

DELEGATED OFFICER REPORT:**Application Ref:** O/22/93578**Site Address:** GLENBOURNE, 9 UPPER NORTHAM CLOSE, HEDGE END, SOUTHAMPTON, SO30 4BB**Case Officer:** Clare Martin**Description:** Outline Planning Application for 1no. 3-bedroom dwelling with associated parking following demolition of outbuilding and alterations to existing dwelling parking (considering access and layout only)

Particular Site Constraints?	Yes ☒	No ☐
Countryside Not within the settlement gap HRA screening area		

Planning History?	Yes ☐	No ☒
None relevant to the current application		

Publicity:	Letters ☒	Site Notice ☐	Newspaper ☐
Representations:	None		
Environmental Health Officer:	Comments on Noise Impact Assessment The report identifies sound insulation and mechanical ventilation are needed to comply with internal noise limits EBS uses (BS 8233). This is straightforward concept consideration at the outline planning stage. To reduce noise impact in the garden, a 3m high acoustic fence is proposed around the rear garden boundary facing the motorway. With this in place, the residual impact is 3 to 8 dB(A) exceeding desirable upper limit (50 dB(A)) for outdoor noise and the upper limit (55 dB(A)) respectively. We advise against development where amenity is adversely impacted. Some extenuating circumstances are city or town centre developments or where development is desirable for other reasons. These would include consideration of available quieter amenity space nearby such as park, pocket green spaces or sitting out area with some desirable environs. Previous Comments - Objection The applicant does not address noise in the application or demonstrate good acoustical design. From information available to us on the desktop, road traffic noise is high throughout the daytime and night-time, approximately Leq 70 to 75 dB(A) and Leq 65 to 69 dB(A) respectively. To put this into context, professional guidance for new residential development is "High noise levels indicate that there is an increased risk that development may be refused on noise grounds. This risk may be reduced by following a good acoustic design process that is demonstrated in a detailed ADS. Applicants are strongly advised to seek expert advice". We accordingly recommend the applicant carries out a noise risk		

	assessment and proposes a good acoustic design to comply with EBC's noise limits (BS8233 Guidance on noise insulation and noise reduction for buildings). But, even if the new dwelling is designed for a 'closed windows lifestyle' with mechanical ventilation providing fresh exchange for the stale air, noise in the garden or outdoor area is apparently excessive. Currently, we therefore advise against outline planning consent.
Tree Officer:	No Objection, subject to conditioning tree protection measures and arboricultural monitoring statement. There are two significant trees to the front of the property. These are due to be retained as part of the development. Firstly, the siting and scale of the proposed dwelling is acceptable as it would result in no direct impacts to either RPA. However, there are activities occurring the Root Protection Areas that may cause a detrimental impact. The new parking for plot 2 (the proposed dwelling) is within the RPA, but hard standing exists in this area already. We note that this is to be removed and replaced, and the arboricultural documents sufficiently demonstrate that this can be achieved, although we would like some clarity regarding supervision. The new parking area for the original dwelling should also be feasible, as demonstrated within the arboricultural reports. Finally, we welcome the two tree protection plans showing how the Construction Exclusion Zone is to be altered after construction of the proposed dwelling.
Ecology Officer:	I have reviewed the DAS by HJ Concepts Ltd (Aug 2022) and the Arboricultural report by Johnston Tree Consultancy (July 2022). A Preliminary Ecological Assessment is required. The area of the vegetable garden looks like it has reptile habitat potential, and any compost heaps will need to be checked before removal. The shed, hedge, and cherry tree proposed to be removed may have bird nesting potential. Removing the ivy from the two mature oak trees to be retained may also disturb any bats that might be roosting. If the ground is suitable for a soakaway, then it can be conditioned. This needs to be supported by either evidence that soakaways are in use in neighbouring properties, or infiltration test results.
Highways Officer:	The standing advice should be followed with the additional comments: 1. It is noted that two parking spaces are provided per dwelling. Whilst this is for EBC to assess as Local Parking Authority, the layout is sufficient to allow for on site turning and forward gear access and egress. 2. A gate is proposed at the site access (existing), and whilst this does not meet current standards of being set a minimum of 6.0m into site from the highway edge, in this specific case it is acceptable. The gate is existing and has worked without known issue, and onwards Glenbourne is at the end of the cul-de-sac and as such passing movements will be minimal.
Hedge End Town Council:	<u>No objection</u>

Site Visit:	Yes ☒	No ☐
Details: 22/9/22		

Pre-commencement Conditions:	Yes ☐	No ☒
Details:		

Legislation:
Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:- <i>"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."</i>

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 & S5; and Development Management policies DM1, DM2, DM6, DM8, DM11, DM13, DM14, DM29, DM30. Supplementary Planning Documents: Quality Places; Residential Parking Standards; Trees & Development

Proposal:
The outline application is for 1no. two storey three bedroom dwelling to the immediate west of the existing house at Glenbourne. The space for the new dwelling will be created by dividing the existing curtilage in half and the two properties (proposed and existing) will sit next to each other facing Upper Northam Drive. To the front of the dwelling is a communal access drive leading to two separate parking areas. Each property has a rear garden with a shed for cycle storage. The outline application is to consider access, layout and landscaping only.

Assessment:
Countryside: The urban edge boundary goes straight through the middle of the site, so it places the existing dwelling along with the residential properties to the east within the Hedge End Settlement Boundary. Whereas the western side of the site, comprising the property's front parking area, half its garden, single storey outbuilding and high boundary fencing, is within countryside. The proposed dwelling would be sited on the western side of the site. Policy S5 sets out the types of development that would be supported in the countryside, which does not include the provision of new dwellings. As such the development would not be in accordance with Policy S5 of the adopted Eastleigh Borough Local Plan (2016-2036). Furthermore, the proposed two storey family house and associated domestic paraphernalia would have a detrimental and urbanising effect on the small stretch of countryside between the edge of Hedge End and Southampton (Thornhill), the amount of

development being significantly greater than the current hardstanding and low level structures currently on the site.

Living Accommodation:

The proposed dwelling would be sited approximately 80m away from the M27 carriage way, which is closer to the motorway than the existing house. A noise impact assessment has been submitted with the planning application, which demonstrate that the dwelling can meet the internal noise limits through the use of sound insulation and mechanical ventilation. However, even with the use of 3m high acoustic fencing it is not possible to bring the external noise affecting the property's garden down to an acceptable level (exceeding the upper limit by 3 to 8db). As such an objection has been raised by the Council's Environmental Health Officer.

Due to the excessive motorway noise, the three bed family house would not have a usable garden and there is no alternative public recreational space within easy walking distance of the site (100m). As such the proposal would not provide suitable living accommodation.

Other Considerations:

- The proposal would share the existing access and sufficient space is available at the front of the site to provide two car parking spaces for the existing & proposed dwelling.
- The proposed dwelling is located at the side of the existing house. The development accords with guidance set out in the 'Quality Places' SPD in that there will be no unacceptable impact on the amenity of the neighbouring properties in terms of loss of privacy, light or outlook.
- There are two significant trees to the front of the property, which are to be retained as part of the development. The car parking area for the proposed property is within the root protection, however, arboricultural information has been provided to demonstrate that it is possible to protect the trees from development. No objection has been raised by the Tree Officer, subject to conditions.
- The site has ecological potential. Had the application been recommended for permission then a preliminary ecological assessment and sustainable drainage information (including infiltration testing) would be required.

Impact of SPA:

The site is within both the 5.6km catchment area for the Solent Special Protection Area and Ramsar Site and the 13.8km catchment area for the New Forest Special Protection Area. It is recognised that new housing developments within these catchment areas are likely to result in additional visitors to these protected sites. In order to mitigate for this impacts the developer would be required to pay a contribution towards the Solent Recreation Mitigation Strategy (which manages visitors to the coastline) and the Council's New Forest Mitigation Strategy (which provides Suitable Alternative Natural Green Spaces within the borough and funds a ranger post in the New Forest National Park). No contributions has been received to date, and as such the lack of mitigation will form an additional reason for refusal.

The site is within the impact zone for nitrogen, which has been shown to have a determinantal impact on the water quality of the Solent and Southampton Water SPA. A nutrient budget has been submitted for the development and this has a positive output for nitrogen. The Applicant intends to use the Eastleigh Borough Council scheme to mitigate for these increases. However, as the mitigation hasn't been secured this will form an additional reason for refusal.

Equalities Act:

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

Section 149 (1) 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.

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 Environment 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 emerging 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 emerging plan policy. The need to support the economy is part of the Strategic Environmental Assessment for the Emerging 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 Adopted Local Plan sets a target for 14,580 dwellings to be provided by 2036. The NPPF, Saved, Policies S1, DM2 and DM3 of the Adopted 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.

Conclusion:

Recommendation:

PERMIT ☐

REFUSE ☒

Comments ...