

Application Number: F/23/95549
Case Officer: Gary Osmond
Received Date: Monday 3rd July 2023
Site Address: Brighstone, Botley Road, Horton Heath, Eastleigh, SO50 7DT
Applicant: Alderbury Homes Ltd.
Proposal: Construction of 5.no dwellings, landscaping, parking and associated works following demolition of existing dwelling, site clearance and preparation.

Recommendation: Subject to:

- Receipt of the outstanding consultation response from Natural England, and any actions required as a result of comments received; and
- Securing mitigation towards recreational impact of the development upon the Solent and New Forest SPAs.

Delegate to Service Director for Planning and Environment to PERMIT subject to the following conditions:

CONDITIONS & REASONS:

- 1) The development hereby permitted shall be implemented in accordance with the following plans numbered: 20/001/100 P8, 20/001/101 P5, 20/001/102 P5, 20/001/103 P4, 20/001/104 P5, 20/001/105 P6, 20/001/106 P4 (Drainage Plan), 20/001/106 P4 (Constraints Plan) & 20/001/110 P3.
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) The development hereby permitted shall not be commenced for a period of at least 21 days from the date of the decision.
Reason: To comply with Section 28I(6) of the Wildlife and Countryside Act 1981 (as amended) as this permission is being granted otherwise than in accordance with the advice of Natural England.
- 4) No development shall start until details for the sustainable disposal of surface water and disposal of foul sewerage from the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. These details shall include assessments of the site's ground

conditions and suitability for filtration drainage. The development shall then accord with the approved details.

Reason: To ensure satisfactory provision of foul and surface water drainage.

- 5) The approved Sustainable Drainage Scheme shall be fully implemented and written verification by an appropriate drainage consultant of its implementation in accordance with the approved plans and supporting drainage statements shall be provided to the Local Planning Authority prior to the first occupation of the development. The sustainable drainage scheme shall thereafter be retained, maintained and managed in accordance with the approved management and maintenance statement.
Reason: To prevent flooding and pollution.
- 6) The development shall accord with the submitted Arboricultural Impact Assessment and Method Statement by 'ecourban Arboricultural', Ref: 231543 - AIA dated 20 June 2023. All tree protection measures shall be installed prior to any works commencing on site.
Reason: To retain and protect the existing trees and hedges which form an important part of the amenity of the locality.
- 7) No construction or demolition works shall commence until a Construction Environment Management Plan (CEMP), has been submitted to, and approved in writing by, the Local Planning Authority. Demolition and construction shall only take place in accordance with the approved details which shall include:
 - a) a programme and phasing of the demolition, construction and development works;
 - b) the location and height of temporary site buildings, compounds, construction material and plant storage areas used during demolition and construction;
 - c) safeguards to be used within the construction process to ensure surface water contains no pollutants on leaving the site;
 - d) safeguards for fuel and chemical storage and use, to ensure no pollution of the surface water leaving the site;
 - e) the arrangements for deliveries associated with all construction works, loading / unloading of plant & materials and restoration of any damage to the highway [including any vehicle crossovers where applicable];
 - f) the parking of vehicles of site operatives and visitors;
 - g) the protection of pedestrian routes during construction;
 - h) management measures to control the emission of dust generated by demolition and construction works;
 - i) a scheme for controlling noise and vibration impacts on noise sensitive properties from site preparation and construction activities (to include details of any piling if proposed);
 - j) provision for storage, collection, and disposal of waste from the development during the demolition and construction period;
 - k) measures to prevent mud and dust on the highway during demolition and construction; and
 - l) measures to protect wildlife, including reptiles, hedgehogs and badgers during the construction process.

Reason: To limit the impact the development has on the amenity of the locality, neighbouring residents, and biodiversity and hydrology during the demolition and construction process.

- 8) 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 Public Holidays.

Reason: To protect the amenities of the occupiers of nearby dwellings

- 9) 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.

- 10) No vegetation clearance shall occur on site during the bird nesting season [between 1st March & 31st August] unless supervised by an appropriately qualified ecologist.

Reason: To prevent harm to breeding birds.

- 11) No development shall start on site until the accesses to the application site and 'Neerome', including the footway and/or verge crossing has been constructed and lines of sight of 2.0 metres by 43.0 metres provided in accordance with the approved plans. The lines of sight splays shown on the approved plans shall be kept free of any obstruction exceeding 0.6 metre in height above the adjacent carriageway and shall be subsequently maintained so thereafter.

Reason: To provide satisfactory access and in the interests of highway safety.

- 12) No development above damp-proof course level shall proceed until details (and samples where requested) of the materials to be used in the construction of the external surfaces of the development hereby permitted, to include all walls, roofs, fenestration, window surrounds, rainwater goods and balcony barriers 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 satisfactory visual appearance in the interest of the amenities of the area.

- 13) No development above damp-proof course level shall proceed until a landscaping scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall cover all hard & soft landscaping, including trees and boundary treatments, and shall provide details of timings for all landscaping and any future maintenance. The works shall be carried out in accordance with the approved plans and to the appropriate British Standard.

Reason: In the interests of the visual amenity of the locality and to safeguard the amenities of neighbouring and future residents.

- 14) All hard & soft landscaping, tree planting and boundary treatment shall be carried out in accordance with the approved details and to the appropriate British Standard prior to occupation of the last dwelling. For a period of 5 years after planting, any trees or plants which are removed, die or become seriously

damaged or defective, shall be replaced as soon as is reasonably practicable with others of the same species, size and number as originally approved in the landscaping scheme.

Reason: In the interests of the visual amenity of the locality and to safeguard the amenities of neighbouring residents.

- 15) No development above damp-proof course level shall proceed until details of bin & cycle storage provision, including the communal refuse collection point, has been submitted to and approved in writing by the Local Planning Authority. No dwelling hereby approved shall be occupied until its associated bin & cycle storage has been provided in accordance with the approved details and thereafter retained and kept available.

Reason: To ensure the adequate provision of on site facilities.

- 16) All works shall be undertaken in accordance with the recommendations set out in the Preliminary Ecological Appraisal & Precautionary Measures report prepared by EcoSupport dated 11th September 2023. No works above damp-proof course level shall proceed until final details of biodiversity enhancement measures, including construction details for the replacement bat roost above the carport for Plot 2, and how future occupiers of the development will be informed of the measures 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 protect bats species and provide biodiversity net gain.

- 17) No development above DPC level shall start until details of external lighting strategy has first been submitted to and approved in writing by the Local Planning Authority. The agreed strategy shall be fully implemented prior to occupation of the last dwelling.

Reason: To ensure that the external lighting strategy does not have a detrimental impact on protected species including commuting and foraging bats, and in the interest of neighbour's amenity.

- 18) The first floor windows to the northern and southern side elevations of Plots 1 & 2 shall either be obscure glazed to Pilkingtons level 3 or equivalent with no opening parts less than 1.7 metres above the floor level of the rooms which they serve, or be positioned with their lower sill at least 1.7 metres above the floor of the room in which they are installed. Once installed the windows shall be permanently maintained in that condition.

Reason: To protect the amenity and privacy of the adjoining residential properties.

- 19) No additional or altered windows shall be constructed in the northern elevations of any plot within the development hereby approved.

Reason: To protect the amenity and privacy of the adjoining residential properties.

- 20) Notwithstanding the provisions of the Town and Country Planning [General Permitted Development] Order 2015 [or any order re-voking or re-enacting that order with or without modification] no development permitted by Classes A, B,

C & E of Schedule 2 of the order shall be carried out to Plot 5 without the prior written approval of the Local Planning Authority.

Reason: To protect the amenities of the locality, to protect trees subject to preservation orders and to maintain a good quality environment.

- 21) No dwelling hereby permitted shall be occupied until its requisite parking area, including garage and carport where relevant, has been provided in accordance with the approved plans and thereafter permanently retained and used only for the purpose of accommodating private motor vehicles incidental to the enjoyment of the dwelling house as a residence.

Reason: To make provision for off street parking for the purpose of highway safety.

- 22) Before use of the development is commenced the sections of redundant existing access from the site to Botley Road shall be permanently stopped up and effectively closed with the footway provided or verge reinstated, in accordance with details which have been submitted to and approved by the Planning Authority.

Reason: In the interests of highway safety.

- 23) 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.

Note to Applicant: In accordance with paragraph 38 of the National Planning Policy Framework (July 2021), 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.

Note to Applicant: This planning permission does not convey the right for the development to encroach over, under or on land which is not within your ownership, without the consent of the landowner.

Note to Applicant: The permission does not authorise the undertaking of any works involving excavations in the carriageway, footway or verge. A road opening permit must be obtained from Hampshire Highways.

Note to Applicant: It is requested that the building works are carried out considerately to minimise disruption to the occupiers of the neighbouring properties. The council operates a code of best practice, which is available on the council's website www.eastleigh.gov.uk by following the links to Planning, Guidance on the process, scroll down to Guidance on Aspects of the Planning & Construction Process and select considerate builders' advice note.

Report:

This application has been referred to committee by Councillors Broomfield, Caws, Couldrey and Parker-Jones.

Description of Application

1. The application seeks consent for the construction of 5No. two storey dwellings (3No. three bedroom, 1No. four bedroom and 1No. five bedroom) with private amenity space, parking and landscaping, accessed from Botley Road. The scheme to be determined is an amended version of that originally submitted in July 2023.
2. The application is accompanied by the following reports and technical assessments which can be viewed on the Council's website [here](#) together with the proposed plans and drawings:
 - Planning Statement
 - Design & Access Statement
 - Arboricultural Impact Assessment and Method Statement
 - Preliminary Ecological Assessment
 - Bat Survey Report
 - Biodiversity Net Gain, Assessment, Monitoring and Management Plan
 - Transport Assessment
3. The proposal has been screened out under the Town and Country Planning (Environmental Impact Assessment) (England) Regulations 2017 due to the size and nature of the proposed development.
4. Screening under the Habitats Directive is required due to the development's impact in combination with other development upon the Solent and New Forest SPAs (see below).

Site Characteristics and Character of the Locality

5. The application site lies along the southern edge of Horton Heath, with open fields to the south and residential development to the north. Whilst open undeveloped garden, the application site and the field to the south is designated as being within the urban edge for the purposes of the current adopted Local Plan.

6. Existing neighbouring development consists of predominantly one and two storey detached dwellings, together with a number of large chalet style dwellings on good size plots. Access to the site would be via Botley Road, which is currently shared with the neighbouring property to the north known as 'Neerome', a 1930s semi-detached two storey dwelling. To the south of the access is a large and relatively modern two storey red brick dwelling called 'Meadow View'. Along the northern edge of the site are three further chalet style dwellings, known as 'Southview', 'Hideaway' and '14 Cherry Drove'. There are a group of further large detached dwelling beyond the western end of the site, separated by a number of mature trees.
7. The site itself is relatively flat and level and shaped like an elongated hourglass, i.e. wider at the eastern and western ends but narrowing in the middle just behind the existing bungalow which would be demolished. All boundaries are generally marked by mature hedgerows, with a group of three large oak trees at the western end of the site which are subject to a preservation order. The existing garden also has a number of mature fruit and ornamental trees, as well as timber sheds and greenhouses but is predominantly lawn. The exiting bungalow dates from the 1970s and is of limited architectural value.

Relevant Planning History

8. Other than a number of modest domestic extensions, there is no recent planning history directly associated with the application site. However, it did form part of an application for proposals for eight dwellings in 1987 (Ref: Z/29608/000/00).

Representations Received

9. A total of five representations were received to the originally submitted proposals, all objecting to the application for the reasons set out below:
 - Overlooking and loss of privacy.
 - Visually intrusive.
 - Height and scale.
 - Loss of light and overshadowing.
 - Noise and air pollution from cars.
 - Loss of current views.
 - Existing properties will overlook proposed.
 - Road and parking spaces close to neighbouring boundaries.
 - Overdevelopment.
 - Poor design.
 - Out of character with the locality.
 - Unsustainable.
 - Loss of trees.
 - Loss of biodiversity.

- Boundaries are shown incorrectly.
 - Proposed new trees will cause structural damage to existing dwellings.
 - Will devalue neighbouring properties.
10. Following submission of amended proposals, neighbours were reconsulted. Again, five representations were received, four from the same properties, all objecting to the amended scheme and raising the additional points:
- Existing access is unsuitable for five dwellings.
 - Communal bin collection point will be unsightly and obstruct the pavement.
 - Drainage impacts.
 - Impact upon existing access to Neerome.
11. A response to the main planning related issues is given where relevant below. With regards to the devaluation of existing properties, whilst this concern is noted, the devaluation or otherwise of land or property is not a material planning consideration and cannot be taken into account when determining any planning application. With regards to boundaries being shown incorrectly, officers are satisfied that the submitted drawings accord with Ordinance Survey plans.
12. **Fair Oak Parish Council** – The design of the houses as traditional and lower is pleasing but the proposal seems overdeveloped.

Consultation Responses

13. **Urban Design – No objection in principle.** The proposed layout and setting of the dwellings are sympathetic to the character of existing surrounding development, as is the general design and appearance of the proposed dwellings. However, the heights of Plots 3, 4 and 5 are considered to be out of keeping with existing neighbours. There is the potential for overlooking into adjacent properties as a result of the restricted distances between existing and proposed buildings. Drawings do not show proposed bin and cycle storage, nor vehicle charging points, which needs to be considered at an early stage so as to not result in the loss of landscaping.
14. **Ecology – No objection subject to conditions.** The existing dwelling's loft space is used by brown long-eared bats. If approved, a suitable alternative open loft space will need to be provided with a similar access and aspect. This type of loft space could be achieved above the proposed carport for Plot 2.
15. The enhancement measures proposed within the supporting ecological assessment are generally acceptable and should be conditioned. Further details in relation to landscape planting are required to ensure the proposed trees have enough space to establish and to encourage wildlife through plants which will attract pollinators.

16. Amendments to the currently proposed drainage strategy are required to remove soakaways out the root protection areas of trees. Details as to how the access road and parking areas will be drained are also required.
17. **Trees – Objection.** The site is largely tree-free, with the only significant arboricultural features located on the far western boundary: three large oak trees, subject to Tree Preservation Orders.
18. We do not have an issue with the removal of the small, back-garden trees (e.g. the fruit trees) because they are not significant from an amenity perspective, but they will have to be replaced as per the Tree Replacement Policy.
19. However, at this stage, we do have some concerns regarding the impact of the placement of Plot 5 (the furthest west). We have concerns that the oak trees will be dominant over the residential amenity space and impact the proposed solar arrays on the roof. This could lead to unacceptable pressure on the trees in the future to either be pruned or removed, as per Section 15 of the Trees and Development SPD.
20. **Hampshire Highways – No objection.** Further details in relation to the proposed revisions to the existing Botley Road access have now been received and are considered acceptable. Suggestions made in relation to internal site layout and width of access road, so as to ensure adequate room for two-way traffic and vehicle passing places. Conditions requested in relation to: submission and approval of a Construction Method Statement; provision of adequate sightlines at access; stopping up of old access; and provision of secure cycle storage for all plots.
21. **Natural England** – Comments awaited.

Policy Context and Designations Applicable to Site

- Within Built-up Area Boundary

Eastleigh Borough Local Plan 2016-2036

Strategic Policies:

- S1 (Delivering sustainable development);
- S2 (Approach to new development);
- S3 (Location of new housing); and
- S11 (Transport infrastructure).

Development Management Policies:

- DM1 (General criteria for new development);
- DM2 (Environmentally sustainable development);
- DM3 (Adaption to climate change);

- DM6 (Sustainable surface water management and watercourse management);
- DM11 (Nature conservation);
- DM13 (General development criteria - Transport);
- DM14 (Parking);
- DM23 (Residential development in urban areas);
- DM24 (Creating a mix of housing);
- DM29 (Dwellings with higher access standards); and
- DM30 (Internal space standards for new residential development).

Hampshire Minerals and Waste Plan

- Policy 15 – Safeguarding of Mineral Resources.

Supplementary Planning Documents

- Quality Places (November 2011);
- Trees and Development (April 2022);
- Residential Parking Standards (January 2009);
- Environmentally Sustainable Development (March 2009); and
- Biodiversity (December 2009);

National Planning Policy Framework

22. 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 NPPF 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. A deliverable five-year supply of housing within each local authority area is required, and if this is not demonstrated a tilted balance in favour of the development applies.
23. 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.

National Planning Practice Guidance

24. 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

25. 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. The NPPF and the Planning Practice Guidance constitute material considerations of significant weight.

Policy & Principle

26. The application site lies within the urban edge where the basic principle of development is considered to be acceptable, with any planning approval being dependent upon whether the proposals are considered to accord with the relevant policies and guidance of the adopted development plan. The most relevant policy in this instance is DM1.
27. Policy DM1 requires new development to have no unacceptable impact upon the “amenities of new and existing residents; the character and appearance of urban areas, the countryside and the coast”, make efficient use of the site, as well as “take full and proper account of the context of the site including the character, appearance and land uses of the locality or neighbourhood, and be compatible with adjoining uses and be well integrated with these in terms of mass, scale, materials, layout, density, design and siting, both in itself and in relation to adjoining buildings, spaces and views.” It goes on to state that “Where adjoining development is poor in urban design terms, new development should contribute to improving the character of the area”.
28. In addition to these requirements, DM1 also requires development to include appropriate landscaping for external spaces, together with ensuring development proposals “incorporate provision for people with disabilities and create accessible communities that cater for all”.

Sustainable Development

29. Section 2 of the NPPF (December 2023) states that the purpose of the planning system is to contribute to the achievement of sustainable development, which can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs.
30. Achieving sustainable development means that the planning system has three overarching objectives – economic, social and environmental (which are interdependent and need to be pursued in mutually supportive ways) that should be delivered through the preparation and implementation of plans and the application of the policies in the Framework.

31. Planning policies and decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area.
32. National legislation and guidance, together with local policy ensure that all planning applications are tested for their resilience to and impact on the Environment. Details elsewhere in this report set out the Climate Change and Environmental implications of this application and their proposed mitigations.

Economic Sustainability

33. Section 2 of the NPPF, states that the objective of economic sustainability is “to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure”.
34. In economic terms, redevelopment of the application site would provide new homes and bring additional residents into the area who would be able to access local facilities and provide custom for businesses. There would also be benefits to the construction industry and suppliers during the build process, as well as to the management company appointed to look after the development.
35. In economic terms therefore, it is considered that the proposed scheme would meet the requirements of being economically sustainable.

Social Sustainability

36. In relation to social sustainability, section 2 of the NPPF states that the objective is “to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities’ health, social and cultural well-being;” Section 5, ‘Delivering a sufficient supply of homes’ goes on to state that “it is important that a sufficient amount and variety of land can come forward where it is needed,” and “that the needs of groups with specific housing requirements are addressed”.
37. Redevelopment of the site would meet the requirements of the NPPF in this regard. Whilst that proposed would be for general private housing provision, it will nonetheless meet an acknowledged need. In terms of social sustainability therefore, that proposed is considered to meet the requirements of being socially sustainable.

Environmental Sustainability

38. Section 2 of the NPPF goes on to state that the objective of environmental sustainability is “to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.”
39. There are a number of different components to Environmental Sustainability, including consideration of site-specific planning matters and the impacts of the development on its surroundings, which are considered below under the relevant subheadings.

Layout

40. As set out above, the application seeks consent for the construction of 5No. two storey dwellings consisting of: a pair of three bedroom two storey semi-detached dwellings (Plots 1 & 2); a three bedroom detached chalet style dwelling (Plot 3); a two storey detached four bedroom dwelling (Plot 4); and a two storey detached five bedroom dwelling (Plot 5). All would have their own private amenity space and dedicated parking in the form of garages, carports and driveways. Access to the site would be via a revised existing dropped kerb onto Botley Road, and a shared access road along the northern edge of the site, with new landscaping and tree planting. The scheme to be determined is an amended version of that originally submitted in July 2023, with the main revisions being the position of the garage serving Plot 5, the parking areas serving Plots 1 and 2, as well as to the site access, together with some internal amendments.
41. Due to the elongated shape of the site, the smaller semi-detached dwellings are positioned towards the Botley Road frontage, with plots increasing in size and building scale towards the rear of the site where it is at its widest. This general layout is intended to limit impact upon neighbouring properties to the north, with proposed dwellings being positioned in ‘gaps’ between neighbouring dwellings.
42. The revisions made to the originally submitted plans were to address site constraints and consultation responses received. The most noticeable change is to the position of Plot 5’s garage, which has been pushed back from its original location at the front of the dwelling. The reasons for this are intended to reduce impact upon the outlook from the rear of the neighbouring property, ‘Southview’. The original garage would have been directly in front of the main bedroom window and Juliet balcony. Whilst not sufficient to result in any unacceptable loss of light, it would have significantly impacted outlook. By moving the garage further back, impact upon the outlook from this window would be lessened, with views to the fields beyond still available between the dwellings on Plots 4 and 5.
43. Given the site constraints and capacity of the site access, that proposed is considered to be an acceptable layout which balances the site’s development potential against its constraints. Whilst concerns in relation to

overdevelopment have been raised, the resulting development would not be dissimilar in form or character to others found elsewhere in Horton Heath, something which has been highlighted in the Council's Urban Design Officer's response. As such, the proposed development would accord with the general requirements of Policy DM1 of the adopted Local Plan and the Council's 'Quality Places' SPD.

Form, Scale & Design

44. All proposed dwellings would be two storeys in height and scale, other than Plot 3, which is more of a chalet style dwelling with first floor accommodation within its roof space. All would be of a traditional pitched roof form and use traditional facing materials of brick and tile hanging, with slate roof covering. Architecturally, the designs are traditional in form but not unattractive, akin to the vast majority of more recent residential development in and around Horton Heath. As such, the proposed development would accord with the general requirements of Policy DM1 of the adopted Local Plan and the Council's 'Quality Places' SPD.

Street Scene & Area Character

45. The existing bungalow is not easily seen from Botley Road due to its single storey scale, low pitched roof and set back position. It is also shielded by a 1.8 metre high boundary fence and planting. Although Plots 1 and 2 will be more visible within the street scene, due to their two storey height, they will still be set back from the site frontage, coming no further forward than either of the existing neighbouring two storey properties to the north and south. Whilst alterations to the site access are proposed, it is still intended that the frontage with Botley Road would be marked by a hedge, with good levels of soft landscape planting to provide an attractive outlook for occupiers, as well as to the public realm.
46. Within the site, these good levels of soft landscape and tree planting would continue along the access road, helping to provide an attractive green setting for the development, and to help mitigate the removal of existing fruit and ornamental trees within the current garden. In terms of the internal and more public street scenes, therefore, that proposed is considered to be appropriate and a modest enhancement in terms of the Botley Road frontage.
47. With regards to the general character of the locality, comments have been made that the proposed development would result in an overdevelopment of the site. Whilst noted, this is not considered to be the case. Although the existing single dwelling would be replaced by five, the site is large and can easily accommodate the number of dwellings proposed. It should be noted Policy DM23 of the adopted Local Plan requires new residential development within the urban edge to achieve a minimum density of 40 dwellings per hectare (dph). The five units proposed on this 0.3 hectare site would equate to a density of just under 17dph, considerably under the policy requirement. To accord with the policy therefore, a total of twelve dwellings would be required.

However, this is unlikely to be feasible because of the site constraints – principally its shape and relationship with existing neighbouring properties. Whilst that proposed is not in accordance with Policy DM23, the policy does allow for lower densities where “site constraints or local character justify a lower density.” It is considered that this site is one of those exceptions.

48. In terms of the development’s impact upon the wider character of the area, that proposed would not be dissimilar in form or density to a number of other relatively recent developments within the area, including Westfield Close, Orchard Drive, Cedar Row and Cherry Drove, which neighbours the application site. Overall therefore, it is not considered that the proposed development would result in any unacceptable harm in terms of the visual amenity of the locality or go against the prevailing pattern of development already present. As such, it is considered to accord with the requirements of Policy DM1 of the adopted Local Plan and the Council’s ‘Quality Places’ SPD in these respects.

Access, Parking, Servicing & Highway Matters

49. The existing dropped kerb access to Botley Road currently serves the application site and the neighbouring property, ‘Neerome’. This would be altered in order to provide separate dropped kerb entrances for Neerome and the proposed development. This arrangement has been reviewed by Hampshire Highways who have raised no objection. Separate entrances will prevent possible confusion and still ensure that adequate sightlines will be achievable. Conditions have been requested in relation to provision of the revised entrances before the main construction work commences.
50. Comments in relation to the proposed internal road layout and whether there is sufficient width to allow for two way traffic were also raised within the Highway comments received. This is noted but not considered to be a significant issue. There are appropriately positioned passing places along the length of the roadway. As such, it is not considered necessary or desirable to increase the width of the access road, with the increased width required being better used for landscape and tree planting.
51. Parking provision to meet the ‘Residential Parking Standards’ SPD would be provided for all plots, together with scope for informal visitor parking at points along the access road and large turning area at the end of the road.
52. The proposals include a bin collection point adjacent to the Botley Road access, which would be screened with appropriate landscaping and should prevent bins obstructing the pavement or site access.
53. It is not envisaged that the development would result in any adverse traffic impact upon the local highway network, or highway safety concerns with the revised access arrangement now proposed.
54. Now that the previous queries raised by Hampshire Highways have been appropriately addressed, that proposed is considered to accord with the

requirements of Policies DM1, DM13 and DM14 of the adopted Local Plan, together with the 'Quality Places' and 'Residential Parking Standards' SPDs.

Amenity

Neighbouring residents and uses:

55. Objections have been received from all immediate neighbours to the north and south of the site, raising issues of loss of privacy, light and outlook, as well as noise and air pollution resulting from vehicle movements along the access road.
56. With regards to vehicle movements, it is acknowledged that the close proximity of the access road to the northern boundary will result in some disturbance to neighbouring properties, in particular No.14 Cherry Drove. However, the top section of the road would only be used for access to Plots 4 & 5, meaning that the number of movements should not be excessive. It is also the case that these affected neighbouring properties are also separated from the road by the existing boundary hedge, which it is intended to retain. Whilst there will be some impact in terms of noise – less so in terms of air pollution – it would not be to any unacceptable extent in planning terms. Notwithstanding, care will need to be taken as to what surface treatment is used for the access road to minimise noise, i.e. a solid surface, such as tarmac or pavements would be preferable to loose gravel.
57. Although the concerns of overshadowing and loss of light are noted, the proximity and relationship between the proposed and existing dwellings is such that there would be no loss of daylight or direct sunlight.
58. With regards to overlooking and loss of privacy, the proposed dwellings have been designed in such a way so as to ensure that there are no first floor windows which would directly face or allow views into existing neighbouring properties or gardens. Plots 1 & 2 do include first floor side facing windows, which would serve a landing area and bathroom. As such these can easily be obscure glazed. Plot 3 has been designed so as to have its main first floor outlook to the east, south and west. The rooflight windows to the northern elevation would be positioned above head height, so would not allow views to any properties to the north. Equally, no views into Plot 3 from existing neighbours would be available. Plots 4 & 5 have no north facing windows. Although there is a window above the garage to Plot 4 which could allow oblique views towards the rear of 'Southview', this window serves a bathroom and can be conditioned to be obscure glazed.
59. The most significant impact upon neighbouring properties would be upon the southerly views and outlook currently enjoyed across Brighstone's existing garden to the fields beyond. Any redevelopment of the application site will inevitably have a visual impact upon these near neighbours. The

issue to be considered therefore is whether the impact is acceptable in planning terms. There also needs to be a differentiation between view and outlook, which have different planning meanings. Whilst a development may have a negative impact upon a view, this does not mean that its impact upon outlook would be unacceptable.

60. As discussed above, the proposed dwellings have been positioned within the visual 'gaps' between the neighbouring dwellings to the north. As such, long views to the fields to the south would still be available for these neighbouring properties, albeit partially interrupted by the proposed dwellings. Whilst this works reasonably well in the case of No.14 Cherry Drove and Hideaway, who's outlook would not be adversely impacted due to the orientation and distances between existing and proposed, it is less successful in the case of Southview, which sits immediately north of Plot 5.
61. The relationship between Plot 5 and Southview will result in a significant negative impact upon southerly views. However, in planning terms, impact upon private views is not a material consideration and cannot be used as a reason to refuse an application. Impact upon outlook, however, is a material consideration but only if it can be demonstrated that the visual impact of a development is to such an extent that it would adversely and unacceptably impact the amenity of neighbouring occupiers. In this instance, the impact of Plot 5 upon the outlook from Southview is less clearcut. Whilst there will be a not insignificant impact, it is borderline as to whether it would be to such an extent as to be considered unacceptable and detrimental in planning terms. Although by no means ideal, on balance it is not considered that the impact would be so adverse as to justify refusal of the application on these grounds.
62. A further amenity issue to consider is disturbance during construction. Building works will inevitably cause a degree of noise, dust and disturbance. However, this is only for a relatively temporary period and can be controlled to a reasonable degree via suitably worded conditions as part of any planning approval, through the requirement for submission of a construction management plan and restrictions on working hours, etc.
63. Overall therefore, in relation to the proposed development's impact upon the amenity of existing neighbouring occupiers, whilst it is acknowledged that there would be an impact, it is not considered that it would be to such an extent as to warrant refusal of the application. As such, that proposed is considered to accord with the general requirements of Policy DM1 and the Council's 'Quality Places' SPD.

Future residents:

64. Regarding the residential amenity of future occupiers of the development, the proposed site and internal layout of each plot will ensure that there would be no unacceptable loss of privacy, light or outlook, all of which would meet or exceed the amenity requirements of the 'Quality Places' SPD. Equally, all dwellings meet or exceed the minimum floor area

requirements of Policy DM30 and garden area requirements of 60% of the floor area of the dwelling which they serve. It is acknowledged that there will be a degree of overlooking into the gardens of Plots 3 & 4 from Hideaway to the north. However, this would not be to any unacceptable extent and is to be expected in suburban areas. As such, that proposed is considered to accord with the requirements of Policies DM1, DM30 and the Council's 'Quality Places' SPD.

Drainage & Flood Risk

65. The application is supported by a basic drainage plan, which shows that foul drainage can be linked to the existing sewer network via Botley Road. Surface water drainage for each plot would be dealt with via soakaways which have now been moved out of the Root Protection Areas of surrounding trees. The shared access road is shown as being of a permeable surface, albeit exact details of what is proposed have not been provided. The intended surface treatment will need to also take into account noise, as well as drainage. As such further details in relation to this are required by condition, together with confirmation as to the suitability of the existing ground conditions for infiltration drainage.
66. The application site lies in Flood Zone 1, where there is not considered to be any significant risk in terms of flooding.

Trees

67. As set out in the Borough Tree Consultant's response, whilst the site does currently contain a reasonable number of modest fruit and ornamental trees, these provide little in the way of wider amenity value. As such, there is no arboricultural objection to their removal, provided suitable replacements are planted as per the Tree Replacement Policy set out in the Council's 'Trees and Development' SPD. It is proposed to remove a total of 21 trees, ranging in size from small ornamental trees/shrubs to mature fruit trees. In order to accord with the tree replacement policy, these will need to be replaced on a one for one basis, which the updated site layout demonstrates is possible, mainly within communal landscaped areas.
68. The only trees of note are three Oaks along the western boundary which are subject to a preservation order. The supporting Arboricultural Impact Assessment and Method Statement demonstrates that these can be protected throughout the build process, with no development encroaching within their root protection areas. Whilst the concerns raised by the Borough Tree Consultant with regards to the proximity of the Plot 5 dwelling to these trees and possible future pressure to have these trees cut back is acknowledged, the rear garden of this plot is of a more than sufficient size to still be useable, with a sizable south facing area which would not be unduly shaded.

69. Whilst the removal of so many existing trees is unfortunate, none are subject to any form of protection and can be removed without requiring any form of consent. Notwithstanding, there is scope to provide numerical replacements, including some which could mature to a size which would have wider visual amenity value. A condition requiring final landscaping details to be agreed is recommended, as is a condition requiring protection measures to be implemented throughout the build process.

Ecology

70. Other than a confirmed bat roost within the loft of the existing bungalow, the remainder of the site has relatively limited habitat and biodiversity value. The large area of lawn and boundary hedges to north and south are not the species rich habitat required to provide useful and valuable habitat for local wildlife. Notwithstanding the majority of existing trees on site are to be removed, the hedgerows will remain, and the new landscaping and tree planting required can be used to provide improved habitat. It is also proposed to provide a replacement bat roost within the roof of the carport proposed for Plot 2. Whilst smaller than the present loft, it would be of the same orientation and in approximately the same location. Other enhancement measures proposed include bird and bat bricks within the new dwellings, together with soft landscaping which encourages wildlife. All of this can be secured with a suitably worded condition.

Impact on Special Policy Areas

Nitrates:

71. Natural England have 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 Itchen and Solent catchment areas through nitrification. As such all developments for additional housing are 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).
72. The application site would use the Chickenhall Lane wastewater treatment works, which discharges into the Itchen. As such the proposed development is required to achieve nutrient neutrality for nitrogen and phosphorus impact. Eastleigh Borough Council have schemes which take land out of agricultural uses and creates recreational spaces, thus reducing the nutrient output of the land. The applicant has confirmed that they intend to make use of these schemes and a condition is recommended requiring confirmation that the appropriate level of nitrate mitigation has been secured prior to occupation.

Recreational Disturbance:

73. The site falls inside the 5.6km buffer zone for the Solent Special Protection Area (SPA) and also within the 13.8km catchment area for the New Forest

SPA. It is recognised that new housing developments within these catchment areas are likely to result in additional visitors to these protected sites.

74. In order to mitigate for these impacts, the developer has agreed to provide contributions towards the Solent Recreational Disturbance Strategy and the Council's New Forest Mitigation Strategy (which provides Suitable Alternative Natural Green Spaces within the borough), should the Committee resolve to approve the planning application.

Habitats Regulations:

75. Any proposed residential development within the Borough will have a likely impact upon The Solent SPAs and New Forest National Park. As such, an Appropriate Assessment under the Habitats Regulations has been completed and is currently being reviewed by Natural England.

Sustainability Measures and Climate Change

76. 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.
77. The declaration of the Climate Change and Environmental Emergency demonstrates a strong commitment from the Council to achieve net zero. The NPPF, development plan 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.
78. 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.
79. When considering the impact of climate change, the proposed development would be 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.

80. No specific details as to what particular measures would be included as part of the proposed development have been provided. However, as a new build development, there would be a requirement to meet the latest Building Regulations standards in this respect, which would include suitable insulation, energy requirements and standards. There is also scope to include additional measures such as photovoltaic panels to the roofs and electric vehicle charging points, as well as new tree planting to provide shade and prevent possible overheating in the summer months.

Planning Obligations / Considerations

81. At five units and 717 square metres total floor area, the proposed development falls under the ten unit and 1,000 square metre floor area thresholds for when planning obligations and affordable housing can be secured.

Other Material Considerations:

The Council's Five-Year Housing Land Supply

82. In accordance with the revised NPPF (December 2023), Local Planning Authorities are not required to maintain a five-year housing land supply if they meet the two criteria in paragraph 76. These are a recently adopted Local Plan, that identified at least a five-year supply when the examination concluded.
83. The Eastleigh Borough Local Plan was adopted in April 2022 and the final Inspector's report accepted that the Council met the requirement for a five-year supply. The five-year housing land supply position report published by the Council at that time provides further information on the sources of housing supply. The Council is not therefore required to maintain a five-year housing land supply and the tilted balance will not apply.
84. However, this latest NPPF position only relates to applications submitted after the revised NPPF was published. For any applications submitted prior to this, which includes the current application for Brighstone, the housing land supply must be based on the previous five year supply. The last published figure in July 2022 was 5.1 years, and with the current local plan having only been adopted in April 2022, it is considered that the authority does meet the necessary housing supply requirements.

Equalities Implications

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

A public authority must, in the exercise of its functions, have due regard to the need to:

- *eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;*
 - *advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;*
 - *foster good relations between persons who share a relevant protected characteristic and persons who do not share it.*
86. 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 specific equality implications.

Conclusion:

87. Whilst the impact of that proposed upon immediate neighbouring properties is acknowledged, there is a need to make effective use of sites within the urban edge. That proposed is considered to provide a reasonable balance between developing the site and limiting any unacceptable impact upon neighbouring occupiers. It is therefore considered to meet the requirements of all the relevant policies of the adopted Local Plan and Supplementary Planning Documents, as well as the NPPF. As such, it is recommended that the application be delegated back to the Service Director for Planning and Environment for approval subject to: the outstanding comments from Natural England; the conditions set out above; and securing mitigation towards the Solent and New Forest SPAs.

F/23/95549



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