



**Original Pre-Application Submission and
Response to Pre-Application Q/23/96195 with Amended
Scheme and Further Justification and Review of Policy
Context.**

And

**Response to Pre-Application Q/23/96569 with Revised
Scheme.**

This Document is the Design and Access Statement

Development in Rear Garden at:-

**Ropley
Botley Road
West End
Hamshire
SO30 3HA**

Client:	Mr Chris Pitter
Date of Report:	29th July 2024
Prepared by:	BPS Design Consultants Ltd Seafields Dodwell Lane Bursledon Southampton SO31 1DJ

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1.0 Introduction

We have received instructions from Mr Chris Pitter to evaluate the potential of developing the above site to include 2 No Dwellings to the rear garden of Ropley, Botley Road, West End, SO30 3HA.

The document should be read in conjunction with the drawings [PL01](#), [PL02](#), [PL03](#), [PL05](#), [PL06](#), [ecology report](#), [bat emergence survey](#), [tree report](#) and [noise report](#).

We have issued several pre-applications to enable the planners to comment and provide advise/guidance on the proposals before a full application is issued, as the site has had previous refusals.

This document is intended to show the evidence of why the application should be supported, highlight the previous refusal points, respond to the appeal points, pre-application comments and to provide further evidence.

This document is a useful tool to demonstrate how the project has evolved. It would also be a good starting point for any future appeal.

Within the borough there are countless examples of back land developments, with similar design parameters, connectivity to street scenes, visual amenities, levels of natural visual surveillance. A number of these schemes have been selected for reference and demonstrate that these kind of schemes are acceptable and have been allowed under current policy.

The authority has concluded that the site is acceptable for development, so it would make sense to follow the other approved schemes around the borough to ensure approval is granted. It would be very unfair to refuse the application based on poor connectivity to the street scheme and a lack of natural surveillance as suggested when other approved schemes or worse in this respect. A drawing has been provided to demonstrate some of these other schemes. It is important to show these in drawing form and not hidden in reports as it is easier to review.

Noise generated from neighbouring property was a major factor for refusal and lack of support, extensive noise testing has been carried out by a specialist and the conclusion is fact and undeniable – the site is acceptable for housing and

the noise levels are within acceptable limits. Further mitigation has been proposed by the specialist and this has been incorporated into the latest scheme.

Ecology surveys, bat survey and bat emergence surveys have been carried out. The reports are included within the application. The reports show that there is no major concerns with developing the site and removing part of Ropley to allow for access as no bats were found or observed. The small pond in the rear garden of Ropley will be retained as part of the scheme to maintain the important habitat it has created. The site is an area identified to have newts, a newt license and survey will be secured and undertaken once planning has been granted, this will need to be conditioned. New fencing is proposed on the site and hedgehog holes will be installed to allow free access to the site. Swift and bat boxes have been proposed on the new dwellings.

Regarding biodiversity net gain, there are many opportunities on the site to enhance, with new planting of native hedging, removal of no native plants and planting with native ivy the sound attenuation wall. The plant of this wall will prove vast area for planting and help hide the neighbouring building.

An Arboricultural report has been provided and included with this application. The report identifies which trees need to go due to poor health and which trees need to be crown lifted. Due to the retained trees on the site boundary the proposed drive serving the rear properties would be block paved with permeable system. This permeable system will allow the drive to drain thus allow the trees to be maintained.

The front hedging to Ropley will be lowered to ensure the visibility splay is maintained and provided. This visibility splay is better than most access points on to Botley Road.

Storm drainage will be direct to ground via drainage grates suitably sized to suit the percolation tests of the current ground. These grates will be highway quality to allow them to be placed in the parking area and rear gardens where necessary. A fall drainage design will follow once grant of planning.

The foul drainage will connect into the existing on-site drainage which is connected to the mains drainage. All developments, where reasonable to do so must connect to mains drainage. Treatment plants would work but, in this

instance, it would be more sensible to use the existing. 100mm dia pipe is acceptable to serve 3 No properties. A nitrate report has been produced and TN increase has been calculated, it is intended that the scheme uses the Boroughs mitigation scheme, this is to be conditioned and must be secured prior to first occupation.

The partial demolition of the side garage to Ropley does not require planning permission, and any reinstatement would be permitted development.

This report shows the appeals, and pre-applications to clearly show how this project has evolved and is now presented.

2.0 History

The site has previous history see list below: -

[F/08/62528 - Ropley & 1 North View, Botley Road, West End, Southampton SO30 3HA](#)

Valid date: **03/04/2008**

Construction of 8no. 2 bed apartments in a 2 storey block with acoustic wall, alterations to access & new car parking, following demolition of side extension at Ropley

Type of Application: Full planning

Status: Decided

Decision: Refuse Planning Permission For

Decision Date: 29/05/2008

[F/13/73364 - Ropley, Botley Road, West End, Southampton SO30 3HA](#)

Valid date: **10/10/2013**

Construction of 2no. 2 bedroom semi-detached dwellings & 2no. 3 bedroom semi-detached dwellings with associated access from Botley Road

Type of Application: Full planning

Status: Decided

Decision: Refuse Planning Permission For

Decision Date: 06/02/2014

Both applications went to appeal, and the appeals were dismissed. The schemes were very different in design and scale, however some common points were raised and discussed within the inspectors' reports, these are as follows and the comments in red are how this proposed development deals with the specific concerns.

3.0 Previous Appeal Refusal Points

Appeal Ref: APP/W1715/A/08/2079069 'Ropley', Botley Road, West End, Southampton, SO30 3HA.

The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.

The appeal is made by Foreman Homes Ltd against the decision of Eastleigh Borough Council.

The application Ref F/08/62528, dated 7 March 2008, was refused by notice dated 29 May 2008.

The development proposed is the erection of 8 No. apartments, in a two storey block, with car parking and vehicular access to the side of 'Ropley'.

Main Issue 3. I consider that the main issue is the effect of the proposal on the living conditions of adjoining residents and on those of the residents of the proposed apartments, with particular regard to noise and disturbance.

Reasons 4. It is proposed to adapt 'Ropley', the present detached house located close to the frontage of the site, to allow access to its long, narrow rear garden in which the flats would be built. The submitted site plan shows a subsequent phase of development on land to the east which would share this access. This did not form part of the application and I have considered the submitted scheme on its own merits.

5. The alterations to 'Ropley' would present a windowless wall to the access roadway and, whilst the access would directly adjoin this wall, I do not consider that the level of use likely to occur would result in undue disturbance to the occupants. Similarly No.1 North View, the house to the east, has a blank gable wall looking towards the access and is sufficiently far from the common boundary to prevent significant nuisance arising. ***So, access between Ropley and No 1 North View considered acceptable. So this approach has been adopted in the proposed scheme now tabled.***

6. I am concerned, however, about the noise levels that would be experienced by the occupants of the proposed flats themselves. Immediately to the west of

the site is a large garage occupied by a coach hire business and beyond that are other motor trade uses including a vehicle repair workshop. I have not been advised of any time restrictions on these operations and, whilst excessive nuisance may be curtailed by legislation other than the planning acts, it is clear that there is considerable potential for noise to be generated.

The current usage of the adjacent site needs to be considered and mitigation measures must be employed with the proposed scheme to ensure noise levels are kept to an acceptable limit. As the commercial unit is out side of the development site it would be difficult to upgrade the façade to provide in provide acoustic attenuation. So, as part of this proposed development a new acoustic barrier with planting is proposed for the full length of the industrial unit on the development site to reduce acoustic disturbance. In addition to the acoustic properties there is also the opportunity to provide screen planting to the acoustic barrier to reduce the overbearing effect off the industrial unit on the site. We must also bring to your attention the C3 residential developments to the west of Pitters Yard have no acoustic barriers separating them from the industrial units. It seems vey odd that a similar back land development has been allowed with no consideration in this regard.

7. The block of flats would be constructed against an acoustic wall to be erected along the western boundary of the site immediately adjoining the garage. The appellants commissioned a noise impact assessment based on the submitted scheme which concluded that the activities on the neighbouring commercial premises would place the site in Noise Exposure Category B, based on Annex 1 to Planning Policy Guidance Note 24 – Planning and Noise (PPG24). This element of the conclusion implies that permission for residential development could be granted with appropriate conditions, but, as industrial noise is a dominant component, an assessment against BS4142 has been carried out as advised in paragraph 19 of PPG24. This concludes that complaints from residents are likely and that ‘methods to reduce the external noise levels are very limited’. Improvements would be required to the vehicle repair building, which is not in the appellants’ control, and even that would not address the issue of vehicle movements which could occur throughout the day and night in the extensive yard areas around the building.

Acoustic barriers are proposed, and these will limit the noise transfer to the proposed development. The buildings have been moved off the boundary to provide further reductions in noise transfer. The new dwelling walls will be upgraded and additional sound proofing would be

provided to ensure they provide sound limits - Airborne (43dB) and Impact noise (64dB) as a minimum. This is fully achievable and accords with all new dwellings built, so must be acceptable. Noise during the day would be masked by the background rumble of the M27 Motorway. As the dwellings are set back from Botley Road the noise disruption during the night would be less than that of the housing estate opposite due to its close proximity to Botley Road. Likewise there is no control over the usage of Botley Road during the night, its disturbance is merely accepted. The traffic movements of the adjacent yard would have a far less impact on the proposed dwellings.

8. The appellants acknowledge the outcome of the study but point out that the site has long been in residential usage and that complaints have not arisen from either the existing occupiers or from those living in the recently built housing area to the west of the commercial uses. They argue that development of this type of site accords with the aims of Planning Policy Statement 3 – Housing to use brownfield land and would provide much needed low-cost homes. However, the fact remains that the flats would be in a zone where the professionally produced assessment indicates that the occupants would be exposed to noise to a degree likely to result in complaints and I have to give this advice considerable weight. *This is not proven and as mentioned above mitigation measures are proposed. If the proposed buildings are sound proofed to a good level, then there would be no disturbance to occupiers.*

9. I have further concerns about the detailed layout of the proposed flats and in particular the impact on the occupiers of Flat 1. This is the ground floor unit at the northern end and would have the windows to the living room and a bedroom facing the car parking spaces in close proximity. The windows to the other bedroom would face and be less than a metre from the principal pedestrian access to the remaining seven flats. Whilst I do not share the Council's view that the adjoining bin store would necessarily be an additional source of noise, since it seems to me that access to it could be appropriately managed, I judge that Flat 1 would have a potentially unpleasant residential environment and this adds to my concern about the noise impact on the development as a whole. *Proposed design is different, so point not considered further.*

10. Eastleigh Borough Local Plan Review (LP) Policy 30.ES precludes noise sensitive development which would be exposed to unacceptably high levels of noise, and I do not consider that the submitted scheme demonstrates that this difficulty could be addressed as LP Policy 31.ES requires. I conclude that the proposal would result in harmful living conditions for the occupiers of the proposed flats and that it would run contrary to the development plan. ***As mentioned above mitigation measures proposed to address these concerns.***

11. The Council had a number of other reservations about the scheme. I acknowledge that the scheme would be a relatively intensive form of development but, in the context of the large adjoining building and given its modest impact on the street scene, I do not consider that the unassuming design would harm the character or appearance of the area. Parking provision seems to accord with the Council's standards and, since there are extensive on-street parking restrictions in the area, I do not consider that highway safety would be compromised. The bins and cycle storage facilities appear to me to be well integrated into the proposed building. I consider that the undertaking produced by the appellants would address the shortcomings in social and recreational facilities which LP Policies 147.OS and 191.IN indicate require to be resolved for schemes of this type. The undertaking would also provide for necessary highway works at the frontage of the site. No evidence was produced to suggest that provision of adequate drainage could not be achieved by an appropriate condition. ***If it was not an issue for this appeal, then it cannot be an issue for this propose scheme as the proposed scheme is less intensive and of a smaller scale so therefore cannot impact on the street scene or character of the area. Parking accords with the Councils standards so highway safety issues.***

12. Nevertheless, the noise sensitivity of the use coupled with the lack of adequate proposals to resolve the nuisance that would be likely to arise mean that permission should not be granted for the proposal. I have taken into account all other matters raised in the representations but I have not found any evidence to outweigh the main considerations which have led to my decision. ***So, sound is the main issue with this appeal, this is why the proposed scheme now tabled deals with the sound issues.***

**Appeal Ref: APP/W1715/A/14/2223373 Ropley, Botley Road, West End,
Southampton SO30 3HA**

The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.

The appeal is made by Mr C Pitter against the decision of Eastleigh Borough Council.

The application Ref F/13/73364, dated 23 September 2013, was refused by notice dated 6 February 2014.

The development proposed is erection of a pair of 2 bed and a pair of 3 bed semi-detached houses with parking and access on to Botley Road.

Main Issues 3. The main issues are:

- i) the effect of the proposed development on the character and appearance of the area, **this seems very odd when the last appeal for a much larger development had not issues raised over this concern, a complete lack of consistency with this regard.***
- ii) the effect on the living conditions of the occupiers of the existing dwelling in terms of disturbance from vehicle movements and the adjacent dwelling to the east in terms of aspect. **Vehicle movements between Ropley and No 1 North View were proposed on application F/08/62528 and the appeal inspector accepted this approach and raised no concerns with this design approach. In this proposed scheme we have therefore adopted the same approach. Access on the west side of Ropley is very tight and it makes no sense introducing another access onto Botley Road, more sensible to use the existing access from Ropley.***
- iii) the effect on the future occupiers of the proposed dwellings in terms of disturbance from vehicle movements, aspect, privacy and noise emitting from the adjacent commercial uses, and. **As mentioned above acoustic barriers and additional sound proofing to the proposed dwellings addresses this issue.***
- iv) the effect on the safety highway users in terms of the effect of the proposed access on future highway improvements to provide a strategic footpath. **F/08/62528 utilised the existing access,***

therefore this proposed scheme does the same, removing the need for an additional access on to Botley Road.

4. The site is in an area of mixed character, with residential and commercial uses nearby and a large hospital complex undergoing works, opposite. Some of the dwellings to the east along this section of road have partly visible sheds and garages at the rear and some large vehicles were visible from the appeal site in the adjacent garden. An aerial photo submitted by the appellant confirms that indeed there are large sheds and some vehicular storage in some of the exceptionally long rear gardens along this roughly triangular block.

5. There is a high and large post war industrial scale shed immediately adjacent to the appeal site to the west which is used for coach repair and servicing, which is approximately 4.50m high on the boundary. There is also a smaller side extension to this shed projecting beyond the line of the main shed, whose height was estimated at the site visit to be around 3.0m.

6. It is proposed to provide a separate access to four new dwellings down the west side of the detached house on the appeal site, passing close by its side elevation. The proposed dwellings would be in semi-detached pairs in a “front to back” layout. The first pair would face a parking area and the back garden of the existing house, enclosed by a high timber fence. The second pair would face a parking area and the fence enclosing the back gardens of the first pair.

7. It is the direct relationship of dwellings to the street which is the important feature of this area, in particular the group of dwellings to the east of the appeal site. A direct relationship to a street allows natural surveillance and neighbourly exchange, giving a communal sense of place. By contrast the proposed dwellings would be deeply set back and isolated from the street scene and the day to day street activities. The “front to back” arrangement would add to this sense of isolation. ***The proposed scheme is now not front to back it is front to front thus creating a central communal sense of place as mirrored in the development to the west of Pitters Yard.***

8. The importance of connectivity is stated in the National Planning Policy Framework (the Framework). Section 7 Good design, paragraph 61, states that high quality and inclusive design goes beyond aesthetic considerations. Decisions should address the connections between people and places and the integration of new development into the built environment. The siting of

the proposed dwellings would not be connected or integrated into the character and functioning of the area, so would fail these objectives. ***This is not mirrored in the Borough as there are many back land developments which clearly demonstrate the Councils acceptance of this design approach. Below are some aerial photos of back land developments in the Borough.***





As you can clearly see the siting of the proposed dwellings would not be connected or integrated into the character and functioning of the areas, so this design approach is acceptable. The proposed dwellings are to the rear of the site, as mirrored in the approved schemes above. Whilst we accept each site should be considered on its own merits, it would be difficult to argue that any of the above examples are any different to that proposed.

9. Saved policy 59.BE of the Eastleigh Borough Council Local Plan Review adopted 2006 (Local Plan) accords to the broadly similar aims to the Framework, which in paragraph 17 (Core planning principles) sets out a core principle that planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupiers of land and buildings. In Section 6 (Delivering a wide choice of quality homes) paragraph 53 the Framework requires that local planning authorities should set out the case for resisting inappropriate development in residential gardens,

for example, where their development would cause harm to the local area.

The proposed development would not cause harm to the area in any shape or form, it is no different to any other back land development approved in the Borough. The nearest example is west of the proposed site, which neighbours the same yard.



The proposed site is located on the east side, how is this any different?

10. Furthermore, the Framework, Section 7 (Requiring good design), paragraph 58 explains that developments should function well and add to the quality of the area, establish a strong sense of place and are visually attractive as a result of good architecture and appropriate landscaping. The Council's Supplementary Planning Document "Quality Places" (SPD), adopted 2011 elaborates on the principles of good design and layout, particularly with reference to the disadvantages to privacy of houses facing "front to back".

The proposed development does not face front to back so overcomes this issue.

11. The appellant has drawn my attention to a back land development to the west of the appeal site, just beyond the commercial sites. I saw that this housing development has a "front to front" layout, with four houses facing each other around a forecourt. An attractive communal space has been created where landscaping provides an important softening feature. I am not persuaded that the appeal site is sufficiently wide or large enough to provide a similar layout. It is wide enough to provide a forecourt with front to front housing see the below proposals.



12. Whilst the appearance of the proposed dwellings would be acceptable, the back land location and the poor layout fail to accord with the local character or reach the design standards of Saved policy 59.BE or the SPD. ***The proposed design is different, chalet style housing with front-to-front elevations. As previously mentioned above it is difficult to see how the design would not accord with the character of the area.***

13. I therefore conclude that the proposal would harm the character and functioning of the area and would not represent good design in terms of layout, contrary to the broad aims of the above local plan and the SPD and the Framework. ***Revised design and layout address these concerns.***

14. The proposed dwellings would face a car parking area and the setting of the common areas would be dominated by solid timber fencing, parked cars and hard surfaces. Vehicles and vehicle movements would be unacceptably dominant. ***Revised design to a forecourt face-to-face arrangement as site on west of Pitters Yard, so accords with this design approach.***

15. The proposed layout fails to mitigate the oppressive effect of the adjacent commercial building, whose looming presence would be particularly felt in the rear two dwellings. At night the illumination of the windows of the industrial

building would add to this oppressive effect. There would be no space for significant landscaping, especially as the base of the industrial building appears to protrude into the appeal site in the form of a raised slab. ***The proposed dwellings have been designed to eliminate views towards the industrial unit, limit light pollution into habitable rooms and as allowed for adequate landscaping areas with acoustic fencing and screen planting. It is interesting that the site to the west has none of these features. The side of the industrial unit would be almost masked. It is no different than the rear elevation of a house facing another side wall, as is demonstrated in and around the Borough by poorly design housing estates, cramming in as much as possible.***

16. In two cases, vehicles would be parked at approximately 0.8m from the front facades of the adjacent dwellings. Whilst these parking spaces could be allocated to those dwellings, this would not prevent them from dominating the aspect from the ground floors of these two dwellings and in practice it would be likely to prevent easy access for people using wheelchairs or pushing prams. ***Parking arrangements redesigned to overcome this aspect.***

17. The separation distances set out in the SPD would not be reached. This by itself would not necessarily be cause for concern, but when added to the other layout issues I have outlined above, it signals that the development is too cramped. ***Dwelling numbers and redesigned to overcome this aspect.***

18. The appellant has submitted a revised Noise Assessment Report dated June 2014. This concludes that noise in the gardens of the proposed dwellings would be below 55dB L Aeq during the daytime and 48dB L Aeq at night time. In this respect the proposal would meet the World Health Organisation guidelines.

19. To achieve the recommended internal noise levels in bedrooms, the report recommends double glazed windows with sound insulation of 25-30 dB to meet recommended levels in British Standard 8233. However it notes that these levels apply only to closed windows. ***The proposed development would have mechanical ventilation so no necessity to open windows.***

20. The Council points out that the use of measurements taken in 5 minute averages does not take into account the irregular and impulsive nature of the noise generated by the coach depot, especially as it could take place at any time, day or night, and on weekends. It also does not consider the effect of

open windows in summer. *The erratic occurrence of noise is no different than the effects from Botley Road on the neighbouring properties opposite the site, there is no control and no means for complaining. The noise issues are dealt with with acoustic fencing, triple glazing, mechanical ventilation, sound upgrading to dwelling and redesign of habitable windows.*

21. The coach operator has outlined the nature of his business and has also expressed his concerns that the proposal would lead to complaints in the future, due to the nature of the activities on the site. Of particular relevance is the fact that there are no operating restrictions and that the amount of activity is likely to be fluctuating. *This is not factual merely speculative; it would be no different than any of the residential dwellings on Botley Road or the dwellings surrounding the Pitters yard.*

22. Intermittent noise, albeit brief, which take place in the early hours or late at night, or on weekends, are likely to be unacceptably disturbing to the occupiers of the proposed dwellings, especially in summer, when bedroom windows are likely to be open. The ambient noise from road traffic and the nearby M27 would, in the daytime mask this effect to a degree, but less so at night. This noise is likely to be both noticeable and intrusive.

No mitigation strategy has been suggested by the appellant. *It has been allowed for in this proposed design – see above.*

23. I am therefore unable to conclude that the living conditions of the future occupiers, in terms of disturbance from the noise of the activities on the adjacent commercial site, would not be harmed or that a conflict between the proposed residential use and the activities on the adjacent commercial site would not arise in the future.

24. Notwithstanding that the access to the proposed dwellings would be past the side of Ropley, there would be no windows in this elevation, so the occupiers of Ropley would be unlikely to be unacceptably affected by noise and disturbance from vehicles going up and down the access. I conclude that the living conditions in this existing property would not be significantly harmed. *Agreed, however the previous scheme had access on the east side of Ropley and the inspector raised no concerns, to conclude, access up either side of Ropley is acceptable.*

25. The proposed dwellings would be approximately 1m from the east boundary with 1 North View. I accept that the gabled ends would be prominent and that there would be an adverse impact on the amenity of the rear part of the garden to this property. However, this garden is exceptionally long and I cannot conclude that the overall living conditions of these occupiers would be unacceptably harmed. ***Design amended and buildings moved to west side of plot. Access road on No 1 North View boundary as previous scheme, where no concerns were raised.***

26. I therefore conclude that overall the proposal would fail to provide an attractive aspect for the future occupiers. I also conclude that the noise from vehicle movements within the appeal site and the operations of the adjacent commercial premises would be likely to give rise to unacceptable levels of disturbance. I therefore conclude that the living conditions of the future occupiers would be unacceptably poor. ***These points have been covered above and the redesign reflects these issues.***

27. The proposal would therefore be contrary to the aims of Local Plan saved policy 59.BE and saved policy 30.ES, (which is to avoid potential conflicts between a proposed use and neighbouring uses in terms of noise sources). It would also be contrary to the Framework, paragraph 123, which requires that adverse effects on the quality of life arising from noise be mitigated or reduced to a minimum. It also requires that existing businesses should not have unreasonable restrictions placed on them because of changes in nearby land uses and I have found that there could be a risk of a conflict arising. ***These points have been covered above and the redesign reflects these issues.***

28. The Council has raised concerns about the need for a 3m setback along the frontage of the appeal site in order to facilitate foot/cycle way improvements along Botley Road.

The appellant points out that a contribution to the transport infrastructure is included in the Unilateral Undertaking dated 19 December 2013. However, he states that he is content for a condition safeguarding the land to be applied. ***Existing access onto site utilised so no need for this set back.***

29. The Council has suggested such a condition, the use of which would ensure that the proposed development would not prejudice the safe provision of the foot/cycle way improvements in the future. The proposal would

therefore satisfy the aims of saved policy 59.BE and 100.T of the Eastleigh Borough Local Plan Review (2001 – 2011).

30. Appeal ref APP/W1715/A/08/2079069, September 2008, has been put before me relating to a previous proposal on the same site. However this scheme was different in its layout and access arrangements and it was well before the introduction of the Framework. I have assessed this scheme in the light of the current national and local policies. ***So be it, however it does carry some weight in the final design and approach required for this site, it cannot be brushed aside.***

31. The appellant cites a recent High Court decision relating to housing land supply and points out that there is a demand for family housing. The Council has set out its calculations for its 5 year housing supply in its Update of June 2014. I have no evidence to dispute the conclusions of this report, which are that a 5 year land supply for housing can be demonstrated against three out of the accepted four methods of calculation.

32. The appellant states that the proposal would be an efficient use of a brownfield site, but a residential garden is not a brownfield site.

Private residential gardens have been excluded from the definition of ‘previously developed land’, also known as brownfield land, since 2010. At the time there was a furore over ‘garden grabbing’ and so Greg Clark, Decentralisation Minister at the time, decreed that gardens should not be classed as brownfield. This classification continued in to the glossary of the National Planning Policy Framework (NPPF).

A recent High Court decision in the case of Dartford Borough Council v Secretary of State for Communities and Local Government has provided some helpful clarification on the definition.

The case:

Key to this particular case was whether the definition of brownfield land as presented in the NPPF excluded all residential gardens.

The High Court held that the wording in the NPPF was of particular importance. It defines exemptions to brownfield land as “land in built-up areas such as: private residential gardens.”

As such the High Court ruled that under current policy, it would reasonably follow that residential gardens outside “built-up areas” are not party to the exemption. These could therefore be defined, not as greenfield, but as “previously developed” or “brownfield” land.

The High Court justified the distinction by explaining that undeveloped urban land requires greater protection as the nature of its location indicates it as at more of a premium.

The impact of this case has yet to be seen but it is worth remembering that the NPPF clearly states brownfield land should be prioritised for development.

The location of this site it is clearly not a built up area, so it could be argued that the site is in fact a brown field site.

33. The appellant has signed a Unilateral Undertaking dated 19 December 2013, under the terms of which contributions will be made towards community infrastructure, off-site public open space, local green space, and transport. The justification for these contributions is set out in detail in the Council’s

Supplementary Statement: The Council’s Approach to Developers Contributions. This outlines the need for the above contributions to comply with the requirements of Saved Local Plan policy 191.IN. I am satisfied that the contributions sought would comply with the requirements of the Framework Para 204 and the Community Infrastructure Levy Regulations.

Any payments would obviously be made were applicable.

34. The proposal would make a modest contribution to the supply of family housing in the District. However, this would not outweigh the harm I have identified to the character of the area in terms of its back land location and to the living conditions of the future occupiers of the proposed dwelling in terms of aspect and disturbance.

35. Notwithstanding that the house designs are acceptable, I have found that the proposal would fall well short of good design, in terms of its poor layout, as required by the Framework and Saved Local Plan policy 59.BE. 36. For the reasons given above I conclude that the appeal should be dismissed.

4.0 Summary of Appeals and Why a Pre-Application was Issued with a Revised Scheme.

As you can see the site has lots of history and this proposed scheme is intended to merge a variety of approved schemes into a cohesive scheme which deals with the concerns of both appeal inspectors. As you can see the scheme is greatly improved and offers the opportunity to fully utilise this site to its full potential.

The noise and disturbance issues can be overcome, and this should not be a go to reason for not supporting this scheme. It is a consideration and with careful planning and mitigation measure it would be relatively easy to address.

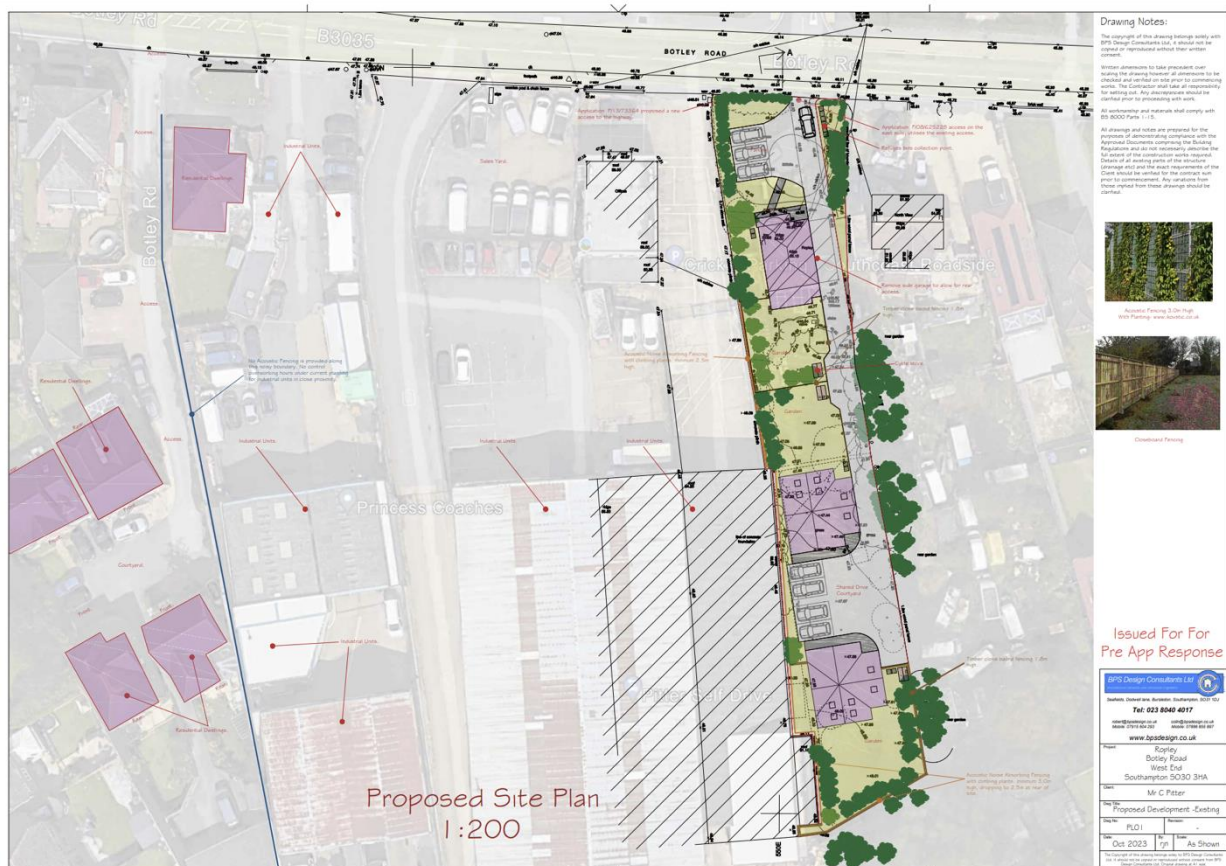
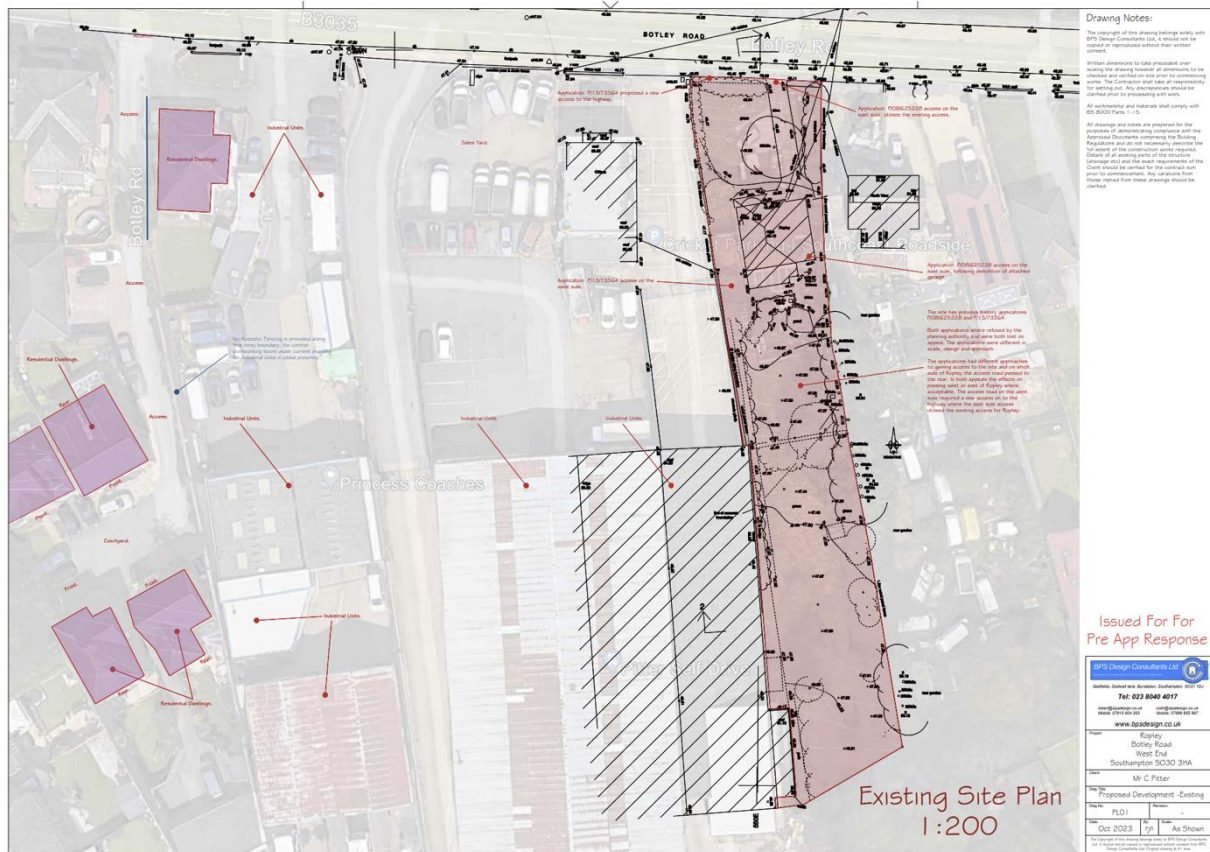
We are fully aware that ecology, nitrates mitigation and ecological enhancement for the site would be required. No major concerns or hurdles are anticipated in achieving compliance.

We are issuing this pre-app with the hope that we can work together with the Local Authority to successfully develop this site to its full potential.

The last thing we want to do is put another application in, for it to be rejected, then go to appeal and start the entire round of judgements again.

We are looking for constructive input from this pre-application process to assist us in moving forward with this scheme.

There is a great opportunity to work together in collaborating wonderful ideas and constructive thoughts in moving this project forward, and we look forward to your formal response.



5.0 Pre App Response From EBC Q/23/96195

The following response was received from EBC.



Mr Robert Narramore
Seafields
Dodwell Lane
Bursledon
Southampton
SO31 1DJ

Application	Q/23/96195
Please ask for	Summer Sharpe
Direct dial	023 8068 8841
Working hours	Mon-Fri 9-5
Email	Summer.Sharpe@eastleigh.gov.uk

Wednesday 25 October 2023

Dear Mr Narramore

Without Prejudice

**Town and Country Planning Act 1990
The Town and Country Planning (Development Management Procedure)
(England) Order 2015**

Application No: Q/23/96195
Description: Proposed development of rear garden to create new access and 2no. new dwellings
Site: Ropley, Botley Road, West End, Southampton, SO30 3HA

Thank you for your pre-application enquiry received 11 October 2023. I can advise that the proposals would require planning permission, and as such the following comments would be offered:

Site Context

The pre-application site comprises a two-storey detached dwellinghouse, situated to the south of Botley Road. The plot is long and linear, measuring approx. 0.15ha. The site is bound by a low level wall and access gates along the front boundary (fronting Botley Road). The gates lead onto hardstanding and a gravel area forming a driveway

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and parking area. To the rear there is a large overgrown garden containing trees and shrubbery and is bound by fencing.

The wider surroundings comprise a mixture of residential properties and industrial/commercial usages. The residential properties to the south of Botley Road are generally detached and are set back from the main road.

To the north and east are residential properties. To the south is the outskirts and associated development relating to the Ageas Bowl. To the west is a commercial depot which is currently used for the storage and sale of coaches and vehicle rentals.

Planning History

Application No.	Proposal	Decision
F/13/73364	Construction of 2no. 2bedroom semi-detached dwellings & 2no. 3bedroom semi-detached dwellings with associated access from Botley Road.	Refused (February 2014) Dismissed at appeal (November 2014)
F/08/62528	Construction of 8no. 2 bed apartments in a 2 storey block with acoustic wall, alterations to access and new car parking, following demolition of side extension.	Refused (May 2008) Dismissed at Appeal (October 2008)

Policy & Principle

The pre-application site lies within the urban edge; therefore, the basic principle of development is considered acceptable. However, the acceptability of the proposals would be dependent upon consideration of the matters outlined below, which would be assessed against the relevant planning policies and supplementary guidance requirements.

In this instance, any future submission would be considered against the following policies and guidance:

Eastleigh Borough Local Plan (2016-2036)

Policies: S1 (sustainable development), S2 (approach to development), S3 (location of new housing), S12 (strategic footpath, cycleway & bridleway links), DM1 (general development), DM2 (environmentally sustainable development), DM3 (climate change), DM4 (zero or low carbon energy), DM6 (surface water management), DM8 (pollution), DM11 (nature conservation), DM13 (access), DM14 (parking), DM23 (residential development in urban areas), DM30 (internal space standards), and DM38 (funding infrastructure).

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National Planning Policy Framework (revised September 2023)

Eastleigh Borough Council Supplementary Planning Documents:

Quality Places; Biodiversity; Residential Parking Standards, and Trees & Development.

Assessment

Background

Within the history section, above, it was noted that there have been 2no. planning applications proposing additional residential units (of varying amounts/ scales) within the rear garden of Ropley. Both of these applications were refused and dismissed by Planning Inspectors.

Planning application F/08/62528 was refused for the following summarised reasons:

- 1) Poor design and poor quality residential environment for existing and future occupiers
- 2) Failure to demonstrate adequate parking provisions
- 3) Failure to demonstrate satisfactory cycle and bin storage
- 4) Failure to demonstrate that future residents would not be adversely impacted by noise
- 5) Failure to demonstrate satisfactory foul and surface water drainage
- 6) Failure to make provision for an improved footway and cycle route to the front of the site

Planning application F/13/73364 was refused for the following summarised reason:

- 1) Poor design, which would undermine the prevailing character and pattern of development in the area
- 2) Undesirable back-land development which would also give rise to excessive car movements and an intensive built form
- 3) Failure to demonstrate that future residents would not be adversely impacted by noise
- 4) Prejudice the foot/cycle way improvements along Botley Road

Whilst it is acknowledged that planning policy has evolved since 2013, with the current Local Plan being adopted April 2022, the policies contained within the plan broadly echo and seek similar objectives to those within the former Local Plan. The previous refusals and dismissed appeals therefore form the starting point of the assessment and whether the pre-application proposals overcome the issues set out above.

Design and impact on the spatial characteristics of the area

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Planning applications F/08/62528 and F/13/73364 were both refused on the basis of poor design. These applications proposed the redevelopment of the rear garden with a number of residential units. Whilst the pre-application proposals are seeking a reduced amount of residential units, there is still concern with regard to developing the rear portion of this plot.

Within the appeal decision for application F/13/73364, the Inspector noted the key characteristics of the area: *there are some large outbuildings within the rear gardens, and the direct relationship of dwellings to the street is the most important feature of this area... A direct relationship to a street allows natural surveillance and neighbourly exchange, giving a communal sense of place. By contrast the proposed dwellings would be deeply set back and isolated from the street scene and day to day street activities. The "front to back" arrangement would add to this sense of isolation.*

The pre-application proposals, whilst reducing the amount of residential units, have still not addressed the concern with regard to being set back within the site, distant from street activities and natural surveillance.

The overall layout of this site is linear with limited design interest. There is a significant amount of hardstanding between the 2no. proposed dwellings, which would create an unattractive parking area. This should be better designed/landscaped. In addition, concern would be raised with regard to the proposed access, which would reduce the width of the plot, for a significant proportion of the length. This would be uncharacteristic of the established vicinity. Whilst there are some examples of long driveways, these are limited, and are also different in character when compared to an access track serving 2no. new dwellings.

To cater for the proposed access, proposals would result in the removal of the side extension/ garage to allow for vehicular access the rear. This would allow views from Botley Road down into the site, as such it would be suggested to incorporate sufficient landscaping to ensure that the introduction of significant hardstanding would not have an adverse impact upon the visual amenities.

The concerns expressed above, considering this to be an inappropriate form of back-land development, are further supported by Paragraph 124 of the NPPF which states: *"Planning policies and decisions should support development that makes efficient use of land, taking into account: d) the desirability of maintaining an area's prevailing character and setting (including residential gardens), or of promoting regeneration and change"*.

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To conclude, the LPA would be unlikely to support these proposals as they would result in this form of inappropriate back-land development that is uncharacteristic of the pattern of development in the immediate area.

Amenities

This section will be separated into the amenities of future occupiers and impact upon neighbouring amenities.

Internal & External Standards for Future Occupiers

The nationally described space standards (NDSS) set out the minimum space standards required for new residential development. This is dependent upon the number of storeys, bedrooms, and occupiers.

In this instance, the pre-application proposes 2no. 3bedroom dwellings, whereby the NDSS sets out that these should provide between 84-102m². Bedrooms must also be of a set size; 7.5m² for single occupancy and 11.5m² for double occupancy. The proposed dwellings would provide approx. 153m² and all bedrooms would exceed the minimum standards. Further, all habitable bedrooms would need to be served by adequate natural light. 1no. bedroom does not appear to have a window, and therefore the adequacy of light available to this room is queried/ unlikely to be acceptable.

Further to internal space standards, the Quality Places SPD sets out that there is a requirement to provide 60%, of the host dwellings footprint, as useable external amenity area. From the information provided it is noted that the proposed dwellings would be able to achieve this standard. However, it should be noted that this standard would also apply to the retained dwelling. (From the information provided it is unclear whether this standard can be met).

Further to the above, concern would be raised with regard to the quality of the external amenity space. The retained dwelling and 1 proposed dwelling would have rear gardens adjoining one another. To the west would be the car parking facilities serving the commercial units. Concern would therefore be raised with regard to the privacy and quality of this external space for future and existing occupiers. The other proposed dwelling would have part of the neighbouring building running the entire length of its western boundary. Limited details have been provided with regard to the height of the existing development along this boundary, however this built form would raise significant concern with regard to its potential impact upon the future occupiers of the proposed dwelling.

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Turning to noise, it is noted that previous application F/13/73364 submitted a noise impact assessment, however this was not considered to be sufficient to mitigate the harm arising from the neighbouring development and the impact it could have upon the previously proposed residential development. It is noted that the application site immediately adjoins a commercial use to the west, which has regular vehicular movements. Any future planning application should be accompanied by a noise impact assessment which adequately addresses the previous concerns raised.

Neighbouring Amenities

Please be advised that this has been assessed by way of desktop study. Should a formal planning application be submitted, a site visit would be undertaken whereby a full assessment of the impact upon neighbouring amenities would be undertaken.

The neighbour to the west of the pre-application site comprises a commercial use with development along a large proportion of the shared boundary. As a result, the proposals are unlikely to have an adverse impact upon the amenities of this neighbouring unit.

To the east of the pre-application site is 1 North-View, a residential dwelling. The shared eastern boundary comprises a combination of fencing and vegetation. The proposals would include the removal of existing side extension, which is considered to improve the relationship with this neighbour. However, the proposals would also introduce 2no. new dwellings. These would be set in from the shared boundary and given the considerable length of the neighbours rear garden, the proposed dwellings are not considered to be detrimentally harmful in terms of being overbearing.

As a result of the layout, Ropley would remain and 1 new dwelling would be situated to the south. The Council's SPD sets out that rear to rear distances should be a minimum of 22m to ensure that there would be no adverse harm. The proposals appear to meet this distance, however there is sufficient space on site for the layout to be rearranged to prevent this. Both proposed dwellings are considered to have an acceptable impact upon each other.

Highways & Access

Please note, that should a formal planning application be submitted, Hampshire County Council Highways would be consulted upon. The County Council operate a chargeable pre-application advice service, and as a result have not been consulted as part of this pre-application.

Within the most recent dismissed appeal (F/13/73364) highways matters formed a reason for refusal. It is noted that former policies 59.BE and 100.T and draft policies

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S7 and DM23 were referenced. The relevant policies which replace these are: S12, DM1, DM13 and DM14. The proposals should, as a starting point, have adequately addressed these concerns raised at this appeal.

Concern would be raised with regard to the intensification of the existing access. Currently, this access serves 1 no. property, whereby the proposals would increase this by 2 additional dwellings. Adequate visibility splays and any means of boundary treatment would need to be shown. The access road is wide enough for 1 vehicle, and there appears to be a layby area created to allow for vehicles to pass, however it is queried whether this is wide enough.

Turning to parking provisions, the pre-application proposes an area of hard standing between the proposed dwellings. This would provide space for 4 no. vehicles to park. This amount would comply with the Council's Parking SPD, however the layout could be improved by vegetation/ landscaping to soften the harsh appearance. There also appears to be sufficient parking retained for the existing dwelling, despite the existing garage proposing to be demolished.

Cycle and bin storage has also been indicated on the plans, including their collection point near the access.

Ecology

The pre-application site is within a green crested newt impact risk zone, and there are records of bats nearby. As such, should a formal planning application be submitted, it is likely that a preliminary ecological appraisal would be required. (This should also include biodiversity mitigations and enhancements).

Drainage

All new housing developments need to incorporate a sustainable drainage system, which should include naturalised filtration where possible. A sustainable water drainage plan should be included within any future planning application, and a ground survey should be undertaken to establish whether infiltration is possible.

Contaminated Land

Any future application should be supported by a Phase 1 Land Contamination Study (comprising; Desktop Study, Preliminary Risk Assessment and Conceptual Site Model).

Planning Obligations – Impact upon SPA

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The addition of residential development is considered to have an impact upon the recreational disturbance and water quality of the European Protected Sites, which would need to be offset, in accordance with the Habitats Regulations.

Recreational Disturbance SPA – Solent & Southampton Water

The Solent & Southampton Water Special Protection Area is an internationally designated conservation site and is protected for its overwintering birds. It is recognised that new house building (within a 5.6km buffer of the designated area) is placing increased pressure on these overwintering birds from more people visiting the coastline. As such the Council requires all housing developments within the buffer to make a financial contribution towards the Solent Recreation Mitigation Strategy, which aims to limit recreation disturbance to our coastline through careful management. The site appears to fall within this zone and therefore would require £1,868 (2 x £934 for a 3bedroom dwelling).

Nitrates & Phosphates – Water Deterioration

In terms of water quality, Natural England have highlighted that new residential development can have an adverse impact upon the European protected Solent Complex and River Itchen SAC, for the features for which they are designated, through phosphate and nitrogen loading resulting from additional sewage generated from future residents. These impacts under the Conservation of Habitats and Species Regulations 2017 are required to be mitigated in order for development to be acceptable.

The Council has adopted its own strategy for achieving nitrate neutrality whereby it identifies areas of agricultural land and remove these from a nitrate intensive use, thus reducing the nitrogen input into the protected sites, with the level of reduction then being used as a means of offsetting the impacts of development proposals within the Borough. This ensures no overall net increase in nitrates within the Solent and thereby allow a development to achieve nutrient neutrality. In order to do this, the Council calculates the level of nitrate mitigation this land provides (measured in kg) and makes 'nitrate credits' available to developers to buy, with funding being secured during the planning application. The charge for these credits is £3,000 plus VAT (£3,600) per kilogram of nitrates that require offsetting, with this fee including estimated costs of land purchase and ongoing maintenance.

In order to calculate the level of contribution required a nutrient budget must be submitted with the planning application and confirmation of the mitigation to be used to offset the nitrates generated from the development.

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The Council also has a strategy for achieving phosphate neutrality. The charge for these credits is £50,000 plus VAT per dwelling. Additional information can be found on the following link: <https://www.eastleigh.gov.uk/planning-and-building/water-quality-issues-in-the-solent-catchment-area>

Applicants are not obliged to use the Council's scheme and other options for achieving nutrient neutrality are possible. However, certainty needs to be given that the mitigation scheme achieves nitrate neutrality in perpetuity to the satisfaction of Natural England.

However, should you wish to purchase Council credits to offset the nitrogen output, then you would need to complete an 'expression of interest' and send to the following email address: nutrientoffset@eastleigh.gov.uk to check the availability of credits. For further information, please see the following link: <https://www.eastleigh.gov.uk/planning-and-building/nutrient-neutrality-offset-scheme>

Recreational Disturbance – New Forest SPA

Natural England have raised the issue of new residential development resulting in more visitors to the New Forest National Park and subsequent increased recreational disturbance. The site falls within the 13.8km radius of the New Forest where new residential schemes need to contribute toward mitigation projects. The Council have a strategy which requires monetary mitigations (£2,220 per dwelling) to offset the proposed development which you may choose to use.

Sustainability

To support the Council's commitment to mitigate climate change, the following measures would be suggested:

- Significantly reduce vehicular dominance and prioritise pedestrian and cycle provision and links to public transport
- Provide charging points for electric vehicles, Ebikes and other forms of micro-mobility within garages and/or locations that support the streetscene and do not hinder pedestrian movement
- Consider introducing green and blue roofs and walls to reduce hard surfaces and control water at source
- Include additional trees and soft landscape to reduce hard surfaces, slow surface water run-off, provide shade and create habitats / corridors for biodiversity
- Incorporate permeable surfaces and multi-functional SUDS
- Install photovoltaics / solar roof tiles
- Introduce Passivhaus and Lifetime Homes approaches to building design and construction

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- Reduce levels of CO2 emissions via energy efficiency and/or low/zero carbon energy compared with the current Part L of building regulations
- Use low carbon materials
- Incorporate efficient mains water consumption measures
- Ensure habitable rooms enjoy dual aspect to maximise solar gain, improve ventilation

Conclusion

To conclude, concerns have been raised with regard to the design and layout of the proposals including access, as well as the impact upon the existing and future occupiers. Therefore should a formal planning application be submitted additional/ amended information would be required to support and justify that the proposals would not result in any adverse harm upon the matters raised.

I trust the above comments are of assistance. Please note, these comments are given without prejudice basis and will not be binding should any future planning application be submitted.

Should you have any queries, please do not hesitate to contact Summer Sharpe via the details at the top of this letter.

Yours faithfully,

A handwritten signature in black ink, appearing to read "Andy Grandfield", written in a cursive style.

Andy Grandfield
Service Director Planning & Environment

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6.0 Review of Comments Made by EBC in Pre Application Q/23/96195

We have extracted the relevant points raised from the Pre App response Q/23/96195 and have provided further justification or amended the proposed scheme to address the salient points.

Policy & Principle

The pre-application site lies within the urban edge; therefore, the basic principle of development is considered acceptable. ***This point is acknowledged so a type of development is considered acceptable.***

However, the acceptability of the proposals would be dependent upon consideration of the matters outlined below, which would be assessed against the relevant planning policies and supplementary guidance requirements.

In this instance, any future submission would be considered against the following policies and guidance:-

Eastleigh Borough Local Plan (2016-2036) Policies: S1 (sustainable development), S2 (approach to development), S3 (location of new housing), S12 (strategic footpath, cycleway & bridleway links), DM1 (general development), DM2 (environmentally sustainable development), DM3 (climate change), DM4 (zero or low carbon energy), DM6 (surface water management), DM8 (pollution), DM11 (nature conservation), DM13 (access), DM14 (parking), DM23 (residential development in urban areas), DM30 (internal space standards), and DM38 (funding infrastructure).

Accepted so let's go through each policy in turn to see how these relate to the proposed development.

We have reviewed the above policies and provided further information where applicable to demonstrate how this revised proposed scheme address the policies and points raised.

Sustainable Development

Strategic policy S1, Delivering sustainable development

1. To be sustainable, new development in the Borough should:
 - a. meet community needs without compromising the identity of the Borough or its individual settlements, or the ability of future generations to meet their own needs;

The site is within the urban edge and mirrors the concept of the development to the west (12-20 Botley Road) so does not compromise the identity of the Borough and the surround area. It has a long service road and back land development surrounded flanked by industrial units.

Proposed site.

Similar development to the west.



- b. enhance social equality by ensuring equal and easy access to a range of community facilities and services and by promoting the development of employment, education and skills training opportunities; ***Due to the site location access to the local community and its facilities is identical to all surround dwellings and especially easier than some neighbouring developments recently constructed.***



c. maintain and help to grow a high-performing local economy that benefits the Borough, south Hampshire and the wider economy, without adverse impact on south Hampshire's city, town and other centres, the quality of the local environment or local transport networks; ***The proposed development would benefit the wider and local economy without an adverse impact, in the same way the other neighbouring developments do.***

d. have regard to the potential impacts of climate change, and the need to limit greenhouse gas emissions including through carbon sequestration and by promoting measures to design buildings and spaces which are adaptable to predicted climate change, and restrict development in areas at risk from flooding, minimise energy use and encourage the generation of renewable energy, and by minimising emissions from motorised transport, industrial activity and domestic uses; ***The proposed buildings will comply with the latest energy performance standards as set by the government for new build developments.***

e. minimise the need to travel longer distances and, where travel is necessary, prioritise more sustainable forms of transport, such as active travel, other alternatives to car use, or a combination of active travel and other alternatives to car use; ***Botley Road is a major bus route linking the site to the wider area, thus allowing sustainable transport. Each house would have EV charge points as this is a requirement under the current building regulations.***

f. avoid impacts on the Hamble and Itchen catchments and associated flora and fauna species by preserving water quality and flows from development and safeguarding potential yield of local water resources used for public water supplies having regard to the impacts of abstraction; ***The foul drainage and nitrate increase will require mitigation by either a third party, this is acknowledge and EBC off a scheme, which would be taken up as part of this development.***

g. seek opportunities to optimise density of new development and redevelopments; ***Previous schemes had higher density, these were not approved and over development was mentioned on both previous schemes, so the density has been reduced to overcome previous concerns.***

h. use resources wisely and minimise the generation of waste in the construction, occupation and use of buildings; ***The approach would be adopted and mimic all local construction sites, and would be no worse.***

i. maintain local environmental quality, including avoiding damage to, and where possible enhancing, the existing valued urban and rural environments in the Borough and heritage assets; ***The proposed development would have no effect on the environmental quality of the local area. The proposed development would enhance the local area as the site is currently overgrown and not maintained.***

j. have regard to the purposes of the South Downs National Park, including regarding its status as an International Dark Night Skies reserve; and ***The proposed development would have no effect on the South Downs Park of affect International Dark Skies.***

k. maintain, enhance, extend and connect the natural habitats within and landscape value of the Borough, extending natural habitats into new and existing development to achieve an environmental net gain. ***Environmental enhancements would be proposed, such as Bat roosts, swift boxes and landscape enhancements as part of any planning application.***

2. Applicants are encouraged to undertake pre-application consultation with the relevant statutory and non-statutory consultees.

3. When considering development proposals, the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework.

It will always work proactively with applicants jointly to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.

4. Planning applications that accord with the policies in the Local Plan will be approved without delay, unless material considerations indicate otherwise. Where there are no policies relevant to the application or relevant policies are out of date at the time of making the decision then the Council will grant permission unless material considerations indicate otherwise, taking into account whether:

a. any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework taken as a whole; or

b. where specific policies in that Framework or other international or national legislation indicate that development should be restricted.

**Strategic policy S2,
Approach to new development**

1. The Council will promote the delivery, over the plan period 2016-2036, of a minimum of:

- a. 14,580 new dwellings;
 - i. The pattern of delivery is expected to involve:
 - 2,572 dwellings completed 1st April 2016 to 31st March 2019;
 - 7,187 dwellings with planning permission or resolution to grant permission at 1st April 2019;
 - 1,475 allowance for windfall development
 - 732 dwellings on new sites allocated in this plan
 - ii. The Council will ensure a minimum 5 year supply (plus appropriate buffer) of deliverable sites across Eastleigh Borough.
 - iii. The Council will support the provision of an average of 200 (net) new affordable homes per annum as part of the overall net additional homes provided each year (from 2016 to 2036).
 - iv. The Council will monitor the delivery of all types and tenures of homes to ensure housing needs are being met.

b. 103,500 sq.m (net) of new employment development (of which 56,800 sq.m to be E(g)(i)/(ii) development);

c. and related transport infrastructure, open space, sports facilities and other community facilities.

2. The urban edge as set out on the policies map defines the main built-up areas within which there is a presumption in favour of new development, subject to the policies of this plan.

The proposed development would be treated as windfall development so helps the Borough in meeting its own policy.

**Strategic policy S3,
Location of new housing**

1. The Borough Council will focus as much new housing development as possible within the existing urban areas, with the remainder on greenfield sites in the form of a number of larger strategic sites, urban extensions and a number of smaller sites to meet more local needs. The Council proposes:

a. The development of approximately 5,960 dwellings on strategic sites with planning permission at

- i. South of Chestnut Avenue, Eastleigh at Stoneham Park (1,150 dwellings);
- ii. West of Horton Heath (1,500 dwellings) (HH1);
- iii. West of Woodhouse Lane, Hedge End (605 dwellings) (HE1);
- iv. Land north and east of Boorley Green and Botley (1,400 dwellings);
- v. Land to the north-west of Boorley Green (680 dwellings);
- vi. Land at Pembers Hill Farm (250 dwellings); and
- vii. Land north east of Winchester Street (Uplands Farm) (375 dwellings) (BO2).

b. The development of approximately 2,702 dwellings on other large sites which already have planning permission or a Council resolution to grant permission, or will come forward as unidentified windfalls;

c. Provision for approximately 732 dwellings on new smaller greenfield and urban sites within and adjoining the settlements of Allbrook, Bishopstoke, Botley, Bursledon, Chandler's Ford, Eastleigh, Fair Oak & Horton Heath, Hedge End, Netley and West End.

2. The Council anticipates that the new housing development identified in this policy will be delivered in accordance with the housing trajectory

The proposed development is within the urban areas and therefore acceptable as development land. This has been acknowledged by EBC.

Footpaths, cycleways and bridleways

Strategic policy S12, Strategic footpath, cycleway and bridleway links

1. The Borough Council in partnership with the highway authority will seek to create new, and improve existing, footpath, cycle and bridleway links throughout the Borough, connecting key destinations including the country parks, increasing access along the coast and to the South Downs National Park and improving connections between the parishes and Eastleigh Town Centre. The Council will seek the provision of the following new and strategic footpath/cycleway/bridleway routes as shown on the key diagram and the policies map:

- a. Forest Park to Otterbourne via Chandler's Ford;
- b. Chandler's Ford to Chilworth;
- c. Lakeside Country Park to Forest Park;
- d. Eastleigh to Botley via Bishopstoke, Horton Heath and Hedge End;
- e. Eastleigh to Hedge End parallel to the railway line;
- f. Eastleigh to Southampton via Stoneham Lane;
- g. Itchen Navigation to Stoke Park Woods;
- h. Eastleigh/Bishopstoke to Itchen Valley Country Park and Mansbridge via the Itchen valley;
- i. Bishopstoke to Fair Oak via Stoke Park Woods and on to the South Downs National Park;
- j. Itchen Valley Country Park to Manor Farm Country Park;
- k. Manor Farm Country Park to Forest of Bere via Botley and on to the South Downs National Park including the Botley to Bishop's Waltham Rail Trail;
- l. Boorley Green to Hedge End railway station;
- m. Botley to Fair Oak and on to the South Downs National Park;
- n. Botley to Hamble via Manor Farm Country Park;
- o. Botley to Southampton;
- p. Southampton to Hamble via the Royal Victoria Country Park and Netley.

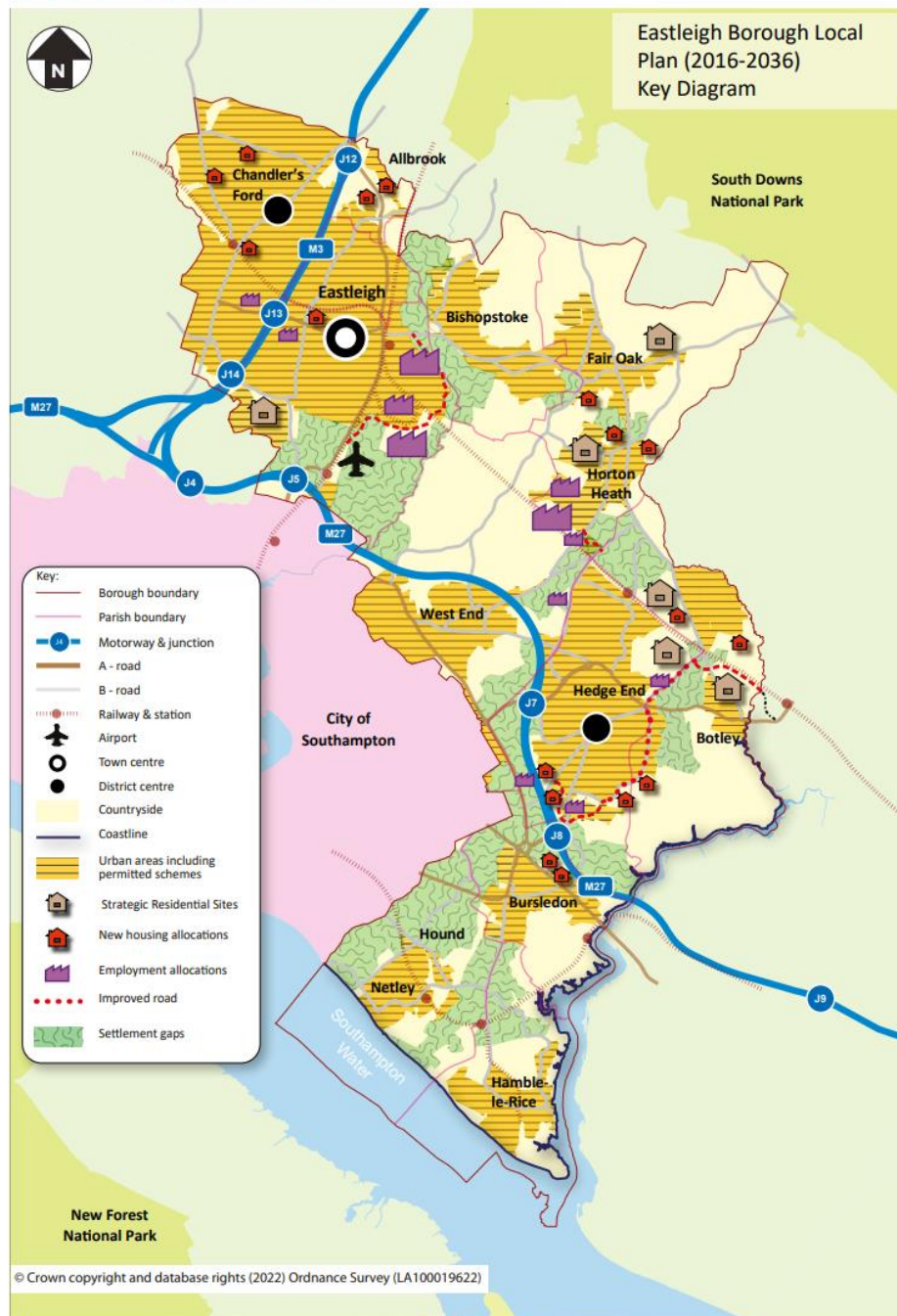
2. All of these routes will avoid conflict with established nature conservation interests and where possible be coupled with green links for biodiversity.

Working in partnership with the highway authority to agree and create highway including footpaths, cycle routes and bridleways will ensure that all new highway accords with appropriate design and construction standards to enable its adoption by the highway authority and so secure its long-term maintenance.

3. New development should integrate with existing routes and public rights of way and wherever possible maintain, protect and enhance their function. Development that would sever, obstruct or otherwise have a detrimental impact on the existing or proposed network of green routes as shown on the policies map will not be permitted.

The proposed development within the urban boundary where development is acceptable and has direct access to the public footpaths and cycle paths running along Botley Road.

Figure 3: Key Diagram



Policy DM1,
General criteria for new development

1. All new development should (as relevant):

a. not have an unacceptable impact on, and where possible should enhance:

i. residential amenities of both new and existing residents; the character and appearance of urban areas, the countryside and the coast; ***The amenity space for Ropley is existing and the effects from the neighbouring yard is accepted. The new dwellings to the rear have been designed so the side elevation of the yard building is screened with acoustic fencing which can be planted to hide in regular form, this will add biodiversity to the site and aid the visual amenity of the proposed dwellings. It is very important to highlight that the development to the West has none of these features yet has been allowed and built.***

ii. biodiversity (avoiding significant adverse impacts); and ***Biodiversity assessments would be provided and enhancement would be incorporated within the proposed scheme.***

iii. the significance of heritage assets; ***The proposed development would not effect any heritage assets.***

b. make efficient use of the site, maximise opportunities to increase density and have regard to potential development opportunities on adjoining land; ***The rear garden of Ropley is totally underutilised and this development would assist density and prevent spread of development into country side. The proposals would not effect potential opportunities on neighbouring sites.***

c. 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. Where adjoining development is poor in urban design terms, new development should contribute to improving the character of the area; ***The neighbouring industrial site is poorly site in effectively a built up urban area, this development would contribute to improving the character of the area and this is a key point.***

d. not involve the loss of or damage to trees, woodlands, hedgerows, ponds, priority habitats or other landscape features of value to the character of the area, for appearance or biodiversity unless they can be replaced with features of equivalent or enhanced value, (recognising that some species and habitats may be irreplaceable); ***An ecology report would be provided and any enhancements incorporated.***

e. include a landscape scheme covering the design and layout of external space; ***A detailed landscape scheme would be provided.***

f. protect and enhance public rights of way and National Trails and provide fully connected green infrastructure that interlaces the development and connects into the wider network; ***No public rights of way would be effected by the proposed development.***

g. provide satisfactory management arrangements for all landscape, green infrastructure and biodiversity enhancement; ***Biodiversity enhancements would be provided, such as bat roosts and swift boxes.***

h. incorporate provision for people with disabilities and create accessible communities that cater for all; ***The proposed dwellings would comply with the requires for disabled access and internal arrangements where applicable***

i. incorporate design measures to inhibit criminal and anti-social behaviour;

j. incorporate provision for on-site waste management; and ***Bin stores and collection points will be provided and are shown on the drawings.***

k. include provision for public art associated with new large scale development in accordance with the Council's adopted Public Art Strategy. ***Not applicable for a scheme of this size.***

Policy DM2,

Environmentally sustainable development

1. The Borough Council requires that:

a. all new build residential development (C3 Use Class only) must achieve at the time a Reserved Matters or Full Planning Application is submitted:

i. a 19% improvement in predicted carbon emissions, compared with the building regulations standard current at the time, through increased energy efficiency of the building fabric, unless this is superseded by an updated building regulations requirement equivalent to 'zero carbon homes'; and ii. a predicted mains water consumption of no more than 110 litres/person/day. ***The proposed scheme would achieve these standards.***

b. all other development that is above 500 sq.m of floorspace measured externally (including extensions and conversions to existing buildings) must achieve BREEAM 'excellent' (or equivalent) or BREEAM 'very good' plus 'passivhaus' certification including a 15% improvement in predicted carbon emissions, compared with the building regulations current at the time, through low or zero carbon energy generation on site or in a Borough location agreed by the Council. ***Not applicable to this scheme.***

c. all other larger developments above 10,000 sq.m of floorspace should also seek to fund post occupancy evaluation (POE) in addition to the above. ***Not applicable to this scheme.***

2. In addition to the above, all development above 500 sq.m of floorspace measured externally (including extensions and conversions to existing buildings) and external spaces within the curtilage serving developments of this size should where practical and viable: ***Not applicable to this scheme.***

- a. incorporate energy-efficient passive design principles, the best use of natural daylight and natural ventilation systems wherever possible;
- b. connect to any existing near or adjacent low carbon local energy network unless this is proved unviable;
- c. use recycled, low embodied carbon, low environmental impact and locally sourced materials in construction where possible;
- d. be designed with sufficient flexibility to enable the life of the building to be extended by re-use for other purposes where feasible;
- d. aim to deliver at least 1% of all residential units within the whole scheme which achieve full 'passivhaus' certification.

Policy DM3,

Adaptation to climate change

1. All development should be designed to adapt to the predicted climate change impacts for the Borough.

- a. To reduce the potential impacts of surface water flooding, sustainable drainage systems need to be implemented as part of an integrated SuDS strategy for the site in accordance with policy DM6 (Sustainable surface water management and watercourse management) and as part of the landscape framework for the site

including green open space and green roofs where appropriate.

Percolation tests would be carried out to ensure natural filtration is acceptable. It is likely to be acceptable due to the geology of the area.

b. New development should have a cooling strategy which can include:

- i. cooling through generous green infrastructure and trees
- ii. areas of shade
- iii. water cooling
- iv. building design and orientation to reduce overheating
- v. 'cool roofs' or green roofs and green walls
- vi. porous cool pavements

The site has tree planting on the boundary, areas of shade, reduced overheating due to high levels of insulation and a green wall proposed along the west boundary.

c. To adapt to water stress, new development should be designed to reduce demand. Measures can include:

- i. reduced residential mains water consumption (as per policy DM2) ***Water efficiency standards will be adopted in the proposed dwellings.***
- ii. water efficient appliances, fittings and leak detection devices for non-residential and non C3 use class residential development ***Not applicable.***
- iii. rainwater harvesting and grey water recycling iv. drought resistant landscape design and planting ***Rainwater harvesting will be implemented where applicable.***

**Policy DM4,
Zero or low carbon energy**

1. The Borough Council will permit the development of infrastructure to:

- a. generate zero or low carbon energy; and/or
- b. make more efficient use of energy sources e.g. installations deploying combined heat and power (CHP technology);

Solar panels will be provided to assist in reducing target emissions and CHP technology is not possible in the proposed development. Air Source Heat pumps will be used for heating.

2. Subject to general development criteria and provided that the development:

- a. has no significant adverse impact on the landscape or landscape features, biodiversity or the significance of heritage assets; ***The proposed development will have no adverse effect.***
- b. does not involve the loss of land in public recreational use (see policy DM32); ***Not applicable to the proposal.***
- c. does not involve the permanent loss of the best and most versatile agricultural land (BMV) ***Not applicable to the proposal.***

**Policy DM6,
Sustainable surface water management and watercourse management**

1. New development (excluding extensions to dwellings and changes of use), will only be permitted if it incorporates Sustainable Drainage Systems (SuDS). Wherever feasible, naturalised filtration should be included within the treatment train as follows: ***Percolation tests will be provided to ensure natural filtration is acceptable.***

a. On sites of 1 hectare or more, or within 100m of the River Itchen SAC or Solent Maritime SAC, SuDS schemes should include at least three forms of naturalised filtration. On sites within 100m of headwaters and tributaries draining into a SAC, SuDS schemes should include at least three forms of naturalised filtration unless hydrological studies and project-level Habitats Regulations Assessment demonstrate this to be unnecessary to protect the integrity of the SAC and its qualifying features; ***Note applicable to these proposals.***

b. On other sites of between 0.5 hectares and 1 hectare, SuDS schemes should include at least two forms of naturalised filtration; and ***Percolation tests will be provided to ensure natural filtration is acceptable.***

c. On other sites of less than 0.5 hectares non-naturalised SuDS e.g. permeable paving will be considered where justified.

2. In order to reduce flooding and maintain water quality (in accordance with DM8) SuDS schemes should:

a. be designed and monitored in accordance with the CIRIA C753 SuDs Manual or equivalent national or local guidance, noting that all receiving waters in the Borough should be classified as protected waters;

b. manage surface water runoff as close to its source as possible;

c. ensure that discharge rates are reduced as far as possible and that on greenfield sites these should at least mirror greenfield rates before development;

d. be provided as part of any application for outline or full planning permission;

e. where discharge is to a wetland or wet woodland habitat, flows off site must mirror the natural hydrological pathways;

f. include clear arrangements for their whole life management and maintenance.

3. Where a watercourse is present on a development site, it should be retained or restored into a natural state and enhanced where possible. The culverting of any watercourse will not generally be permitted, and development should wherever possible remove any existing culverts and increase on site flood storage. Development should be laid out to enable maintenance of the watercourse. ***No water course on site.***

4. Where development drains into a waterway connected to the Natura 2000 or Ramsar network a site specific Construction Environment Management Plan must be prepared before permission. ***Not applicable to this site.***

Policy DM8, Pollution

1. Development will not be permitted if it is likely to cause loss of amenity or impact on public health or other unacceptable environmental impacts through:

- a. air pollution (including odours or particulate emissions);
- b. pollution of surface, underground, coastal waters or other watercourses;
- c. noise or vibration;
- d. light intrusion, both generally and with respect to the South Downs National Park's status as an International Dark Night Skies reserve; or
- e. land contamination.

The proposed development will have no adverse environmental effects on the neighbouring sites.

2. Development susceptible to particular forms of pollution will not be permitted:

a. where it will be adversely affected by such pollution, unless measures can be taken that adequately mitigate the polluting effects; or ***Pollution from air partials are no worse than any other development in the area.***

b. where it would inhibit existing economic or other activities giving rise to acceptable polluting effects. ***Not applicable to this site.***

3. Where a development site is known or suspected to be contaminated, before the site is developed the Borough Council will require the contamination to be remediated to a standard where as a minimum it cannot be defined as 'contaminated land' under Part IIA of the Environmental Protection Act 1990. ***The site is not believed to be contaminated and is not in an area of high radon levels.***

**Policy DM11,
Nature conservation General Approach**

1. The Council will work with statutory and voluntary agencies and developers, and will determine planning applications, to:

a. protect, conserve and enhance all:

i. international, national and local nature conservation designations; and

ii. networks of natural habitats and features, including the Local Ecological Network, Priority Biodiversity Areas and Priority Biodiversity Links, watercourses, wetland complexes, woodland trees, and trees and hedgerows important to biodiversity and local character; and facilitate their adaptation

to climate change wherever possible;

b. assist in achieving national, county and local biodiversity targets as set out in Biodiversity Action Plans (BAPs);

c. seek a net gain of biodiversity on all development sites (including sites for redevelopment) through the protection,

enhancement and connection of existing and provision of new habitats and features of nature conservation interest compatible with the native biodiversity characteristics of the Borough, having regard to local geodiversity and soils; and

d. contribute to major elements of the PfSH Green Infrastructure Strategy and other strategies for the provision and enhancement of multifunctional green infrastructure including green routes, ecological networks and biodiversity enhancements (see strategic policy S9). International Designations

2. Development which is likely (either individually or in combination with other developments) to adversely affect the integrity of an international or European nature conservation site will not be permitted subject only to imperative reasons of overriding public interest and securing any necessary compensatory measures in the absence of alternative solutions. A 'project level' Habitat Regulations Assessment will be required where there are likely significant effects or uncertainty. Any mitigation measures required to ensure no adverse impact must be implemented at the appropriate time.

3. The Council will work with PfSH, Natural England, the Environment Agency and other wildlife organisations to develop and implement with developers a strategic approach to the protection and enhancement of international and European sites from the direct and indirect effects of development. Within Eastleigh Borough this will include:

a. implementing:

i. the Solent Recreation Mitigation Strategy (requiring contributions from residential developments within 5.6 kilometres of the Solent Special Protection Area to the Strategy); and

ii. the interim and any future New Forest Recreation Mitigation Strategy if required; or alternative agreed site specific measures to address recreational disturbance;

- b. preserving the water quality and flows within the Itchen and Hamble, Southampton Water and Solent;
- c. protecting the River Itchen SAC, in particular the maintenance and where appropriate restoration of habitats and qualifying species to favourable conservation status (as defined by article 1 of the Habitats Directive); and
- d. seek contributions towards measures set out in the Southern Damsel fly Conservation Strategy (or other strategy) specifically to deliver biodiversity net gain. National and Local Designations

4. Development will not be permitted if it is likely (either individually or in combination with other developments) to have a direct or indirect adverse effect on a Site of Special Scientific Interest (SSSI), Site of Importance for Nature Conservation (SINC) or Local Nature Reserve (LNR) as shown on the policies map (or on a more recent plan provided by the Hampshire Biodiversity Information Centre) unless it can be demonstrated that

- a. there are no alternative solutions.
- b. the adverse effects are unavoidable.
- c. measures are taken to mitigate or, as a last resort, compensate for the adverse effects.
- d. there is an overall biodiversity net gain; and
- e. if there are any residual adverse effects which cannot be avoided, mitigated or compensated, the benefits of the development must

clearly outweigh the adverse effects on the nature conservation value of the site and any broader impacts on national and local designations. Priority habitats, protected and priority species and the local ecological network

5. Development will not be permitted if it is likely (either individually or in combination with other developments) to have a direct or indirect adverse

effect on priority habitats, protected or priority species, or on the local ecological network unless it can be demonstrated that:

- a. there are no alternative solutions.
- b. the adverse effects are unavoidable.
- c. measures are taken to mitigate or, as a last resort, compensate for the adverse effects.
- d. there is an overall biodiversity net gain; and
- e. if there are any residual adverse effects, the benefits of the development clearly outweigh the adverse effects on priority habitats, priority and protected species, and the local ecological network.

Irreplaceable habitats

6. Development will not be permitted if it results in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees), unless there are wholly exceptional reasons and a suitable compensation strategy exists. Buffers

7. Buffers free from development will be provided to designated sites to avoid/mitigate impacts, including recreational impact and impacts on edge habitats, and to maintain dark skies.

Surveys 8. Development will not be permitted unless it can be demonstrated that:

- a. there have been thorough habitat and species surveys;
- b. the great crested newt strategic survey and strategy have been considered in all developments within 500m of a great crested newt pond; and
- c. the strategic bat trapping survey has been considered in all developments within the locality of a woodland or connected habitat networks.

Phase 1 Ecology Reports will be provided to identify any specific measures required to cover the protection of wildlife, identify what enhancements would be beneficial to the scheme. Nitrates would be offset utilising the councils mitigation scheme. Until these reports are carried out it is difficult to expand on this further.

Policy DM13,

General development criteria - transport

1. All new development must have safe and convenient access to the highway network and make provision for access to, and by, other transport modes including public transport and cycle and pedestrian routes as appropriate.

Access arrangements to the highway network must:

- a. meet national and local guidance and standards with all highway improvements meeting the standard required to be adopted by the Highway Authority;
- b. not cause or increase danger to road users or have a significant detrimental impact on the operation or safety of the highway network; and
- c. be provided without unacceptable environmental impact.

The proposed site has direct access to Botley Road, pedestrian paths and cycle paths. The access on to these would not have an unacceptable environmental impact.

2. All new development will be assessed to establish whether it should contribute to off-site improvements to transport infrastructure in accordance with Hampshire County Council's Transport Contributions Policy, to the extent that these are necessitated by the development and proportionate to the scale of development.

3. Development proposals that will generate vehicle movements likely to have an adverse impact on traffic conditions beyond the immediate vicinity of the development site must be subject to Transport Assessment and will be required to incorporate and implement mitigation measures such as:

- a. provision of/contribution towards on and off-site highway improvements such as junction improvements and potentially new road links
- b. on-site pedestrian, cycle and public transport infrastructure
- c. contributions towards relevant off-site sustainable transport infrastructure, public rights of way and service improvements where appropriate
- d. on-site measures aimed at increasing uptake of non-car travel options (e.g. Travel Plans⁴⁹) to reduce car use.

4. New development intended to serve or accommodate large numbers of people will only be permitted in locations that as well as having adequate road access, or will have as a result of the development, are or can be served by means of transport other than the private car, including bus, train, cycle and pedestrian access.

The proposed scheme will have secure cycle storage and adequate parking provisions.

Policy DM14, Parking

1. New residential development will be required to provide off-highway parking which is adequate in terms of highway safety/traffic management. Provision will take account of the adopted Eastleigh Borough Council's Residential Parking Standards SPD which sets out minimum requirements for parking provision. Over provision relative to car ownership levels or which would create an ineffective use of space will be avoided. Applications with parking levels which deviate away from the expected standard should be substantiated by robust evidence contained within the transport statement/assessment/travel plan. ***Adequate parking is provided for the proposed dwellings the parking is increased for the front property.***
2. For out-of-centre development proposals, parking needs will be assessed based on the impacts of the development on neighbouring town, district or

local centre or a neighbourhood parade. ***Not applicable to the proposed scheme.***

3. Within town, district and local centres and in neighbourhood parades, parking needs will be assessed in relation to wider needs within the centre/parade. Where existing provision is inadequate, the provision of additional parking may be permitted subject to a financial contribution towards measures to assist on-street parking management, public transport, cycling and walking. ***Not applicable to the proposed scheme.***

4. Proposals to provide new car parks, extend existing car parks or provide workplace park and ride facilities will be permitted if: ***Not applicable to the proposed scheme.***

a. it can be demonstrated that this is the only way the transport requirements driving the proposals for car parking provision can be met;

b. the proposals form part of a strategy aimed at managing use of the private car, such as a workplace travel plan; and

c. transport and other environmental assessments demonstrate that the benefits of the proposal (e.g. reduction of on-street parking pressures, reduction of traffic congestion) outweigh any adverse effects; and

d. the design, layout, planting and landscaping and lighting provision addresses visual and landscape impacts, noise, lighting and impacts on residential amenity; and

e. the developer pays for any off-site highway improvements necessary from traffic generated by the proposal, and any additional works necessitated by an inability to meet workplace travel plan targets; and

f. for sites outside the urban edge and in accordance with other policies in the Plan, they are subject to a sequential approach prioritising sites within the urban edge. Proposals in settlement gaps will only be acceptable in exceptional cases (see strategic policy S6).

Policy DM23,
Residential development in urban areas

1. Within the urban edge as defined on the policies map, residential development through new build, conversion, sub-division or extension will normally be permitted subject to the general development criteria and transport policies of this Local Plan. ***Proposed site is within the urban edge.***

2. New dwellings will be permitted provided that:

a. where feasible the scheme provides a mix of dwelling types and sizes to meet local needs, including dwellings capable of adaptation to meet changing needs over time and housing for older people in accordance with policies DM24 and DM25;

b. affordable housing is provided in accordance with policy DM28;

c. a minimum density of 40 dwellings per hectare (net) should be achieved unless site constraints or local character justify a lower density. In areas with good access to public transport and other services and amenities, higher densities will be sought.

40 dph is not achievable on this plot, achieving this would cause over development when considering the plot width.

3. Where possible residential development sites, including those proposed to be allocated in Chapter 6, should include provision for self and custom build development.

Policy DM30,
Internal space standards for new residential development

1. The Borough Council requires that all new dwellings meet as a minimum the Nationally Described Space Standards (or future equivalent).

2. Development proposals should be accompanied by a table setting out for every dwelling:

- a. the gross internal floorspace;
- b. extent of built-in storage (sq.m); c. number of twin/double bedrooms with their minimum room widths; and d. minimum floor to ceiling height for at least 75% of the Gross Internal Area.

The proposed development meets the minimum national space standards.

**Policy DM38,
Funding infrastructure**

1. Development will be permitted provided that the developer has made arrangements for the provision of, or for contributions to the improvement of, any infrastructure, services, facilities or amenities necessitated by the development proposed, by means of either:

- a. a planning obligations agreement under section 106 of the Town and Country Planning Act 1990, and/or
- b. should it be introduced in the Borough in the future, the Community Infrastructure Levy under the Planning Act 2008.

Any developer contributions would be paid prior to granting of permission where applicable.

National Planning Policy Framework (revised September 2023)

The proposed scheme accords with this document and the planning officer has made no specific comments in regards to non-compliance so difficult to assess.

Eastleigh Borough Council Supplementary Planning Documents: Quality Places; Biodiversity; Residential Parking Standards, and Trees & Development.

The planning officer has made specific reference to separation distances and parking, which we have addressed within the revised drawings.

Further Points Raised by the Planning Officer as below to which a response has been provided to the relevant sections.

Assessment Background Within the history section, above, it was noted that there have been 2no. planning applications proposing additional residential units (of varying amounts/ scales) within the rear garden of Ropley. Both of these applications were refused and dismissed by Planning Inspectors.

Planning application F/08/62528 was refused for the following summarised reasons:

- 1) Poor design and poor quality residential environment for existing and future occupiers
- 2) Failure to demonstrate adequate parking provisions
- 3) Failure to demonstrate satisfactory cycle and bin storage
- 4) Failure to demonstrate that future residents would not be adversely impacted by noise
- 5) Failure to demonstrate satisfactory foul and surface water drainage
- 6) Failure to make provision for an improved footway and cycle route to the front of the site

Planning application F/13/73364 was refused for the following summarised reason:

- 1) Poor design, which would undermine the prevailing character and pattern of development in the area
- 2) Undesirable back-land development which would also give rise to excessive car movements and an intensive built form
- 3) Failure to demonstrate that future residents would not be adversely impacted by noise
- 4) Prejudice the foot/cycle way improvements along Botley Road

Whilst it is acknowledged that planning policy has evolved since 2013, with the current Local Plan being adopted April 2022, the policies contained within the plan broadly echo and seek similar objectives to those within the former Local Plan. The previous refusals and dismissed appeals therefore form the starting point of the assessment and whether the pre-application proposals overcome the issues set out above. ***The previous scheme F/13/3364 dismissed appeal and this pre-application form the basis and starting point for the proposed development. The proposed development has been amended to reflect the officer comments. The Scheme F/08/62528, has no real bearing as the scheme was much larger and not similar.***

Design and impact on the spatial characteristics of the area

Planning applications F/08/62528 and F/13/73364 were both refused on the basis of poor design. These applications proposed the redevelopment of the rear garden with a number of residential units. Whilst the pre-application proposals are seeking a reduced amount of residential units, there is still concern with regard to developing the rear portion of this plot. ***The proposed development of the rear garden to Ropley merely mirrors the development to the west (12-20 Botley Road) of the site which has back land development with long access road.***



The proposed site is located on the east side, how is this any different?

Within the appeal decision for application F/13/73364, the Inspector noted the key characteristics of the area: there are some large outbuildings within the

rear gardens, and the direct relationship of dwellings to the street is the most important feature of this area... A direct relationship to a street allows natural surveillance and neighbourly exchange, giving a communal sense of place. By contrast the proposed dwellings would be deeply set back and isolated from the street scene and day to day street activities. The “front to back” arrangement would add to this sense of isolation. The pre-application proposals, whilst reducing the amount of residential units, have still not addressed the concern with regard to being set back within the site, distant from street activities and natural surveillance. ***The proposed orientation of the proposed dwellings create a court yard, just as the site to the west, this creates natural neighbourly surveillance. The fact was mentioned as an asset in the dismissed appeal.*** The overall layout of this site is linear with limited design interest. There is a significant amount of hardstanding between the 2no. proposed dwellings, which would create an unattractive parking area. ***The parking area is required to create a court yard, additional planting can be added to help break up the area, now added to the drawings.*** This should be better designed/ landscaped. In addition, concern would be raised with regard to the proposed access, which would reduce the width of the plot, for a significant proportion of the length. ***This is what back land development does, and is clearly acceptable in other areas and demonstrated earlier within this document, and mirrors the site to the west.*** This would be uncharacteristic of the established vicinity. ***There is a site to the west which has just this, long drive, courtyard parking and reduce plot width, so characteristic of the area.*** Whilst there are some examples of long driveways, these are limited, and are also different in character when compared to an access track serving 2no. new dwellings. ***The site to the west serves 4 No properties and is of a similar length and width.*** To cater for the proposed access, proposals would result in the removal of the side extension/ garage to allow for vehicular access the rear. This would allow views from Botley Road down into the site, as such it would be suggested to incorporate sufficient landscaping to ensure that the introduction of significant hardstanding would not have an adverse impact upon the visual amenities. ***The neighbouring site has significant trees with its garden area, these would be to dominate view, unlike the to site to the west which has none.*** The concerns expressed above, considering this to be an inappropriate form of back land development, are further supported by Paragraph 124 of the NPPF which states: “Planning policies and decisions should support development that makes efficient use of land, taking into account: d) the desirability of maintaining an area’s prevailing character and

setting (including residential gardens), or of promoting regeneration and change". ***The proposed development does make efficient use of the land and due to the low nature of the buildings the effect on the prevailing character would be maintained, enhanced by reducing the distance between Ropley and No 1 North View and opening up the rear to be able to view the trees to the rear.***

To conclude, the LPA would be unlikely to support these proposals as they would result in this form of inappropriate back-land development that is uncharacteristic of the pattern of development in the immediate area. ***How can this statement be true when a similar development exists to the west of the site and there are other examples around the borough.***

Amenities

This section will be separated into the amenities of future occupiers and impact upon neighbouring amenities.

Internal & External Standards for Future Occupiers

The nationally described space standards (NDSS) set out the minimum space standards required for new residential development. This is dependent upon the number of storeys, bedrooms, and occupiers. In this instance, the pre-application proposes 2no. 3bedroom dwellings, whereby the NDSS sets out that these should provide between 84-102m². Bedrooms must also be of a set size; 7.5m² for single occupancy and 11.5m² for double occupancy. The proposed dwellings would provide approx. 153m² and all bedrooms would exceed the minimum standards. ***Accepted.*** Further, all habitable bedrooms would need to be served by adequate natural light. 1no. bedroom does not appear to have a window, and therefore the adequacy of light available to this room is queried/ unlikely to be acceptable. ***All bedrooms have windows of velux roof windows so meets the requirements for natural light.*** Further to internal space standards, the Quality Places SPD sets out that there is a requirement to provide 60%, of the host dwellings footprint, as useable external amenity area. From the information provided it is noted that the proposed dwellings would be able to achieve this standard. ***Accepted.*** However, it should be noted that this standard would also apply to the retained dwelling. (From the information provided it is unclear whether this standard can be met). Further to the above, concern would be raised with

regard to the quality of the external amenity space. The retained dwelling and 1 proposed dwelling would have rear gardens adjoining one another. ***The separate distance between the retained dwelling and the proposed dwelling exceeds 24m so meets the requirements of the Adopted Local Plan and SPD requirements.*** To the west would be the car parking facilities serving the commercial units. Concern would therefore be raised with regard to the privacy and quality of this external space for future and existing occupiers. ***Screen planting and fencing has been proposed, this situation is mirror to the west and south where dwellings back onto the yard and the Rosebowl/hotel, so acceptable.*** The other proposed dwelling would have part of the neighbouring building running the entire length of its western boundary. Limited details have been provided with regard to the height of the existing development along this boundary, however this built form would raise significant concern with regard to its potential impact upon the future occupiers of the proposed dwelling. ***A 4.0m acoustic fence with planting has been proposed along this entire boundary to mask the unit side wall and provide sound attenuation.***

Turning to noise, it is noted that previous application F/13/73364 submitted a noise impact assessment, however this was not considered to be sufficient to mitigate the harm arising from the neighbouring development and the impact it could have upon the previously proposed residential development. It is noted that the application site immediately adjoins a commercial use to the west, which has regular vehicular movements. Any future planning application should be accompanied by a noise impact assessment which adequately addresses the previous concerns raised. As mentioned above an acoustic fence with planting has been proposed, obviously its design would be subject to recommendations made by an appropriate Sound Engineer. What is interesting is the close proximity of the development to the M27 Motorway.



Neighbouring Amenities

Please be advised that this has been assessed by way of desktop study. Should a formal planning application be submitted, a site visit would be undertaken whereby a full assessment of the impact upon neighbouring amenities would be undertaken. The neighbour to the west of the pre-application site comprises a commercial use with development along a large proportion of the shared boundary. As a result, the proposals are unlikely to have an adverse impact upon the amenities of this neighbouring unit.

Accepted. To the east of the pre-application site is 1 North-View, a residential dwelling. The shared eastern boundary comprises a combination of fencing and vegetation. The proposals would include the removal of existing side

extension, which is considered to improve the relationship with this neighbour. **Accepted.** However, the proposals would also introduce 2no. new dwellings. These would be set in from the shared boundary and given the considerable length of the neighbours rear garden, the proposed dwellings are not considered to be detrimentally harmful in terms of being overbearing.

Accepted. As a result of the layout, Ropley would remain and 1 new dwelling would be situated to the south. The Council's SPD sets out that rear to rear distances should be a minimum of 22m to ensure that there would be no adverse harm. The proposals appear to meet this distance, however there is sufficient space on site for the layout to be rearranged to prevent this. Both proposed dwellings are considered to have an acceptable impact upon each other. **Accepted and the distance is 24m between Ropley and the first dwelling.**

Highways & Access

Please note, that should a formal planning application be submitted, Hampshire County Council Highways would be consulted upon. The County Council operate a chargeable pre-application advice service, and as a result have not been consulted as part of this pre-application. Within the most recent dismissed appeal (F/13/73364) highways matters formed a reason for refusal. It is noted that former policies 59.BE and 100.T and draft policies. **The front of the property has a revised splay area to allow adequate view of the foot path and the access has been widened.**

S7 and DM23 were referenced. The relevant policies which replace these are: S12, DM1, DM13 and DM14. The proposals should, as a starting point, have adequately addressed these concerns raised at this appeal. Concern would be raised with regard to the intensification of the existing access. Currently, this access serves 1no. property, whereby the proposals would increase this by 2 additional dwellings. Adequate visibility splays and any means of boundary treatment would need to be shown. **Added to the revised scheme.** The access road is wide enough for 1 vehicle, and there appears to be a layby area created to allow for vehicles to pass, however it is queried whether this is wide enough. **This has been widened.** Turning to parking provisions, the pre-application proposes an area of hard standing between the proposed dwellings. This would provide space for 4no. vehicles to park. This amount would comply with the Council's Parking SPD, however the layout could be improved by vegetation/ landscaping to soften the harsh appearance.

Accepted and added. There also appears to be sufficient parking retained for the existing dwelling, despite the existing garage proposing to be demolished.

Accepted. Cycle and bin storage has also been indicated on the plans, including their collection point near the access. **Accepted.**

Ecology

The pre-application site is within a green crested newt impact risk zone, and there are records of bats nearby. As such, should a formal planning application be submitted, it is likely that a preliminary ecological appraisal would be required. (This should also include biodiversity mitigations and enhancements). **A phase 1 Ecology Report would be provided, and recommendations implemented.**

Drainage

All new housing developments need to incorporate a sustainable drainage system, which should include naturalised filtration where possible. A sustainable water drainage plan should be included within any future planning application, and a ground survey should be undertaken to establish whether infiltration is possible. **A Percolation test would be carried out and a drainage report undertaken to conclude how the surface water will be dealt with.**

Contaminated Land

Any future application should be supported by a Phase 1 Land Contamination Study (comprising; Desktop Study, Preliminary Risk Assessment and Conceptual Site Model). **This report would be commissioned once approval is granted.**

Planning Obligations – Impact upon SPA.

The addition of residential development is considered to have an impact upon the recreational disturbance and water quality of the European Protected Sites, which would need to be offset, in accordance with the Habitats Regulations. Recreational Disturbance SPA – Solent & Southampton Water
The Solent & Southampton Water Special Protection Area is an internationally designated conservation site and is protected for its overwintering birds. It is

recognised that new house building (within a 5.6km buffer of the designated area) is placing increased pressure on these overwintering birds from more people visiting the coastline. As such the Council requires all housing developments within the buffer to make a financial contribution towards the Solent Recreation Mitigation Strategy, which aims to limit recreation disturbance to our coastline through careful management. The site appears to fall within this zone and therefore would require £1,868 (2 x £934 for a 3bedroom dwelling). ***This payment would be made.***

Nitrates & Phosphates – Water Deterioration

In terms of water quality, Natural England have highlighted that new residential development can have an adverse impact upon the European protected Solent Complex and River Itchen SAC, for the features for which they are designated, through phosphate and nitrogen loading resulting from additional sewage generated from future residents. These impacts under the Conservation of Habitats and Species Regulations 2017 are required to be mitigated in order for development to be acceptable. The Council has adopted its own strategy for achieving nitrate neutrality whereby it identifies areas of agricultural land and remove these from a nitrate intensive use, thus reducing the nitrogen input into the protected sites, with the level of reduction then being used as a means of offsetting the impacts of development proposals within the Borough. This ensures no overall net increase in nitrates within the Solent and thereby allow a development to achieve nutrient neutrality. In order to do this, the Council calculates the level of nitrate mitigation this land provides (measured in kg) and makes 'nitrate credits' available to developers to buy, with funding being secured during the planning application. The charge for these credits is £3,000 plus VAT (£3,600) per kilogram of nitrates that require offsetting, with this fee including estimated costs of land purchase and ongoing maintenance. In order to calculate the level of contribution required a nutrient budget must be submitted with the planning application and confirmation of the mitigation to be used to offset the nitrates generated from the development.

The Council also has a strategy for achieving phosphate neutrality. The charge for these credits is £50,000 plus VAT per dwelling. Additional information can be found on the following link:

<https://www.eastleigh.gov.uk/planning-and-building/water-quality-issues-in-the-solent-catchment-area> Applicants are not obliged to use the Council's

scheme and other options for achieving nutrient neutrality are possible. However, certainty needs to be given that the mitigation scheme achieves nitrate neutrality in perpetuity to the satisfaction of Natural England. ***A suitable scheme would be engaged to provide mitigation against nitrates and prostates. The owner may wish to use the councils scheme or seek this service elsewhere.***

However, should you wish to purchase Council credits to offset the nitrogen output, then you would need to complete an 'expression of interest' and send to the following email address: nutrientoffset@eastleigh.gov.uk to check the availability of credits. For further information, please see the following link: <https://www.eastleigh.gov.uk/planning-and-building/nutrient-neutrality-offset-scheme>

Recreational Disturbance – New Forest SPA

Natural England have raised the issue of new residential development resulting in more visitors to the New Forest National Park and subsequent increased recreational disturbance. The site falls within the 13.8km radius of the New Forest where new residential schemes need to contribute toward mitigation projects. The Council have a strategy which requires monetary mitigations (£2,220 per dwelling) to offset the proposed development which you may choose to use. ***This payment would be made.***

Sustainability

To support the Council's commitment to mitigate climate change, the following measures would be suggested:

- Significantly reduce vehicular dominance and prioritise pedestrian and cycle provision and links to public transport ***Cycle store included.***
- Provide charging points for electric vehicles, Ebikes and other forms of micro mobility within garages and/or locations that support the streetscene and do not hinder pedestrian movement ***EV charge point is a building regulation requirement with all new builds.***
- Consider introducing green and blue roofs and walls to reduce hard surfaces and control water at source

- Include additional trees and soft landscape to reduce hard surfaces, slow surface water run-off, provide shade and create habitats / corridors for biodiversity ***Additional planted proposed and a planted wall.***
- Incorporate permeable surfaces and multi-functional SUDS ***Drive to be permeable.***
- Install photovoltaics / solar roof tiles ***Solar panels may be required to meet Energy Performance Standards.***
- Introduce Passivhaus and Lifetime Homes approaches to building design and construction.
- Reduce levels of CO2 emissions via energy efficiency and/or low/zero carbon energy compared with the current Part L of building regulations ***The target emissions rate will be meet to provide full building compliance.***
- Use low carbon materials
- Incorporate efficient mains water consumption measures ***Water usage limiting devices will be used where possible to limit water waste.***
- Ensure habitable rooms enjoy dual aspect to maximise solar gain, improve ventilation ***Rooms will have natural light and mechanical ventilation.***

Conclusion

To conclude, concerns have been raised with regard to the design and layout of the proposals including access, as well as the impact upon the existing and future occupiers. Therefore should a formal planning application be submitted additional/ amended information would be required to support and justify that the proposals would not result in any adverse harm upon the matters raised. I trust the above comments are of assistance. Please note, these comments are given without prejudice basis and will not be binding should any future planning application be submitted. Should you have any queries, please do not hesitate to contact Summer Sharpe via the details at the top of this letter.

7.0 Amended Scheme following Pre-Application Q/23/96195 Comments

We have been through the comments above and responded in red. We have taken on board the officers comments and amended the drawings to include additional information, undertaken some minor tweaks to the access road, planting/landscaping, driveway and added a replacement dwelling to the front.

The main reason for not supporting the application is the direct relationship to a street allowing for natural surveillance and neighbourly exchange and a communal sense of place. The proposed units to the rear are front to front so deal with surveillance and neighbourly exchange just as 12-20 Boley Road. The deep setting back and isolation from the street scene is widely adopted within the borough just look at the following examples.







12 -20 Botley Road – West of Site – Large Isolated Set Back Drive.



12 -20 Botley Road – West of Site – Large Isolated Set Back Drive



The above picture shows residential next to commercial and back land development at the same address, refer to aerial photo.

The deeply set back approach is considered widely acceptable within the borough so it would seem very odd to consider this as refusal point. The examples around the borough have a lack of connectivity to the street scene.

In both previous refusals the original dwelling was being retained, this approach does create a detached development, old 1930 building

fronting the street scene and modern units proposed to the rear. As mentioned above the site needs be more harmonious and grace the local area with buildings which enhance the local environment. The following pictures show the existing front elevation and a concept picture with a replacement dwelling.



Existing Dwelling Ropley



Replacement Front Dwelling – Concept



Side Boundary Showing Existing Screening



View of Footpath Outside Site Looking West

It would seem logical to replace the existing dwelling with a replacement dwelling, matching the proposed units to the rear. This would have a number of benefits:

- ***Replace an aging building which is poorly insulated with a highly efficient building which would be more sustainable to the environment as it would be insulated to the highest standards, have sustainable energy/heating/air handling technology.***

- *Increased sound proofing to limit effects from Botley Road and the neighbouring unit.*
- *Ensure the entire site is harmonious with itself thus create a cohesive design.*
- *Pull together the site to ensure it looks correct within the street scene.*

The replacement dwelling would assist in reducing the environmental impacts on climate change by being more energy efficient.

It should not be overlooked, we have the opportunity to provided 3 No sustainable dwellings on a site which currently is totally under utilised and under valued within the local area.

None of the previous schemes (refused) adopted this approach. It is surely better for the local area and environment to replace aging buildings with more efficient units where possible. The replacement of the front dwelling would not create an unbalanced street scene as the buildings along the front of Botley Road in this location are all different in building form. We have industrial units, houses, bungalows, hotels and flats.

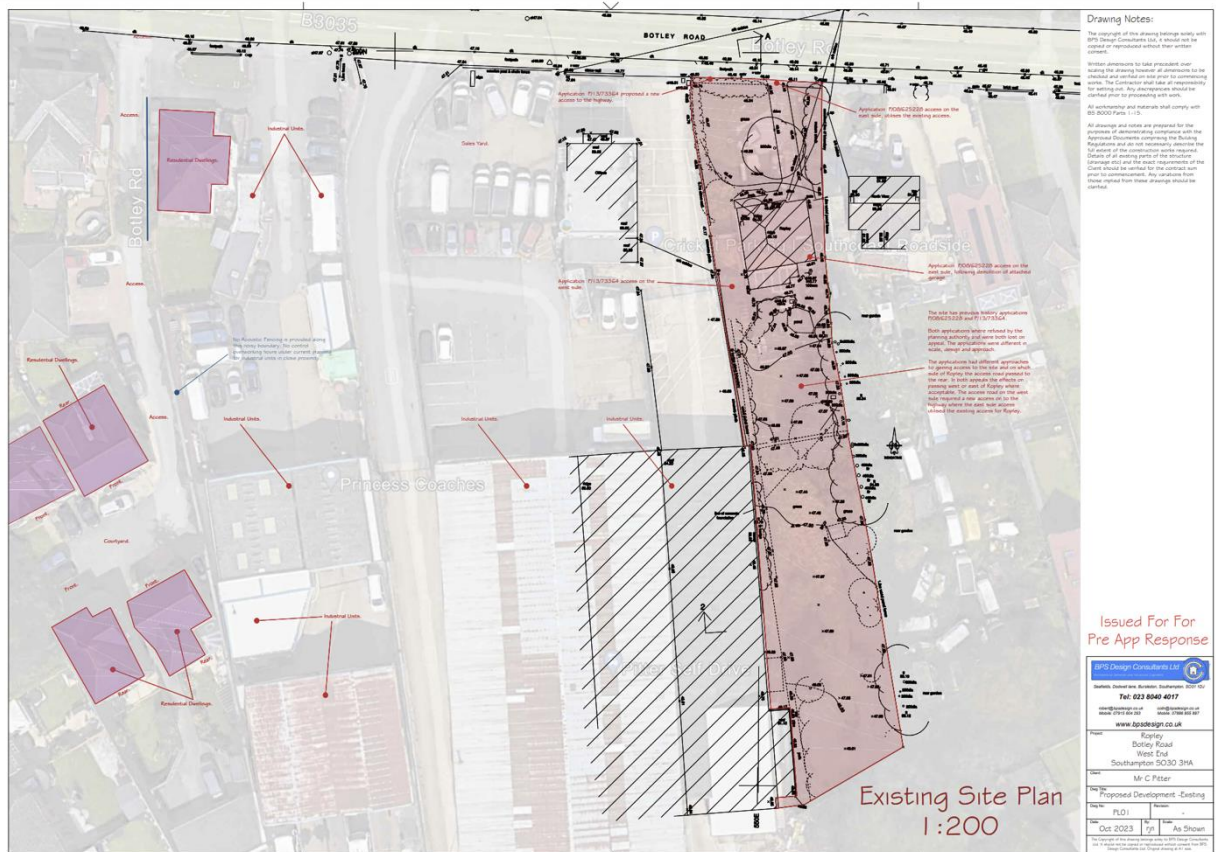
From the comments above it is clear that additional information is required if a formal application is issued, these would include as a minimum:-

- *Phase 1 Ecology Report*
- *Noise Assessment/Acoustic Recommendations*
- *Drainage/SUD Report*
- *Arboriculture Report*
- *Highways Report on Access*
- *Nitrates and Phosphates Report*

We now issue this report to receive officer comments on the revised scheme of 2 No new dwellings to the rear and a replacement dwelling to the front.

We obviously do not need the planning officer to regurgitate the previous comments, more useful would be to comment specifically on

this revised scheme and provide a list of recommended tweaks to gain officer support. We know what polices a future application would be judged on.





8.0 Pre App Response From EBC Q/23/96569



Mr Robert Narramore
Seafields
Dodwell Lane
Bursledon
Southampton
SO31 1DJ

Application	Q/23/96569
Please ask for	Summer Sharpe
Direct dial	023 8068 8841
Working hours	Mon-Fri 9-5
Email	Summer.Sharpe@eastleigh.gov.uk

Friday 29 December 2023

Dear Mr Narramore

Without Prejudice

**Town and Country Planning Act 1990
The Town and Country Planning (Development Management Procedure)
(England) Order 2015**

Application No:	Q/23/96569
Description:	Replacement dwelling and 2 No additional dwellings to rear with access road and amenity space.
Site:	Ropley, Botley Road, West End, Southampton, SO30 3HA

Thank you for your pre-application enquiry received 11 December 2023. I can advise that the proposals would require planning permission, and as such the following comments would be offered:

Site Context

The pre-application site comprises a two-storey detached dwellinghouse, situated to the south of Botley Road. The plot is long and linear, measuring approx. 0.15ha. The site is bound by a low level wall and access gates along the front boundary (fronting Botley Road). The gates lead onto hardstanding and a gravel area forming a driveway

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and parking area. To the rear there is a large overgrown garden containing trees and shrubbery and is bound by fencing.

The wider surroundings comprise a mixture of residential properties and industrial/commercial usages. The residential properties to the south of Botley Road are generally detached and are set back from the main road.

To the north and east are residential properties. To the south is the outskirts and associated development relating to the Ageas Bowl. To the west is a commercial depot which is currently used for the storage and sale of coaches and vehicle rentals.

Planning History

Application No.	Proposal	Decision
F/13/73364	Construction of 2no. 2bedroom semi-detached dwellings & 2no. 3bedroom semi-detached dwellings with associated access from Botley Road.	Refused (February 2014) Dismissed at appeal (November 2014)
F/08/62528	Construction of 8no. 2 bed apartments in a 2 storey block with acoustic wall, alterations to access and new car parking, following demolition of side extension.	Refused (May 2008) Dismissed at Appeal (October 2008)

Policy & Principle

The pre-application site lies within the urban edge; therefore, the basic principle of development is considered acceptable. However, the acceptability of the proposals would be dependent upon consideration of the matters outlined below, which would be assessed against the relevant planning policies and supplementary guidance requirements.

In this instance, any future submission would be considered against the following policies and guidance:

Eastleigh Borough Local Plan (2016-2036)

Policies: S1 (sustainable development), S2 (approach to development), S3 (location of new housing), S12 (strategic footpath, cycleway & bridleway links), DM1 (general development), DM2 (environmentally sustainable development), DM3 (climate change), DM4 (zero or low carbon energy), DM6 (surface water management), DM8 (pollution), DM11 (nature conservation), DM13 (access), DM14 (parking), DM23 (residential development in urban areas), DM30 (internal space standards), and DM38 (funding infrastructure).

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National Planning Policy Framework (revised December 2023)

Eastleigh Borough Council Supplementary Planning Documents:
Quality Places; Biodiversity; Residential Parking Standards, and Trees & Development.

Assessment

A previous pre-application was submitted in October and advice was given. This pre-application predominantly proposes similar development (3no. dwellings, albeit 1 would be a replacement, as such, there would still be a net gain of 2no. dwellings), therefore comments are likely to be similar. It is also noted that there has been further vegetation proposed within the car parking area for the new dwellings.

A planning statement has been submitted rebutting the previous appeal decisions and the pre-application response. Where necessary, the LPA will respond to points in the planning statement within this pre-application response. However, the applicant would be advised that if they feel the scheme is acceptable to submit a formal planning application with all the necessary supporting information for the LPA to formally review and determine.

Background

Within the history section, above, it was noted that there have been 2no. planning applications proposing additional residential units (of varying amounts/ scales) within the rear garden of Ropley. Both of these applications were refused and dismissed by Planning Inspectors.

Planning application F/08/62528 was refused for the following summarised reasons:

- 1) Poor design and poor quality residential environment for existing and future occupiers
- 2) Failure to demonstrate adequate parking provisions
- 3) Failure to demonstrate satisfactory cycle and bin storage
- 4) Failure to demonstrate that future residents would not be adversely impacted by noise
- 5) Failure to demonstrate satisfactory foul and surface water drainage
- 6) Failure to make provision for an improved footway and cycle route to the front of the site

Planning application F/13/73364 was refused for the following summarised reason:

- 1) Poor design, which would undermine the prevailing character and pattern of development in the area

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- 2) Undesirable back-land development which would also give rise to excessive car movements and an intensive built form
- 3) Failure to demonstrate that future residents would not be adversely impacted by noise
- 4) Prejudice the foot/cycle way improvements along Botley Road

Whilst it is acknowledged that planning policy has evolved since 2013, with the current Local Plan being adopted April 2022, the policies contained within the plan broadly echo and seek similar objectives to those within the former Local Plan. The previous refusals and dismissed appeals therefore form the starting point of the assessment and whether the pre-application proposals overcome the issues set out above.

Design and impact on the spatial characteristics of the area

Planning applications F/08/62528 and F/13/73364 were both refused on the basis of poor design. These applications proposed the redevelopment of the rear garden with a number of residential units. Whilst the pre-application proposals are seeking a reduced amount of residential units, there is still concern with regard to developing the rear portion of this plot.

Within the appeal decision for application F/13/73364, the Inspector noted the key characteristics of the area: *there are some large outbuildings within the rear gardens, and the direct relationship of dwellings to the street is the most important feature of this area... A direct relationship to a street allows natural surveillance and neighbourly exchange, giving a communal sense of place. By contrast the proposed dwellings would be deeply set back and isolated from the street scene and day to day street activities. The "front to back" arrangement would add to this sense of isolation.*

The pre-application proposals, whilst reducing the amount of residential units, have still not addressed the concern with regard to being set back within the site, distant from street activities and natural surveillance. The amended plans have also not addressed this point.

The overall layout of this site is linear with limited design interest. Previously there was a significant amount of hardstanding between the 2no. proposed dwellings serving a parking area. The proposed plans have introduced vegetation in this area, however there is still a large amount of hardstanding which still results in a car dominated area. This could be better laid out, designed and landscaped. It should be noted that the LPA do not consider this area to be a 'courtyard' as suggested within the planning statement.

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In addition, concern would be raised with regard to the proposed access, which would reduce the width of the first 2 plots. This would be uncharacteristic of the established vicinity. Whilst there are some examples of long driveways, these are limited, and are also different in character when compared to an access track serving 2no. new dwellings. Further, the dwellings would have a large footprint and as a result the dwellings within the first 2 plots would span the width of the plot, thereby the proposals would not sit comfortably within their respective site.

The proposals within this pre-application would result in the replacement of Ropley, with a similar design dwelling to that of the 2no. proposed new dwellings. The replacement dwelling would be situated off centre from the middle of the plot to allow for access to the east. This would allow views from Botley Road down into the site, as such it would be suggested to incorporate sufficient landscaping to ensure that the introduction of significant hardstanding would not have an adverse impact upon the visual amenities.

The proposals would result in the replacement of the existing Ropley. The planning statement shows an indicative of how the proposed dwelling would appear. No existing elevations have been proposed and therefore a fully informed design assessment cannot be undertaken. It is unclear whether the proposed replacement dwelling would be taller in height than the existing. It would, however, appear more cumbersome as a result of its roof form and projecting gable element. The replacement dwelling would be finished in a combination of render and what appears to be clad. There are very limited examples of render within the vicinity, and no examples of clad. It would therefore be suggested to retain some brickwork and render, similar to the existing finish of Ropley. Retaining Ropley would be the LPAs preference as opposed to replacing this. However, should the applicant wish to replace the dwelling then additional information (existing elevations) would be required.

The concerns expressed above, considering this to be an inappropriate form of back-land development, are further supported by Paragraph 72 of the NPPF; *Where an allowance is to be made for windfall sites as part of anticipated supply, there should be compelling evidence that they will provide a reliable source of supply. Any allowance should be realistic having regard to the strategic housing land availability assessment, historic windfall delivery rates and expected future trends. Plans should consider the case for setting out policies to resist inappropriate development of residential gardens, for example where development would cause harm to the local area.*

The planning statement has highlighted a site to the west of the pre-application site and industrial units. From a history search the LPA refused this application in February 2000, but it was allowed at appeal. This development would have been in

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situ at the time of the appeals at this site, however was not considered materially relevant/ significant enough to sway a positive determination to allow any appeals at this site. Further and from a desktop study, it appears that the site adjacent the development to the east is for Princess Coaches/ storage and is of a smaller scale. Whereas the industrial site to the west of the pre-application site appears to be of a larger scale, including larger buildings and a more intensive use.

To conclude, the LPA would be unlikely to support these proposals as they would result in this form of inappropriate back-land development that is uncharacteristic of the pattern of development in the immediate area.

Amenities

This section will be separated into the amenities of future occupiers and impact upon neighbouring amenities.

Internal & External Standards for Future Occupiers

The nationally described space standards (NDSS) set out the minimum space standards required for new residential development. This is dependent upon the number of storeys, bedrooms, and occupiers.

In this instance, the pre-application proposes 3no. 3bedroom dwellings, whereby the NDSS sets out that these should provide between 84-102m². Bedrooms must also be of a set size; 7.5m² for single occupancy and 11.5m² for double occupancy. The proposed dwellings would provide approx. 153m² and all bedrooms would exceed the minimum standards. Further, all habitable bedrooms would need to be served by adequate natural light. 1no. bedroom does not appear to have a window, and therefore the adequacy of light available to this room is queried/ unlikely to be acceptable. Whilst it is noted within the planning statement that *all bedrooms would have windows or velux roof windows*, the LPA do not consider that roof lights are sufficient.

Further to internal space standards, the Quality Places SPD sets out that there is a requirement to provide 60%, of the host dwellings footprint, as useable external amenity area. From the information provided it is noted that all dwellings would be able to achieve this standard.

Further to the above, concern would be raised with regard to the quality of the external amenity space. To the west of Ropley and 1no. proposed dwelling would be the car parking facilities serving the commercial units. Whilst this is an existing arrangement for Ropley, the proposed dwelling would be situated closer to the shared

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boundary. Concern would therefore be raised with regard to the privacy and quality of this external space for future and existing occupiers.

The second dwelling on the site would start in line with the existing building situated within the neighbouring site. This building then runs to the very end of the pre-application site, being the entire length of plot 3 western boundary. Limited details have been provided with regard to the height of the existing development along this boundary, however this built form would raise significant concern with regard to its potential impact upon the future occupiers of the proposed dwelling. Within the planning statement a 3m high acoustic fence and planting is proposed. Concern is raised with regard to such substantial fencing, which is unlikely to fully mitigate the industrial building to the west.

Turning to noise, it is noted that previous application F/13/73364 submitted a noise impact assessment, however this was not considered to be sufficient to mitigate the harm arising from the neighbouring development and the impact it could have upon the previously proposed residential development. It is noted that the application site immediately adjoins a commercial use to the west, which has regular vehicular movements. It is noted within the planning statement that acoustic barriers would be used, however limited details of these have been provided. Any future planning application should be accompanied by a noise impact assessment which adequately addresses the previous concerns raised and provide appropriate mitigations where necessary.

Neighbouring Amenities

Please be advised that this has been assessed by way of desktop study. Should a formal planning application be submitted, a site visit would be undertaken whereby a full assessment of the impact upon neighbouring amenities would be undertaken.

The neighbour to the west of the pre-application site comprises a commercial use with development along a large proportion of the shared boundary. As a result, the proposals are unlikely to have an adverse impact upon the amenities of this neighbouring unit.

To the east of the pre-application site is 1 North-View, a residential dwelling. The shared eastern boundary comprises a combination of fencing and vegetation. The proposals would include the removal of existing side extension, which is considered to improve the relationship with this neighbour. However, the proposals would also introduce 2no. new dwellings. These would be set in from the shared boundary and given the considerable length of the neighbours rear garden, the proposed dwellings are not considered to be detrimentally harmful in terms of being overbearing.

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Ropley would be replaced and 1 new dwelling would be situated to the south. The Council's SPD sets out that rear to rear distances should be a minimum of 22m to ensure that there would be no adverse harm. As per the planning statement 'Ropley' and 1no. proposed dwelling would be separated by over 22m and would therefore comply with this requirement set out within the Quality Places SPD.

Highways & Access

Please note, that should a formal planning application be submitted, Hampshire County Council Highways would be consulted upon. The County Council operate a chargeable pre-application advice service, and as a result have not been consulted as part of this pre-application.

Within the most recent dismissed appeal (F/13/73364) highways matters formed a reason for refusal. It is noted that former policies 59.BE and 100.T and draft policies S7 and DM23 were referenced. The relevant policies which replace these are: S12, DM1, DM13 and DM14. The proposals should, as a starting point, have adequately addressed these concerns raised at this appeal.

It is noted within the planning statement that a revised splay to the front allow adequate visibility. It should be noted that should a formal planning application be submitted, the Local Highways Authority (LHA) would review this information and confirm whether this was suitable.

Concern would be raised with regard to the intensification of the existing access. Currently, this access serves 1no. property, whereby the proposals would increase this by 2 additional dwellings. The access road is wide enough for 1 vehicle, and there appears to be a layby area created to allow for vehicles to pass, however its suitability is queried.

Within the planning statement it is noted that the Inspector did not have raise concern with regard to access. Whilst this would carry some weight, the LPA would consult the LHA for their views as part of any formal planning application, whereby their comments would form a significant part of the highways considerations.

Turning to parking provisions, the pre-application proposes an area of hard standing between the proposed dwellings. This would provide space for 4no. vehicles to park. This amount would comply with the Council's Parking SPD, however the layout could be improved by vegetation/ landscaping to soften the harsh appearance. It is noted that the pre-application has sought to alter this arrangement, however it is still considered that there is excessive amounts of hardstanding. There also appears to be sufficient parking retained for the existing dwelling.

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Cycle and bin storage has also been indicated on the plans, including their collection point near the access.

Ecology

The pre-application site is within a green crested newt impact risk zone, and there are records of bats nearby. As such, should a formal planning application be submitted, it is likely that a preliminary ecological appraisal would be required. (This should also include biodiversity mitigations and enhancements). Please note that Biodiversity Net Gain (BNG) will be compulsory for all development, currently the timeframes for this type of development would be around April 2024. This would therefore apply if any future application is submitted after this date.

Drainage

All new housing developments need to incorporate a sustainable drainage system, which should include naturalised filtration where possible. A sustainable water drainage plan should be included within any future planning application, and a ground survey should be undertaken to establish whether infiltration is possible.

Contaminated Land

Any future application should be supported by a Phase 1 Land Contamination Study (comprising; Desktop Study, Preliminary Risk Assessment and Conceptual Site Model).

Planning Obligations – Impact upon SPA

The addition of residential development is considered to have an impact upon the recreational disturbance and water quality of the European Protected Sites, which would need to be offset, in accordance with the Habitats Regulations. The Local Planning Authority would be required to undertake a Habitats Regulations Assessment, whereby the below would be considered.

Recreational Disturbance SPA – Solent & Southampton Water

The Solent & Southampton Water Special Protection Area is an internationally designated conservation site and is protected for its overwintering birds. It is recognised that new house building (within a 5.6km buffer of the designated area) is placing increased pressure on these overwintering birds from more people visiting the coastline. As such the Council requires all housing developments within the buffer to make a financial contribution towards the Solent Recreation Mitigation Strategy, which aims to limit recreation disturbance to our coastline through careful

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management. The site appears to fall within this zone and therefore would require £1,868 (2 x £934 for a 3bedroom dwelling).

Nitrates & Phosphates – Water Deterioration

In terms of water quality, Natural England have highlighted that new residential development can have an adverse impact upon the European protected Solent Complex and River Itchen SAC, for the features for which they are designated, through phosphate and nitrogen loading resulting from additional sewage generated from future residents. These impacts under the Conservation of Habitats and Species Regulations 2017 are required to be mitigated in order for development to be acceptable.

The Council has adopted its own strategy for achieving nitrate neutrality whereby it identifies areas of agricultural land and remove these from a nitrate intensive use, thus reducing the nitrogen input into the protected sites, with the level of reduction then being used as a means of offsetting the impacts of development proposals within the Borough. This ensures no overall net increase in nitrates within the Solent and thereby allow a development to achieve nutrient neutrality. In order to do this, the Council calculates the level of nitrate mitigation this land provides (measured in kg) and makes 'nitrate credits' available to developers to buy, with funding being secured during the planning application. The charge for these credits is £3,000 plus VAT (£3,600) per kilogram of nitrates that require offsetting, with this fee including estimated costs of land purchase and ongoing maintenance.

In order to calculate the level of contribution required a nutrient budget must be submitted with the planning application and confirmation of the mitigation to be used to offset the nitrates generated from the development.

The Council also has a strategy for achieving phosphate neutrality. The charge for these credits is £50,000 plus VAT per dwelling. Additional information can be found on the following link: <https://www.eastleigh.gov.uk/planning-and-building/water-quality-issues-in-the-solent-catchment-area>

Applicants are not obliged to use the Council's scheme and other options for achieving nutrient neutrality are possible. However, certainty needs to be given that the mitigation scheme achieves nitrate neutrality in perpetuity to the satisfaction of Natural England.

However, should you wish to purchase Council credits to offset the nitrogen output, then you would need to complete an 'expression of interest' and send to the following email address: nutrientoffset@eastleigh.gov.uk to check the availability of credits. For

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further information, please see the following link:

<https://www.eastleigh.gov.uk/planning-and-building/nutrient-neutrality-offset-scheme>

Recreational Disturbance – New Forest SPA

Natural England have raised the issue of new residential development resulting in more visitors to the New Forest National Park and subsequent increased recreational disturbance. The site falls within the 13.8km radius of the New Forest where new residential schemes need to contribute toward mitigation projects. The Council have a strategy which requires monetary mitigations (£2,220 per dwelling) to offset the proposed development which you may choose to use.

Sustainability

To support the Council's commitment to mitigate climate change, the following measures would be suggested:

- Significantly reduce vehicular dominance and prioritise pedestrian and cycle provision and links to public transport
- Provide charging points for electric vehicles, Ebikes and other forms of micro-mobility within garages and/or locations that support the streetscene and do not hinder pedestrian movement
- Consider introducing green and blue roofs and walls to reduce hard surfaces and control water at source
- Include additional trees and soft landscape to reduce hard surfaces, slow surface water run-off, provide shade and create habitats / corridors for biodiversity
- Incorporate permeable surfaces and multi-functional SUDS
- Install photovoltaics / solar roof tiles
- Introduce Passivhaus and Lifetime Homes approaches to building design and construction
- Reduce levels of CO2 emissions via energy efficiency and/or low/zero carbon energy compared with the current Part L of building regulations
- Use low carbon materials
- Incorporate efficient mains water consumption measures
- Ensure habitable rooms enjoy dual aspect to maximise solar gain, improve ventilation

It is noted within the planning statement that solar panels would be included, however no details have been provided of the solar panels, nor whether they would be located.

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Conclusion

To conclude, concerns have been raised with regard to the design and layout of the proposals including access, as well as the impact upon the existing and future occupiers. Therefore should a formal planning application be submitted additional/ amended information would be required to support and justify that the proposals would not result in any adverse harm upon the matters raised.

The submitted planning statement has not satisfactorily addressed all concerns previously raised. However, if the applicant considers the proposals to be acceptable then they may wish to submit a full planning application for formal review.

I trust the above comments are of assistance. Please note, these comments are given without prejudice basis and will not be binding should any future planning application be submitted.

Should you have any queries, please do not hesitate to contact Summer Sharpe via the details at the top of this letter.

Yours faithfully,

A handwritten signature in black ink, appearing to read "N Parker", with a horizontal line underneath the name.

Nick Parker
Planning Manager

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9.0 Comments to Pre-App Q/23/96569 and Amended Scheme.

We have been through the comments above. We have taken on board the officer's comments and amended the drawings to include additional information, undertaken some minor tweaks to the access road, planting/landscaping, driveway and removed the replacement dwelling to the front.

The main reason for not supporting the application is the direct relationship to a street allowing for natural surveillance and neighbourly exchange and a communal sense of place.

The proposed units to the rear are front to front so deal with surveillance and neighbourly exchange just as 12-20 Botley Road. The deep setting back and isolation from the street scene is widely adopted within the borough just look at the following examples shown on PL05 and PL06.



Nitrates will have a net gain and this can be offset by using third party mitigation schemes.

We now believe the proposed scheme should be considered and supported, as it will make use of underdeveloped land, help in providing much needed housing and prevent much larger developments from happening on the site as previously attempted.



Biodiversity Metric 3.1

Auditing and accounting for biodiversity

USER GUIDE

First published 21st April 2022

www.gov.uk/natural-england

How to calculate biodiversity value for habitats is illustrated in the scenario below:

- The pre-intervention calculation establishes the baseline biodiversity unit value of a habitat. It is calculated by multiplying the size of a habitat parcel by measures of habitat 'quality'.
- The post-intervention calculation gives the biodiversity unit value of a habitat after it has been changed. This calculation uses the same size and quality measures but also takes account of risk factors in creating or enhancing habitats.

Size of habitat parcel	x	Distinctiveness	x	Condition	x	Strategic Significance	=	Biodiversity units
10 (ha)	x	6 (high)	x	1 (poor)	x	1.15 (high)	=	69 units

Size of habitat parcel x Distinctiveness x Condition x Strategic Significance

10 (ha) x 6 (high) x 3 (good) x 1.15 (high)

Difficulty x Time to target condition x Spatial risk = Biodiversity units

0.67 (med) x 0.837 (5 yrs) x 1 (local) = 116 units

POST units	-	PRE units	=	Net change
116 units	-	69 units	=	+47 units



<i>Size of Plot</i>	<i>Distinctiveness</i>	<i>Condition</i>	<i>Strategic Significance</i>	<i>Biodiversity Units</i>
<i>0.15(ha)</i>	<i>3 (low)</i>	<i>1 (Poor)</i>	<i>1 (low)</i>	<i>0.45 units</i>

Post-Intervention Biodiversity Calculation (the base line)

<i>Size of Plot</i>	<i>Distinctiveness</i>	<i>Condition</i>	<i>Strategic Significance</i>	<i>Biodiversity Units</i>
<i>0.15(ha)</i>	<i>6 (high)</i>	<i>3 (good)</i>	<i>1 (low)</i>	<i>2.7 units</i>



<i>Difficulty</i>	<i>Time to Target Condition</i>	<i>Spatial Risk</i>		<i>Biodiversity Units</i>
<i>0.67(med)</i>	<i>6 (high)</i>	<i>1 (local)</i>		<i>10.64 units</i>

Biodiversity net gain is easy to demonstrate with replacement of poor non-native planting, additional planting and planting of the acoustic wall. A full report will be provided once planning is granted with a full landscaping scheme.

BOX 2-2: Practical application

To calculate the change in biodiversity unit value resulting from a development (or other intervention) you first survey and then divide the site up into distinct parcels of differing habitat type and condition (i.e. the same habitat type in different condition should be recorded separately within the metric).

Using this information, you can calculate the baseline (or pre-intervention) biodiversity unit value of each habitat parcel using the free calculation tool provided for use with biodiversity metric 3.1.

Next, using your design plans for the development, calculate the biodiversity unit value for the habitats that are expected to be retained, plus the values for any enhanced or newly created habitats (post-intervention).

The change in biodiversity is worked out by subtracting the project's on-site baseline biodiversity unit value from the sum of post-intervention values for retained, created and enhanced habitats. This is then combined with any off-site gains to give a final biodiversity unit value which indicates the overall net gain or loss for the scheme. This is illustrated in the graphic below:

