

Application Number: F/26/101217
Case Officer: Gregg Chapman
Received Date: Wednesday 8 April 2026
Site Address: Meller House, Oakbank Road, Bishopstoke, Eastleigh, SO50 6HF
Applicant: S Bains
Proposal: Part retrospective external alterations to the existing building, including replacement and insertion of windows and doors, roof alterations, partial reduction of part of the building, alterations to parking layout including enlarged car parking area, provision of bin and cycle storage, boundary fencing and gates, and associated works.
Recommendation: Approval, subject to conditions

CONDITIONS

- 1 The development hereby permitted shall be implemented in accordance with the following plans:**

Location Plan and Proposed Floor Plans – KC 02 A PP B
Elevations Prior to Works - KC 01 A EL B
Existing Elevations (Part Retrospective) – KC 02 A EL B
Proposed Elevations Including Part Retrospective – KC 03 A PPEL B

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

- 2 Within three months of the date of this decision, details of the materials and finishes used or to be used in connection with the development, including the external walls, roof coverings, windows, doors, rainwater goods, external hard surfacing, boundary fencing and gates, and the bin and cycle store, shall be submitted to and approved in writing by the Local Planning Authority. Any remaining works shall be completed in accordance with the approved details and the approved materials and finishes shall thereafter be retained.**

Reason: To ensure that the development respects the character and appearance of the area and preserves the character and appearance of the Old Bishopstoke Conservation Area, in accordance with Policies DM1 and DM12 of the Eastleigh Borough Local Plan 2016–2036.

- 3 Within three months of the date of this decision, a landscaping, habitat creation and biodiversity enhancement scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include:**

- a) the location and extent of all planting and landscaped areas, including existing vegetation to be retained;**
- b) details of species, numbers, sizes, densities and planting methods;**
- c) details of bat boxes and integrated swift nest boxes (swift bricks), or, where compelling technical reasons are demonstrated, alternative swift nesting provision, including their number, design, location, orientation and method of installation;**

- d) precautionary measures to avoid harm to hedgehogs during any remaining groundworks and landscaping; and
- e) a timetable for implementation and arrangements for the ongoing management, maintenance and replacement of planting and enhancement features.

The approved scheme shall be implemented in accordance with the approved timetable. Any planting that dies, is removed or becomes seriously damaged or diseased within five years of planting shall be replaced in the next planting season with planting of the same species and size, unless otherwise agreed in writing by the Local Planning Authority. The approved biodiversity enhancement features shall be retained and maintained thereafter.

Reason: To secure proportionate landscape and biodiversity enhancements and to protect ecological interests, in accordance with Policies DM1 and DM11 of the Eastleigh Borough Local Plan 2016–2036 and the National Planning Policy Framework.

- 4 The development hereby permitted shall be carried out in accordance with the mitigation and compensation requirements of the District Level Licence for Great Crested Newts issued by NatureSpace in respect of the development, including any Reasonable Avoidance Measures forming part of that licence.

Reason: To ensure that the development provides appropriate mitigation for potential impacts on Great Crested Newts, in accordance with the Conservation of Habitats and Species Regulations 2017 (as amended), Policy DM11 of the Eastleigh Borough Local Plan 2016–2036 and the National Planning Policy Framework.

- 5 No external lighting associated with the development shall be installed or brought into use until a wildlife-sensitive external lighting strategy has been submitted to and approved in writing by the Local Planning Authority. The strategy shall:

- a) identify ecological features and species sensitive to artificial lighting, including bats using the site and its boundaries; and
- b) set out the location, design, mounting height, direction, intensity, colour temperature, hours of operation and controls for all external lighting, together with lighting contour plans demonstrating that there will be no unacceptable illumination of trees, hedgerows, boundary vegetation or other dark corridors.

Any lighting shall be installed and operated only in accordance with the approved strategy and shall thereafter be retained and maintained.

Reason: To protect bats and other wildlife from disturbance and to protect the character and amenity of the area, in accordance with Policies DM1 and DM11 of the Eastleigh Borough Local Plan 2016–2036 and the National Planning Policy Framework.

- 6 Within three months of the date of this decision, the parking and turning arrangements shown on the approved plans shall be laid out, surfaced, marked out and made available for use. The parking and turning areas shall thereafter be retained and kept available for those purposes.

Reason: To ensure safe and suitable access and adequate parking provision, in accordance with Policies DM13 and DM14 of the Eastleigh Borough Local Plan 2016–2036.

- 7 The development hereby permitted shall not be occupied until details of the bin storage, secure and covered cycle storage and electric vehicle charging provision shown or required in connection with the development shall be submitted to and approved in writing by the Local Planning Authority. The details shall include the location, dimensions, capacity, access arrangements and, for electric vehicle charging, the number and specification of charging points and associated infrastructure. The approved facilities shall be provided prior to the occupation of the development and shall thereafter be retained and maintained for their intended purposes.

Reason: To ensure adequate refuse, cycle and electric vehicle facilities are provided, in accordance with Policies DM1, DM13 and DM14 of the Eastleigh Borough Local Plan 2016–2036.

- 8 Within three months of the date of this decision a Construction Environmental Management Plan (CEMP) shall be submitted to, and approved in writing by, the Local Planning Authority.

Preparation and construction work shall only take place in accordance with the approved CEMP which shall include:

- a) the location of temporary site buildings, compounds, construction material and plant storage areas used during demolition and construction;
- b) the arrangements for deliveries associated with all construction works, loading/ unloading of plant & materials and restoration of any damage to the highway [including vehicle crossovers and grass verges].
- c) the parking of vehicles of site operatives and visitors;
- d) measures to control the emission of dust and dirt generated by demolition and construction;
- e) a scheme for controlling noise and vibration from demolition and construction activities.
- f) provision for storage, collection, and disposal of waste from the development during construction period;
- g) measures to prevent mud and dust on the highway during demolition and construction;
- h) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- i) temporary lighting;
- j) protection of pedestrian routes during construction;
- k) temporary surface water drainage provisions; and
- l) hours of working.

Reason: To limit the impact the development has on the amenity of the locality, in accordance with Policies DM1 and DM8 of the Eastleigh Borough Local Plan (2016- 2036).

Notes to Applicant;

1. Note to Applicant: In accordance with Policy DM3 of the National Planning Policy Framework (2026), Eastleigh Borough Council has taken a positive and proactive approach to the consideration of the

development proposal, seeking where necessary to resolve planning issues and enable a timely decision.

2. **Note to Applicant:** It is requested that the building works are carried out considerably to minimise disruption to the occupiers of the neighbouring properties. The council operates a code of best practice, which is available on the council's website www.eastleigh.gov.uk by following the links to Planning and Building, Building Control, then select 'Considerate Builders Advice Note'

Report

- 1 This application is a parallel application to application F/26/101216 that has been referred to the Committee by Councillors Gin Tidridge, Cllr Nick Couldrey, and Cllr Louise Parker-Jones.

Site Characteristics and Character of the Locality

- 2 The site occupies a prominent corner position within the Old Bishopstoke Conservation Area, with frontages to both Church Road and the green space, which occupies the site of the former St Mary's Church. Remains of the original church are still evident within the green space. The site also lies opposite the recreation ground and adjoins the entrance to a public right of way leading to the River Itchen, giving it a strong visual and functional relationship with a number of important public spaces within the conservation area.
- 3 The surrounding historic environment includes the nearby listed buildings, Itchen House and The Old Rectory, together with three locally listed lamp posts located along the northern edge of the green. The boundary wall along Church Road also forms a notable feature of the street scene and is understood to date from the original dwelling that formerly occupied the site prior to its redevelopment in the 1970s.

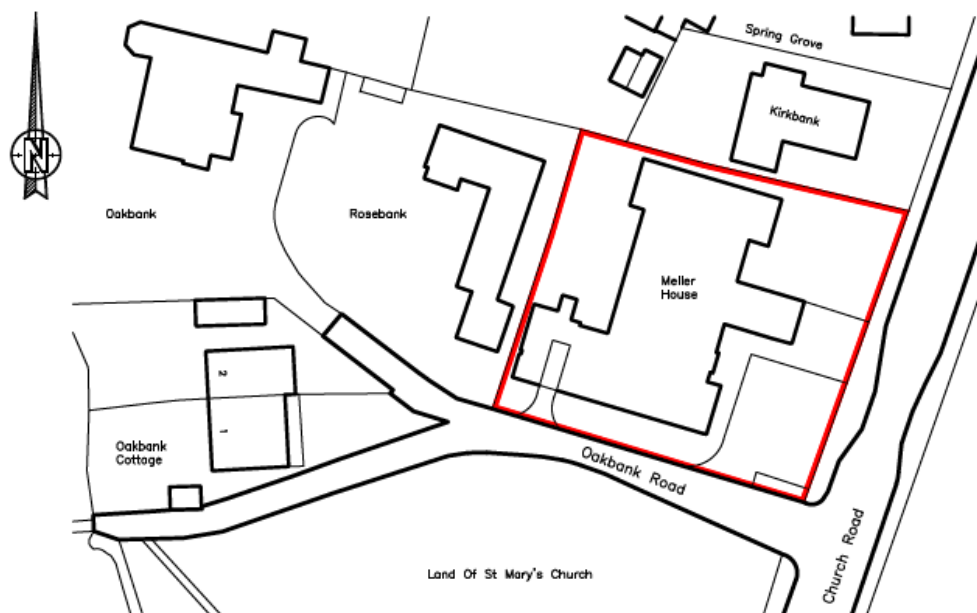


Figure 1: Site Location Plan



Figure 2: Photographs of the Existing Building

Description of Application

- 4 The application seeks part-retrospective planning permission for external alterations to the existing building. These include the replacement and insertion of windows and doors, alterations to the roof, and the partial reduction of part of the front wing of the building. The proposal also includes revisions to the parking layout, incorporating an enlarged car parking area, together with the provision of bin and cycle storage, boundary fencing and gates, and associated works. The application can be accessed through this link - <https://planning.eastleigh.gov.uk/s/public-register>
- 5 The retrospective elements of the work the subject of the application include the commencement of groundworks, the removal of some windows and partial removal of the roof (where the building is to be truncated).
- 6 The parallel application F/26/101216 considers the change of use of the premises from 21 units to 15 units of accommodation.



Figure 3: Elevation Plans Prior to Works



Figure 4: Proposed Elevation Plans

Relevant Planning History

7 F/25/99311 - Conversion of existing site of 21 dwellings to 15 dwellings including alterations to the roof, and extensions/alterations to the building, and associated works including landscaping, private amenity, refuse, cycle store and parking – Refused, August 2025, for the reasons;

1. The proposal fails to satisfactorily demonstrate that it would achieve the statutory requirement for biodiversity net gain, as set out in Schedule 7A of the Town and Country Planning Act 1990 (as inserted by the Environment Act 2021). The submitted Biodiversity Metric

contains errors and omissions and does not provide robust evidence that a minimum 10% net gain can be delivered either on-site or off-site. The development is therefore contrary to the Environment Act 2021, the National Planning Policy Framework, and Policy DM11 of the Eastleigh Borough Local Plan 2016–2036.

2. Insufficient information has been submitted to demonstrate that the proposed development would not cause harm to protected species, including bats and great crested newts, or to their habitats. In the absence of such information, the Local Planning Authority cannot be satisfied that the proposals would comply with the requirements of the Conservation of Habitats and Species Regulations 2017, the Wildlife and Countryside Act 1981 (as amended), Policy DM11 of the Eastleigh Borough Local Plan 2016–2036, and Paragraphs 187 and 193 of the National Planning Policy Framework.
3. The submitted surface water drainage strategy is inadequate and unsupported by site-specific infiltration testing or groundwater monitoring. No robust evidence has been provided to demonstrate the adequacy of the existing drainage system or the viability of the proposed soakaway design. In the absence of this information, the Local Planning Authority cannot be satisfied that the development would not increase flood risk on or off site, particularly given the sensitive environmental location in close proximity to the River Itchen SAC and SSSI. The proposals are therefore contrary to the National Planning Policy Framework and Policies S1, DM3, DM5 and DM6 of the Eastleigh Borough Local Plan 2016–2036.

- 8 F/26/101216 - Formation of nine new dwellings by reconfiguration of parts of existing building [Note, physical external alterations in accompanying tandem application] – Linked Application, Pending Consideration.

Representations Received

- 9 2 letters – Objection

- The proposal is considered, whilst not maybe in planning terms, to represent a significant change from the purpose of Meller House of the original owner as sheltered accommodation for elderly residents.
- The alterations to the roof and front elevation are, however, welcomed.
- The proposal would introduce rental units for families and younger people, changing the character and intensity of occupation. The submitted floor plans indicate potential occupation by approximately 24 adults and 11 children. The increased occupancy and changed demographic would place additional pressure on local infrastructure and amenity, including wastewater, traffic, visitors, deliveries and parking.
- Oakbank Road already experiences sewage back-up during periods of significant rainfall, including odours and occasional discharge around manhole covers. Increased wastewater discharge should only be permitted if existing sewer constraints, particularly at Church Road/Riverside, are resolved with Southern Water.
- Concern is also raised regarding the absence of detailed information about the capacity and routing of foul water drainage.

- Oakbank Road is a single-track cul-de-sac with restricted visibility at its junction with Church Road due to existing parking near the bend into Riverside. Concern is raised that additional traffic from residents, visitors and delivery vehicles could result in inappropriate parking on Oakbank Road and obstruct access for residents, deliveries and emergency vehicles. Suggested mitigation includes a stop sign for vehicles exiting Meller House, a clearly marked delivery area, and guidance for residents on addressing illegal or obstructive parking.
- Concern is raised that the proposed 15 parking spaces may be insufficient, as residents could own more than one vehicle, leading to overspill parking on Church Road.
- Inconsiderate overspill parking could result in Oakbank Road becoming gridlocked.
- Request that parking restrictions be considered at the junction of Church Road and Oakbank Road.
- The application does not include vehicle-tracking information to demonstrate that delivery and refuse-collection vehicles could safely access, manoeuvre within and leave the site.
- Concern is raised that the application does not specify construction working hours or explain where construction plant and large delivery vehicles would be located.
- Request controls to prevent plant or large vehicles being positioned in Oakbank Road, or alternatively the submission of a management plan where temporary obstruction is unavoidable.

10 1 letter – Comment

- Concern is raised regarding the absence of information on foul and surface water drainage. Sewer has backed up in the past. Require confirmation that car park and roof will not drain to the sewer.

Consultation Responses

- 11 **Bishopstoke Parish Council** - Object to this planning application until all of the outstanding questions and issues had been resolved.
- 12 **Built Heritage Consultant** – No objection
- 13 **Direct Services** – No response received
- 14 **Southern Water** – No objection.
- 15 **Ecology – Comments**
- Site is within a red zone for newts. District Level Licence required.
 - Precautionary working required to avoid harm to hedgehogs. This can be secured through condition.
 - Ecological enhancements are required. Bat boxes and swift nest boxes may be appropriate.
- 16 **Environment Agency** – No comment
- 17 **HCC Local Lead Flood Authority** – No comment
- 18 **Hampshire County Council Highways** – No objection

- Access remains unchanged
- Onsite parking will increase by eight spaces.
- Layout is acceptable with adequate sized bays and aisle widths which will enable on-site turns to be undertaken to enable forward gear access and egress.
- Waste access arrangements will need to be agreed by EBC direct services.

19 **Nature Space** – Certificate in respect of a newt district licence issued.

Policy Context and Designations Applicable to the Site

- 20
- Within the Urban Edge
 - Bishopstoke Conservation Area
 - Setting of Listed Buildings
 - Great Crested Newts Red Zone
 - Within Zone of Impact of European protected Solent Complex (SPA, SAC and Ramsar sites), River Itchen (SAC and SSSI) and New Forest National Park (SPA, SAC and Ramsar sites)
 - Public Right of Way Buffer
 - Archaeological Site of County Importance

21 **Development Plan Policies**

Eastleigh Borough Local Plan 2016-2036

The most relevant policies are;

Strategic policies

- S1 – Delivering sustainable development
- S2 – Approach to new development
- S3 – Location of new housing
- S8 – Historic environment

Development Management policies

- DM1 – General criteria for new development
- DM2 – Environmentally sustainable development
- DM3 – Adaptation to climate change
- DM4 – Zero or low carbon technology
- DM5 – Managing Flood Risk
- DM6 – Surface Water Management
- DM8 - Pollution
- DM10 – Water and Wastewater
- DM11 – Nature Conservation
- DM12 – Heritage Assets
- DM13 – General development criteria - transport
- DM14 - Parking
- DM23 – Residential development in urban areas
- DM24 – Creating a mix of housing
- DM30 – Internal space standards for new residential development

22 **Supplementary Planning Documents**

- Bishopstoke Conservation Area Appraisal (April 2011)
- Quality Places (June 2026)
- Parking Standards (September 2025)
- Housing (February 2003)

23 **National Planning Policy Framework**

At national level, the recent National Planning Policy Framework (NPPF) (August 2026) is a material consideration of significant weight in the determination of planning applications. Policy S3 of the NPPF establishes a presumption in favour of sustainable development. For development within settlements, policy S4 provides that development proposals should be approved unless the benefits of doing so would be substantially outweighed by any adverse effects, when assessed against the national decision-making policies in the NPPF.

The most relevant national policies are;

- Determining development proposals (DM3)
- Use of planning conditions and obligations (DM6)
- Relationship with other regulatory regimes (DM7)
- Unauthorised development and enforcement (DM8)
- Presumption in favour of sustainable development (S3)
- Principle of development within settlements (S4)
- Climate Change (CC2 & CC3)
- Meeting the need for homes (HO7)
- Specialist homes (HO9)
- Making effective use of land (L2)
- Achieving appropriate densities (L3)
- Well-designed places - key principles (DP3) & the design process (DP4)
- Locating development in sustainable locations (TR3)
- Street design, access and parking (TR4)
- Assessing transport impacts (TR6)
- Public rights of way (TR8)
- Living conditions and pollution (P3)
- Impact of development on existing activities (P4)
- Assessing flood risk for decision-making (F4)
- Ensuring development is safe from flooding (F7)
- Sustainable drainage systems and watercourses (F8)
- Improving the natural environment (N2)
- Areas of importance for biodiversity and geodiversity (N6)
- Securing conservation of heritage assets (HE4)
- Assessing effects on heritage assets (HE5)
- Proposals affecting designated heritage assets (HE6)
- Decisions on non-designated heritage assets (HE7)
- Conservation areas (HE9)

24 **Conservation Area**

The site lies within Bishopstoke Conservation Area and Section 72(1) of the Planning (Listed Buildings & Conservation Areas) Act 1990 states:

“In the exercise, with respect to any buildings or other land in the Conservation Area of any powers (under the Planning Acts), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area”.

Principle of Development

- 25 The application site is located within the Urban Edge, where the principle of development and redevelopment for residential purposes is acceptable in principle, subject to meeting other relevant planning requirements, in accordance with policy DM23 of the Eastleigh Borough Local Plan 2016 – 2036 (EBLP). This is also consistent with policies S3 and S4 of the NPPF (2026), which apply the presumption in favour of sustainable development and support development within settlements unless the benefits of doing so would be substantially outweighed by adverse effects when assessed against the national decision-making policies.

Character and Appearance/Conservation Area/Setting of Listed Buildings

- 26 Policy DM1 of the EBLP stipulates that all new development should respect the character and appearance of urban areas, take full and proper account of the context of the site including the character, appearance and land uses of the locality or neighbourhood, and be compatible in terms of mass, scale, layout density, design, and siting. Policy S8 of the EBLP seeks to ensure that proposals conserve and/or enhance the Boroughs heritage assets. At national level, policy DP3 of the NPPF (2026) requires development to respond to the history, character and features of the site and its setting and to integrate with and enhance its surroundings. Policies HE4, HE5, HE6 and HE9 of the NPPF (2026) require the significance of affected heritage assets to be appropriately assessed and conserved, with substantial weight given to the conservation of designated heritage assets.
- 27 The Bishopstoke Conservation Area Appraisal and Management Proposals document (CAA) explains that the Conservation Area has a layered historic character with large 19th-century houses and mature trees along the River Itchen and Itchen Navigation, with green spaces like Glebe Meadow and the old St Mary’s Church site adding to its verdant character. The area is detailed as having attractive views along rivers and tree-lined roads, though some are impacted by modern surfacing and parked cars. It is also of importance, as set out within the CAA that the area is rich in biodiversity, with the Itchen designated as a Special Area of Conservation, supporting protected wildlife and enhancing its natural riverside character.
- 28 Meller House is not of historic value in itself, although it is surrounded by a wall of historic merit, which is a clear heritage asset and is to be retained. The northern most part of the wall at Church Road is identified within the CAA as an ‘Important Wall’. The site is located to the north of the junction with Church Road and Oakbank Road, and therefore has a prominence in the street, and in views from the Recreation Ground to the east, and the old St Mary’s Church site to the south. It is also visible in views from listed buildings including The Old Rectory, Old Rectory Cottage, Itchen House, and the Coach House, providing a setting to these buildings, and when approaching and leaving the footpath network which starts in close proximity to the site to the southwest.

- 29 The proposals include new fenestration, a new parking area, ancillary bin/cycle stores, and truncation of an existing extension. The alterations to the building are not significant and would not cause harm to the character of the area. The building has also been recently re-roofed and an eaves feature added, which is supported. The Council Heritage Consultant has no objection to the proposals.
- 30 The alterations to the communal amenity areas are more significant, being changed to private gardens, and with the introduction of the proposed new parking area and cycle and bin stores – although these are enclosures only rather than buildings. The proposal would, through the subdivision of the private space become more intensively used, with associated domestic paraphernalia. This is not considered unusual within the built up area. Not all of the gardens (and the associated paraphernalia) would in any event be visible from the public realm. Details of the landscape planting, notwithstanding the submitted details and limited original planting at the site, are to be secured through condition.
- 31 There are listed buildings to the north and south of the site, and whilst there is a degree of intervisibility between them and the site, the proposed alterations and ancillary works would not cause harm to their setting as a result of the separation distance and the proposed scheme.
- 32 The proposed development is considered to comply with Policies DM1 and S8 of the EBLP and the Bishopstoke Conservation Area SPD respecting the character of the area and preserving the significance of the Conservation Area, and with policies DP3, HE4, HE5, HE6 and HE9 of the NPPF (2026). Substantial weight has been given to the conservation of the designated heritage assets and no harm to their significance has been identified.

Highway Matters

- 33 Policy DM13 of the EBLP requires that development is or could be well served by public transport, cycling and walking and that it includes measures which minimise its impact on the existing highway network. Policy DM14 requires that an appropriate level of car parking be provided in accordance with the Council's adopted standards. These provisions are consistent with policies TR3, TR4 and TR6 of the NPPF (2026), which address sustainable locations, street design, access and parking, and the assessment of transport impacts.
- Access and Highway Impact
- 34 The Highway Authority has reviewed the submitted details, including the existing vehicular access serving the site, which would remain unchanged. It has advised that the access arrangements are acceptable for the proposed development.
- 35 The proposal could result in an increase of up to eight residents, based on the NDSS for one and two bedroom dwellings and an assumption that the existing studio units would each have been occupied by a single person. Any additional vehicle movements associated with this increase would be limited and spread throughout the day. The resulting effect on the highway network would not therefore amount to severe impact on the transport network or an

unacceptable impact on highway safety, and the proposal therefore accords with policy TR6 of the NPPF (2026).

- Parking Provision

- 36 The Council's Parking Standards Supplementary Planning Document advises that a one-bedroom dwelling with off-plot parking should provide 0.75 resident parking spaces, together with 0.2 visitor spaces. For dwellings with two or three bedrooms, the standard is 1.5 resident spaces, together with 0.2 visitor spaces.
- 37 The proposal includes the removal of part of the building on its eastern side, with the resulting area used to provide additional vehicle parking. This would increase the number of parking spaces within the site from six to 14. When considered alongside the reduction in the number of residential units from 21 to 15, this would increase the level of parking provision from approximately 0.28 spaces per unit to 0.93 spaces per unit.
- 38 The Highway Authority has confirmed that the proposed parking layout is acceptable. The parking bays would be of an appropriate size and sufficient aisle width would be available to allow vehicles to turn within the site and enter and leave in a forward gear.

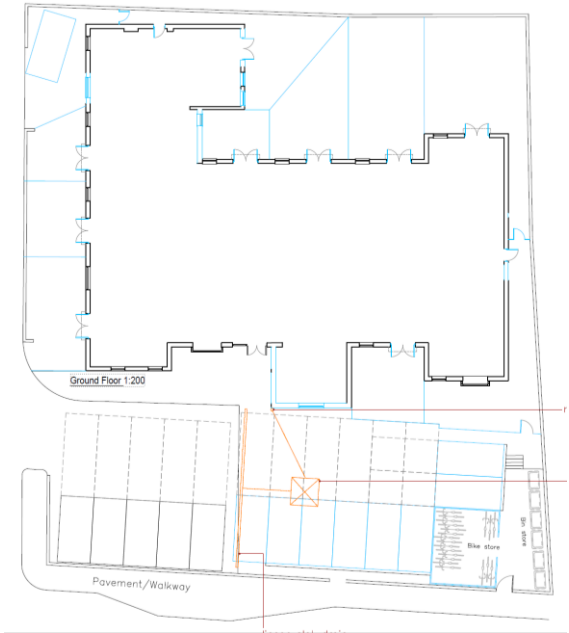


Figure 5 –Proposed Parking Layout

- 39 The existing development comprises 20 studio and one-bedroom units and one two-bedroom unit, generating a parking requirement of 20.7 spaces under the SPD. The existing provision of six spaces equates to approximately 29% of that requirement.
- 40 The proposed development would comprise eight one-bedroom units and seven two- or three-bedroom units, generating a parking requirement of 19.5 spaces. The proposed provision of 14 spaces would equate to approximately 71.8% of the SPD requirement.

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	Number of Units	Parking Standard Calculation	Actual Provision	Difference from
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				Stand ard
Current Circumstance	21	20.7	6 (29% of Standard)	-14.7
Proposal	15	19.5	14 (71.8% of Standard)	- 5.5

- 42 Although the proposed parking provision would remain below the numerical standard set out in the SPD, the proposal would reduce the number of residential units while substantially increasing the number of parking spaces. It would therefore significantly improve the existing parking situation, increasing compliance with the adopted standard from approximately 29% to 71.8% and materially reducing the on-site parking shortfall.
- 43 A condition is proposed requiring the proposed parking arrangements to be provided and thereafter retained. Subject to this the proposal would comply with policies DM13 and DM14 of the EBLP and policy TR4 of the NPPF (2026).
- Construction
- 44 Policy DM1 of the EBLP requires development to have an acceptable impact on the amenities of existing and future residents and users of the surrounding area. Policy DM8 seeks to ensure that development does not give rise to unacceptable environmental impacts, including through noise, disturbance, dust, vibration or other forms of pollution.
- 45 A degree of disruption is commonly associated with construction activity. However, in this case, any temporary impacts arising from the construction phase could be appropriately managed through the submission and approval of a Construction Environmental Management Plan. This would secure details relating to construction compounds, storage areas, parking, deliveries, vehicle movements, dust and mud control, waste management, temporary lighting, surface water drainage, working hours, and measures to protect pedestrian routes and the public highway.
- 46 Subject to this requirement, the construction phase of the development would be capable of being managed in a manner that would adequately safeguard local amenity and highway conditions. The proposal would therefore accord with policies DM1 and DM8 of the EBLP in this regard. The proposal would also accord with policy P3 of the NPPF (2026), which seeks to avoid unacceptable effects from noise and other pollution on living conditions, whilst the use of a CEMP condition is consistent with policy DM6 of the NPPF (2026).

Ecology

- 47 Policy DM11 of the EBLP requires planning applications to protect, conserve and enhance nature conservation designations; networks of natural habitats and features; facilitate their adaptation to climate change wherever possible; and seek a net gain of biodiversity on all development sites.
- 48 The presence of a protected species is a material consideration when a development proposal is being considered which would be likely to result in harm to the species or its habitat. As such, it is essential that the presence or

otherwise of protected species and the extent to which they may be affected by a proposal is established before planning permission is granted.

- 49 National guidance advises that developers should not be required to undertake surveys for protected species unless there is a reasonable likelihood of the species being present and affected by the development

- Site Sensitivity

- 50 This area of Bishopstoke has considerable biodiversity value in terms of the Itchen Navigation and the River Itchen. These both have European, national, regional and local levels of protection. At European level, the River Itchen forms a Special Area of Conservation (SAC). It is also a nationally designated Site of Special Scientific Interest (SSSI), part of a regional Biodiversity Opportunity Area (BOA) and contains features identified as being of local importance in a local Biodiversity Action Plan (BAP).

- Bats

- 51 Due to its location along the River and Navigation, this part of Bishopstoke has a very large population of bats, which receive European and national designations for protection. Due to the proximity of the Itchen and the Navigation, and the wide range of trees to serve as roosts, it is likely that buildings of all ages in the conservation area will have bat colonies.

- 52 The Council's previous reason for refusal identified an absence of adequate survey information to rule out bat roosting within the roof. The roof has since been re-tiled, and the re-roofing works are complete; no evidence of bats was found during those works.

- 53 Consequently, the specific bat roost concern that formed part of the earlier reason for refusal no longer applies. Given the site's proximity to the River Itchen and the known local bat population, precautionary measures remain appropriate. A condition is recommended to secure a sensitive lighting strategy and the provision of bat boxes.

- Great Crested Newts

- 54 The site is also within an area identified as a red zone (the most important) for Great Crested Newts (GCN), with a nearby record of a GCN within this zone, to the south. There is a large pond to the south and three ponds to the north.

- 55 Natural England standing advice for GCN is that a survey should be requested if there are records of GCN within the locality, there are suitable water bodies within 500m of the development (even if it only holds water for part of the year), or the development includes refuges such as logs, rubble, grass, scrub. Only one of these criteria need be met to trigger the requirement for survey work. All three are met. An Ecological Report was subsequently submitted. This raised that the proposed works are likely to cause an offence with regard to GCN, but identified the district level licencing scheme (DLL) as suitable mitigation, or that survey work could be carried out.

- 56 The applicant has secured a District Level Licence through NatureSpace. The DLL provides a lawful mitigation route and addresses the previous deficiency

in information. Compliance with this national scheme is secured through condition.

Biodiversity Net Gain

- 57 Biodiversity net gain (BNG) is established through a statutory framework introduced by Schedule 7A of the Town and Country Planning Act 1990, inserted by the Environment Act 2021. This framework establishes the biodiversity gain condition for most new grants of planning permission and requires development to deliver at least a 10% increase in biodiversity value relative to the pre-development baseline, measured using the statutory biodiversity metric. The requirement applies unless the development falls within a relevant exemption or transitional provision, or the permission is retrospective and therefore outside the scope of the statutory condition.
- 58 The earlier refusal reason was founded on the absence of a valid BNG metric demonstrating that the statutory 10% uplift could be achieved. The metric submitted at that time contained errors and omissions, and the Council's Ecologist advised that it did not meet national validation requirements. In the context of a new application, this deficiency would have prevented the Local Planning Authority from being satisfied that the statutory biodiversity gain condition could be discharged, and refusal was therefore justified.
- 59 Since that decision, the applicant has commenced works on site. The current application is therefore retrospective in nature. Government guidance confirms that BNG does not apply to retrospective planning applications. The current application is consequently not subject to the statutory biodiversity gain condition. On that basis, the earlier reason for refusal relating to the statutory BNG requirement is no longer determinative in the assessment of this application.
- 60 Had the application been submitted on or after 6 August 2026, the separate exemption for development on a site of 0.2 hectares or less would also have been relevant, subject to the applicable requirements concerning on-site priority habitat. However, the new exemption only applies to applications made on or after 6 August 2026. This application was submitted on 8 April 2026 and cannot therefore rely on that exemption. In any event, reliance on a further exemption is unnecessary because the retrospective nature of the application already places it outside the statutory BNG regime.
- 61 Notwithstanding the statutory position, biodiversity and ecological effects remain material planning considerations. However, policy N2(3) of the NPPF (2026) states that decision-makers should not give weight to development plan policies which require biodiversity gains beyond the statutory framework, including where such policies seek gains from development which is exempt from statutory BNG. Accordingly, no separate quantitative biodiversity net gain requirement is imposed through policy DM11 of the EBLP in this case. Policy N2 of the NPPF (2026) nevertheless requires development to minimise adverse impacts on biodiversity and to include appropriate features which support priority or threatened species, whilst policy N6 provides protection for designated sites of importance for biodiversity.
- 62 The Council's Ecologist has identified bat boxes and swift nest boxes as appropriate ecological enhancements. In addition, a landscaping condition will secure a scheme of planting and habitat enhancement. Given the low

ecological starting position of the site, these measures would provide minor but proportionate improvements to biodiversity. They will be secured through conditions requiring details to be submitted after the date of the decision and implemented in accordance with the approved details. They are not being relied upon as a substitute for, or as a calculation of, the statutory 10% BNG requirement. Policy N2(1)(f) of the NPPF (2026) specifically seeks features which support priority or threatened species including swifts, bats and hedgehogs, and requires integrated swift nest boxes (swift bricks) unless there are compelling technical reasons which prevent their use or would make them ineffective.

- 63 These measures are not being required as biodiversity net gain, but as proportionate ecological measures in response to the development itself and the requirements of Policy N2 of the NPPF (2026). Subject to the proposed conditions, the proposal is therefore considered to accord with the relevant non-BNG provisions of Policy DM11 of the EBLP and Policies N2 and N6 of the NPPF (2026).

Flood Risk and Drainage

- 64 Policies DM3 and DM6 of the EBLP stipulate that new development must provide sustainable drainage systems (SuDS) wherever feasible, and that naturalised filtration should be incorporated where possible. The application proposes an enlarged car parking area and bike and bin store. Policies F7 and F8 of the NPPF (2026) require development not to increase flood risk elsewhere and require proposals which could affect drainage to incorporate sustainable drainage systems to control flows and runoff in a manner proportionate to the nature and scale of the development.
- 65 Policy F8 of the NPPF (2026) specifically requires sustainable drainage provision to be proportionate to the nature and scale of the development.
- 66 The Lead Local Flood Authority (LLFA) commented on application F/25/99311 advising that “there is very little change in impermeable area” and that full information was not necessary, although infiltration testing and groundwater monitoring was sought due to the change in ground level between the site and the adjacent highway, and variance in infiltration viability in the area.
- 67 With the current application, the applicant proposes a SuDS strategy which comprises permeable paving, a linear slot drain (to prevent water running towards the south) and the use of a soakaway beneath the car park, with geomembrane and compacted fill, with levels below that of the adjacent highway. This represents a coherent drainage approach for a minor development of this nature that will ensure that rainwater goes to ground in the same manner as currently. The LLFA have indicated that they will not comment due to the proposal being minor development. The existing building will continue to drain to the existing soakaways.
- 68 In this case, the scale of additional hard surfacing is modest, a drainage strategy/approach has now been provided, which includes permeable surfacing, a slot drain and a soakaway, below the main highway to the east, and no statutory consultee has objected. On this basis and having regard to the minor nature of the development, the presence of an identifiable drainage strategy, and the absence of objection from the LLFA, it is considered that

the proposal can comply with Policies S1, DM3, DM5 and DM6 of the EBLP, and Policies F7 and F8 of the NPPF (2026), subject to compliance with Building Regulations.

Residential Amenity

- 69 Policy DM1 of the EBLP requires that development does not result in unacceptable harm to the amenities of existing or future occupiers, including through loss of privacy, overshadowing, overbearing impact or noise and disturbance. Policy P3 of the NPPF (2026) similarly requires development to provide acceptable living conditions and not give rise to unacceptable impacts from matters including noise, artificial light or other forms of pollution. The assessment must therefore consider whether the proposed external alterations would materially affect the living conditions of neighbouring properties.
- 70 The proposal does not introduce any significant additions in terms of built form or volume. The works comprise the replacement and insertion of windows and doors, the truncation of a small section of the existing building, and alterations to the parking and external areas, including an open enclosure for bikes and bins. These changes do not increase the height, massing or footprint of the building in a way that would give rise to additional overshadowing, loss of light or an overbearing relationship with neighbouring dwellings. The overall scale and envelope of the building would remain substantially as existing.
- 71 With regard to overlooking and privacy, the new and replacement windows are positioned within the existing elevations and do not introduce new vantage points that would materially increase overlooking beyond the current situation. The building already contains multiple openings at similar positions and orientations, and the proposed fenestration changes do not materially alter the relationship with neighbouring properties. The pattern of intervisibility between the site and surrounding dwellings would therefore remain largely unchanged. The proposal does not introduce any new windows at elevated positions or in locations that would give rise to harmful overlooking where none currently exists.
- 72 The alterations to the parking area and external spaces would not result in unacceptable noise or disturbance, given the established residential use of the site and the modest scale of the changes. The intensification of activity associated with the reconfigured parking area would be limited and would not exceed what could reasonably be expected within a residential environment.
- 73 On this basis, the proposal would not result in unacceptable harm to the amenities of neighbouring occupiers and is considered to comply with policy DM1 of the EBLP and policy P3 of the NPPF (2026).

Living Standards

- 74 Alterations to the internal accommodation are not proposed through this application and are for consideration under application F/26/101216, which is considered to be acceptable.
- 75 In terms of garden provision, which is also reviewed under application F/26/101216, the communal garden area would be revised to provide private

gardens for ten of the fifteen dwellings. The ten proposed gardens would be modest in size. However, this would represent a material improvement over the existing situation, where no private gardens are available. The five dwellings that would not have access to private garden space comprise three upper floor flats that form part of the existing layout and are not proposed to change, together with two one-bedroom flats. The proposed new flats without private amenity space would replace studio units that currently do not benefit from such provision.

- 76 Although some occupiers would not have private or communal garden space, the site is immediately adjacent to the former St Mary's Church green space and lies opposite the Church Road/Glebe Meadow recreation ground. The updated Quality Places SPD does not set a fixed minimum standard for flatted development and, where private amenity space is not provided, gives weight to access to high-quality public open space, particularly in compact development situations. In this context and having regard to the improvement over the existing arrangement, the standard of outdoor amenity space is considered acceptable and to broadly comply with policies DM1 and DM30 of the EBLP and the Quality Places SPD. The proposal is also consistent with policy DP3 of the NPPF (2026), which includes liveability and the provision of well-designed public and private spaces amongst the principles of well-designed places.

Other Matters

Climate Change

- 77 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; (b) work with partners to aim for all projects and services delivered in the Borough to achieve carbon neutrality; (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.
- 78 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.

Equalities Implications

- 79 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

Sewerage

- 80 Concerns have been raised by a third party objector regarding the capacity and adequacy of the existing foul drainage network in the area.
- 81 The proposal would result in a reduction in the overall number of residential units within the building, from 21 to 15 whilst the number of residents may increase marginally. Foul drainage from the development would continue to be discharged to the mains drainage network. The applicant has surveyed and mapped the route of the foul sewerage outflow from the development. This shows that it connects at Church Road, rather than Oakbank Road.
- 82 It is acknowledged that residents have concerns regarding existing drainage issues within the wider area, which are understandable. However, it is not the role of the planning system to remedy existing deficiencies in the public sewerage network. The relevant water company, as statutory sewerage undertaker, has separate legal duties in respect of the maintenance and operation of its network, and in relation to the provision of connections for new development where required. This is consistent with policy DM7 of the NPPF (2026), which confirms that decision-makers should assume, unless there is clear evidence to the contrary, that separate regulatory regimes will operate effectively and that planning decisions should not duplicate or extend controls imposed by those regimes.
- 83 On this basis, and in the absence of evidence that the development could not be appropriately connected to the mains foul drainage network (the Agent has confirmed that the necessary agreement has been reached with Southern Water), this matter would not amount to a reasonable basis on which to withhold planning permission. The proposal is therefore considered acceptable in respect of foul drainage and no conflict with the relevant provisions of the EBLP and Policy DM7 of the NPPF (2026) is identified in this regard.

Retrospective Submission

- 84 The application is part retrospective and policy DM8 of the NPPF (2026) is therefore relevant. Policy DM8 provides that where it is concluded, based on evidence, that unauthorised development was intentional, that fact should be given substantial weight in determining an application for retrospective planning permission. The retrospective elements of the application are linked to internal improvement works that did not require planning permission, and necessary safety/repair/replacement works to the roof and included changes to windows and doors and part demolition of the roof for the part that is not proposed to be retained. This is not significant development work. There is

insufficient evidence to conclude that the unauthorised development was intentional for the purposes of policy DM8(2) of the NPPF (2026), rather than necessary safety/repair work, and, accordingly, no adverse weight is attributed in this regard.

Conclusion and Planning Balance

- 85 Policy S3 of the NPPF (2026) establishes a presumption in favour of sustainable development. As the application site lies within a settlement, policy S4 applies. Policy S4 provides that development proposals within settlements should be approved unless the benefits of doing so would be substantially outweighed by any adverse effects, when assessed against the national decision-making policies in the NPPF.
- 86 The proposal relates to external alterations to an existing building and associated works. It does not itself provide dwellings, although it forms part of a wider package of development under the linked application for internal reconfiguration. The contribution of this application to housing delivery is therefore limited, however, significant benefit is associated with bringing a vacant property back in to use.
- 87 The heritage, design and character considerations weigh neutrally or modestly in favour of the proposal. The external alterations are modest in scale and design and would preserve the character and appearance of the Bishopstoke Conservation Area and the setting of nearby listed buildings. The improved parking layout and provision of bin and cycle storage represent functional enhancements to the site.
- 88 The previous ecological concerns relating to bats and great crested newts have been addressed through the completion of roof works and the securing of a District Level Licence. The earlier reason for refusal relating to Biodiversity Net Gain is no longer determinative due to the retrospective nature of the application, proportionate biodiversity enhancements can be secured by condition in accordance with the relevant non-BNG provisions of the NPPF.
- 89 In respect of drainage, the applicant has now provided a drainage strategy proportionate to the scale and nature of the development. The Lead Local Flood Authority has no comments and has not sought further information. National planning guidance confirms that drainage submissions for small sites should be proportionate, and that local planning authorities should avoid imposing unduly onerous requirements where the risk is low and the development is minor in nature.
- 90 While the existing drainage arrangements may not meet modern standards, these are historic conditions and are not created or materially worsened by the proposal. The planning system cannot reasonably require a minor application to remedy pre-existing drainage limitations that fall outside the scope of the works proposed. The relevant test is whether the development itself would materially increase flood risk. Given the modest increase in hardstanding, the presence of an appropriate drainage strategy, and the absence of objection from the LLFA, it is considered that it would not. Detailed design can be addressed through Building Regulations. When set against the benefits of the scheme, it is concluded that any residual drainage

impacts are minor and are clearly outweighed by the overall benefits of the proposal.

- 91 When the proposal is assessed against the Development Plan as a whole and having regard to the presumption in favour of sustainable development, the benefits of the scheme—namely bringing a vacant building back in to use, the preservation of heritage assets, functional improvements to the site, resolution of previous ecological concerns, and the provision of a proportionate drainage strategy—outweigh any limited residual drainage impacts. No adverse effects have been identified which would substantially outweigh the benefits of granting permission. The proposal therefore accords with the approach required by policies S3 and S4 of the NPPF (2026), as well as the Development Plan when read as a whole.