

DELEGATED OFFICER REPORT

Application Ref: F/23/95533

Site Address: 17 Swaythling Road, West End, Southampton, SO30 3AG

Case Officer: Summer Sharpe

Description: Erection of 4no. flats.

Particular Site Constraints?	Yes ☒	No ☐
- Within urban edge - Great crested newt (green zone) - Green route (Swaythling Road) - Southern water 2m buffers - Grade II Listed Building (north no.21 Swaythling Road) - Surface water flooding (Swaythling Road & Ivy Lane)		

Planning History?	Yes ☒	No ☐
Planning App no.	Proposal	Decision
DC/22/93386	Original application F/21/92102 - Conditions 5, 6 & 13. Redevelopment of site to include erection of 1no. detached four-bedroom dwelling	Discharged (March 2023)
F/21/92102	Redevelopment of site to include erection of 1no. detached four-bedroom dwelling	Permitted (June 2022)
PN/21/91643	Application to determine if prior approval is required for a proposed: Change of use from Commercial, Business and Service (Use Class E) to Dwellinghouses (Use Class C3)	Prior Approval Granted (January 2022)
F/21/91631	Elevational alterations to north, south and east of ground floor building, including the removal of 2no. doors and replacement windows	Permitted (November 2021)
Z/35130/000/00	Change of use of ground floor showroom to residential, raising of workshop roof and construction of double garage	Permitted (April 1998)
Z/15482/004/00	Erection of store	Refused (April 1988)
Z/15482/003/00	Erection of store	Refused (December 1987)
Z/15482/002/00	Use as shop on ground floor with self-contained flat above	Permitted (August 1987)

Publicity:	Letters ☒	Site Notice ☐	Newspaper ☐
Representations:	<u>A further consultation period was undertaken as amended plans were received, there were 2 further Objections, summarised as follows:</u> (a) highway safety concerns following tracking information submitted, (b) lack of parking, and (c) increased noise. <u>Originally there was 6no. Objections, summarised as follows:</u> (a) lack of parking, (b) plot is not big enough for 4 flats, (c) highway safety concerns, (d) impact upon adjoining neighbouring garden, (e) concern about the waterway to the rear, (f) overdevelopment, (g) poor design, and (h) concern about bin waste collection.		
Parish Council:	None received.		

Conservation Officer:	<u>Comments 6 November 2023:</u> The additional drawings only appear to address the parking issue, leaving the other issues raised unresolved. Both the roof finish and the accommodation of bins (both storage and collection days) including inconvenience to other, affect the setting of the heritage asset next door, so until these are settled holding objection. <u>Comments 5 August 2023:</u> The site is set between (and was formerly part of) a Victorian property on the corner of Swaythling Road and Ivy Lane and the listed building of no.21 Swaythling Road. What appeared to have been the old stable block to the Victorian building on the corner, together with the single storey concrete pre-fab tandem garage building near the north-west boundary with no.21, a listed building, have now been demolished following permission for a single house on the site. the idea now is to building a two-storey set of 1no. bed flats just behind the rear line of the garage to no.21 with parking in front. The principle of building a new building of this nature in this position is no great problem, particularly as it is set well back, however it will still affect the setting of a heritage asset. The Victorian building now has again, four-pane sash windows, which are to be employed for the main rooms in the new building. This will related well to the 'host building', giving cohesion to the whole site next to the heritage asset. There is no mention anywhere of the proposed roof covering, which given the fenestration matches no.17, might as well be the same as that property. The bin store and cycle storey, presumably for all flats, has been put unrealistically at the back of the site, so needs to be in a more convenient position to be used, perhaps at the front of the garden. In-spite of there not being a heritage statement, the positioning actually enhances the setting of the listed building next door, particularly with the new fence and tidy hedge, so I would not object, however the waste bins for the existing building leaning in the hedge as seen on street view, detract from the setting of no.21 Swaythling Road and needs to be addressed, partly to avoid those for the new building joining them and increasing the untidiness.
Environmental Health:	<u>Comments 7 November 2023:</u> Previous comments reiterated, which highlighted the high levels of noise and elevated air pollution impacting the development site. To this end we would highlight that the site is located within an Important area for noise, ID Ref. 12649 as defined in the Environmental Noise directive, making it within the highest 1% of road traffic noise affected locations across Eastleigh and Southampton. Noise levels are such that given the layout proposed, high levels of acoustic insulation will be required, and with open windows internal noise levels of the Local Plan will likely not be met. In such situations alternative ventilation is usually required, and to achieve a reasonable standard of amenity these matters should be considered as early as possible in the design stage of the development. Given the elevated air pollution from road traffic it may not be possible to draw air from the front of the dwellings to provide ventilation.

	At the time of writing no information has been provided on noise and air pollution impacts on the development, or to demonstrate how significant adverse impacts will be avoided, and adverse impacts otherwise minimised. With respect to land contamination no information is provided on the former use of the land, nor assessment of risks to the proposed new use. Whilst we do object to the principle of the development, we are unable to support it at this time due to the lack of relevant information supplied in respect of noise, air pollution and land contamination. <u>Comments 27 July 2023:</u> The planned dwellings would replace a previous car park associated with a nearby shop. Road traffic noise is high alongside the road and undoubtedly sound insulation will be necessary with alternative means of ventilation to opening windows viewing Swaythling Road. The dwelling set back from the kerbside probably sufficiently for levels of air pollution (vehicular emissions) to dissipate. The garden located towards to rear side of the property and with close boarded fence could create a desirable quieter area of amenity. We request two conditions; on noise impact and mitigation to be demonstrated prior to development, and a CEMP.
Ecology:	<u>Comments 6 November 2023:</u> No ecology objection, subject to ecology enhancements. <u>Comments 31 July 2023:</u> There are records of bats and nesting swifts near this site. Further information required with regard to ditch/ watercourse along the southern boundary. A surface water drainage and landscape plan and biodiversity enhancements would be required.
Hampshire Highways:	<u>Comments 18 December 2023:</u> No objection. Access: unchanged. Parking Quantum: the parking quantum requirements is for EBC to assess and determine, in line with their parking standards SPD. This should include appropriate provision for not only the proposed dwellings, but also the dwelling that currently rely on the site for their parking needs. Additionally, whilst a cycle store is shown, details of how many bikes this will store and what security measures are contained with which to securely lock bikes should be provided. Parking layout: same as previous comments. However, the end space on the western end has been pulled inwards away from vertical obstructions to allow easier user access into cars. Servicing: bin storage remains to the rear of the site, but there is now a defined bin collection point provided just to the side of Swaythling Road for easy collection by refuse vehicle operatives. Whilst this is only for the 4 proposed dwellings, it is acknowledged that there will be no change to the requirements of the existing dwellings on site. <u>Comments 6 November 2023:</u> Following amended plans, holding objection.

Access: is unchanged, utilising the existing vehicle crossover that previously served as access to parking associated to a commercial property adjacent at no.17 which is understood have now been converted into residential accommodation. The continued use of this access for the proposed development would be acceptable.

Parking Quantum: EBC is the Local Parking Authority. A minimum of 9no. spaces would be required in accordance with standards. It is unclear where the additional 3no. spaces would be accommodated.

Additionally, whilst a cycle store is shown, details of how many bikes this will store, and what security measures are contained with which to securely lock bikes should be provided.

Parking Layout: updated drawings show this as being 3 spaces to the southern edge of the parking area, and 3 spaces to the western edge of the parking area. Centrally, an area of approx. 7 x 7.2m is retained in order to provide an appropriate turning area (minimum 6 x 6m). these movements are shown on vehicle tracking drawings, though it is noted that the size of vehicle utilised is not shown, and appears to be a small vehicle (such as a mini). Regardless of this however, adequate space appears to be available for an average family type car.

Whilst it is acknowledged that several of the spaces are close to the Swaythling Road access, it is however acknowledged that this is an existing situation, and compared to the historical commercial/ retail use, vehicle flows are anticipated to be lower level and so an improvement on the historical situation.

With regard to parking bays, plans appear to show adequately sized bays at 2.4 x 4.8m (minimum), however it would be recommended that an additional 0.3m width should be provided for any space located to an adjacent to a vertical obstruction to enable users to fully open doors. At least one space does not appear to have this provision.

Servicing: bin storage is shown on the updated proposed site layout plan, however this appears to be in the rear garden, with no details of paths along which the bins would be pulled to a designated pick up point. This detail should be added to plans. Onwards, details of bin collection point should also be provided, given the potential for a combined site requirement of 6 pins being collected at any one point is a reality. Clearly this number of bins has the potential to be obstructive if left out on the footway, or could result in the loss of a parking space if left on site close to the road. Plans should be updated to clearly show where bins will be collected from in a non-obstructive location.

Comments 2 August 2023:

No objection in principle to the proposals, a holding objection would be made subject to additional information being received:
Access: is unchanged, utilising the existing vehicle crossover that previously served as access to parking associated to a commercial property adjacent at no.17, which is understood to have now been converted into a residential dwelling under planning permission PN/21/91643. The continued use of this access for the proposed development would be acceptable.

Parking: EBC are the Local Parking Authority, however it is noted 5 parking spaces are proposed on site. This would accord with the minimum EBC parking standards utilising the unallocated parking ratio of 1 space per 1-bed dwelling, plus a 20% uplift for

	visitor parking. However (PN/21/91643) 2 parking spaces that are required to serve the existing residential dwelling are also located within the area of the application site, and so it would be recommended that the case officer requests details of where this off-road parking will be relocated to ensure that the EBC parking standards continue to be adhered to. In terms of the layout of the proposed parking, unfortunately given the plans submitted to date, assessment of the layout cannot be undertaken. As such a plan clearly showing the layout of the 5 parking spaces is requested so that an assessment can be undertaken to ensure that: spaces are sized adequately, the proposed aisle width is sufficient for the turning of vehicles and that 5 spaces are indeed show on plans given only 3 spaces are visible on the plan supplied. Additional information with regard to cycle parking should be provided. Servicing: no bin storage and collection details have been provided.
Southern Water:	<u>Comments 13 November 2023:</u> Comments dated 14 August 2023 remain unchanged. <u>Comments 14 August 2023:</u> The exact position of the public assets must be determined on site by the applicant in consultation with Southern Water before the layout of the proposed development is finalised.
Natural England:	<u>Comments 27 November 2023:</u> Objection – impact upon New Forest. <u>Comments 27 July 2023:</u> Further information required.

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 new development), S3 (Location of new housing), S8 (Historic environment), S12 (Strategic footpath, cycleway and bridleway links), DM1 (General development), DM2 (Environmentally sustainable development), DM3 (Adaption to climate change), DM4 (Zero or low carbon energy), DM6 (Sustainable surface water management), DM8 (Pollution), DM10 (Water and waste water), DM11 (Nature Conservation), DM12 (Heritage assets) DM13 (Transport), DM14 (Parking), DM23 (Residential development in urban areas), DM24 (Creating a mix of housing, DM29 (Dwellings with higher access standards), DM30 (Internal space standards) and DM38 (Funding infrastructure).

Supplementary Planning Documents:

Quality Places; Residential Parking Standards; Trees & Development; and Character Area Appraisals – Hedge End, West End and Botley.

Site Visit

Yes ☒

No ☐

7 September 2023

Assessment:

Site & Surroundings

The application site comprises gravelled/ hardstanding land to the north of 17 Swaythling Road, which is accessed from the north-east corner from Swaythling Road and is currently open, with no boundary treatment. From a site visit, it was noted that there were a couple of vehicles parked on this piece of land, which appear to relate to 17 Swaythling Road. The first floor of 17 Swaythling Road is a 2no. bedroom flat and the ground floor unit recently received permission to be converted into a 2no. bedroom flat under application referenced "PN/21/91643". 17 Swaythling Road is a Victorian building, which occupies a corner plot fronting both Swaythling Road (east) and Ivy Lane (south).

The surroundings predominantly comprise residential properties. To the north, no.21 Swaythling Road, is a Grade II Listed Building.

Proposal

The application proposes the erection of 4no. flats, contained within 1no. building. The proposed building would be set back approx. 9m from Swaythling Road, to allow for parking provisions to the frontage.

The proposed building would have a gross external footprint of approx. 112.7m². The proposed building would have a hipped roof with a maximum height of approx. 8m, and a proposed eaves height of approx. 5.2m. The elevation fronting Swaythling Road would have a frontage width of approx. 8.7m and a depth of approx. 11.5m. To the eastern elevation, there would be a projecting element. This would project approx. 0.8m from the main building, with a proposed width of approx. 4m. This would have a flat roof, with an overall height of approx. 5.9m (which would sit above the eaves of the main building). The application form sets out that the proposed building would be finished in facing brickwork and render.

As noted, parking provisions would be situated to the frontage of the building. Bin and cycle storage would be located within to the west of the parking provisions, towards the southern boundary. The bin collection point would be located to the east of no.17 Swaythling Road. The proposals would also provide external amenity space for future occupiers to the south and west of the host building.

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. (It should be noted that the NPPF position has since changed (December 2023), however as this application was submitted prior to this date, the former position would apply).

Further, as set out within the history section, planning application F/21/92102 permitted the erection of a single 4no. bedroom dwelling. This has therefore established the

residential use, which is ultimately considered to be acceptable, subject to the below considerations.

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 modest in the form of 4no. flats.

Design

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.

Policies S8 and DM12 stipulate 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. This is of relevance as it is noted that the application site adjoins a listed building (no.21 Swaythling Road).

The application site also falls within "HEWEB 2" as set out within the HEWEB Character Area Appraisal. The guidance sets out that development should; maintain the predominant shallow building setbacks in order to maintain the sense of enclosure provided by existing development, mitigate the effect of the heavy vehicular traffic on Swaythling Road in new development using measures such as boundary planting, transition spaces and orientation of internal spaces, and ensure that the range of materials applied in new development is similar or complementary to those used in existing development.

As set out above within the planning history section, planning application referenced F/21/92102, approved a single 4no.bedroom dwellinghouse. This building had a ridge height of approx. 7.5m, eaves height of approx. 5.1m. It also had a width of 8.2m and depth of approx. 12m. This was proposed to be finished in tiles and facing brickwork, however a condition requiring materials to be submitted was imposed. There was also a garage situated to the immediate east of the host dwelling, set back by 2no. parking provisions from Swaythling Road.

This application proposes the erection a building with similar dimensions to the previously approved dwelling and no associated outbuildings, therefore reducing the amount of built form, and massing on site.

The proposals would be set back from Swaythling Road to allow for parking provisions. Whilst this is not in complete compliance with the guidance set out within HEWEB 2, in terms of 'shallow set backs' and boundary treatment planting, the proposals would provide appropriate parking provisions for both existing and future development, which will be expanded upon within the highways section of this report. And in terms of boundary treatments, it is recommended that a landscaping condition be imposed, which would also assist with biodiversity enhancements.

The general design, appearance and layout of the host building is considered to be appropriate. As noted, the dimensions as not dissimilar to the previously approved building. This application does, however, propose a more visually interesting building, especially the eastern elevation. Some materials have been specified on the application form, however it is recommended that a condition securing additional information in relation to proposed materials be imposed to ensure that the overall finish is of a high quality. Further, the Council's Conservation Officer was consulted as a result of the adjoining site being Grade II Listed, whereby they concluded that the positioning of the proposed building would actually enhance the setting of the listed building.

Ultimately, and to conclude, the proposed building is considered to be in accordance with the abovementioned relevant policies and would therefore be acceptable, subject to conditions.

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 external amenity space.

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 4no. 1bedroom flats, whereby the NDSS requires between 39m² – 50m². All 4no. units would just meet this standard providing approx. 40m² (for Flats 1, 2 & 4), and 43m² for Flat 3. All bedrooms would also meet 11.5m² for double person occupancy. Further, 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.

Turning to external amenity area, the Council's Quality Places SPD sets out that there should be a minimum of 25m² per flat for communal areas and 3m² for private amenity area. This size may need to be increased in certain circumstances, including excess shading/ structures etc. The proposals would provide private gardens for Flats 1 and 2 and a communal garden for Flats 3 and 4. All gardens would meet the minimum required standard. It is noted that Flat 2s garden could be impacted by nearby neighbouring trees to the west, however the size of amenity space provided is considered acceptable.

The Council's Environmental Health Officer has also been consulted, whereby they raised concern with regard to noise, and pollution. The proposed building containing 4no. residential units would be set back from the road to allow for parking. It is noted that there are other residential properties within closer proximity to the road (namely no.17). It is therefore considered that appropriate mitigation measures can be implemented, given that there are existing residential properties surrounding the application site. Whilst the LPA have not be furnished with any information at this stage, it is considered that as a result of the residential surroundings, appropriate mitigations measures could be reasonably achieved on site, and therefore a condition would be recommended to be imposed to ensure this is met prior to occupation.

Therefore and to conclude, subject to conditions, the proposals would be considered acceptable.

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.

As noted within the planning history section, planning application referenced F/21/92102 permitted the erection of a single dwelling. This was situated in a similar position and had similar dimensions to the proposed scheme. Previously the Officer concluded that the proposed dwelling would not have an adverse impact upon the neighbouring amenities. Given the similarities between the schemes, it is not considered that these current proposals would have an adverse impact upon the amenities of neighbouring properties.

The proposed building would be set approx. 15.2m from 21 Swaythling Road to the north, which is also screened by the existing garage within the curtilage of this neighbour. The building would be set in varying amounts from the shared boundary to the south (approx. 5m – 8.2m), which is shared with 17 Swaythling Road and Ivy House. The building would also be set in approx. 8m from the western boundary with 1 Ivy Lane. Given the separation distances and the previous permission, the proposals are not considered to result in any adverse harm upon the amenities of the neighbouring properties and would therefore be considered acceptable in this regard.

Highway Safety & Parking

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 108 and 109.

Due to the nature of the proposals, the Local Highways Authority (LHA) have been consulted. The proposals have also been amended in line with comments from the LHA, whereby the latest amendments have addressed concerns raised, as such the LHA have raised no objection to the proposals.

In terms of access, this would remain unchanged and is therefore considered acceptable.

Concern was raised with regard to parking, however, ultimately this is for EBC as parking authority to conclude. From a site visit and history search, it was noted that there are 2no. flats within 17 Swaythling Road, which appeared to use the application site for parking. These flats are 2no. bedroomed units, therefore would technically require 2no. parking spaces. The LPA therefore sought to increase the originally proposed parking provisions from 5 to 6 spaces. The LPA acknowledge that there would ultimately be a shortfall of parking on site, however, the provision of 6no. spaces would provide at least 1no. space per unit. Whilst not in complete accordance with the standards, in this specific instance is considered to be acceptable. The LHA commented on the parking arrangement noting that this would be appropriate. Thus, parking provisions are, on balance, considered to be acceptable.

Turning to servicing, bin and cycle storage has been provided to the south-west of the proposed parking provisions to the frontage of the rear amenity area, and bin collection (which has been amended) is now proposed to be located near to Swaythling Road, as shown on plan referenced "Proposed Floor Plans, Site, Parking A102 Rev 9". These provisions are considered to be acceptable, however further details in relation to cycle storage is recommended to be secured via condition, in line with comments from the LHA.

To conclude, subject to conditions, the proposals are considered to be acceptable in this regard.

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 the proposals, the Council's Ecologist has been consulted. They noted that there are records of bats and nesting birds near the site, and that a landscape plan and biodiversity enhancements would be required. It is considered that these elements can be secured via condition. Subject to this, 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.

A surface water drainage plan would be required. As such this is recommended to be secured via a suitably worded condition, in consultation with Southern Water.

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 noted that no information has been provided on the former use of the land, nor assessment of risks to the proposed new use. Given the sensitive end use of the development they recommended conditions be imposed to ensure that there would be no adverse impact upon any future occupiers. Subject to these conditions, the proposals are considered to be acceptable.

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 28(1)(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 4no. 1-bedroom dwellings would require the mitigation monies of £1,772 (as of 1 April 2023), which have been received 13 February 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 proposal would result in an additional 15.84kg/TN/year, and that the necessary mitigation monies 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 (13 February 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 5 February 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 this, 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:

The application is recommended for approval, subject to conditions.

Recommendation:

PERMIT ☒

REFUSE ☐