

Planning Department
Eastleigh District Council
Eastleigh House
Upper Market Street
Eastleigh
SO50 9YN

15th May 2024

Our Ref: 22003

Your Ref:

FAO Liz Harrison

Dear Liz,

Section 73 Application to vary Condition 1 of the Reserved Matters Approval (RM/19/86658 (as amended by X/23/94736)) following Outline Consent O/15/75953 for Boorley Gardens Phase 3 equating to development of 236 residential dwellings with associated parking, landscaping and open space for alterations relevant to Phase 3D (Plots 445-462 & 668) only.

(Planning Portal Ref: PP-13050673)

This application is made on behalf of our client, Miller Homes Ltd., and seeks a variation to the wording of Condition 1 of Reserved Matters Application RM/19/86658 (as amended by X/23/94736) for the Phase 3 scheme equating to 236 residential dwellings with associated parking, landscaping and open space. The application proposes the substitution of identified plots within Phase 3D as well as altering the road layout from a circular configuration to a two avenue approach with footpaths to the eastern boundary connecting the two roads at Boorley Gardens, Eastleigh, Hampshire (the remainder of the site will be implemented in accordance with details already approved and are not affected by this application).

This S73 application proposes:

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/23/94736) for Phase 3 to allow revisions to the house types on Plots 445-462 & 668 in Phase 3D.

The Phase 3 parcel is divided into sub-phases 3A-3H. Dwellings are located within 3C, 3E, 3F, 3G and 3H (Bellway responsibility) and 3B & 3D (Miller responsibility). This is illustrated on the submitted Phasing Plan (P1388.PH.01). The Reserved Matters permission for Phase 3 (RM/19/86658) was granted on 5th April 2022. The description of RM/19/86658 reads:

‘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).’

Condition 1 of the decision notice requires development to be implemented in accordance with the approved plans. A Schedule of Submitted Plans and Documents dated 1st April 2022 lists the approved plans. Also under consideration is the Drawing Register considered as part of X/23/94736 dated 25th March 2024 to ensure all relevant plans and drawings have been suitably updated. A Drawing Register for this application has been produced and is appended, detailing the revisions to existing plans and drawings.

The changes proposed relate to Plots 445-462 & 668 with all the house types for each plots proposed to be amended as shown on the Planning Layout Plan (Ref. 817072_PH3D_PLANNING_LAYOUT Rev. A). The changes primarily relate to the substitution of the dwelling types and location of the affordable housing, as well as improvements to the road layout. The application however maintains the same number of dwellings, provision of affordable housing and housing mix as approved. The road into the parcel is maintained in the approved location, with the internal highway amended from a circular arrangement to being split into two avenues. This has the effect of enhancing the overall scheme and reducing the area of hardstanding to improve areas of open space and landscaped appearance. There has also been a reduction in frontage parking spaces, with most spaces removed and replaced with side parking, to improve the overall design of the parcel, with any retained frontage parking suitably and appropriately softened by landscaping. The proposals do not include any changes to drainage. The remainder of Phase 3 remains as approved.

The changes proposed by this application constitute a material amendment to the Reserved Matters permission and are illustrated in the plans and drawings submitted as part of this application. The full list of documents, plans and drawings are set out in the appended Drawing Register.

Pre-Application Consultation

Following constructive pre-application discussions during our bi-weekly meetings, amendments have been made to the scheme to allow for improved surveillance in the open space area to the west by orientating the dwelling to have windows facing this area as well as softening the approach into 3D by implementing further soft landscaping that reduces the appearance of the brick wall when viewed from Phase 1H. This is considered a net improvement on the existing layout as when entering the Parcel from the west at present, users are presented with four dwellings at 2 storey height whereas, in the updated layout this is reduced to a brick wall shielded by a number of trees.

The locations of the Affordable Units have altered position to back onto the future school site. This, again, is considered an improvement, with improved integration with the surroundings to promote social cohesion, with a tenure blind approach to design to ensure that they are indistinguishable in the street scene.

The proposals maintain the same number of units, the same housing mix and same scale as approved and has been carefully designed to make marked improvements to the layout that allow for a betterment to the overall scheme.

Outline Permission O/15/75953 and Local Planning Policy Compliance Statement

The Outline Permission has a number of standards that must be met. Since the Outline permission, the a new Eastleigh Borough Local Plan has been Adopted (April 2022) and includes a number of policies relevant to this application. Combined, these standards must be met within the S73 Application and include:

- Accessibility Standards (Policy DM29: Dwellings with higher access standards)
- Compliance with Nationally Described Space Standards (NDSS) (Policy DM30: Internal Space Standards for New Residential Development)
- Affordable Housing Provision
- Design Code Compliance
- Energy Efficiency
- Parking Standards Compliance
- Waste and Recycling Provision

Accessibility Standards

Policy DM29: Dwellings with higher access standards sets out the below:

1. *The Borough Council requires that development should meet higher national access standards as set out in Part M of the building regulations for new build residential development (or future equivalent):*
 - a. *100% of dwellings meet at least Part M4(1) standard (Visitable dwellings); including*
 - b. *a target of 80% of dwellings on each site meet Part M4(2) standard (Accessible and adaptable dwellings)*

For major new-build development of 40 residential units and above, b. should include:

- i. *at least 2 dwellings or 7% (if higher number) of all market housing meeting the Part M4(3)(2)(a) standard for wheelchair adaptable dwellings;*
 - ii. *at least 1 dwelling or 8% (if higher number) of all affordable housing meeting Part M4(3)(2)(b) standard for wheelchair accessible dwellings; and*
2. *100% of all specialist housing for older people and adults with disabilities meet the Part M4(3) standard (Wheelchair user dwellings).*

This is a S73 Application, revising details already approved at reserved matters stage. As you will be aware, the site's S106 agreement has secured 3% of affordable housing dwellings are to be wheelchair standard

dwellings, that are provided elsewhere within the development. The Reserved Matters consent has approved house types that were not required to meet the standards within Policy DM29 and the changes proposed similarly don't meet this standard. As the originally approved house types do not meet the requirements of Policy DM29 however, it is not considered that amendments are required to the changes proposed in relation to Policy DM29, which is a consistent approach accepted by the Council elsewhere on this site.

Compliance with NDSS

The amendments proposed by this application have been designed to fully comply with the requirements of NDSS, as required by Policy DM30, detailed below:

House Type	NDSS Compliant (Y/N)
Baymont	Y
Beauwood	Y
Braxton	Y
Clearwood	Y
Denton	Y
Fordwood	Y
Hampton	Y
Lockton	Y

Affordable Housing Provision

Schedule Five of the S106 agreement sets out a requirement for a 35% site-wide affordable housing requirement (65% rented; 35% intermediate dwellings) and, unless otherwise agreed, no less 30% (nor more than 40%) of the dwellings in each phase shall be provided as affordable housing dwellings. These dwellings must also be Lifetime Homes Standards. The level of Affordable Housing included within these amendments is consistent in terms of quantum and housing mix as the same as the approved scheme, detailed in the table below:

Phase	Market	Affordable	Totals
Phase 3D	13	6	19

The tenure and mix of the affordable housing units is consistent with the approved scheme. The locations of the Affordable Units have altered position to now back onto the future school site. This, again, is considered an improvement and are now better integrated into the scheme to promote social cohesion.

As such, the provision of affordable housing is in accordance with the level of affordable housing required to be provided under the S106 agreement and Outline Permission. A revised Tenure Plan (Ref. 817072_PH3D_TENURE_PLAN_A Rev. A) is provided as part of this submission.

Design Code Compliance

Phase 3D is located within the Urban Character Area detailed in the Design Code submitted as part of the Reserved Matters Application (RM/19/86658).

The amended layout provides dwellings that are characteristic of the Urban Character Area with consistent and small setbacks giving a strong sense of enclosure whilst also retaining the perimeter back-to-back typology consistent within the approved 3D parcel. Additionally, the general characteristics of boxed eaves, plain casement windows, square bays with black flat roofs, grey and red roof tiles and flat roof dormers which are still present with the updated unit types. Revised Enclosures Plan (Ref. 817072_PH3D_ENCLOSURES_PLAN Rev. A), Garden Areas Plan (Ref. 817072_PH3D_GARDENS_PLAN Rev. A), Building Heights Plan (Ref. 817072_PH3D_STOREY_PLAN Rev. A), Materials Plan (Ref. 817072_PH3D_MATERIALS_PLAN Rev. A) and Planning Layout Plans (Ref. 817072_PH3D_PLANNING_LAYOUT_A Rev. A) are provided as part of this submission.

Energy Efficiency

Condition 28 of O/15/75953 sets the requirement for a 19% improvement of dwelling emission rates over the target emission rate as set in the 2013 Building Regulations and a maximum internal mains water consumption of 105 litres per person per day.

The new dwelling types meet the standards of Condition 28 and are in line with the approved house types of the approved Reserved Matters application RM/17/81628 in terms of their sustainability requirements.

Parking Standards Compliance

Although the revised layout will alter the locations of some parking spaces, it will not make changes to the number of parking spaces available. As such, the revised layout is considered to comply with the Residential Parking Standards Document (2009). A revised Parking Layout Plan (Ref. 817072_PH3D_PARKING_PLAN Rev. A) is provided as part of this submission.

Waste and Recycling

The standards for Waste and Recycling have not altered significantly from the approved dwellings of the Reserved Matters permission. A revised Refuse Plan (Ref. 817072_PH3D_REFUSE_PLAN Rev. A) is provided as part of this submission.

As such, this application is considered to accord with the Adopted Local Plan Policies, as far as reasonable and provides an identical provision of affordable housing, parking, waste and recycling and full NDSS compliance with only minor material amendments made to the overall design and layout of the scheme.

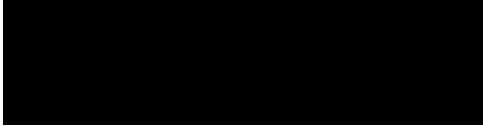
Conclusion

The amendments described above are considered appropriate, maintaining the level of development, housing mix and affordable housing provision, already approved, with changes to the road layout

providing for an improved design with enhanced levels of open space and landscaping, whilst respecting relevant planning policies.

I look forward to discussing this application further, but please do not hesitate to contact me if you have any queries.

Yours sincerely,



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Planning Consultant

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