



TERENCE
O'ROURKE

Liz Harrison
Principal Planning Officer
Eastleigh Borough Council
Eastleigh House
Upper Market Street
Eastleigh
SO50 9YN

2 February 2023

Our Reference: 234906

Dear Liz

S73 of the Town and Country Planning Act 1990 (variation of conditions) to vary condition 1 of reserved matters application ref. RM/19/86658 - Land to the north west of Winchester Road, Boorley Green, SO32 2BX

We are pleased to submit this application under section 73¹ (S73), on behalf of Bellway Homes (Bellway). This application proposes the substitution of house types in phase 3 of the Boorley Gardens development on land to the northwest of Winchester Road, Boorley Green, Eastleigh, Hampshire.

Specifically, this S73 application is for:

"Variation of condition 1 (approved drawings) of reserved matters application RM/19/86658 (pursuant to outline planning permission O/15/75953, as amended by X/19/84943) for Phase 3 to allow revisions to the house types on plots 463 to 648 (with the exclusion of plots 569-577, 580, 583, 595-599 and 621-631)"

The phase 3 site area is divided into three parcels, with the largest parcel forming the eastern extent of the area, as shown on the accompanying location plan (BELL220612 LP.01 Rev P2).

Reserved matters permission for phase 3 (ref. RM/19/86658) was granted on 5 April 2022. The description of the approved planning application is as follows:

"Reserved matters application (pursuant to outline planning permission O/15/75953 which was subject to an Environmental Impact Assessment) for Boorley Gardens Phase 3 equating to 236 residential dwellings with associated parking, landscaping and open space (Details relating to appearance, landscaping, layout and scale)"

LONDON
23 Heddon Street
London
W1B 4BQ

BIRMINGHAM
Enterprise House
115 Edmund Street
Birmingham
B3 2HJ

BOURNEMOUTH
Everdene House
Deansleigh Road
Bournemouth
BH7 7DU

TELEPHONE
020 3664 6755

www.torltd.co.uk

¹ Town and Country Planning Act 1990



Condition 1 of the decision notice requires the development to be implemented in accordance with the approved plans, as listed on the Drawing Register dated 1 April 2022 with the exception of the Soft Landscape. Management & Maintenance Plan (ref. MIL22453 Rev A, dated 19/03/2020).

As you are aware, Bellway has jointly acquired the Boorley Gardens development (ref. O/15/75953) (with Miller Homes) and is looking to amend its plots within phase 3 of the Boorley Gardens development to develop it with its own house types, including the affordable provision. This comprises plots 463 to 648, with the exclusion of plots 569-577, 580, 583, 595-599 and 621-631 (which will remain as approved). The areas proposed for amendment are identified on the submitted plans, with those not subject to variation shaded grey. The proposal does not include any changes to roads or public open space. The remaining plots of Phase 3 will not be amended with this application.

The affordable housing provision is in line with the approved scheme, with a total of 53 affordable housing units being amended, with the tenures remaining as previously approved but simply with different house types.

The changes are considered to be minor material in nature and are set out in the accompanying drawings.

The application comprises:

- Application form
- Application fee
- Plans and drawings (see Appendix B)

The following documents are also submitted in support of the application:

- This supporting letter and statement
- Garden Area Schedule
- NDSS Compliance Schedule
- Accommodation schedule

Relevant pre-application consultation

As part of a previously approved application to substitute plots relating to Phase 1 of the Boorley Gardens Development (ref. X/21/91994), the applicant engaged in ongoing consultation prior to and during the application process. As part of the pre-application with the Local Planning Authority (LPA) for Phase 1, the design and layout of the proposal and the application process were discussed. Further written advice was provided in relation to the following:

- Layout and separation distances
- Acceptable garden sizes and internal space standards
- Access and parking requirements
- Affordable housing and tenure requirements
- Boundary treatment and detailed design



During the application process, the applicant engaged in ongoing discussions with the LPA to ensure that the proposal was considered acceptable in terms of its individual design.

The proposal for Phase 3 has been carefully designed in consideration of the advice received on Phase 1 and accords with the relevant local policy requirements and guidance, as further outlined in Appendix A.

Compliance with the outline planning permission

The outline permission (ref. O/15/75953) contains conditional requirements at the phase 3 RM stage. This includes condition 28 (energy and water consumption efficiency) which requires a standard of a 19% improvement of dwelling emission rate over the target emission rate as set in the 2013 building regulations and a maximum predicted internal mains water consumption of 105 litres/person/day.

The proposed house types provide a minimum of 60% of the floor space as private amenity space, in accordance with Eastleigh Borough Council's Quality Places supplementary planning document (SPD).

The dwellings have been designed to fully comply with the Nationally Described Space Standards (NDSS) in full accordance with the adopted Local Plan policy DM30, as further detailed in the accompanying NDSS Checklist.

Unit type	Market housing	Affordable housing	Total
2-bedroom units	14	26	40
3-bedroom units	46	24	70
4-bedroom units	38	3	41
5-bedroom units	8		8
Total	106	53	159

The substitution includes 53 affordable housing units (26 affordable rented / 27 shared ownership), which are broadly in the same location as approved. These are the same tenures/dwelling types and bedrooms as previously approved.

As such, the provision of affordable housing accords with the level of affordable housing secured by the S106 of the outline permission (ref. O/15/75953).

The proposed housing delivery within phase 3 is in line with the approved reserved matters (ref. RM/19/86658) and is fully compliant with the outline planning permission and accompanying S106 agreement.

The Design and Access Statement (DAS) of the outline planning application (ref. O/15/75953) established four character areas (urban, suburban, brookside and ridgeside). The plots that form part of this proposal are located in the suburban character area. The key characteristics and design elements of the character area are set out in section 5.2 of the Design and Access Statement, noting the focus on tree lined streets and a clear relationship to the formal recreation area and green located in the centre.



This character area broadly includes a medium density with a mix of housing, including terrace and detached, but predominantly semi-detached. Building lines should be consistent and a mix of architectural forms will be acceptable.

The proposed house types are designed to align with the character area with similar traits as the approved house types, including front gardens and hard standing for the storage of refuse and recyclable materials. Further details are set out in the accompanying drawings.

The proposed house types are in line with the approved house types of the approved reserved matters application RM/19/86658 in relation to their design to sustainability requirements, in accordance with condition 28 of the outline planning permission.

Compliance with local planning policy

The development plan for this site comprises:

- Eastleigh Borough Local Plan (2016-2036), adopted April 2022
- Hampshire Minerals and Waste Plan (2013)

Eastleigh Borough Council has also adopted a number of Supplementary Planning Documents (SPDs), which are of relevance to the site. The National Planning Policy Framework (NPPF), as updated 20 July 2021 and Planning Practice Guidance (PPG) are material considerations.

The NPPF para. 47 states that planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise.

The principle of the development has been established through the outline planning permission. The subsequent reserved matters application for phase 3, equating to 236 residential dwellings, was approved on 5 April 2022. This application seeks to substitute the house types for plots 463 to 648, with the exclusion of plots 569-577, 580, 583, 595-599 and 621-631 (which will remain as approved).

The proposal will not make amendments to the approved parking provision and as such, is in full accordance with the LPA's residential parking standards document (2009).

The proposal has been designed in accordance with the Eastleigh Borough Council Quality Places Supplementary Planning Document. Waste and recycling is provided in safe, accessible and convenient locations throughout the site as per Appendix C of the Quality Places SPD, with no significant change to the refuse strategy approved as part of the reserved matters permission (ref. RM/19/86658).

The application accords with the adopted local plan policies, as further detailed in Appendix A.



Conclusion

The changes in this application and as described above are minor material changes. They do not affect the scale and scope of the development or the height or density of it, and do not introduce new works or elements not considered by the Environmental Statement.

This proposal seeks to alter the design of some of the approved dwellings, with no proposed increase to the number of dwellings proposed or the general built up area. Therefore, no new assessment is required under the Habitats Regulations.

The plot substitutions do not affect any planning policy or other matters that were material to the decision to grant outline permission. They do not conflict with any other planning conditions.

We have submitted the planning application online via the Planning Portal (ref. PP-11682436). The required planning application fee of £234 has been paid via the Planning Portal. We confirm that the requisite notice has been served on all parties with an interest in the land (as listed on the application form).

I trust that this information is sufficient to register and determine the application. I look forward to receiving your confirmation of registration in due course.

Should you require any additional information, please do not hesitate to contact me.

Yours sincerely



Simon Ible MRTPI
Associate Director

cc

Nick Guildford

Bellway Homes



Appendix A

Adopted Local Plan policies 2011-2036

Policy	Policy summary	Development proposal assessment
DM1	General criteria covering character, amenity, density, landscape, ecology, disability, crime, waste and public art.	No change to the approved development, apart from house type, landscape elements and detailed design. Architecture, landscaping and materials consistent with surrounding character.
DM2	Environmentally sustainable requirements	Development designed to sustainability requirements set out within condition 28 of the outline permission.
DM3	Climate change adaptation	No change to the approved development, apart from house type and detailed design.
DM11	Protection and enhancement of biodiversity	No significant change to the approved development.
DM14	Parking requirements	No change to the approved development.
S3	Location of new housing, Paragraph 1a) v.) – land to the north-west of Boorley Green for 680 dwellings	Delivery in line with outline permission.
DM24	Creating a mix of housing	No change to the market and affordable mix.
DM28	Affordable housing provision	See DM24 above. The affordable housing units are integrated into the development as per the approved reserved matters consent (RM/19/86658).
DM29	Higher access and wheelchair housing	No change to the approved development.
DM30	Residential internal space standards	Full compliance with LPA's space standards, as detailed on the accompanying NDSS Checklist
DM33	Recreation and open space provision	No change to the approved development.
DM34	New and enhanced recreation and open spaces	No change to the approved development.



Appendix B

The plans below form part of this application and are to be added to condition 1 of the reserved matters approval RM/19/86658.

Layout plans and street elevations

- Site location plan (ref. BELL220612 LP.01 Rev A)
- Plot substitution identification plan (ref. BELL220612SL.01 Rev A)
- Plot substitution identification plan (ref. BELL220612SL.02 Rev A)
- Refuse collection plan (ref. BELL220612RCP.01 Rev A)
- Boundary and Dwelling Materials layout (ref. BELL220612ML.01 Rev A)
- Affordable housing plan (ref. BELL220612AHP.01 Rev A)
- Garden Size Plan (BELL220612 GAP.01 Rev A)
- Street elevations 1 (ref. BELL220612CSE.01 Rev B) – to follow
- Street elevations 2 (ref. BELL220612CSE.02 Rev B) – to follow

House types

- House type Baker X floor plans (ref. BELL220612 HT.BA-X.p Ref A)
- House type Baker X elevations Brick (ref. BELL220612 HT.BA-X.e1 Rev A)
- House type Baker X elevations Boardings (ref. BELL220612 HT.BA-X.e2 Rev A)
- House type Blommere Y with Bay Elevations Brick (ref: BELL220612 HT.BM-Y.e1 Rev A)
- House type Blommere Y with Bay elevations Painted Brick (ref: BELL220612 HT.BM-Y.e2 Rev A)
- House type Blommere Y with Bay floor plans (ref: BELL220612 HT.BM-Y.p Rev A)
- House type Bowyer X with Bay elevations Brick (ref: BELL220612 HT.BO-X.e1 rev A)
- House type Bowyer X with Bay elevations Painted Brick (ref: BELL220612 HT.BO-X.e2 rev A)
- House type Bowyer X with Bay floor plan (ref: BELL220612 HT.BO-X.p rev A)
- House type Bowyer Y elevations (ref: BELL220612 HT.BO-Y.e rev A)
- House type Bowyer Y floor plan (ref: BELL220612 HT.BO-Y.p rev A)
- House type Cooper X elevations Brick (ref: BELL220612 HT.CO-X.e1 rev A)
- House type Cooper X elevations Painted Brick (ref: BELL220612 HT.CO-X.e2 rev A)
- House type Cooper X elevations Boarding (ref: BELL220612 HT.CO-X.e3 rev A)
- House type Cooper X floor plan (ref: BELL220612 HT.CO-X.p rev A)
- House type Cartographer X elevations (ref: BELL220612 HT.CT-X.e rev A)
- House type Cartographer X floor plan (ref: BELL220612 HT.CT-X.p rev A)



- House type Fuller Y with Bay elevations Brick (ref: BELL220612 HT.FR-Y.e1 rev A)
- House type Fuller Y with Bay elevations Painted Brick (ref: BELL220612 HT.FR-Y.e2 rev A)
- House type Fuller Y with Bay floor plan (ref: BELL220612 HT.FR-Y.p rev A)
- House type Goldsmith X elevations Brick (ref: BELL220612 HT.GO-X.e1 rev A)
- House type Goldsmith X elevations Part Painted Brick (ref: BELL220612 HT.GO-X.e2 rev A)
- House type Goldsmith X elevations Boarding (ref: BELL220612 HT.GO-X.e3 rev A)
- House type Goldsmith X elevations Full Painted Brick (ref: BELL220612 HT.GO-X.e4 rev A)
- House type Goldsmith X floor plan (ref: BELL220612 HT.GO-X.p rev A)
- House type Jeweller X with Bay elevations Painted Brick (BELL220612 HT.JE-X.e1 rev A)
- House type Jeweller X with Bay elevations Boarding (BELL220612 HT.JE-X.e2 rev A)
- House type Jeweller X with Bay floor plan (BELL220612 HT.JE-X.p rev A)
- House type Mason X elevations Brick (BELL220612 HT.MA-X.e1 rev A)
- House type Mason X elevations Painted Brick (BELL220612 HT.MA-X.e2 rev A)
- House type Mason X elevations Boarding (BELL220612 HT.MA-X.e3 rev A)
- House type Mason X floor plan (BELL220612 HT.MA-X.p rev A)
- House type Milliner X elevations (BELL220612 HT.MI-X.e rev A)
- House type Milliner X floor plan (BELL220612 HT.MI-X.p rev A)
- House type Philosopher X elevations (BELL220612 HT.PH-X.e rev A)
- House type Philosopher X floor plan (BELL220612 HT.PH-X.p rev A)
- House type Spinner X elevations (BELL220612 HT.SP-X.e rev A)
- House type Spinner X floor plan (BELL220612 HT.SP-X.p rev A)
- House type Tenterer X with Bay elevations Brick (BELL220612 HT.TE-X.e rev A)
- House type Tenterer X with Bay floor plan (BELL220612 HT.TE-X.p rev A)
- House type Tenterer Y elevations Brick (BELL220612 HT.TE-Y.e1 rev A)
- House type Tenterer Y elevations Boarding (BELL220612 HT.TE-Y.e2 rev A)
- House type Tenterer Y floor plan (BELL220612 HT.TE.p rev A)
- House type Tillman X elevations Brick (BELL220612 HT.TI-X.e1 rev A)
- House type Tillman X elevations Boarding (BELL220612 HT.TI-X.e2 rev A)
- House type Tillman X floor plan (BELL220612 HT.TI-X.p rev A)
- House type Watchmaker X elevations Brick (BELL220612 HT.WA-X.e1 rev A)
- House type Watchmaker X elevations Boarding (BELL220612 HT.WA-X.e2 rev A)
- House type Watchmaker X floor plan (BELL220612 HT.WA-X.p rev A)



- House type Weaver X with Bay elevation Brick (BELL220612 HT.WE-X.e1 rev A)
- House type Weaver X with Bay elevation Painted Brick (BELL220612 HT.WE-X.e2 rev A)
- House type Weaver X with Bay floor plan (BELL220612 HT.WE-X.p rev A)

Plot Drawings

- Plots 472-474 elevations (ref: BELL220612 P.472-474.e rev A)
- Plots 472-474 floor plans (ref: BELL220612 P.472-474.p rev A)
- Plots 556-557 elevations (ref: BELL220612 P.556-557.e rev A)
- Plots 556-557 floor plans (ref: BELL220612 P.556-557.p rev A)
- Plot 558 & 604 elevations (ref: BELL220612 P.558&604.e rev A)
- Plot 558 & 604 floor plans (ref: BELL220612 P.558&604.p rev A)
- Plot 559-560 elevations (ref: BELL220612 P.559-560.e rev A)
- Plot 559-560 floor plans (ref: BELL220612 P.559-560.p rev A)
- Plots 606-607 elevations (ref: BELL220612 P.606-607.e rev A)
- Plots 606-607 floor plans (ref: BELL220612 P.606-607.p rev A)

Ancillary

- Single garage Town option 1 floor plans / elevations (ref. BELL220612 GAR.01-1.pe Rev A)
- Single garage Town option 2 floor plans / elevations (ref. BELL220612 GAR.01-2.pe Rev A)
- Twin garage Town floor plans / elevations (ref. BELL220612 GAR.02.pe Rev A)
- Double garage Town floor plans / elevations (ref: BELL220612 GAR.03.pe rev A)

Landscape plans

- Soft landscape proposals (BELL22453 11 Sheet 1 - 10)
- Hard landscape proposals (BELL22453 12 Sheet 1 - 10)

Levels

- Proposed Levels and Contours sheet 1 of 2 (ref M380/112 rev H)