

CHRISTOPHER ROBERTS
BOYER PLANNING
CROWTHORNE HOUSE
NINE MILE RIDE
CROWTHORNE
WOKINGHAM
RG40 3GZ

Application	F/22/93194
Please ask for	Liz Harrison
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Wednesday 7 February 2024

Town and Country Planning Act 1990
The Town and Country Planning (Development Management Procedure) (England)
Order 2015

Application No. F/22/93194

In pursuance of their powers under the above Act and in accordance with your application received on Tuesday 6 September 2022 the Council, as Local Planning Authority hereby **Refuse Planning Permission For** the following :

Description:	Full planning application for the erection of 172 dwellings, a 71-bedroom care home (Use Class C2), a 141-bedroom hotel (Use Class C1), a well-being centre (Use Class E / F2), improvements to existing stadium, new vehicular access, car parking, pedestrian circulation, together with associated tree planting, landscaping, SuDS and biodiversity enhancements (Amended description)
Site:	THE AGEAS BOWL, MARSHALL DRIVE, WEST END, SOUTHAMPTON, SO30 3XH

For the following reasons:

- 1 The proposed care home is located outside of the area identified for residential development under policy WE4(1)(d)(ii) of the Eastleigh Borough Local Plan 2016-2036 and given its size, scale and design it would have an adverse landscape and visual impact on the surrounding area, the setting of Telegraph Woods and the adjacent public right of way. As such it is considered that the proposed development would be contrary to policies DM1 and WE4(1)(a) and

WE4(d)(ii) of the Eastleigh Borough Local Plan 2016-2036 and the provisions of the NPPF.

- 2 The proposed residential development due to its layout, form, design, appearance and landscaping would fail to achieve good quality architectural design; sufficient interest in the streetscene and natural surveillance; high quality, well-landscaped public realm, including the design and integration of the above ground surface water attenuation features; and appropriate levels of residential amenities for future occupiers. The proposal is therefore contrary to policies DM1, WE4(1), WE4(1)(b), WE4(1)(d)(i), and WE4(1)(d)(ii) of the Eastleigh Borough Local Plan 2016-2036, the Council's Quality Places and Trees & Development Supplementary Planning Documents and the provisions of the NPPF.
- 3 The form, design and landscaping of the proposed event day car park accessed off Botley Road would have a detrimentally urbanising impact on the character of the countryside and settlement gap, contrary to policies S5, S6, DM1 and WE4(1), WE4(1)(b) and WE4(1)(c) of the Eastleigh Borough Local Plan 2016-2036 and the provisions of the NPPF.
- 4 The design of the proposed hotel fails to respect the strong curved form of the existing hotel that it would sit immediately adjacent to. The result would be an awkward relationship in a relatively small space around a communal arrival area, to the detriment of the public realm. This would fail to achieve the high quality of design required by policies DM1, WE4(1), WE4(1)(b) and WE4(1)(d)(i) of the Eastleigh Borough Local Plan 2016-2036, the Council's Quality Places Supplementary Planning Document and the provisions of the NPPF.
- 5 The proposed development would result in excessive loss of on-site trees that are worthy of retention and add value to the character of the area, the loss of which is not adequately mitigated for in terms of replacement planting. In addition it fails to demonstrate that the important trees that are shown for retention on the north-western boundary of the site could be successfully retained and incorporated into the proposed development. The proposal would therefore not accord with the presumption in favour of tree retention and have a significantly detrimental impact in terms of amenity and ecology contrary to policies DM1 and DM11 of the Eastleigh Borough Local Plan 2016-2036 and the Council's Trees & Development Supplementary Planning Document.
- 6 The proposed development would result in the loss and fragmentation of the existing woodland and habitats, the loss of reptile habitat and lead to increased recreational disturbance to Telegraph Woods Site of Importance for Nature Conservation and Westwood Copse. As such the application is contrary to

policies DM1, DM11 and WE4(1)(k) of the Eastleigh Borough Local Plan 2016-2036 and the provisions of the NPPF.

- 7 Insufficient information has been submitted with the application to demonstrate the extent of landscape and visual impact that the proposed development would have, the area affected by that impact and how design iterations have reduced and mitigated the remaining effects. The uncertainty around the impact of the proposed development on the surrounding area and wider landscape means the application is contrary to policies DM1 and WE4(1)(a) of the Eastleigh Borough Local Plan 2016-2036 and the provisions of the NPPF.
- 8 Insufficient information has been submitted with the application to demonstrate that significant adverse noise effects would be avoided and adverse effects otherwise minimised, particularly with regard to the robustness of the baseline noise survey and the approach taken to demonstrating how the agent of change principle has been discharged. The proposal would therefore be contrary to policy DM8 of the Eastleigh Borough Local Plan 2016-2036 and the provisions of the NPPF.
- 9 Insufficient information has been submitted with the application to demonstrate that the internal layout of the proposed development is adequate to accommodate the safe movement of people and vehicles. The proposal would therefore result in an unacceptable impact on the safety of users of the development contrary to policy DM13 of the Eastleigh Borough Local Plan 2016-2036 and the provisions of the NPPF.
- 10 Insufficient information has been submitted with the application to demonstrate that the proposed event day car park access off Botley Road is adequate to accommodate the safe movement of people and vehicles. The proposal would therefore result in an unacceptable impact on the safety of users of the development and adjoining highway contrary to policy DM13 of the Eastleigh Borough Local Plan 2016-2036 and the provisions of the NPPF.
- 11 Insufficient information has been submitted with the application to demonstrate that appropriate opportunities to promote sustainable transport modes could be taken up by users of the development. The proposal would therefore result in an unacceptable impact on the local transport network and environment contrary to policy DM13 of the Eastleigh Borough Local Plan 2016-2036 and the provisions of the NPPF.
- 12 Insufficient information has been submitted with the application to determine that the water quality of the ground water will be adequately protected in the proposed event day car park accessed off Botley Road. In addition it has not been satisfactorily demonstrated that the surface water run-off from the care

home and pavilion will receive the required level of filtration needed to ensure appropriate levels of water quality are achieved. The proposal is therefore contrary to policies S1 and DM6 of the Eastleigh Borough Local Plan 2016-2036, the provisions of the NPPF and the Conservation of Habitats and Species Regulations 2017 (as amended).

- 13 The application fails to provide for the required mitigation to offset the impacts of the development on the European protected sites (i.e. the Solent and Southampton Water Special Protection Area & Ramsar Site, Solent Maritime Special Area of Conservation & New Forest Special Protection Area, Special Area of Conservation & Ramsar sites) from nutrient loading and recreational disturbance generated by the population increase resulting from the development. The application is therefore contrary to policies S1, DM10, and DM11 of the Eastleigh Borough Local Plan 2016-2036, the provisions within the National Planning Policy Framework and the Conservation of Habitats and Species Regulations 2017 (as amended).
- 14 The application fails to secure provision for developer contributions for the on and off-site provision of facilities, infrastructure and measures (including on-site and off-site public open space and play provision; public rights of way works, enhancements and access rights; community infrastructure; primary and secondary education; off-site health facilities; footway/cycleway links or improvements; public art; travel plan; air quality monitoring and management; Telegraph Woods Habitat and Access Management Plan and Scheduled Ancient Monument Plan and affordable housing) made necessary by the development or to mitigate against any increased need or pressure on existing facilities; together with any necessary modifications to obligations contained in other legal agreements related to the site. The application is therefore contrary to the requirements of policies S10, DM11, DM12, DM13, DM28, DM33, DM36 and DM38 of the Eastleigh Borough Local Plan 2016-2036, Eastleigh Borough Council's Planning Obligations Supplementary Planning Document and provisions within the National Planning Policy Framework.
- 15 The proposed development fails to provide a suitable alternative and appropriately designed pedestrian, cycle and vehicular access to/from the settlement of West End. This is, in part, due to the topographical constraints of the proposed route limiting equitable access for all pedestrians and cyclists. In addition, the need for alternative routes in and out of the site to West End is increased by the constraints of the proposed traffic management measures for safe access and egress at Marshall Drive leading to its closure during certain times related to event days at the Utilita Bowl. This is considered inappropriate development that would cause unacceptable disruption to existing and future residents. As such the proposed development is contrary to policy WE4 of the Eastleigh Borough Local Plan 2016-2036.

Note to Applicant: In accordance with paragraph 38 of the National Planning Policy Framework, Eastleigh Borough Council take a positive approach to the handling of development proposals so as to achieve, whenever possible, a positive outcome and to ensure all proposals are dealt with in a timely manner. Whilst there have been extensive discussions between the Council and the applicant regrettably the amendments to the scheme have not overcome the highlighted shortcomings leading to the refusal of the planning application.

Yours faithfully

A handwritten signature in black ink that reads "N Parker". The signature is written in a cursive style with a horizontal line underneath the name.

Nicholas Parker
Planning Manager

N.B. See Attached Notes