

DELEGATED OFFICER REPORT

Application Ref: F/22/93954

Site Address: LONG GARDEN COTTAGE, WINCHESTER ROAD, BOTLEY, SOUTHAMPTON, SO32 2BX

Case Officer: Rachael Morris

Description: Erection of 2no. detached dwellings

Particular Site Constraints?	Yes ☒	No ☐
- Countryside		

Planning History?	Yes ☐	No ☒

Publicity:	Letters ☒	Site Notice ☐	Newspaper ☐
Representations:	None		
Parish Council:	No Comment		
Planning Policy:	The Council adopted the Eastleigh Borough Local Plan 2016-36 on 25th April 2022. This document now forms the planning policy framework for the borough until 2036. Long Garden Cottage is outside the urban edge and identified as countryside on the Policies Map. Policy S5 in the adopted Local Plan applies to any proposed development on this site. The site was formerly within the local gap separating Horton Heath, Boorley Green and Hedge End. As part of the preparation of the Local Plan, all gaps were reassessed to consider whether all the land included met the function of gaps and if any updates were required to reflect recent development and sites with planning permission. It was proposed to reduce the extent of this gap because of development land with planning permission north of Hedge End Railway Station and West of Woodhouse Lane. The boundary was redrawn, and this site is now outside the designated gap. Policy S5 sets out the uses appropriate in the countryside and detailed criteria for new development in these uses. The acceptable uses do not include new residential development and therefore the proposal is contrary to policy S5. However it is noted that the character of the area has changed significantly with development approved and constructed around the site including large development sites to the east and west. It is therefore considered appropriate to assess this development against the detailed criteria in S5(2). Providing these criteria are met, Planning Policy does not object to this development.		
Ecology:	I have reviewed the Preliminary Ecological Appraisal by Collington Winter Environmental (Rev 2, October 2022). The recommendations in this report are sound and shall be implemented. This includes: <i>Any vegetation removal should be undertaken outside of the breeding bird season (March to September, inclusive). If this is not possible, a suitably qualified ecologist should undertake a nesting bird check no more than 48 hours prior to removal. If nesting activity is observed, the nest(s) should be left in situ until the young have fledged and left the nest. A suitable buffer (at least 5 m) will be maintained and determined by the ecologist.</i>		

	<i>Any proposed lighting/existing lighting should follow the guidance outlined in the Institute for Lighting Engineers document “Guidance for the Reduction of Obtrusive Lighting” (2005) and BCT’s “Bats and Artificial Lighting in the UK” (2018). The lighting recommendations in section 4.3.12 are appropriate.</i> The precautionary working methods for reptiles, breeding birds, badgers and terrestrial mammals such as hedgehogs described in the report are appropriate and can be conditioned. Removal of potential hedgehog habitat must not take place from November through March when animals may be hibernating. No fires can be lit on site. Any closed board fencing that is erected at the property boundaries must have periodic holes (measuring 13cm by 13 cm minimum) at its base to allow the movement of animals, such as hedgehogs, to promote habitat connectivity and extended foraging ranges. The drainage details shown on rev B of the Proposed Site Plan by ACA show three soakaways located 5 m from any building, and permeable paving in the shared drive. This is a change from the information in the DAS (porous pavement, water butts and outfall to the watercourse along the northern edge of the site). The use of water butts to collect water for the garden is also encouraged. <u>24/01/2023</u> A Construction Environmental Management Plan (CEMP) and a Biodiversity Environmental Management Plan (BEMP) can both be conditioned. The agreed reptile receptor area to the north of plot 2 must be fenced off with a reptile fence during construction as shown on the amended proposed site plan. A reptile hibernaculum must be built in this area as a biodiversity enhancement and should be completed before commencement of any site clearance. The precautionary clearance and reasonable avoidance methods described in section 4.3 of the Preliminary Ecological Appraisal by Collington Winter Environmental Ltd will be included in the CEMP. The BEMP will include maintenance of the reptile receptor area as tussocky grassland with reptile hibernaculum as part of the biodiversity enhancements for the site. The management of this area must include areas where reptiles can bask in the sun and take cover under vegetation when needed. If too much scrub is allowed to grow the area will become unsuitable for reptiles. Further information is available at https://www.arc-trust.org/for-reptiles The reptile fence can be removed once construction has been completed. The BEMP will also include the locations and specifications of built-in (integral) bat and swift nest bricks/boxes in the new dwellings and a planting scheme with flowering plants and shrubs which provide a long flowering period to attract pollinators. Native species of flowering shrubs and trees should be included in the planting scheme and non-flowering conifers should be avoided. <u>26/01/2023</u>
Natural England:	Natural England objects to this proposal. As submitted, we consider it will have an adverse effect on: • New Forest SAC, SPA and Ramsar

	Natural England recommends that a long-term monitoring and maintenance strategy is submitted to satisfy the competent authority that the system will operate effectively for the lifetime of the development. The details should be agreed and outlined in the Appropriate Assessment and this should be appropriately secured with any planning permission. The strategy should consider appropriate funding, responsibilities and mechanisms to ensure compliance for the lifetime of the development. We recommend that consideration is given to site compliance checks, monitoring, securing corrective measures and replacement facilities, as necessary.
Direct Services:	Street-scene have no concerns reference this planning application of erection of the 2no dwellings.
Tree Officer:	The proposal improves slightly on the previous design submitted for pre-app in 2019 because the northern dwelling is slightly further away from the significant tree line along Winchester Road. In addition, arboricultural information has also been submitted. We are broadly satisfied with the proposals contained within the arboricultural information, but will require some clarification regarding final design and options prior to commencement – some of the method statement leaves open the decision relating to supervision, design of the bar grate driveway, surfacing, etc. Once these final decisions have been made, they will have to be approved through an updated Method Statement. This also give the arboricultural consultant a chance to review the documents as they are almost two years old. Further, we will require, as part of the updated Method Statement, evidence that the bar grate surface can be tied into the cellular confinement system and that this, in turn, can be tied-in to the “regular” entrance levels. A cross-sectional drawing, from north to south, would be useful in this respect. Therefore, we raise no arboricultural objection to the proposal, subject to conditions.

Site Visit:	Yes ☒	No ☐
Details: 18/11/22		

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 and S5; and Development Management policies DM1, DM6, DM11, DM14, DM29 and DM30. Supplementary Planning Documents: Quality Places; Residential Parking Standards; Character Area Appraisals.

Assessment:
The development is considered acceptable and complies with policies DM1, DM6, DM11, DM14, DM29 and DM30 from the 2016-2036 local plan, in that: <u>Principle</u> Policy S5 states that “planning permission will be granted for new development in the countryside provided it is related to the provision of employment through agricultural development (policy DM17), the extension and replacement of existing employment uses (policy DM18) and the re-use of existing buildings (policy DM19); residential extensions and replacement buildings (policies DM18 and 26),

limited residential conversions (policy DM19), rural workers' dwellings (policy DM27) and accommodation for Gypsies, Travellers and Travelling Showpeople (policy DM31); community, tourist, or visitor uses through the re-use of buildings including facilities for the interpretation of heritage assets (policies DM12); outdoor recreation and open space (policies DM32 and DM33); allotments and community farms (policy DM32); cemeteries (policy DM37); and essential public utilities (policy DM9). In permitting new development in the countryside the Borough Council will seek to: avoid adverse impacts on the rural, woodland, riparian or coastal character, the intrinsic character of the landscape including the avoidance of adverse landscape impacts on areas adjoining national parks and their settings, the significance of heritage assets and on the biodiversity of the area; secure long-term beneficial management practices that will enhance the landscape and biodiversity of the countryside and coast; avoid sterilisation of mineral resources, in accordance with the Hampshire Minerals and Waste Plan; safeguard the best and most versatile agricultural land unless the benefit of the development clearly outweighs the loss; and protect soils during construction wherever possible in line with the 'Defra code of practice for the sustainable use of soils on construction sites'."

- As above, new residential dwellings in the countryside are not supported in policy in principle. However, within policy S5, does make provision for when permitting development what to avoid which is considered in further depth below.
- The fact that the proposal does not accord with S5 is not enough to refuse the application in itself and other material considerations can be applied.
- It is noted that the site location is adjacent to the recently developed Boorley Park housing development and smaller scale developments (F/17/80382) of 14.no dwellings and (F/19/85038) of 4.no dwellings which has reduced the overall Countryside character of this specific location.
- Policy S5 seeks to protect the countryside from inappropriate development, and it is not considered that this would represent an inappropriate form of development as this proposed development location does not contribute to the wider countryside character given the existing development close-by.
- Therefore, it is considered the principle of this development could be suitable, provided there are no other material considerations to indicate otherwise.

Design and layout

- The development would not be an overdevelopment of the site, would retain sufficient amenity space and meet parking standards. The proposed dwellings proposed 4.no bedrooms per property and as such, to accord with the Council's Residential Parking Standards SPD, the dwellings are required to provide 3.no parking spaces, which can be accommodated on the driveways and 1.no each in each respective garage. Each garage measures over the required 3m X 6m internally, in order to accommodate a parking space, with extra room for cycle storage too. The garage will be conditioned to ensure it is used as parking and storage only.
- The design and layout respect the character and appearance of the locality.
- The proposed 2.no dwellings are both providing 4.no bedrooms. The dwellings are sizable however, would be akin to the type of housing size seen in Boorley Park and the smaller housing developments to the South which are mostly detached and semi-detached dwellings.
- The proposed 2.no dwellings would have elements that offer subservient features and reduce overall bulk including reduced ridge heights, dormer windows with a catslide roof to the side and ground floor level roof canopies, generally topped with a hipped roof which also aids to reduce bulk.
- The proposed layout of the dwellings ensures that there is a suitable distance back from Winchester Road with mature vegetation to aid the screening. The development is considered to not be visually intrusive to the street scene and would not have an unacceptable physical impact to its surroundings within the Countryside designation.

- The proposed materials include grey windows, solid timber entrance door, red brick, and predominately hipped pitched clay roofs which helps to maintain a traditional feel to the properties and reflect the character of the existing cottage on site, which will be retained in location.
- The proposed dwellings, each with 4 no double rooms, would each need a minimum internal space standard of 124 m³. The dwellings are on plan to measure 203 m³ (plot 1) and 197 m³ (plot 2) which would accord with the guidance in the Technical Housing Standards – Nationally Described Space Standard document and policy DM30.

Residential amenity

- 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.
- The only neighbours that are immediately close-by and have a potential risk of overlooking are each other and the existing residential property. However, the proposed windows to the side are minimal and the proposed front and rear windows would not create a level of overlooking not expected within a residential setting or the public realm.
- The proposed dwelling offers a good level of outdoor amenity space. Plot one offers approx. 167% amenity space of indoor space while plot two offers approx. 428% (however a small portion of this might not be completely usable due to tree coverage and required ecology enhancements). This exceeds guidance in the Council's Quality Places SPD that recommends outdoor amenity space should be a minimum of 60% of the floor space for new dwellings.

Other material considerations

- There will be no adverse impact upon trees when the suggested tree pre-commencement conditions are applied.
- A figure of £2,220 per dwelling has been paid upfront to mitigate against recreational impacts on the New Forest. In addition, to mitigate the recreational impact on the Solent, a fee of £864 per 4 bed dwelling has been taken upfront.
- Nitrate mitigation for nutrient neutrality will be conditioned to be secured prior to occupation.
- Non-naturalised Sustainable Drainage Systems (SuDS) are required in this case, as set out in policy DM6, which states on sites of less than 0.5 hectares non-naturalised SUDs, e.g. permeable paving, will be considered where justified. This scheme does propose soakaways which are suitably distanced from the dwellings (5m) and permeable paving to the driveway area.
- Having regard for Building Regulations Part M4(2), in accordance with local plan policy DM29, the proposed floor plan should have a layout which accords with the guidance within this Building Regulations document. It has been assessed and is considered the proposed dwelling is capable of meeting the targets within Building Regulations Part M4(2) and as such it is considered reasonable to condition compliance with this.
- The adopted local plan requires a biodiversity net gain which will be achieved through the implementation of biodiversity enhancements. A reptile hibernaculum, built-in (integral) bat and swift nest bricks or boxes will be built into the new dwellings and conditioned as part of a BEMP (Biodiversity Environmental Management Plan).
- The concern Natural England raised in regard to the monitoring and maintenance of the Package Treatment Plant has been addressed through a revision to the HRA and a suitably worded condition.

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 ...