

HEWEB – Hedge End, West End and Botley Local Area Committee – 5th February 2024

Application Number: F/23/96022
Case Officer: Clare Martin
Received Date: Friday 15 September 2023
Site Address: 25 HIGH STREET, BOTLEY, SOUTHAMPTON, SO30 2EA
Applicant: Jay Dixon
Proposal: Construction of 1no. two storey detached dwelling and garage within rear garden

Recommendation: **Subject to:**

Securing contributions towards:

- a) **New Forest Mitigation Strategy**
- b) **The Solent Recreation Mitigation Strategy.**

To delegate back to the Service Director for Planning and Environment in conjunction with The Chair and Vice Chair to GRANT PLANNING PERMISSION with the following conditions:

CONDITIONS AND REASONS

- 1 The development hereby permitted shall be implemented in accordance with the following plans numbered: 2027-L01A, 2027-02A, 2027-03A & 2027-01B.
Reason: For the avoidance of doubt and in the interests of proper planning.
- 2 The development hereby permitted shall start no later than three years from the date of this decision.
Reason: To comply with Section 91 of the Town and Country Planning Act 1990.
- 3 No construction or demolition work shall start until a method statement has been submitted to, and approved in writing by, the Local Planning Authority. Demolition and construction work shall only take place in accordance with the approved method statement which shall include:
 1. the arrangements for deliveries associated with all construction works, loading/ unloading of plant & materials
 2. the parking of vehicles of site operatives and visitors;
 3. Measures to control the emission of dust and dirt generated by demolition and construction works;
 4. a scheme for controlling noise from construction activitiesReason: To limit the impact the development has on the amenity of the locality
- 4 No excavation, demolition or development related works shall start until a scaled and referenced tree protection plan, detailing the individual tree removals and proposed protection methods, has been submitted to and

approved in writing by the Local Planning Authority. The tree protection plan shall accord with British Standard 5837:2012 (Trees in Relation to Design, Demolition and Construction – Recommendations), shall be adhered to in full, and may only be modified subject to written agreement from the Local Planning Authority.

Reason: To retain and protect the existing trees which form an important part of the amenity of the locality.

- 5 No development, above damp-proof course, shall start until details and samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure a high-quality visual appearance in the interests of preserving the heritage assets.

- 6 No development, above damp-proof course, shall start until details of the boundary treatments have been submitted to and approved in writing by the Local Planning Authority. The boundary treatment along the eastern boundary with the adjacent commercial site shall be to a height of no less than 2m from ground level and a minimum surface density of 10kg/m². The development shall not be occupied until the boundary treatment has been installed in accordance with the approved details.

Reason: To ensure a high-quality visual appearance in the interests of preserving the heritage assets and to protect the amenity of the residents of the new dwelling.

- 7 No development, above damp-proof course, shall start until a landscaping & tree planting plan and tree planting methodology (in accordance with the Council's Trees and Development Supplementary Planning Document) has been submitted to and approved in writing by the Local Planning Authority. The approved landscaping & tree planting shall be carried out in the first planting season following occupation of the development to British Standard 8545:2014 and maintained thereafter. For a period of no less than 10 years after planting, any trees which are removed, die or become seriously damaged shall be replaced as soon as reasonably practicable with others of the same species, size and number as originally approved.

Reason: To provide a good quality setting for the new development and existing heritage assets.

- 8 No development, above damp-proof course, shall start until a plan showing the location of the biodiversity enhancements (as outlined within the Preliminary Ecological Appraisal and Preliminary Bat Roost Assessment by Arbtech dated May 2023) has been submitted to and approved in writing by the Local Planning Authority. The biodiversity enhancements shall also include hedgehog holes (a minimum of 13cm by 13cm) in the base boards of any fences. The development shall not be occupied until all the biodiversity enhancements have been installed in accordance with the approved details and thereafter retained.

Reason: To provide a biodiversity net gain.

- 9 The development hereby permitted shall not be occupied until a mitigation package addressing the additional nutrient inputs arising from the development has been submitted to, and approved in writing by, the Local Planning Authority. Such a mitigation package shall address all of the additional nutrient loading upon protected European sites from the development and shall allow the Local Planning Authority to ascertain on the basis of the best available scientific evidence that such additional nutrient loading will not have an adverse effect on the integrity of those European Sites, having regard to the conservation objectives for they are designated. The mitigation package shall be implemented in full and evidence of this provided to the Local Planning Authority in writing prior to first occupation of the development.
Reason: To mitigate the nitrates impacts arising from the development upon the European protected Solent Complex in accordance with the requirements of the Conservation of Habitats and Species Regulations 2017.
- 10 The development hereby permitted shall not be occupied until supporting information to confirm the predicted internal mains water consumption will achieve a maximum level of 110 litres/person/day has been submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out otherwise than in accordance with the approved details.
Reason: To achieve water efficiency requirements in the interest of environmental sustainability.
- 11 The development hereby permitted shall not be occupied until evidence that the dwelling complies with Part M4(2) standard (Accessible and adaptable dwellings) of the building regulations for new build residential development (or future equivalent), has been submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out otherwise than in accordance with the approved details.
Reason: To ensure the development meets higher national access standards.
- 12 The development hereby permitted shall not be occupied until the drainage system has been installed in accordance with the approved drainage details by Aqua Callidus (referenced 23066, dated 10th August 2023). The drainage system shall thereafter be retained in good working order.
Reason: To provide a sustainable drainage system.
- 13 The development hereby permitted shall not be occupied until the garage and vehicle parking area (as shown on the approved site plan 2027-01RevB) has been implemented and thereafter retained for the lifetime of the development.
Reason: To make provision for off street parking for the purpose of highway safety.
- 14 The development hereby permitted shall be carried out in accordance with the noise impact assessment by Airtight & noise check limited (reference 1446-4141, dated 13th December 2024) including the specifications given within the

report for glazing, ventilators and trickle vents.

Reason: To protect the amenity of the residents of the new dwelling

- 15 The development shall be carried out in accordance with the pre-cautionary working method statement for reptiles, amphibians, hedgehogs, invertebrates and nesting birds set out within Table 7 of the Preliminary Ecological Appraisal and Preliminary Bat Roost Assessment by Arbtech (May 2023).
Reason: To protect ecology.
- 16 No construction, demolition or deliveries to the site shall take place during the construction period except between the hours of 0800 to 1800 Mondays to Fridays or 0900 to 1300 on Saturdays and not at all on Sundays or Bank Holidays.
Reason: To protect the amenities of the occupiers of nearby dwellings.
- 17 No burning of materials obtained by site clearance or any other source shall take place during the demolition, construction and fitting out process.
Reason: To protect the amenities of the occupiers of nearby properties.
- 18 In the event that previously unidentified contamination is found when carrying out the approved development it must be immediately reported to the Environmental Health Unit. Work shall then cease until an investigation and risk assessment, and where required a remediation scheme, has been submitted to and approved in writing by the Local Planning Authority. Where a remediation scheme is required, the development shall not be brought into use until a completion certificate for the remediation work has been submitted to and approved in writing by the Local Planning Authority.
Reason: To minimise the risk from land contamination for the safety of the property's occupiers.
- 19 Note to Applicant: In accordance with paragraph 38 of the National Planning Policy Framework (December 2023), Eastleigh Borough Council takes 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.
- 20 Note to Applicant:
 - In the unlikely event of any bats being found during demolition or construction, all work must stop immediately, and Natural England must be called. Additional information is available on the Bat Conservation Trust website at <https://www.bats.org.uk/advice/imworking-on-a-building-with-bats/ive-found-a-bat-during-works>
 - New exterior lighting should be avoided, but if necessary for security purposes, then the latest updated lighting guidance note (GN08/23) should be followed. This is available at Guidance Note 8 Bats and Artificial Lighting | Institution of Lighting Professionals (theilp.org.uk). Light spill must be avoided onto potential bat roost features on the existing buildings.

Report:

This application has been referred to Committee by Councillor Kinloch, Councillor Garton & Councillor Kyrle.

Site Characteristics and Character of the Locality

1. The application site comprises the southern end of the garden of 25 High Street, forming a roughly square shaped plot of around 1140m². The site is landscaped with small trees and shrubs, many of which are positioned along the site boundaries and enclose the garden from the surrounding properties. There is an existing garage in the north-western corner (next to 29 High Street) and a long driveway running along the western side of the site connecting the garage and parking area to the existing access off the High Street. The site is level.
2. The site lies within Botley Conservation Area and is close to many Grade II Listed Buildings, including 21 & 23 High Street to the East and 27 High Street (Portland House) to the immediate West. Most notably the site is located within the garden of 25 High Street, which is also a Grade II Listed Building. The existing house is an 18 century, two and a half storey property that has been modestly extended at a single storey level to the side and rear.
3. The site is also within the heart of Botley Village Centre, which contains a mixture of commercial and residential uses. Within this area there are a range of different size buildings siting within a variety of plots. Most of the buildings front directly onto the High Street, although there are nearby examples of back land developments, including the small industrial area to the immediate East.

Description of Application

4. The application is for the construction of 1no. detached two storey dwelling, with a density of 8.77 dwellings per hectare. The dwelling is a large, four bed, family house measuring approximately 16.5m(wide) by 10.7m(deep) by 8m(high). The house is of a traditional design with two gable ends, central pitched roof front and rear dormers, and two chimneys.
5. The dwelling will use the existing property's access off the High Street, which leads to a new double garage and a shared parking/ turning area. The house is orientated East to West with its garden on its western side and new boundary walls separating it from the existing property. The existing house will retain a smaller garden directly behind the property and its existing detached double garage.
6. The application is supported by:

- Design and Access Statement
- Heritage Statement
- Preliminary Ecological Appraisal
- Arboricultural Impact Assessment and Tree Survey
- Noise Impact Assessment
- Nutrient Assessment
- Drainage Statement

7. All documents, plans, neighbour representations and consultation responses can be viewed at [Planning Application: F/23/96022 \(eastleigh.gov.uk\)](https://planning.eastleigh.gov.uk/F/23/96022)

8. Relevant Planning History

- L/30643 – Listed building application for repairs to garage, construction of car turning area and internal alterations – Granted (Nov 1988)
- C/07/61284 - Construction of single storey side extension and gates, following demolition of existing garage – Permitted (Nov 2007)
- L/07/61283 - Listed Building Consent: Construction of single storey side extension and gates, following demolition of existing garage and alterations to front ground floor windows, replacement of rear outbuilding window, repairs to existing doors and insertion of 3no. Roof lights to kitchen roof and internal alterations to include repositioning of internal doors, stairs and ceilings – Granted (Nov 2007)
- L/23/96047 - Listed building consent for the construction of 1no. two storey detached dwelling and garage within rear garden – Currently under consideration alongside this planning application.

9. Representations Received

10. One comment letter was received from the residents of Portland House (No.29 High Street), who raised the following points:
- The development would detract from the character of Botley House.
 - The new dwelling would be visible from their first floor windows and would request that the scheme includes additional tree planting and reinstatement of the original height of the boundary wall along the Western boundary.
 - The house would increase traffic accessing the property from the main road and consideration should be given to improving the access for the safety of drivers and pedestrians.

11. Consultation Responses

12. **Built Heritage Consultant** – No objection

13. **Tree Officer** – No objection, subject to conditions

14. **Ecology Officer** – No objection, subject to conditions

15. **Transport Officer (HCC)**– No objection

16. **Environmental Health** – No objection, subject to condition

17. **Parish Council** – Objection

18. The Parish Council considers that the plans are too large for the site and were an overdevelopment of a Grade II listed site. The Grade II listing includes the garden space and given the size of the original property on site, this would have an adverse effect on the architectural/heritage and importance of the site. Concerns were also raised about additional cars accessing an extremely narrow lane from a main road and that the site crossed the pedestrian right of way on to a busy main road.

Policy Context and Designations Applicable to Site

- Within Built-up Area Boundary
- Within Botley Conservation Area
- Within Grounds of a Grade II Listed Building
- Adjacent to Grade II Listed Buildings (21, 23 & 29 High Street)
- Within Local Centre
- Within Air Quality Monitoring Area
- Within HRA Screening Area
- Within Solent Mitigation and Disturbance Area

Development Plan

Eastleigh Borough Local Plan 2016-2036

Strategic policies:

- S1 (Delivering Sustainable Development);
- S2 (Approach to New Development);
- S3 (Location of New Housing);
- S8 (Historic Environment);

Development Management policies:

- DM1 (General Criteria for New Development);
- DM2 (Environmentally Sustainable Development);
- DM3 (Adaption to Climate Change);

- DM6 (Sustainable Surface Water & Watercourse Management);
- DM8 (Pollution);
- DM10 (Water and Waste Water);
- DM11 (Nature Conservation);
- DM12 (Heritage Assets);
- DM13 (General Development Criteria - Transport);
- DM14 (Parking);
- DM23 (Residential Development in Urban Areas);
- DM29 (Dwellings with Higher Access Standards);
- DM30 (Internal Space Standards for New Residential Development);

Hampshire Minerals and Waste Plan

19. No relevant policies

Supplementary Planning Documents

- Trees and Development (April 2022);
- Quality Places (November 2011);
- Residential Parking Standards (January 2009);
- Biodiversity (December 2009);
- Botley Conservation Area (July 2005);

National Planning Policy Framework

20. At national level, the National Planning Policy Framework (the 'NPPF' or the 'Framework') is a material consideration of significant weight in the determination of planning applications. The National Planning Policy Framework (the 'NPPF' or the 'Framework') states that (as required by statute) applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.
21. Three dimensions of sustainability are to be sought jointly: economic (supporting economy and ensuring land availability); social (providing housing, creating high quality environment with accessible local services); and environmental (contributing to, protecting and enhancing natural, built and historic environment) whilst local circumstances should also be taken into account, so that development responds to the different opportunities for achieving sustainable development in different areas.
22. Paragraph 11 of the NPPF relates to the presumption in favour of sustainable development, with sub-paragraph c) ii) relating to the decision-taking process, noting that development which accords with an up-to-date development plan should be approved without delay.

Planning Practice Guidance

23. Where material, the Planning Practice Guidance which supports the provisions and policies of the NPPF should be afforded weight in the consideration and determination of planning applications.

Assessment of Proposal: Development Plan and / or Legislative Background

24. Section 70(2) of the Town and Country Planning Act 1990 and Section 38(6) of the Planning and Compulsory Purchase Act 2004 require a Local Planning Authority determining an application to do so in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan comprises the Policies of the Eastleigh Borough Local Plan 2016-2036 and the Hampshire Minerals and Waste Plan 2013 (which is not applicable in this case). The NPPF and the Planning Practice Guidance constitute material considerations of significant weight.
25. For designated heritage assets, The Planning (Listed Buildings & Conservation Areas) Act 1990 stipulates:
26. *"In the exercise, with respect to any buildings or other land in the Conservation Area of any powers (under the Planning Acts), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area"* Section 71(1).
27. *"In considering whether to grant planning permission for development which affects a Listed Building or its setting, the Local Planning Authority ... shall have regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses".* Section 66(1)

Principle

28. The site is within the urban edge, whereby the general principle of residential development is acceptable, subject to the details of scheme meeting the relevant planning policies.
29. The site is within a sustainable location in the heart of Botley village centre where there is a range of goods, services and transport links available. Within such locations, Policy DM23 encourages higher density developments, unless site constraints or local character justify otherwise. In this case, significant weight should be given to the impact of the development on the site's historical setting.

Design and Heritage Assets

30. Policy DM1 requires new development to take full and proper account of the context of the site including the character, appearance and land uses of the locality, and be compatible in terms of mass, scale, layout, density, design and siting.
31. The site is also part of a heritage asset, being within the Botley Conservation Area and the grounds of 25 High Street and adjacent to 21 & 23 High Street to the East and Portland House 27 High Street to the West, which are all Grade II Listed Buildings.
32. Policy DM12 stipulates that development of a heritage asset, or within its setting, will be permitted provided it does not harm or detract from the significance or special interest of the asset, and sustains and enhances its special character and qualities. The more important the asset, the greater the weight that should be accorded to this criterion.
33. 25 High Street is situated in the original core of the Botley Conservation Area and its Grade II listing was designated in one of the earliest tranches of listing, so may be considered to have more importance than those of later listing.
34. The existing Grade II listed building is a sizable house standing proud in the High Street with an extensive garden stretching well back. The building's listing does not make direct reference to the large plot in which it stands, although the garden does form part of the building's setting. On this side of the High Street only Portland House to the west has a comparably large plot, with most of the nearby residential properties having much smaller gardens (including the Grade II listed building at 21 & 23 High Street).
35. The proposal will divide the existing garden, leaving the narrower northern part directly behind the house for the existing property (approximately 450m²) and creating a new dwelling in the wider square section at the rear. It is considered that dividing up the site will make better use of this village centre plot without unreasonably compromising the setting of the listed building, which will retain a reasonable size landscaped garden commensurate to its size. As the Grade II listed building is within an urban village centre environment, with an unusually large garden, the re-allocation of the southern portion will have only minimal impact upon its setting.
36. The proposal is for a large two storey family house, which is in proportion to its plot and comfortably fits within the range of different sizes properties along Botley High Street. The proposed house has been attractively designed with a low eaves, central pitched roof dormers and chimneys, which are bookended between two gables ends. The traditional detailing,

which is carried through into the garage, gives the building a bespoke feel that responds to its historic setting and a condition has been applied to ensure the materials are of high quality.

37. The proposed house and garage will sit at the far end of the plot, where they are surrounded by other properties. Apart from small glimpses of the dwelling from the High Street when the access gates are open, there would be no clear views of the proposal from the public realm.
38. In conclusion, while it is acknowledged that dividing the plot and constructing the new dwelling will inevitably change the setting of the listed building, the extent of the impact is not considered to materially detract from the special character and qualities of the listed building. The design, scale and siting of the proposed dwelling is considered appropriate to its historical setting and the relatively enclosed nature of the site means that the proposal would preserve the character and appearance of Botley Conservation Area.
39. No objection has been raised by the Council's Built Heritage Consultant and the proposal is considered to meet the requirements of The Planning (Listed Buildings & Conservation Areas) Act and Policies DM1 & DM12 of the Local Plan.

Access and Car Parking

40. Policy DM13 of the Eastleigh Borough Local Plan (2016-2036) requires that all new development must have a safe and convenient access to the highway network, with Policy DM14 requiring an appropriate level of car parking be provided in accordance with the Council's adopted standards.
41. In this case, both the existing and proposed dwellings have four or more bedrooms and therefore each is required to have access to three off road car parking spaces, as set out within the Council's Residential Parking Standards SPD. The required car parking spaces are provided within the existing double garage for the current property and a new double garage for the proposed house, with space in front of the garages for additional parking. The garages are located at the end of the existing driveway that runs along the western side of the site.
42. Vehicular access for the proposed property will be via the existing drop kerb vehicle crossover off Botley Road, which serves the current house. This arrangement is considered acceptable given the low level of vehicle flows anticipated with the additional dwelling and the slow vehicular speed need to enter/ exist the site. No objection has been raised by the Transport Officer.

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43. The proposal also has an on-site turning area at the end of the driveway to enable forward gear access and egress and additional space has been provided just inside the site entrance to allow for two cars to pass.

44. In conclusion, the parking and access arrangements are considered acceptable, and the proposal should not result in an adverse impact upon the highway network. In this regard, the proposal meets the requirements of Policies DM13 & DM14 of the Local Plan.

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Residential Amenity

45. 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. Additional residential amenity guidance is provided within the Council's Quality Places SPD.

46. To the North of the site lies the existing house, which is attached to a row of mostly residential properties. To the immediate West is the large dwelling and grounds of Portland House (29 High Street). To the South and East is a small industrial estate, which includes an MOT centre and parking area directly adjacent the site.

47. The proposed two storey house will be sited towards the end of the garden of 25 High Street. The new house has only one north facing first floor window which serves an ensuite looking towards the host property and this serves an ensuite. There is also a separation distance of 38m between the host property and proposed dwelling, which well exceeds the Council's 22m standard.

48. The new dwelling has its main windows on the west (front) and east (rear elevation). The western windows overlook their own, 22m deep garden, with more distant views from the first floor windows over the middle section of no.29 garden. The proposed dwelling is approximately 30m away from the rear elevation of the house at no.29 and as their main windows face south there will be no direct overlooking between the two properties.

49. There are no dwellings immediately adjoining the east or west of the application site.

50. To conclude, the proposed dwelling is not considered to have an unacceptable impact on the residential amenity of neighbouring dwellings (by way of a loss of light, outlook or overlooking). In this regard the proposal meets Policy DM1 of the Local Plan and guidance within Quality Places SPD.

Living Accommodation

51. In terms of the amenity of the new residents, the proposal is for a generous sized two storey dwelling that easily meets the Nationally Described Space Standards' (NDSS) (March 2015) as required by Policy DM30. Furthermore, the resulting garden for both the new dwelling and existing house is well over 60% of the dwelling's floor space as required by Quality Places SPD.
52. New residential development can also be impacted by existing nearby uses. Policy DM8 of the Eastleigh Borough Local Plan (2016-2036) states that development will not be permitted where it causes a loss of amenity or is likely to be affected by unacceptable environmental impacts (such as noise pollution). In this case the dwelling will be directly next to a small industrial site, which includes an MOT centre and parking area behind the shared boundary.
53. In response, a noise impact assessment has been submitted, which recognises that there will be instances when vehicular noise sources will be audible from the application (such as door closing, car horns, engine revving etc) and a certain level of noise disturbance during the day is to be expected in a busy village centre environment. However, the noise assessment indicates that these noise sources could be adequately mitigated through boundary treatment and glazing specification so that the dwelling's future residents can enjoy a reasonable standard of living. The noise assessment has been reviewed by the Council's Environmental Health Officer and no objection raised subject to conditions.

Trees

54. Policy DM1 of the Eastleigh Borough Local Plan requires development not to result in the loss or damage of important trees. Further guidance on this issue is provided within the Council's Trees and Development SPD.
55. There are a number of trees and large shrubs within the existing garden, of which some in the centre and along the eastern boundary will need to be removed to make way for the new house. However, the trees are ornamental varieties, which due to their modest size and location provide little public amenity value.
56. No objection has been raised by the Tree Officer providing conditions are imposed to ensure that the retained trees are protected during the build out process and an appropriate replacement tree planting plan is in place for the development.

Ecology

57. Policy DM11 states that development will not be permitted if it is likely to have an adverse effect on priority habitats, protected or priority species. The proposal will not have a direct impact upon a designated nature conservation site.
58. A preliminary ecological appraisal has been submitted, which provided evidence of hedgehogs using the garden and potential for nesting birds and invertebrates on the site. There is also evidence of bats in the vicinity (with the existing garage being recorded as having a low bat roost potential). The nature of the proposal is not considered to impact upon protected species or their habitats and no objection has been raised by the Council's Ecology Officer.
59. Policy DM11 also stipulates that the Borough Council will 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. The preliminary ecological appraisal recommends a number of biodiversity enhancements, including hedgehog holes in close boarded fences to allow free passage of small animals and the provision of bird and bat boxes. It is considered that a biodiversity net gain can be delivered on the site.

Ground Contamination

60. The site has not been previously developed and it is considered that the presence of made ground is limited. There are no other concerns within the surrounding areas apart from a garage and building yard located approximately at 30m and 60m to the east, respectively. As such it is unlikely that the site would be affected by ground contamination and no objection has been raised by the Council's Environmental Health Officer.

Sustainable Drainage

61. Policies DM3 and DM6 of the Eastleigh Borough Local Plan (2016-2036) stipulate that new development must provide sustainable drainage systems (SuDs) wherever feasible. For small sites of less than 0.5 hectares one form of filtration is required, such as permeable paving.
62. The proposal is for surface water from the driveway to discharge through porous pavement into storage tank. Roof water is proposed to be filtered before also being discharged into the storage tank. Due to the impermeability of the soils and the lack of a nearby watercourse, the storage tank would be discharged through a flow control device into a combined sewer. The proposed drainage system meets the policy requirements.

Other material considerations

Impact on the Special Protection Area

Nutrient Neutrality:

63. Natural England has advised that the increase in wastewater from new housing developments within the Borough is having a detrimental effect on the quality of water entering the Solent catchment area through nitrification. As such, all development for additional housing is required to reach nutrient neutrality (ensuring that development does not add to existing nutrient burdens), in order to meet the requirements of the Conservation of Habitats and Species Regulations 2017 (as amended). The proposed development would use the Peel Common wastewater treatment works, which discharges into the Solent and is required to achieve nutrient neutrality for nitrates.
64. A nutrient budget calculation has determined that the development would generate an increased nitrogen load of 0.8 kg/TN/year. To mitigate the increase in nutrients, the applicant intends to purchase nitrate credits through the Council's Mitigation Scheme, which takes land out of agricultural use and creates recreational spaces, thereby reducing the nutrient output of the land. This mitigation would be secured by condition.

Recreational impacts on the Solent Special Protection Area

65. The site lies within 5.6km of the Solent Special Protection Areas and Ramsar sites. In accordance with advice from Natural England, a net increase in housing development within the 5.6km catchment is likely to result in impacts to the integrity of these sites through an increase in recreational pressure / disturbance. In order to mitigate this impact, the applicant has agreed to contribute towards the Solent Recreation Mitigation Strategy (Bird Aware). The required mitigation is dependent on the size of the proposed dwellings and in this case is calculated at £980 for 1no. four bedroomed dwelling.
66. This mitigation would be secured by upfront payment should permission be granted.

Recreational impacts on the New Forest Solent Special Protection Area

67. The site lies within the 13.8km catchment area for the New Forest Special Protection Area (SPA). Natural England has advised that developments within this catchment area are likely to result in additional visitors to the protected sites. In order to mitigate this impact, the applicant proposes to pay a contribution in accordance with the Council's New Forest Mitigation Strategy. The Council's Strategy takes a combined approach aimed partly at diverting visitors away from the New Forest through the provision of new

Suitable Alternative Natural Greenspaces (SANG) within the Borough of Eastleigh, and partly towards the funding of a Ranger within the New Forest National Park. The required mitigation amount is £2,220 per dwelling, and this would be secured via an upfront payment should permission be granted.

Habitats Regulations Assessment (HRA)

68. A HRA Appropriate Assessment has been undertaken by the Local Planning Authority as competent authority, to assess the potential impacts of the development on protected areas and explain the mitigation measures to be put in place to mitigate the impacts as set out above. Natural England have raised an objection to the habitat regulations assessment as they have some on-going concerns regarding the level of SANG provision set out in the Council's Strategy. However, the Council considers its strategy to be robust to ensure no adverse impacts on the New Forest SPA.

Climate Impact and Sustainability

69. 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.

70. 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.

71. The NPPF, Policies S1, DM2 and DM3 of the Local Plan and energy and water elements of the adopted Environmentally Sustainable Development SPD require development to be sustainable in terms of resource use, climate change and energy use. While the proposal does not provide specific sustainable measures, a condition will be imposed to ensure that water consumption for the new dwelling is no more than 110L per person/ per day in line with Policy DM2 of the Local plan.

72. Furthermore, the site is within a sustainable village centre location close to a range of shops and services and easy access to public transport.

There is also space within the detached garages to provide cycle storage for both the existing and proposed dwellings and so reducing the need for car journeys.

73. When considering the impact of climate change, the proposed development is not expected to be directly impacted by the potential effects of climate change and is expected to have a negligible impact on the climate as a result of the development or its use.

Equalities Implications:

74. Section 149 of the Equalities Act 2010 created the public sector equality duty. Section 149 states:-
- a. A public authority must, in the exercise of its functions, have due regard to the need to:
 - i. eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
 - ii. advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - iii. foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
75. When making policy decisions, the Council must take account of the equality duty and in particular any potential impact on protected groups. It is considered that this application does not raise any equality implications.

Conclusion

76. The principle of the new dwelling within a sustainable village centre location is acceptable and the details of the scheme comply with the local plan policies and national planning guidance. Therefore, the proposed dwelling is recommended for permission, subject to conditions and securing upfront payments for the recreational impact upon the New Forest and Solent Complex.

