

Application Number: F/26/101013
Case Officer: Liz Harrison
Received Date: Monday 2 March 2026
Site Address: Land adjacent to Oak Cottage, Winchester Road, Boorley Green, SO32 2DH
Applicant: McCarthy and Stone Retirement Lifestyles Ltd and Imperial Homes Southern Counties Ltd
Proposal: Erection of part two, part three storey retirement living building with 50 apartments, associated communal lounge, house manager's office, external enclosed refuse and electric scooter/cycle stores and sub-station; erection of a pair of detached dwellings; improved vehicular access and new pedestrian access to Winchester Road, internal roads, car parking and hard and soft landscaping.

Recommendation: **Subject to:**

- 1) **Expiry of consultation period for Natural England to respond to Habitats Regulations Assessment;**
- 2) **Submission of amended/additional plans re: landscape and drainage proposals, external stores and 1 additional car parking space, with any necessary resultant changes to conditions or informatives, including list of approved plans in condition 2;**
- 3) **Completion of S106 legal agreement to secure:**
 - **Financial Contributions towards**
 - **Solent Recreation Disturbance Mitigation;**
 - **New Forest Recreation Disturbance Mitigation;**
 - **Sustainable Transport**
 - **Traffic Regulation Orders**
 - **Health**
 - **Community Infrastructure**
 - **Off-site Public Open Space**
 - **Public Art**
 - **S106 monitoring;**
 - **Inclusion of a viability review mechanism to capture any future favourable uplifts in viability if practical completion not reached 24 months after commencement;**

then delegate to the Planning Manager, Chair and Vice-Chair of HEWEB Local Area Committee to PERMIT subject to the following conditions:

1. 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.

2. The development hereby permitted shall be implemented in accordance with the following plans and documents numbered:
 - *To be confirmed once amended plans received*

Reason: For the avoidance of doubt and in the interests of proper planning.

3. No construction or demolition work shall start on site until a Construction Environmental Management Plan has been submitted to and approved in writing by the Local Planning Authority. Demolition and construction work shall only take place in accordance with the approved management plan which shall include:
 - a) Means of access for construction work;
 - b) A programme and phasing of demolition and construction work, including access, car parking and landscaping;
 - c) Location of temporary site buildings, compounds, parking of site operatives and visitors, construction material and plant storage areas used during demolition and construction;
 - d) The arrangements for deliveries associated with all construction works, including lorry routing, loading / unloading of plant, machinery & materials and restoration of any damage to the highway (including vehicle crossovers and grass verges);
 - e) Protection of pedestrian routes during construction;
 - f) A noise and vibration assessment which takes into account the impact of demolition, piling works and noise generating plant on existing and proposed noise sensitive properties, including a scheme of mitigation measures for protecting from noise and vibration;
 - g) Provision for storage, collection, and disposal of recycling / waste from the development during construction period;
 - h) 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;
 - i) Measures to control the emission of dust and dirt during construction (having regard to the details contained in the IAQM's "Guidance on the assessment of dust from demolition and construction" (January 2024 Version 2.2) and the Mayor of London's "The control of dust and emissions during construction and demolition" Supplementary Planning Guidance (July 2014);
 - j) Measures to minimise impact on air quality, in accordance with the mitigation included in Section 6 of Stantec's "Land North of Oak Cottage, Boorley Green – Air Quality Assessment" (Reference 332611606/300, dated July 2024);

- k) Safeguards to be used within the construction process to ensure surface water contains no pollutants on leaving the site, including suspended solids, and measures to protect nearby waterways from pollution impacts;
- l) Protection of trees and ecology (to include Habitats Regulation Assessment requirements and need for routine checking of the small animal escape ramps added to the trapped gullies on site);
- m) The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- n) Temporary lighting (to include measures to avoid disturbance to bats and other biodiversity receptors);
- o) No burning on site during construction and fitting out of the development.

Reason: To limit the impact the development has on the amenity of the locality.

4. No development shall commence until a Biodiversity Gain Plan has been submitted to and approved in writing by the Local Planning Authority. The Biodiversity Gain Plan shall be prepared in accordance with Ecosupport Ltd.'s "BNG Habitat Management & Monitoring Plan - Land at Oak & Apple Tree Cottages, Boorley Green" dated 11.2.26. Development shall be implemented in accordance with the approved Biodiversity Gain Plan and written evidence of the purchase of any required off-site credits shall be provided to the Local Planning Authority prior to occupation.

Reason: To ensure the development delivers a biodiversity net gain on site in accordance with paragraph 2 Schedule 7A of the Town and Country Planning Act 1990 and Eastleigh Borough Local Plan 2016-2036 Policy DM11.

5. No development shall commence until a Habitat Management and Monitoring Plan (HMMP), prepared in accordance with Ecosupport Ltd.'s "BNG Habitat Management & Monitoring Plan - Land at Oak & Apple Tree Cottages, Boorley Green" dated 11.2.26, has been submitted to and agreed in writing by the Local Planning Authority along with a timetable for implementation. Thereafter those habitats shall be managed and maintained in accordance with the approved details for a minimum period of 30 years following completion.

Reason: To ensure the development delivers a biodiversity net gain on site in accordance with paragraph 2 Schedule 7A of the Town and Country Planning Act 1990 and Eastleigh Borough Local Plan 2016-2036 Policy DM11.

6. Notice shall be given to the Local Planning Authority when:
 - (a) Habitat creation and enhancement works as set out in the approved HMMP have commenced.
 - (b) Habitat creation and enhancement works as set out in the approved HMMP have been completed.

Monitoring reports shall be submitted to Local Planning Authority in writing in accordance with the methodology and frequency specified in the approved Habitat Management and Monitoring Plan.

Reason: To ensure the development delivers a biodiversity net gain on site in accordance with paragraph 2 Schedule 7A of the Town and Country Planning Act 1990 and Eastleigh Borough Local Plan 2016-2036 Policy DM11.

7. No construction or demolition work shall start on site until an updated walkover survey for badgers has been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with any necessary mitigation measures identified as a result of the updated survey.

Reason: To protect and enhance biodiversity and ensure that no setts have been established on site since the surveys referred to in Ecosupport Ltd.'s "Ecological Impact Assessment - Land at Oak & Apple Tree Cottages, Boorley Green" dated 11.2.26

8. The development hereby permitted shall be carried out in accordance with Section 6.0 – Mitigation, Compensation & Enhancements and Appendix II – Habitat Enhancement Plan of Ecosupport Ltd.'s "Ecological Impact Assessment - Land at Oak & Apple Tree Cottages, Boorley Green" dated 11.2.26. Prior to first occupation of the development, a verification report prepared by a suitably qualified ecologist confirming the correct implementation of the biodiversity enhancements listed in section 6.9 and Appendix II – Habitat Enhancement Plan shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To protect and enhance biodiversity.

9. 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.

10. A watching brief should be followed at all times during construction works and confirmation of this shall be submitted to the Local Planning Authority 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 UK Land Contamination Risk Management (LCRM) national

guidance and best practice as outlined in BS10175:2011+A2:2017. Any gas monitoring deemed appropriate is to be in accordance with best practice as outlined in such documents as BS8576:2013, BS 8485:2015+A1:2019, Claire RB17 and CIRIA C665.

Reason: To minimise the risk from land contamination for the safety of the property's occupiers.

11. Prior to the use of any imported soil required for the development hereby approved, details demonstrating its suitability for its intended end use shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To minimise the risk from land contamination for the safety of the future occupiers of the development.

12. The development must accord with Keen Consultant's "Tree Survey and Impact Assessment" (reference 2249-KC-XX-YTREE-TreeSurvey-and-ImpactAssessment-RevD, dated 5.3.26).

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

13. Notwithstanding the information submitted to date, no development related works shall take place on site until a detailed Arboricultural Method Statement and updated Tree Protection Plan, as per British Standard 5837:2012 (Trees in Relation to Design, Demolition and Construction – Recommendations), are 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 and hedgerows which form an important part of the amenity of the locality.

14. No excavation, demolition or development related works shall commence until the tree protection measures have been installed as per the approved tree protection plan. Once installed, no access by vehicles or placement of goods, chemicals, fuels, soil or other materials shall take place within the protected area unless otherwise stated in the approved arboricultural method statement. 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 Local Planning Authority.

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

15. No development shall commence on site until the access, including the footway and/or verge crossing has been constructed with lines of sight in accordance with the approved plans. The lines of sight splays shown on the approved plans

shall be kept free of any obstruction exceeding 1 metre in height above the adjacent carriageway and shall be subsequently maintained so thereafter.

Reason: To provide satisfactory access and in the interests of highway safety.

16. No development shall commence on site until details of the foul drainage and sustainable drainage system serving the development have been submitted to and approved in writing by the Local Planning Authority. The submitted details shall include:
- (a) A technical summary highlighting any changes to the design from that within the submitted Scott White and Hookins' "Land at Winchester Road, Boorley Green - Drainage and Flood Risk Statement – December 2024" (Reference SO-2977-03-CE-RP-0500, Revision 07).
 - (b) Detailed drainage calculations, confirming the proposed impermeable areas, to demonstrate existing runoff rates are not exceeded and there is sufficient attenuation for storm events up to and including 1:100 + climate change.
 - (c) Details of the timing of the provision of foul drainage and connection to the public sewerage network and the phasing of occupations to align with any sewerage network reinforcements required to serve the development.

Prior to first occupation a management and maintenance plan, and a verification report prepared by the installers of the drainage systems confirming their implementation in accordance with the approved details, shall be submitted to and approved in writing by the Local Planning Authority. The management and maintenance plan shall be based on the details contained in the approved Drainage and Flood Risk Statement and also include details of routine checking of the small animal escape ramps added to the trapped gullies on site and details of those responsible for implementing the management and maintenance plan. The system shall be implemented and thereafter managed and maintained in accordance with the approved details.

Reason: To ensure satisfactory drainage for the development to prevent flooding and pollution and to protect and enhance biodiversity.

17. No development above slab level shall start until details and samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The submission shall include details of a protective outer coating layer for any areas of render and the materials shall be in accordance with the details shown on the Bay Studies included within the Design & Access Statement, reference RFT-2977-XX-RP-A-0001 rev 04, dated 29.5.26. 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.

18. Notwithstanding the submitted details, no development above slab level shall commence until a fully detailed 1:200 landscape scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall cover all hard and soft landscaping, including topsoil depth; plant species, locations and densities; trees and tree pit details (including soil cells and soil volumes); surface materials; bollards; street furniture and construction details of hard landscaping elements. The landscape plans shall demonstrate that the protection of Southern Water's public apparatus has been fully considered and include details of timings for provision of all landscaping shall also be included.

The fully detailed landscaping scheme shall be in general accordance with the landscape proposals shown on drawings SO-2977-03-LA-002 rev P21 "Landscape General Arrangement" and SO-2977-03-LA-003 rev P16 "Planting Strategy" (*N.B. revision of plans to change on receipt of amended plans*) and incorporate the amendments set out in points m) and n) of EBC's Landscape Team consultation response dated 9.4.26.

The works shall be carried out in accordance with the approved plans and to the appropriate British Standard.

Reason: In the interests of the visual amenity of the locality.

19. The tree pits shall be installed in accordance with the approved details, including soil cell and soil volume details, and, prior to surfacing of the car park, a verification report prepared by the installers of the soil cells confirming their correct installation shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of the visual amenities of the locality.

20. With the exception of the Traditional Orchard habitat to be created on site, which is to be managed in accordance with the approved Habitat Management and Monitoring Plan, the approved landscaping scheme shall be managed and maintained in accordance with Terrafirma's "Winchester Road, Boorley Green - Landscape Management Plan (0-5 years)" (Ref: 2505-TFC-00-ZZ-RE-L-8001 rev 2, dated 24.2.26).

Reason: In the interests of the visual amenities of the locality.

21. For a period of no less than 10 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 amenities of the locality.

22. No development above slab level shall commence until a detailed lighting strategy has been submitted to and approved in writing by the Local Planning Authority. The strategy shall be in accordance with Stantec's "Land North of

Oak Cottage, Boorley Green – Lighting Strategy & Assessment” (Reference 332611606, Revision 04, Dated February 2026) and include a lighting diagram showing modelled lux values and the positions of exterior lighting together with the positions of vegetation and ecologically sensitive areas. The approved lighting strategy shall be implemented in full and retained as such thereafter.

Reason: To protect and enhance biodiversity.

23. No development above slab level shall commence until details of the proposed external meter boxes have been submitted to and agreed in writing by the Local Planning Authority. The meter boxes for the pair of semi-detached dwellings shall be located on the side elevations of the dwellings. Development shall be carried out in accordance with the approved details.

Reason: In the interests of the visual amenities of the locality.

24. Prior to their installation details of the balcony privacy screens on the retirement living accommodation shall be submitted to and agreed in writing by the Local Planning Authority. The privacy screens shall be installed in accordance with the approved details prior to first occupation of the retirement living accommodation and shall thereafter be retained.

Reason: To minimise the impact of overlooking from the proposed balconies.

25. The development hereby approved shall be carried out in accordance with Focus Consultants’ “McCarthy Stone – Winchester Road, Boorley Green - Energy Statement” (July 2024, rev 2, reference R3996) and prior to installation of the solar panels on the roof of the retirement living apartments full details including the number of panels, proposed location, manufacturer’s specification and level of energy reduction resulting from the use of solar panels, shall be submitted to and approved in writing by the Local Planning Authority. The solar panels shall thereafter be installed in accordance with the approved details.

Reason: In the interest of visual amenity.

26. Details (including, size, appearance, materials and location) of any plant, equipment, structures, balustrades, roof access points or lift over-runs to be constructed, installed or fixed to the roof of the retirement living apartments shall be submitted to and approved in writing by the Local Planning Authority prior to installation. The development shall thereafter be carried out in accordance with the approved details.

Reason: In the interest of visual amenity.

27. The rating level of noise emitted from all fixed plant and machinery associated with the development hereby approved shall not exceed the existing background sound level (LA90,T) at any time when measured or predicted at the nearest noise-sensitive receptor. Measurements and assessments shall

be carried out in accordance with the methodology set out in BS142:2014+A1:2019 "Methods for rating and assessing industrial and commercial sound"

Reason: To protect the amenities of the occupiers of the proposed and nearby properties.

28. 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 which 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 nutrient 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 (as amended) and Policy DM11 of the Eastleigh Borough Local Plan (2016-2036).

29. Prior to the occupation of the dwellings hereby approved evidence that the following standards of the building regulations for new build residential development (or future equivalent) have been met shall be submitted to and approved in writing by the Local Planning Authority:
- 46 retirement living apartments comply with Part M4(2) standard (Accessible and adaptable dwellings); and
 - 4 retirement living apartments comply with Part M4(3) standard (Wheelchair user dwellings).

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.

30. Prior to the first occupation of the approved dwellings, evidence to confirm that the predicted 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 be carried out in accordance with the approved details.

Reason: To support a comprehensive approach to high quality design and to achieve water efficiency.

31. The development hereby permitted shall not be brought into use until the existing access(es) from the site to Winchester Road have been permanently stopped up and effectively closed with the footway provided or verge reinstated, in accordance with details which have been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety.

32. The development hereby permitted shall not be brought into use until the car park has been constructed, surfaced and marked out, and the mobility scooter and cycle parking installed, in accordance with the approved plans. The approved car parking area shall not thereafter be used for any purpose other than the turning, parking, loading and unloading of vehicles and the mobility scooter and cycle parking shall be retained thereafter for the purposes of parking of mobility scooters and cycles and not used for any other purpose.

Reason: To make provision for off street parking and cycle parking for the purpose of highway safety and enabling sustainable travel.

33. The development hereby permitted shall not be brought into use until the proposed pedestrian access links onto (a) Winchester Road and (b) Chaffinch Gardens, have been provided as shown on approved plans. The two pedestrian links shall both be retained for ongoing use and maintained thereafter.

Reason: To provide satisfactory access in the interests of highway safety.

34. Each unit of retirement living accommodation hereby permitted shall be occupied only by:
- persons of 60 years or older; or
 - persons living as part of a single household with such a person or persons; with any other person in the single household being 55 years or older.
 - persons who were living as part of a single household with such a person or persons who have since died.

Reason: Reduced standards have been applied to the proposal to reflect the nature of the proposed development.

35. Any windows marked on the approved plans as obscure glazed shall be obscure glazed to Pilkingtons level 3 or equivalent with no more than a top-hung opening toplight. Once installed the windows and screens shall be permanently maintained in that condition.

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

Notes to Applicant:

In accordance with paragraph 39 of the National Planning Policy Framework, Eastleigh Borough Council take 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.

No vehicles, machinery, equipment, materials, spoil, scaffolding, or anything else associated with the works shall be left on or near to Botley Footpath 1 at any time, as to cause obstruction, hindrance or a hazard to pedestrians. The public retain the right to use the Public Right of Way at all times.

There must be no surface alterations to Botley Footpath 1, nor any works carried out which affect its surface, without first seeking the permission of Hampshire County Council, as Highway Authority. To carry out any such works without this permission would constitute an offence under S131 Highways Act 1980, and the applicant is encouraged to contact HCC as soon as possible to discuss any works of this nature.

The applicant is reminded that, under the Conservation of Habitats and Species Regulations 2017 (as amended) and the Wildlife and Countryside Act 1981 (as amended), it is an offence to (amongst other things): deliberately capture, disturb, injure, or kill great crested newts; damage or destroy a breeding or resting place; intentionally or recklessly obstruct access to a resting or sheltering place. Planning permission for a development does not provide a defence against prosecution under this legislation. Should great crested newts be found at any stage of the development works, then all works should cease, and a professional and/or suitably qualified and experienced ecologist (or Natural England) should be contacted for advice on any special precautions before continuing, including the need for a licence.

All site operatives must be oriented to signs of young shoots of Japanese knotweed and remain vigilant. If suspected, work in that area must stop and any suspected Japanese knotweed must be reported to the ecological consultants to be checked immediately.

Any new connections to the public sewerage system will require a Section 106 connection application to be submitted and approved by Southern Water Services. To make an application visit Southern Water's Get Connected service: <https://developerservices.southernwater.co.uk> and please read the New Connections Charging Arrangements documents which are available on their website via the following link:

<https://www.southernwater.co.uk/developing-building/connection-charging-arrangements>

Environment Act 2021

1. Development may not be begun unless:
 - (a) a biodiversity gain plan has been submitted to the Local Planning Authority; and
 - (b) The Local Planning Authority has approved the plan.
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Report:

1. This application has been called in to Committee by Local Ward Members.

Relevant Planning History

2. The relevant planning history on the application site is as follows:
 - **F/19/85604** - Construction of 31no. dwellings, associated landscaping, amenity areas and a means of access from Winchester Road following demolition of 1no. dwelling and associated outbuildings – dismissed at appeal 7.10.21
 - **F/21/89989** - Erection of 25no. dwellings, associated landscaping, amenity areas and new access from Winchester Road following demolition of 1no. existing dwelling and associated outbuildings - refused 31.3.23
 - **F/24/97945** - Erection of 52 retirement living apartments with associated communal facilities and car parking; the erection of a pair of detached dwellings; improved vehicular access and new pedestrian access to Winchester Road – refused 30.6.26 due to lack of affordable housing; absence of suitable measures to enhance sustainable travel and ease of access to the public transport network; and failure to secure appropriate level of developer contributions, biodiversity net gain and mitigation to offset impacts of development on European protected sites.
3. In addition, the following application is currently under consideration on land to the south-east of the site:
 - **F/26/100728** - Construction of 3no. 2-bedroom dwellings with parking, landscaping and access from Winchester Road

The site and its surroundings

4. This 0.9-hectare site is located to the west of Winchester Road (B3354) and south of Botley Footpath No.1, which runs from Winchester Road to Shamblehurst Lane North. It sits to the north and west of Oak Cottage and Apple Tree Cottage. The site is generally flat, with a gradual slope down towards the north western corner and is currently occupied by various outbuildings and areas of open storage, grassland and scrub, bound on all sides by mature hedge and tree cover.
5. The site forms the large majority of the 1.1ha site allocated under local plan Policy BO4 for the development of approximately 22 dwellings. The retained properties of Oak Cottage, Apple Tree Cottage and application F/26/100728 for 3 dwellings south of Apple Tree Cottage, form the remainder of the allocated site.

6. To the north and west of the site is the Boorley Gardens development of 680 dwellings, on which construction is underway. To the north-east is the Boorley Park Local Centre, to the east is the Botley Park Hotel and to the south is ribbon development fronting Winchester Road.
7. The site is not located within a Conservation Area, nor are there any listed buildings or designated sites of nature conservation interest within the site. However, the site is located within the 5.6km Solent Mitigation Disturbance Zone associated with the Solent and Southampton Water Special Protection Area (SPA) and the 13.8km catchment zone for the New Forest SPA, Special Area of Conservation (SAC) and Ramsar site in relation to recreational disturbance.

Description of application

8. The application proposes the erection of 50 retirement living apartments (C3 use class) with associated communal facilities and car parking and the erection of a pair of detached dwellings that are not proposed to be age-restricted. The site would be accessed via an improved vehicular access from Winchester Road and new pedestrian accesses to Winchester Road and Chaffinch Gardens.
9. The retirement living apartments form the main part of the proposals and would be provided in a U-shaped building that would be part 2 storey and part 3 storey in height and sit in the northern and central part of the site. The building would face out onto Winchester Road, the public footpath to the north of the site and towards the southern part of the site. A communal garden would be provided on the inside of the U-shaped building in the western part of the site. 30no. x 1-bed apartments and 20no. x 2-bed apartments would be provided together with a reception and residents' lounge. A detached store is proposed for the storage of mobility scooters and cycles and another for refuse. A new sub-station is also included within the proposals.
10. The two proposed 3-bed dwellings would be 2 storey in height and sit at the southern end of the site adjacent to Apple Tree Cottage to the east and Myrtle Cottage to the south.
11. The application is accompanied by the following reports and technical assessments, some of which have been amended during the consideration of the application. All documents are available on the Council's [website](#) :
 - Planning Statement
 - Design and Access Statement
 - Ecological Impact Assessment
 - Nitrate Statement
 - Biodiversity Net Gain Assessment
 - Tree Survey & Impact Assessment and Tree Protection Plan
 - Landscape Management Plan
 - Transport Statement and Travel Plan
 - Draft Construction Traffic Management Plan

- Noise Impact Assessment
 - Drainage & Flood Risk Statement
 - Air Quality Assessment
 - Archaeological Desk Based Assessment
 - Ground Condition Assessment, Desk Top Study & Groundwater Gauging Report
 - Energy Statement
 - Lighting Strategy & Assessment
 - Financial Viability Assessment
 - Statement of Community Involvement
 - Statement of Amenity Space Provision
12. Screening has been undertaken to establish whether a Habitat Regulations Assessment (HRA) is required. It is considered that due to the type and location of development the proposal would, without mitigation, have a likely significant effect on the Solent Maritime SAC; Solent and Southampton Water SPA and Ramsar site; and the New Forest SPA, SAC and Ramsar site. An Appropriate Assessment has been completed setting out that mitigation to offset the increase in nitrogen load from the development and the recreation disturbance on Solent Maritime SAC, Solent and Southampton Water SPA and Ramsar site and the New Forest SPA, SAC and Ramsar would be required. Financial contributions towards the Solent Recreation Mitigation Strategy and the Council's interim New Forest Recreation Mitigation Strategy could be secured via S106 legal agreement and the applicant has submitted an initial application to purchase credits from the Council's Nutrient Neutrality Offset Scheme. Additional mitigation would be required in the form of a construction environmental management plan and sustainable drainage scheme, which could be secured via condition.

Consultation Responses

13. Comments are summarised and where more than one set of comments has been received the latest comments have been summarised. All consultation responses are available, in full, on the Council's [website](#).
14. **Policy** – No objection subject to meeting detailed comments on landscape to address policy BO4 (1h) and conditions re: Biodiversity Net Gain and drainage.
15. **Landscape** – No overall landscape related objection but some amendments to landscape masterplan required to address detailed comments.
16. **Urban Design** – No objection subject to conditions re: materials
17. **Trees** – No objection subject to conditions re: arboricultural works and method statement and tree protection.
18. **Ecology** – No objection subject to conditions re: ecological mitigation, precautionary working methods, lighting and Biodiversity Net Gain.

19. **Environmental Health** – No objection subject to conditions re: Construction and Environmental Management Plan, unexpected contamination, importation of soils and noise limits.
20. **Housing** – The site would be a qualifying site for affordable housing provision and in line with our adopted Affordable Housing SPD would need to provide 35%, which would equate to 18 affordable homes based on 52 proposed dwellings.
21. The Planning Statement and associated Financial Viability Assessment submit evidence to justify that the provision of policy compliant affordable housing would have an unacceptable impact on the viability of the scheme. We await the outcome of a review of this information to determine the affordable housing position.
22. **Direct Services** – No response received.
23. **HCC Highways** – No objection subject to developer contributions towards improving sustainable access in local areas and traffic regulation orders; conditions re: construction method statement, accesses and parking; and informative re: no obstruction to the public right of way.
24. **HCC Flood and Water Team** – No objection subject to condition.
25. **HCC Archaeology** – No objection
26. **Natural England** – Initial comments - Further information required to determine impacts on designated sites with respect to water quality, nutrient impacts and recreational impacts on the Solent SPA and the New Forest SAC, SPA and Ramsar Site.
27. Completed Habitats Regulations Assessment (HRA) – comments awaited.
28. **NatureSpace (Great Crested Newt district licensing)** – Satisfied that if application approved then unlikely to have any impact upon Great Crested Newts and/or their habitats.
29. **Southern Water** – Inadequate capacity in the foul network – Southern Water has undertaken a capacity check of the impact that the additional foul sewerage flows from the proposed development will have on the existing public sewer network. This study indicates that these additional flows may lead to a minor increased risk of impact on the sewer network.
30. Request conditions re: drainage details; occupancy and phasing of delivery of network reinforcements; landscaping and implementation, management and maintenance of SuDS.

31. **NHS Hampshire & Isle of Wight Integrated Care Board (ICB)** – No objection subject to financial contribution towards increasing primary care infrastructure.
32. **Southampton Airport** – No objection.
33. **Ramblers** – No objection, but request that the special attention is paid to the works within the root growth area of the trees on the northern boundary to ensure they are not harmed as they are an important part of the setting of Footpath No 1 Botley to the north of the site and a prominent feature locally.
34. **Botley Parish Council** – No objection. We are aware that this application will come before the Local Area Committee and ask that the following comments are considered:
- Securing appropriate levels of S106 funding is essential
 - Safe road crossings should be supported from S106. There is no safe crossing point between the site and the Boorley Park development side of Winchester Road. There are further applications adjacent to this (F/26/100881, F/26/100728) which are also appearing before the LAC and we ask that a joined up view is given to safe crossing from these sites. It should also be noted that there is no crossing point to the north of these sites where residents from Boorley Meadows will also be looking to cross to ASDA.
 - A rear footpath connection between Chaffinch Gardens and the 3 applications to the Pear Tree car park should also be considered if all three applications are agreed as there is no unbroken pavement on this side of the road.
 - Given the car parking allocation and the possible mobility of residents of the development S106 contribution should be sort for a transport offering from the site, such as the funding of a community transport facility.
 - The Southern Water response should be given special note with known sewerage issues, and particularly given their response to F/26/100881.

Representations Received

35. Comments relevant to the determination of the application have been summarised. All comments are available, in full, on the Council's [website](#).
36. 4 letters of objection received, objections raised on grounds of:
- Overdevelopment of site and 3 storeys would be overbearing and cause overshadowing and overlooking
 - Better if it was public open space
 - Inadequate local facilities within easy walking distance, older residents would be completely isolated
 - Should be 2 storey development, 3 storey will devalue houses
 - Insufficient parking leading to overspill parking in adjacent roads, including Chaffinch Gardens
 - Would exacerbate existing problems with traffic and infrastructure

- Noise and disturbance to neighbouring residents, school and care home also being built nearby
37. 1 letter raising comments re: surface water drainage and privacy.
38. 7 letters of support received, supporting scheme on grounds of:
- Much needed facility with lack of high quality and appropriate housing options for older residents in local area. Would enable people to stay in the local area.
 - Will not increase pressure on school places or local NHS
 - Site is very close to public transport and adjacent to footpaths providing access to local facilities.
 - Quality appearance, lots of green space, sufficient parking.
 - Will create jobs and increase spending in local area.

Designations Applicable to Site

- Local Plan housing site BO4 “Land north of Myrtle Cottage, Winchester Road”
- Within catchment area of Solent and Southampton Water SPA and SAC and River Hamble SAC
- Solent Recreation Disturbance Zone
- New Forest Recreation Disturbance Zone

The Development Plan

39. At the current time the Development Plan for the Borough comprises the Eastleigh Borough Local Plan (2016-2036) and the Hampshire Minerals and Waste Plan (October 2013), however the Minerals and Waste Plan is not relevant to this application.

Eastleigh Borough Local Plan 2016-2036

40. The relevant policies are:
- S1 - Delivering sustainable development
 - S2 - Approach to new development
 - S3 - Location of new housing
 - S5 - New development in the countryside
 - S9 - Green infrastructure
 - S10 - Community facilities
 - S11 - Transport infrastructure
 - S12 - Strategic footpath, cycleway and bridleway links
 - DM1 - General criteria for new development
 - DM2 - Environmentally sustainable development
 - DM3 - Adaptation to climate change
 - DM4 - Zero or low carbon energy
 - DM5 - Managing flood risk

- DM6 - Sustainable surface water management and watercourse management
- DM8 - Pollution
- DM9 - Public utilities and communications
- DM10 - Water and waste water
- DM11 - Nature conservation
- DM13 - General development criteria – transport
- DM14 - Parking
- DM23 - Residential development in urban areas
- DM24 - Creating a mix of housing
- DM25 - Delivering older peoples housing
- DM28 - Delivering affordable housing
- DM29 - Dwellings with higher access standards
- DM30 - Internal space standards for new residential development
- DM33 - Provision of recreation and open space facilities with new development
- DM36 - Community, leisure and cultural facilities
- DM38 - Funding infrastructure
- BO4 - Land north of Myrtle Cottage, Winchester Road

Supplementary Planning Documents

41. Relevant documents are:

- Accommodation for elderly people and those in care (May 2011)
- Affordable Housing (December 2023)
- Biodiversity (December 2009)
- Environmentally Sustainable Development (March 2009)
- Planning Obligations (July 2008)
- Quality Places (November 2011)
- Parking Standards (September 2025)
- Trees and Development (April 2022)

Other documents

- EBC's Public Art Strategy 2023-2028

National Planning Policy Framework December 2024 (amended February 2025)

42. At a 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.
43. The three identified dimensions of sustainability should 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 appropriately responds to the different opportunities for achieving sustainable development in different areas.

Planning Practice Guidance

44. 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.

Policy Commentary

45. Section 70(2) of the Town and Country Planning Act 1990 and Section 38(6) of the Planning and Compulsory Purchase Act 2004 require planning applications to be determined in accordance with the Development Plan (policies detailed above) unless material considerations indicate otherwise.
46. The relevant policies and guidance combine to form the criteria against which this application will be assessed with particular regard to: the relevant planning policies and the principle of development; the form, layout and design of that proposed; its impact upon the street scene and character of the surrounding area; impact upon trees, nature conservation and biodiversity; environmental sustainability; parking and highway issues; local infrastructure, drainage and any impact upon the amenity of neighbouring properties.

Key Planning Issues

Principle of the Development

47. The application site forms the majority of the housing site allocated under Policy BO4 “Land north of Myrtle Cottage, Winchester Road” of the local plan. The policy allocates approximately 1.1ha of land for approximately 22 dwellings. The application site measures 0.9ha and excludes the land occupied by the existing properties Apple Tree Cottage and Oak Cottage in the south-eastern corner of the allocated site and the application site F/26/100728 for 3 dwellings to the south of Apple Tree Cottage.
48. The application seeks approval for 50 age-restricted retirement living apartments and 2 general market dwellings. The retirement living apartments are designed for independent living, albeit in a building that includes a communal residents’ lounge and an office for the one full-time equivalent member of staff. Residents would not be required to sign up to any type of care package and as such the proposed retirement living apartments are considered to be C3 dwellings, rather than a C2 residential institution. All of the proposed units would therefore be considered to be C3 dwellings and the proposed development of the site for residential dwellings is considered to be acceptable in principle.

49. Policy BO4 allocates the site for approximately 22 dwellings and the proposed application would provide 52 dwellings, an increase of 30 dwellings. Paragraph 4.13 provides supporting text to Policy S3 “Location of new housing” and advises that the site allocations provide an indicative number of dwellings for each site and that the Council will consider whether higher dwelling numbers can be justified when determining a planning application, following more detailed work and provided the proposal is in accordance with other policies in the plan. Therefore as the principle of residential development on site is acceptable the impact of the increase in number of dwellings will need to be assessed against the other policies in the local plan to determine if the additional dwellings can be accommodated without having a significantly detrimental impact on the surrounding area, infrastructure and environment.
50. Policy DM25 of the local plan supports the development of older person’s accommodation provided that it is located in sustainable locations with good access to the public transport network; close to local facilities and well integrated into the local community.
51. Paragraph 63 of the NPPF makes reference to the requirement to consider the need for housing for older people, including retirement housing, when establishing local housing need. The need for older person’s accommodation within the borough is recognised and as the proposal is located in close proximity to large new developments within Boorley Green, with access to bus and train connections serving Botley, Hedge End, Eastleigh and Southampton, and the nearby facilities (including retail) at Boorley Park, it is considered to be a suitable location for retirement living accommodation, and general market housing, in principle.
52. The proposed retirement living apartments and 2 general market dwellings are considered therefore to be acceptable in principle, subject to compliance with the other relevant local plan policies.

Sustainable Development

53. The NPPF is a significant material consideration when assessing planning applications and section 2 of the NPPF 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.
54. Achieving sustainable development means that the planning system has three over-arching 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 policies in the Framework.
55. 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. Each of the three dimensions of sustainable development is considered below.

56. The NPPF also states that development proposals which accord with the development plan should be approved without delay. Where the development plan is absent, silent, or relevant policies are out-of-date planning permission should be granted unless the adverse impacts of the development would outweigh the benefits; or specific policies in the Framework indicate development should be restricted. The NPPF requires that due weight should be given to relevant policies in existing plans according to their degree of consistency with the NPPF. In other words the closer the policies in the plan accord to the policies in the Framework, the greater the weight that may be given. 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 sustainable development applies.
57. The Council's latest published Calculation of Five-Year Housing Land Supply (January 2026) concludes that the Council cannot currently demonstrate a five-year housing supply of deliverable housing sites, with the latest housing supply figures demonstrating 4.2 years supply. As such the tilted balance of paragraph 11d) of the NPPF in favour of the sustainable development applies.

Economic Sustainability

58. Section 2 of the NPPF, when discussing economic sustainability, seeks 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'.
59. The construction of the proposed development is anticipated to generate approximately 60 jobs and would also result in associated spending on materials, goods and other services. In addition, future occupiers of the residential properties would be likely to support local services and facilities and the development would employ a full-time office manager.
60. It is considered therefore that the proposed development would have economic benefits that should be considered in the planning balance and overall it is considered that the development would be economically sustainable. However, it should be noted that the general economic benefits arising from the proposed development could arise from a similar development in a different location.

Social Sustainability

61. Chapter 5 of the NPPF 'Delivering a Sufficient Supply of Homes' states that, 'it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed

without unnecessary delay'. It goes on to state that 'Within this context of establishing need, the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies. These groups should include (but are not limited to) ...older people (including those who require retirement housing...)'

62. The proposed development would provide for 50no. one and two-bed retirement living apartments and 2no. three-bed general market dwellings and would accord with the aims of the NPPF to deliver a sufficient supply of homes to meet differing needs.
63. The NHS Hampshire & Isle of Wight ICB were consulted on the application and commented that the current medical centres providing primary care have insufficient capacity and would not be able to absorb the increased patients arising from the proposed development. As such they have requested that a financial contribution towards primary care infrastructure is secured, should be permission be granted, to provide the appropriate mitigation for the increase in demand for local primary care facilities.
64. Ordinarily a development of this size would be required to provide affordable housing in line with Policy DM28. A financial viability assessment (FVA) has been submitted in support of this application demonstrating that it would not be viable for the development to provide any affordable housing. As discussed in more detail below, this FVA has been independently reviewed and the conclusions in relation to affordable housing have been accepted. As such it is not considered reasonable to require the proposed development to provide affordable housing. However, the provision of a solely open market housing scheme should still be viewed as a social benefit of the scheme.
65. It is considered that the proposed development would have social benefits in terms of the provision of older persons and general market housing that should be considered in the overall planning balance. However, it should be noted that these benefits are not unique to this scheme and could be accrued from a development of this type and size in a different location.

Environmental Sustainability

66. The size and location of the application site is such that it has potential to impact on a number of environmental factors and these are discussed in detail below.

Highways, Transportation and Parking

67. With regard to highways and transportation matters Policy BO4 of the local plan requires the development of the site to include the following:
 - the provision of vehicular access from Winchester Road (B3354)
 - the provision of contributions to, or delivery of, off-site highway improvements considered necessary to serve the development;

- the provision of pedestrian and cycle links both within the site and to connect the site with the surrounding area, including enhancement of connections with Boorley Green, with the permitted development to the west and to Hedge End Railway Station in accordance with strategic Policy S11(1)(b);

Access and Layout

68. It is proposed that vehicular access for the development would be via Winchester Road with the existing bellmouth junction being widened from 5m to 6m wide to allow for two-way vehicle movements. Two pedestrian accesses to the site are proposed. One via a new footpath connection leading from the north-eastern corner of the site onto Winchester Road, in close proximity to the eastern end of Botley Footpath No.1. The second is in the north-western corner of the site and links through to Chaffinch Gardens on the Boorley Gardens development and onwards to the footpath /cycleway network in Boorley Gardens and Botley Footpath No.1. The connecting link on the Boorley Gardens side of the boundary has already been installed. The internal access road wraps around 3 sides of the apartment building and leads to the 2 detached dwellings at the southern end of the site. Car parking is proposed to the north, east and south of the apartment building.
69. HCC Highways as the Local Highway Authority have been consulted on the application and have raised no objection to the proposed access, car park layout or pedestrian links. It is noted that the footpath link to the west is stepped, however it is understood that a ramped link onto Chaffinch Gardens is not reasonably feasible due to the length of ramp that would be required as a result of the level changes. The link in the north-eastern corner is a level route and has been proposed instead of a direct link onto the public right of way in order to minimise tree and vegetation loss. Given the limited additional distances involved this is considered to be acceptable.
70. It is noted that Policy BO4 makes reference to cycle links and these are not provided. However given the changes in levels, the need to minimise vegetation and tree loss, and the short distances involved to get onto the wider network from the main site access; it is not considered that there would be a significantly detrimental discouragement to those cycling if the connections to the north-east and west are only designed to serve pedestrians.

Trip Generation

71. It is anticipated that the proposed development would result in approximately 84 additional vehicle trips on a typical day, with 3 in and 3 out movements in the AM peak and 2 in and 2 out in the PM Peak. HCC Highways have confirmed that subject to a financial contribution towards sustainable travel improvements and traffic regulation orders the impact on the local highway network would be acceptable and therefore they raise no objection to the proposals in this regard. HCC Highways have identified that the sustainable travel improvements that the financial contribution would be spent on include bus service subsidy and improvements in the local area; bus infrastructure in the local area to include Real Time Information, raised kerbs and shelters;

cycle and pedestrian improvements in the local area, inclusive of signalised crossing facilities.

Parking and sustainable travel

72. For retirement living schemes with off plot allocated spaces (as is proposed), the Parking Standards SPD requires 0.6 car parking space per dwelling and 1 cycle space per dwelling. For the 3-bed general market dwellings 2 spaces per dwelling are required, together with parking for 2 cycles per dwelling. For the scheme overall, a minimum of 0.2 spaces per dwelling is also required for visitor parking together with a minimum of 5% of parking spaces to be disabled spaces.
73. This equates to the need for a total of 45 car parking spaces, of which 2 should be disabled parking spaces. The layout currently shows 44 car parking spaces, 4 of which are disabled parking spaces, but an amended plan is to be submitted to include the additional car parking space required. It is considered that there is sufficient space to accommodate it within the existing layout and Members will be updated at committee. All parking spaces are proposed to have access to Electrical Vehicle (EV) charging points.
74. The Transport Statement submitted with the application confirms that the applicant's own research across numerous retirement living developments identifies an average car parking provision of 0.45 spaces per unit and a further 0.1 spaces per apartment for visitors equating to 0.55 car parking spaces per unit. The provision of car parking to meet the Council's own standards of 0.6 spaces per retirement living apartment therefore exceeds the usual level of demand for car parking from schemes of this size provided by the applicant.
75. Sheds are proposed in the rear gardens of the 2 dwellings to provide the required level of cycle parking. For the retirement living apartments a detached, combined mobility scooter and cycle store is proposed to the west of the apartment building. Previously it was proposed to be an integral store but there is growing evidence of significant fire risk associated with lithium-ion battery-powered mobility scooters and electric wheelchairs, with fires originating from these vehicles being fast spreading, producing toxic smoke and being difficult to suppress. As such the applicant is now proposing to provide a detached store, to minimise the fire risk to the development as a whole and future occupiers.
76. It is considered that this space could be flexibly used to accommodate both cycles and mobility scooters depending on the residents' needs. In addition, cycle stands providing parking for 6 cycles are proposed outside the entrance for short-term cycle parking by visitors.
77. Whilst the Council's standards indicate that 50 cycle parking spaces would be required for the retirement living apartments, the applicant's own research into cycle demand across their developments indicates that a scheme of this size would generate the need for 4 scooters and 2 cycles, which could be easily accommodated within the space shown on the floor plan of the store.

78. It is considered therefore that although the development would not meet the Council's standards for cycle parking the proposed level of provision is acceptable, given the evidence submitted in support of the application.
79. It is noted that objections have been made on the basis of potential overspill parking onto adjacent roads, including Chaffinch Gardens to the west, with the site then accessed via the pedestrian link. Given that, subject to the anticipated amended plan, the proposal would meet the Council's parking standards it is considered that the risk of this occurring is minimised. If any parking was to occur it is not considered that it would be of a level that would have an adverse impact on highway safety given the road layout and availability of formal and informal parking opportunities within that part of the Boorley Gardens development. As such it is not considered appropriate to refuse the application on these grounds.

Visual impact on the surrounding area

80. The application site is located to the west of Winchester Road, to the south of Botley Footpath No.1, to the east of Chaffinch Gardens (within the Boorley Gardens development) and to the north and west of the gardens of adjoining properties along Winchester Road.
81. Due to the existing boundary trees and vegetation, views of the site are generally short distance views gained from the adjoining sections of Winchester Road, Botley Footpath No.1 and Chaffinch Gardens. When views are gained, the site is generally seen or experienced in the context of the new development at Boorley Park Local Centre and Boorley Gardens.
82. The apartment block has been designed as a U-shaped building that would be 2 storey in height on the outer face of the building where it faces Winchester Road and the public right of way; 2 storey where it faces south towards the neighbouring dwellings and 3 storeys in height on the inner side of the U-shaped building facing onto the communal gardens and Chaffinch Gardens beyond. The two dwellings at the southern end of the site are 2 storey in height.
83. The older properties on Winchester Road tend to be 2 storey in height, with a few 1 ½ storey properties. Similarly, those in Chaffinch Gardens are 2 storey properties. To the north of the site there is 2 ½ and 3 storey development at Boorley Gardens and the Boorley Park Local Centre, including larger apartment buildings. The character of the surrounding area has been changing in recent years, and the proposed development reflects that with the mix of 2 and 3 storey development. The proposed development is therefore considered to be in keeping with the size and scale of the surrounding development in the local area.
84. The proposed apartment building is set back minimum distances of approximately 22m from Winchester Road, approximately 27m from the public right of way and approximately 29m from the nearest properties in Chaffinch

Gardens. It is considered that setting the apartment building in this central position within the site would ensure that it would not have an overbearing impact on the local streetscene or surrounding area. In addition, it provides space for additional tree and shrub planting on the boundaries that would help to further screen views of the development from the wider area.

85. From Winchester Road there would be limited views of the 2 proposed dwellings due to the set back position behind Oak Cottage and Apple Tree Cottage. Whilst views would be gained from Chaffinch Gardens it is considered that the proposed dwellings would not have a significantly detrimental visual impact on the surrounding area given their size and scale.
86. The objections to the 3-storey elements of the apartment building are noted, however the design of the building is such that these would not be visible from Winchester Road or the public right of way and limiting the 3-storey element to the internal courtyard within the centre of the site allows the scheme to achieve a higher density whilst minimising its visual impact on the public realm.
87. It is accepted that some views of the three-storey element would be gained from Chaffinch Gardens to the west, but these would be filtered by existing and proposed boundary planting. As such it is not considered that the proposed building would have an overbearing impact on the surrounding area, with the 3 storey elements being viewed as part of the development as a whole.
88. Urban Design and Landscape have considered the proposals and raise no objection to the impact of the proposed development on the surrounding area.
89. It is considered therefore that subject to an appropriate design for the building and boundary treatments, the impact on the surrounding area is acceptable given the nature and form of the surrounding development.

Layout, Design and Residential Amenity

90. As noted above the development consists of a U-shaped apartment building sited centrally within the site, set in from all the boundaries. The 2 detached dwellings are located at the southern end of the site, adjacent to the boundaries of Apple Tree Cottage and Myrtle Cottage.
91. It is considered that the proposed development would make an efficient use of the site, with a density of 58 dwellings per hectare, and would be laid out in a manner that would allow for suitable outdoor amenity space, landscaping and levels of parking, such that it would not appear cramped or overdeveloped.
92. It is considered that the proposed development would provide an appropriate level of amenity space for the residents of the retirement living apartments. The communal gardens are accessible for all residents, with 37 of the apartments also having either an individual patio area or balcony. In addition, the 2 dwellings have suitably sized gardens. Similarly, the design of the

proposed development would ensure appropriate privacy levels, internal space standards and higher access standards would be met.

93. There are neighbouring properties to the east, south and west of the site, and further to the north on the other side of the public right of way behind the two lines of trees. It is considered that there would be sufficient separation distances to ensure a satisfactory relationship with neighbouring properties and subject to the use of obscure glazing on two windows and one balcony screen on the south-east corner of the apartment building there would be no significantly detrimental loss of privacy for them.
94. The objection to the proposal on the grounds of overshadowing of properties in Kittiwake Place and Chaffinch Gardens is noted but there is a minimum separation distance of 29m to the nearest properties on Chaffinch Gardens, and further to Kittiwake Place. This would be sufficient to ensure no adverse impact on these neighbouring properties from overshadowing. Equally, given their location to the south of the apartment building it is not considered that the proposed development would result in the overshadowing of Oak Cottage or Apple Tree Cottage.
95. It is considered that the breaking up of the apartment building into a series of smaller elements, articulated through projecting gables, varied ridge heights and stepped façades reduces the perception of scale and allows the building to be read as a collection of buildings, rather than a single monolithic block. A two-storey, pitched roof frontage is proposed to Winchester Road and the public right of way, with the flat roofed three-storey element effectively concealed within the roofscape from those views, facing into the internal courtyard. It is considered that this mix of design approaches is acceptable, would not have a detrimental visual impact and is an effective design solution for this site. Amendments have been made to the application since submission to improve the palette of materials proposed.
96. The 2 detached dwellings have been designed to reflect the architectural style of the southern wing of the apartment building that they face, with similar hipped roof, fenestration style and materials.
97. As noted above the proposals include a detached mobility scooter and cycle store, and a separate bin store. Amendments to the appearance of these stores have been requested to ensure they have a more unified appearance.
98. Subject to the amendments to the appearance of the stores it is considered that the proposed layout and design of the development would be acceptable; would be in keeping with the character and appearance of the surrounding area and would not have a detrimental impact on residential amenities.

Trees and Landscape

99. The site is largely tree free, but there are significant trees to the north, adjacent to the public right of way. There are also some important features, such as the hedgerows and the tree line adjacent to Winchester Road. These

trees form important linear features and provide high amenity value, such that their retention and protection during construction is key.

100. The Council's Tree Officer has raised no objection to the proposed development but has requested that conditions be attached to any permission granted to ensure that the development would be constructed in a manner that does not harm these important features. There are also some smaller trees within the site that would be lost as part of the development but no objection has been raised to their loss.
101. The proposed landscape scheme shows the enhancement of the site boundaries with additional tree and shrub planting to create stronger green infrastructure links around the site and connecting to the wider area. Within the site, landscaping is proposed on all sides of the building and amongst the parking spaces helping to break up the appearance of the car parking and provide a landscaped setting to the development. Part of the landscape scheme includes two areas of orchard trees (one on the eastern boundary and one on the western boundary) to compensate for the on-site orchard trees that would be lost. Within the west-facing communal garden area for the apartment building a variety of different areas are provided including the patio area, separate outdoor seating and informal gardens.
102. The Council's Landscape team have considered the application and raised no overall objection to the scheme. However, they have raised some points related to the details of the landscaping scheme. Amended plans have been requested and are due to be submitted. Members will be updated at committee.
103. With the conditions requested by the Council's Tree Officer and the requested amendments to the proposed landscape scheme it is considered that the proposals meet the relevant requirements of Policy DM1 and the Trees & Development SPD.

Ecology

Protected Species

104. The site has been assessed and the presence of bats, reptiles and badgers on-site was recorded. In addition, the site was assessed as having moderate potential for nesting and breeding birds, a low potential for dormice and a negligible potential for great crested newts (GCN). The site has also been assessed as supporting common invertebrates but unlikely to support rare species.
105. The Council's Ecology team have been consulted on the application and have confirmed that the proposed mitigation measures are appropriate to prevent harm to the protected species found on site. The implementation of the mitigation measures can be secured by condition. In addition, NatureSpace raised no objection to the application in terms of its impact on GCN.

Biodiversity Net Gain

106. The application is required to meet the statutory requirement for a 10% biodiversity net gain. Details submitted with the application demonstrate that whilst some enhancements can be provided on-site, an off-site solution is also required in order to achieve the 10% gain. The applicant has indicated that they intend to purchase credits from a suitable off-site habitat bank to secure the necessary units of mitigation required. The Council's Ecology team are satisfied with the proposed approach, subject to conditions being attached to any permission granted to secure the submission of a final Biodiversity Net Gain Plan and Habitat Management and Monitoring Plan.

Nutrient Neutrality

107. Natural England has advised that the increase in waste water from new housing developments within the Borough is having a detrimental effect on the quality of water entering the Solent catchment area through nitrification. As such, all development for additional housing is required to reach nutrient neutrality (ensuring that development does not add to existing nutrient burdens), in order to meet the requirements of the Conservation of Habitats and Species Regulations 2017 (as amended). The proposed development would use the Peel Common waste water treatment works, which discharges into the Solent and is required to achieve nutrient neutrality for nitrates.
108. A nutrient budget calculation has determined that the development would generate an increased nitrogen load of 35.84 kg/TN/year. To mitigate the increase in nutrients, the applicant intends to purchase nitrate credits through the Council's Mitigation Scheme, which takes land out of agricultural use and creates recreational spaces, thereby reducing the nutrient output of the land. This mitigation could be secured by condition.

Recreational impacts on the Solent SPA and New Forest SAC, SPA and Ramsar sites

109. The site is located within the 5.6km Solent Mitigation Disturbance Zone associated with the Solent and Southampton Water Special Protection Area (SPA) and the 13.8km catchment zone for the New Forest SPA, SAC and Ramsar site in relation to recreational disturbance. In accordance with advice from Natural England, a net increase in housing development within these catchment areas is likely to result in impacts to the integrity of these sites through an increase in recreational pressure / disturbance.
110. The applicant has agreed to pay a financial contribution towards the Solent Recreation Mitigation Strategy managed by Bird Aware Solent and towards the Council's interim New Forest Recreation Mitigation Strategy to secure the necessary mitigation.
111. Natural England requested the completion of a Habitats Regulations Assessment, which has been done and sent to them for consideration. Based on their previous responses to development within the Borough that fall within the New Forest SPA, SAC and Ramsar site, it is anticipated that Natural England will object to the application on the grounds that they consider the

proposed development would have an adverse effect on the integrity of the New Forest SAC, SPA and Ramsar site from increased recreational disturbance; and that the impacts are also likely to affect the features of the associated Sites of Special Scientific Interest which underpin the above habitats site designations.

112. They usually reach this view on the basis that they consider the Council's interim New Forest Recreation Mitigation Strategy to be an unproven mitigation approach that has a significant level of uncertainty regarding its effectiveness at avoiding recreational impacts on the New Forest designations. As such they usually advise it would not be currently possible to conclude no adverse effects on the integrity of the New Forest designated sites through an appropriate assessment under the Conservation of Habitats and Species Regulations, 2017 (as amended).
113. The Council is aware of Natural England's concerns about the interim strategy. However, as the competent authority determining the application, the Council maintains its position that the interim New Forest Recreation Mitigation Strategy does provide sufficient and appropriate mitigation such that there would be no adverse effects on the integrity of the New Forest SAC, SPA and Ramsar site.

Drainage and Flood Risk

114. The site is located in Flood Zone 1 where there is a low probability of flooding. A sustainable drainage system is proposed that ensures surface water from all areas will go through two forms of naturalised filtration as required by Policy DM6 "Sustainable surface water management and watercourse management" before discharging into an existing drainage ditch to the north of the site. As such the Council's Ecology team are content that the development would achieve appropriate levels of natural filtration and water quality. HCC Flood & Water were also consulted on the application and have raised no objection to the proposed development subject to conditions.
115. The foul drainage will connect into the existing infrastructure on Winchester Road. Southern Water were consulted on the application and have identified that there is currently inadequate capacity in the foul network and that the additional flows from the development may lead to a minor increased risk of impact on the sewer network. The history of foul drainage problems in Boorley Green is acknowledged, however Southern Water have a duty to ensure sufficient capacity is available for new developments, subject to payment by the developer for any improvements required. It would therefore be unreasonable to refuse the application in relation to concerns about foul drainage, but Southern Water have requested that a condition be attached to any permission granted to ensure occupation of the development is phased to align with the delivery any required works to the sewerage network reinforcement required to adequately drain the development.
116. As currently shown, there are a few instances where the proposed drainage runs within the site would conflict with some of the proposed planting.

Amended plans have been requested and are due to be submitted. Members will be updated at committee.

Noise

117. A noise impact assessment was submitted with the application and this proposes that with appropriate glazing and ventilation specifications, internal noise levels would be within acceptable limits. It is acknowledged that some balconies facing Winchester Road would experience higher noise levels due to traffic noise, however, this is balanced out by the provision of a large area of communal outdoor space that is below the required noise levels. As such the Council's Environmental Health team have raised no objection to the proposed development subject to noise limits for any plant and equipment being secured via condition.

Air Quality

118. The site is not located within an Air Quality Management Area and the energy strategy for the proposed development is all-electric, utilising mechanical ventilation with heat recovery (MVHR), electric panel heaters and solar photovoltaics, all of which are zero-emission technologies. In addition, it is not considered that there would be a significantly detrimental impact on air quality arising from the anticipated traffic levels. As such there is no requirement for any mitigation in relation to the occupation of the development. However, the Council's Environmental Health team have recommended that a Construction Environmental Management Plan be secured should permission be granted to ensure appropriate controls are in place during construction to minimise any impacts. They also support the provision of electric vehicle charging and measures to promote and improve sustainable travel modes.

Contaminated Land

119. The Council's Environmental Health team were consulted with regard to land contamination and raise no objection to the application subject to conditions relating to unexpected contamination and importation of soils being attached to any permission granted.

Heritage

120. As noted above the site is not located within a Conservation Area, nor are there any listed buildings within the site. In addition, the archaeological assessment submitted with the application concluded that the site has a low archaeological potential. As such it is considered that the proposed development would not have an adverse impact on any heritage assets.

Sustainability and Climate Change

121. 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 2030; (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.

122. 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.
123. Policies S1, DM2 and DM3 of the local plan require new development to be sustainable in terms of resource use, climate change and energy use. The application is accompanied by an Energy Statement and a Drainage and Flood Risk Assessment, which set out the various measures that are proposed to enhance energy efficiency and contribute to minimising the impacts of climate change.

Human Health

124. Human health relating to ground conditions, noise and air quality has been considered and subject to conditions relating to contaminated land, noise standards and construction methods being attached to any permission granted it is not considered that there would be any other significantly harmful impacts on human health.

Conclusion on environmental sustainability

125. For the reasons set out above it is considered that, subject to the submission of amended plans as indicated above and the various mitigation measures that could be conditioned, the proposed development would be environmentally sustainable and would not have a significantly detrimental impact on the character and appearance of the surrounding area, the local highway network, areas of ecological or landscape importance, drainage and residential amenities. In addition, it would not result in an increase in flooding, noise or pollution.

Viability and Planning Obligations

126. The application has been submitted on the basis that it would not be viable to provide any affordable housing as part of the proposed development. A financial viability assessment was submitted in support of the application.

127. Policy DM28 states that residential developments should provide 35% affordable housing. However, sub-section (1)(a)(iii) sets out that it does not need to be provided if it can be demonstrated that this proportion of affordable housing would have an unacceptable impact on the economic viability of the proposed scheme, and a reasonable lower proportion is justified by evidence and that the lower proportion proposed is not below that which would be viable.
128. The submitted financial viability assessment has been independently assessed on the Council's behalf. The Council's consultants have reviewed the document and undertaken their own assessment. They have agreed that the proposed development would not produce what would be considered to be a reasonable level of profit for a development of this nature, if any affordable housing is proposed.
129. As such they have advised that it is appropriate to apply the flexibility provided within Policy DM28 and not require the provision of affordable housing. However, they have also advised that should the Council wish to grant permission for the proposals then an affordable housing review mechanism could be secured as part of a S106 legal agreement. This would enable the viability of the scheme to be reviewed again at a later stage allowing the Council to benefit from any favourable uplift in viability at a later stage.
130. In accordance with the guidance contained within the NPPF, Policies DM1 and DM38, the Council's Planning Obligations SPD, and the requirements of Regulation 122 of the Community Infrastructure Regulations, there is also a requirement for planning obligations to ensure on and off-site provision for facilities and infrastructure made necessary by the development, and to mitigate against any increased need / pressure on existing facilities. This is in addition to any necessary ecological mitigation measures.
131. Contributions / obligations towards the provision of the following infrastructure, community and environmental facilities or mitigation measures would be required for development of this type and size:
- Community Infrastructure
 - Off-site Public Open Space provision
 - Public Art
 - Sustainable Transport
 - Traffic Regulation Orders (TROs)
 - Health provision
 - New Forest Recreation Disturbance Mitigation
 - Solent Recreation Disturbance Mitigation
 - S106 monitoring fee
132. The purchasing of off-site Biodiversity Net Gain units and credits from the Council's Nutrient Neutrality Offset Scheme would also be required to ensure compliance with the Habitat Regulations.

133. The applicant has indicated that should Members wish to reach a different position with regard to the developer contributions required by the proposed development, they would be content for the overall financial package to be distributed differently in order to provide a financial contribution towards off-site provision of affordable housing.
134. Given the site's location and the nature of the development, planning permission could not be granted without securing all the necessary mitigation measures set out in the Appropriate Assessment. Without these mitigation measures it would not be possible to conclude that there would be no adverse effect on the integrity of the designated sites of the Solent Complex and the New Forest. The required mitigation measures are:
- New Forest Recreation Disturbance Mitigation
 - Solent Recreation Disturbance Mitigation
 - Nutrient Neutrality offsetting credits
 - Off-site Biodiversity Net Gain units
135. Therefore, should Members wish to secure a different package of developer contributions only the following contributions could be reduced or replaced, in favour of a financial contribution towards affordable housing:
- Community Infrastructure
 - Off-site Public Open Space provision
 - Public Art
 - Sustainable Transport
 - Traffic Regulation Orders (TROs)
 - Health provision

Equalities Implications

136. Section 149 of the Equalities Act 2010 created the public sector equality duty. It states: -
- (1) A public authority must, in the exercise of its functions, have due regard to the need to:
- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
 - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it
 - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- When making policy decisions, the Council must take account of the equality duty and in particular any potential impact on protected groups.
137. It is considered that this application does not raise any equality implications.

Planning balance and conclusion

138. With the lack of a 5-year housing land supply the tilted balance set out in paragraph 11d) of the NPPF is engaged. As such it is necessary to consider whether any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits when assessed against the policies in the NPPF taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.
139. The proposal would see the development of a site that is allocated within the local plan for residential development, albeit the application is for more dwellings than suggested in Policy BO4. It is considered to be an appropriate location for the proposed uses and the scheme would contribute positively towards the provision of accommodation for older persons in the Borough and make a small contribution towards general market housing at a time when there is a recognised need for older persons accommodation and the Council cannot demonstrate a 5 year housing land supply. These are benefits that should be given significant weight in the planning balance.
140. The fact that, subject to the amended plans detailed above, the development is considered to be acceptable in terms of design, layout, landscape, access, drainage, tree protection, prevention of impacts on nature conservation, pollution and biodiversity of net gain are also benefits but should be given limited weight given that all developments should be achieving good design and avoiding harm to the local area and environment. Similarly, the economic benefits arising from the construction jobs and associated spending together with the likely support of local services and facilities from occupiers should be given limited weight as they would be forthcoming from any residential development of this size.
141. On the opposite side of the balance, harm is caused by the lack of provision of affordable housing. However, Policy DM28 allows for this scenario if it has been satisfactorily demonstrated that it would have an unacceptable impact on the economic viability of the scheme. Given the Council's consultant agrees that it would be unviable to provide affordable housing, the lack of its provision as part of this application carries neutral weight.
142. Based on the detailed points set out in the report, as summarised in this section, it is considered that the benefits of the proposed development significantly and demonstrably outweigh the harm.
143. The recommendation is therefore that subject to the satisfactory receipt of amended plans; the expiry of the Natural England consultation period and the completion of a legal agreement to secure the listed financial contributions, planning permission should be granted subject to the conditions listed above.

F/26/101013



Address: Land Adjacent to Oak Cottage, Winchester Road,
Boorley Green, SO32 2DH

Date: 17/06/2026

Scale: 1:1250