Inspectorate as reasonable and fairly related to the scale of their developments.

The Council considers that the deficit or quality of existing open space within the Borough is such that these figures have been reviewed to ensure that they can deliver the necessary infrastructure demands that are likely to arise in the future as a result of development.

Developments with a net increase of 1 dwelling unit and above are required to make provision for Public Open Space & Play Provision. These are commensurately adjusted for the size and occupancy of dwelling units and are based on Council experience of the recent cost of community infrastructure provision and current planned Open Space and Play Provision facilities and infrastructure.

All residential developments are required to make a basic provision for playing field provision and open space improvements, irrespective of their location. This is to ensure that the additional pressure on existing open space areas and play facilities can be met through works to enhance their capacity. Other specific types of Public Open Space provision and its use is hierarchical, based on Local Plan policy which seeks a range of open space facilities based on travel distances. This is achieved through a 3 or 4 zone system that is mapped geographically to reflect accessibility standards as outlined in the Local Plan. The level of additional contribution required therefore depends upon which zones the proposed development lies within. If the development lies within a catchment zone of a particular type of open space facility, it is considered that there is sufficient existing provision which could be upgraded using the base contributions and no additional contribution is sought. If, however, the development site falls outside a catchment area, a contribution towards new provision is also sought. This demonstrates a proportionate and reasonable approach to open space provision.

The appropriate calculation for the standard charges is calculated by reference to the known costs of works and the likely occupancy of the development, plus commuted sums for maintenance where necessary. These are detailed further in the Planning Obligations SPD Background Paper. The provision required relates to the size and occupancy of a development and its location in relation to existing district parks, local green spaces, wildlife sites and other open space. This information allows for the following level of contributions to be calculated:

	Base Contribution	District Park	Playing Field	Local Green Space	Wildlife site
1 bed	£494.10	£412.97	£494.10	£162.63	£55.85
2 bed	£560.35	£468.33	£560.35	£183.77	£63.35
3 bed	£725.05	£605.99	£725.05	£237.98	£81.96
4 bed	£988.93	£826.54	£988.93	£324.54	£111.65
4+bed	£1,153.63	£964.20	£1,153.63	£378.57	£130.34

The appeal proposals fall outside the catchment areas for a District Park, Playing Field, Local Green Space, and Wildlife Contribution and therefore only a Base Contribution is required. This proposed development, being for a 3 bed dwelling would require a total contribution of £725.05.

All open space contributions are subject to index linking to the Retail Price Index (excluding mortgages) from January 2008 to the date of payment.

A full list of all Public Open Space and Play Provision schemes in this local area is attached. These have been agreed by the Eastleigh Local Area Committee. The Council considers that the most appropriate scheme(s) from this list which are close to the appeal site and comply with the CIL Reg 122 tests, would be existing open space enhancements at Fleming Park Golf Course, as identified within project E1. These schemes are deliverable at the same or similar time as the development would be built, ensuring compliance with the CIL Regulations.

4.3 Sustainable Transport/Sustainable Integrated Transport
The Policy The policy basis for the requirement of Sustainable Transport contributions is contained within 100.T and 101.T of the adopted Local Plan.

Eastleigh Borough Council has adopted the methodology and standard charges for Sustainable Transport which were introduced by Hampshire County Council in September 2007.

The formula proposed by Hampshire Country Council is based on the transport impact of each development in accordance with Circular 05/2005 and CIL Regulation122. The basic measurement of transport impact is quantified by the net increase in the number of multi-modal trips that a development is expected to generate. A financial value is then attached to each multi-modal trip. The trip rates for residential uses have been derived from assumed household occupancy levels. A financial value per trip for residential developments has been derived from the known cost of providing transport infrastructure required to serve new development. This takes the costs of providing the off-site transport infrastructure required to adequately serve new development. This result in the following level of contributions being required for residential applications;

C3 - Residential	Cost per Trip (£)	Household Occupancy	Multi-Modal Trips (per dwelling)	Cost per dwelling (£)
1 Bed Dwelling	535	1.3	3.7	1980
2-3 Bed Dwelling	535	2.42	7.0	3745
4+ Bed Dwelling	535	3.5	10.2	5457

In accordance with Hampshire County Council's methodology, the proposed development would be expected to make a contribution towards Sustainable Transportation/Sustainable Integrated Transport which will be used to minimise the need for people to travel by private car; improve accessibility; improve provision for cycling and walking; and improve the public transport system with the objective of achieving the road traffic reduction target.

This proposed development being a new 3 bed dwelling would require a total contribution of £3745 plus index linking to the Retail Price Index from September 2007 to the date of payment.

A full list of all transportation schemes in this local area is attached. The Council considers that the most appropriate schemes from this list, which comply with the CIL Reg 122 test of direct relevance, would be junction improvements at Nightingale Avenue/Passfield Avenue and/or provision and improvements to the cycle network along Falkland Road.

The Council considers that with the provision of these sustainable transport infrastructure works the appeal site could be made sustainable in transport terms, whereas if no provision is made the site is not considered to be sufficiently sustainable and the development would remain contrary to adopted Local Plan policy and PPG13 and PPS1 guidance.

4.4 Administrative and Monitoring Costs

The Council's Planning Obligations SPD states "Applicants will be required to contribute towards the Councils administrative costs for planning obligations and their use. In respect of a Unilateral Undertaking and Section 106 Agreement, fees will also include costs for monitoring to ensure all obligations entered into are complied with on the part of both the developer and the Council." The approach is also supported by the 2010 Community Infrastructure Regulations which permit up to 5% of Community Infrastructure Levy contributions to be secured for administration and monitoring purposes.

All planning obligations are monitored by the Council's Development Control Unit to ensure compliance, not only on the part of the developer/land owner but also to ensure the Council acts appropriately in accordance with the CIL Regulations and the guidance provided within Circular 05/2005.

All Legal Agreements are registered as a local land charge. Transport obligations are monitored between EBC and HCC to ensure availability for projects and the correct use.

Monitoring by the LPA may involve joint-working by different parts of the authority. We have to ensure that we use standardised systems to ensure that information on the implementation of planning obligations is readily available to the local authority, developer and members of the public.

Administration costs can cover some of the time associated with drafting the agreement before it goes to Legal, at later stages issuing up to date contribution information, invoicing if necessary, tasks associated with spending the contributions ie reports etc.

The administration and monitoring fees are proportionate to the type of agreement secured and work involved. For a Section 106 Agreement this would be £1860.00, for a Unilateral Undertaking this would be £350.00, and for a direct payment £60.00.

5. Conclusion

If the Inspector is minded to accept the principle of the development, but agrees that contributions towards local infrastructure are required, as outlined above, the Council respectfully requests that the Inspector dismisses the appeal on the grounds of failure to provide the necessary, reasonable and proportionate planning obligations as supported by planning policy and the CIL Regulations. It would be possible to make clear in the decision letter the reasons for so doing and would indicate to the Planning Authority the acceptance of the development principle and confirm that the need to make appropriate planning obligations before permission could be granted.

Although no undertakings or contributions have yet been concluded in respect of the development, any unilateral undertaking must be provided at least 21 days before the appeal is to be determined.

DRAFT ELAC – Community Investment Programme Priorities 2012-15

Social and Recreation

Project/location	Proposal / priority (L,M or H)	Funding required (rough estimates)	Justification/comment
E1 Fleming Park Golf Course	Measured walking/running track Outdoor exercise equipment Picnic sites Tree removal and planting Outdoor pursuits activities Repairs and maintenance to paths bridges Improved street lighting Replacement youth shelter Replacement of play equipment after 10 years	£150k £80k £30k £20k £80k £80k £? £8k £150k	Residents survey top priority
E2 Pavilion on the Park extension	Large hall built on rear of existing building. To provide home for 4TH Eastleigh Scouts, refreshment servery and patio. Picnic site Overflow car park	£400k-£500k £10k £60k	
E3 Crestwood playing pitches	Playing pitches and gym equipment reserve	£180k	
E4 Local health facilities	Provision of new community hospital	Several £million	Discussions developing with local health providers
E5New GP Surgery	New GP Surgery to cover the southern ward.	£1-2 million	Subject to confirmation by local GPs may be needed if land south of Chestnut Avenue is developed
E6 New Community building at Sirocco Park	To be built by developer		Final use to be determined
E7 Improvements to community buildings	DDA grants Age concern building - new floor required	£40k £20k	
E8 Youth facilities	Employment Training for young people	£30k	3 year start up funding for service at Energy

Project/location	Proposal / priority (L,M or H)	Funding required (rough estimates)	Justification/comment
E9 Community development worker	2 Community developments workers employed for three years	£180k	To help develop/integrate communities and promote full employment within new development sites across the area

Community Safety

Project/location	Proposal / priority (L,M or H)	Funding required	Justification/comment
E9 CCTV	Replacement for town centre scheme Development of scheme to address local hotspots in other areas	£100k £50k	Current equipment will need replacing within next five years To address vandalism and ASB especially on Public open space such as Fleming Park
E10 Speeding traffic	Radar Gun Community Speedwatch	£3k £3.5k	2nd camera requested by police
E11 Shopwatch/Pubwatch	Radios	£1000	to spread coverage
E12 Target hardening to prevent trespass	Bollards, gates dragons teeth	£20k	In response to increase traveler threat

Economic development

Project/location	Proposal / priority (L,M or H)	Funding required	Justification/comment
Town Centre Public Realm	Range of projects being developed	£1-5million	To improve the attractiveness of the town as a place to invest
Mitchell Road Multi-storey Car Park	Improved lighting and signage	£25k	
Employment and skills training	Main centre and satellite locations Replacement equipment	 £10k	 ELAC priority
Youth employment	Employment Training for young people	£30k	3 year start up funding for service at Energy
Capital costs to support a BID	Purchase of community safety, cleaning equipment, ranger uniforms etc	£100k	Increase vibrancy of existing a new town centre businesses
WiFi provision for Town Centre	Town wide WiFi scheme	£?	Increase attractiveness for town centre users.

Project/location	Proposal / priority (L,M or H)	Funding required	Justification/comment
Falkland Court	Improve the public realm and car park of the shopping parade. Improve layout and planting of shrub beds Lighting is also poor a should be improved to increase the feeling of public safety	£20 -40k depending on quality of material used £15k	Appearance of the car park, shrub beds is poor and needs improving. Current area is uneven and the slabs are slippery when wet.
Boyatt Wood			

Environmental improvements

Project/location	Proposal / priority (L,M or H)	Funding required	Justification/comment
Air Quality Monitoring	Enhanced/replacement equipment Measures to reduce traffic build up	£?	ELAC has a large Air Quality Management Area.
Street lighting	Car parks, open space	£?	
Town Centre Public Realm	See above		
Litter bins	Gradual conversion to dual use bins and new sites	Up to £150k over 5 years	
Benches	Replacement	£50k over ten years	
Flower beds and planting schemes		£?k	
Street tree planting		£?k	
Community buildings environmental improvements	Energy, water, sustainable construction,	£100k	
General Improvements Areas	Review and update of planters etc	£200k	1970s scheme are now in poor state of repair – opportunity to improve the general appearance.

Open space

Project/location	Proposal / priority (L,M or H)	Funding required	Justification/comment
Lakeside Country Park	Range of local improvements Purchase of adjacent land	£80k £40k	
Lakeside Visitor Centre	Replacement for existing building	£350 - £1.5million	

Project/location	Proposal / priority (L,M or H)	Funding required	Justification/comment
North End Copse	Improvement to football facilities	£10k	
Lawn Road	Enhancement scheme	£100k	
Grantham Green	Enhancement scheme	£100k	
Leigh Road Rec	Sainsbury's implications	£500k	
Bishopstoke Playing Fields	Travel plan Over flow Car Parking Car park extension All weather pitch extension Replacement of existing all weather pitch surface Replacement of play equipment	£? £100k £100k ? £150 £150k	
Campbell Road Play area	Replacement ageing equipment	£80k	
Brightwire open space		£?k	
Freespace	Replacement equipment	£400k	
Elderly/adult exercise equipment		£?k	
Sirocco Park new open space		£?	
Cheriton road open space		£?	
Caustons play area	Replacement equipment	£50k	
Cox Row Play area	Replacement equipment and expansion Improved lighting	£150k £4k	Number of young people of the estate will increase significantly as result of new developments. Additional funding is required from any local sites for extending the scheme beyond that funded by the recent First Wessex re-development. The above funding does not take into account the need to improve the lighting for the play area. Which needs new column, cabling for a better site.

Cycling and transport (see detailed schedule in adopted Transport Scheme Inventory)

Project/location	Proposal / priority (L,M or H)	Funding required	Justification/comment

Public Art

Project/location	Proposal / priority (L,M or H)	Funding required	Justification/comment

Revised June 2012

FILE

Eastleigh Borough Council
Cycling Strategy

Scheme Inventory

Eastleigh Local Area

Proposed cycle links that are highlighted are suggested as a priority

SU = Shared Use OR = On Road

Eastleigh Local Area	Scheme ID	Distance	Type of facility	Parties involved	3rd Party Land Aquistion required Y/N	Engineering comments	Percieved Level of Usage
ELAC Schemes Approved 24/11/98	2.1 NCN Route 23 - West side (Woodside Ave cycleway) **(PART COMPLETE)**	2730m	Shared use	HCC/EBC	N	Take out red and widen pavement	Medium/High
	2.2 NCN Route 24 (signage) **(OUTSTANDING)**	n/a	Off road and on road	HCC/EBC	N	HCC not allowing signage - cycle track order needed	
	2.3 Eastleigh town centre to Bishopstoke (town centre to Itchen Navigation) **(PART COMPLETE)**	2180m	Shared use over rail bridge and footway	HCC/EBC	Yes - East near to garage	Need to consult with Heather Walmesly regarding Chickenhall Lane Link Road	
	2.4 Stoneham Lane to Southampton City boundary **(PART COMPLETE)**	1000m	OR	HCC/EBC	N	Signing and raise awareness - possible traffic calming such as build outs or road markings	High
	2.5 Southampton Road to Wide Lane (Southern) **(PART COMPLETE)**	330m	SU	HCC/EBC	???	Issues at the southern end with the railway bridge	
	2.5 Southampton Road to Wide Lane (Northern) **(PART COMPLETE)**	750m	Advisory	HCC/EBC	N	Signage required between South Street and Eastleigh Centre	
	2.6 Doncaster Drove **(COMPLETED)**	830m	Off Road/On road advisory	HCC/EBC	n/a	n/c	
	2.7 Bournemouth Road (Winchester Road to Leigh Road) **(OUTSTANDING)**	520m	SU	HCC/EBC	Y	Land available on the east side	Medium
Detailed Scheme Inventory	3.1.1 - South Central Eastleigh: Passfield Avenue to Chestnut Avenue and Monks Way	450m	SU/OR	HCC/EBC	N	Engineering Feasibility Study. Signage required and Works	Medium
	3.1.2 - South Central Eastleigh: Monks Way/Cheriton Road to South Street Development	?? Dependant upon development	SU/OR	HCC/EBC		Engineering Feasibility Study. Signage required	Low
	3.2 - Archers Road footbridge	?? Dependant on bridge design	SU (Bridge)	HCC/EBC	Y	Long term due to high cost. Recent comments (Jan 07) suggest that it may not be possible to provide a shared use foot/cycle bridge do to limited space. A compromise may be a channel on each side of the steps to allow cycle to be pushed alongside.	Medium/High
	3.3.1 - Rookwood Close to Twyford Road	220m	SU	EBC POS Land	N	Relatively easy to implement - has to undergo legal process of conversion and signage required. Potentail for a good circular leisure walking/cycling routes	Low/Medium
	3.3.2 - Rookwood Close - Chartwell Close Link	30m	SU	EBC POS Land	N		Low/Medium
	3.3.3 - Broadlands Avenue - Chartwell Close	170m	SU	EBC POS Land	N		Low/Medium
	3.3.4 - Rookwood Close to rear of 20 Chatsworth Road	150m	SU	EBC POS Land	N		Low/Medium
	3.3.5 - Breamore Close link	40m	SU	EBC Land	N		Low/Medium
	3.3.6 - Twyford Road to rear of 20 Chatsworth Road	160m	SU	EBC Land	N		Low/Medium

Eastleigh Local Area	Scheme ID	Distance	Type of facility	Parties involved	3rd Party Land Aquistion required Y/N	Engineering comments	Percieved Level of Usage
Detailed Scheme Inventory	3.3.7 - Chartwell Close, West to open space	40m	SU	EBC POS Land	N		Low/Medium
	3.4.1 - Parham Drive to Shakespeare Road	250m	SU	EBC POS Land	N	Relatively easy to implement - has to undergo legal process of conversion and signage required (link to Schools). Have to refer to old documents relating to the building of Boyatt Wood Estate to identify if the footways were designred to be for shared use.	Low/Medium
	3.4.2 Crestwood School over Woodside Avenue footbridge	250m	SU		N		Low/Medium
	3.4.3 - Shakespeare Road to Broadlands Avenue	520m	SU	EBC POS Land	N		Low/Medium
	3.4.4 - Broadlands Avenue to Broadlands Avenue	270m	SU	EBC POS Land	N		Low/Medium
	3.5.1 - Woodside Avenue to Bosville	140m	SU	EBC/HCC	N	Relatively easy to implement - has to undergo legal process of conversion and signage required (link to Schools - travel plan info required on cycle usage and routes)	Low/Medium
	3.5.2 - Woodside Avenue to Allbrook Knoll	150m	SU	EBC/HCC	N		Low/Medium
	3.5.3 - Woodside Avenue to Allbrook Roundabout	145m	SU	EBC/HCC	N		Low/Medium
	3.5.4 - Around Allbrook Roundabout	120m	SU	EBC/HCC	N		Low/Medium
	3.6.1 - Woodside Avenue to Highcliffe Drive	60m	SU	EBC/HCC	N	Relatively easy to implement - has to undergo legal process of conversion and signage required.	Low/Medium
	3.6.2 - Highcliffe Drive to Boyatt Lane	95m	SU	EBC/HCC	N		Low/Medium
	3.6.3 Boyatt Lane to Bosville	80m	SU	EBC/HCC	N	n/c	Low/Medium
	3.7 Twyford Road (St Catherines Road to Allbrook Hill)	935m	SU	EBC/HCC	Y		Medium
	3.8 Twyford Road (Romsey Road to St Catherines Road)	790m	SU	EBC/HCC	Y	Improvements are needed to the railway bridge to accommodate cyclists. This may be possible as an alternative to the Archers Road foot/cycle bridge.	Medium/High
	3.9 - Boyatt Wood Leisure route	???	Off road recreational route	EBC	EBC Land and some linked paths on HCC land	Some sections of path require improvement, and design will need to prevent access to open space by motorcycles	Leisure
	3.10 - Leigh Road, South side (Oakmount Road to Bournemouth Road)	910m	SU	EBC/HCC	???	South side cycle route would compliment the proposed north side cycle route (CFH LA). Also improve links to the Velmore Estate where residential development/redevelopment is taking place.	Medium/High
	3.11 Leigh Road (Oakmount Road to Woodside Avenue)	South - 470m North - 490m	SU	EBC/HCC	???	Vegetation clearance needed - issues with traffic. Extension of the cycle route on the north of Leigh road. Southern route to tie in with Passfield Avenue cycle route and the link through Fleming Park via the Civic Offices.	Medium/High
	3.12.1 Leigh Road, north side (Woodside Avenue to proposed crossing point west of Brookwood Avenue)	465m	SU	EBC/HCC	???	This route was not approved by ELAC and alternative were to be looked into such as 3.12.2	Medium/High

Eastleigh Local Area	Scheme ID	Distance	Type of facility	Parties involved	3rd Party Land Aquistion required Y/N	Engineering comments	Percieved Level of Usage
Detailed Scheme Inventory	3.12.2 Dew Lane (Passfield Avenue to Leigh Road)	370m	SU	EBC/HCC	N	Route is an alternative to 3.12.1 with preliminary design work carried out. Good link to Fleming Park from the Town Centre but is not good for the main East-West route (Eastleigh to Chandler's Ford)	Medium/High
	3.12.3 Leigh Road, South (Dew Lane to The Point Theatre)	570m	SU	EBC/HCC	Y	Land required especially fronting the Good companions PH.	Medium/High
	3.13 Eastleigh to Bishopstoke Road Cycle link	800m	SU	EBC/HCC	Y (East end to Astrim Nurseries)	In process of trying to aquire the nursery land	Medium/High
	3.14 Chestnut Avenue Proposed Cycle Link (ASDA Roundabout to Falkland Road)	550m	SU	EBC/HCC	N	(linked with the B&Q and Asda redevelopments and potential highway realignment associated with new roundabout.	Medium/High
	3.15 Chestnut Avenue Proposed Cycle Link (From Nightingale School Development Access to Stoneham Lane)	770m	SU	EBC/HCC	Y	Continuation of the SU route that was put in Spring 2006.	Medium/High

Appendix 1 Eastleigh Local Area

Eastleigh Local Area

1. Local Plan (2001 – 2011) Proposed Cycleways

Policy 84.T	**LOCAL PLAN Proposed Cycleways**	
	Eastleigh	**Distance**
1	Falkland Road	930m
2	Chestnut Avenue	3000m
3	Leigh Road/ Romsey Road	2550m
4	Wide Lane/ Southampton Road	1800m
5	Bishopstoke Road	720m
6	Stoneham Lane (old)	1000m
7	Wide Lane i)	330m
8	Doncaster Drove - Complete	

See figure 1a and 1b for route maps.

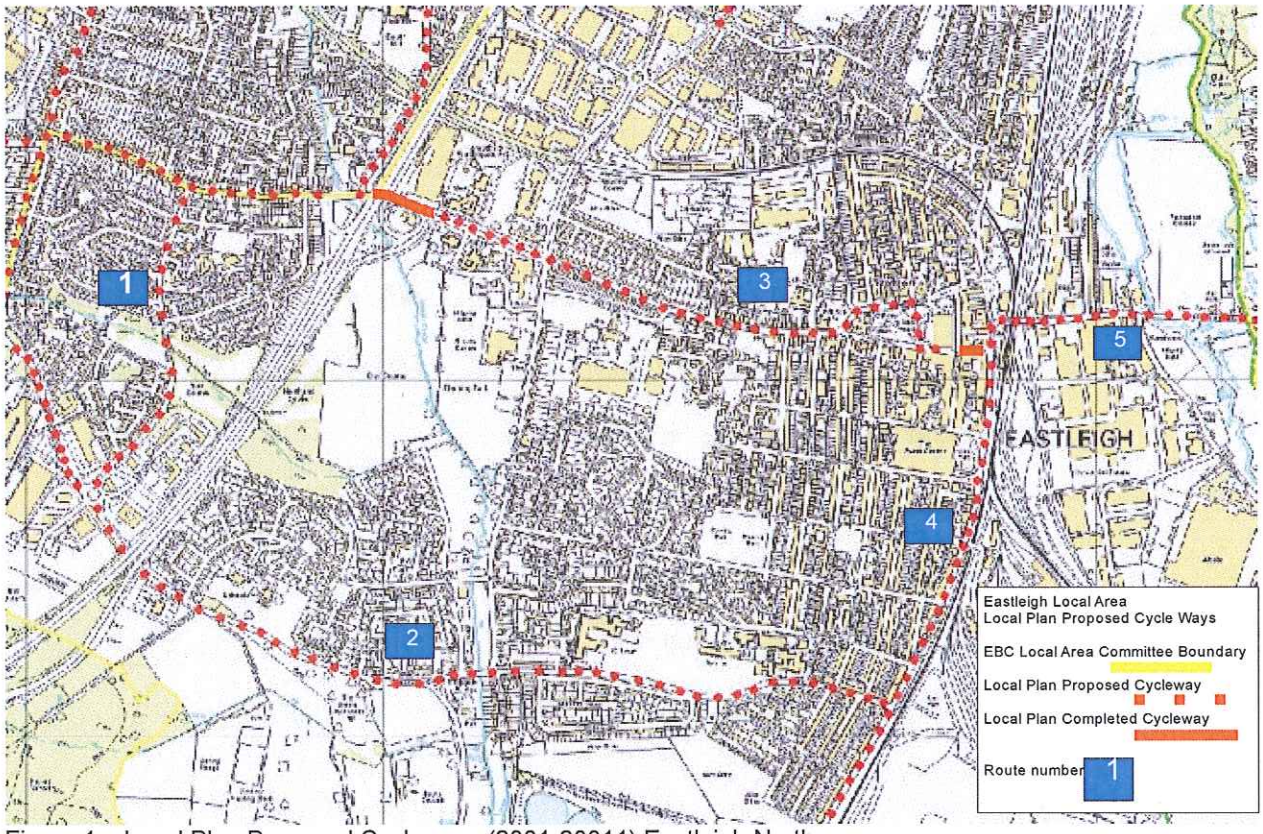


Figure 1a: Local Plan Proposed Cycleways (2001-20011) Eastleigh North

Appendix 1 Eastleigh Local Area

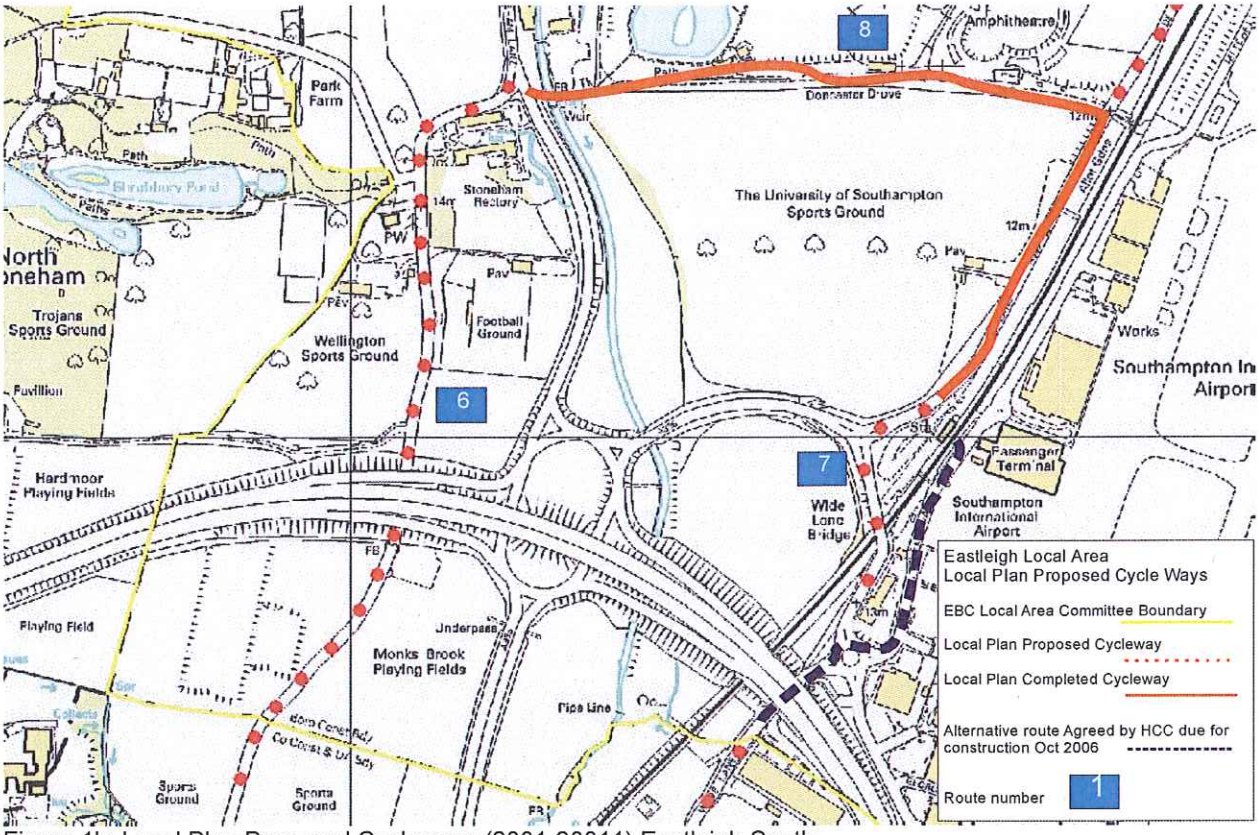


Figure 1b: Local Plan Proposed Cycleways (2001-20011) Eastleigh South

2. <u>ELAC Schemes Approved 24/11/98</u>

Scheme Inventory of Cycle Routes agreed by Eastleigh Local Area Committee for implementation. See Figure 2 for route map of what has been completed.

2.1. Route 23 Otterbourne Hill to Stoneham

2.2. Route 24 Fleming Park to Valley Park

2.3. Eastleigh Town Centre to Fair Oak

2.4. Stoneham Lane – completion

2.5. Southampton Road/Wide Lane (West End to Eastleigh)

2.6. Doncaster Drove

2.7. North/South cycle route (Bournemouth Road/Winchester Road)

Appendix 1 Eastleigh Local Area

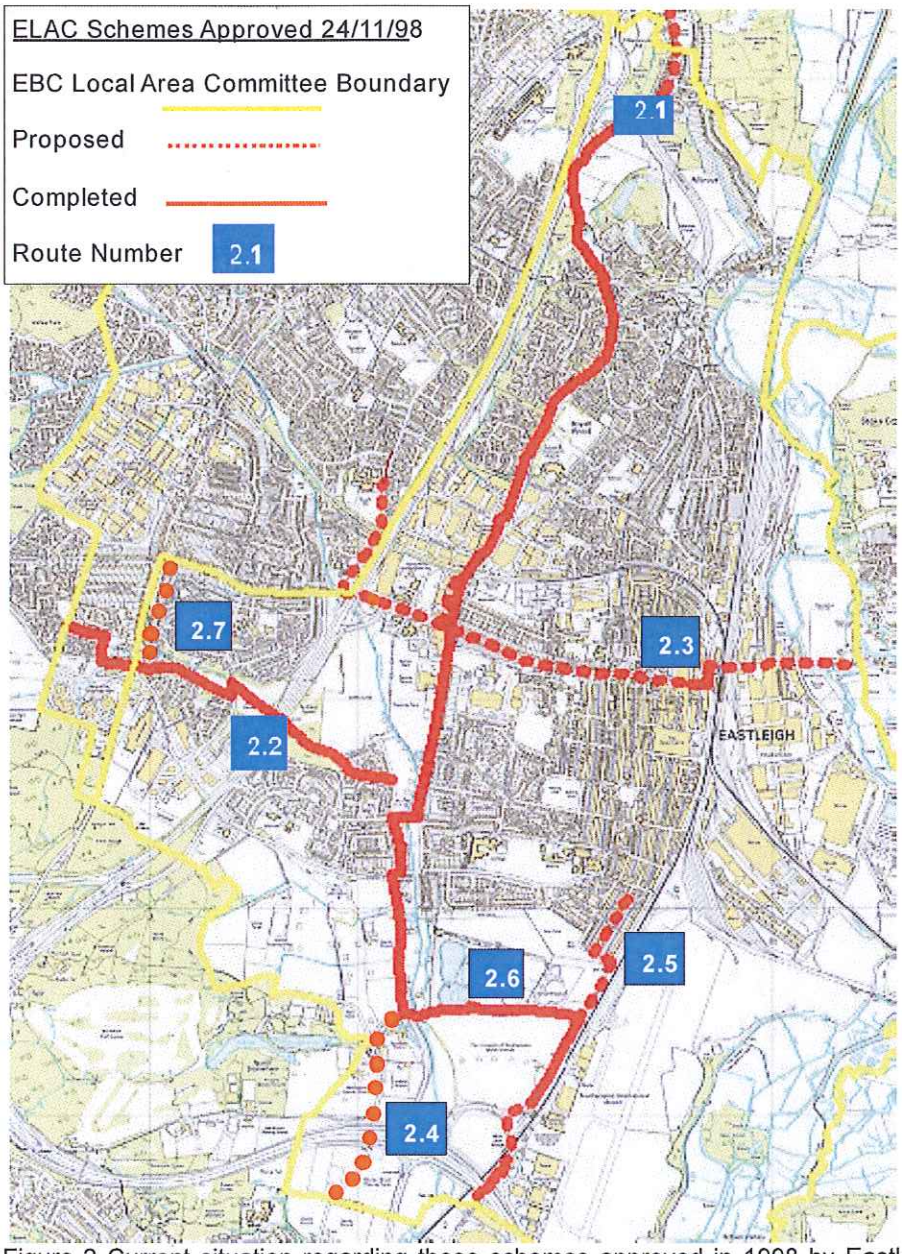
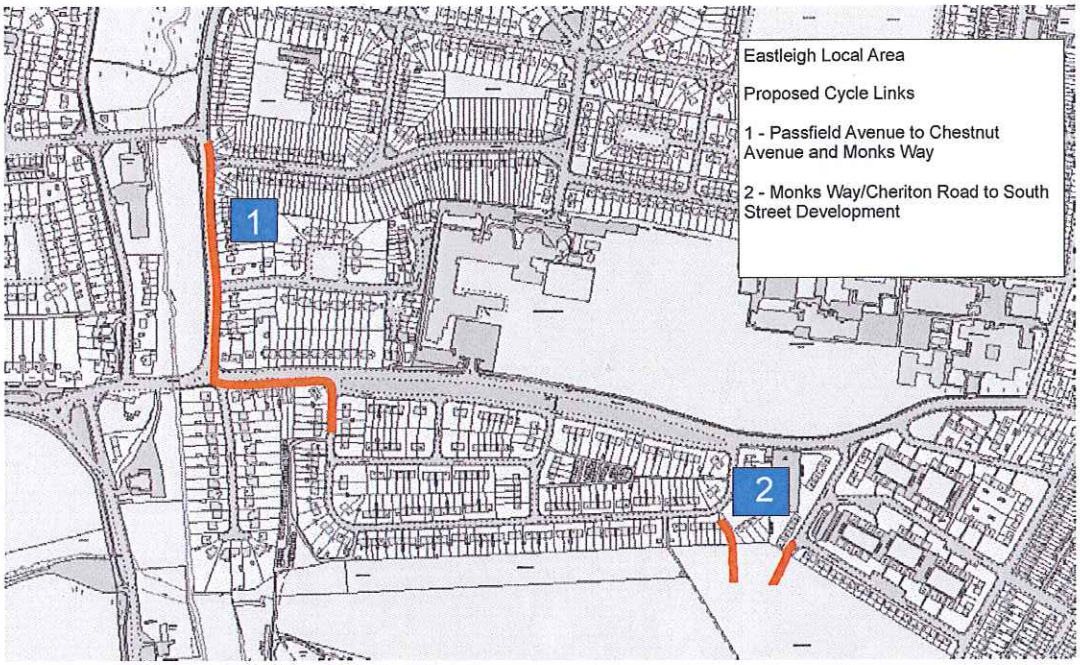


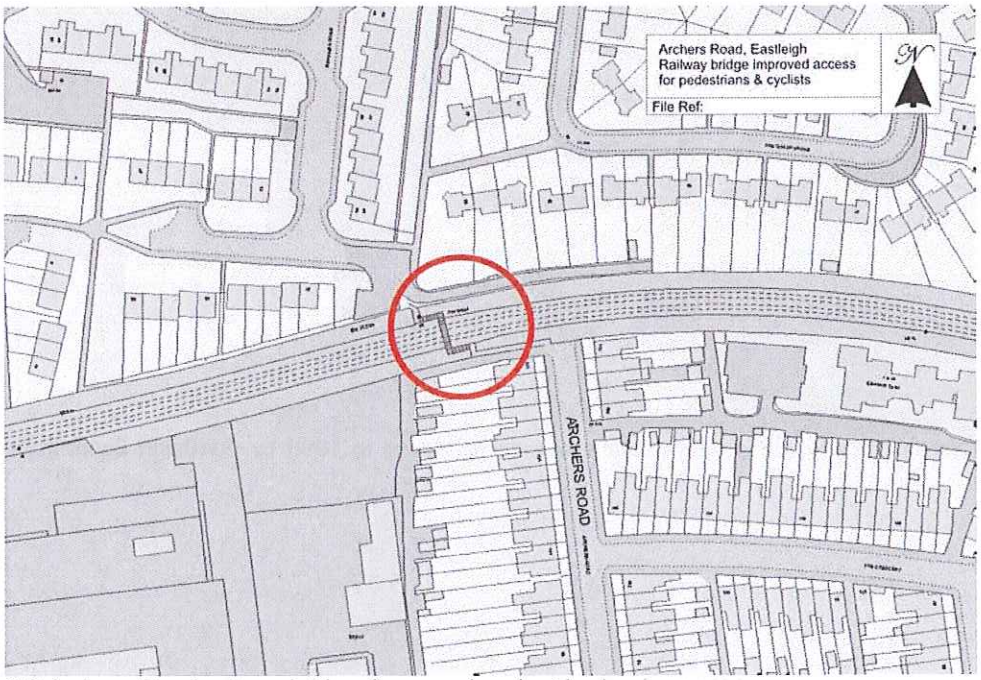
Figure 2 Current situation regarding those schemes approved in 1998 by Eastleigh Local Area Committee.

Appendix 1 Eastleigh Local Area

3. Detailed Scheme Inventory of Proposed cycle routes in Eastleigh Local Area (2006 - 2011)

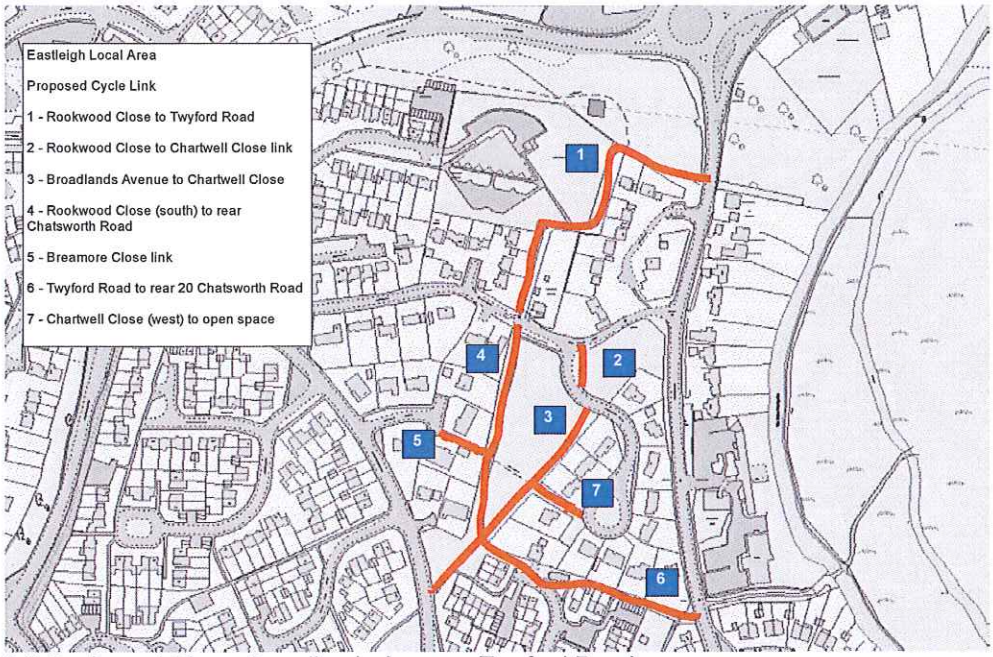


3.1 South Central Eastleigh

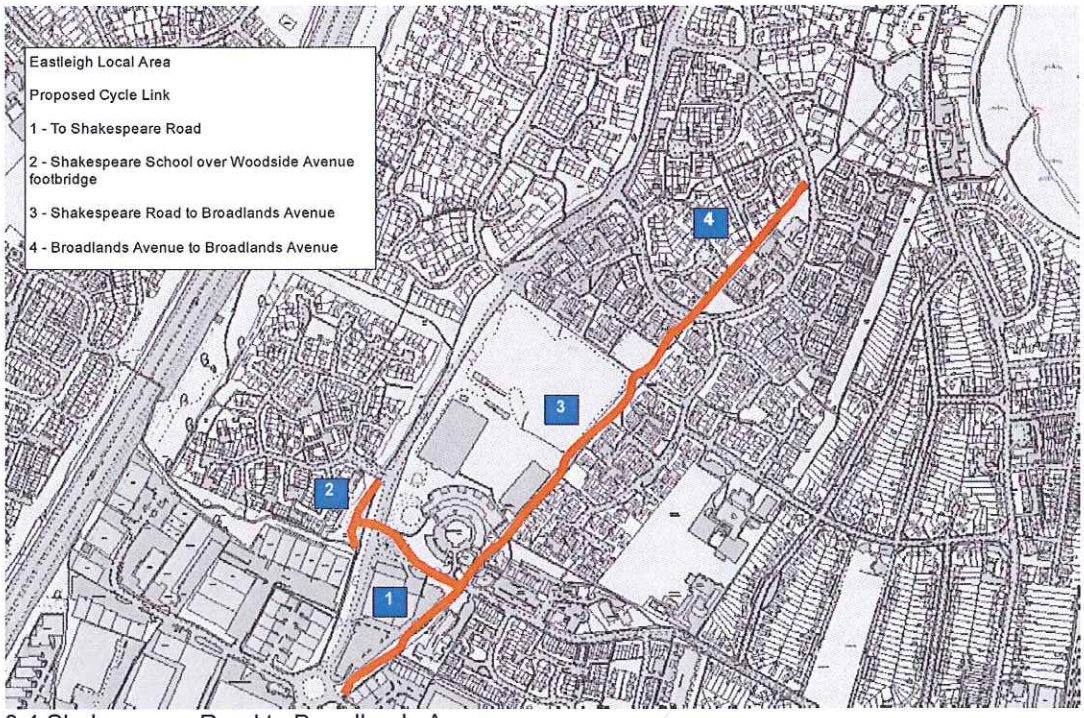


3.2 Archers Road railway bridge, improved pedestrian/cycle access

Appendix 1 Eastleigh Local Area

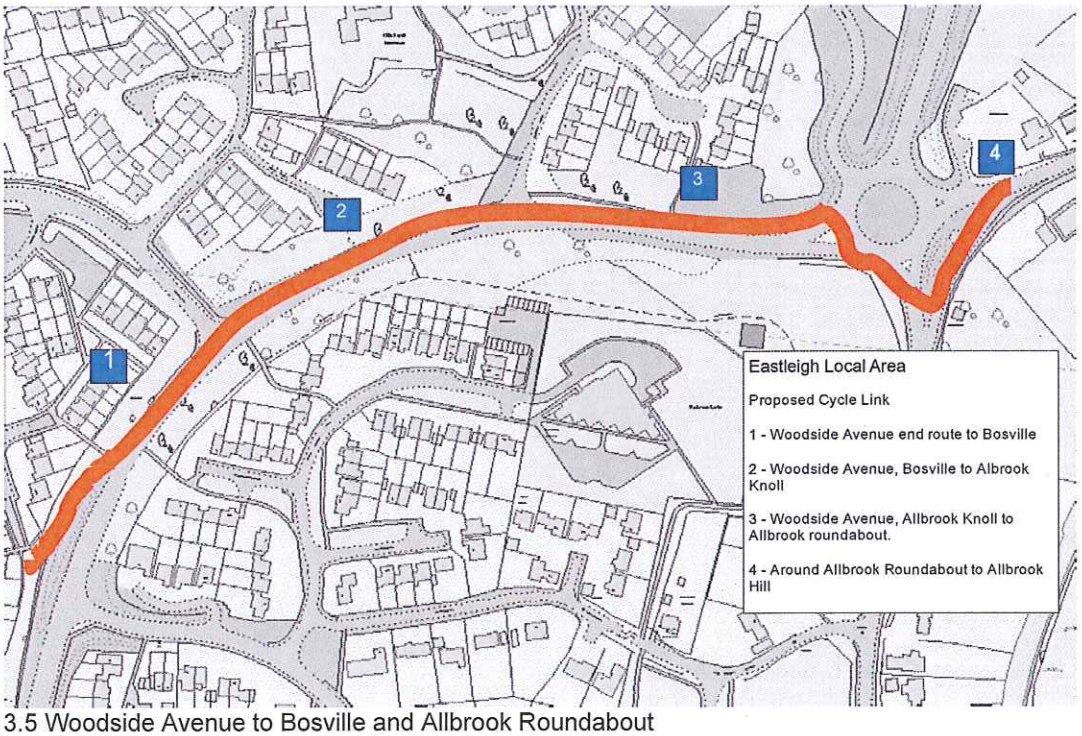


3.3 Rookwood Close, Broadlands Avenue, Twyford Road

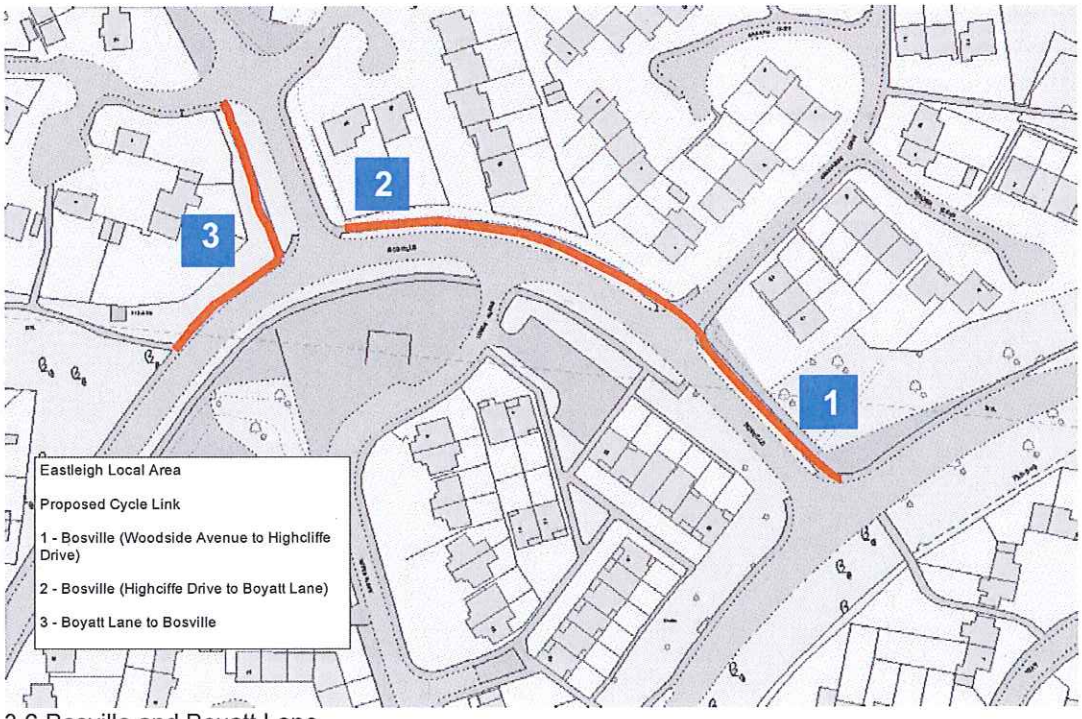


3.4 Shakespeare Road to Broadlands Avenue

Appendix 1 Eastleigh Local Area

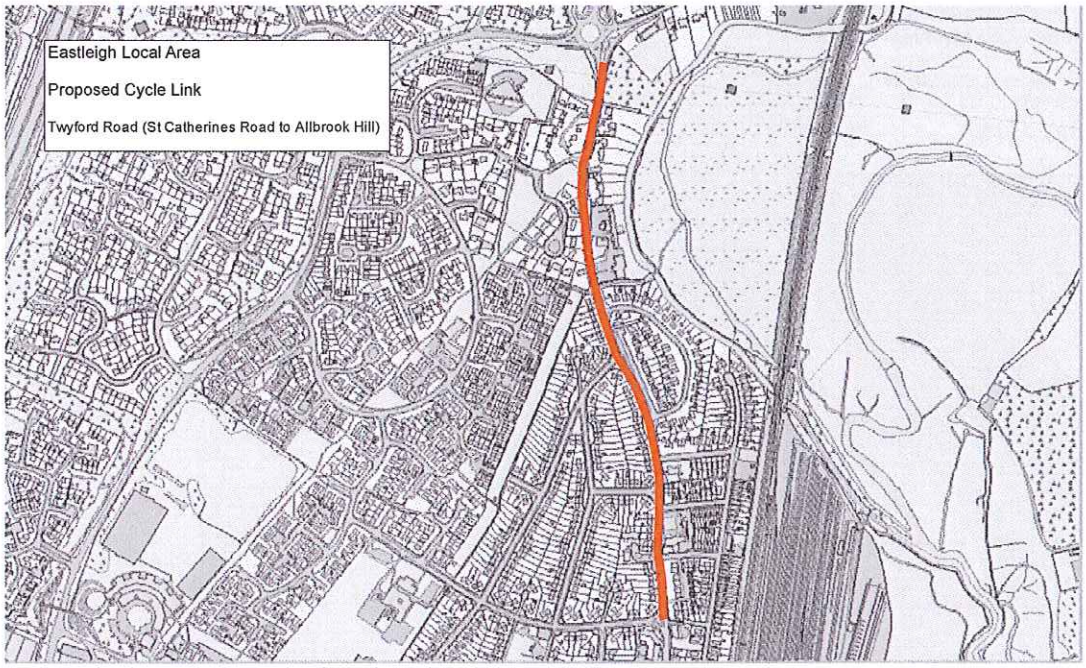


3.5 Woodside Avenue to Bosville and Allbrook Roundabout

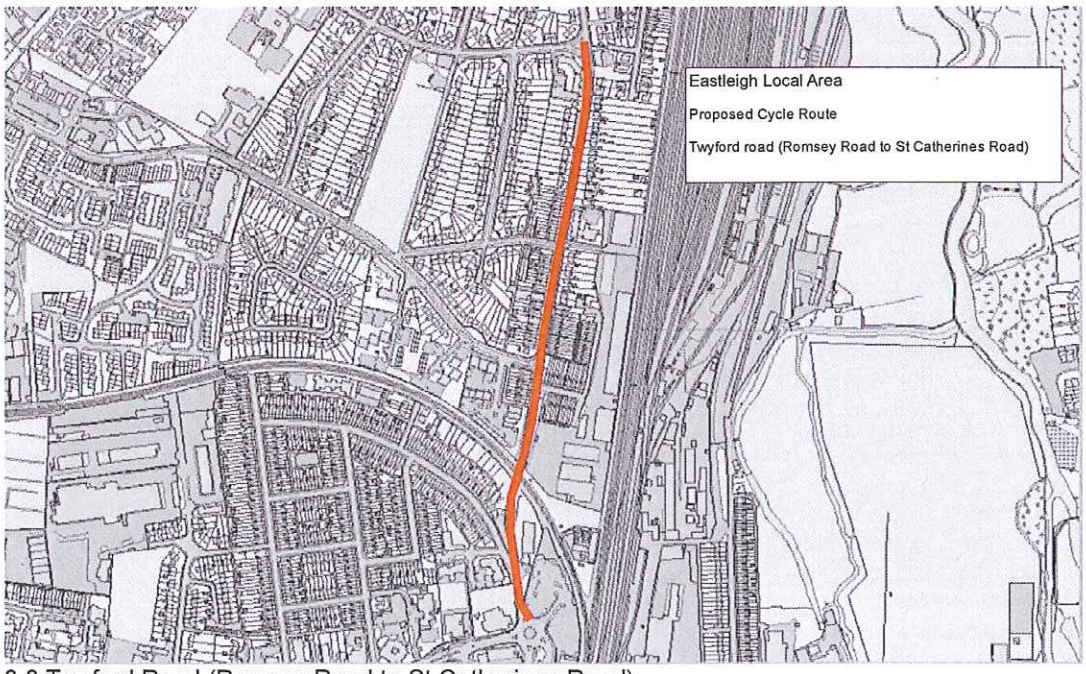


3.6 Bosville and Boyatt Lane

Appendix 1 Eastleigh Local Area

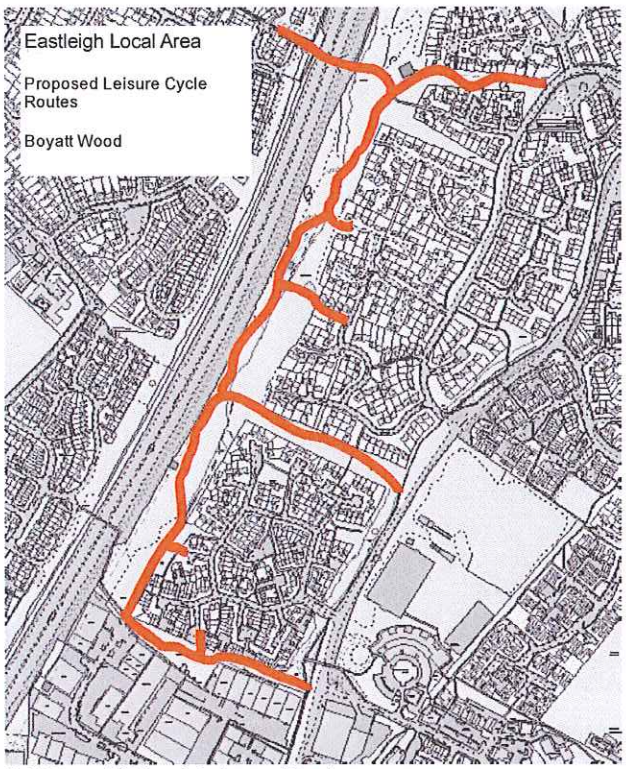


3.7 Twyford Road (St Catherines Road to Allbrook Hill



3.8 Twyford Road (Romsey Road to St Catherines Road)

Appendix 1 Eastleigh Local Area

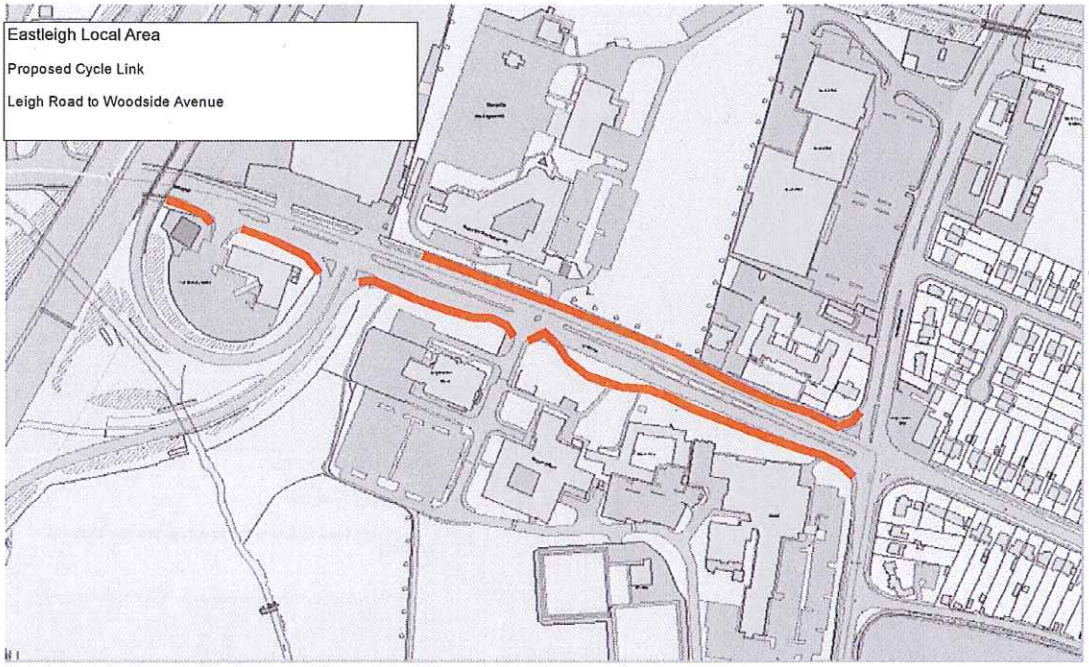


3.9 Boyatt Wood Leisure Routes

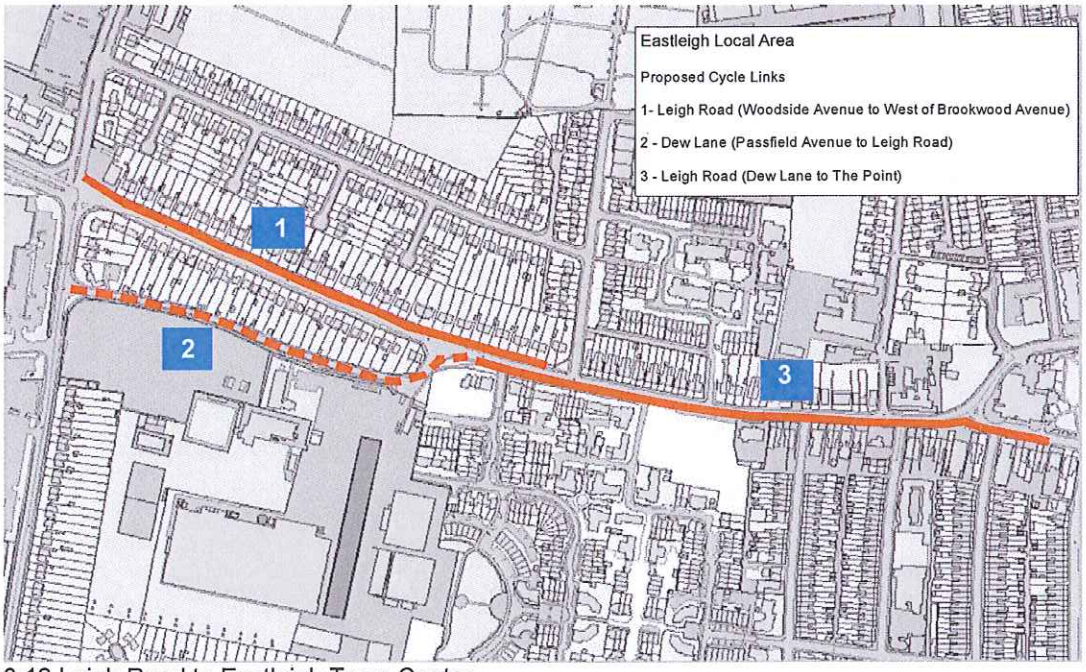


3.10 Leigh Road, South Side (Oakmount Road to Bournemouth Road)

Appendix 1 Eastleigh Local Area

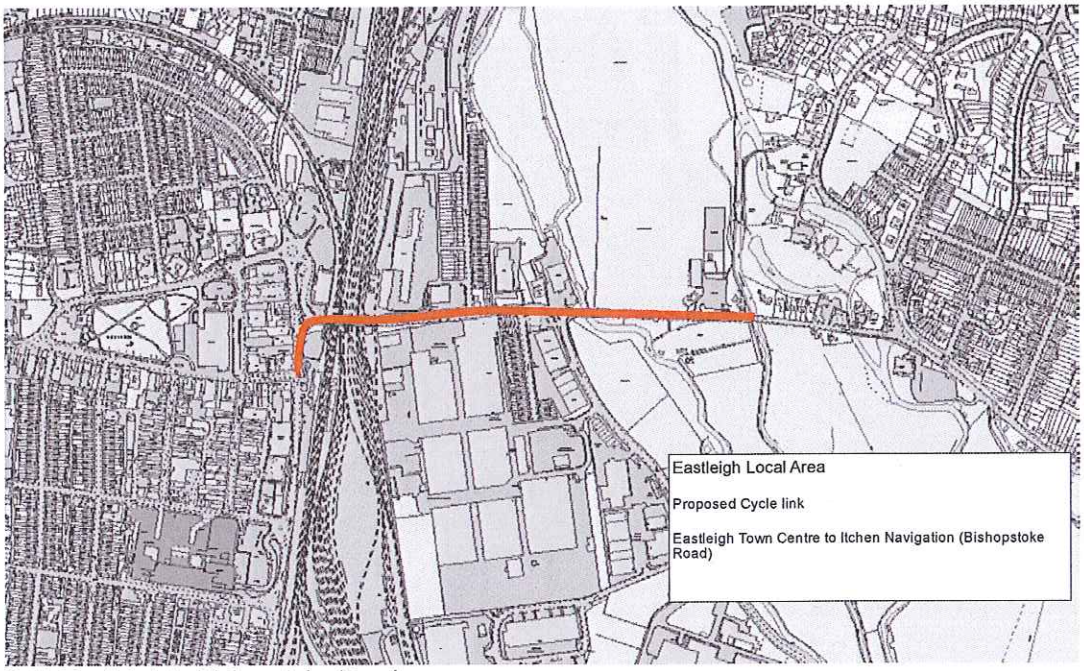


3.11 Leigh Road (Oakmount Road to Woodside Avenue)

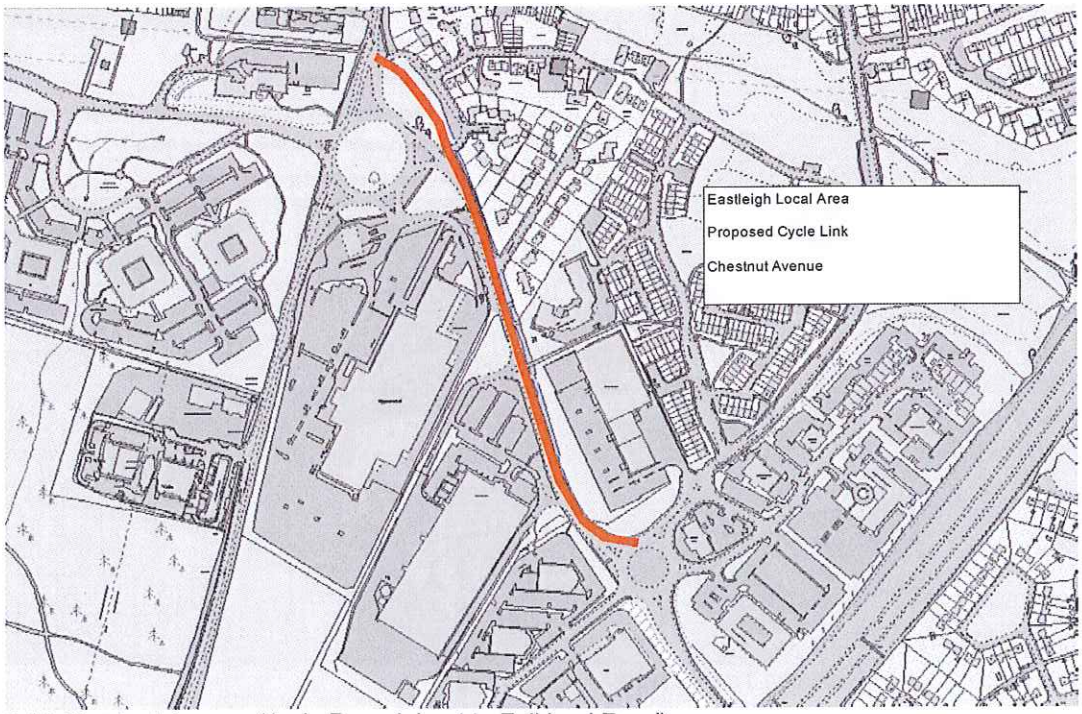


3.12 Leigh Road to Eastleigh Town Centre

Appendix 1 Eastleigh Local Area

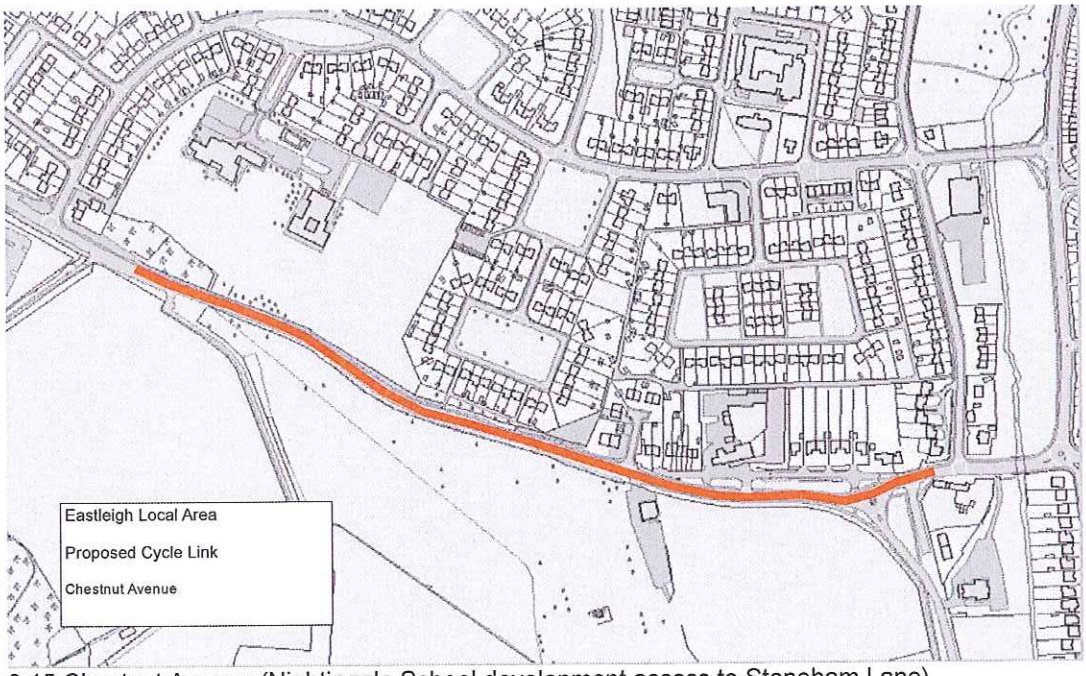


3.13 Eastleigh to Bishopstoke Road



3.14 Chestnut Avenue (Asda Roundabout to Falkland Road)

Appendix 1 Eastleigh Local Area



3.15 Chestnut Avenue (Nightingale School development access to Stoneham Lane)

The Planning Inspectorate Ref: APP/W1715/A/14/2215139

LPA Ref: F/13/73273

APPENDIX TWO

PROPOSED CONDITIONS

(1) The development hereby permitted shall start no later than three years from the date of this decision. Reason: To comply with Section 91 of the Town and Country Planning Act 1990.

(2) The development hereby permitted shall be implemented in accordance with the following plans numbered: 326.PL.Block, 326.PL.Site, 326.PL.001, 326.PL.0002, 326.PL.0003, 326.PL.0004, 326.PL.0005, 326.PL.0006, 326.PL.0007, 326.PL.008, 326.SU.001, 326.SU.002, 326.SU.003, 326.SU.004, 326.SU.005, 326.SU.006, 326.SU.Survey. Reason: For the avoidance of doubt and in the interests of proper planning.

(3) No development shall start until details and samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details. Reason: To ensure a satisfactory visual appearance in the interest of the amenities of the area.

(4) No construction or demolition work shall start until a Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. Demolition and construction work shall only take place in accordance with the approved method statement which shall include:

a) a programme and phasing of the demolition and construction work, including roads, landscaping and open space;
b) location of temporary site buildings, compounds, construction material and plant storage areas used during demolition and construction;
c) the arrangements for the routing/ turning of lorries and details for construction traffic access to the site;
d) the parking of vehicles of site operatives and visitors;
e) measures to control the emission of dust and dirt generated by demolition and construction;
f) a scheme for controlling noise and vibration from demolition and construction activities (to include piling);
g) provision for storage, collection, and disposal of rubbish from the development during construction period;
h) measures to prevent mud and dust on the highway during demolition and construction;
i) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
j) temporary lighting;

Reason: To limit the impact the development has on the amenity of the locality.

(5) No development shall start until details for the on-site provision of bin & cycle storage facilities have been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the bin & cycle storage has been constructed in accordance with the approved details and thereafter retained and kept available. Reason: To ensure the adequate provision of on-site facilities.

(6) No development shall start until details for the sustainable disposal of surface water and disposal of foul sewerage from the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The development shall then accord with the approved details. Reason: To ensure satisfactory provision of foul and surface water drainage.

(7) No development shall start until details of the access to the rear of No.39 Nightingale Avenue have been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the approved details have been fully implemented and thereafter retained and kept available. Reason - To ensure the adequate provision of on-site facilities.

(8) No development shall start until a Code for Sustainable Homes level 4 interim stage certificate and sustainability report demonstrating how all of the essential requirements of the Eastleigh Borough Council adopted Supplementary Planning Document 'Environmentally Sustainable Development' are to be met have been submitted to and approved in writing by the Local Planning Authority. Reason: To ensure the development meets the requirements of the adopted Supplementary Planning Document 'Environmentally Sustainable Development'.

(9) The development shall not be occupied until a Code for Sustainable Homes level 4 final stage certificate and sustainability report highlighting how all of the essential requirements of the Eastleigh Borough Council adopted Supplementary Planning Document 'Environmentally Sustainable Development' have been met have been submitted to and approved in writing by the Local Planning Authority. Reason: To ensure the development meets the requirements of the adopted Supplementary Planning Document 'Environmentally Sustainable Development'.

(10) The development hereby permitted shall not be occupied until the parking area including the garage has been provided in accordance with the approved plans and thereafter permanently retained and used only for the purpose of accommodating private motor vehicles incidental to the enjoyment of the dwelling house as a residence. Reason: To make provision for off street parking for the purpose of highway safety.

(11) No development shall start until a landscaping scheme for the frontage of the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall cover all hard & soft landscaping including trees and boundary treatment and shall provide details of timings for all landscaping and any future maintenance. The works shall be carried out in accordance with the approved plans and to the appropriate British Standard. Reason: In the interests of the visual amenity of the locality and to safeguard the amenities of neighbouring residents.

(12) No burning of materials obtained by site clearance or any other source shall take place during the demolition, construction and fitting out process. Reason: To protect the amenities of the occupiers of nearby properties.

(13) No construction, demolition or deliveries to the site shall take place during the construction period except between the hours of 0800 to 1800 Mondays to Fridays or 0900 to 1300 on Saturdays and not at all on Sundays or Bank Holidays. Reason: To protect the amenities of the occupiers of nearby dwellings.

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