

DELEGATED OFFICER REPORT

Application Ref: F/24/96970

Site Address: Land to the South of Peewit Hill, Bursledon, SO31 8BL

Case Officer: David Huckfield

Description: Erection of 2no. semi-detached 3-bed dwellings, with associated access, parking and landscaping

Particular Site Constraints?	Yes ☒	No ☐
Outside the Urban Edge Within Designated Countryside Within Designated Settlement Gap Subject to Tree Preservation Order (TPO 514 – Oak Tree) Within 5.6km Solent Recreation Mitigation Buffer Zone Within 13.8km Zone of Impact for New Forest Protected Sites (SAC, SPA and Ramsar) Within HRA Screening Area		

Relevant Planning History?	Yes ☒	No ☐
27756/001 – Erection of detached dwelling and garage – REFUSED (1985) 27756/002 – Outline: Construction of two dwellings – REFUSED (1990) 27756/003: Outline: Erection of 1no. two bedroom bungalow with garage – REFUSED and DISMISSED ON APPEAL (1991) F/04/51285 – Outline: Construction of 2 semi detached dwellings with parking and access onto Peewit Hill – WITHDRAWN F/04/52672 – Outline: Construction of 2 semi detached dwellings with parking and access onto Peewit Hill – REFUSED and DISMISSED ON APPEAL (2005)		

Site Visit:		Yes ☒	No ☐
Publicity:	Letters ☒	Site Notice ☒	Newspaper ☐
Representations Received:			
None received.			
Consultation Responses (Summarised):			
Bursledon Parish Council	Objection on the grounds of concerns regarding suitability of access to the site, the size and height of the proposed building causing issues with overlooking and lack of amenity and parking.		
Hampshire County Council Highways	No objection subject to conditions. ACCESS: The proposed access into the site is acceptable, taken from the low trafficked Peewit Hill. The applicants should however ensure that a formal driveway access is provided, with appropriate edgings between the site driveway and the public highway to ensure the highway edge does not break down. This will require a S184 agreement to be entered in to, details of which can be found via the following web address - https://www.hants.gov.uk/transport/developers/section-184 Additionally, the driveway should be constructed in a non-migratory		

	material for at least the first 1.0m into site in order to prevent the tracking of materials (i.e. shingle) onto the highway. PARKING: The level of parking proposed appears to conform with the EBC Parking Standards (Case Officer to review), and the layout is acceptable with a turning area enabling forward gear access and egress. However, it is noted than 'tandem' parking is utilised for plot 2, and this type of parking (whilst well utilised) is not the most efficient in terms of blocking in of another vehicle. As such, whilst not a point of objection, it would be recommended that the applicants review whether the tandem parking could revert to a single space, with the 'lost' space being relocated adjacent to the parking spaces outside of plot 1. This would be a more efficient layout, but it is noted that a tree is in close proximity, and so this may prevent this from being implemented. CONDITIONS: ACCESS CONSTRUCTION PROVISION No development shall start on site until the access, including the footway and/or verge crossing shall be constructed in accordance with the approved plans. Reason - To provide satisfactory access and in the interests of highway safety. DRIVEWAY SURFACE MATERIALS The proposed driveway must be made up of non-migratory materials for at least the first 1.0 metre into the site in order to prevent the transfer of loose materials (i.e. shingle) onto the public highway. Reason - To provide satisfactory access and in the interests of highway safety.
Tree Officer	The site is tree-free, with the only significant trees being located to the front of the site, adjacent to the highway. The oak tree is subject to a TPO. The proposed dwellings should not be significantly impactful on the trees. However, the installation of the new access point and driveway have the potential to cause harm to the trees. The supplied arboricultural documents suggest the use of special engineering. This is broadly acceptable but will require suitable arboricultural supervision in order to make sure that the correct procedures are followed. We have no objection to the removal of the birch (T002). Therefore, we raise no arboricultural objection to the proposal, subject to the following conditions: The development must accord with the arboricultural report reference AIA/AMSKC/PEEWIT/001. No excavation, demolition or development related works shall commence until the tree protection measures have been installed as per the tree protection plan reference TPP-KC/PEEWIT/001 and the low impact surfacing has been installed as per the approved arboricultural report. Once installed, no access by vehicles or placement of goods, chemicals, fuels, soil or other materials shall take place within the protected area. Tree protection measures shall be retained in their approved form for the duration of

	the work 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. No excavation, demolition or development related works shall take place on site until an Arboricultural Supervision Statement, proposing and detailing arboricultural supervision activity and inspections of tree protection measures, has been submitted and approved by the Local Planning Authority. The approved Arboricultural Supervision Statement must be adhered to in full and may only be modified subject to written agreement from the Local Planning Authority. This condition may only be fully discharged upon completion of the development, subject to submission of the reports as proposed in the Arboricultural Supervision Statement. Reason - To retain and protect the existing trees which form an important part of the amenity of the locality.
Ecology	This site is in an amber impact risk zone for great crested newts. There are records of bats, hazel dormice, harvest mice, badgers, common lizards, slow worms and adders nearby. There are protected and notable plant and insect species recorded in this area. There are records of nesting swifts in the wider area. Peewit Hill SINC is located to the north of the site, Windhover (Netley Common South) SINC is to the northwest, and Bursledon Common is to the south. I have reviewed the Preliminary Ecological Appraisal by LHB Ecology (May 2024). It identified potential impacts on nesting birds, reptiles, hedgehogs, badgers, and foraging and commuting bats. A Phase 1 habitat survey was done in April 2024. Comparing the site photos in the report to aerial photos from Google Earth (March 2022) shows that the site was cleared in advance of the survey. The report shows a pile of mulched vegetation and describes the site as containing recently cut scrub, whereas the aerial photos show quite a few large shrubs, some of which can be seen above the level of the site fence. There is one mature English oak tree on site with a dead birch tree next to it. The site area is 527 m², which is 0.05 ha. The application was submitted on 23 February 2024 so is exempt from the requirement of 10% Biodiversity Net Gain based on the temporary exemption for non-major developments in effect at that time (submitted before 2 April 2024), even though it was not validated until 22 May 2024. Although this application is exempt from providing 10% biodiversity net gain, no net loss of biodiversity and some net gain is required in accord with Local Plan policy DM11 and NPPF paragraph 180. The baseline for determining no net loss must be taken from before the site clearance. The proposed site layout shows that at least 75% of the site would contain a large building set within a paved area. The two garden areas would cover only 25% of the site. I don't think it is possible to have any biodiversity net gain with this layout and I object to the application on this basis. Should the application progress, the precautionary working methods and biodiversity enhancements recommended in the PEA report (table 5.1 and section 6.1.1) can be implemented. A landscape plan which

	includes biodiversity enhancements would be required and can be conditioned. The drainage plan submitted does not include any information about surface water drainage for the site. A surface water drainage strategy is required. If soakaways are proposed, the plan must be informed by infiltration test results.
Environmental Health	<u>Noise:</u> I note that the site is located approximately 50 meters from the A27 with an intervening residential property. Provided conventional double glazing with passive vents are installed, I expect that the Local Plan acoustic criteria relating to transportation noise in habitable rooms would likely be achieved. Further the garden area would probably similarly meet the Local Plan criteria in this regard. Consequently, I do not consider it necessary to seek an acoustic assessment for this site. I see no need for conditional consent in this regard either. I note from google maps that the site to the North shows some signs possibly indicative of commercial activity. I have no other information on this site, but it may be prudent to establish whether there are any extant uses or established use for this land that could impact amenity on this application site before you. However, even if so; this site would probably not be more affected than existing neighbouring residential uses. As such, this may not be a material consideration for you. Finally, I would recommend that any consent is conditional to limit construction hours to those times acceptable to EBC. <u>Air Quality:</u> The proposed development comprises the construction of 2 new dwellings with associated infrastructure and soft landscaping areas, and it is not considered as a 'major development' according to The Town and Country Planning (Development Management Procedure) (England) Order 2015, hence the probability to generate significant traffic during construction and operational stages is considered to be low. Even though the proposed development does not represent a significant risk on air quality, we stress the importance of adopting best practices and measures to safeguard air quality in the area, especially due to the proximity to the Hamble Air Quality Management Area. Details on this can be provided within the Construction Environment Management Plan (mentioned below). <u>Contaminated Land:</u> The application site is not located on land with an identified former contaminative use. The geology of the site comprises sand and gravel from River Terrace Deposits over Wittering Formation, both classed as secondary A aquifers. The site is not located in a radon risk area. The Design and Access statement provided by Groves Group (February 2024) described the site as a neglected parcel of land. It is unclear how the proposed site has been recently used, as this may affect the quality of land and whether it is/ has been contaminated. Therefore, due to this and the proposed end use (residential with private gardens), we recommend that the application be permitted subject to the following conditions: () A watching brief should be followed by the developer at all times during construction works and confirmation of this shall be submitted to by the Local Planning Authority (LPA) prior to completion. In the event that previously unidentified contamination is found during the

	watching brief (i.e. unusual staining/ decolouration in ground, odours, etc.) it must be immediately reported to the Local Planning Authority. 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 by the Local Planning Authority, the development shall not be brought into use until a verification report for the remediation work has been submitted to and approved in writing by the Local Planning Authority. Verification works shall be undertaken by a competent person in accordance with best practice as outlined in BS10175:2011+A2:2017 and LCRM. Any gas monitoring deemed appropriate is to be in accordance with best practice as outlined in such documents as BS8576:2013, BS 8485:2015+A1:2019, Claire RB17 and CIRIA C665. Reason: To minimise the risk from land contamination for the safety of the property's occupiers. () Any imported soils required for the development hereby permitted should be demonstrated to be suitable for its intended end use and meet the approval of the Local Planning Authority prior to use on site. Reason: To minimise the risk from land contamination for the safety of the property's occupiers. () No construction or site preparation works involving excavation shall start until a Construction Environment Management Plan (CEMP) has been submitted to, and approved in writing by, the Local Planning Authority. Preparation and construction work shall only take place in accordance with the approved CEMP which shall include: a) the location of temporary site buildings, compounds, construction material and plant storage areas used during construction; b) the arrangements for deliveries associated with all construction works, loading/ unloading of plant & materials and restoration of any damage to the highway [including vehicle crossovers and grass verges]. c) the parking of vehicles of site operatives and visitors; d) measures to control the emission of dust and dirt generated by construction; e) a scheme for controlling noise and vibration from construction activities (to include piling); f) provision for storage, collection, and disposal of waste from the development during construction period; g) measures to prevent mud and dust on the highway during construction; h) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate; i) temporary lighting; j) protection of pedestrian routes during construction; k) temporary surface water drainage provisions; and l) hours of working Reason: To limit the impact the development has on the amenity of the locality and to protect biodiversity In conclusion, we agree with the principle of the development, subject to conditions detailed above.
Southern Water	Southern Water requires a formal application for a connection to the public foul sewer to be made by the applicant or developer. It is possible that a sewer now deemed to be public could be crossing the development site. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its ownership before any further works commence on site.

Policy:**Legislative Background:**

Section 38(6) of the Planning and Compulsory Purchase Act 2004, requires that planning applications are determined in accordance with the Development Plan unless material considerations indicate otherwise.

The Development Plan:

The Development Plan comprises of the policies of the adopted Eastleigh Borough Local Plan 2016-2036. The following policies are of relevance to the application: S1 (Delivering sustainable development), S5 (New development in the countryside), S6 (Protection of settlement gaps), 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), DM30 (Internal space standards for new residential development).

Other material considerations:Supplementary Planning Documents (SPDs):

The following SPDs and Background Papers are of relevance to the proposals:

- Quality Places (adopted 2011)
- Residential Parking Standards (adopted 2009)
- Trees and Development (adopted April 2022)

National Planning Policy and Guidance:

The latest iteration of the National Planning Policy Framework (the NPPF or Framework) was published in December 2023 and, as set out within paragraph 224, the policies contained within it are material considerations which should be taken into account in dealing with applications from the day of its publication. The Planning Practice Guidance provides additional guidance in support of the policies within the Framework and is also a material consideration in the determination of the application.

Assessment:Principle of development:

The application site lies outside of the urban edge and falls within an area which is designated as countryside and settlement gap within the Council's adopted Local Plan. The gap, in this location, serves to separate the settlements of Hedge End to the north-east, Bursledon to the south and Southampton to the west. Policy S6 of the Local Plan seeks to prevent development which would undermine the physical extent and/or visual separation of settlements or have an urbanising effect on the countryside, with Policy S5 seeking to prevent inappropriate development within the countryside in order to maintain its rural character and limit urbanisation, whilst facilitating and controlling particular specified types of development for which a countryside location is genuinely and justifiably required.

The proposals, which are for the construction of two dwellings, are not a form of development which is permitted by Policy S5, and the scheme would have an urbanising effect upon both the site itself as well as this area of countryside. The proposals would also diminish, albeit to a modest extent, the amount of open and undeveloped land in the settlement gap. As such, the proposals are unacceptable in principle and there would,

therefore, have to be material considerations which would outweigh the conflict with the development plan to justify the granting of planning approval. For the reasons as set out below, this is not considered to be the case in this instance.

Layout, design and impact upon the character of the area:

In addition to the requirements of Policies S5 and S6 which are set out above, Policy DM1 of the Local Plan is also of relevance to the assessment of the application in respect of its layout, design and impact upon the character of the area. This policy states that all new development should not have an unacceptable impact on, and where possible should enhance, the character and appearance of the area. In this respect it requires that development takes full and proper account of the context of the site including the character, appearance and land uses of the locality or neighbourhood, and that it is compatible with adjoining uses and 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.

The application site is formed of a parcel of land of approximately 527 square metres in size and which is broadly rectangular in shape. It is currently vacant and comprised of mixed vegetation, with a mature protected Oak tree and a smaller Birch tree present along its front perimeter. Its side and rear boundaries, which border the adjacent properties, are marked by close boarded timber fencing, with its northern boundary, save for the aforementioned trees, being open onto Peewit Hill.

Peewit Hill leads from West End Road to the west and has the appearance of a semi-rural tree lined road which is devoid of footways and bound by intermittent residential development to the south, whilst there is open countryside consisting of predominantly woodland and scrubland to the north with only very sporadic development or other land uses being evident. The application site, owing to its undeveloped and verdant nature and the visual break and sense of openness that it provides within the street scene, is currently considered to contribute particularly positively to the semi-rural character of Peewit Hill and its immediate surroundings. This is appreciated when both moving along Peewit Hill itself, as well as when viewed from its junction with West End Road, with the physical and visual separation that the site provides to the houses further down the lane making their slightly more urban character neither notably nor readily apparent from the entrance to the road.

It is evident that the site has become overgrown with vegetation at times and as a result has appeared a little untidy. It is also noted that efforts have been made with the design of the proposed houses to reflect the form and appearance of some of the dwellings along West End Road and that they would not thereby be necessarily out-of-keeping with the nearby development in this particular respect. Further, it is also acknowledged that the proposals would make a contribution, albeit a relatively modest one, to the Borough's overall housing supply.

It is not, however, considered that these factors or the current state of the site would justify its redevelopment or that developing it in the manner proposed would improve its appearance. Indeed, to the contrary, the introduction of an extensive area of hardstanding and a formalised point of access to the site, along with what is a not-insignificant degree of built form that would be readily visually apparent from both Peewit Hill as well as its entrance from West End Road, would erode the current pleasant sense of openness and the visual and physical break that the site provides between the existing development within the street scene. It would also have a notable and unacceptably urbanising impact upon both its character as well as that of the area of designated countryside and settlement gap within which it is situated.

For the reasons given therefore, the development is considered to be contrary to Policies S5, S6 and DM1 of the Eastleigh Borough Local Plan 2016-2036 and Paragraphs 135 and 180 of the National Planning Policy Framework, which collectively require that development takes full and proper account of the context of the site, and that it respects

the character of the countryside and avoids both its undue urbanisation as well as the undermining of its function of protecting the separate identity of settlements.

Residential amenity:

With regards to the development itself, the proposed properties will provide for an adequate residential environment for their future occupiers to live comfortably. The level of floorspace proposed meets the requirement for two-storey, three-bedroom dwellings as stipulated in the Nationally Described Space Standards and all rooms will be well relatively well served by light and outlook. Whilst the external amenity areas proposed are much smaller than those of the existing surrounding properties, they would conform to the requirement set out in the Council's Quality Places SPD for an area which is equivalent to a minimum of 60% of the floorspace of the dwelling.

Turning to the impact on neighbouring properties, there are no significant concerns and no objections have been received from the occupiers of nearby dwellings. The windows in the side elevations of the properties are at ground floor level only and whilst there are first floor windows within the rear elevation which would allow views towards neighbouring gardens to the south, these are set a reasonable distance from the rear boundary of the plot such that it is not considered that the resulting relationship would cause an undue loss of privacy.

Additionally, and whilst acknowledging that the site is set in an elevated position relative to Nos. 1, 2 and 3 Peewit Hill to the east, the proposed dwellings would not be unduly overbearing for their occupiers or result in an undue loss of light or outlook, with the positioning of the parking for plot 2 between the property it would serve and the shared boundary serving to lessen the potential impacts in these regards. The presence of the access drive to 'Chartwell Cottage' to the opposing side of the site serves a similar purpose such that the development would not adversely affect the amenity of its occupiers or that of 'Hilltop' to a degree that would be deemed unacceptable.

Any potential impacts arising from construction works (for example, dust, noise and the potential for disturbance etc.) could be suitably controlled by conditions restricting working hours and requiring the submission of a construction management plan for approval by the Local Planning Authority.

Taking account of the above factors, there is considered to be no undue conflict with the provisions of Policy DM1 of the Local Plan, the guidance contained within the Council's Quality Places SPD, or Paragraph 135 of the NPPF, in respect of the matter of residential amenity.

Highway matters:

The development would take access from Peewit Hill to its northern side, with the entrance point being shared between the two dwellings. The Highway Authority have, as set out in their comments detailed above, confirmed that this access is acceptable and would not unduly compromise highway safety, subject to appropriate surfacing materials being used, with this being something that could be covered by condition.

In terms of parking, the Council's Residential Parking Standards SPD requires that three-bedroom dwellings have 2 in-curtilage parking spaces per property. These are provided to the front of plot 1 and down the side of plot 2. Whilst the latter incorporates tandem parking which is, as noted by the Highway Authority, not always the most ideal arrangement from a manoeuvrability perspective due to the one vehicle blocking in another, its use is not considered unacceptable in this case nor is it contrary to the provisions of the Council's aforementioned parking SPD.

In terms of the location of the site, whilst it is not entirely isolated for the purposes of paragraph 84 of the NPPF, nor is it ideally positioned in terms of connectivity owing to its location outside of and detached from any built settlement. It is acknowledged that are

facilities within the settlement of Bursledon to the south which, in closest proximity, includes a Tesco supermarket and a public house, albeit accessing them would require the negotiation of the busy Windhover Roundabout. Whilst there is some footway provision, it is certainly not the most attractive of routes for cyclists or pedestrians and, although not deemed to constitute a reason for refusal in its own right, this is something that is considered to count against the proposals in the overall planning balance.

Finally, in respect of waste and cycle storage, this is shown on plan and would meet the required standards. Its provision and subsequent retention could be adequately covered by condition.

Trees:

The application is accompanied by an Arboricultural Impact Appraisal and Method Statement, as well as a Tree Protection Plan. This documentation sets out how the protected mature Oak tree at the front of the site, which is considered to make a significant contribution to the character and amenity of the area, will be retained and protected during the development works, with this including methodology for the construction of the access and parking bays which would partially take place within the root protection area of this tree. The assessment also proposes the removal of a single birch tree which lies adjacent to the aforementioned Oak.

The Council's Tree Officer has reviewed the submitted information and raised no objection to the proposals subject to conditions requiring compliance with the measures set out within the submitted arboricultural report and the submission of and subsequent adherence to an Arboricultural Supervision Statement. On this basis, there is considered to be no conflict with the requirements of Policy DM1 of the Local Plan or Paragraph 136 of the NPPF in respect of the arboricultural impacts and considerations associated with the development.

Ecology:

Policy DM11 of the Local Plan states that the Council will determine planning applications to protect, conserve and enhance all international, national and local nature conservation designations and networks of natural habitats and features, and facilitate their adaptation to climate change wherever possible. It also seeks a net gain for biodiversity on development sites and sets out that development will not be permitted where it is likely to have a direct or indirect adverse effect on protected or priority species unless there are no alternative solutions, the adverse effects are unavoidable, measures are taken to mitigate or, as a last resort, compensate for the adverse effects, there is overall biodiversity net gain, and the benefits of the development clearly outweigh the adverse effects. These requirements are consistent with Paragraphs 180 and 186 of the NPPF.

Protected species and biodiversity net gain

The application is supported by a Preliminary Ecological Appraisal (PEA) which seeks to assess the habitats present on site, establish an ecological baseline and to determine whether ecological receptors such as protected species were likely present. The report also includes guidance and best practice measures in respect of construction in order to avoid endangering protected species, as well as recommendations for ecological enhancements to be incorporated within the development.

This information has been reviewed by the Council's Ecologist in the context of the development for which permission is sought, with an objection being raised on the grounds of the accuracy of the ecological baseline reported within the PEA and the potential for a net gain for biodiversity to subsequently be able to be achieved by the development in line with the requirements of Policy DM11 of the adopted Local Plan and Paragraph 180 of the NPPF.

In these respects, the PEA sets out that the site consists of recently cut scrub, with a range of other plants also being present on the site. The Council's Ecologist has highlighted aerial imagery (referred to as being from March 2022) which shows the site being covered with larger and more extensive shrubs and vegetation than is shown as the situation at the time of the undertaking of the PEA, and that this should therefore be utilised as the ecological baseline against which the scheme should be assessed. The former condition of the site and the greater level of vegetation it incorporated is also shown within more recent Google Streetview imagery from July 2023, as well as notably within the images of the site which are included within the Design and Access Statement that accompanies the planning application.

The Planning Practice Guidance (PPG) sets out that the pre-development biodiversity value of a development site should be assessed shortly before the point that planning permission is applied for. However, it also indicates that any deliberate harm or degradation to biodiversity value which has taken place in the recent past might be a relevant factor in considering whether there are grounds for this to be discounted in assessing the underlying value of the site.

Whilst acknowledging that site clearance works are not in themselves development nor are they necessarily unlawful, it is nevertheless evident that the habitat, and the biodiversity it can support, has altered significantly. It is therefore necessary to understand the impact that the recent removal of the vegetation on the site has had on the baseline biodiversity value of the site, in addition to the current biodiversity value that it offers which is set out within the PEA. Without this information it is not possible to establish with sufficient certainty that the proposals would not result in an overall net loss of biodiversity and, for this reason, the application is considered to be contrary to Policy DM11 of the Eastleigh Borough Local Plan 2016-2036 and Paragraphs 180 and 186 of the National Planning Policy Framework.

Impact upon European Protected Sites

The Council, as the responsible body under the Habitats Regulations, must ensure as part of a planning application that a development will not have an adverse impact on any European protected sites and specifically in this case upon the European protected Solent Complex (SPA, SAC and Ramsar sites) and the New Forest SPA, SAC and Ramsar sites.

HRA (Habitat Regulations Assessment) Screening was required for this development as it falls inside the zone of impact of these designated sites and would result in a net increase in population. The screening concluded that the development could have a significant impact on the protected sites and the features for which they are designated through an increase in recreational pressure (in the case of both the New Forest and Solent Complex sites), as well as from nitrogen loading generated through leaching from additional sewage from the new housing in the case of the Solent Complex. This has the potential to undermine water quality and restrict the growth, distribution and variety of food available for species designated under European law. These impacts are required to be mitigated as part of the development proposals.

The required mitigation has not been secured as part of the planning application and in line with Regulation 63(1) of the Conservation of Habitats and Species Regulations 2017, it is not considered necessary to proceed to the Appropriate Assessment stage as the Local Planning Authority, as the competent authority, are not minded to approve planning permission for the development. This matter will, however, form an additional reason for refusal of planning permission with the application being contrary to the provisions of Policy DM11 of the adopted Local Plan, Paragraphs 180 and 186 of the NPPF, and the Habitats Regulations.

Other Material Considerations:

Air Quality and Contaminated Land

No objection has been raised by the Council's Environmental Health Officer (EHO) in respect of the impacts of the development upon air quality during the operational phase. The potential impacts arising from construction could, as suggested by the EHO, be incorporated into a Construction Environment Management Plan (CEMP) which could be covered by condition. Similarly, the potential contamination risks to the development could also have been conditioned had the application been recommended for approval. There is therefore no conflict with Policy DM8 of the Local Plan in these respects.

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 commitment from the Council to achieve net zero. The NPPF, development plan and emerging 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 emerging plan policy. The need to support the economy is part of the Strategic Environmental Assessment for the Emerging 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 Adopted Local Plan sets a target for 14,580 dwellings to be provided by 2036. The NPPF, Saved, Policies S1, DM2 and DM3 of the Adopted 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. In this particular instance and had the application been recommended for approval, it is considered that the applicable sustainability requirements, which relate to energy and water usage, could have been adequately covered by condition. When considering the impact of climate change, therefore, the proposed development would be expected to be resilient to its potential effects.

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.

Recommendation:	PERMIT ☐	REFUSE ☒
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