

DELEGATED OFFICER REPORT

Application Ref: X/23/95613

Site Address: 20 THE RIDINGS, BISHOPSTOKE, EASTLEIGH, SO50 8PR

Case Officer: Rachael Morris

Description: Variation of condition 8 (Building Regulations Part M4(2)) of F/22/94150 for the Construction of an attached end-of-terrace 1.no bedroom dwelling with associated dropped kerb

Particular Site Constraints?	Yes ☒	No ☐
• Aviation Safeguarding 10m< • Within the urban edge • Adjacent to a Right of Way		

Planning History?	Yes ☒	No ☐
• Z/13579/008/0B - Erection of 35 3-bed dwellings – Permit – Aug 1978 • Z/13579/008/0C - 54 dwellings with garages – Permit – Dec 1978 • Z/29586/000/00 - Erection of garage and conversion of existing garage to dining room – Refuse – Jun 1987 • F/22/94150 - Construction of an attached end-of-terrace 1.no bedroom dwelling with associated dropped kerb – Permit – Feb 2023		

Publicity:	Letters ☒	Site Notice ☐	Newspaper ☐
Representations:	None		
Parish Council:	No Comment		
Ecology:	I don't see that the ecological or surface water drainage aspects of the original application are affected by this variation of condition application. No objection.		
Hampshire Highways:	In regard to application X/23/95613, and the variation of condition 8, given this condition is not highway related, no comments are made.		

Site Visit:	Yes ☒	No ☐
Details: 13/12/2022		

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 and S2; and Development Management policies DM1, DM2, DM6, DM11, DM14, DM23, 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, DM2, DM6, DM11, DM14, DM23, DM29 and DM30 from the 2016-2036 local plan, in that:
<u>Principle</u>
• The development is within the urban edge where the principle of development is acceptable.

- The condition to be amended currently reads “Prior to the occupation of any dwelling hereby approved, evidence that the dwelling complies with Part M4(2) standard (Accessible and adaptable dwellings) of the building regulations for new build residential development (or future equivalent), shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out otherwise than in accordance with the approved details. Reason: To ensure the development meets higher national access standards in accordance with policy DM29 of the Eastleigh Borough Local Plan 2016-2036”
- The application has been submitted as it is not possible to achieve this standard across the whole dwelling and as such the applicant requests this to only be applicable at ground floor level.

Proposed Variation

- The proposed variation of the condition would read: “Prior to the occupation of any dwelling hereby approved, evidence that the **ground floor level** of the approved dwelling complies with Part M4(2) standard (Accessible and adaptable dwellings) of the building regulations for new build residential development (or future equivalent), shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out otherwise than in accordance with the approved details. Reason: To ensure the development meets higher national access standards in accordance with policy DM29 of the Eastleigh Borough Local Plan 2016-2036”
- Whilst it is regrettable that this standard cannot be met across the whole dwelling, it is noted this can be achieved at ground floor level which still has the potential to assist residents through their stages in life.
- Policy DM29 states a target of 80% of dwellings on each site should achieve Part M4(2) and as such it is considered that other dwellings within the borough will continue to provide appropriate housing at this building regulation standard and this dwelling will still make a small contribution at ground floor level.

Other material considerations

- There will be no adverse impact upon trees or other natural features worthy of retention.
- The proposed dwelling measures approx. 6.4m high and as such did not require consultation to Southampton Airport.
- A figure of £2,220 per dwelling has been paid upfront under application F/22/94150 to mitigate against recreational impacts on the New Forest. In addition, to mitigate the recreational impact on the Solent, a fee of £390 per 1 bed dwelling has been taken upfront.
- As these payments were previously secured and the assessment carried out, the proposal has been screened out at the Habitats Regulations Assessment stage as this is the same built form as previously agreed and mitigated for. The nitrate mitigation for nutrient neutrality will continue to be conditioned, to be secured prior to occupation. The Local Planning Authority, as the competent body under the Habitats and Species Regulations (2017) are satisfied that the mitigation secured and proposed is sufficient to address the impacts arising from the development upon European Protected Sites.

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 ...