

Hedge End, West End and Botley Local Area Committee – Monday 20<sup>th</sup> November 2023

**Application Number:** F/23/95431  
**Case Officer:** Gary Osmond  
**Received Date:** Wednesday 14<sup>th</sup> June 2023  
**Site Address:** Home Farm, St Johns Road, Hampshire, Hedge End, SO30 4DF  
**Applicant:** Wykeham Homes Ltd.  
**Proposal:** Construction of 8.no dwellings (2No. two bedroom, 4No. three bedroom and 2No. four bedroom) with associated access, parking and landscaping

**Recommendation:** Subject to:

- Receipt of outstanding consultation responses and any necessary actions required as a result of comments received; and
- Securing mitigation towards recreational impact of the development upon the Solent and New Forest SPAs.

**Delegate to Service Director for Planning and Environment to PERMIT subject to the following conditions:**

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**CONDITIONS & REASONS:**

- 1) The development hereby permitted shall be implemented in accordance with the following plans numbered: PP1433-100-P1, PP1433-101-P2, PP1433-102-P2, PP1433-103-P2, PP1433-104-P2, PP1433-105-P2, PP1433-106-P1, PP1433-107-P1, PP1433-108-P2, PP1433-109-P2, PP1433-110-P2, PP1433-111-P2, PP1433-112-P2, PP1433-113-P2, PP1433-114-P2 & PP1433-MPL.  
Reason: For the avoidance of doubt and in the interests of proper planning.
- 2) The development hereby permitted shall start no later than three years from the date of this decision.  
Reason: To comply with Section 91 of the Town and Country Planning Act 1990.
- 3) The development hereby permitted shall not be commenced for a period of at least 21 days from the date of the decision.  
Reason: To comply with Section 28I(6) of the Wildlife and Countryside Act 1981 (as amended) as this permission is being granted otherwise than in accordance with the advice of Natural England.
- 4) No development shall start until details for the sustainable disposal of surface water and the disposal of foul sewerage from the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The details to be submitted shall be based upon the

principles set out within the submitted 'Drainage Strategy and Flood Risk Assessment' document (Aqua Callidus Consulting, Reference 22066 dated 17/04/2023) and include a timetable for their implementation. The development shall then accord with the approved details.

Reason: To ensure satisfactory provision of foul and surface water drainage.

- 5) The approved Sustainable Drainage Scheme shall be fully implemented and written verification by an appropriate drainage consultant of its implementation in accordance with the approved plans and supporting drainage statements shall be provided to the Local Planning Authority prior to the first occupation of the development. The sustainable drainage scheme shall thereafter be retained, maintained and managed in accordance with the approved management and maintenance statement.

Reason: To prevent flooding and pollution.

- 6) No development above DPC level shall start until details (and samples where requested) of the materials to be used in the construction of the external surfaces of the development hereby permitted, to include all walls, roofs, fenestration, window surrounds, rainwater goods and balcony barriers have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure a satisfactory visual appearance in the interest of the amenities of the area.

- 7) A watching brief shall be employed and maintained during development for the detection and appropriate treatment of any unexpected ground contamination that is encountered. Any resulting waste materials should be appropriately classified and disposed of. And prior to their use on site, suitable confirmation that any soils to be imported to site to make up topsoil or subsoil meet with the approval of the LPA should be provided.

Reason: To minimise the risk from land contamination for public safety.

- 8) Prior to any occupation to the development hereby approved, information to confirm that the watching brief required by Condition 7 has been followed, and a report on any findings or actions taken as a result; together with evidence of waste disposal and imported soils (waste transfer tickets, certificates of imported soils, etc) shall be provided and approved by the Local Planning Authority.

Reason: To minimise the risk from land contamination for public safety.

- 9) Notwithstanding the information submitted to date, no development related works shall take place on site until a revised Arboricultural Method Statement and Tree Protection Plan (B.S.5837:2012 Trees in Relation to Design, Demolition and Construction) is submitted to and approved in writing by the Local Planning Authority. The approved Method Statement shall be adhered to in full in accordance with the approved plans and may only be modified subject to written agreement from the Local Planning Authority.

Reason: To retain and protect the existing trees which form an important part of the amenity of the locality.

- 10) No construction or demolition works shall commence until a Construction Environment Management Plan (CEMP), has been submitted to, and approved in writing by, the Local Planning Authority. Demolition and construction shall only take place in accordance with the approved details which shall include:
- a) a programme and phasing of the demolition, construction and development works;
  - b) the location and height of temporary site buildings, compounds, construction material and plant storage areas used during demolition and construction;
  - c) safeguards to be used within the construction process to ensure surface water contains no pollutants on leaving the site;
  - d) safeguards for fuel and chemical storage and use, to ensure no pollution of the surface water leaving the site;
  - e) the arrangements for the routing / turning of lorries and details for construction traffic access to the site;
  - f) the arrangements for deliveries associated with all construction works, loading / unloading of plant & materials and restoration of any damage to the highway [including any vehicle crossovers where applicable];
  - g) the parking of vehicles of site operatives and visitors;
  - h) the protection of pedestrian routes during construction;
  - i) management measures to control the emission of dust generated by demolition and construction works;
  - j) a scheme, following assessment, for controlling noise and vibration impacts on noise sensitive properties from, site preparation and construction activities (to include details of any piling if proposed);
  - k) provision for storage, collection, and disposal of waste from the development during the demolition and construction period;
  - l) measures to prevent mud and dust on the highway during demolition and construction;
  - m) measures to protect wildlife, including reptiles, hedgehogs and badgers during the construction process; and
  - n) a method for ensuring that on site minerals that can be viably recovered during the development operations are recovered and put to beneficial use' together with a method to record the quantity of recovered mineral (re-use on site or off site) to be reported to the Mineral Planning Authority.
- Reason: To limit the impact the development has on the amenity of the locality, neighbouring residents, and biodiversity and hydrology during the demolition and construction process.
- 11) No construction, demolition or deliveries to the site shall take place during the construction period except between the hours of 0800 to 1800 Mondays to Fridays or 0900 to 1300 on Saturdays and not at all on Sundays or Bank Holidays.
- Reason: To protect the amenities of the occupiers of nearby dwellings.
- 12) No driven piling shall take place on the development hereby permitted.
- Reason: To protect the amenity of the occupiers of the nearby dwellings.
- 13) No vegetation clearance shall occur on site during the bird nesting season [between 1st March & 31st August] unless supervised by an appropriately

qualified ecologist.

Reason: To prevent harm to breeding birds.

- 14) No burning of materials obtained by site clearance or any other source shall take place during the demolition, construction and fitting out process.  
Reason: To protect the amenities of the occupiers of nearby properties.
- 15) No development above DPC level shall start until a landscaping scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall cover all hard & soft landscaping, including trees and boundary treatment, and shall provide details of timings for all landscaping and any future maintenance.  
Reason: In the interests of the visual amenity of the locality and to safeguard the amenities of neighbouring residents.
- 16) All hard & soft landscaping, tree planting and boundary treatment shall be carried out in accordance with the approved details and to the appropriate British Standard prior to occupation of the last dwelling. For a period of 5 years after planting, any trees or plants which are removed, die or become seriously damaged or defective, shall be replaced as soon as is reasonably practicable with others of the same species, size and number as originally approved in the landscaping scheme.  
Reason: In the interests of the visual amenity of the locality and to safeguard the amenities of neighbouring residents.
- 17) The recommendations for glazing and mechanical ventilation specifications set out in section 5 of the Noise Impact Assessment by 24 Acoustics, Report Reference 'R9712-1 Rev 0', dated 21<sup>st</sup> March 2023, shall be implemented in full prior to occupation of each dwelling hereby approved.  
Reason: To protect the amenities and health of future occupiers of the development.
- 18) The development hereby permitted shall be implemented in accordance with the recommendations outlined in section 6 of the Preliminary Ecological Appraisal by EcoSupport, dated 27<sup>th</sup> January 2023. This shall include the requirement for the installation of bat and bird bricks to suitable elevations of all dwellings, hedgehog holes to boundary fencing and ecologically sensitive external lighting.  
Reason: To protect and enhance biodiversity.
- 19) No development above DPC level shall start until details of external lighting strategy has first been submitted to and approved in writing by the Local Planning Authority. The agreed strategy shall be fully implemented prior to occupation of the last dwelling.  
Reason: To ensure that the external lighting strategy does not have a detrimental impact on protected species including commuting and foraging bats, and in the interest of highway safety.
- 20) The first floor windows on the northern and southern side elevations of Plots 6 & 7 shall either be obscure glazed to Pilkingtons level 3 or equivalent with no

opening parts less than 1.7 metres above the floor of the room in which they are installed. Once installed the windows shall be permanently maintained in that condition.

Reason: To protect the amenity and privacy of the adjoining residential properties.

- 21) No dwelling hereby permitted shall be occupied until the areas shown on the approved plans for the parking of vehicles associated with that dwelling have been surfaced and made available for use. The parking shall then be permanently retained and reserved for that purpose at all times.

Reason: To make provision for adequate on-site parking in the interests of highway safety.

- 22) The garages and carports hereby approved shall only be used for the purpose of parking private motor vehicles in connection with the residential use of the properties and shall not, at any time, be used for living accommodation, business, commercial or industrial purposes.

Reason: To ensure the adequate provision of on site parking for the purpose of highway safety.

- 23) No development above DPC level shall start until details of bin & cycle storage provision, including a communal collection point if required, has been submitted to and approved in writing by the Local Planning Authority. No dwelling hereby approved shall be occupied until its associated bin & cycle storage has been provided in accordance with the approved details and thereafter retained and kept available.

Reason: To ensure the adequate provision of on site facilities.

- 24) Written verification by an appropriate consultant confirming that the construction of all unadopted roads and footpaths within the development are in accordance with the approved plans and details shall be provided to the Local Planning Authority prior to the first occupation of the development.

Reason: To ensure that the development is provided to an appropriate standard.

- 25) The development hereby permitted shall not be occupied until a mitigation package addressing the additional nutrient inputs arising from the development has been submitted to, and approved in writing by, the Local Planning Authority. Such a mitigation package shall address all of the additional nutrient loading upon protected European sites from the development and shall allow the Local Planning Authority to ascertain on the basis of the best available scientific evidence that such additional nutrient loading will not have an adverse effect on the integrity of those European Sites, having regard to the conservation objectives for they are designated. The mitigation package shall be implemented in full and evidence of this provided to the Local Planning Authority in writing prior to first occupation of the development.

Reason: To mitigate the nitrates impacts arising from the development upon the European protected Solent Complex in accordance with the requirements of the Conservation of Habitats and Species Regulations 2017.

Note to Applicant: In accordance with paragraph 38 of the National Planning Policy Framework (July 2021), Eastleigh Borough Council takes a positive approach to the handling of development proposals so as to achieve, whenever possible, a positive outcome and to ensure all proposals are dealt with in a timely manner.

Note to Applicant: This planning permission does not convey the right for the development to encroach over, under or on land which is not within your ownership, without the consent of the landowner.

Note to Applicant: The applicant is advised the granting of permission for the development does not imply right of access to Home Farm, or services and utilities under it, which is a private road. The applicant is advised to seek and obtain permission for the use of Home Farm from the owners of the road before commencing the development.

Note to Applicant: It is requested that the building works are carried out considerately to minimise disruption to the occupiers of the neighbouring properties. The council operates a code of best practice, which is available on the council's website [www.eastleigh.gov.uk](http://www.eastleigh.gov.uk) by following the links to Planning, Guidance on the process, scroll down to Guidance on Aspects of the Planning & Construction Process and select considerate builders advice note.

Note to Applicant: It is recommended that a condition survey of the Home Farm roadway and junction with St John's Road is undertaken prior to the commencement of any site preparation or construction works related to the development hereby permitted, so that a baseline can be established and agreed with the Home Farm management company, and to establish what if any remedial/repair works may be required following completion of the development.

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## **Description of Application**

1. The application seeks consent for the construction of 8No. two storey dwellings (2No. two bedroom, 4No. three bedroom and 2No. four bedroom) with private amenity space, parking and landscaping, accessed from Home Farm and St John's Road.
2. The application is accompanied by the following reports and technical assessments which can be viewed on the Council's website [here](#) together with the proposed plans and drawings:
  - Planning Statement
  - Design & Access Statement
  - Landscape Strategy
  - Ground Investigation Report

- Noise Impact Assessment
  - Air Quality Assessment
  - Tree Report
  - Drainage Strategy & Flood Risk Statement
  - Nitrate Report
  - Preliminary Ecological Assessment
  - Badger Report
  - Transport Statement
  - Mineral Extraction Assessment
  - Viability Assessment
3. 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.
  4. 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 (see below).

### **Site Characteristics and Character of the Locality**

5. The application site measures approximately 0.45 hectares in area, and forms part of a larger allocated housing site of approximately 0.6 hectares, identified as Policy HE3 of the adopted Eastleigh Borough Local Plan 2016-2036. It is located on the western edge of Hedge End to the north-west of 'Home Farm', a recent residential development of 14 dwellings, which itself lies between St John's Road to the south-east and the M27 motorway to the west. Whilst identified as being within the urban edge, the site itself is undeveloped rough paddock. Immediate surrounding land on three sides, other than to the south-east is designated as being outside the urban edge. The site is relatively isolated from wider development in the surrounding area, being sandwiched between steeply sloping woodland and the motorway.
6. The general topography of the wider allocated site slopes down in an easterly to south-easterly direction, the site's highest point being in its northernmost corner and lowest along the north-east boundary approximately a quarter of the way along from the easternmost corner, with a total fall of 12.5 metres. The identified application site lies in a natural bowl, orientated in a generally south-west to north-east direction, with land levels sloping down from the western boundary towards the neighbouring Home Farm Woods, which lie to the north-east of the site. The site is bounded by the woodland to the north-east, together with further woodland to the west, which narrows to a line of mature trees along the south-western edge. The south-eastern boundary is marked by the rear and side garden boundaries of properties within the neighbouring Home Farm development.
7. In addition to the steeply sloping nature of the site and surrounding trees, further significant constraints consist of the limited site access position – as a result of neighbouring development's layout – and the impact of the motorway

in terms of noise and air quality, despite it not actually being visible from the application site due to land levels.

### **Relevant Planning History**

8. There is no planning history directly associated with the application site. However, the adjacent Home Farm development was granted consent in March 2017 under application reference F/15/76447. At the time, that site was not allocated but its approval did open up the adjoining land for potential development. This was later allocated within the current Local Plan (see below)

### **Representations Received**

9. A total of 17 representations have been received from 14 addresses, all but one objecting to the application for the reasons set out below:
  - Further loss of wildlife habitat and impact on wildlife – rabbits, bats, badgers, deer, foxes and owls are known to use the site.
  - Ecology survey is not extensive enough.
  - Site drainage and flooding of adjacent woodland – has consent to discharge here been received?
  - Impact upon existing trees.
  - Loss of light to neighbouring properties and gardens.
  - Loss of privacy to existing neighbouring properties.
  - Do not want to see trees planted along the rear boundaries of existing properties.
  - Home Farm is a private road – no consent for its use has been sought, and who will be responsible for its maintenance and repair?
  - Home Farm drainage is private – no permission to connect has been given, who will be responsible for any damage?
  - Extra load on existing utilities.
  - Site access is too narrow.
  - Safety concerns for existing residents adjacent to site access.
  - Existing residents' vehicles may be damaged by construction traffic.
  - Inadequate parking provision.
  - Will create additional traffic.
  - No footway is to be provided for residents of the development.
  - Proposed design is not in keeping with the existing Home Farm development.
  - Noise and disturbance during construction.
  - Existing Home Farm residents were promised no further development would happen.
  - Hedge End is already overdeveloped.
  - Further impact upon local facilities and services.
  - If homes are to be built, they should be affordable.
  - Brownfield sites should be used before more greenfield.
  - Access to the woods should be provided.

- Does not meet the requirements of Policy HE3
10. **Hedge End Town Council** – Object on the basis of overdevelopment and possible infringement of the gap.

### **Consultation Responses**

11. **Urban Design** – No objection subject to some revisions.

The site is located within the urban edge. Policy HE3 requires that the detailed proposals should comply with the development plan and with an approved master plan for the whole site. Therefore, more information would need to be submitted in order to comply with the Local Plan Policy.

12. The proposed layout shows the buildings predominantly located within the area next to the existing adjacent buildings, minimising the encroachment into the undeveloped part of the site. Also, the proposed layout appropriately addresses most of the site constraints. General form and scale are acceptable subject to improvements to courtyard space and landscaping.
13. **Ecology** – Objection. Overdevelopment of the site, resulting in increased recreational pressure upon nearby areas of open space. It has also not been demonstrated that biodiversity net gain can be achieved within the application site boundaries.

Further public access to the adjacent Home Farm Woodland is not encouraged from this site due to the need for significant engineering works to deal with the steeply sloped site.

Further details in relation to surface water drainage and filtration of runoff is required.

14. **Trees** – Holding Objection. Further details in relation to tree protection measures during construction are required, and concern remains as to the impact of providing the new site access and services over and through the root protection area of a group of significant mature trees. Insufficient technical detail has been provided to demonstrate that this can be achieved without adverse harm to those trees.
15. **Environmental Health (Land Contamination)** – The submitted Desk Top Study Report and Ground Investigation Assessment Report provide information to address any potential contamination issues from the contaminated land perspective, in line with standard practices and regulatory framework. I agree with the findings of the report and have no objections to the proposed development.
16. **Environmental Health (Pollution)** – No objection subject to conditions.

The site is located in proximity to the M27 motorway and therefore noise and air pollution are relevant considerations. The supporting noise and air quality

assessments demonstrate that the site would be suitable for residential development. Whilst garden areas will be at the higher end of acceptable noise limits, the dwellings are set back and oriented side-on to reduce exposure to noise. Internal noise can be dealt with via fenestration sound insulation and continuous mechanical ventilation as an alternative to opening windows.

An assessment of air quality (vehicular emissions) predicts concentrations of pollutants within limits, which is unsurprising but acceptable.

Conditions requested for: installation of sound insulation and mechanical ventilation per the report prior to occupation; and a Construction Environment Management Plan to protect the amenities of neighbouring properties.

17. **Hampshire Highways** – No objection subject to conditions, although some aspects may need to be reviewed.

Access via Home Farm onto St John's Road is acceptable, with adequate width and visibility splays. The internal road is wide enough for two way traffic. However, the proposed turning head is tight for a refuse vehicle and could be obstructed by poorly parked vehicles. However, this would be an internal private issue that an on-site management plan would need to be responsible for. It could be that a bin collection point close to the join of existing and proposed internal road link would be a preferable option, using the existing turning head rather than heading into the new development specifically.

Whilst not essential due to the quantum of development, it may be beneficial to extend the existing footway into the site on at least one side for convenience and added safety. Provision of street lighting to match the existing development should also be considered.

Condition requested in relation to approval of a Construction Management Plan.

18. **Hampshire Waste and Minerals** – No objection subject to conditions.

The proposed development lies within the mineral and waste consultation area – minerals section. This area is informed by the mineral safeguarding area (MSA) as defined through Policy 15: Safeguarding – mineral resources of the adopted Hampshire Minerals and Waste Plan (2013) (HMWP) and indicates where viable, safeguarded mineral resources are likely to be present.

Hampshire County Council, as Mineral Planning Authority, agree with the conclusions of the Mineral Extraction Study (Ground Condition Consultants Ltd., ref. J22-077-R05, dated January 2023) that prior extraction is not viable as part of the proposed development. We also welcome the inclusion of wording surrounding the use of the principles of 'incidental extraction' as part of the proposed development.

Condition requested in relation to ensuring that minerals that can be viably recovered during the development operations are recovered and put to beneficial use.

19. **Natural England** – Comments awaited.
20. **Southern Water** – The submitted details indicate that the foul drainage from the proposed development will be discharged into a private foul network. The applicant should ensure they have adequate rights to utilise the intervening private drainage systems. If the surface water drainage system is to be adopted by Southern Water, details will need to be agreed.

### **Policy Context and Designations Applicable to Site**

- Within Built-up Area Boundary
- Within Minerals Safeguarding Area
- Adjacent to Settlement Gap

### **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);
- DM29 (Dwellings with higher access standards);
- DM30 (Internal space standards for new residential development); and
- HE3 (Land at Home Farm, St John's Road, Hedge End).

### **Hampshire Minerals and Waste Plan**

- Policy 15 – Safeguarding of Mineral Resources.

## **Supplementary Planning Documents**

- Quality Places (November 2011);
- Trees and Development (April 2022);
- Residential Parking Standards (January 2009);
- Environmentally Sustainable Development (March 2009); and
- Biodiversity (December 2009);

## **National Planning Policy Framework**

21. 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 NPPF 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.
22. 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**

23. 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**

24. 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. The NPPF and the Planning Practice Guidance constitute material considerations of significant weight.

## **Policy & Principle**

25. 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. The most relevant policies in this instance are DM1 and HE3 of the adopted Local Plan.

26. 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”.
27. 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”.
28. Policy HE3 relates specifically to the application site and states the following:

*An area of approximately 0.6ha to the west of Hedge End, as defined on the policies map, is allocated for development to include approximately 16 dwellings. Planning permission will be granted provided that the detailed proposals comply with the development plan, and comply with an approved masterplan for the whole site which addresses the following specific requirements:-*

- a. a range of housing types, sizes and tenure;*
- b. the provision of vehicular access from St John’s Road;*
- c. the provision of contributions to, or delivery of, off-site highway improvements considered necessary to serve the development;*
- d. the provision of pedestrian and cycle links both within the site and to connect the site with the built-up area of Hedge End, with development permitted on adjacent sites and over the motorway to Southampton in accordance with strategic policy S12 (1)(o);*
- e. to preserve water quality and flows details of Sustainable Urban Drainage shall be provided in accordance with policy DM6 as part of any application for outline or full planning permission;*
- f. ensure avoidance or mitigation of direct and indirect adverse impacts on habitats or species protected by legislation or identified as of principal importance within the NERC Act 2006 S41 lists and that there is a net gain in biodiversity;*

- g. the provision of a good quality landscape setting for the development and the adjacent permitted development and maintaining and reinforcing existing boundary planting compatible with planned adjoining uses and minimising impacts on protected trees;*
  - h. ensuring an acceptable noise environment for new homes through appropriate siting of development and the provision of suitable noise mitigation measures, in light of the proximity of the M27 Motorway to the west;*
  - i. implementation of appropriate measures to mitigate any adverse air quality impacts arising from the proximity of the M27 Motorway to the west;*
  - j. thorough exploration of the nature and extent of the underlying mineral resource and of the potential for the extraction of any viable deposits on the part of the site affected by minerals safeguarding;*
  - k. implementation of appropriate measures to address any land contamination associated with former uses of the site; and*
  - l. occupation of the development is phased to align with the delivery of any necessary wastewater network reinforcement, in liaison with the service provider.*
29. As discussed earlier, the application site does not encompass the whole of the land suggested by Policy HE3, rather 0.45 hectares, approximately 75%. Neither would it accommodate the 16 dwellings suggested by the policy. The applicant's reasons for this are set out in more detail below, but in policy terms there is nothing to stop the applicant from submitting proposals which do not fully align with that set out by the policy, so long as reasonable justification can be provided.
30. The policy also has a requirement for an approved masterplan which addresses the specific points set out, a – l. Each of these will be discussed where relevant within the remainder of this report.
31. In principle therefore, as an allocated site within the urban edge, as defined by the adopted Local Plan, redevelopment of the site for housing purposes is acceptable. The main issue to consider therefore is whether that currently proposed accords with the requirements of the relevant Local Plan policies, including Policy HE3.

### **Sustainable Development**

32. Section 2 of the NPPF (September 2023) 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.

33. 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.
34. 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.
35. 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**

36. 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”.
37. In economic terms, redevelopment of the application site would provide new homes and bring additional residents into the area 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.
38. In economic terms therefore, it is considered that the proposed scheme would meet the requirements of being economically sustainable.

### **Social Sustainability**

39. 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”.
40. As an allocated site within the adopted Local Plan, redevelopment of the site would meet the requirements of the NPPF in this regard. Whilst that proposed would be for general private housing provision, it will nonetheless meet an

acknowledged need. In terms of social sustainability therefore, that proposed is considered to meet the requirements of being socially sustainable.

### **Environmental Sustainability**

41. 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.”
42. 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, together with the criteria set out in Policy HE3.

### **Layout**

43. As set out above, the application seeks consent for the construction of 8No. two storey dwellings (2No. two bedroom, 4No. three bedroom and 2No. four bedroom) with private amenity space, parking and landscaping, accessed from Home Farm and St John’s Road. The eight dwellings would be arranged around a central landscaped ‘courtyard’, including new tree planting and visitor parking provision. This would be linked to the neighbouring Home Farm development via a shared surface road at the end of an existing turning head adjacent to No.14 Home Farm.
44. Each dwelling would have a private rear garden, Plots 1 – 4 backing onto the adjoining paddock land, and Plots 5 – 8 backing onto the existing rear and side boundaries of Nos.9 – 11 and 14 Home Farm. Parking would be provided via a combination of garages, carports, driveways and within the communal courtyard.
45. Around the periphery of the site a landscape buffer would be provided, which would be planted with new trees and native hedge species. This would be enclosed on the ‘garden’ side by 1.8 metre close board timber fences, with lower post and rail fencing to the adjoining paddock, which would be provided with a new field gate via the shared access road.
46. The general layout is a response to the site’s topography, surrounding trees and noise from the motorway. The sloping nature of the site makes construction more difficult. The surrounding trees constrain development through the need to limit impact upon them, particularly given the woodland is subject to a preservation order, as well as trying to prevent adverse shading to dwellings and their gardens. The dwellings are also orientated side-on to the motorway, so as to try and minimise impact upon the internal living environments. In terms of layout, that proposed is not an unreasonable solution to the main site constraints.

47. Several points were highlighted regarding the 'tightness' of the central courtyard space by the Borough's Urban Design Officer and Hampshire Highways. As such, the layout has been revised to open up the central space, giving more room for manoeuvring vehicles, larger scale soft landscaping and a better outlook for the proposed dwellings. Whilst some potentially awkward elements remain, such as the slightly confused differentiation between what is private frontage and what is communal space, nonetheless, that now proposed is considered to be an acceptable layout, which if landscaped well, would provide an attractive focal point for the development and give its own character. As such, it would accord with the design requirements of Policy DM1, the Council's 'Quality Places' SPD and the NPPF.
48. Also of note is Policy DM23, which relates to new residential development in urban areas. Part of this policy requires "a minimum density of 40 dwellings per hectare (net)... unless site constraints or local character justify a lower density." The eight dwellings proposed within the application red line would equate to just under 18 dwellings per hectare, somewhat short of the 40 dwellings encouraged by the Policy DM23 but in line with the 19 dwellings per hectare density of the existing Home Farm development. However, it should also be noted that Policy HE3, which suggests that the whole of the allocated site could accommodate approximately 16 dwellings, equates to a density of just under 27 dwellings per hectare. Again, some way short of the density encouraged by Policy DM23 but representative of the site's 'rural edge' location.

### **Form, Scale & Design**

49. The proposed two storey scale and traditional pitched roof of that proposed is acceptable, following the general character of the adjacent Home Farm development, and that of wider residential development in the locality. Equally, the proposed finishing materials of brick, tile, slate and some timber cladding are considered appropriate for the nature of the site, and again reflects that used in the adjoining development. Architecturally the proposed style is fairly traditional with a slight contemporary twist to a couple of the plots.
50. The comments made that the proposed development should copy that of Home Farm are noted. However, whilst linked, the existing and proposed developments would never really be seen together. As such, a variation in architectural styles and materials, albeit of similar forms and palettes, would work and help to give each its own identity and character. Again, As such, that proposed would accord with the design requirements of Policy DM1, the Council's 'Quality Places' SPD and the NPPF.

### **Street Scene, Townscape & Area Character**

51. As set out above, the site is relatively isolated from other development in the locality, other than Home Farm, meaning that its impact upon the general character and appearance of the wider area would be minimal.

Whilst neighbouring the Home Farm development, the two would never really be seen together, resulting in minimal impact upon the existing street scene and character of the public realm.

52. Internally within the proposed development, whilst modest in terms of the number of dwellings, there is nonetheless sufficient variety to provide visual interest whilst retaining architectural cohesion. The combination of layout, architectural design and surrounding setting would help the development create its own attractive character, as encouraged by Policy DM1, the Council's 'Quality Places' SPD and the NPPF.

### **Access, Parking, Servicing & Highway Matters**

53. Vehicular and pedestrian access to the site would be via Home Farm and utilise the end of an existing turning head in front of Nos.12 to 14 which was designed and intended at the time of that development's construction to provide access to the adjoining land. Concern has been raised by some residents that this access is not sufficiently wide enough to serve the proposed development. However, this has been reviewed by Hampshire Highways who have raised no objection in this regard. The only potential issue raised by HCC Highways related to the originally proposed turning head within the proposed development, which was considered to be tight. Tracking drawings were provided in support of the application, which demonstrate that a refuse lorry could enter, turn and leave the site in a forward gear. However, whilst technically possible, it did rely on resident and visitor vehicles being parked in their correct designated locations. Notwithstanding, the layout of the central courtyard space has been revised, allowing more room for refuse vehicles to turn if required. Alternatively, refuse vehicles could reverse into the development to access a communal collection point nearer to the site access if necessary. This would negate the need to provide a turning space sufficiently large enough for a refuse vehicle, albeit details of an appropriate collection point would need to be provided to ensure its position and screening is acceptable. A condition requiring confirmation of this and details to be submitted is recommended.
54. The lack of a separate pedestrian footway into the development has been highlighted by a number of those commenting upon the application and Hampshire Highways. Part of the reason for this, as set out by the applicant, is the desire to prevent the development from becoming too engineered in appearance and wanting to provide a softer feel appropriate to the character and nature of the site's surroundings. In addition, as the proposed access road is not intended to be adopted, there is no specific requirement for a separate footway to be provided. Traffic movements would be relatively modest, and with appropriate lighting and potential traffic calming, a shared surface should be acceptable.
55. Parking would be provided via a combination of garages, carports, private driveways and communal parking. Each dwelling has sufficient dedicated spaces to meet the Council's 'Residential Parking Standards' SPD

requirements, and there are dedicated visitor spaces within the central courtyard, as well as scope for further informal spaces along the access road. As such, the proposed development would meet the requirements of Policy DM14 and the 'Residential Parking Standards' SPD. However, to ensure parking provision is maintained throughout the lifetime of the development, a condition preventing the conversion of garages and carports to habitable accommodation without the LPA's prior consent is recommended.

56. As to other highway matters, whilst concerns regarding additional traffic generation are noted, the relatively modest scale of the proposed development would not result in an adverse increase in vehicle movements along Home Farm or at the junction with St John's Road. This has been reviewed by Hampshire Highways who have raised no objection regarding traffic impact or highway safety.
57. Concerns have also been raised in relation to construction traffic during the build process. Whilst a not unreasonable concern, this additional traffic would be for a temporary period and can be controlled to a reasonable extent via approval of a Construction Management Plan. It has also been highlighted that construction traffic could cause damage to the existing roadway, which as a private road is paid for and maintained by residents of Home Farm. Whilst strictly a private matter between the applicant and existing residents, it is recommended that a condition survey of the existing access road is undertaken before any construction or site preparation works take place so that a baseline can be established.
58. Finally in relation to access, a number of existing Home Farm residents have highlighted that the existing access road is within private ownership, and that the applicant requires their consent to use Home Farm to access the application site. It is correct that as an unadopted road, the applicant will need to ensure that they have the appropriate authority and consents to utilise Home Farm as access to the development site, and that these rights would also be available for future occupiers of the development. Whilst Council officers have seen no legal documentation to confirm that the applicant does have a right of access, this is a civil matter between the relevant parties and does not prevent planning approval from being granted. Notwithstanding, the applicant has confirmed that they are satisfied appropriate access rights are available to them and can be legally secured. As such, officers are satisfied that the site can be accessed and linked to the adopted highway network.

## **Amenity**

### Neighbouring residents and uses:

59. Loss of light, privacy and outlook to existing dwellings and gardens have been raised as objections from neighbouring residents who would back onto the proposed development. Whilst that proposed would change the current view from the rear of these properties, there would be no adverse

impact upon their outlook in planning terms, which considers visual dominance rather than the attractiveness of the view.

60. With regards to loss of light to dwellings and gardens, the proposed dwellings at more than 28 metres distance and two metres lower ground level, are sufficiently far enough away from existing properties so as to not cause any overshadowing or existing properties or gardens. Concern has also been raised that the proposed tree planting along the south-eastern boundary would shade gardens. Whilst there may be a very modest degree of shading at the very end of the day once the trees have matured, as neighbouring gardens are to the south of the application site, this would not be a significant issue.
61. In terms of privacy, again due to the distance and lower level of the proposed development, which more than exceeds the 22 metre minimum standard set out in the Council's 'Quality Places' SPD, there would be no unacceptable overlooking or loss of privacy to existing properties.
62. Other amenity concerns raised relate to disturbance during the construction process. These are noted but would be for a temporary period, with issues of noise, dust and working hours controlled by the recommended conditions.
63. In terms of the amenity impact of that proposed upon existing residents, that proposed would not result in any adverse or unacceptable harm and accords with the requirements of Policy DM1 of the adopted Local Plan and the Council's 'Quality Places' SPD.

#### Future residents:

64. With regards to the amenity of future occupiers of the development, as set out above, the proximity of existing neighbouring properties will ensure no unacceptable levels of overlooking or loss of privacy.
65. All dwellings would have a reasonable outlook and receive acceptable levels of natural light. In terms of floor area, all proposed dwellings significantly exceed the minimum standards set out by Policy DM30 and can meet the higher access standards required by Policy DM29.
66. All private gardens are useable and more than exceed the 60% of floor area requirements set out by the 'Quality Places' SPD in terms of garden size. As such, that proposed accords with the requirements of Policy DM1 of the adopted Local Plan and the Council's 'Quality Places' SPD, with the only other amenity issue to be considered being the impact of the adjacent motorway (see below).

#### **Noise & Air Quality**

67. The close proximity of the M27 motorway (approximately 60 metres away) results in the site being subjected to higher than usual levels of noise and

increased air pollution. These are significant constraints which could have an adverse effect upon future residents of the proposed development. As such, the application is supported by detailed noise and air quality assessments, which have been reviewed by the Council's Environmental Health Team.

68. These assessments demonstrate that the site would be suitable for residential development with appropriate mitigation. Whilst garden areas will be at the higher end of acceptable noise limits, the dwellings are set back behind a natural raised bank and oriented side-on to reduce exposure to noise. Internal noise can be dealt with via fenestration sound insulation and continuous mechanical ventilation as an alternative to opening windows. Equally, whilst the air quality assessment predicts concentrations of pollutants which are higher than average, these are still within acceptable limits.
69. A condition requiring the installation of sound insulation and mechanical ventilation as set out by the noise and air quality assessments, including verification of its correct installation prior to occupation is recommended. With these measures in place, the proposed development would meet the requirements of Policies DM1 and DM8 of the adopted Local Plan.

### **Drainage & Flood Risk**

#### Foul drainage:

70. It is intended that the proposed development would be linked to the existing Home Farm foul drainage system. This will require a small pumping station which would be installed under the central courtyard area. This is an acceptable solution to Southern Water, who have raised no objection but have highlighted the need to gain separate consent to link to the existing private system, which in turn links to the public sewerage system. As with use of Home Farm for vehicular and pedestrian access to the application site, this is a civil matter between the relevant parties and does not prevent planning approval from being granted.

#### Surface water drainage:

71. It is intended that the development would utilise a Sustainable Urban Drainage System (SUDs) which would make use of the existing natural topography of the site. Surface water would be directed from the roadway and central courtyard space, filtered through permeable paving where it would be held underground, and then discharged at a controlled rate into the adjoining woodland. This follows the current route taken by surface water, which naturally drains away into the adjoining woodland, given that the ground conditions of the site are predominantly clay and impermeable. The submitted drainage strategy has been reviewed by the Council's Ecologist who is generally satisfied with the approach proposed, although has asked for further detail in relation to filtration of overspill drainage during storm events. This has been provided by the applicant who has

confirmed that the proposed system is intended to deal with 1 in 1,000 year rain events, meaning that overspill should not occur. Overall, the currently proposed strategy accords with the requirements of Policy DM6 of the Local Plan.

#### Flooding:

72. The application site lies within Flood Zone 1, i.e. it is not at risk of flooding according to the Environment Agency criteria.
73. Some concern has been raised from residents of Home Farm that the proposed development could add to existing drainage and flooding problems within that development. These concerns are noted. However, the natural topography and level differences between Home Farm and the development site, which lies on lower ground, would ensure that no surface water from the application site could add to existing issues.

#### **Trees**

74. The Council's Tree Consultant has raised a holding objection to that proposed on the grounds that insufficient information has been provided to demonstrate that construction of the proposed access will not result in adverse harm to a group of large mature trees which run along the south-western edge of the access road. Whilst these trees are not subject to any preservation order – unlike the woodland to the north-east of the site – they nonetheless form an important part of the site's character and setting, as well as providing significant biodiversity benefits. As such, their protection from unacceptable harm is a relevant consideration.
75. Discussions between officers and the applicant have been on-going throughout the course of the application process. Additional information has been provided, which demonstrates that the need to construct the site access and match levels with the existing roadway, together with connecting to existing drainage and services, will require significant encroachment into the root areas of these trees, potentially at some depth. As such, it cannot be guaranteed that damage would not occur to these trees, even with careful excavation and protection measures being put in place.
76. Ideally the new access would be located well outside of any root protection areas. However, there are no other viable options available to access what is an allocated housing site.
77. As such, whilst the objection on purely arboricultural grounds is acknowledged, this must be weighed against the fact that this is the only available point of access to a housing site which has been allocated as such by the LPA. It is also the case that the existing Home Farm roadway has already been constructed well within the root protection areas of these trees, which on initial inspection show no signs of adverse harm being caused. As such, it would be unreasonable to prevent development of the

site by refusing the scheme on arboricultural grounds which are as a result of previous planning decisions. However, this is not to say that all reasonable measures to limit any harmful impact upon these trees should not be taken. As such, a condition requiring details as to how the access road and connection to existing drainage and services will be undertaken to be submitted to and approved by the LPA prior to commencement is recommended.

78. With regards to other trees surrounding the site, in particular the protected woodland to the north-east, no concerns have been raised. Whilst Plots 4 & 5 are in relatively close proximity to the woodland edge, they are sufficiently far enough away so as to not result in any physical harm to the woodland, or likely to come under pressure from future occupiers of these plots for unnecessary tree works due to loss of light, etc.

### **Ecology**

79. The objection raised by the Borough Ecologist in relation to “overdevelopment” of the site and increased recreational pressure upon nearby areas of open space is noted. However, this needs to be considered in the context that the application site is an allocated housing site within the adopted Local Plan. As such, any additional impact upon local areas of publically accessible open space would have been taken into account when considering the site for allocation. Potential increased recreational impact is not therefore considered a reasonable argument in this instance. Notwithstanding, the concern in relation to providing a direct link to the neighbouring woodland, as shown on the originally submitted proposals, is a valid point and as such, this element of the proposals has now been removed.
80. With regards to demonstrating biodiversity net gain, it is acknowledged that the existing site does provide habitat for a variety of wildlife, some of which are protected species. However, it should be noted that only a portion of the existing allocated site habitat would be lost to the proposed development, much of which would be residential gardens. The more significant habitat which surrounds the site would not be touched by redevelopment of the site, and a sizable area of undeveloped land outside of the application redline would remain as it is at present.
81. Whilst it is accepted that no specific details as to exactly what mitigation and enhancement measures are proposed, various options have been put forward within the supporting Ecological Assessment, such as bat and bird nesting features, and can be conditioned as part of any planning approval. A condition to this effect is recommended above. It should also be noted that the application site would be surrounded by a planting buffer, which if utilising an appropriate mix of native plants, will provide new hedgerow habitat to the benefit of existing species.
82. The additional information requested in relation to the proposed surface water drainage strategy has been provided and demonstrates that the

proposed solution would accord with the requirements of Policy DM6 of the adopted Local Plan.

83. Although the ecological concerns raised are noted, these can be reasonably addressed and secured via conditions. Ecological impact and biodiversity gain, whilst important, are one of a number of material considerations to be taken into account, and which must be balanced with the fact that the principle of redeveloping the site for residential purposes has already been accepted through the allocation of the site within the recently adopted Local Plan. That being the case, it is considered that the proposed development can meet the necessary requirements of Policy DM11.

### **Policy HE3**

84. Policy HE3 is a significant material consideration when assessing that proposed. As such each element of the policy needs to be considered. The policy begins with the opening paragraph:

***An area of approximately 0.6ha to the west of Hedge End, as defined on the policies map, is allocated for development to include approximately 16 dwellings. Planning permission will be granted provided that the detailed proposals comply with the development plan, and comply with an approved masterplan for the whole site which addresses the following specific requirements:-***

85. As discussed above, the application site does not include the whole of the land allocated by HE3, only a central portion. The reason for this, as stated by the applicant, is that following assessment of the site constraints, only the area identified within the redline is suitable for development, the remainder being adversely impacted by noise, shading or simply being too steep to develop without significant engineering works. This is also the reasoning for proposing 8 dwellings rather than the 'approximately 16' set out by the policy. As such, they are only seeking to purchase and redevelop the identified area, with the remainder of the site staying within its current ownership.
86. The policy goes on to list a number of specific requirements:
- a. ***a range of housing types, sizes and tenure;*** - That proposed includes 2, 3 and 4 bedroom dwellings. Albeit all would be for private sale, the scale of that proposed means that affordable housing cannot be secured.
  - b. ***the provision of vehicular access from St John's Road;*** - The development would make use of the existing Home Farm development which links to St John's Road.
  - c. ***the provision of contributions to, or delivery of, off-site highway improvements considered necessary to serve the development;*** - Developer contributions cannot be secured as part of that proposed due to

the scale of the development. Equally, no contributions have been sought by the Local Highway Authority.

- d. ***the provision of pedestrian and cycle links both within the site and to connect the site with the built-up area of Hedge End, with development permitted on adjacent sites and over the motorway to Southampton in accordance with strategic policy S12 (1)(o);*** - The development would connect to Home Farm, which in turn is connected to St John's Road, the wider area and beyond.
- e. ***to preserve water quality and flows details of Sustainable Urban Drainage shall be provided in accordance with policy DM6 as part of any application for outline or full planning permission;*** - An acceptable drainage strategy has been provided and can be conditioned as part of any planning approval.
- f. ***ensure avoidance or mitigation of direct and indirect adverse impacts on habitats or species protected by legislation or identified as of principal importance within the NERC Act 2006 S41 lists and that there is a net gain in biodiversity;*** - Mitigation towards water quality and recreational impacts can be secured through use of the relevant Council run schemes. There is also reasonable scope for biodiversity net gain on site with appropriate landscape planting and other enhancement measures which can be secured by condition.
- g. ***the provision of a good quality landscape setting for the development and the adjacent permitted development and maintaining and reinforcing existing boundary planting compatible with planned adjoining uses and minimising impacts on protected trees;*** - That proposed gives scope for good levels of new landscape planting to both enhance the development and soften its impact upon the existing Home Farm development. Whilst there are still some questions in relation to impact on those trees adjacent to the site access, this location has already been accepted. Notwithstanding, efforts can be made and secured via condition/s to minimise potential impact upon these trees.
- h. ***ensuring an acceptable noise environment for new homes through appropriate siting of development and the provision of suitable noise mitigation measures, in light of the proximity of the M27 Motorway to the west;*** - This has been addressed through the proposed site layout and its position within the allocated site. Evidence has also been provided in the form of a detailed noise survey, which has been reviewed and found acceptable by the Council's Environmental Health Team.
- i. ***implementation of appropriate measures to mitigate any adverse air quality impacts arising from the proximity of the M27 Motorway to the west;*** - The supporting air quality assessment demonstrates that air quality is within acceptable limits at the point of proposed development.

- j. thorough exploration of the nature and extent of the underlying mineral resource and of the potential for the extraction of any viable deposits on the part of the site affected by minerals safeguarding; -* The supporting Mineral Extraction Assessment has been reviewed by the County Council Waste and Minerals Team, who have confirmed that commercial extraction is unlikely to be viable. However, efforts to utilise and deposits found on site within the development should be explored, so as to make best use of resources.
- k. implementation of appropriate measures to address any land contamination associated with former uses of the site; and –* It is not expected that any serious contamination issues would impact the proposed development, and if necessary appropriate conditions can be applied to ensure mitigation is undertaken prior to the site being occupied.
- l. occupation of the development is phased to align with the delivery of any necessary wastewater network reinforcement, in liaison with the service provider. –* The scale of that proposed will not have any impact upon the wider wastewater network, as has been confirmed by Southern Water.

87. Whilst not fully aligning with the specific requirements of Policy HE3, reasonable justification for the approach taken has been provided by the applicant. Further detailed analysis at the application stage has highlighted significant constraints in relation to topography, noise and air quality, which demonstrate that a significant proportion of the allocated site may well not be suitable for residential development without substantial engineering operations leading to a poor built and living environment, which in turn limits the number of dwellings which could acceptably be accommodated.

### **Impact on Special Policy Areas**

#### Nitrates:

88. 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 nitrification. 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).
89. The application site would use the Peel Common wastewater treatment works, which discharges into the Solent. As such the proposed development is required to achieve nutrient neutrality for nitrogen impact. Eastleigh Borough Council has a scheme which takes land out of agricultural uses and creates recreational spaces, thus reducing the nutrient output of the land. The applicant has confirmed that they intend to make use of this scheme and a condition is recommended requiring

confirmation that the appropriate level of nitrate mitigation has been secured prior to occupation.

#### Recreational Disturbance:

90. 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.
91. The site falls inside the 5.6km buffer zone for the Solent SPA and also within the 13.8km catchment area for the New Forest Special Protection Area. It is recognised that new housing developments within these catchment areas are likely to result in additional visitors to these protected sites.
92. In order to mitigate for these impacts, the developer has agreed to provide contributions towards the Solent Recreational Disturbance Strategy and the Council's New Forest Mitigation Strategy (which provides Suitable Alternative Natural Green Spaces within the borough), should the Committee resolve to approve the planning application.

#### Habitats Regulations:

93. Any proposed residential development within the Borough will have a likely impact upon The Solent SPAs and New Forest National Park. As such, an Appropriate Assessment under the Habitats Regulations has been completed and is currently being reviewed by Natural England.

#### **Sustainability Measures and Climate Change**

94. 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.
95. 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.

96. 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.
97. 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.
98. No specific details as to what particular measures would be included as part of the proposed development have been provided. However, as a new build development, there would be a requirement to meet the latest Building Regulations standards in this respect, which would include suitable insulation, energy requirements and standards. There is also scope to include additional measures such as photovoltaic panels to the roofs.

### **Planning Obligations / Considerations**

99. At eight units, the proposed development falls under the ten unit threshold for when planning obligations can be secured. There is an exception to this where a development of less than ten units exceeds 1,000 square metres in total floor area, planning obligations can be required. The proposed development would just exceed the 1,000 square metre threshold but only if garages and carports were to be included within the calculation. However, as garages and carports are not habitable accommodation, and there is a recommended condition preventing their conversion, it is considered unreasonable to include these in this instance.
100. These same thresholds also apply to the provision of affordable housing, as set out by Policy DM28 of the adopted Local Plan. As such, affordable housing is not being sought in this instance. Notwithstanding, a viability assessment has been provided which suggests that if affordable housing were to be included, the development would not be viable.

### **Other Material Considerations:**

#### **The Council's Five-Year Housing Land Supply**

101. 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**

102. 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:*

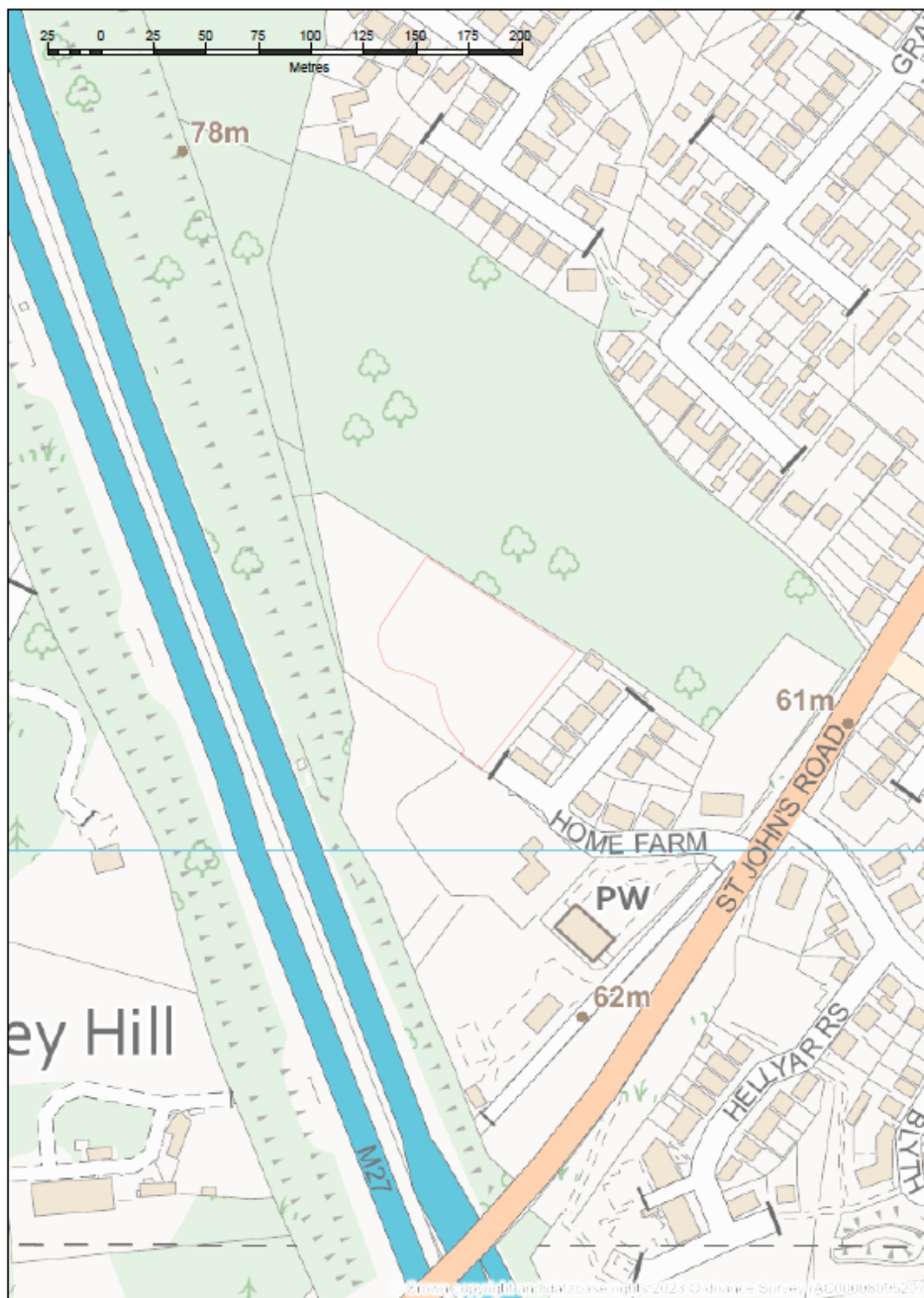
- *eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;*
- *advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;*
- *foster good relations between persons who share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

103. 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 specific equality implications.

### **Conclusion:**

104. To conclude, whilst not fully aligning with the specific requirements of Policies DM23 or HE3, reasonable justification for the approach taken has been provided by the applicant, as discussed above. Notwithstanding, that proposed is considered to largely accord with the requirements of Policy HE3 and the other relevant policies of the adopted Local Plan.
105. As such, the application is recommended to delegate back to the Service Director for Planning and Environment, Chair and Vice Chair for approval subject to: the conditions set out above; outstanding consultee comments and any necessary condition revisions; together with securing mitigation towards recreational impact of the development upon the Solent and New Forest SPAs.

F/23/95431



Address: Home Farm, St Johns Road  
Hedge End, SO30 4DF

Date: 08/11/2023

Scale: 1:2500