

DELEGATED OFFICER REPORT

Application Ref: F/22/94044

Site Address: 242 LEIGH ROAD, CHANDLER'S FORD, EASTLEIGH, SO53 3AW

Case Officer: Alex Webb

Description: Erection of 1no. four-bedroom detached house with associated car parking, bin and bike storage in rear garden of existing dwelling

Particular Site Constraints?	Yes ☒	No ☐
Nature Conservation- NE - SSSI Impact Risk Zones Aviation safeguarding Airport Safeguarding Zones Nature Conservation HRA Screening Criteria River SAC, SPA, Ramsar AQMA Air Quality Management Area Nutrient Neutrality Catchment		

Planning History?	Yes ☒	No ☐
Z/31702/000/00 - Outline: Erection of Dwelling – Refused 11/07/1990 Z/31702/001/00 - Erection of Single Storey Dwelling following Demolition of Existing – permitted 27/05/1992 H/22/93513 - two storey front extensions to provide habitable accommodation in loft, new porch and alterations to the fenestration – permitted 24/11/2022		

Publicity:	Letters ☐	Site Notice ☒	Newspaper ☐
Representations:	1 x Objection - cars drive up passing garden - pollution coming into house/garden noisy, - happier with the original plans if any building to be built.		
Parish Council:	No response		
Highways	In regard to application F/22/94044, the proposals are acceptable with no highway objection , subject to conditions. The plans (drawing 102 Rev B) clearly show the extent of the widened vehicle crossover / drop kerb, and this is acceptable, being widened away from the adjacent bus stop, enabling an easier turn into site, and better accommodating two-way movements should this occur. Additionally, the on-site layout is acceptable with a dual width driveway, adequate parking areas, and turning space to allow for forward gear access and egress. Applicants should however be made aware that subsequent to any permission that may be forthcoming from EBC as Local Planning Authority, a separate permission will onwards be required from HCC as Local Highway Authority to undertake the vehicle crossover / drop kerb works on the highway. Condition recommended.		
Trees	The only tree of note is the significant, protected tree to the front of the applications property (adjacent to Leigh Road). The submitted arboricultural information is sufficient to demonstrate how the tree can be protected and retained. However, we will require some details on the supervision of the driveway access. Therefore, we raise no arboricultural objection to the proposal, subject to conditions.		
Ecology	There are records of bats, breeding swifts, toads and hedgehogs in the area.		

	The site layout has been amended (Rev C, 20/5/23) to include almost continuous green infrastructure along the western boundary and continuous green infrastructure along the eastern boundary. The planting must include shelter for small animals to move through the garden along the boundaries, this can be conditioned in the landscape plan, along with appropriate biodiversity enhancements as recommended in the PEA report. The locations of proposed soakaways appear to be appropriate and can be checked by the buildings inspector. The specific details of permeable paving can be conditioned and agreed along with the landscape plan. A maintenance plan for the permeable paving can also be conditioned. I have no further objections.
Natural England	I can confirm that for this application it is not within the distance of the Solent Mitigation & Disturbance Zone in relation to recreational disturbance as it is over 5.6km away. Recreational Impacts on New Forest Special Area of Conservation (SAC), Special Protection Area (SPA) - Objection As submitted, we consider it will have an adverse effect on the integrity of New Forest Special Area of Conservation (SAC), Special Protection Area (SPA) and Ramsar site in combination with other plans and projects. There is a significant level of uncertainty as to the effectiveness of the proposed in-borough measures to address recreational impacts on the New Forest in-combination with other planned development in the area. We advise it would not be currently possible to conclude no adverse effects on the integrity of the New Forest designated sites. Deterioration of the water environment - comments <u>Phosphorus Impacts</u> No more information required. <u>Nitrogen Impacts</u> To offset the nitrogen burden of 3.41kg TN/year discharging from the proposed dwelling, the applicant has agreed to purchase nutrient mitigation from Eastleigh Borough Council's strategic nitrate mitigation scheme. We consider your authority's strategic solution for nutrient mitigation to be ecologically sound. Natural England is of the view that if these measures, including contributions to them, are implemented, they will be effective and reliable in preventing harmful effects from excess nitrogen loads on the designated site(s) for the duration of the proposed development. This advice is provided on the basis that all mitigation measures will be secured as planning conditions or obligations by your authority to ensure their strict and timely implementation for the full duration of the development. Your authority should be assured that proposed financial contribution rates are proportionate to the identified effects of the proposed development, suitably precautionary, and in line with the Retail Price Index, where relevant.

Site Visit:	Yes ☒	No ☐
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Policy:

National Planning Policy Framework Planning Practice Guidance

Development Plan:

The Eastleigh Borough Local Plan 2016-2036 The most relevant policies are Strategic policies S1 (Sustainable development), S2 (Approach to new development), S3 (Location of new housing) and Development Management policies DM1 (General development criteria), DM2 (Environmentally sustainable development), DM4 (Zero or low carbon energy), DM3 (Adaptation to Climate Change), DM6 (Sustainable surface water management and watercourse management), DM10 (Water and waste water), DM11 (Nature conservation), DM13 (Transport), DM14 (Parking), DM23 (Residential development in urban areas), DM26 (Creating a mix of housing), DM29 (Dwellings with higher access standards), DM30 (Internal space standards for new residential development), DM38 (Funding Infrastructure).

Supplementary Planning Documents:

- Trees and Development (2021)
- Quality Places (2011)
- Residential Parking Standards (2009)
- Biodiversity (2009)
- Environmentally Sustainable Development (2009, Updated 2015)
- Planning Obligations (2008)
- Affordable Housing (2009, Updated 2016)

Other Relevant Documents

- Air Quality Action Plan 2020 – 2025

Assessment:

No 242 Leigh Road is a detached bungalow set in a long linear plot. The front elevation faces south with vehicular access from Leigh Road. It is surrounded by residential properties and the area is characterised by a mix of 1½ - 2 storey detached and semi-detached dwellings.

The site is located on the northern section of the plot and currently forms part of the rear garden to the property. The site has been cleared of overgrown vegetation and the boundary treatment consists of 1.8m close board timber fencing.

This proposal is for a detached, two-storey 4-bed dwelling and detached double garage. A driveway and small amenity area would be to the front (north east) and the majority of the private amenity area would be to the rear (south west). The vehicular access would run parallel with the north east boundary of the site, past the existing property through to Leigh Road.

Principle

The site lies within the urban edge and the basic principle of development is acceptable provided it accords with the relevant planning policy and supplementary guidance requirements.

Layout & Design

The resultant size of the plot is comparable to other plots with detached properties in the locality, particularly those in Tangmere Rise and Symonds Close.

The area to the north of 242 Leigh Road is of a moderate size and a single detached dwelling in this location would allow for sufficient space and separation distances from the existing dwelling. The resultant size dwelling and plot size is considered to be in-keeping with the residential character of the area and existing pattern of development.

Internally, the property would meet the Nationally Described Space Standards and provides a good level of internal space for future residents in accordance with local plan policy DM30. Access to the dwelling and WCs would be step-free to make it suitable for a range of potential occupants (including older people, individuals with reduced mobility and some wheelchair users) in accordance with Part M4(2) standard (*accessible and adaptable dwellings*) of the building regulations for new build residential development and is to be secured through condition.

The main private amenity space to the rear would meet the requirements as set out in the Quality Places SPD (2009) with some additional amenity space provided to the front, adjacent to No. 7 Tangmere Rise. An area for the storage of refuse (waste and recycling) bins have been provided between the property and the proposed double garage.

The design of the proposed dwelling would be two storey and feature hipped rooflines, casement windows with Georgian bars and a brick and render finish. These characteristics would be in keeping with the character and style of that evident in Tangmere Rise and would be encouraged.

Residential Amenity

The location of the dwelling within the site has been revised following concerns over the separation distances from neighbouring properties which could have caused the potential for overlooking and loss of privacy. The dwelling was therefore moved further towards the south west and the access relocated to the side of the proposed property and the driveway to the front (north east). The resultant relationship of that proposed to existing dwellings is such that no unacceptable overlooking or loss of privacy would occur. There are no windows at first floor level on any side elevations. The first-floor windows to the front and rear while would not cause any unacceptable overlooking. Equally, the proximity and orientation of that proposed to neighbouring dwellings is such that there would be no loss of outlook or light. Overall, the proposed dwelling is unlikely to cause demonstrable harm to neighbouring residential living conditions/amenities.

In terms of the quality of environment for the future occupiers, the proposed works would make positive use of the space available with an open plan kitchen/dining room and the provision of bi-fold doors to both the dinning and living areas would provide good levels of light and outlook. These together with the good size south west facing rear garden mean there would be sufficient levels of private amenity of future occupiers.

Highway Impacts

There would be 5 parking spaces provided to the front (north east) of the proposed property; two within the proposed double garage and three on the proposed driveway. The total parking provision would therefore accord with policy DM14 and the Residential Parking Standards SPD (2009).

The access is already in-situ and would be increased further towards the north east to serve the proposed dwelling and would run parallel with eastern boundary. In principle, the county Highway Officer has raised no objection and the development would provide a satisfactory means of access. The extended access would be located adjacent to the existing property No 242, No 238 Leigh Road and the rear garden of No 6 Tangmere Rise. The vehicle movements generated would be from a single dwelling only and therefore the proposal is

not considered to result in an unacceptable level of noise and disturbance in accordance with local plan policy DM1.

No dedicated covered cycle storage details have been provided however a suitably worded condition will be imposed on the decision in relation to this.

Trees

The rear garden of 242 Leigh Road is not considered to contain any significant trees however there is a protected tree to the front of the existing property, adjacent to Leigh Road. The applicants have submitted arboricultural information is sufficient to demonstrate how the tree can be protected and retained. The proposal is therefore considered to comply with local plan policy DM11 and a suitably worded condition is imposed in relation to supervision of works to the driveway.

Ecology

The revisions to the layout and provision of green infrastructure along the western and eastern boundaries allows for the provision of biodiversity enhancements and net gain. Environmental protection measures are to be agreed through the submission of a CEMP. The proposed works are not therefore considered to result in a likely significant impact on biodiversity, subject conditions being imposed in accordance with local plan policy DM11.

Impact on Special Protection Areas

In the absence of mitigation, the proposal is considered to result in a significant impact on a European Protected site (SPA, SAC or Ramsar). An HRA (Habitat Regulations Assessment) Screening Matrix and Appropriate Assessment Statement was prepared and submitted to Natural England for this development as it falls inside the designated zone of impact.

Natural England have advised that the increase in wastewater from new housing developments within the borough is having a detrimental effect on the quality of water entering the Solent catchment area through nitrification. As such all development for additional housing are required to reach nutrient neutrality (ensuring that development does not add to existing nutrient burdens), in order to meet the requirements of the Conservation of Habitats and Species Regulations 2017 (as amended). The proposed development is required to achieve nutrient neutrality for nitrogen and phosphates.

To mitigate for the increase in nutrients the developer intends to purchase nitrate credits from the Eastleigh Borough Council scheme, which takes land out of agricultural uses and creates recreational spaces thus reducing the nutrient output of the land. The developer will need to provide evidence of this mitigation via a pre-occupation condition.

Recreational Disturbance

The site is within the 13.8km catchment area for the New Forest Special Protection Area. It is recognised that new housing developments within this catchment area is likely to result in additional visitors to these protected sites. In order to mitigate for this impact, the developer has paid into 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).

The council have advised Natural England of its decision and given them a 21-day notification period. As such a condition will be imposed to ensure that that development does not start before the 21-day notification period has been completed, as required by Section 28(6) of the Wildlife and Countryside Act (1981).

Other material considerations

Drainage

The proposed works are not considered to result in a likely significant impact on foul sewers and surface water drainage subject to a pre commencement condition being imposed on the consent to ensure satisfactory provision of foul sewers and sustainable surface water drainage for the development, to protect biodiversity, hydrology and to help limit the impact the development has on the locality

All new housing development needs to incorporate a sustainable drainage system, which should include naturalised filtration where possible. A sustainable water drainage plan needs to be included within the planning submission and a ground survey should be undertaken to establish whether infiltration is possible.

Sustainability Measures:

The new dwelling would be designed to maximise energy through the increased efficiency of the building fabric and this would be enforced through current building regulations. It would also incorporate water saving measures to ensure mains water consumption is no more than 110 litres/person/day which would be imposed through 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: For the reasons set out above, the application is recommended for planning permission, subject to conditions.

Recommendation:	PERMIT ☒	REFUSE ☐
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Comments ...
