REF. NO. F/17/80055

PLANNING APPLICATION REPORT

DESCRIPTION ADDRESS	Construction of 8no. dwellings with access from Sherborne Way to ancillary car park with landscaping and pedestrian access to Hobb Lane and Sherborne Way, following demolition of existing building. 14 Hobb Lane, Hedge End, Southampton, SO30 0GH

SITE VISIT DATE – 25/07/2017

ARE PLANS ACCURATE? - Yes

HAVE ALL NECESSARY NEIGHBOURS BEEN CONSULTED? - Yes

THE SITE AND ITS SURROUNDINGS

DESCRIPTION OF APPLICATION	The application seeks approval for the construction of 8No. dwellings with car parking, landscaping and cycle/bin stores, following demolition of the existing commercial buildings within the site. The scheme includes a new access from Sherborne Way, following the closing up of the existing Hobb Lane access and comprises a mix of 2-bed and 3-bed dwellings. This application follows consent for an almost identical scheme for 9 units (F/15/76765).
SITE AREA	0.20 ha
RESIDENTIAL DEVELOPMENT DENSITY (NET)	40 dwellings per hectare
TOPOGRAPHY	Land is relatively flat within the site itself but the land generally slopes down from north to south.
TREES	Mature trees present around site boundaries but not covered by TPO. Mix of high, moderate and low quality trees. Arboricultural Impact Appraisal & Method Statement details that no high or moderate quality trees will be lost, with appropriate to be put in place. Some low quality trees to be removed with new planting proposed.
BOUNDARY TREATMENT	Current boundary comprises significant landscaping/hedging/trees along southern boundary with chain link fencing. Fairly open to existing front (east), with low level boundary walls.
SITE CHARACTERISTICS	This is a prominent corner site on the junction of Hobb Lane with Sherborne Avenue. It has now been cleared but did include two detached, one and two storey commercial buildings, with the remainder of the site being hard surfaced and used for parking. The frontage also consists of a parking area. Trees/vegetation providing boundary screening along the southern and northern boundaries. The site is immediately adjacent to residential properties to

REF. NO. F/17/80055

THE SITE AND ITS SURROUNDINGS

	the north (no12 Hobb Lane) and west (no41 Sherborne Way). An open culvert runs along the northern boundary.
CHARACTER OF LOCALITY	Commercial site within established residential area. Mix of dwelling types, including single and two storey properties, detached and semi-detached. No real uniformity or defining characteristics.

RELEVANT PLANNING HISTORY

REFERENCE	DESCRIPTION	DECISION
F/15/76765	Construction of 9 no. dwellings with access from Sherborne Way to ancillary car park with landscaping and pedestrian access to Hobb Lane and Sherborne Way following demolition of existing buildings.	Permitted Oct 2016
F/14/74093	Erection of 12no. flats (4no. 1 bed and 8no. 2 bed) with car parking and new access from Sherborne way, following demolition of existing buildings.	Permitted 2015
Z/25428/005/00	Demolish workshops, change of use from workshop to light electronics (B1C) and change of use from storage to B1 office with rearranged car parking.	Permitted 1994
Z/25428/002/00	Erection of building for the repair and maintenance of milk floats and associated storage.	Permitted 1985
Z/25428/001/00	Replacing existing porta cabin with single storey permanent building.	Permitted 1983

REPRESENTATIONS RECEIVED

SOURCE	SUMMARY OF CONTENT
Bailey – 39 Sherborne Way	Concerns regarding proposed new vehicular access onto Sherborne Way.

CONSULTATION RESPONSES

CONSULTEE	SUMMARY OF RESPONSE
Hampshire Highways	Holding objection on the grounds of insufficient on-site parking which could lead to overspill parking close to the junction with Hobb Lane. However, there does appear to be scope to provide an additional on-site space which would meet the necessary level of parking required.
Tree Officer	No objection provided previous conditions are reapplied.
Environment Agency	No objection provided the details and recommendations included within the submitted Flood Risk Assessment are followed in full and conditioned as part of any planning approval.

REF. NO. F/17/80055

CONSULTATION RESPONSES

CONSULTEE	SUMMARY OF RESPONSE
Southern Water Services	Southern Water consent will be required to divert the public sewer as proposed and the exact position of the sewer will need to be determined before works commence. No trees or soakaways should be located within five metres of any sewer. Records currently show insufficient capacity within the existing foul system without improvement which will need to be paid for by the developer. Alternatively flows no greater than the present situation would be acceptable. Conditions and informatives recommended.
Environmental Health	No objection provided previous conditions relating to contaminated land, lighting, construction hours and no burning are included.
Hedge End Town Council	No objection.
Housing	The development falls below the threshold for affordable housing.
Direct Services	Details with regards to collection points for units 4 & 5 required.

POLICY CONTEXT

DESIGNATION APPLICABLE TO SITE
Within Built-up Area Boundary Within Established Residential Area Within HRA Screening Area

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

Eastleigh Borough Local Plan Review (2001-2011), saved Policies 25.NC, 28.ES, 31.ES, 34.ES, 37.ES, 45.ES, 59.BE, 63.BE, 72.H, 73.H, 74.H, 100.T, 101.T, 120.E, 147.OS, 190.IN & 191.IN

Submitted Eastleigh Borough Local Plan 2011 - 2029, July 2014, (the Submitted Local Plan) comprising:

- Revised Pre-submission Eastleigh Borough Local Plan 2011 - 2029, published February 2014; and
- Schedule of Proposed Minor Changes, submitted to the Secretary of State in July 2014' Policies S1, S2, S3, S4, S5, S6, S7, S11, DM1, DM2, DM3, DM5, DM7, DM8, DM9, DM23, DM24, DM25, DM28, DM29 & DM37

Supplementary Planning Document: Quality Places
Supplementary Planning Document: Character Area Appraisals – Hedge End, West End & Botley
Supplementary Planning Document: Residential Parking Standards
Supplementary Planning Document: Environmentally Sustainable Development
Supplementary Planning Document: Planning Obligations
Supplementary Planning Document: Affordable Housing

NATIONAL PLANNING POLICY GUIDANCE

The National Planning Policy Framework (NPPF) supports and encourages sustainable development which is considered to have three roles, economic, social and environmental. Paragraph 8 of the NPPF states that "These roles should not be undertaken in isolation, because they are mutually dependent. Economic growth can secure higher social and environmental standards, and well-designed buildings and places can improve the lives of people and communities. Therefore, to achieve sustainable development, economic, social and environmental gains should be sought jointly and simultaneously through the planning system. The planning system should play an active role in

NATIONAL PLANNING POLICY GUIDANCE

guiding development to sustainable solutions."

POLICY COMMENTARY

The above policies and guidance combine to form the criteria against which this application will be assessed with particular regard to the principle of development, its layout, design and impact upon the street scene and character of the surrounding area, parking and highway matters, trees, residential amenity, flooding and drainage, land contamination, as well as nature conservation.

COMMENT ON CONSULTATION RESPONSES

All comments noted.

COMMENT ON REPRESENTATIONS RECEIVED

See below.

PLANNING OBLIGATION/CONSIDERATIONS

The changes to the National Planning Practice Guidance (NPPG) have increased the threshold for when tariff based planning obligations can be required by new development. This means that developments of ten units or less (and which have a maximum combined floor space of no more than 1000 square metres) will be exempt from the need to provide tariff based planning obligations or affordable housing. The proposed development in this instance falls within this threshold and as such no planning obligations can be requested.

However, contributions towards the Solent Disturbance Mitigation Project and towards a Traffic Regulation Order are required, as were required for the previous planning consent for nine dwellings. The applicant has secured these contributions by way of an up-front payment.

ASSESSMENT OF PROPOSAL

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:-

> *"If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."*

In this case policy issues for consideration include:

Principle – The application site lies within the urban edge where the basic principle of development is considered to be acceptable, with any formal planning approval being based upon the exact nature, design and impact of that proposed being considered appropriate and in accordance with the relevant Local Plan policies and Supplementary Planning Documents. The most relevant policy in this case is saved Policy 59.BE of the Local Plan which 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, a satisfactory means of access and layout for vehicles, cyclists and pedestrians, to make provision for refuse and cycle storage and avoid unduly impacting on neighbouring uses through overlooking, loss of light, loss of outlook, and noise and fumes. Also of relevance is Policy DM1 of the Submitted Eastleigh Borough Local Plan 2011-2029, July 2014, which essentially reiterates the above

REF. NO. F/17/80055

ASSESSMENT OF PROPOSAL

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

requirements.

Also of relevance is saved Policy 120.E which relates to employment sites which are outside of designated employment sites. Amongst other things this policy states that

> *"The redevelopment of industrial sites not identified on the proposals map to residential use will be permitted provided:*
>
> *iv. a residential use is appropriate to the surroundings;*
>
> *v. it does not involve the loss of a site which, in terms of amenity, is particularly suitable for*
>
> *an industrial use; and*
>
> *vi. the employment base and range of industrial premises in the local area is not markedly reduced."*

As was accepted in the previous two approvals for this site the proposal is considered to meet the requirements of criteria iv and v of Policy 120.E in that a residential use is appropriate to the surroundings and it does not involve the loss of a site which, in terms of amenity, is particularly suitable for an industrial use. These two approvals also establish the acceptability of redeveloping the site for residential purposes.

Layout, Design, Street Scene & Area Character – In respect of the general site layout this latest scheme is almost identical to that approved in October 2016, with the exception of the substitution of Plots 1 & 2 with a single detached unit, in order to avoid a sewer. This reduction in units actually produces a better scheme in terms of the street scene and the development's relationship with Hobb Lane and Sherborne Way. Given that the previous scheme was deemed to be acceptable in design terms and that this amended version is considered to be an improvement, no concerns are raised in this respect.

Parking & Highway Matters – Amended plans have now been secured which provide the extra on-site space required by Hampshire Highways to lift their objection. This now provides 16 spaces for the 8 units, plus two visitor spaces via a layby accessed from Hobb Lane, and will meet the necessary Council parking requirements for the resulting development.

With regards to the concerns relating to the new access onto Sherborne Way, while noted this has not been raised as an issue by the highway engineers for this or the previous almost identical application. As such it is considered to be acceptable and should not result in any highway safety issues.

Trees – No objection has been raised by the Borough's Tree Officer provided the same tree protection conditions as were applied to the previous planning approval are included again.

Residential Amenity – The slightly revised layout compared to the previously approved scheme raises no additional amenity concerns for neighbouring residents or future occupiers of the development.

Flooding & Drainage – The site's topography and position immediately adjacent to a watercourse means that it is located within Flood Zone 3. This was addressed as part of the previous application on the site and via an updated Flood Risk Assessment. This sets out how the development would be protected and how it would ensure that development up and down stream of the site would not be at increased risk. The FRA has been reviewed by the Environment Agency who have raised no objection provided certain conditions are added to any planning approval.

Equally, Southern Water have raised no objection provided the developer pays for infrastructure upgrades or ensures that discharge into the public sewer is no greater than at present. Again conditions are recommended.

REF. NO. F/17/80055

ASSESSMENT OF PROPOSAL

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

Land Contamination – Given the site's current and previous industrial uses there are likely to be contamination issues. This was addressed as part of the previous scheme through the submission of an assessment report and recommendations for further investigations and remediation measures. Environmental Health have again requested conditions to this effect which should ensure that the site is suitable and safe for the resulting residential development.

Nature Conservation & Biodiversity – The Solent Complex comprises the Solent and Southampton Water Special Protection Area (SPA) and Ramsar site and the Solent Maritime Special Area of Conservation (SAC), designated for birds, wetland and coastal habitats respectively. As the river Hamble runs into these sites and is designated over much of its length, it has been recognised by Eastleigh Borough Council that all developments that drain either into the Hamble or one of its tributaries, need to ensure that water quality and flows remain constant and, in the case of water quality, are improved. As all the above designations are protected under either the E.C Habitats or Birds Directives Eastleigh Borough Council is required under European law to ensure that there are no significant impacts on the Solent Complex either alone or in combination with other developments.

To avoid flooding it is proposed to raise the ground on site. This application is accompanied by a Flood Risk Assessment that has identified that the Marls Road Tributary, a tributary of the River Hamble, is present along the northern boundary, where it is open and culverted along the southern boundary. Mapping also shows the waterway along the eastern boundary connecting up the two branches of the waterway. The contamination report has found that the made ground covering the site is likely to contain asbestos, with two samples containing the substance. Additional information has however been provided which details that asbestos degrades quickly in water and does not accumulate in the food chain and therefore does not give rise to significant concern.

There is however still some concern regarding the hydrology of the site due to rising land and the lack of information in relation to SUDs (particularly in relation to filtration). As the EA are satisfied with the information provided in respect of flooding (as set out below) it would be unreasonable to object on this basis but conditions are recommended to secure details of SUDs which should include 3 forms of naturalised filtration and CEMP which should detail a separate drainage system during the construction phase.

In terms of other biodiversity interest, the proposal will significantly improve this. With the entire site currently laid to concrete and there is no vegetation other than the trees along the boundaries. The proposal seeks to provide high quality hard and soft landscaping, with additional tree planting, new hedging, and the introduction of large areas of grass surrounding the new dwellings. This positive impact, along with conditions to be imposed requesting detailed SUDS and CEMP would result in no adverse impact on the stream/open culvert within the site, which leads to the River Hamble.

The previous HRA screening concluded that the development will not result in a likely significant impact on the River Hamble SAC/SPA with a full Habitats Regulations Assessment not required. Natural England is in agreement with this screening opinion.

A Phase 1 and Bat Assessment were submitted with the application. This concluded that no evidence of bat use, or features offering potential for bat use, was observed on the buildings or trees on site. The report also concluded that the site contained no habitat suitable for reptiles or amphibians and there was no evidence of badger use.

OTHER MATERIAL CONSIDERATIONS

Reference needs to be made to the submitted Eastleigh Borough Local plan 2011-2029 July 2014. However, very little weight can be given to these policies as, although the Submission Local Plan has

not been formally withdrawn, the Council has confirmed that it has decided to prepare a new local plan which will cover the period up to 2036. With regard to this application, the new policies essentially echo those of the current plan and are not considered to affect the recommendation put forward.

CONCLUSIONS

Given that this amended scheme is for less units and is considered to be an improvement over that approved in October 2016, the application is recommended for approval subject to suitably amended conditions.