

DELEGATED OFFICER REPORT

Application Ref: F/23/96117

Site Address: 71 High Street, Botley, Southampton, SO30 2ES

Case Officer: Summer Sharpe

Description: Proposed 3 bedroom two storey detached dwelling with associated parking and access alterations, following removal of existing outbuildings.

Particular Site Constraints?	Yes ☒	No ☐
• Within urban edge • Within Conservation Area (Botley/ Winchester Road) • Surface Water Flooding • Airport safeguarding • Solent protection recreational disturbance • HRA screening; River, SAC, SPA & Ramsar • Air Quality Management Area (AQMA) (High Street, Botley) • Sewers 2m buffer		

Planning History?	Yes ☐	No ☒
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Publicity:	Letters ☒	Site Notice ☐	Newspaper ☐
Representations:	<u>1no. Comment (following amended plans):</u> Clarity needed on front hedge adjacent to no.73 and whether there will be any front fencing/ gate to new car parking and surface of new parking area. <u>4no. Objections (from 3no. addresses) summarised as follows:</u> (a) High Street is an extremely busy road, and causes major tail backs when any work or deliveries take place, (b) construction traffic will cause major safety problems to children going to school, (c) already overdeveloped, (d) Jenkyns Close (opposite) is a restricted area for parking, (e) A334 would need road closures to enable drainage and service connections to take place, (f) close proximity to no.73 (loss of light/ warmth and increase risk of damp), (g) concern about access to sides of no.73, (h) concern about overlooking/ treatment of windows, (i) concerns about access opposite Jenkyns Close, (j) potential disruption to utilities and street furniture (lamppost and telegraph pole), (k) concern about dropped kerb, and (l) concern about demolished garage and materials.		
Parish Council:	Objection: • Overdevelopment of a very small site. • Construction traffic parking is a concern as there are no provisions on site or in the immediate vicinity. • Boundaries are considered to be too close to the neighbours at no. 73. • Access to parking space is required to cross a pavement. There is insufficient space to turn a vehicle around on site so safety for pedestrians and other road users is a concern. • Members questioned that the plans for the house would fit into the space available – it seems rather ambitious for such a small site.		

	• Aesthetically, the site does not appear in keeping with the local area but squeezed in to fill a gap. • Insufficient green space for future residents of the property. • Street furniture and utilities will require moving which would have too much impact on a busy high street.
Hampshire Highways:	<u>Comments 13 December 2023 (following amended layout):</u> No objection to subject to conditions. Whilst it is preferential for a vehicle crossover drop kerbs to be kept to a minimum of 15m from any junction, it is noted that in this specific case, an existing drop kerb is already in place serving the driveway area of no.71 within this 15m range. As such, the relocated drop kerb proposed to serve the existing dwelling (with the existing to be closed up) is not anticipated to materially affect highway safety when compared to the existing situation, and the proposed drop kerb for the additional dwelling is located outside of the 15m distance. In this particular case, the approval will also allow for an improvement to the currently visibility splay onto High Street from the access points, if a condition can be applied to ensure that any fencing, wall, or landscaping along the boundary of both no.71, and the proposed dwelling which faces High Street is limited to a height of 0.6m or less, and retained as such between the carriageway and the dwelling line in order to achieve optimal visibility. At present the existing drop kerb has limited visibility to the east and west due to high hedging on the boundary line. In terms of the on site layout, this is acceptable, with adequately sized vehicle parking spaces. Whilst a turn on site to enable forward gear access and egress would be preferable, it is noted that site constraints do not allow for this, and that dwellings to the west have similar layouts working without known issue. Applicants should be made aware, subsequent to any permission that may be forthcoming from EBC, a secondary permission will be required from HCC to undertake the required vehicle access works via a S278. 4 conditions were listed in relation to: CEMP, access construction provision, close of existing access provision, and parking provisions. <u>Comments 18 October 2023:</u> No objection, subject to conditions. Whilst it is preferential for vehicle crossover drop kerbs to be kept to a minimum of 10m from any junction, it is noted that in this specific case, an existing drop kerb is already in place serving the driveway area of no.71 High Street. As such, the additional drop kerb is not anticipated to materially affect highway safety when compared to the existing situation. This is particularly the case, if as part of this application, an improvement to visibility onto High Street from the access pints can be made via a condition that any landscaping along the boundary of both no.71 and the proposed dwelling is reduced to a height of 0.6m and retained as such to achieve required visibility.

	In terms of the on site layout, this is acceptable, with adequately sized vehicle parking spaces. Whilst a turn on site to enable forward gear access and egress would be preferable, it is noted that site constraints do not allow for this, and that dwellings to the west have similar layouts working without known issue. 4 conditions were listed in relation to: CEMP, access construction provision, close of existing access provision, and parking provisions.
EBC Conservation Officer:	<u>Comments 8 November 2023 (following amended plans):</u> Following revised drawings of the building having been re-sited approx. 3m to the east to allow tandem parking to the west there is still no objection from a conservation viewpoint. The previous gap to the next building was about equal to the remainder of the row going west but is now much wider and provides tandem parking which is not as cleaver as side by side, however it does reduce the row of parking spaces together which were in the wide gap between the existing buildings. <u>Comments 23 October 2023:</u> No objection. This site is within the north-western finger of the Botley Conversation Area. The nearest listed structures are All Saints Church with the War Memorial near the front boundary some 200m to the east, so this proposal will not affect the setting of these heritage assets. As the village will relatively soon be benefiting from a completed bypass, the proposed parking will be less of a problem than if this were not the case, but the loss of hedging will remove that softness and result in a more urban feel to this stretch of the road. Having said that the proposal is partially infilling a gap in the otherwise continuous built form of the southern side of this length of the main road. The proposed design will fit in well having been sensibly spaces from no.73 and having a similar form and details of the other dwellings in this part of the street, all excellently shown in the proposed street scene drawing. The proposed materials will be sympathetic to its environment and be a credit to this part of the conservation area. This building will be a welcome addition to the Botley Conservation Area, particularly if the roof tiles are clay rather than concrete.
EBC Ecology:	<u>Comments 4 January 2024 (following additional information):</u> There are obvious holes in the roof of the existing out-building, and it is quite light inside due to the window and roof holes, so not likely that bats would be present inside, but they could be roosting between the tiles and areas of intact roofing felt where it would be dark enough. The building could also be used by nesting birds who would have easy access through these holes. I still cant see the entire interior to check for evidence of previous bird nesting or whether this is one open space with no other dark areas available. Other than the lawn and privet hedge there does not appear to be much other vegetation. I can see some plants that

could be species such as salvia, foxglove, nettle, sow thistle, may creeping thistle and dandelion but it is difficult to be sure from these photos. I don't see evidence of any invasive species present on site.

Precautionary working methods as previously described can be conditioned. The lawn should be kept closely mown until the start of works to prevent it developing into suitable habitat for amphibians.

A native thorn-less mixed hedge would be an appropriate replacement for the privet hedge to be removed. It should be managed to retain flowers and fruit for wildlife. Additional planting for pollinators would further enhance biodiversity of the garden.

The email confirms the presence of an existing soakaway, so an additional or larger soakaway will be acceptable along with permeable pavement. A soakaway must be positioned at least 5m from any built structure and the soakaway for this property must be separate from those of the neighbouring properties. A detailed surface water drainage plan can be conditioned.

Comments 17 October 2023:

There are multiple records of bats near the site, further photos would be required to determine whether a survey is necessary. There are also records of hedgehogs and badgers in this area. The site is within an amber great crested newt impact zone and is adjacent to a recreation ground with connectivity to a woodland belt along Pudbrook Lake. There are two ponds located to the north of the High Street, however there are no records of great crested newts in the area. The High Street would form a barrier to dispersal for amphibians so it is not likely that they would be found on this property. The existing vegetation on site which looks like a privet hedge might provide habitat for hedgehogs and nesting birds.

Any vegetation clearance should be done outside of nesting bird season (March – August). A check for hedgehogs must also be done before removing the hedge.

Any closed board fencing must contain openings in the baseboards (13 x 13 cm) to allow free passage of small animals.

A precautionary working method to protect hedgehogs and amphibians will be required.

During construction any excavations or open pipes must be covered at night or fitted with a small mammal escape ramp to prevent small animals (such as hedgehogs) being trapped. If hedgehogs are found, they should not be handled but be left to move away on their own to a place of shelter.

In the unlikely event that great crested newts are found, all work must stop and Natural England must be called for advice.

Surface water drainage: a soakaway and water butts have been proposed. If there is a soakaway in operation for the existing dwelling, this will be appropriate for the new dwelling. If not, a soil infiltration test will be required to demonstrate whether a soakaway will function in this area.

	Details are required for the surfacing of the parking spaces. Biodiversity enhancements: bird and bat are proposed. Built-in boxes are preferred to externally mounted boxes. Planting is also required to attract pollinators.
EBC Environmental Health:	<u>Comments 23 October 2023:</u> The proposed development is located adjacent to the A334 Botley High Street, which is a heavily trafficked road, and subsequently subject to high levels of noise during the day and at night. Under the Environmental Noise Directive noise modelling carried out for Defra has identified the location as falling within an important area for noise (Reference ID: 13845), meaning that the properties in this location are in the top 1% of all dwellings across both Eastleigh and Southampton districts for the highest exposure to road traffic noise. Botley High Street is also designated as an Air Quality Management Area due to elevated levels of nitrogen dioxide arising from road traffic exhaust emissions. The development proposed is sensitive to noise and air pollution. Reviewing the information provided with the application we see none concerning noise assessment or noise mitigation. Whilst the proposed layout shows that gardens will be located further back from the roadside behind a fence, thereby reducing likely noise levels, it is not clear if the garden areas will meet appropriate external noise standards. For the dwelling, facade noise levels are very high and no information is provided to show how this has been taken into account during the design process, nor how internal noise levels will meet the noise levels standards of the Local Plan. Where noise exposure is very high as in this instance, we would expect that a good acoustic design process is followed to ensure that all options to reduce noise exposure on future occupants are considered, and not just the building envelope. When windows are open, internal noise levels will be above the internal noise levels standards of the Local Plan. As such the applicant will need to provide alternative ventilation to that of opening windows, to provide for fresh air. Background ventilation rates under Building control will not be sufficient for these purposes. When designing and siting air inlets careful consideration will be required to avoid drawing in polluted air from the High Street facade. In conclusion, at this time we are unable to support development, as insufficient information has been provided to show that the significant noise impacts to the dwelling and garden will be avoided, and that adverse noise impacts have been minimised.
EBC Contaminated Land:	<u>Comments 23 October 2023:</u> Historical maps and available aerial imagery indicate the site has not been previously developed apart from several outbuildings located to the west of the site (glasshouse, detached garage, etc). The date of construction of these structures appears to be prior 2000s, and there is a potential that asbestos could have been used within the structure's fabric. The site bounds with residential

	developments to the west, High Street and further residential developments to the north, High Street Recreation Ground to the south, residential housing to the east and a car park and school further east. No significant pollution activities were noted within the surrounding area. The underlying geology comprise River Terrace Deposits over Earnley Sand Formation, both of the classed as Secondary A Aquifers. The site is not within a Source Protection Zone. The nearest surface water features identified were Pudbrook Lake at approximately 300m to the south and River Hamble at approximately 500m to the East of the site. The site is within an area of less than 1% above action level for radon. According to the above, we have no objections with the principle of the proposed development. However, it is advised that the developer: - Produces a Construction Environment Management Plan prior to commencement of works, to be submitted to and approved in writing by the Local Planning Authority. This shall set out the measures that will be implemented to avoid and minimise impacts to neighbouring residents including pollution prevention measures (noise, dust, mud, etc), construction traffic management measures, lighting controls, avoidance of encroachment of machinery and materials. The works shall be carried out in accordance with the approved plan. - Demolition works to be undertaken by a specialist contractor. In the event of any asbestos found within the building's fabric, this should be managed in accordance to Control of Asbestos Regulations CAR 2012. - Maintain a watching brief be maintained during development for the detection and appropriate treatment of any unexpected contamination (staining in ground, odours, etc) that is encountered. Prior the completion of the development: - We request that the developer provides information to confirm that a watching brief has been followed and to report on any findings or actions taken as a result of unexpected contamination; - Provide suitable confirmation of any excavated soils disposed of site; - Prior to their use on site, provide suitable confirmation that any that soils to be imported to site to make up topsoil or subsoil meet with the approval of the LPA.
Southern Water:	<u>Comments 14 December 2023:</u> As per previous comments. <u>Comments 27 October 2023:</u> Southern Water requires a formal application for a connection to the public foul sewer to be made by the applicant/ developer.
Natural England:	<u>Comments 18 December 2023:</u> Objection – impact upon New Forest (SAC, SPA & Ramsar). <u>Comments 13 November 2023:</u>

	Further information required.
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Policy:

National Planning Policy Framework

National Planning Practice Guidance

Development Plan:

Eastleigh Borough Local Plan 2016-2036

Policies: S1 (delivering sustainable development), S2 (approach to development), S3 (location of new housing), S8 (historic environment), DM1 (general development), DM2 (environmentally sustainable development), DM3 (climate change), DM6 (surface water management), DM8 (pollution), DM11 (nature conservation), DM12 (heritage), DM13 (access), DM14 (parking), DM23 (residential development within urban areas), DM30 (internal space standards), and DM38 (funding infrastructure).

Supplementary Planning Documents:

Quality Places; Residential Parking Standards, and Trees and Development.

Site Visit	Yes ☒	No ☐
23 October 2023.		

Assessment:

Site & Surroundings

The application site currently comprises a two-storey semi-detached dwelling (no.71 High Street) and associated external amenity area. This is situated to the south of High Street (A334), almost immediately opposite the site is 'Jenkyns Close' serving residential properties. No.69 High Street (adjoins no.71 to the east), and has a long elevation facing east which is a prominent and highly visible building when travelling west along High Street. This forms the focal/ starting point for dwellings to the south of High Street. The piece of land, subject to this application, is currently open and is associated with no.71, albeit separated by a 1.8m close boarded fence. From a site visit this piece of land had no boundary treatment, and was grassed in part with some hardstanding.

The rear of the site is bound by dense vegetation, whereby further south is High Street Recreation Ground. As a result of this, the site is fairly prominent and can be viewed from numerous vantage points, however, it should be noted that there is significant screening in the form of vegetation to the rear.

The site and surroundings also fall within the Botley Conservation Area. The immediate surroundings predominantly comprise characterful residential properties, there is not much sense of uniformity, albeit there are some similar tendencies throughout the dwellings. To the north-east of the application site is Botley C of E Primary School, and to the south off Mortimer Road is a health care facility.

Proposal

The application proposes the construction of a 3no. bedroom two-storey detached dwelling with associated parking and access alterations, following removal of existing outbuildings. This would be situated to the west of 71 High Street. The proposals have been amended during the application process, whereby the siting of the dwelling and associated parking provisions have been relocated.

The proposed dwelling would have an 'L-shaped' footprint of approx. 77.5m² and would be two-storeys in nature. This would have a pitched roof (sloping away from High Street) and

would have a maximum height of approx. 7.5m. To the rear would be a projecting two-storey element (3.5m from the rear), which would be set down from the main ridge height (6.7m). The eaves height, however, would be the same throughout, approx. 5m. There would be a modest porch positioned centrally on the principal elevation (9.7m in width), which would project approx. 0.9m and would measure approx. 3.1m in width and height. The proposed dwelling would be finished in a red brickwork mix, plain tiled roof (red/brown) and white upvc fenestration.

Principle

The application site falls within the urban edge, whereby the general principle of residential development is considered to be acceptable. However, this would be subject to the following considerations set out within this report.

Paragraph 11 of the NPPF relates to the presumption in favour of sustainable development, with sub-paragraph d) ii) relating to the decision-taking process, noting that permission should be granted unless *any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole*.

The Council also has an ongoing responsibility to ensure that there is a continuous 5 year supply of housing. The government has consulted on changing the requirements for having to demonstrate land supply and as such, it is not proposed to update the position until the NPPF and supporting documentation are revised. The last published figure was 5.1 years in July 2022 and the current local plan is very recent, having only been adopted in April 2022.

To conclude, the proposal would provide for additional residential development within the urban edge, an area which is acknowledged to be a sustainable location, this contribution would be particularly modest in the form of a single dwelling.

Design & Impact upon Conservation Area

Policy DM1 of the Eastleigh Borough Local Plan (2016-2036) stipulates that all new development should respect the character and appearance of urban areas, take full and proper account of the context of the site including the character, appearance and land uses of the locality or neighbouring, and be compatible in terms of mass, scale, layout density, design and siting. Policy DM12 stipulates that development of a heritage asset would only be permitted where the proposals do not harm or detract from the significance or special interest of the asset.

The application site also falls within the "Botley" Conservation Area. Thus, triggering Section 72 of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended), which requires the local planning authority, or as the case may be, the Secretary of State, pay special attention to the desirability of preserving or enhancing the character or appearance of a Conservation Area.

The dwelling itself, whilst having a fairly wide frontage onto High Street, is well proportioned. There are 2no. windows at ground floor level either side of a centrally positioned porch. At first floor level there are 2no. windows above the windows at ground floor level and a smaller window positioned centrally above the porch, creating a symmetrical and balanced appearance. This would be finished in red brick, tiles and white upvc fenestration, materials all commonly found within the immediate vicinity.

From a site visit it was noted that there are a mixture of dwellings along the southern part of High Street. To the west, No.75 (Lindlea) is similar in terms of its wider frontage, however this has 2no. bays in lieu of a central porch, which still provides some design interest. No.77 and 79, albeit a pair of semis, still creates a similar appearance onto High

Street. The proposed dwelling would therefore appear similar to these neighbouring properties and is considered to integrate positively within the streetscene.

Turning to the layout, as noted above, the positioning of the dwelling and parking provisions have been amended during the application process. Currently, the site is open and appears as a plot suitable for residential, especially given the tight grain of development within this specific section of road to the south of High Street. There would be 2no. parking provisions in tandem to the west of the proposed dwelling. There would also be some vegetation to the east concealing the garden serving the proposed dwelling. There would be 2no. parking provisions to serve no.71 High Street. This arrangement is considered to be acceptable given the existing development along High Street.

It is also recommended that conditions relating to the materials and landscaping be imposed to ensure the proposals are of a high quality finish, and landscaping is maintained appropriately. Subject to conditions, it is considered that the proposals would be acceptable. With regard to the wider surrounding conservation area, the proposals would conserve the heritage asset, however, and as per the Conservation Officers comments, subject to conditions securing high quality finishes the proposals could be seen to enhance the conservation area.

Internal & External Space for Future Occupiers

To ensure adequate internal living standards are met the Local Planning Authority assess the measurements of space against the 'Nationally Described Space Standards' (NDSS) (March 2015). Policy DM30 of the Eastleigh Borough Local Plan (2016-2036) requires that all new dwellings meet the NDSS as a minimum. In addition to internal arrangements, the Quality Places SPD requires all new residential development to provide a garden area of 60% of the host dwellinghouse.

The NDSS sets out the minimum space required for new dwellinghouses, this is dependent upon the number of bedrooms, people who would reside there and storeys. There are also standards relating to sizes of bedrooms; a single occupancy bedroom should measure 7.5m², and a double occupancy bedroom should measure 11.5m².

The application proposes a two-storey 3no. bedroom dwelling, whereby the NDSS requires between 84m² – 102m² for a property of this size. From the submitted plans, the ground and first floor would provide approx. 66.4m². Cumulatively, this would result in an overall footprint of 132.8m², thus would meet the requirements of the NDSS. Further, all bedrooms would meet and exceed double occupancy. In addition, from the submitted floor plans and elevations, it appears that each habitable room would be served by a window, thus would provide adequate natural light.

In addition, and as set out within the Council's Quality Places SPD, the garden size for new residential development must be at least 60% of the floor space of the host dwellinghouse. Further and in this instance, the 60% amenity space would also be applied to the retained dwelling.

As shown on plan referenced "Proposed New Dwelling & Site Layout 458_03_A" the associated external amenity space for the proposed dwelling would comfortably exceed the 60% requirement within the SPD (85%).

The abovementioned plan also states that the retained dwelling would have at least 60% external amenity space (89%). The plan also shows the removal of the existing conservatory, which appears to create a large proportion of the external amenity space. However, information with regard to the footprint of no.71 High Street has not been provided. Whilst the facts and measurements of the retained dwelling are unclear and appear to be partially reliant on the removal of the existing conservatory, the proposed amenity space appears to be of a good quality, which could also be secured via a

landscaping condition. From a site visit, no.71 already had a close board fence in situ, thus formally separating the 2 sites. Furthermore, it is noted that High Street recreational ground is to the immediate south of the application site and no.71 High Street. Therefore in the event the retained external amenity space did not meet the 60% requirement within the SPD, this would not be considered adversely harmful to the occupiers of no.71 given the close proximity to public open space/ recreational ground.

Turning to noise and pollution, the Council's Environmental Health Officer (EHO) noted that High Street falls within the Air Quality Management Area. As such, they raised concern with regard to noise/ ventilation and pollution in terms of the house and external amenity area. It is considered that the noise, ventilation and pollution in relation to the house can be suitably secured via an appropriately worded condition. With regard to noise and potential impact upon the external amenity area, it is noted that there are other dwellings and gardens with similar relationships to that proposed, namely no.71 High Street. Whilst this may not be an ideal arrangement, the proposals would provide a good quality amenity space. However, in the event the garden/ amenity spaces were compromised by noise/ pollution, both the occupiers of the proposed dwelling and no.71 have direct/ immediate access to High Street recreational ground to the south. To conclude, and whilst acknowledging that the garden areas could be compromised, this is not considered to be harmful to an extent which would warrant reason for refusal.

Overall, the proposals would provide satisfactory internal and external arrangements for both future occupiers of the proposed dwelling and existing/ future occupiers of the retained no.71.

Impact upon Neighbouring Amenities

Policy DM1 of the Eastleigh Borough Local Plan (2016-2036) amongst other matters, stipulates that all new development should not have an unacceptable impact upon residential amenities of both new and existing residents.

The addition of further residential development within an area characterised by residential is considered to be acceptable.

In terms of construction, it is likely that the proposals would have an impact upon the amenities of the neighbouring properties, as such matters like a CEMP, noise, and working hours are recommended to be secured via condition.

Turning to the built form, the neighbours most likely to be affected are those to the east and west. To the east, the proposals would be separated by the associated external amenity spaces and 2no. parking provisions. The proposed dwelling and no.71 are separated by approx. 12m. The amenity spaces would also be separated by a 2m close boarded fence which is fairly characteristic of urban gardens and residential developments. The parking provisions would also provide separation, which would serve no.71. As a result of the separation distance and boundary treatment, the proposals are not considered to have an adverse impact upon the amenities of this neighbouring property.

To the west, the neighbour no.73 has a long flank elevation with 1no. window at first floor level. The proposed dwelling would be set in approx. 4m from this neighbour allowing for 2no. parking provisions in a tandem formation. The proposed dwelling would have a shorter depth than the neighbour and would have 1no. door at ground floor level. There would therefore be no concern with regard to overlooking. The proposal would have some impact upon the existing window at first floor level in that it would reduce the quality of its outlook, but light could still pass through, albeit limited as a result of the two-storey nature of the proposed dwelling. The proposal would, however, not be considered overbearing

given that it would be shorter in depth when compared to this neighbour, therefore would ultimately not have an adverse impact upon no.73.

To the north, there are no amenities which would be impacted by the proposals, as a result of the separation distances and orientation of properties. To the south, the proposals could be visible from High Street recreational ground, however this would not be dissimilar to the existing arrangement with other properties to the south of High Street. The proposals, whilst visible are not considered to result in a harmful impact upon the recreational ground.

To conclude, the proposals are not considered to have an adverse impact upon the amenities of the neighbouring properties.

Highway Safety, Parking & Refuse Storage

Policy DM13 of the Eastleigh Borough Local Plan (2016-2036) requires that development is or could be well served by public transport, cycling and walking and it includes measures which minimise its impact on the existing highway network. Policy DM14 of the same Plan requires that an appropriate level of car parking be provided in accordance with the Council's adopted standards. The policy provisions are consistent with the requirements of the NPPF and in particular those of paragraphs 107 and 108.

Due to the nature of the proposals, the Local Highway Authority (LHA) have been consulted. The LHA did not raise any objection to the original proposals subject to conditions.

The proposals, have however, since been amended whereby the previous arrangement of 4no. parking provisions in a row has been altered. The application now proposes 2no. parking provisions in tandem to the west of the proposed dwelling and 2no. parking provisions to the east which would serve no.71. The LHA have reviewed this amended layout and raised no objection, subject to conditions and a S278 agreement. They noted that generally drop kerbs be kept to a minimum of 15m from any junction, however it was accepted that there are existing dropped kerbs within the vicinity, whereby the proposed dropped kerb was not considered to have an adverse impact upon highway safety, especially when compared to the existing arrangement. They did note that boundary treatment should be limited to a height of 0.6m (or less) to allow for suitable visibility splays. It is recommended that this be secured via condition.

Turning to parking provisions, the proposed and retained dwelling would be served by 2no. parking provisions which complies with the Council's SPD. The layout of the parking provisions was also considered acceptable by the LHA, as such this would be appropriate.

In addition to vehicular parking, cycle parking and bin storage is required. This is shown on plan referenced "Proposed New Dwelling & Site Layout 458_03_A". These are recommended to be secured via condition.

As such, and to conclude, the proposals are considered to be acceptable with regard to the above, subject to conditions.

Ecology

Policy DM11 of the Eastleigh Borough Local Plan (2016-2036) stipulates that the Borough Council will work with statutory and voluntary agencies and developers to; protect, conserve and enhance areas subject to international, national and local nature conservation designations, and promote the net gain of biodiversity on all sites through the protection, enhancement and connection of existing provisions and new habitats and features compatible with the native biodiversity characteristics of the Borough.

Due to the nature of development, the Council's Ecologist has been consulted. Originally, they noted that the site was within close proximity to bats, hedgehogs and badgers. They also noted that vegetation clearance should be undertaken outside of nesting bird season and also checks for hedgehogs must be undertaken, as well as including precautionary working methods to protect species.

Following additional information (comprising photos and an email), the Council's Ecologist advised that there was unlikely to be bats present inside the existing outbuilding. They also noted that there did not appear to be any invasive species present on site. Precautionary working methods would still be required, however this could be conditioned, as well as biodiversity enhancements, including landscaping information.

As such, and to conclude, subject to conditions, the proposals would be acceptable in this regard.

Contaminated Land

Policy DM8 of the Eastleigh Borough Local Plan (2016-2036) stipulates that development will not be permitted if it is likely to cause loss of amenity of impact upon public health or other unacceptable environmental impacts; including land contamination.

Due to the nature of development, resulting in a sensitive end use, the Council's Contaminated Land Team were consulted. They raised some concern with regard to the proposals (their comments are laid out in full in the consultation section). It is, however, considered that subject to conditions their concerns can be alleviated. Therefore, subject to further measures within the CEMP and additional conditions, the proposals are considered to be acceptable in this regard.

Drainage

Policies DM3 and DM6 of the Eastleigh Borough Local Plan (2016-2036) stipulate that new development must provide sustainable drainage systems (SuDs) wherever feasible, naturalised filtration should also be included.

Originally the Council's Ecologist requested additional information with regard to drainage. The agent then provided an email advising there was an existing soakaway. Following this, the Council's Ecologist advised that securing a surface water drainage plan via condition would be appropriate. Subject to this, the proposals would be acceptable in this regard.

Sustainability

Policy DM2 of the Eastleigh Borough Local Plan (2016-2036) requires new development to provide a 19% improvement in predicted carbon emissions, and water consumption standards of 110L per person per day.

Other than being situated within a suitable location, the proposals do not provide any sustainability measures. It is therefore recommended that sustainability measures be secured via condition.

SPA Mitigations

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

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

The Solent & Southampton Water Special Protection Area is an internationally designated conservation site and is protected for its overwintering birds. It is recognised that new house building (within a 5.6km buffer of the designated area) is placing increased pressure on these overwintering birds from more people visiting the coastline. As such the Council requires all housing developments within the buffer to make a financial contribution towards the Solent Recreation Mitigation Strategy, which aims to limit recreational disturbance to our coastline through careful management. The application site falls within the 5.6m buffer and therefore a 3no. bedroom dwelling would require a monetary mitigation of £834 (as of 1 April 2023), which have been received 18 January 2024.

In terms of water quality, Natural England have advised that new housing development should achieve nutrient neutrality in order to mitigate the impacts of additional nitrogen arising from the sewage generated by the future residents. This wastewater then feeds into the Solent Complex via Waste-Water Treatment Works which discharges into the river network and so causes eutrophication affecting the features for which it is designated. The Council has adopted its own strategy for achieving nutrient neutrality whereby it identifies areas of agricultural land and remove these from a nitrate intensive use, thus reducing the nitrogen input into the protected sites, with the level of reduction then being used as a means of offsetting the impacts of development proposals within the Borough. This ensures no overall net increase in nitrates within the Solent and thereby allow a development to achieve nutrient neutrality. In order to do this, the Council calculates the level of nitrate mitigation this land provides (measured in kg) and makes 'nitrate credits' available to developers to buy, with funding being secured during the planning application. The HRA covered that the proposals would result in an additional 0.8kg/TN/year of nitrogen, and that the necessary mitigation would be secured via condition.

Furthermore, Natural England has also raised concern with regard to additional residential development within 13.8km radius of the New Forest. This is considered to have an adverse impact upon the New Forest by way of additional trips resulting in further recreational disturbance. There is a monetary mitigation of £2,220 per residential unit to offset the impact upon the New Forest National Park, which was covered within the HRA. As noted above, Natural England have raised an objection, however the Council is satisfied with the mitigation and have received these monies (18 January 2024).

Other Matters

In accordance with The Town and Country Planning (Pre-commencement Conditions) Regulations 2018, the Local Planning Authority informed the agent of the pre-commencement conditions to which they confirmed they were agreeable (email dated 10 January 2024).

Equalities Act:

Section 149 of the Equalities Act 2021 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.

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 2025; (b) work with partners to aim for all projects and services delivered in the Borough to achieve carbon neutrality by 2030; (c) ensure that the Council's procurement policy recognises carbon neutrality as one of its primary considerations; and (d) recognise the urgency of action to mitigate and adapt to climate change in every decision taken by the Council. This is underpinned by the Climate and Environment Emergency Strategy 2020-2030 and the supporting Climate and Environmental Emergency Action Plan – Update June 2020.

The declaration of the Climate Change and Environmental Emergency demonstrates a strong commitment from the Council to achieve net zero. The NPPF and development plan 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 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 and 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 limit impacts on climate emissions as a result of the development or its use.

Conclusion:

This application is recommended for approval subject to conditions.

Recommendation:	PERMIT ☒	REFUSE ☐
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