

PLANNING APPLICATION REPORT

DESCRIPTION	Variation of condition 1 (approved drawings) of reserved matters application RM/19/86658 (pursuant to outline planning permission O/15/75953, as amended by X/19/84943) for Boorley Gardens Phase 3 to allow revisions to the house types on plots 463-648 (with the exclusion of plots 569-577, 580, 583, 595-599 and 621-631).
ADDRESS	Land North West of Winchester Road, Boorley Green, Hampshire, SO32 2BX

SITE VISIT DATE – Additional site visit not required due to nature of application.

ARE PLANS ACCURATE? - Yes

HAVE ALL NECESSARY NEIGHBOURS BEEN CONSULTED? – Yes

The Site and Its Surroundings

The Boorley Gardens development site is located within the parish of Botley and lies to the east of the Borough. The overall site is a large, irregular shaped site that is approximately 45 hectares in size and lies to the west of Winchester Road in Boorley Green and to the north east of the Portsmouth to London Waterloo railway line. The site adjoins Shamblehurst Lane North in the western corner, with Ford Brook/Moorgreen Stream forming the northern boundary of the site. Botley Footpath no. 1 runs through the site from Winchester Road to Shamblehurst Lane North. The village of Boorley Green lies to the east and south east of the site, with Hedge End railway station located to west of the site and the settlement of Hedge End to the west on the other side of the railway line.

Development is underway on site but prior to that, with the exception of the buildings at Park Farm, the site was undeveloped and consisted of pasture and arable farmland with various hedgerows and tree belts on field boundaries and along the public right of way. The northern part of the site is relatively flat, but it rises up in the southern part of the site.

The site is not located within a Conservation Area, nor are there any listed buildings or designated sites of nature conservation interest within the site.

This application seeks approval for the revision of a number of the house types in sub-phases 3E, 3F, 3G and 3H (plots 463-648, with the exclusion of plots 569-577, 580, 583, 595-599 and 621-631).) of Phase 3 and resultant amendments to the site layout and proposed landscaping due to Bellway now bringing forward this part of the site. Sub-phases 3E, 3F, 3G and 3H are located in the southern half of the site.

The application would result in the following change to the proposed mix of open market dwellings (with no change to the mix of affordable housing units):

- 5 fewer 2-bed houses
- 2 more 3-bed houses
- 5 less 4-bed units
- 8 more 5-bed units (none were previously proposed)

Such that the overall mix for Phase 3 as a whole would be as follows:

- 8 x 1-bed flats (all affordable - 1 built to wheelchair standards)
- 4 x 2-bed flats (all affordable – 2 built to wheelchair standards)

The Site and Its Surroundings

- 65 x 2-bed (25 open market, 40 affordable)
- 94 x 3-bed (67 open market, 27 affordable)
- 57 x 4-bed (52 open market, 5 affordable)
- 8 x 5-bed (all open market)

Relevant Planning History

There are a number of planning applications in relation to the Boorley Gardens development, but the three most relevant are the original outline planning permission (O/15/75953), the most recent application amending the outline permission (X/19/84943) and the original Phase 3 reserved matters approval (RM/19/86658), the details of which are set out below:

Reference	Description	Decision
O/15/75953	Outline application for up to 680 residential units, mixed use comprising of retail and/or community/healthcare use, land for two-form entry primary school, formal and informal open space and sports pitches. New access off Winchester Road, associated on-site roads, infrastructure and footpaths / cycleways. Detailed matters for determination access (all other matters reserved - scale, appearance, landscaping and layout). This application is the subject of an Environmental Impact Assessment, is a departure from the Development Plan, is Major Development and affects the setting of a Right of Way	Allowed on appeal 30.11.16
X/19/84943	Variation of condition 3 of outline planning permission O/15/75953, as amended by X/18/82986, to allow revisions to the Parameter Plans for Movement & Access, Landscape, Density, Building Heights and Land Use	Granted 1.3.21
RM/19/86658	Reserved Matters application (pursuant to outline planning permission O/15/75953 which was subject to an Environmental Impact Assessment) for Boorley Gardens Phase 3 equating to development of 236 residential dwellings with associated parking, landscaping and open space. (Details relating to appearance, landscaping, layout and scale).	Approved 5.4.22

REPRESENTATIONS RECEIVED

SOURCE	SUMMARY OF CONTENT
None	

CONSULTATION RESPONSES

CONSULTEE	SUMMARY OF RESPONSE
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CONSULTATION RESPONSES

CONSULTEE	SUMMARY OF RESPONSE
Landscape	No objection
Housing	No objection
Botley Parish Council	Object - Committee members asked for clearer guidance as to what is being changed and why. It was suggested the Bellway might wish to present the changes to the committee so that they could consider fully the changes that are being proposed.

Policy Context

Designation Applicable to Site
• Within the Urban Edge • Within catchment area of Solent and Southampton Water SPA and SAC and River Hamble SAC • Solent Recreation Disturbance Zone • New Forest Recreational Disturbance Zone • Public Right of Way

Development Plan Policies and SPD's**Hampshire Minerals and Waste Plan (2013)**

The site is not a Safeguarded Site nor within a Minerals Consultation Area therefore no policies from the Hampshire Minerals are relevant to this application.

Eastleigh Borough Local Plan 2016-2036

The most relevant policies for this application are:

- DM1 - General Criteria for New Development
- DM14 – Parking
- DM24 – Creating a Mix of Housing
- DM28 – Delivering Affordable Housing
- DM29 – Dwellings with Higher Access Standards
- DM30 – Internal space standards for new residential development

Supplementary Planning Guidance

Quality Places SPD

Residential Parking Standards SPD

Affordable Housing SPD

Trees & Development SPD

National Planning Policy Guidance**National Planning Policy Framework:**

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 and sets out a general presumption in favour of sustainable development unless material considerations indicate otherwise.

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

National Planning Policy Guidance

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.

Planning Practice Guidance:

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.

Comment on Consultation Responses

n/a

Comment on Representations Received

n/a

PLANNING OBLIGATION/CONSIDERATIONS

A S106 obligation has been secured in association with the outline permission and it applies to all subsequent S73 applications. No new planning obligation is required in relation to this application.

ASSESSMENT OF PROPOSAL

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

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 Hampshire Minerals and Waste Plan 2013 and the Eastleigh Borough Local Plan 2016-2036. The NPPF and the Planning Practice Guidance constitute material considerations of significant weight.

Principle:

The principle of the development of the Boorley Gardens site for residential development was established with the outline planning permission O/15/75953 and the reserved matters approval RM/19/86658 approved the detailed layout for Phase 3. As such the principle of the development is not being reconsidered as part of this application, with consideration being limited to the suitability of the replacement house types on the identified plots within Phase 3 and the result amendments to the site layout and proposed landscaping.

Design & Layout

Policy DM1 of the Local Plan requires 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 with adjoining uses and well integrated in terms of mass, scale, materials, layout, design and siting. It also requires the development not to have an unacceptable impact on residential amenities and to provide a landscape scheme that runs through the development and connects into the wider network. Policies DM14, DM30 and the Quality Places SPD include the Council's standards in relation to parking, internal space standards, garden sizes and separation distances.

The revised house types and associated changes to the layouts are considered to be acceptable in terms of the housing mix and their individual design, the resultant layout & streetscene, the residential amenity standards and revised landscape proposals. There is no increase in the number of proposed dwellings or the overall scale of development. Parking standards are also met.

Policy DM29 also requires new development to meet higher access standards. The proposals meet

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the requirement that all units meet Part M4(1) standard (Visitable dwellings), however only 25% of the units meet the Part M4(2) standard (Accessible and adaptable dwellings), compared to the target in policy DM29 of 80%. In addition none of the dwellings meet standard M4(3)(2)(a) or (b), when the policy would require 7 open market dwellings to meet M4(3)(2)(a) standard for wheelchair adaptable dwellings and 4 affordable dwellings to meet M4(3)(2)(b) standard for wheelchair accessible dwellings.

However, it should be noted that policy DM29 was introduced as a new policy in the current local plan and the original Phase 3 house types were approved prior to its adoption and were not required to meet the higher access standards. It should also be noted that S106 legal agreement associated with the development requires 3% of the affordable housing units to be wheelchair standard dwellings, resulting in a need for 3 affordable wheelchair standard dwellings within Phase 3. These have been provided within sub-phase 3B and this application does not seek to make any amendments to that sub-phase.

As such the proposal would not affect the S106 requirement for affordable wheelchair standard dwellings within Phase 3 and there is a fall-back position that the house types as originally approved, which do not meet the higher accessibility standards, could be built out instead. It is not considered reasonable therefore to require this application to further amend the house types to fully meet the requirements of policy DM29.

Affordable Housing

Some changes have been made to some of the affordable units within sub-phases 3E, 3F, 3G and 3H; however the level of affordable housing provision remains the same both in terms of the overall number of units, the tenure mix and the size of units provided.

Environmental impacts

The outline application was supported by an Environmental Statement. It is not considered that there has been a significant change in circumstances that requires this application for variations of house types to be supported by a further Environmental Statement.

Similarly given that this application only seeks to alter the design of some of the proposed dwellings; does not increase the number of dwellings proposed or the general built up area; all previous conditions will apply; and it will have the same impact as the previously approved scheme, no new assessment is required under the Habitats Regulations in relation to this application. It is noted that the Council's approach to mitigation for recreational impact on the New Forest has changed since the Phase 3 reserved matters application was approved. However given the fall-back position that the house types originally approved could be built out instead, it is the Council's opinion, as competent authority, that no new assessment is required, given the minor extent of the changes to the proposed house types.

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

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commitment from the Council to achieve net zero. The NPPF and adopted local plan policy do not set this as a specific target, but it is a material consideration to be considered alongside all other material considerations. In any case addressing climate change is a core part of the NPPF and local plan policy. The need to support the economy is part of the Strategic Environmental Assessment for the adopted local plan, as is an assessment of climate impacts.

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, 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, it is considered that there will be no significant change in the impact on climate change from the previously approved scheme and the proposed development is expected to be resilient to the potential effects of climate change and is expected to reduce/limit impacts on climate emissions as a result of the development or its use.

OTHER MATERIAL CONSIDERATIONS

Equalities Implications:

Section 149 of the Equalities Act 2010 created the public sector equality duty. Section 149 states:-

- A public authority must, in the exercise of its functions, have due regard to the need to:
 - a. eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
 - b. advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - c. foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

When making policy decisions, the Council must take account of the equality duty and in particular any potential impact on protected groups. It is considered that this application does not raise any equality implications.

Conclusions

The proposed amended house types and associated amendments to the site layout and landscape proposals are considered to be acceptable and permission should be granted.