

Delegated Report:

Application Number: F/23/95527
Case Officer: Gary Osmond
Received Date: Wednesday 28 June 2023
Site Address: 2,4,6,8 Toynbee Road and 2,3,4,5 Romsey Close, Eastleigh, SO50 9DP
Applicant: Churchill Retirement Living
Proposal: Redevelopment for retirement living accommodation for older people comprising 83 retirement apartments including communal facilities, access, car parking and landscaping
Recommendation: REFUSE

REASONS FOR REFUSAL:

Form, scale, height and design; impact upon the street scene and character of the locality:

The proposed development, by virtue of its form, scale, height and design is considered to be excessive, unnecessarily large and of a generally poor quality and ill thought through design which is wholly inappropriate to the site's context, the pattern of development and character of the surrounding area, to the detriment of the street scenes of Toynbee Road, Romsey Close and Toynbee Close, together with the visual amenity and character of the locality. As such, the proposal is considered to be contrary to the design requirements of Policy DM1 and E4 of the adopted Eastleigh Borough Local Plan 2016-2036, the Council's 'Quality Places' and 'Accommodation for Older People and Those in Need of Care' Supplementary Planning Documents, the National Design Guide and the National Planning Policy Framework.

Overdevelopment:

The proposed development, by virtue of the number of units proposed and its inability to provide adequate levels of amenity space, on-site parking and tree planting in a manner which does not harm the amenity of the locality, existing neighbours and future occupiers of the development, demonstrates an unacceptable overdevelopment of the site. As such, the proposal is considered to be contrary to Policy DM1 and E4 of the adopted Eastleigh Borough Local Plan 2016-2036, the Council's 'Quality Places' and 'Accommodation for Older People and Those in Need of Care' Supplementary Planning Documents, the National Design Guide and the National Planning Policy Framework.

Impact upon the amenity of neighbouring properties:

The proposed development, by virtue of its height, scale, design, orientation and proximity to No.1 Romsey Close, would result in a visually dominating development, to the detriment of the visual amenity and outlook of occupiers of No.1, together with an adverse level of overlooking, resulting in an unacceptable loss of privacy. As such, the application is considered to be contrary to Policy DM1 of the adopted Eastleigh Borough Local Plan 2016-2036 and the Council's 'Quality Places' Supplementary Planning Document.

The quality of environment for future occupiers:

The proposed development, by virtue of its poorly considered internal and external layout, together with the quantum of development proposed, would result in a poor quality living environment for future occupiers of the development, to the detriment of their amenity. As such, the application is considered to be contrary to Policy DM1 of the adopted Eastleigh Borough Local Plan 2016-2036 and the Council's 'Quality Places' and 'Accommodation for Older People and Those in Need of Care' Supplementary Planning Documents.

Insufficient parking provision:

The proposed development does not provide sufficient on-site parking to serve the development, likely resulting in overspill parking into surrounding streets, to the detriment of the amenity of neighbouring residents, and the wider area. As such, the application is considered to be contrary to Policies DM1 and DM14 of the adopted Eastleigh Borough Local Plan 2016-2036 and the Council's 'Residential Parking Standards' Supplementary Planning Document.

Insufficient new tree planting:

The proposed development does not and cannot, due to the quantum of development proposed and minimal remaining undeveloped space, provide adequate replacement and new tree planting to meet the requirements of the Council's 'Trees and Development' Supplementary Planning Document. As such, the application is considered to be contrary to Policy DM1 of the adopted Eastleigh Borough Local Plan 2016-2036 and the above Supplementary Planning Document.

Biodiversity net gain not demonstrated:

It has not been demonstrated that the proposed development can provide an adequate level of biodiversity net gain or habitat improvements, as required by Policy DM11 of the adopted Eastleigh Borough Local Plan 2016-2036.

Poor site access and lack of segregated vehicle and pedestrian access:

The design of the site accesses onto Toynbee Road and Romsey Close does not provide an appropriate level of vehicle and pedestrian segregation and is laid out in such a way that it could cause traffic to back up on Toynbee Road, to the detriment of the amenity of future occupiers of the development and that of those who use Toynbee Road. As such, that proposed is considered to be contrary to the requirements of Policy DM1 of the adopted Eastleigh Borough Local Plan 2016-2036 and the Council's 'Quality Places' Supplementary Planning Document.

Lack of affordable housing provision:

The application fails to provide provision for on or off-site affordable housing, as required by Policy DM28 of the adopted Eastleigh Borough Local Plan 2016-2036 and the Council's 'Affordable Housing' Supplementary Planning Document.

Lack of planning obligations:

The application fails to provide provision for developer contributions for the off-site provision of facilities and infrastructure (including: Community Infrastructure; Health Provision; Public Open Space and Play Provision; Public Art; and Sustainable Transport Measures) made necessary by the development or to mitigate against any

increased need or pressure on existing facilities. As such the application is contrary to Policies DM13, DM33 and DM38 of the adopted Eastleigh Borough Local Plan 2016-2036 and the Council's 'Planning Obligations' Supplementary Planning Document.

Lack of mitigation towards Solent water quality:

The application fails to provide for the required mitigation to offset the impacts of the development upon The Solent Special Area of Conservation, Special Protection Area and Ramsar Sites from nutrient loading generated by the population increase resulting from the development. The application is therefore contrary to Policies S1, DM10 and DM11 of the Eastleigh Borough Local Plan 2016-2036, provision within the National Planning Policy Framework and The Conservation of Habitats and Species Regulations 2017.

Lack of mitigation towards recreational impact upon the New Forest National Park:

The application fails to provide for the required mitigation to offset the impacts of the development on the New Forest National Park from recreational disturbance generated by the population increase resulting from the development. The application is therefore contrary to Policies S1 and DM11 of the Eastleigh Borough Local Plan 2016-2036, provision within the National Planning Policy Framework and The Conservation of Habitats and Species Regulations 2017.

Description of Application

The application seeks consent to demolish Nos.2, 4, 6 & 8 Toynbee Road and Nos.2, 3, 4 & 5 Romsey Close (the site) and redevelop the site to provide 83 one and two bedroom retirement apartments in a large single elongated 'H' shaped four storey block with ancillary communal accommodation, together with parking and landscaping. The block would span the length of the site, fronting both Toynbee Road and Romsey Close. Access would be available from both Toynbee Road and Romsey Close, with parking running along the northern edge of the site. The main pedestrian entrance would be positioned centrally along the northern elevation and accessed from the car park. Landscaped amenity space would surround the building on the eastern, southern and western sides, with further communal space to the northern entrance.

The application is accompanied by the following reports and technical assessments:

- Planning Statement
- Design & Access Statement
- Statement of Community Involvement
- Transport Assessment
- Travel Plan
- Air Quality Assessment
- Arboricultural Impact Assessment and Method Statement
- Tree Protection Plan

- Ecological Assessment
- Bat Emergence Report
- Flood Risk & Drainage Technical Note
- Nutrient Assessment
- Ground Investigation Report
- Affordable Housing Viability Assessment
- Archaeological Desk-based Assessment
- Energy & Sustainability Statement
- Site Waste Management Plan

The proposal has been screened out under the Town and Country Planning (Environmental Impact Assessment) (England) Regulations 2017 due to the size and nature of the proposed development.

Screening under the Habitats Directive is required due to the development's impact in combination with other development upon the Solent and New Forest SPAs. However, an appropriate assessment has not been undertaken for the reasons set out below.

Site Characteristics and Character of the Locality

The application site lies within the urban edge, close to Eastleigh Town Centre and within the town's designated Renaissance Quarter (Policy E4), which consists of a number of uses, albeit is predominantly residential in nature. Most development fronting the northern edge of Romsey Road is made up of flatted development, ranging from three to five storeys in height. However, the majority of Toynbee Road and Romsey Close is of a much more domestic two storey scale, as is the majority of development to the north of the site.

Development immediately adjacent to the site consists of two storey 1960s semi-detached dwellings in Toynbee Close, including a row of garages, as well as a public footpath which links Archers Road to the east with Toynbee Road. To the east is further two storey terraced development dating from around 1900 fronting Archers Road, together with the more recent three and four storey 'Charlotte Court', a block of 31 retirement flats on the corner of Archers Road and Romsey Road. To the south, fronting Toynbee Road is a recently built three storey block of nine flats known as 'Canada Court'. To the east of this is No.1 Romsey Close which received a committee resolution to grant planning approval for a two and three storey block of seven flats in January 2023. However, formal planning permission has not yet been issued as mitigation payments have not yet been secured. To the south of these two sites is the former Police Station which has recently been redeveloped to create a large nursing home, now known as 'Alston House', which includes a sizable four storey block to the rear of the locally listed former Police Station building. To the west of the site is 'The Crescent Primary School', together with a number of 1930s two storey semi-detached hipped roof dwellings.

The site is made up of eight domestic dwellings and their gardens, together forming a rectangular site approximately 50 metres wide (north to south) and 85 metres deep (east to west) having an area of approximately 0.41 hectares, fronting both Toynbee Road to the west and Romsey Close to the east. The site is generally flat and level

with multiple domestic vehicular access points along both streets. The existing site boundaries to the east and west are as would be expected for properties fronting the street, i.e. a mixture of low boundary walls and planting. The southern boundary is marked by 1.8 metre high timber fences, as is the northern boundary with the adjacent public footpath.

The northern boundary of the site was originally lined by mature trees. However, works were undertaken at the beginning of 2022 to remove these, as well as planting which ran between the garden boundaries of No.8 Toynbee Road and No.5 Romsey Close and the public footpath. These works also included the erection of new timber fencing. This has been investigated by the Council's Enforcement Team who have ascertained that the land which now appears to have been incorporated into the adjacent domestic plots is within the ownership of Hampshire County Council. As such the matter has been passed onto the County Council to investigate and determine what action they wish to take. Some trees do currently remain along the rear boundaries of the existing properties, but it is not proposed to retain these as part of the development.

Relevant Planning History

Other than the odd domestic extension to a number of the existing dwellings, the site as a whole has no previous planning history, other than a pre-application enquiry earlier this year for essentially the same scheme now under consideration.

Representations Received

A total of 14 representations have been received, all objecting to the application for the reasons set out below:

- Too many apartments proposed.
- Four storey height and large scale proposed is not appropriate for the character of the locality.
- Overlooking of private gardens and neighbouring properties.
- Loss of light.
- Oppressive outlook for neighbouring properties.
- Insufficient on-site parking provision to serve residents, visitors, care workers, cleaners, etc.
- Would add to existing traffic issues along Toynbee Road.
- Highway safety concerns.
- Romsey Close would be a better main access.
- Modern design is not in keeping with local area.
- Proposed design is of a poor quality and will not lift the quality of the area.
- Cramped amenity space and poor landscaping.
- Loss of wildlife habitat.
- Trees have already been felled.
- Loss of public land along footpath.
- There are already a number of retirement homes in the area, are more really required?
- Loss of family housing.

- Added pressure on local infrastructure, facilities and services.
- Access to the town centre is across a busy main road.
- Possibility of linking existing public footpath to Romsey Close should be explored.
- Public consultation by developer was “engineered in such a way as to exclude negative comments”.
- Toynbee Road and surrounding streets have already seen enough development.

Eastleigh Town Council – Overdevelopment of site. Potential additional traffic concerns. Inadequate allocated parking available to accommodate residents, visitors and staff.

Consultation Responses

Urban Design – The site layout does not adequately take into account the site context or its immediate surroundings, nor does it create an appropriate transition to visually connect the existing built form to the north and south, with an appropriate layout and street scene. Any proposed building on this site shouldn’t be higher than three storeys. The inability to successfully balance built form, parking and landscape suggests overdevelopment of the site. Consideration to reducing the number of units to diminish the bulkiness of the building and create opportunity for appropriate landscape should be explored.

Landscape Design – Concurs with Urban Design comments with regards to the scale of that proposed and the resulting overdevelopment of the site. Insufficient external amenity space is provided for residents to undertake communal activities or simply enjoy being outside. A useable, attractive and secure garden space is important for the use of residents, visitors and their families who may include young children. Equally, a dark north facing location doesn’t seem to be the right location for the owner’s lounge.

The development must also provide sufficient space for screening of the parking. It is not acceptable to rely on vegetation beyond the site boundary that is not within the applicant’s control.

Winchester & Eastleigh Design Review Panel - “Although it appears that some analysis of the locality has been undertaken, there is no clear design rationale to demonstrate how the development would fit into its existing context in a manner which does not jar with the nature, scale or form of neighbouring development. Nor does there appear to have been any consideration as to how redevelopment of the site could enhance the locality or provide an attractive and pleasant living environment for future residents. Whilst the self-imposed constraints of the applicant are acknowledged, these do not explain the poor quality of that proposed or the need to overdevelop the site to the detriment of the character of the area.”

Ecology – “This site currently represents a green stepping stone in this area, along a line with the cemetery and allotments, the school sports ground, this site and Leigh Road Recreation Ground.”

“When comparing the amount of developed area in the existing and proposed plans, it is clear that there is a decrease in the area of green infrastructure and an increase

in the area of pavement and buildings. The proposed landscaped areas are minimal. It is not clear that biodiversity net gain as required by DM 11 and national planning policy can be achieved on site, so I would raise an objection on these grounds.”

Trees – “There are not many trees left on site – some conifers and smaller specimens remain but there has been some recent clearance work: the trees along the path have gone and there was also a large eucalyptus that is no longer there.

The first thing of note is that the arboricultural documents do not concur with the landscaping strategy. The landscape strategy does not show any of the retained trees and still shows trees to the north that have been removed. Further, we are not sure of the reason for retaining some of the trees on site (e.g. T2). Whilst we are obviously not against it, the site has been substantially cleared and an argument could be made that attempting to retain the few trees that are present, most of which are of poor condition, takes away from new landscaping.

Regardless, because the site contains no significant trees, and the provided arboricultural documents demonstrate that offsite trees can be retained and protected, we raise no arboricultural objection to the proposal, subject to the conditions.”

Environmental Health (Land Contamination) – No comments received.

Environmental Health (Pollution) – No objection to the site being used for residential purposes. Whilst near to the Air Quality Management Area along Leigh Road, the development should not be impacted. Details in terms of noise impact are still to be determined, including potential for building services within the development itself to have an impact.

Neighbouring properties, including the school will likely be impacted during the demolition and construction process. As such a Construction Environmental Management Plan would need to be submitted and approved prior to commencement.

Housing - “As detailed in our pre-application advice given the overall numbers this site would be a qualifying site for affordable housing provision and in line with our adopted Local Plan would need to provide 35%, which would equate to 29 affordable homes based on 83 homes proposed overall.

We would generally expect the affordable housing mix to be broadly reflective of the total housing being provided on the site. We would expect the affordable units to be split 65/35% between rented units and low-cost home ownership. This equates to 19 rent and 10 low-cost home ownership homes.

A viability report has been submitted as part of the application and this advises that there is no financial headroom for an affordable housing contribution. We will therefore await the outcome of a review of this information to determine the affordable housing provision.”

Direct Services – No comments received.

Hampshire Highways – No objection in principle. However, further clarification on a number of points has been requested:

- Site Access – how will this be controlled and how would unauthorised use be prevented?;
- Site Layout – proposed pinch point adjacent to Toynbee Road entrance is too long and could result in vehicles backing up onto Toynbee Road, the use of a shared vehicle and pedestrian access route is questioned given the intended occupiers;
- Parking – appears too low to serve a development of the scale proposed and does not provide any easily accessible spaces;
- Servicing – it is unclear if suitable dropped kerbs are provided for collection of bins.

Planning obligations towards the provision of sustainable transport measures have been requested due to the increase in trip rates associated with the proposed development.

Should the application be approved, conditions are requested in relation to construction, access details and parking provision.

Southampton Airport Safeguarding – The proposed development “has been examined from an aerodrome safeguarding perspective and does not conflict with safeguarding criteria. We therefore, have no objection to this proposal.”

Southern Water – No objection subject to conditions and separate approval from Southern Water to abandon/divert a public foul sewer. The existing network can facilitate foul sewerage disposal, as can the surface water system provided flow rates are limited in the manner proposed to not exceed existing levels.

Natural England – Had an appropriate assessment been completed, Natural England would have been consulted (see below).

Environment Agency – No comments received.

Lead Local Flood Authority – No objection subject to approval from Southern Water to connect to the existing drainage system. Conditions requiring final drainage details to be submitted and approved prior to commencement recommended.

NHS Hampshire and the Isle of Wight Integrated Care Board (ICB) - The current combined medical centres providing primary care are up to their capacity and will not be able to absorb the increased patients arising from the proposed development. The only way to mitigate the impact is to increase the physical capacity of the existing surgeries. As such developers contributions are required, which would be used towards improved patient infrastructure capacity.

Policy Context and Designations Applicable to Site

- Within Built-up Area Boundary
- Within Eastleigh Renaissance Quarter

Eastleigh Borough Local Plan 2016-2036

Strategic Policies:

- S1 (Delivering sustainable development);
- S2 (Approach to new development);
- S3 (Location of new housing); and
- S11 (Transport infrastructure).

Development Management Policies:

- DM1 (General criteria for new development);
- DM2 (Environmentally sustainable development);
- DM3 (Adaption to climate change);
- DM6 (Sustainable surface water management and watercourse management);
- DM8 (Pollution);
- DM11 (Nature conservation);
- DM13 (General development criteria - Transport);
- DM14 (Parking);
- DM23 (Residential development in urban areas);
- DM24 (Creating a mix of housing);
- DM25 (Delivering Older peoples housing);
- DM28 (Delivering affordable housing);
- DM29 (Dwellings with higher access standards);
- DM30 (Internal space standards for new residential development);
- DM33 (Provision of recreation and open space facilities with new development);
- DM38 (Funding infrastructure); and
- E4 (Urban Renaissance Quarter, Eastleigh).

Hampshire Minerals and Waste Plan

- Policy 15 – Safeguarding of Mineral Resources.

Supplementary Planning Documents

- Quality Places (November 2011);
- Accommodation for Older People and Those in Need of Care (May 2011);
- Trees and Development (April 2022);
- Residential Parking Standards (January 2009);
- Environmentally Sustainable Development (March 2009);
- Affordable Housing (May 2016); and
- Biodiversity (December 2009);
- Planning Obligations (2008)

National Planning Policy Framework

At national level, the National Planning Policy Framework (the 'NPPF' or the 'Framework') is a material consideration of significant weight in the determination of planning applications. The National Planning Policy Framework (the 'NPPF' or the 'Framework') states that (as required by statute) applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise and sets out a general presumption in favour of sustainable development unless material considerations indicate otherwise. A deliverable five year supply of housing within each local authority area is required, and if this is not demonstrated a tilted balance in favour of the development applies.

Three dimensions of sustainability are to be sought jointly: economic (supporting economy and ensuring land availability); social (providing housing, creating high quality environment with accessible local services); and environmental (contributing to, protecting and enhancing natural, built and historic environment) whilst local circumstances should also be taken into account, so that development responds to the different opportunities for achieving sustainable development in different areas.

National Planning Practice Guidance

Where material, the Planning Practice Guidance which supports the provisions and policies of the NPPF should be afforded weight in the consideration and determination of planning applications.

Assessment of Proposal: Development Plan and / or Legislative Background

Section 70(2) of the Town and Country Planning Act 1990 and Section 38(6) of the Planning and Compulsory Purchase Act 2004 require a Local Planning Authority determining an application to do so in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan comprises the policies of the Eastleigh Borough Local Plan 2016-2036 and the Hampshire Minerals and Waste Plan 2013 (which is not applicable in this case). The NPPF and the Planning Practice Guidance constitute material considerations of significant weight.

Policy & Principle

The application site lies within the urban edge where the basic principle of development is considered to be acceptable, with any planning approval being dependent upon whether the proposals are considered to accord with the relevant policies and guidance of the adopted development plan. Given the site lies within the Urban Renaissance Quarter, the most relevant policies in this instance are DM1 and E4 of the adopted Local Plan.

Policy DM1 requires new development to have no unacceptable impact upon the "amenities of new and existing residents; the character and appearance of urban areas, the countryside and the coast", make efficient use of the site, as well as "take full and proper account of the context of the site including the character, appearance and land uses of the locality or neighbourhood, and be compatible with adjoining uses and be well integrated with these in terms of mass, scale, materials, layout,

density, design and siting, both in itself and in relation to adjoining buildings, spaces and views.” It goes on to state that “Where adjoining development is poor in urban design terms, new development should contribute to improving the character of the area”.

In addition to these requirements, DM1 also requires development to include appropriate landscaping for external spaces, together with ensuring development proposals “incorporate provision for people with disabilities and create accessible communities that cater for all”.

Policy E4 relates to the Urban Renaissance Quarter and encourages “well-designed, people-intensive development that raises the quality of the main approaches to Eastleigh town centre” subject to a number of specific criteria based upon where within the renaissance quarter a site is located. In the case of the application site, a mix of residential, office and community uses are encouraged and states that “Within the areas defined on the policies map, development of predominantly 3 storeys will be permitted and development higher than 3 storeys will be appropriate in certain circumstances where development reflects local distinctiveness and would contribute towards a positive relationship with the surrounding area.”

Also of relevance in this case is Policy DM25, which relates to the provision of older persons housing. This states that “New development should seek to respond to the requirements of an ageing population by increasing the supply of specialist housing and accessible housing in accordance with policy DM29” and that “The Council will support the provision of accommodation suitable for the needs of older people.” It goes on to set out that such developments should be: located in sustainable locations with good access to the public transport network; close to local facilities that residents can use; and well integrated into the local community.

In principle therefore, redevelopment of the existing site for residential purposes is acceptable, with any final decision being dependant on the acceptability or otherwise of the proposed scheme based upon issues of design, amenity and impact upon neighbouring uses.

Sustainable Development

Section 2 of the NPPF (February 2019) states that the purpose of the planning system is to contribute to the achievement of sustainable development, which can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs.

Achieving sustainable development means that the planning system has three overarching objectives – economic, social and environmental (which are interdependent and need to be pursued in mutually supportive ways) that should be delivered through the preparation and implementation of plans and the application of the policies in the Framework.

Planning policies and decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area.

National legislation and guidance, together with local policy ensure that all planning applications are tested for their resilience to and impact on the Environment. Details elsewhere in this report set out the Climate Change and Environmental implications of this application and their proposed mitigations.

Economic Sustainability

Section 2 of the NPPF, states that the objective of economic sustainability is “to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure”.

In economic terms, redevelopment of the application site would provide new retirement homes, albeit at the expense of eight ‘family’ homes and bring additional residents into the town who would be able to access local facilities and provide custom for businesses. There would also be benefits to the construction industry and suppliers during the build process, as well as to the management company appointed to look after the development. Residents may also provide employment for carers and other service industry professionals.

The comments from a number of those who have objected to the application, with regards to the need for the development given the immediate area already has a considerable number of retirement apartments and a large care home are noted. However, it is not the planning process’s role to determine the need or otherwise in this instance. Notwithstanding, it is acknowledged that the site’s location close to the town centre and services that provides, does make it more suitable than many other sites for the proposed use.

In economic terms therefore, it is considered that the proposed scheme would meet the requirements of being economically sustainable.

Social Sustainability

In relation to social sustainability, section 2 of the NPPF states that the objective is “to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities’ health, social and cultural well-being;” Section 5, ‘Delivering a sufficient supply of homes’ goes on to state that “it is important that a sufficient amount and variety of land can come forward where it is needed,” and “that the needs of groups with specific housing requirements are addressed”.

As discussed above, the site’s close proximity within easy walking distance of the town centre makes it a very sustainable location, particularly for the nature of the development proposed. Concerns have been expressed that residents of the proposed development would result in added pressure to already stretched local services, particularly health services. This has been backed up by the response from

the NHS Hampshire and the Isle of Wight Integrated Care Board (ICB), who highlight that all local surgeries are already at or over capacity. However, they are of the view that this can be addressed through the provision of developers contributions towards increased local patient infrastructure capacity.

Concern has also been expressed at the loss of eight 'family' dwellings. Whilst noted, it is again not for the planning system to stipulate what proposals come forward but to assess their suitability. In this instance the proposed development is for retirement accommodation. However, it could equally be for private flats or new housing. Ultimately, the site is considered appropriate for a denser level of development which makes better use of the area available and its very sustainable location. The main issue to consider therefore is what form of development is considered to be most appropriate, rather than its specific purpose.

In terms of social sustainability therefore, provided the requested contributions from the ICB can be secured, that proposed is considered to have an equal to marginally positive impact overall.

Environmental Sustainability

Section 2 of the NPPF goes on to state that the objective of environmental sustainability is "to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy."

There are a number of different components to Environmental Sustainability, including consideration of site-specific planning matters and the impacts of the development on its surroundings, which are considered below under the relevant subheadings.

The Proposals

As set out above, the proposed development would consist of 83 one and two bedroom retirement apartments (52 one bedroom and 31 two bedroom) in a large single elongated 'H' shaped four storey block. This would include ancillary communal accommodation in the form of a resident's lounge and coffee bar, as well as a site managers office at the main entrance and a guest suite on the third floor. Externally, 30 parking spaces would be provided along the northern edge of the site, with access being available from both Toynbee Road and Romsey Close. This would also include a new electrical substation to serve the development. The main pedestrian entrance would be positioned centrally along the northern elevation and accessed from the car park. Secondary pedestrian access would be provided from Toynbee Road and Romsey Close. Landscaped amenity space would surround the building on the eastern, southern and western sides, with a communal patio adjacent to the main northern entrance from the car park. An external covered mobility scooter/buggy store is proposed along the southern boundary close to Romsey Close, with an internal bin store in the opposite southern corner, which would be serviced from Toynbee Road.

In terms of form, scale and appearance, the building would be four storeys across its whole footprint, albeit there is a modest setback of the top floor along the Toynbee Road frontage and the majority of the southern elevation. The roof consists of a mix of flat roof behind a brick parapet and sections of low pitched roof with overhanging eaves. Facing materials are predominantly red brick, with grey brick used for some projecting elements, as well as soldier course brick detailing and banding. The setback elements of the top floor are finished in a vertical aluminium standing seam cladding. Windows are grey uPVC and of a domestic size. Some units have access to an externally mounted grey framed balcony, or a simple Juliet balcony, whilst units on the top floor have access to individual roof terraces. The submitted landscape strategy suggests that external hard surfaces would consist of tarmac to the parking area and plain buff coloured paving slabs to all pedestrian areas around the building and communal patio.

Scale, Form, Layout & Design

Looking first at layout, whilst surrounded by a reasonable strip of landscaped space around the edges of the building to the east, south and west, the usability and attractiveness of this space for anything more than aesthetic value is questioned. It also does not appear to be sufficiently wide enough to accommodate reasonable scale new tree planting, in addition to that required to replace that already lost (see below). The inclusion of a central external communal area is a welcome feature. However, being north facing and overshadowed by the building on three sides, the quality of this space is questioned, given its main outlook is of the car park and that it would be in shade for much of the day, even in the summer months. In addition, the position of the communal lounge space is questioned, which again has a rather poor and uninteresting outlook of the parking area and would not receive any sunlight. This would also be the case for most flat units facing onto the central area, particularly those on the lower floors. No design rationale for this arrangement has been provided and seems something of a missed opportunity when there is the option of locating the main site entrance and communal lounge facing Toynbee Road. Not only would this provide more natural light and much improved outlook, but also a far better relationship with the street, including the ability to provide greater architectural interest. It would also provide far more interest for residents who would be able to watch the comings and goings of activity on the street, especially with the junior school opposite, and in turn provide a connection with the wider community.

This is an issue highlighted in the Council's 'Accommodation for Older People and Those in Need of Care' SPD, which in paragraph 4.42 states "Developments should have main entrances visible and accessible from an active frontage of the building. The orientation of individual habitable rooms should maximise the opportunity for residents to observe their changing environment and passers-by both for interest and for community safety purposes." It also states in paragraph 4.35 that "Developments should provide adequate private amenity space, commensurate with the size of the development, which is usable, accessible, and located away from roads and parking areas."

Overall, the design and layout appears to show a general lack of thought and consideration for the quality of environment being created for future occupiers. Many opportunities to provide a far better quality development have been missed, which given the site has no significant constraints, is a design failure particularly when considering the far greater emphasis on the quality of design being promoted by Central Government.

Street Scene, Townscape & Area Character

The position of the site between the very differing characters, nature and scale of existing development to its north and south requires careful design consideration of the relationship to this existing development and should provide an appropriate transition between the differing heights and physical forms of development surrounding the site in order to respect the character and appearance of the area.

Having considered the design submitted, there are strong concerns at the appropriateness of a four storey development, particularly of the large scale proposed, in this transitional area. This concern is shared by the Council's Urban Design Officer and the independent Winchester and Eastleigh Design Review Panel who have reviewed the scheme.

Whilst the applicant's argument that the recent scheme on the old Police Station site, Alston House, has set a precedent for larger buildings in the locality is noted, the immediate context of that particular site is quite different from that of the application site. Alston House fronts the main Romsey Road where the scale of development is of larger three, four and now five storey buildings. By contrast the application site is set well back from the main road and fronts streets with a very different and more residential character. Whilst a larger building/s may be acceptable in principle, it needs to provide an appropriate and far more considered and sympathetic transition between the larger scale development to the south and the much smaller two storey domestic character and scale of development to the north.

These concerns of scale do not just relate to the height of the building but also its physical mass, which stretches across the full depth of the site from Toynbee Road to Romsey Close. This is very different to the domestic nature and pattern of development in the locality, which consists of modest dwellings fronting the streets with undeveloped areas of garden between. Any development of the site needs to better take into account this pattern of development, potentially by providing a series or pair of buildings with a central area of amenity space.

The same concerns of scale also relate to the resulting street scene. The existing character of Toynbee Road is predominantly of two storey pairs of semi-detached dwellings. Where there are larger scale buildings, these are of a much narrower width or set well back from the street, such as in the case of the Alston House and Canada Court, or of a much lower height and form, as in the case of the primary school opposite. That proposed for the site is not only much taller than immediate neighbouring development but is also of a much greater width, both across the width of the site but also within both street scenes, resulting in a very large and

imposing building which would dominate the street scene and the wider locality, particularly when viewed from Romsey Close and Toynbee Close.

Whilst the principal concerns relate to size, scale, mass and appropriateness for the locality, none of these issues are helped by the rather uninspiring architectural design of that proposed. Elevations are somewhat monotonous, lacking any real consideration of how the exterior of the building appears. This appears to be a case of designing the building from the inside out and using standard apartment layouts, which do not give the level of flexibility required to provide any real interest in architectural form or elevational composition. Whilst some attempt has been made to improve the elevations from that originally submitted at the pre-application stage, such as brick banding and detailing, these do little to enhance the building or the architectural quality of the wider area.

Although a not unreasonable analysis of the character of the locality has been undertaken, there is no clear design rationale to demonstrate how this has informed the evolution of that proposed or how the development would fit into its existing context in a manner which does not dramatically jar with the nature, scale or form of neighbouring development. Nor does there appear to have been any consideration as to how redevelopment of the site could enhance the locality or provide an attractive and pleasant living environment for future residents. Whilst the preferred operational constraints of the applicant are acknowledged, these do not explain the poor quality of that proposed or why other potential design solutions would not meet these same requirements.

To conclude on this aspect, that proposed is considered to be of an excessive and unnecessarily large scale and of a generally poor quality and ill thought through design which is wholly inappropriate to the site's context, the pattern of development and character of the surrounding area, to the detriment of the visual amenity and character of the locality. As such, the proposal is considered to be contrary to the design requirements of Policy DM1 and E4 of the adopted Eastleigh Borough Local Plan 2016-2036, the Council's 'Quality Places' and 'Accommodation for Older People and Those in Need of Care' Supplementary Planning Documents, the National Design Guide and the NPPF. This will form the main reason for refusal.

Access, Parking & Highway Matters

Access:

It is proposed that the main site access would be from Toynbee Road, although there is a second vehicular access point available from Romsey Close. It is suggested that this second Romsey Close access would be for the use of emergency vehicles only. However, it is unclear from that submitted how unauthorised access into and through the site would be prevented. Given historical issues in the locality in terms of parking and problems at the Toynbee Road and Leigh Road junction, many associated with school drop-off and pick-up, there are concerns that the proposed development could add to these existing issues by using Toynbee Road as the main access. There is also concern that the site would become very tempting for use as a rat-run for those wishing to avoid

delays at the end of Toynbee Road and traffic lights. There have been instances of parents using the private car park at Canada Court, which could also occur at the proposed development. Whilst it is noted that the car park would be managed by on-site staff, staff will not be present 24 hours a day and problems are likely to occur without physical measures preventing access to the car park. However, measures such as barriers or gates are not features that the LPA would wish to encourage.

Most if not all of these issues could however be addressed if the Romsey Close access were to be used as the main, and possibly only vehicular access to the site. This was suggested at the pre-application stage subject to approval from Hampshire Highways, who have raised no concerns at the use of Romsey Close. However, this does not appear to have been considered as an option by the applicant.

Concern however has been highlighted by Hampshire Highways relating to the proposed internal layout of the site. Whilst the proposed parking bays and aisle width are as would be expected, no step out strips at the end of parking runs have been provided, nor are there any dedicated disabled or easy access parking bays. Given the intended user group it would be recommended that these are added to ensure doors can be fully opened and user access achieved without trampling on landscaping.

Concern has also been expressed at the close proximity and length of the 'pinch-point' between the Toynbee Road access and the car park which would allow space for only one vehicle at a time to utilise the subsequent stretch of internal road for approximately 18.0m. If two vehicles or more were to arrive at a similar time as two or more vehicles were looking to exit, this has the potential to cause a back up of vehicles onto Toynbee Road, which would not be acceptable. With no highway benefit from such a design, it would appear that it is a forced issue due to trying to fit more building mass onto the site. These issues are considered to be sufficient to warrant a reason for refusal.

The lack of segregated vehicle and pedestrian access is also a concern, particularly given the intended user group, some of whom may have mobility issues. Whilst separate resident access points are proposed onto Toynbee Road and Romsey Close, there is no need for the intended main public pedestrian and vehicular access to be shared. This again appears to be a forced issue due to trying to accommodate a building which is too large for the site, together with an apparent lack of thought as to the site and internal building layout.

In terms of wider access opportunities, redevelopment of the application site provides scope to directly link the adjoining public footpath, which runs along the northern edge of the site, with Romsey Close. This would provide further links to the town centre for development to the north, to the benefit of the wider community.

Parking:

As set out above, the proposed development of 83 flats would be served by 30 on-site parking spaces, which equates to 0.36 spaces per unit. The applicant states that this is higher than their usual standard of 0.28 spaces per unit and feels that this is acceptable given the close proximity of the site to the town centre. Whilst a lower than usual residential standard is considered to be acceptable in principle, a ratio of 0.36 is still some way short of the 0.5 to 0.6 spaces per unit set out by the Council's 'Residential Parking Standards' SPD for active elderly housing. The applicant has justified the low figure proposed as part of the submitted transport assessment, citing two other Churchill developments at Saffron Walden in Essex and Bishops Stortford in Hertfordshire. No specific details for either of these schemes has been provided, other than one is for 31 units and the other 53, or why these are considered to be comparable to the application site.

A better comparison would be that of Charlotte Court which neighbours the site to the east. This is also a Churchill's development, built in 2016/17 and has a total of 17 spaces to serve 31 units, or 0.55 spaces per unit, which had to be increased from that originally approved due to demand from residents. This would seem to back up the parking standards SPD's requirement of between 0.5 and 0.6 spaces per unit, depending on the percentage of allocated to unallocated spaces. Based on these figures, the 83 units proposed would require between 42 and 50 spaces, which physically could not be accommodated on site, even with a substantial loss of already minimal external amenity space and soft landscaping.

Not only does this inability to provide sufficient on-site parking raise concerns in relation to overdevelopment, but also of the impact resulting from overspill parking into neighbouring streets. Whilst it is accepted that Toynbee Road is subject to parking restrictions, including double yellow lines and permit bays, albeit only for limited periods, this is not the case for Romsey Close, which is a private unadopted road where public restrictions cannot be applied, and which is also outside the applicant's control.

Inadequate parking provision to serve residents, visitors, carers and others is a significant concern and on its own is considered to be sufficient to warrant a reason for refusal.

Highway Impact:

The wider highway impact of that proposed has been assessed by Hampshire Highways who have stated that given the use type proposed, vehicle trips are anticipated to be relatively low during the primary times of concern, i.e. the AM and PM peak hours, particularly given the proximity to the primary school. The submitted transport statement demonstrates that it is anticipated that there would be an additional 7 vehicle trips generated in the AM peak (4 in / 3 out) and an additional 3 in the PM peak (1 in / 2 out), with an additional 114 trips generated across a 12 hour day as a whole. Such a modest increase during the peak periods will not have a significant impact on the local highway network.

Notwithstanding, whilst the development proposals alone would not have a significant impact on the local highway network, accumulatively with other local development, an impact would result in terms of both mitigation requirements and the need to improve local highway infrastructure and facilities. As such, developer contributions towards sustainable transport contributions within the local area has been requested, which would go toward improved pedestrian and cycle infrastructure in and around the town centre, as well as improvements to the roundabout at the southern end of Twyford Road.

Other Matters:

The application proposes an external mobility scooter/buggy store to the south-east corner of the site which would accommodate twelve buggies. Such a facility is welcome and would allow less able residents to independently access the wider area. However, the room provided to manoeuvre a buggy in and out of the store appears rather tight, which is something of a concern, although it is accepted that this could be dealt with through relatively simple amendments to the position of the store and widening of pathways. Notwithstanding, it is questioned whether a store/s within the building itself would be a better, more secure and more useable option for residents, as is provided within the neighbouring Charlotte Lodge scheme.

Amenity

Neighbouring residents and uses:

That proposed raises a number of concerns in relation to its impact upon the amenity of neighbouring properties, in terms of loss of privacy, outlook and potentially light. Of most concern is the impact upon No.1 Romsey Close, a two storey detached dwelling which lies south of the application site. The applicant makes reference to a planning application to redevelop No.1 to provide a block of flats (Ref: F/21/91985), which the Eastleigh Local Area Committee resolved to approve in January 2023. However, at the time of writing, no formal planning approval has been issued, as the necessary mitigation payments towards the development's impact upon the New Forest National Park have not been secured. If these are not secure by the end of September 2023 this application will be refused. As such, the proposals for No.1 cannot yet be taken into account. It is also the case that even if approval is granted, the development may not be implemented, so would carry little weight in favour of that currently under consideration. It should also be noted that the version of the scheme at No.1 shown on the submitted street scene drawings is incorrect, showing an earlier unacceptable version of that development. That resolved for approval was a smaller two and three storey block of seven flats, not the full three storey scheme originally proposed. As such, the current application for retirement flats is being considered based on the situation as it currently stands, i.e. No.1 being a two storey detached dwelling.

No.1 Romsey Close is a detached two storey dwelling on a not unreasonable size plot. However, it has been impacted over recent years by the development of Alston House and Canada Court, to its south and west, as well as Charlotte

Lodge to its east. Whilst these existing developments do surround No.1, their designs and layouts did reasonably take into account the resulting impact on No.1, in particular its rear garden. Whilst a modest degree of overlooking does take place, this is not to any unacceptable extent, due to distances and the position of windows. In stark contrast, that proposed would result in a large number of main habitable room windows, balconies and roof terraces with direct views into the private garden of No.1, to the severe detriment of the privacy of its occupiers and contrary to the requirements of Policy DM1 and the 'Quality Places' SPD. This alone is considered sufficient grounds to refuse the application.

In addition to the unacceptable loss of privacy to No.1, the height, length and proximity of the proposed block would result in an oppressively dominating structure which would again have a detrimental impact upon the outlook from and enjoyment of the garden of No.1 and to an extent from the dwelling itself. It is also the case that the area of amenity space between the block and the southern site boundary is not of a sufficient size to be able to accommodate any reasonable form of tree planting which could help to lessen the development's impact. Although, it is the LPA's view that an acceptable design should not need to rely on screening to hide its impact. For this reason, that proposed is again considered to be contrary to the requirements of Policy DM1 and the 'Quality Places' SPD and considered sufficient grounds to refuse the application.

Although to a lesser extent, the size, height and scale of that proposed also raises concerns as to its visual dominance upon other neighbouring properties in Toynbee Road and Toynbee Close. Whilst strictly speaking any specific impact may not be to an unacceptable extent which could be used as a reason for refusal, that proposed would nonetheless have a noticeably negative impact upon the amenity of neighbouring properties.

Overshadowing and loss of light has been raised as a concern by some objectors. Given the site's orientation and proximity to neighbouring properties, the most likely impacted in this regard would be No.10 Toynbee Road. Whilst no shadow study has been provided in support of the application, it is likely that at some points during the year, at particular times of the day, that proposed would result in a loss of direct sunlight to No.10's garden. However, this would only be during the winter months when the sun is lower in the sky and when the garden is less likely to be in use. Notwithstanding, No.10 and its garden should still receive acceptable levels of daylight, so could not be used as a reason for refusal.

Future residents:

As to the amenity of future occupiers, the poor positioning of the communal lounge and main external amenity space has already been discussed above, as has the suitability of the surrounding landscaped area for anything more than something to look upon. In general, the outlook for most apartments is not unreasonable, although could be greatly enhanced with further thought as to the quality of external landscaping and orientation of units. Privacy appears to be reasonable and as would be expected for such a development, although the relationship between the perpendicular units in the south-west corner of the central amenity space is questionable. In terms of daylight, the vast majority of

units are single aspect and there are quite a number which would face north, or which would receive very minimal levels of sunlight due to orientation and overshadowing caused by the height of the building. Whilst accepting that not all units can have a more southerly aspect, or indeed that all potential residents may want such an aspect, ideally this type of situation should be avoided or minimised as much as possible. In contrast, there is potential for those units which face south to suffer from overheating due to excessive solar gain. Splitting the building in two, as suggested above, would very likely prevent such situations from having to occur, as this would allow main aspects to be east and west.

Overall, whilst there are no singular specific issues which warrant a reason for refusal in planning terms, it is not considered that the quality of environment created for future occupiers of the development would be of the highest quality, or the best which could reasonably be achieved on this site. This again appears to be a matter of a lack of thought or flexibility from the applicant.

Noise & Air Quality

Whilst in relatively close proximity to the Leigh / Romsey Road Air Quality Management Area, as has been set out in the response from Environmental Health, the site is sufficiently far enough away so as not to fall be impacted. Equally, the site should be no more impacted by traffic noise than the existing neighbouring properties and no additional mitigations measures are expected in this respect.

The impact of noise and dust during demolition and construction has been highlighted and could be dealt with via a Construction Environment Management Plan, which could be conditioned were the application recommended for approval.

Drainage & Flood Risk

Records provided by Southern Water show the presence of a foul sewer running across the Romsey Close side of the site, just in from the site boundary, together with the existing sewers which serve the eight current dwellings. Whilst the exact position of this sewer will need to be established through physical investigations on site, the proposed built development should lie outside the three-metre easement required to either side of the sewer. This easement will also need to be taken into account when looking at options for tree planting to the eastern side of the site, which will be very limited if at all possible.

Ground investigations have shown that the water table lies close to the surface and that the ground is made up of heavy clay soils, thereby preventing the use of traditional percolation drainage for surface water. As soakaways cannot be used, it is proposed that surface water would be collected and stored in an underground attenuation tank beneath the car park. Water would then be discharged at a controlled rate into the public surface water sewer under Toynbee Road. In principle this is acceptable to Southern Water, although final details would need to be agreed and could be conditioned. These would also need to demonstrate measures to prevent polluted water from being discharged into the public system.

In terms of flood risk, the site lies within Flood Zone 1 where there is a very limited risk of flooding.

Ecology & Trees

As set out in the Council Ecologist's response, "This site currently represents a green stepping stone in this area, along a line with the cemetery and allotments, the school sports ground, this site and Leigh Road Recreation Ground." There are records of various protected species in the locality, including hedgehogs, bats and slowworms, a large number of which were found on the neighbouring Police Station Site. The importance of the existing gardens in supporting this local wildlife does not seem to have been acknowledged within that proposed. When comparing the amount of developed area in the existing and proposed plans, it is clear that there is a substantial decrease in the area of green infrastructure. The proposed landscaped areas are minimal with little scope to compensate for the existing habitat lost. It is not clear that biodiversity net gain as required by DM11 part 1.c and national planning policy can be achieved. As such this will form a further reason for refusal.

With regards to trees, whilst no technical objection has been raised by the Council's Tree Officer, this is only because there are no longer any trees of note left on site. Although none were subject to a preservation order, all trees worthy of retention have been removed, including a significant line of trees on public land along the northern boundary of the site. Their removal and the enclosure of this public land is currently under investigation.

The pre-emptive removal of these trees is very disappointing, particularly as most could probably have been retained, even with the scale of the scheme proposed, and could have provided some screening and softening which would help to alleviate the impact of the development. This again would appear to be case of a lack of thought as to the quality of the development proposed and how it would successfully integrate with existing development in the locality.

Whilst none of the trees removed may have been subject to a preservation order, they nonetheless did provide a valuable contribution to the visual amenity and biodiversity of the locality. Those removed need to be replaced in accordance with the Tree Replacement Policy set out in Appendix 1 of the adopted 'Trees and Development' SPD. Replacement trees should be a direct replacement for those removed and would not count towards any new tree planting required as part of the development, such as within parking areas. However, as discussed above, the submitted site layout drawing gives no scope to plant trees of any note or reasonable size, given the shallow setback of the building from the site boundaries. There is also no scope to provide any within the parking area due to the need to accommodate more spaces, which as discussed above is still not considered to be sufficient to serve the development. It should also be noted that the submitted site layout plan, landscape strategy plan and tree protection plans do not tally. All show different numbers of trees and positions, as well as trees which are no longer on or adjacent to the site. This raises serious questions as to the quality of the submission and the final development if simple elements such as the position of trees cannot be accurately plotted.

The inability to demonstrate that the proposed development can provide adequate replacements for those trees removed, together with the uplift in numbers required by the 'Trees and Development' SPD means that the development is considered to be contrary to Policy DM1 and the SPD. As such this will form a further reason for refusal.

Impact on Special Policy Areas

Nitrates & Phosphates:

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 Itchen and Solent catchment areas through eutrophication. As such all developments 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 application site would use the Chickenhall Lane wastewater treatment works, which discharges into the River Itchen. As such the proposed development is required to achieve nutrient neutrality for both nitrogen and phosphorus. Eastleigh Borough Council does have a scheme which takes land out of agricultural uses and creates recreational spaces, thus reducing the nutrient output of the land. Whilst this scheme may be available to the applicant, they have not confirmed if they intend to make use of this scheme or provide another form of mitigation. In either case, no mitigation has been secured and will therefore form a further reason for refusal.

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. Again, Eastleigh Borough Council has set up a mitigation strategy to address this issue which would be available to the applicant. However, as with nutrients, the applicant has not indicated how they wish to address this issue, nor have they secured any mitigation. As such, this will form a further reason for refusal.

Habitats Regulations:

Any proposed residential development in this area will have a likely impact upon The Solent SPAs and New Forest National Park. As such, an Appropriate Assessment under the Habitats Regulations needs to be completed and reviewed by Natural England if the LPA is minded to approve an application. However, as the applicant has provided no indication of how they wish to secure the required mitigation, it has not been possible for the LPA to complete their assessment.

Sustainability Measures and 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 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 would be 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.

With regards to sustainability measures, the Energy and Sustainability Statement submitted in support of the application, states that it is proposed to use a 'fabric first' approach in order to reduce the energy consumption of the development. This principally includes installing insulation to a higher standard than required by building regulations. Based on the preliminary calculations, it appears that the development could meet the 19% improvement in predicted carbon emissions as required by Policy DM2 1.a.i. Part ii. of this section of the policy requires a predicted mains water consumption of no more than 110 litres/person/day. It is stated that this may not be possible given the potential care needs of some residents. However, it is proposed to ensure low flow taps and fixtures are installed to reduce overall water consumption. As such it would be reasonable to consider that the proposed development could achieve the requirements of part 1 of Policy DM2.

The second part of DM2 requires all development over 500 square metres floor area, which includes that proposed, to include a number of other requirements "where practical and viable". Whilst not all are directly relevant to the nature of the development proposed, part 2.a. is. This states that developments should "incorporate energy-efficient passive design principles, the best use of natural

daylight and natural ventilation systems wherever possible". As discussed above, there are concerns that a significant number of the flat units will receive little in the way of natural daylight due to their orientation and overshadowing and very few would benefit from natural through ventilation due to the single aspect nature of most units. However, whilst a concern resulting from what is considered to be an ill thought through design and layout, this on its own is not considered to be sufficient grounds for refusal of the application.

Equally, there are elements of Policy DM3, which states that "All development should be designed to adapt to the predicted climate change impacts for the Borough" which the proposed scheme does not include, such as "cooling through generous green infrastructure and trees" and "building design and orientation to reduce overheating", as well as green roofs and green walls. However again, these issues on their own are not considered to be sufficient to use as a reason for refusal, albeit they are again signs of poor design.

Planning Obligations / Considerations

In accordance with the guidance contained within the NPPF, Policies DM13, DM28, DM33 and DM38 of the adopted Eastleigh Borough Local Plan 2011-2036, the Council's 'Planning Obligations' SPD and the requirements of Regulation 122 of the Community Infrastructure Regulations, there is a requirement for developers' contributions to ensure on and off-site provision for facilities and infrastructure made necessary by the development, or to mitigate against any increased need/pressure on existing facilities. This is in addition to the requisite on-site provision of affordable housing.

Contributions / Obligations towards the provision of the following infrastructure are required and would be secured via a Section 106 agreement index linked as per the Planning Obligations SPD and HCC requirements:

- Affordable Housing;
- Community Infrastructure;
- Health Provision;
- Public Open Space and Play Provision;
- Public Art; and
- Sustainable Transport Measures

The projects and measures identified for contribution expenditure will comply with the 3 tests set out in Regulation 122 of the Community Infrastructure Levy 2010, in that the monies would go towards the projects which are directly related to the development and are fairly and reasonably related in scale and kind to the proposed development. The contributions would be index-linked to ensure the contributions rise in line with the costs of providing the identified projects/measures. The obligations sought are necessary to make the development acceptable in planning terms and to meet the needs generated by the new residents and the potential impact on existing services and facilities.

A viability assessment has been submitted in support of the application which states that once mitigation payments for nitrates and phosphates have been taken into

account, there is no scope to provide any form of planning obligations. If that is the case, then neither will it be possible to provide mitigation towards recreational impact upon the New Forest, as required by natural England.

No independent review of the submitted viability assessment has been undertaken, principally due to the recommendation to refuse the application on other grounds. However, lack of securing any planning obligations, thereby failing to meet the requirements of Policy DM13, DM33 and DM38 of the adopted Local Plan is recommended as a reason for refusal to ensure that obligations are considered as part of any future planning appeal.

Affordable Housing:

As a major development, the provision of affordable housing can be sought. Policy DM28 of the Local Plan requires residential developments of 10 dwellings or more to provide 35% of units as affordable. These units should be provided on site as part of the development unless it can be demonstrated that an off-site contribution would be more appropriate and more deliverable. As detailed in the response by the Council's Housing Enabling Officer, 35% provision would equate to 29 affordable homes based on the 83 homes proposed overall. It would be expected that the mix be broadly reflective of the total housing being provided on the site, and that it be split 65/35% between rented units and low-cost home ownership, which would equate to 19 rent and 10 low-cost home ownership homes.

Whilst it is acknowledged by the applicant that there is a policy requirement to provide affordable housing, their preferred approach is to provide a contribution to off-site provision. A number of reasons for this are set out relating to issues of fairness in terms of the use and provision of communal facilities and payment of management fees, as well as the operational requirements of the applicant. The provision of off-site contributions has been agreed in the past but given the size of the application site and number of units proposed, it is considered that there should be scope to provide affordable housing on site, particularly given access is available from two different streets, thereby allowing the ability to provide a separate block, potentially managed by a local affordable housing provider. It is unclear if any such discussions have been undertaken.

However, notwithstanding the need to provide affordable housing, either on or off site, it is stated by the applicant that the provision of affordable housing is not possible due to the viability concerns set out above. Again, whilst no independent review of the submitted viability assessment has been undertaken, the lack of affordable housing provision as required by Policy DM28 of the adopted Local Plan is recommended as a reason for refusal to ensure that this is considered as part of any future planning appeal.

Other Material Considerations:

The Council's Five-Year Housing Land Supply

The Council has an ongoing responsibility to ensure that there is a continuous 5 year supply of housing. The government has consulted on changing the requirements for

having to demonstrate land supply and as such, it is not proposed to update the position until the NPPF is revised. The last published figure was 5.1 years for in July 2022 and the current local plan is very recent, having only been adopted in April 2022.

Equalities Implications

Section 149 of the Equalities Act 2010 created the public sector equality duty and states:-

A public authority must, in the exercise of its functions, have due regard to the need to:

- *eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;*
- *advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;*
- *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:

To conclude, whilst the basic principle of providing retirement apartments is acceptable, given the sustainable location close to the town centre and within the renaissance quarter, there are strong concerns over the size and scale of that proposed and the resulting adverse impact upon the nature, visual amenity, pattern of development and character of the locality. These issues are predominantly a result of the number of units proposed for the site, which are considered to be too many, resulting in overdevelopment of the site, as evidenced by the lack of sufficient parking, limited scope for providing useable and attractive amenity space, as well as landscaping and tree planting to address that already lost, and to provide an appropriate setting for the development and enhance the amenity of the area. The proposals will also result in adverse harm to the amenity of existing neighbouring properties in terms of privacy and outlook.

For all these reasons, and those set out above, the application is considered to be wholly unacceptable and is therefore recommended for refusal.