

DELEGATED OFFICER REPORT

Application Ref: F/22/94436

Site Address: 20A HIGH STREET, BOTLEY, SOUTHAMPTON, SO30 2EA

Case Officer: Gary Osmond

Description: Construction of 3no. two bedroom terraced dwellings with ancillary amenity space and parking, following demolition of existing disused buildings

Particular Site Constraints?	Yes ☒	No ☐
- Within the urban edge - Within the Botley Conservation Area - Within the Botley Local Centre		

Planning History?	Yes ☒	No ☐
C/16/79036 - Construction of 3no. two bedroom apartments into 2no. two storey blocks with associated parking, bin & cycle storage & amenity space, following demolition of existing outbuilding – Refused Oct 2016 (Dismissed at Appeal Sept 2017)		
C/16/77777 - Erection of 3no. three bed dwellings with access from Botley Road, following demolition of existing buildings – Withdrawn Mar 2016		

Publicity:	Letters ☒	Site Notice ☒	Newspaper ☐
Representations:	28 objections received raising the following issues and concerns: - Insufficient parking - Additional traffic - Add to existing parking issues - Highway and pedestrian safety - Too much new housing in and around the village - Noise, dust and smells during construction - Increased disturbance to Warner Mews residents - Overdevelopment - Drainage and flooding - Overlooking and loss of privacy - Loss of light and outlook - Poor design not appropriate to conservation area - Not in keeping with the character of Botley - Impact on trees - Impact on wildlife - Impact on existing infrastructure and community facilities - Poor garden spaces - Entrance gates are not appropriate - Development may damage very old buildings fronting the square - Site has been deliberately neglected - Site is not vacant but remains in business use - Existing buildings are of historical interest – former village abattoir		
Botley Parish Council:	Members were not opposed to the principle of residential development within the site, but it was felt that given the constraints of the site, three dwellings still constituted overdevelopment, particularly within a Conservation Area.		

	Further concerns relating to traffic, parking, north facing garden spaces and loss of light were raised.
Trees:	Objection. There is a tree to the rear of the site, situated in Warner Mews. This tree is within the Conservation Area and is therefore statutorily protected. The tree has been identified as a B category tree. There are concerns regarding the dominance of the tree over the recreational spaces and the pressure to prune the tree. The tree is an early-mature specimen, with an overall reported height of 14 metres. Therefore, the tree is not yet fully grown.
Ecology:	The four buildings were classified as having negligible bat roost potential although bat roost features were present. Bats are highly mobile and are definitely present in the area. There was no evidence of breeding birds in the building, but birds were noted on site and there was vegetation which may provide suitable habitat for breeding birds on site. The invasive bamboo noted on site will require specialist treatment for eradication before any works commence on site to ensure that it does not spread due to construction activities. Two externally mounted sparrow terraces and two externally mounted bat boxes were recommended as biodiversity enhancements, however built-in swift nest boxes/bricks or bat boxes/bricks are preferred, as they do not require maintenance and cannot fall off. Three of each box/brick should be located on site, two per dwelling. The current site has a large amount of green infrastructure and hedgehog habitat which would be eliminated by this proposal. Additional hedgehog habitat should be included on site along with hedgehog holes (13 x 13 cm minimum) in any closed board fencing to allow free movement of small mammals through the site. Any landscaping must include flowering plants to attract pollinators including night scented flowering plants to attract moths as food for bats.
Urban Design:	Objection. The submission lacks an adequate assessment of the site and its surrounding context, which has resulted in a lack of understanding as to the nature of development which would be suitable for the site. The design and appearance of the development is not considered to be of an acceptable quality to enhance the visual amenity and character of the surrounding conservation area. There appears to be little or no usable external amenity space for the proposed dwellings.
Heritage Consultant:	Objection. From a conservation perspective there is not a problem with new dwellings within this situation, which is in need of refreshing in any event, provided the materials are of an indigenous type and of quality, with the existing buildings being properly maintained in order that together the two elements will enhance the conservation area. However, the orientation and layout of the proposed dwellings is unfortunate, with north facing gardens and poor outlook of a parking area, which does not appear sufficient to serve the development.

Hampshire Highways:	Whilst there would be no objection in principle to the proposals from a highways perspective, there are certain elements of the proposals that require clarification. Vehicle access into the proposed development site is via an existing access point between numbers 20a and 24/26 High Street. Whilst this access falls between a bus stop (non-layover) and roadside parking, as an existing access with no known safety record, this would be acceptable, though it would be recommended that the Keep Clear markings are refreshed to highlight access. In terms of pedestrian access, this is also unchanged, utilising the existing footway provision on the High Street. Internally, the proposals are generally acceptable with 6.0m aisles to enable easy turning in and out of the parking spaces, and to onwards enable forward gear access and egress. It is however noted that access gates are shown on the Site Layout Plan (Drawing P/0322/3/1), and that these are located too close to the highway. They should be relocated further into site, a minimum of 6.0m from the back edge of the footway. Whilst the quantum of parking is for EBC to assess in their role as Local Parking Authority, it is noted that only 3 vehicle parking spaces are proposed for the 3 dwellings, which appears to be below the EBC set standards. Additionally, the site area appear to have been historically utilised by Nos. 20 and 20a High Street as their designated parking area. Confirmation of this is requested, and if this is indeed the case, it would be requested that details of where this parking will be located to be supplied. Without a suitable combined quantum of parking, overspill parking could occur which could be obstructive and generate a loss of amenity for existing residents. As such it would be requested that the Case Officer ensures the EBC Parking Standards are fully adhered to.
Environmental Health:	The dwellings would set back and be partially screened by existing building fronting onto A334 High Street which is designated in this location as Noise Important Area and Air Quality Management Area. These designated areas indicate high levels of pollution but due the position of the planned development set back from the road, we do not object. We advise the applicant to consider ambient noise from road traffic and any back land commercial use. Therefore, a demonstration of adequate sound insulation is necessary, and this might be like a standard insulation glazing unit. With respect to land contamination the previous / current use of the land and the proposed sensitive end use mean that a risk of impacts of land contamination is present if not adequately considered. No information is included in the application in respect of land contamination. We do not object in principle to the development on these grounds but would recommend that the any permission granted is conditioned to require site assessment prior to the commencement of development, and should remedial measures be required that a site-specific scheme of works is agreed with the LPA prior to commencement.

Site Visit:	Yes ☐	No ☒
Details: No site visit was conducted as part of this application, but the site is well known to the case officer and was visited as part of pre-application discussions last year. Photographs of the site are included in the submitted ecological survey report.		

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 & S8; and Development Management policies DM1, DM2, DM6, DM8, DM11, DM12, DM13, DM14, DM22, DM23, DM29 & DM30. Supplementary Planning Documents: Quality Places; Residential Parking Standards; Character Area Appraisals; Botley Conservation Area Appraisal; Trees and Development.
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Assessment: Site Context: The site lies within the Botley Conservation Area and just off Botley Square, which is the main commercial/retail area of the village. This is made up of a mix of shops, pubs and restaurants, offices, community uses and residential properties. The immediate wider area is predominantly residential in nature and made up of a mixture of dwellings of varying ages, styles and sizes. The application site sits to the rear of three properties which front onto Botley Square, one of which is a retail unit currently used as a cycle shop, formerly a butchers, with the other two being residential dwellings. None are listed. The site is formed of a residential garden – to the eastern side – which serves No.18, with the remainder of the site appearing to be in commercial use given the nature of the outbuildings and activities taking place. One of these outbuildings is of some age and was previously used as an abattoir linked to the former butchers. The three existing properties which front onto the square form the southern site boundary. The western boundary is predominantly marked by the flank wall of an existing brick outbuilding which was associated with the original butchers on site. The northern boundary is a 2.0 metre high brick wall onto Warner Mews to the rear of the site, and the eastern boundary is marked by a 1.2 metre high timber fence onto the neighbouring car park area. Access to the site is via a narrow gap in buildings which front the square – approx. 3.0 metre wide. Proposals: The application seeks consent for the construction of 3no. two bedroom terraced dwellings with ancillary amenity space and parking, following demolition of the existing buildings and structures currently on site. The terrace would run east-west across the rear half of the site, each with a parking space and small areas of landscaping to their frontages, with modest external amenity spaces/gardens to the rear (northern) side of the terrace. Vehicular and pedestrian access to the site would be via the existing access directly from The Square, with the proposed site layout plan showing a set of gates. A small garden area would be retained for No.18, which fronts The Square, together with space provided to the rear of the remaining properties for the storage of bins, etc.

The terrace block would generally be of a two storey scale, albeit much of the first floor accommodation is effectively within the roof space, given the low eaves. The design also includes pitched projecting gables and dormers to the front and rear elevations.

Policy & 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 policies in this instance are DM1 and DM12 of the Local Plan.

Policy DM1 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.

As the application site lies within the Botley Conservation Area Policy DM12 is of relevance. This policy relates to Heritage Assets, which includes listed buildings and conservation areas, and states that “Development of a heritage asset or within its setting will be permitted provided it does not harm or detract from the significance or special interest of the asset, and sustains and enhances its special character and qualities.” The policy goes on to set out more specific requirements dependent upon the importance of the asset.

Whilst within the boundaries of the Botley Local Centre, Policy DM22 is not relevant as it relates to the change of use of retail and commercial units fronting The Square.

In principle therefore, there is no objection to appropriate redevelopment of the application site, which is in need of some attention to improve its appearance. The issue therefore is whether that proposed is appropriate and accords with the relevant policies of the adopted Local Plan.

Planning History:

In addition to the policy background, the site’s relatively recent planning history is a material consideration which carries some weight. Application C/16/79036 was refused in October 2016 and later dismissed at appeal in September 2017. This application proposed the construction of 3No. two bedroom flats in a pair of two storey blocks, which included undercroft parking. It was refused on a number of grounds which were summarised by the Appeal Inspector as:

- 1) The effect of the proposal on the character and appearance of the surrounding area, with particular regard to its conservation area location;
- 2) The effect of the proposal on the living conditions of neighbouring occupiers, with particular regard to outlook, privacy and daylight entry;
- 3) Whether the proposal would provide for a satisfactory standard of living conditions for the development’s future occupiers, with particular regard to the scheme’s layout and design, and also in terms of privacy; and
- 4) The effect of the proposal on the local highway network, with particular regard to demand for on-street parking and servicing.

The Inspector found harm on all four main issues, which he described as “compelling”.

Although not identical, the development currently proposed is not dissimilar to the dismissed scheme. Theoretically that now proposed is of a greater scale, being for 3No. two bedroom houses, as opposed to flats, which are not required to provide the same level of amenity space, etc.

Whilst this appeal application was determined a number of years ago, since which time a new local plan has been adopted, much of the site context remains unchanged, where as things have changed quite considerable around Botley which has seen a significant amount of new housing development, which is part of the reason for the concerns raised by objectors in relation to traffic impact, etc. In addition to a new local plan, national planning policy has moved on considerably in relation to the need for development to meet a higher standard of design and create 'beautiful' places for people to live.

Layout, Design, Street Scene & Area Character:

The current site does sit a little at odds with the nature of the predominantly residential surrounding development, although its commercial use is something of a left over from years past when Botley was a thriving local centre and before it was taken over by nearby settlements like Hedge End. The site is also in need of visual improvement and at present does little to help with the appearance of the conservation area and its appropriate redevelopment would no doubt enhance the visual amenity of the area. However, the site has a number of significant constraints which any proposed redevelopment scheme will need to carefully take into account and work with.

The first of these are the properties to the immediate south of the site which front The Square, Nos.18, 20 & 20a. No.18 is a residential property which benefits from a garden to the rear. The proposals do retain a garden space for this property but of a substantially smaller size than it originally had and at only around eight metres deep, would be well under the 'Quality Places' SPD requirement for north facing gardens to be a minimum of twelve metres deep. This would negatively impact the amenity of occupiers of No.18.

In relation to No.20, this is a commercial unit which is used by a cycle sales and maintenance business. It is not clear if No.20 currently has the ability or right to access from the rear, but the proposed layout would allow for this if required.

As for No.20a, this is a residential property which is currently occupied by the proprietor of the business which is run from the rear of the site, and who uses the proposed access as off-street parking. Whilst this property does not currently have a garden, there is scope to use some of the rear 'yard' space for amenity purposes. This is something which has not been taken into account as part of the proposed development, meaning that No.20a would be left with no external amenity space or parking provision.

Another significant site constraint is the Horse Chestnut tree which sits just outside the application site but which has a root protection area and canopy which encroaches over the site boundary. While the presence of the current boundary wall is likely to have limited the spread of roots in the direction of the application site, meaning that suitably engineered foundations could be used to minimise impact, it is likely that the canopy of the tree would need to be substantially cut back to make room for the proposed building. It is also likely that there would be future pressure for further regular works to the tree to keep it away from the building, which would not help its longevity.

The proposed layout does not appear to have adequately taken these physical site constraints into account. The terrace block is very close to the Chestnut tree, which will impact light levels to the rear elevation of the central dwelling in particular, as well as producing additional shading of the garden space, which is already shaded by the dwelling itself. As with No.18, the proposed gardens for the new dwellings are considerably under the twelve metre minimum of the 'Quality Places' SPD for north facing gardens. Whilst the more 'urban' location of the site could justify shallower gardens than required by the SPD, those proposed only average 5-6 metres in depth.

The position and orientation of the terrace block is also likely to result in overlooking and loss of privacy between the proposed dwellings and rear windows of Nos.18 – 20a, given that the elevations are only approximately 13-14 metres apart. The 'Quality Places' SPD requires a separation distance between first floor windows of at least 22 metres.

In terms of the general form and scale of the proposed dwellings, there is no objection in principle to their modest two storey scale, or to the proposed use of materials which are found in the locality and could be secured via conditioned. As to the design, whilst not unattractive, the resulting elevational appearance does lack the attractive simplicity and character of neighbouring more historic development or that of the more recent Warner Mew terrace behind the site.

Whilst in principle there is no objection to redevelopment of the site for residential purposes, the application submission does lack a detailed justification for that proposed or an assessment of the site's surrounding context. Given the site's position in the heart of the conservation area, this omission is disappointing. This is an issue which has been picked up by the Council's Urban Design Officer, who goes into more detail as to other specific points of the layout and design which are lacking.

The design quality of that proposed is not considered to be of a sufficiently high standard for the importance of the site's position within the Botley Conservation Area. The layout has not adequately taken into account the physical constraints of the site or its immediate surroundings, and its inability to even get close to minimum standards in terms of amenity space and parking provision does suggest that the proposal would amount to an overdevelopment of the site. Overall therefore, it is not considered that the proposed scheme meets the requirements of Policies DM1 or DM12 of the adopted Local Plan or the Council's 'Quality Places' SPD.

Amenity:

Existing Neighbours:

Concerns have been raised by neighbours in relation to loss of privacy, light and outlook from existing properties both in front and behind the proposed development.

With regards to privacy, the issue of the close proximity of the proposed terrace block to Nos.18-20a and a separation distance of only 13-14 metres has been mentioned above, which would result in an unacceptable degree of overlooking and loss of privacy for both existing and future occupiers of the development. Equally, the distance between that proposed and No.5 Warner Mews to the rear of the site at approximately 18 metres is again under the 22 metre minimum distance required by the 'Quality Places' SPD. Again therefore, there would be an unacceptable degree of overlooking resulting in a loss of privacy contrary to the requirements of Policy DM1 and the 'Quality Places' SPD.

With regards to light and outlook, whilst the view from Warner Mews properties would be altered, the proximity and relationship between these properties and the proposed development is such that there would be no unacceptable loss of light or outlook. Loss of light and outlook for No.18 was an issue of the previously refused scheme, which included a flank gable wall on the rear garden boundary. This current scheme is an improvement in that it would be set off the rear garden boundary and of a lower pitched roof form. There would still be a significant effect on the outlook from the rear of No.18 and when using its garden. However, given the relatively dense form of development in the centre of the village, it would be hard to use this as a justifiable reason on its own to refuse the application. Equally, there would be no unacceptable loss of light for No.18.

There is the potential for the proposed development to impact some windows on the eastern elevation of the neighbouring flat block, but these windows all appear to be secondary windows which do not serve main habitable rooms.

Future Occupiers:

With regards to the amenity of future occupiers of the development, the same concerns in relation to overlooking and loss of privacy apply as set out above. Whilst the dwellings would receive good levels of natural light to their southern elevation, at least one of the three proposed would be adversely impacted by shading from the adjacent Chestnut Tree, the canopy of which would be in very close proximity to rear windows and overshadow the garden space to an unacceptable extent. In terms of outlook, the frontage would be generally dominated by parked vehicles and hardstanding, albeit there is some scope for

landscaping to soften this impact. To the rear the small garden spaces and wider views over the boundary wall would be reasonable. Notwithstanding, the loss of privacy for future occupiers is a concern and contrary to Council policy and guidance.

With regards to Policy DM30 and internal space standards, Units 1 & 2 just meet the minimum requirement of 70 square metres for a two bedroom dwelling, with Unit 3 just exceeding it by a few square metres.

Access, Parking, Servicing & Highway Matters:

Access:

Both the Council's Urban Design Officer and Heritage Consultant have suggested that the scheme could be improved if access to the site could be gained from Warner Mews to the rear of the site. This would allow private gardens to be positioned to the southern side of the building, improving outlook and the quality of the amenity space. This could certainly address some of the current concerns, however, is not what is before the LPA to determine. It is also not clear if access from the rear of the site, even for pedestrians, is achievable as Warner Mews is a private street.

As such, the only access to the site is via the existing narrow approach directly from The Square. In principle, this is acceptable as it is an existing access point. However, it is not ideal, and concerns have been highlighted by objectors and mentioned in the Hampshire Highways response in relation to pedestrian safety and proximity to a bus stop. Whilst acknowledging sightlines along the pavement are poor, given the buildings to either side limit views, vehicles exiting the site should be travelling at very low speeds and the pavement is wide enough for pedestrians to be able to move out of the way quickly should they need to. While a concern, it is not considered that this could be sufficient to refuse the application.

The submitted site layout drawing shows a set of gates across the entrance, presumably to provide security and prevent unauthorised parking. Whilst there is no policy objection to this, the inclusion of entrance gates is not something encouraged by the LPA. However, again it is not something that would warrant a refusal of the application. Notwithstanding, there would be a need to move these gates further into the site – at least 6.0 metres – so that vehicles can pull completely off the road and pavement whilst waiting for the gates to be opened. Such a setback would ensure that they would not be overly visible in the street scene. It would also be possible to apply a condition requiring details of the gates design and appearance to be agreed with the LPA were the application to be approved.

Parking:

The application proposes a single allocated space to the front of each proposed unit. This would not be in accordance with the Council's 'Residential Parking Standards' SPD, which requires a minimum of two spaces per unit, plus 20% visitor parking. Whilst within a reasonably sustainable location where a slightly lower standard could be considered acceptable, as has been set out in many of the representations received, Botley currently lacks general public parking provision. This has resulted in many issues of illegal parking for residents and has been highlighted as a particular problem in Warner Mews.

Insufficient parking was also an issue of the dismissed appeal, in which the Inspector raised concern that without adequate parking provision there would likely be issues of overspill parking into neighbouring streets and the square itself. Replacement parking for that lost to Nos.18 – 20a was also an issue and is again. Whilst there may be scope to provide some informal parking within the shared parking area, this space is not considered sufficiently large enough to accommodate the potential 4 – 6 spaces required for the existing dwellings.

As such, the scheme does not provide sufficient parking to serve the proposed development or existing and is contrary to Policy DM14 of the Local Plan and the Council's 'Residential Parking Standards' SPD and will form a reason for refusal.

Servicing:

Concern has also been raised that servicing of the development will be difficult due to the single point of access. This is not an unusual situation. However, it is acknowledged that location of the access directly onto the square and immediately adjacent to a bus stop is far from ideal. Notwithstanding, there would be the ability for delivery vans to pull into the site, and whilst tight, there is just about sufficient room to turn around and exit.

Bin collection for the development would also be from the square, which is an existing situation for a number of properties. Whilst narrow, there should be just enough width for a bin collection point to be provided to the side of the access and still allow a vehicle to enter and exit the site. However, there is a concern that such a collection point could become the place used to store bins on a permanent basis and that they could easily end up spilling out onto the pavement, blocking pedestrian access next to the bus stop. It would also be a rather unsightly feature within the heart of the conservation area, detracting from the visual amenity of The Square.

Highways:

In terms of other highway issues, no objection to increased vehicle movements and general highway impact has been raised by the Highway Authority, although some concern as to the suitability of the access and whether sufficient parking has been provided have been set out as concerns.

Trees:

There are no trees on site but there is a fairly sizable Horse Chestnut just outside the site along the northern boundary. While not subject to any specific preservation order, it is protected by virtue of being within the Conservation Area and has been categorized as a 'B' grade specimen. The tree is an early-mature specimen, with an overall reported height of 14 metres. Therefore, the tree is not yet fully grown.

The report states that the tree will have to be pruned to accommodate the residential structures. The reduction of the branches on the southern side would provide a more acceptable relationship to the dwellings but by doing so it is accepted by the applicant that there is a poor relationship at present (in the plans). In other words, the existing, protected tree would be impacted by the proposal as it currently stands. The trees and Development SPD states that layouts must be designed to ensure that retained trees are able to grow and mature in the space provided (i.e. without the requirement for pruning).

In addition, pruning for clearances is the minimum required to accommodate these residential units. It is highly likely that, given the dominance of the tree's crown over the residential space provided, that there will be significant pressure from future residents to prune the tree by a greater amount than just for clearance. The report does not address this issue of dominance. The application, therefore, has not suitably demonstrated that the position of the residential units in relation to the growing tree will not result in continuing impacts on the tree, post-development. It does not therefore accord with the requirements of Policy DM1, DM12, the Councils 'Trees and Development' and 'Quality Places' SPDs.

Nature Conservation:

The submitted ecology report shows that the application site has relatively limited habitat potential, although there are records of protected species, such as bats and hedgehogs in the locality. Having reviewed the submitted report, the Council's Ecologist has raised no objection and is satisfied that there is scope to provide suitable biodiversity mitigation and enhancement as part of the development.

Habitats Regulations:

No Habitat Regulations Assessment has been undertaken for the proposed development, given the intention to refuse the application. However, were the application to be approved, there would be a need to secure mitigation towards designated nature conservation sites within and around The Solent and New Forest National Park which are being impacted by pressures from increased recreational use and increased nutrients from waste water associated with new residential development impacting water quality

and effecting sensitive habitats. Failure to secure this mitigation will therefore be used as a further reason for refusal.

Drainage & Flooding:

No details for drainage have been provided at this stage and cannot be finalised until full investigations into potential land contamination and any required mitigation has been undertaken.

Whilst Warner Mews to the rear of the site does fall within the Environment Agency's 1:1000 year surface water flooding zone, the application site lies outside. As such, flooding is not expected to be an issue for the development. There is also scope to ensure that drainage of the development is such that it does not add to flood risk for surrounding development.

Sustainability Measures:

No specific mention as to what if any sustainability measure would be incorporated into the development has been provided. There may be scope to include PV panels to the southern roof slopes, however, care would need to be taken to ensure that these are appropriately integrated into roof and not visually prominent, given the site's location within the conservation area and that the development would be visible from The Square, albeit through the access gap.

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 ☒

Whilst in principle there is no objection to redevelopment of the application site for residential purposes, that proposed is not considered to be appropriate and would be an unacceptable overdevelopment of the site, resulting in poor quality amenity space for existing and future occupiers, and insufficient parking provision. It would also result in unacceptable overlooking and loss of privacy to neighbouring properties. In addition, it would provide a poor quality of external amenity space for future occupiers and likely lead to unwanted pressure to undertake works to the adjacent Chestnut Tree, to its detriment and that of the character of the conservation area. Equally, there has been an inadequate assessment of the site constraints and the part it plays within the wider conservation area.

For the reasons set out above, the application is recommended for refusal on the following grounds:

1. The proposed development, by virtue of its layout, form, scale, design, appearance and quantum of development would result in an unacceptable overdevelopment of the application site which fails to take sufficient account of the site constraints, surrounding context and Conservation Area, to the detriment of neighbouring occupiers and uses, as well as the character and appearance of the Botley Conservation Area. As such the application is considered to be contrary to Policies DM1 & DM12 of the Eastleigh Borough Local Plan (2016-2036) and the Council's 'Quality Places' Supplementary Planning Document.
2. The orientation and proximity of the proposed development in relation to existing properties would result in an unacceptable loss of privacy between Nos.18 to 20a High Street and No.5 Warner Mews, to the detriment of the amenity of occupiers of both the existing and proposed properties. As such the application is considered to be contrary to Policy DM1 of the Eastleigh Borough Local Plan (2016-2036) and the Council's 'Quality Places' Supplementary Planning Document.
3. The proposed development fails to provide adequate off-road parking provision for both the existing and proposed development, or give sufficient detail as to how the development would be serviced, which would likely lead to further parking issues in the local area to the detriment of the amenity of existing surrounding uses and residents. As such the application is considered to be contrary to Policies DM1 & DM14 of the Eastleigh Borough Local Plan (2016-2036), as well as the Council's 'Quality Places' and 'Residential Parking Standards' Supplementary Planning Documents.
4. The layout and design of the development, by virtue of the small north facing gardens and additional shading of the adjacent Horse Chestnut tree would result in a poor quality external living environment for future occupiers of the development, to the detriment of the residential amenity of these occupiers. As such the application is considered to be contrary to Policy DM1 of the Eastleigh Borough Local Plan (2016-2036) and the Council's 'Quality Places' Supplementary Planning Document.
5. The application has not suitably demonstrated that the position of the residential units in relation to the adjacent Horse Chestnut tree will not result in continuing post-development impacts on the tree through pressure to adversely prune or

remove branches, to the detriment of the health of the tree and the visual amenity and character of the Botley Conservation Area. As such the application is considered to be contrary to Policies DM1 & DM12 of the Eastleigh Borough Local Plan (2016-2036), as well as the Council's 'Trees and Development' and 'Quality Places' Supplementary Planning Documents.

6. The application fails to provide the required mitigation to offset the impacts of the development upon the European protected Solent Complex (SPA, SAC and Ramsar sites), River Itchen (SAC) and New Forest National Park (SPA, SAC and Ramsar sites) from additional recreational pressure and nitrogen loading generated by the population increase and additional sewage resulting from the development. The proposal is therefore contrary to the requirements of Policy DM11 of the Eastleigh Borough Local Plan 2016-2036, the provisions of the NPPF (2021) and the Conservation of Habitats and Species Regulations 2017.