

(BIFOHH, Bishopstoke, Fair Oak and Horton Heath Local Area Committee,
29th November 2023)

Application Number: F/23/95753
Case Officer: Rachael Morris
Received Date: 28/07/2023
Site Address: 5-7 Allington Lane, Fair Oak, Eastleigh, SO50 7DA
Applicant: Regal Homes (South) Ltd
Proposal: Erection of 1.no 3-bedroom bungalow with associated parking following the demolition of existing garages and severing of land

Recommendation: Subject to:

- Securing contributions towards the Council's New Forest Mitigation Strategy.
- Completion of the Habitats Regulations Assessment Process.

To delegate back to the Service Director for Planning and Environment in conjunction with The Chair and Vice Chair to GRANT PLANNING PERMISSION with the following conditions

CONDITIONS AND REASONS:

1. The development hereby permitted shall be implemented in accordance with the following plans numbered: FB8570/100 Rev A, FB8570/101, FB8570/102 Rev A
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. No development shall commence on site until a Construction Environmental Method Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority, which shall include:
 - a) A programme of and phasing of demolition (if any) and construction work;
 - b) Provision of long term facilities for contractor parking and parking of vehicles of site operatives and visitors;
 - c) Access and egress for plant and machinery;

- d) Location of temporary site buildings, compounds, construction material, and plant storage areas used during demolition and construction;
- e) The arrangements for deliveries associated with all construction works, loading/ unloading of plant & materials and restoration of any damage to the highway [including vehicle crossovers and grass verges]
- f) The arrangements for the routing/ turning of lorries and details for construction traffic access to the site;
- g) A scheme for controlling noise and vibration from demolition and construction activities (to include piling);
- h) Provision for storage, collection, and disposal of rubbish from the development during construction period;
- i) Details of the methodology for ensuring dirt is not transferred onto the highway from the site (i.e wheel washers), and onwards mitigation should this fail, such as the employment of mechanical road sweepers, and the subsequent refresh of street lining (as and when required) should this be damaged during the process;
- j) The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- k) Details of any temporary lighting to be designed in accordance with best practice;
- l) Methods and phasing of construction works;
- m) Protection of pedestrian routes during construction;
- n) how complaints about harm or adverse impact to amenity will be received and considered.

Demolition and construction work shall only take place in accordance with the approved method statement.

Reason: In order that the Planning Authority can properly consider the effect of the works on the amenity of the locality.

4. Prior to the commencement of development, details of the proposed means of foul sewerage and surface water disposal shall be submitted to, and approved in writing by, the Local Planning Authority, in consultation with Southern Water. This shall be in broad accordance with the submitted Surface Water Plan (FB8570/102 Rev A)

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

5. The development must accord with the arboricultural report reference TR.V1.5-7.AL.FO.E. No excavation, demolition or development related works shall commence until the tree protection measures have been installed as per the tree protection plan contained within the report. Once installed, no access by vehicles or placement of goods, chemicals, fuels, soil or other materials shall take place within the protected area. Tree protection measures shall be retained in their approved form for the duration of the work and may only be modified subject to written agreement from the LPA.

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

6. A watching brief should be followed at all times during construction works and confirmation of this shall be submitted to by the Local Planning Authority (LPA) prior to completion. In the event that previously unidentified contamination is found during the watching brief it must be immediately reported to the Local Planning Authority. Work shall then cease until an investigation and risk assessment, and where required a remediation scheme, has been submitted to and approved in writing by the Local Planning Authority. Where a remediation scheme is required by the Local Planning Authority, the development shall not be brought into use until a verification report for the remediation work has been submitted to and approved in writing by the Local Planning Authority. All works shall be undertaken by a competent person in accordance with best practice as outlined in BS10175:2011 and CLR11. Any gas monitoring deemed appropriate is to be in accordance with best practice as outlined in such documents as BS8576:2013, BS 8485:2015, Claire RB17 and CIRIA C665.
Reason: To minimise the risk from land contamination for the safety of the property's occupiers.
7. Prior to first use, any imported soils required for the development hereby permitted shall be demonstrated to be suitable for its intended end use and meet the approval of the Local Planning Authority.
Reason: To minimise the risk from land contamination for the safety of the future occupiers of the development.
8. Prior to the first occupation of the approved dwelling, supporting information to confirm the predicted internal mains water consumption will achieve a maximum level of 110 litres/person/day shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out otherwise than in accordance with the approved details.
Reason: To support a comprehensive approach to high quality design across the site and to achieve water efficiency.
9. 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.

10. Prior to the occupation of any dwelling hereby approved, evidence that the dwelling complies with Part M4(2) standard (Accessible and adaptable dwellings) of the building regulations for new build residential development (or future equivalent), shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out otherwise than in accordance with the approved details.
Reason: To ensure the development meets higher national access standards in accordance with policy DM29 of the Eastleigh Borough Local Plan 2016-2036.
11. Prior to first occupation a landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall cover all hard and soft landscaping (including boundary treatments) and shall provide details of timings for all landscaping and any future maintenance. The works shall be carried out in accordance with the approved plans and to the appropriate British Standard and maintained thereafter.
Reason: In the interests of the visual amenity of the locality and to safeguard the amenities of neighbouring residents
12. Prior to first occupation, the vehicle parking as shown on plans referenced FB8570/100 Rev A shall be implemented and thereafter retained for the lifetime of the development.
Reason: To make provision for off street parking for the purpose of highway safety
13. Prior to first occupation, details of the bin storage shall be submitted to and approved in writing by the Local Planning Authority. The agreed details shall then be implemented in full within 1 month of occupation and retained for the lifetime of the development.
Reason: To make provision for off street parking for the purpose of highway safety.
14. The submitted Preliminary Ecological Appraisal Report (referenced PEAR.V2.5-7.AL.FO.E V1) shall be adhered to in full, including all recommendations in section 5.
Reason: To ensure a biodiversity enhancement in accordance with Policy DM11 from the Eastleigh Borough Local Plan (2016-2036)
15. 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.
16. No construction, demolition or deliveries to the site shall take place during the demolition and 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.

17. Notwithstanding the provisions of the Town and Country Planning [General Permitted Development] Order 2015 [or any order revoking and re-enacting that Order with or without modification], no development permitted by Classes AA, B and C, of Part 1 of Schedule 2 of the order shall be carried out without the prior written consent of The Local Planning Authority.
Reason: To protect the amenities of the locality and to maintain a good quality environment.

Note to Applicant: Any new closed board fencing should have hedgehog holes (15 x 15 cm minimum) cut into the base boards to allow free passage of small mammals through the gardens.

Note to Applicant: Vegetation clearance and existing outbuilding demolition shall be undertaken outside the bird nesting season (ie between Sept-end Feb) unless otherwise thoroughly checked by a qualified ecologist. If there are any active nests, a 5 m buffer shall be erected to protect the nest from disturbance until the young have fledged and left the nest.

Note to Applicant: The development could be impacted by radon and you are advised to consult the radon UK map at ([UKradon - UK maps of radon](#)). If the radon risk is greater than 1% radon protection should be considered for the new development. If greater than 3% risk then radon protection will need to be provided in accordance with Building Regulations, with basic protection required at 3-10% and full protection above 10%.

Note to Applicant: In accordance with paragraph 38 of the National Planning Policy Framework (Sept 2023), 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.

Report:

1. This application has been referred to Committee by Cllr Parker-Jones, Cllr Broomfield and Cllr Caws.

Site Characteristics and Character of the Locality

2. The site would be accessed off Allington Lane which is a 30mph residential road. Allington Lane does progress into a 40mph road as you drive approx. 435m further down from the Fair Oak Road junction.
3. As existing, the plot is made up of 2.no back gardens, serving no.5 and no.7 Allington Lane. The existing back gardens are laid to lawn with associated paving. The back gardens are populated by existing outbuildings which would be removed, and the proposed dwelling would replace them.

4. The existing bungalows of no.5 and no.7 Allington Lane are both designed differently. No.5 is designed with a hipped roof with a projecting front wing and no.7 is designed with a front gable-end. No.7 projects forward slightly more than no.5 and as such due to the gable-end design and more prominent position, is the more notable dwelling out of the two. Nonetheless, along this stretch of Allington Lane, the dwellings are laid out in a stepped formation as you progress down the road.

Description of Application

5. The application proposes the erection of 1.no 3-bedroom bungalow with associated parking following the demolition of existing garages and severing of land.
6. The proposed dwelling is a single-storey bungalow design which would accommodate 3.no bedrooms. The bungalow provides associated parking for 3.no vehicles to the front along with cycle storage and rear amenity space.
7. The proposed dwelling is designed with red brick and tile hanging for the exterior walls, clay roof tiles and UPVC for the windows and doors. This is similar to the existing locality which are all characterised in a traditional manner.
8. The application is accompanied by the following reports and technical assessments, which can be found [here](#):
 - Preliminary Ecological Appraisal
 - Tree Report

Relevant Planning History

9. No planning history

Representations Received

- 10.2.no objections with the following concerns:
 - Safety onto Allington Lane
 - New access and increased traffic
 - Overdevelopment
 - High roofline which could accommodate development within the roof space which would have a further impact of overlooking
 - Loss of privacy when garden used for children to play and children's play equipment
 - Applicant has removed trees
- 11.Fair Oak and Horton Heath Parish Council - Object on grounds of overdevelopment and the close proximity to a busy road junction.

Consultation Responses

12. EBC Ecology – No Objection. There are records of bats, stag beetles, and hedgehogs near this site. Although no bird nests were reported present at the time of the survey, the trees and shrubs on site could support nesting birds. The timber sheds and garages appear to have potential to support nesting birds in the future and will need to be checked prior to the start of works if they are still in place during bird nesting. Planting 48 m of mixed native hedge is proposed to provide enhancement. The report has been amended to show that the proposed hedgerow planting is considered mitigation and the other biodiversity features are considered enhancements.
13. EBC Tree Officer – No Objection, subject to a condition. Whilst there are trees on neighbouring property that can be seen from the public realm, there are no trees providing significant amenity within influencing distance of the proposed development. Therefore, subject to the compliance with the submitted report, we would not have an issue.
14. EBC Environmental Health – No Objection. Photographs of these structures are included in the Preliminary Ecological Appraisal Report, and it is noted that they are: one prefabricated concrete garage, two timber shed and timber garage. No asbestos is noted within these structures. The site lies within the Whiteliff Sand Member, classed as Secondary A Aquifer. The site is not within a Source Protection Zone. The nearest surface water feature is a tributary stream to Quobleigh Pond located at approximately 260m southeast. There are historical sandpits at approximately 60m southeast and 120m north of the site. Made ground is anticipated to be limited, and as so, the migration of contaminants through the ground is considered low. However, a watching brief should be maintained at all times for the detection and appropriate treatment of any unexpected contamination (staining in ground, odours, etc) that is encountered. The site is within an area of maximum radon potential of 3-5%. Further consideration needs to be given to the radon risk. Prior to the completion of the development, we request:
- provide information to confirm that the watching brief has been followed and to report on any findings or actions taken as a result of unexpected contamination;
 - provide suitable confirmation of any excavated soils disposed of site;
 - provide suitable confirmation that any that soils to be imported to site to make up topsoil or subsoil meet with the approval of the LPA”;
 - provide verification report to demonstrate the correct installation of remediation measures agreed by the LPA.
15. Hampshire Highways - No Objection. Access into the proposed dwelling will be via an existing dual width vehicle crossover which currently serves numbers 5 and 7 Allington

Lane. Being dual width (formed of two adjacent driveways) access and egress can be undertaken from the site simultaneously, and whilst it is not anticipated that the frequency of this will be high, this will prevent the need for a vehicle to pause on the highway as another leaves site. The access exceeds the minimum 10.0m distance from a highway junction by some way (approximately 50.0m) and visibility levels are suitable for the adjacent highway conditions.

Additionally, in terms of additional vehicle movements, being an additional single dwelling, these are not anticipated to be significant and as such not a justifiable reason for a highway refusal.

In terms of on-site layout, this is acceptable with adequate parking provided for all 3 dwellings located on the site, being two spaces per dwelling plus one visitor parking space, and there is sufficient space to turn and enable forward gear access and egress.

A bin collection point is also provided which will assist in preventing bins from becoming obstructive to either the shared driveway or the adjacent footway.

16. Natural England – No comment received.

Policy Context and Designations Applicable to Site

- Within Built-up Area Boundary
- Within Established Residential Area

Development Plan Policies

Eastleigh Borough Local Plan 2016-2036

17. The Eastleigh Borough Local Plan 2016-2036 has full weight. The most relevant policies are:

Strategic policies:

- S1 (Delivering Sustainable Development);
- S2 (Approach to New Development);

Development Management policies:

- DM1 (General Development Criteria);
- DM2 (Environmentally Sustainable Development);
- DM6 (Sustainable Surface Water Management and Watercourse Management);
- DM11 (Nature Conservation);
- DM13 (Transport);
- DM14 (Car Parking);
- DM23 (Residential Development in Urban Areas);
- DM29 (Dwellings with higher access standards);
- DM30 (Internal space standards for new residential development);

Supplementary Planning Documents

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

National Planning Policy Framework

18. 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 5-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. Agent of Change principles protect existing businesses.
19. 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

20. 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

21. 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.

Principle:

22. Within the urban edge, the principle of new residential development is acceptable. Development is expected to meet the policies within the local plan, most notably policy DM1 which sets out the general criteria for new development.

Sustainable Development:

23. Section 2 of the NPPF (Sept 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.
24. 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.
25. 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.
26. 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.

Design, Layout and Appearance:

27. Policy DM1 of the Eastleigh Borough Local Plan (2016-2036) stipulates that all new development should respect the character and appearance of urban areas, take full and proper account of the context of the site including the character, appearance and land uses of the locality or neighbouring, and be compatible in terms of mass, scale, layout density, design and siting.
28. The proposed dwelling is a single storey bungalow and as such would accord with the immediate character of development along this stretch of Allington Lane where a cluster of properties adjacent the site are all bungalows aligned in a north to south orientation. The properties to the south of 7 Allington Lane relate to two storey

dwellings serving Roker Way and are aligned in an east to west orientation.

29. While there is no precedent for back-land dwellings within the locality, outbuildings are commonly seen in rear gardens. This is evident in the existing plots which has 3.no outbuildings, which would be replaced by the proposed dwelling.
30. It is also noted that the existing street scene along the frontage of Allington Lane is varied with the existing bungalows to the north facing the road and the two storey properties at Roker Way with side elevation facing the road. Also the existing Southern Water pump house located to the south east of no. 7 illustrates development set back into its plot. There is not a strong linear pattern of development along this section of Allington Lane and therefore the proposed development, to the rear of existing properties, will add to the variety of development in the area.
31. The proposed dwelling is designed with a hipped roof and associated small gable-end wings to the front elevation. This respects both the existing dwellings at no.5 and no.7 Allington Lane which have hipped and gable end designed roof forms. Moreover, the proposed dwelling would respect the existing character by using similar traditional materials of red brick and tile hanging for the exterior walls, clay roof tiles and UPVC for the windows and doors. Therefore, it is considered the proposed dwelling has taken full and proper account of the character and appearance of locality.
32. Overall, the proposed development is considered an acceptable addition to the locality. The proposed dwelling would integrate into the varied character of the street scene and does not create a dominant, out of place, addition within the context of its surroundings. As such, this is in accordance with policy DM1 of the local plan.

Residential Amenity:

33. Policy DM1 of the Eastleigh Borough Local Plan (2016-2036) amongst other matters, stipulates that all new development should not have an unacceptable impact upon residential amenities of both new and existing residents.
34. To ensure adequate internal living standards are met the Local Planning Authority assess the measurements of space against the 'Nationally Described Space Standards' (NDSS). Policy DM30 of the

Local Plan requires that all new dwellings meet the NDSS as a minimum.

35. The application proposes a single-storey 3no. bedroom dwelling (all double-beds). Therefore, the NDSS requirement for 6-people is 95 sqm. From the plans submitted, the proposed dwelling accords with national and local policy with the internal floor space measuring approx. 121 sqm. In addition, all double bedrooms meet the required 11.5sqm
36. In addition, and as set out within the Council's Quality Places Supplementary Planning Document (SPD), the garden size for new residential development must be at least 60% of the floor space of the host dwellinghouse. From the submitted plans, when assessing the rear garden only, the proposed outdoor private amenity space is equivalent to 250% of the internal floor space. Therefore, the garden space is sufficient and accords with council guidance.

Neighbouring Amenity:

37. The neighbouring properties would also still maintain appropriate garden sizes when compared to the internal floor space; with no.5 retaining a 109% rear amenity space and no.7 retaining 110% rear amenity space.
38. The proposed distance between the rear of the existing dwellings and the front of the proposed dwelling is approx. 16m. As this does not propose a rear-to-rear design, a 16m distance is appropriate. Moreover, the dwellings in question are all single-storey bungalows which reduces the potential for unacceptable overlooking.
39. The surrounding neighbours to the rear would not be directly adjacent to the proposed dwelling, only their rear gardens. This reduces any potential unacceptable overlooking. As existing the neighbouring garden at 408 Fair Oak Road is adjacent to rear gardens of no.5 and no.7 Allington Lane where any associated use within the residential garden would be expected. This proposal does not significantly change this relationship and the proposed bungalow would not overlook the garden and does not overlook the property. No.408 Fair Oak Road also has substantial outbuildings within its garden which assist in reducing direct views of the application site.
40. It is recognised that some neighbours are concerned by the potential for a roof conversion through permitted development which would result in a bulkier built form and potential to overlook. It is proposed that a condition would be imposed to restrict permitted development rights and any development within the roof-scape would require

planning permission. The condition would restrict Classes AA (enlargement of a dwellinghouse by construction of additional storeys), B (additions etc to the roof of a dwellinghouse) and C (other alterations to the roof of a dwellinghouse) within Part 1 of Schedule 2 of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

41. In terms of residential amenity, the proposed development is not considered to adversely harm existing or future residents through adverse overlooking, loss of sunlight/daylight or loss of outlook and is therefore in accordance with policy DM1 and the Council's Quality Places SPD.

Parking and Access:

42. The proposed dwelling would be accessed by an existing access point from Allington Lane which serves the existing 2.no properties as (no.5 and no.7 Allington Lane). The existing access is wide enough to facilitate appropriate forward gear access and egress. It is not anticipated that one additional dwelling would create high volumes of additional traffic. Therefore, it is not considered that an additional dwelling would cause a highway safety concern. Hampshire Highways have no objection to the proposed development.
43. The proposal provides appropriate on-site parking for the proposed dwelling. As per the Residential Parking Standards SPD, a 3.no bedroom dwelling requires 2.no off-highway parking spaces. This is provided, along with 1.no extra space which would serve as a visitor space.

Drainage:

44. A surface water drainage plan has been provided which shows that a soakaway is proposed to serve the main dwelling, positioned 5m away along with permeable block paving along the driveway.

Ecology and Trees:

45. Policy DM11 requires planning applications, to protect, conserve and enhance all international, national and local nature conservation designations; and networks of natural habitats and features, including the Local Ecological Network, Priority Biodiversity Areas and Priority Biodiversity Links, watercourses, wetland complexes, woodland trees, and trees and hedgerows important to biodiversity and local character;

and facilitate their adaptation to climate change wherever possible; and seek a net gain of biodiversity on all development sites.

46. The submitted Preliminary Ecological Appraisal Report has been conditioned to be adhered to in full including the recommendations and as such a biodiversity enhancement will be achieved, in accordance with policy DM11.

47. An arboricultural report has been conditioned which also required that no work will commence until the tree protection is in place. A no objection has been provided by the Council's tree officer.

Noise:

48. Regarding the Southern Water Pump House adjacent, there are other dwellings in the vicinity of the pump house, and there is no evidence of any noise complaints from them. Therefore, Environmental Health have no concerns with the relationship between the pump house and the proposed dwelling in relation to noise impact.

SPA Mitigation:

49. The Council, as the responsible body for Habitats Regulations Assessment (HRA), must ensure as part of a planning application that a development will not have an adverse impact upon any European protected sites, and specifically in this case, the European protected Solent Complex (SPA, SAC and Ramsar sites), River Itchen (SAC) and New Forest National Park (SPA, SAC and Ramsar sites). It is recognised that the addition of residential development would have an adverse impact upon the surrounding designated European protected sites.

50. Due to the nature of the proposals, a HRA was undertaken and submitted to Natural England for their review. They raised an objection, but only to the Council's New Forest Mitigation. However, the LPA, as the competent body under the Habitats and Species Regulations (2019) are satisfied that the mitigation proposed is sufficient to address the impacts arising from the development upon European Protected Sites. In accordance with the provisions of Section 28(6) of the Wildlife and Countryside Act (1981), as the application is being granted contrary to the advice of Natural England, a condition preventing development from starting for a period of 21 days is recommended to be imposed to the consent.

51. In terms of water quality, Natural England have advised that new housing development should achieve nutrient neutrality in order to mitigate the impacts of additional nitrogen arising from the sewage

generated by the future residents. This wastewater then feeds into the Solent Complex via Waste Water Treatment Works, which discharges into the river network and so causes eutrophication affecting the features for which it is designated. The Council has adopted its own strategy for achieving nutrient neutrality whereby it identifies areas of agricultural land and remove these from a nitrate intensive use, thus reducing the nitrogen input into the protected sites, with the level of reduction then being used as a means of offsetting the impacts of development proposals within the Borough. This ensures no overall net increase in nitrates within the Solent and thereby allow a development to achieve nutrient neutrality. In order to do this, the Council calculates the level of nitrate mitigation this land provides (measured in kg) and makes 'nitrate credits' available to developers to buy, with funding being secured during the planning application.

52. In addition to the above, Natural England have also highlighted that residential development within a certain catchment of the River Itchen (SAC) can result in phosphate loading resulting from additional sewage generated from future residents. The Council also has 'phosphate credits' available to offset this impact.

53. Necessary mitigation for nitrates and phosphates will be secured via condition.

54. Furthermore, Natural England has also raised concern with regard to additional residential development within 13.8km radius of the New Forest. This is considered to have an adverse impact upon the New Forest by way of additional trips resulting in further recreational disturbance. There is a monetary mitigation of £2,220 per residential unit to offset the impact upon the New Forest National Park, which was covered within the HRA. As noted above, Natural England have raised an objection, however the Council is satisfied with the mitigation, which will be secured via an upfront payment under Section 106 of the Town and Country Planning Act 1990.

Other material considerations

Sustainability Measures and Climate Change:

55. 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 17 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.

56. The declaration of the Climate Change and Environmental Emergency demonstrates a strong commitment from the Council to achieve net zero. The NPPF, development plan and adopted local plan policy do not set this as a specific target, but it is a material consideration to be considered alongside all other material considerations. In any case addressing climate change is a core part of the NPPF and local plan policy. The need to support the economy is part of the Strategic Environmental Assessment for the adopted local plan, as is an assessment of climate impacts.
57. The NPPF aims for the need for housing to be met, and policy S2 of the Local Plan sets a target for 14,580 dwellings to be provided by 2036. The NPPF, Policies S1, DM2 and DM3 of the Local Plan and energy and water elements of the adopted Environmentally Sustainable Development SPD require development to be sustainable in terms of resource use, climate change and energy use. When considering the impact of climate change, the proposed development is expected to be resilient to the potential effects of climate change and is expected to reduce/limit impacts on climate emissions as a result of the development or its use.
58. The proposed dwelling is well located within a 2-minute walk to the closest bus-stop on Fair Oak Road which has routes to Eastleigh and Southampton City Centre with further travel available from each at Eastleigh/Southampton bus stops or train stations; and is an 8-minute walk from Fair Oak square or 12-minute walk to Latham Road/Sandy Lane local parade which both have an array of shops.
59. Furthermore, a condition ensuring the dwelling does not use more than 110 litres per person/day has been applied to reduced residential mains water consumption.
60. Also 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 roof and an electric vehicle charging point.

Equalities Implications:

61. Section 149 of the Equalities Act 2010 created the public sector equality duty. Section 149 states:-
 - A public authority must, in the exercise of its functions, have due regard to the need to:

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

62. 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.

63. The proposed dwelling has a condition requiring accordance with Building Regulations M4(2) and policy DM29 from the Local Plan, which ensures accessible and adaptable dwellings can be bought forward into housing stock.

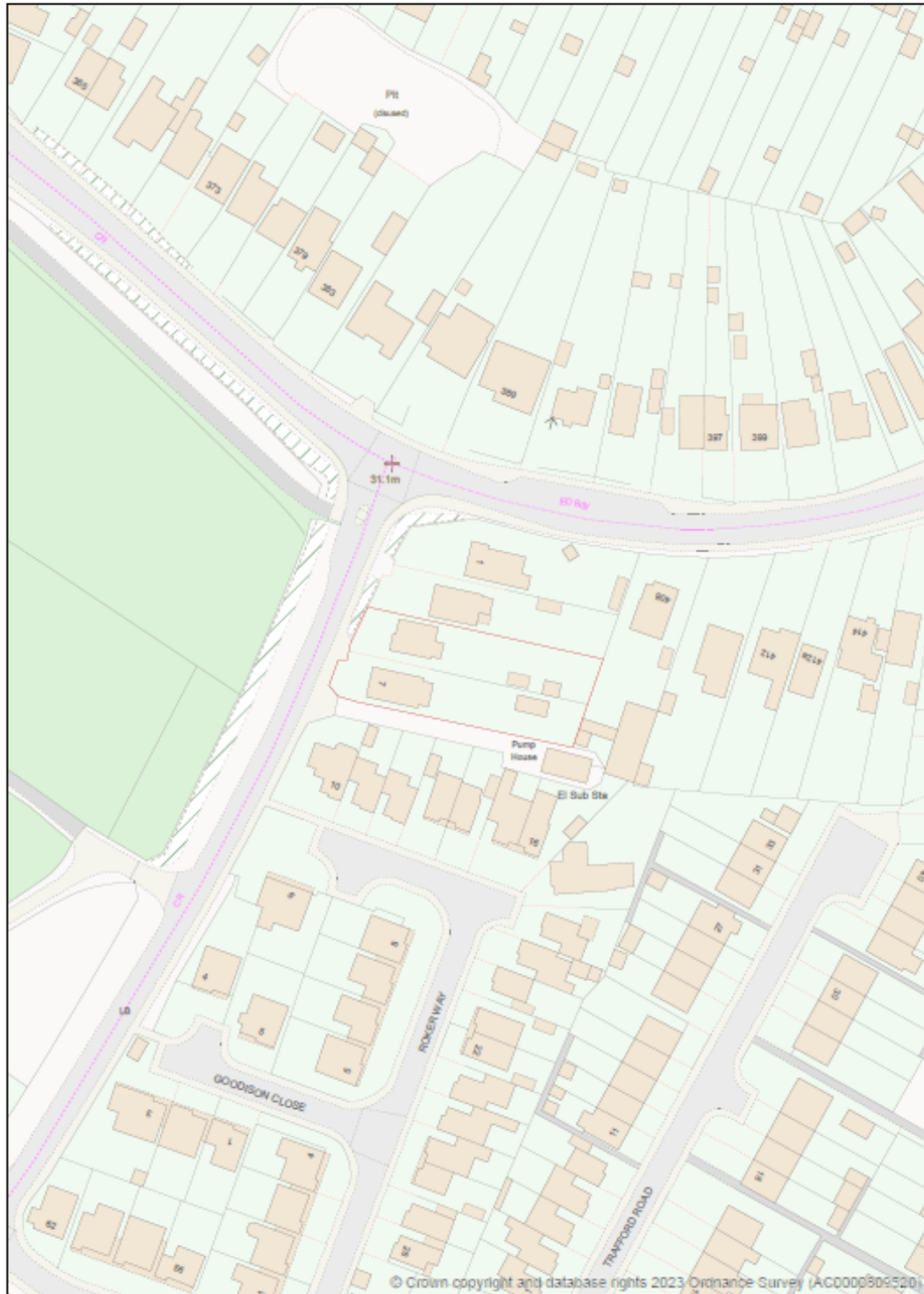
Conclusion

64. The proposal accords with local plan policy and provides a suitable dwelling in terms of its character, residential amenity, ecological matters, and parking provision.

65. There are further conditions recommended in order to ensure further necessary information is supplied at the appropriate time and that construction can be carried out in a considerate manner.

66. Based upon the above assessment, the proposed dwelling is recommended for permission, subject to conditions and securing upfront payments for the recreational impact on the New Forest.

F/23/95753



Address: Kype View, Allington Lane
Fair Oak, SO50 7DA

Date: 13/11/2023

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