

DELEGATED OFFICER REPORT

Application Ref: X/22/93381

Site Address: Land between St Johns Road and Dodwell Lane, Southampton, SO31 1DH

Case Officer: Rachael Morris

Description: Variation of condition 7 (S278 agreement/design check approval) for planning permission F/17/81809 for construction of link road between St Johns Road and Dodwell Lane (Phase 3 of planning permission O/13/73700).

Particular Site Constraints?	Yes ☒	No ☐
- Transport infrastructure - Hedge End - Strategic Gap - Countryside		

Planning History?	Yes ☒	No ☐
- O/13/73700 – Outline: Construction of up to 94 dwelling units with new link road, new vehicular access to St Johns Road, pedestrian and cycle links through Greenfield Close, drainage, landscaping and public open space (access only to be considered) - Permit – July 2014 - R/14/75594 - Reserved Matters: appearance, landscaping, layout and scale pursuant to outline planning permission O/13/73700 for the erection of 94 no. dwelling units with access off St Johns Road - Permit – March 2015. - F/15/76804 - Construction of 109 dwellings with new link road, new vehicular access off St Johns Road, pedestrian & cycle links through Greenfield close, drainage, landscaping, parking and public open space (consolidation of planning approvals O/13/73700 & R/14/75594 with the following amendments: Internal reconfiguration of apartment blocks H, I & F to create additional units, the re-design of apartment block E to create additional units, amendments to the parking areas for the apartment blocks, the repositioning of the parking for Plot 20 to create an access to the rear of Carpenters Close and engineering works to alter levels) – Permit – May 2016 - F/17/80651 - Residential development of 106 dwellings, associated landscaping, amenity areas and a means of access from St John's Road (Phase II) - Permit – October 2017		

Publicity:	Letters ☒	Site Notice ☒	Newspaper ☒
Representations:	Silver Birches. Objection (summarised). No clear road/highway shown on the map identifying where it will start or finish The Barn, Dodwell Lane. Objection (summarised). Additional traffic this road will bring. Local residents are already unable to go about their business without significant impact at these times. Tremar, Heath House Lane. Objection (summarised). This new road will lead to Rat Running allowing traffic on either St Johns Road or Dodwell Lane to rapidly move from one to another. This will cause overloading of traffic at peak times to the already overloaded Sunday's Hill area on Dodwell Lane. Merrywinds, Dodwell Lane. Objection (summarised). Request a Detailed Modelling Assessment prior to a second consultation so we can all make an informed, evidence-based consideration. The pollution, waste of fuel whilst cars are queuing, noise and safety issues with the massively increased traffic over the last 3 years must surely justify such a request. A condition for the development that all supply and operational vehicles (lorries and machinery) do not enter Dodwell Lane, and use the entrance from the other side, making a		

	detour through the Tesco roundabout to reach the development from the other side. Properties, houses and road surfaces up and down Dodwell Lane have been seriously damaged over the last 5 years due to the considerable number of housing developments on or around it, in addition to all the works traffic from the motorway development using the junction and Dodwell Lane itself as the main stop / rest / supply route and the bottom end of Dodwell lane is still, even now, in a bad state - the road sides have been and are still full of dirt that have over the years actually grown into some form of mini nature reserve, with every junction around every one of the several roundabouts are full of stone chips, screws, building materials etc. Heatherlands, Heath House Lane. Objection (summarised). Too much development in this area. Services are stretched, especially local GP services.
Parish Council:	No Objection
Hampshire Highways:	There is no objection from HCC as Local Highway Authority. Currently the wording of the condition essentially requires the developer to have entered into a S278 agreement and that the design of the link road be fully submitted, checked, approved and signed off prior to development (road construction) commencing. The developer has requested that instead they simply need to have submitted the design of the link road to HCC for approval (S278) and can commence development (road construction) prior to formal approval being issued, and that onwards the link road is not allowed to open and be utilised until plans have been checked, approved and signed off in line with the S38/S278 process. In this regard, the proposed amended wording of the condition, as outlined on the application form generally accepted, subject to minor amendments as outlined below: No development shall commence until an application has been submitted to Hampshire County Council as Local Highway Authority, for a full detailed design check and Section 278 Legal Agreement, based on drawing ITB11091-GA-009 Rev F. The Link Road shall not be brought into use until the full detailed design check has been approved, the Section 278 Agreement has been signed and the road has been constructed to completion certificate standard. The developer should however be made fully aware that any link road works undertaken prior to formal HCC S278 sign-off being issued will be at risk, with amendments to design potentially being identified and required in order for the road to be adopted and agreement for its opening and use to be granted.
Natural England:	Please refer to our previous advice for the original application (F/17/81809)

Site Visit:	Yes ☒	No ☐
Details: 30/08/2022		

Policy:
National Planning Policy Framework Planning Practice Guidance Development Plan: The <u>Eastleigh Borough Local Plan 2016-2036</u> The most relevant policies are Strategic policies S1, S2, S3, S5, S6, S11 and S12; and Development Management policies DM1, DM2, DM5, DM6, DM8, DM11, DM13, DM38, HE2 and HE4.

Supplementary Planning Documents:

Quality Places; Residential Parking Standards; Character Area Appraisals; Environmentally Sustainable Development.

Assessment:Principle and policy

The policies that influence the planning application are set out below:

- S1 – Delivering sustainable development
- S2 – Approach to new development
- S3 – Location of new housing
- S5 - New development in the countryside
- S6 – Protection of settlement gaps
- S11 -Transport infrastructure
- S12 – Strategic footpath, cycleway, bridleway links

- DM1 – General criteria for new development
- DM2 – Environmentally sustainable development.
- DM5 – Managing flood risk
- DM6 – Sustainable surface water management and watercourse management
- DM8 – Pollution
- DM11 – Nature conservation
- DM13 – General development criteria - transport
- DM38 – Funding infrastructure
- HE2 - Land at Sundays Hill and Land north of Pewitt Hill Close
- HE4 - Land at Pewitt Hill Close and Dodwell Lane

The proposed link road was approved on 6th March 2020. The proposal is still within the conditioned 3-year time period in which development must start and is acceptable in principle. This proposed change to condition 7 seeks to change the triggering mechanism within the condition rather than change the purpose of the condition. The proposed previously approved road will remain unchanged.

Assessment

The proposed application seeks to change condition no.7 to amend the timing of the required S278 agreement. This is so that a full detailed design check approval and the signing of the agreement does not have to take place before development commences. Instead, it is proposed that the design check is submitted prior to commencement with the final signing of the agreement and completion of the road being required before the road is first used.

Otherwise, all other details will remain as approved from planning permission F/17/81809, with all other conditions being re-applied. In addition, the upfront fee that was paid for the previous application, towards the Solent and Southampton Water Special Protection Area, will be transferred to this scheme. Natural England have raised no new concerns for this application.

Hampshire Highways, as the lead local highway authority, have made no objection to this proposed amendment and have suggested a slight wording change to the proposed condition, which will be adhered to.

Overall, the proposed condition amendment will not create detriment to the scheme and will not change the overarching principle or previously approved detail of the road.

Climate Change:

In July 2019, the Council declared a Climate Change and Environmental Emergency. In doing so it agreed, among other things, to: (a) put in place measures to ensure the Council's own operations and functions achieve carbon neutrality by 2025; (b) work with partners to aim for all projects and services delivered in the Borough to achieve carbon neutrality by 2030; (c) ensure that the Council's procurement policy recognises carbon neutrality as one of its primary considerations; and (d) recognise the urgency of action to mitigate and adapt to climate change in every decision taken by the Council. This is underpinned by the Climate and Environment Emergency Strategy 2020–2030 and the supporting Climate and Environmental Emergency Action Plan – Update June 2020.

The declaration of the Climate Change and Environmental Emergency demonstrates a strong commitment from the Council to achieve net zero. The NPPF, development plan and adopted local plan policy do not set this as a specific target, but it is a material consideration to be considered alongside all other material considerations. In any case addressing climate change is a core part of the NPPF and local plan policy. The need to support the economy is part of the Strategic Environmental Assessment for the adopted local plan, as is an assessment of climate impacts.

The NPPF aims for the need for housing to be met, and policy S2 of the Local Plan sets a target for 14,580 dwellings to be provided by 2036. The NPPF, Policies S1, DM2 and DM3 of the Local Plan and energy and water elements of the adopted Environmentally Sustainable Development SPD require development to be sustainable in terms of resource use, climate change and energy use. When considering the impact of climate change, the proposed development is expected to be resilient to the potential effects of climate change and is expected to reduce/limit impacts on climate emissions as a result of the development or its use.

Equalities Implications:

Section 149 of the Equalities Act 2010 created the public sector equality duty. Section 149 states:

- A public authority must, in the exercise of its functions, have due regard to the need to:
 - a. eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
 - b. advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - c. foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

When making policy decisions, the Council must take account of the equality duty and in particular any potential impact on protected groups. It is considered that this application does not raise any equality implications

Conclusion:

Recommendation:

PERMIT ☒

REFUSE ☐

Comments ...