

DELEGATED OFFICER REPORT

Application Ref:	F/26/101815
Site Address:	1 to 19 Cheping Gardens & 5 to 41 Mortimer Road, Botley, SO30 2FW
Case Officer:	Clare Martin
Description:	Reinforcement and refurbishment of the existing retaining wall structure. Proposal includes installing structural reinforcement (Geopins) into the existing structure, constructing a new Tobermore block retaining wall system directly in front and back filling the space between the two walls with concrete. The existing retaining wall will be removed where it is adjacent to existing footpaths that provide rear garden access and replaced with a new Tobermore block retaining wall system(amendment to planning permission F/26/100693).

Particular Site Constraints?	Yes ☐	No ☒
Inside the urban edge		

Planning History?	Yes ☒	No ☐
- F/26/100693 - Reinforcement and refurbishment of the existing retaining wall structure between the residential gardens. Proposal includes installing structural reinforcement (Geopins) into the existing structure, constructing a new Tobermore block retaining wall system directly in front of the existing wall with 1.1m high handrail on top and back filling the space between the two walls with concrete – Permitted (June 2026). - F/10/68318 - Construction of 31no. Two bed bungalows with extension to highway, off road car parking, landscaping and reinforced earth bank, following demolition of existing 31no. dwellings and felling of trees – Permitted (July 2011).		

Publicity:	Letters ☒	Site Notice ☒	Newspaper ☐
Representations:	None		
Ecology Officer:	<u>No objection</u> I have reviewed the updated CEMP (Rev 4, September 2026), Biodiversity Enhancement Plan (updated September 2026) and EclA (amended September 2026) all by Darwin Ecology. I have no further ecology concerns.		
Parish Council:	No Comment		

Site Visit:	Yes ☒	No ☐
Details: August 2026		

Pre-commencement Conditions:	Yes ☐	No ☒
Details:		

Legislation:

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:-

"If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."

Policy:

National Planning Policy Framework - August 2026 (NPPF)

The NPPF sets out the National Decision Making Policies (NDMP). The most relevant policies for the proposal are:

- S3 (sustainable development); S4 (development within settlements); CC2 & CC3 (climate change); DP3 (well-designed places); P3 (residential amenity) and N2 (improving the natural environment).

Planning Practice Guidance (PPG)

This provides detailed guidance on the planning system and implementation of policies within the National Planning Policy Framework.

Development Plan:

The Eastleigh Borough Local Plan 2016-2036, of which the most relevant policies are:

- Strategic policies: S1 (delivering sustainable development) and S2 (approach to new development); and
- Development Management policies DM1 (general criteria); DM11 (nature conservation).

Supplementary Planning Documents:

These documents provide detailed guidance on specific issues within Eastleigh Borough.

- Quality Places (June 2026); Parking Standards (September 2025); Trees and Development (April 2022) and Character Area Appraisals.

Proposal:

The proposal is to extend the retaining structure approved under F/26/100693, so that it now incorporates three side returns next to 1, 10 and 19 Cheping Gardens. The proposal follows the principles of the previous approval. Structural reinforcement (Geopins) will be installed into the existing structure, then a new Tobermore block retaining wall system will be installed directly in front and then the space between the two walls will be back filled with concrete.

Where the existing retaining wall adjoins an access path the existing structure will be completely replaced with a new Tobermore block retaining wall system. This is to retain sufficient space to allow access to the rear gardens.

The work is necessary as the existing structure is reaching the end of its lifespan and shows signs of significant deterioration. The work will protect the structural integrity of the existing residential properties and prevent the gardens of the Mortimers Road properties collapsing into the properties below

Assessment:

Principle

The site is located within the urban edge, where development proposals should be approved unless the benefits of doing so would be substantially outweighed by any adverse effects (as set out in NDMP S4). The material considerations for the proposal are considered below.

Character and Appearance

NDMP DP3 of the NPPF and Policy DM1 of the Local Plan requires development to take full and proper account of the context of the site (including the character and appearance of the locality) and be compatible with adjoining uses and be well integrated with these (in terms of mass, scale, materials, layout, density, design and siting) both in itself and in relation to adjoining buildings, spaces and views.

The proposal will be positioned alongside the gardens at the end of the row of dwelling i.e. numbers 1, 10 and 19 Cheping Gardens. The wall will be positioned approximately 0.2m to the south of the existing crib lock wall and comprise of a row of bricks with variations of colour from the segura grand heather range. This brickwork will provide a more pleasant outlook for the residential properties than a grey blockwork wall and a smarter aspect to the street scene alongside 10 Cheping Gardens. As such the development complies with the planning policies.

Ecology

NDMP N2(1) & N6 requires development to support conservation of important habitats and species. Local Plan Policy DM11 states that development will not be permitted if it is likely to have a direct or indirect adverse effect on priority habitats, protected or priority species unless it can be demonstrated that: a. there are no alternative solutions; b. the adverse effects are unavoidable; c. measures are taken to mitigate or, as a last resort, compensate for the adverse effects; d. there is an overall biodiversity net gain; and e. if there are any residual adverse effects, the benefits of the development clearly outweigh the adverse effects on priority habitats, priority and protected species, and the local ecological network.

The construction of a new retaining wall is considered necessary to ensure the long-term safety of the residential properties. The only alternative option is to demolish the existing retaining wall and reconstruct a new structure in its place (thus negating the need to backfill with concrete). However, for the majority of the structure this is not feasible as it would increase the risk of garden instability and so cause a greater disturbance to the natural habitat.

An ecological impact assessment has been submitted with the application. While it is not possible to fully protect invertebrates, amphibians or reptiles present within the existing wall, the impact will be reduced as far as possible through pre-commencement checks by a qualified ecologist and other precautionary methods (e.g. works to be timed for when creatures are most likely to be active and able to escape). A further ecological check is to be carried out between the construction of the lower and upper tier of the new retaining wall, as it is possible that animals may have re-entered the site during the settlement period. A construction environmental management plan has also been secured as part of the application.

The scheme includes biodiversity enhancements in the form of new bird boxes, insect habitat features within the wall and hedgehog holes in the fencing.

Overall, the ecological impacts have been minimised and are outweighed by the benefits of the development and biodiversity enhancements have been secured. In terms of ecology the proposal meets the planning policies requirements.

Sustainable Drainage Policy

NDMP F8 development proposals to incorporate sustainable drainage systems to control flow rates and reduce volumes of runoff, in ways which are proportionate to the nature and scale of the proposal. Policy DM6 of the local plan requires sites under 0.5 hectares to provide at least one form of filtration.

For the retaining wall in front of the existing structure, runoff water gardens will continue to travel through the existing porous gabion wall into a weep pipe. For the retaining wall

replacing the existing structure, 10mm single size free drainage aggregate will be used behind the structure leading into the weep pipe.

The weep pipe is located at the bottom of the new concrete wall structure and will transport run off water into a buried tank in each of the lower gardens. The excess water will then be slowly released through an overflow into the main drainage system. Both the tank and first 0.5m of the wall structure will be backfilled with shingle sized free draining aggregate, which will help filter the runoff surface water and provide additional support for the system.

The proposal therefore meets the sustainable drainage policy requirements.

Other Material Considerations

- The development accords with guidance set out in the 'Quality Places' SPD in that there will be no unacceptable impact on the amenity of the neighbouring properties in terms of loss of privacy, light or outlook.
- The existing pours retaining structure/ new drainage aggregate in the sustainable drainage system will help to filter the run off water. This will ensure a reasonable quality of water leaves the site, which eventually feeds through tributaries into the Solent Water Special Protection Area,

Other Material Considerations

Climate Change:

In July 2019, the Council declared a Climate Change and Environmental Emergency. In doing so it agreed, among other things, to: (a) put in place measures to ensure the Council's own operations and functions achieve carbon neutrality by 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 Environment Emergency Action Plan – Update June 2020.

The declaration of the Climate Change and Environmental Emergency demonstrates a strong commitment from the Council to achieve net zero. The NPPF, development plan and adopted local plan policy do not set this as a specific target, but it is a material consideration to be considered alongside all other material considerations. In any case addressing climate change is a core part of the NPPF and local plan policy. The need to support the economy is part of the Strategic Environmental Assessment for the adopted local plan, as is an assessment of climate impacts.

The NPPF aims for the need for housing to be met, and policy S2 of the Local Plan sets a target for 14,580 dwellings to be provided by 2036. The NPPF, Policies S1, DM2 and DM3 of the Local Plan and energy and water elements of the adopted Environmentally Sustainable Development SPD require development to be sustainable in terms of resource use, climate change and energy use. When considering the impact of climate change, the proposed development is expected to be resilient to the potential effects of climate change and is expected to reduce/limit impacts on climate emissions as a result of the development or its use.

Equalities Implications:

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

- A public authority must, in the exercise of its functions, have due regard to the need to:
 - a. eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;

- b. advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- c. foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

When making policy decisions, the Council must take account of the equality duty and in particular any potential impact on protected groups. It is considered that this application does not raise any equality implications

Conclusion:

For the reasons set out within the assessment section the benefits of the proposal are not substantially outweighed by any adverse effects and so the development accords with planning policy.

Recommendation:

PERMIT ☒

REFUSE ☐

Comments ...