

DELEGATED OFFICER REPORT

Application Ref: X/23/95903

Site Address: Oak Lodge, Bridge Road, Bursledon, Southampton, SO31 8AL

Case Officer: Summer Sharpe

Description: Variation of condition 2 (approved plans) and condition 10 (details), and removal of condition 13 (stopping up of existing access) to accommodate relocation of Plot 1 of planning permission F/20/87926 for construction of 6 no. five bed dwellings, conversion of existing outbuilding to 1 no. 3 bed dwelling and the refurbishment of existing dwelling at Oak Lodge with associated garages / car parking, new access from Bridge Road, landscaping and associated works.

Particular Site Constraints?	Yes ☒	No ☐
- Within urban edge - HRA screening: SAC, SPA, Ramsar - Nature Conservation - Special Protection Area – Recreation Disturbance Zone - TPO (746-E) - Air Quality Management Area - Oil pipeline (10 & 12 inch) (to the north of the site)		

Planning History?	Yes ☒	No ☐
Application no.	Proposal	Decision
F/22/93988	Demolition of existing outbuilding and construction of a single storey 3 bedroom dwelling with associated parking.	Permitted (August 2023)
DC/22/92965	Discharge of conditions 3 (method statement), 4 (arboricultural report), 5 (arboricultural method statement), 8 (preliminary investigation), 10 (materials), 11 (drainage) & 12 (noise report) of planning permission F/20/87926 for construction of 6 no. five bed dwellings, conversion of existing outbuilding to 1 no. 3 bed dwelling and the refurbishment of existing dwelling at Oak Lodge with associated garages / car parking, new access from Bridge Road, landscaping and associated works.	Partially Discharged (August 2023)
F/20/87926	Construction of 6 no. five bed dwellings, conversion of existing outbuilding to 1 no. 3 bed dwelling and the refurbishment of existing dwelling at Oak Lodge with associated garages / car parking, new access from Bridge Road, landscaping and associated works.	Permitted (February 2021)
F/19/85770	Construction of 7 no. 5-bed dwellings (with existing property Oak Lodge to be retained and refurbished) with associated car parking, landscaping and new access from Bridge Road.	Withdrawn (November 2019)
F/17/79886	Construction of 2 no. 4 –bed and 9 no. 5-bed dwellings (with existing property (Oak Lodge) to be retained and refurbished) with associated car parking, landscaping and new access from Bridge Road. The	Withdrawn

	application is a Major Development and a departure from the Development Plan.	
F/09/64783	Single storey side extension and conversion of existing garage to provide living accommodation.	Approved (May 2009)
F/06/55911	Single storey rear and first floor side extensions.	Approved (March 2006)
Z/16752/008/00	Change of use of stable to B1 use (office and light industry) and ancillary storage.	Refused (June 1994)
Z/27810/001/00	Outline: Erection of dwelling and garage.	Refused (June 1994)
Z/16752/001/00	Use of site for short stay overnight parking of caravans in fields.	Refused (July 1978)
Z/16752/005/00	The erection of dwelling with garage.	Approved (July 1981)
Z/16752/002/00	The erection of dwelling and garage.	Refused (March 1980) Allowed at Appeal
Z/16752/003/00	Alterations to access adjoining.	Approved (December 1980)
Z/16752/00A/00	Erection of two houses.	Refused (August 1977)
Z/16752/000/00	Construction of approx. 24 houses.	Refused (June 1976)

Publicity:	Letters ☒	Site Notice ☐	Newspaper ☐
Representations:	<u>3no. Objections (from 1no. neighbour) summarised as follows:</u> (a) concern about unresolved surface water problems/ drainage/ flooding, (b) development is visible from neighbouring site, (c) concern about retention of trees, and (d) access to the site/ congestion (A27). 2no. Comments relating to flooding and lack of comments from HCC Flood & Water Management.		
Parish Council:	Councillors had no objection to this planning application but commented that concerns regarding water management had still not been addressed.		
EBC Ecology:	No objection either for ecology or surface water drainage.		
EBC Arboriculturalist:	Following the loss of two large, mature trees in 2022, located either side of the exiting access road, there are now no significant constraints to the repositioning of the dwelling or to the upgrading of the existing access road (if required). Therefore, we raise no arboricultural objection to the proposal.		
EBC Landscape:	None received.		
EBC Environmental Health:	None received.		
EBC Contaminated Land:	The new layout proposes to retain the alignment of the existing access road rather than creation of a new road (as previously approved in the application F/20/87926), and consequently, the dwelling on Plot 1 is required to move slightly north-westwards. This minor reconfiguration of the site layout has minimal impact on contaminated land perspective, and our previous comments sent on 21/09/2021 are still relevant.		
EBC Streetscene:	None received.		
Hampshire Highways:	<u>Comments 8 January 2024 (Following amended plans):</u> No objection. From a highway perspective these updates look to deal with concerns previously raised regarding the potential for a refuse vehicle and a standard family car to pass each other at the site access, and prevent the need for one of		

the vehicles to have to stop and wait on Bridge Road (when looking to enter site) whilst another is looking to exit.

Following further discussions with the applicant, they have amended plans to provide a passing point on the private driveway/ access road, which is in close proximity (visually and physically) to the site access with Bridge Road.

Whilst due to the quantum of development, it is not envisaged that the frequency of conflicting movements will be high, this now provides a place in which vehicles up to and including the size of a refuse vehicle can pull in, in order to let an opposing vehicle pass and so not require a stop on Bridge Road itself, as shown on drawing 2022-6493-010 RevB.

Whilst this does not fully overcome the passing at junction issue, it does reasonably mitigate the issue when considering the realistic number of vehicle movements through the access junction, and onwards the potential for conflict that would otherwise be a highway safety concern. As such, in this specific case, there would be no objection to the proposals as shown.

It should however, be noted by the applicants that any access works required will need to be undertaken in accordance with the HCC S278 process.

Comments 8 December 2023:

Alternative passing point requested.

Comments 16 October 2023:

From a highway perspective it is understood that the proposals essentially result in the updating of the approved site access position from Bridge Road into the development site with a revised position south east of that originally approved.

The new access position essentially utilises the existing site access, improving it in geometry and by adding a pedestrian footway to the north/ western edge.

Drawings provided (2022-6493-001 Rev B) have demonstrated that adequate visibility splays can be achieved both left and right, and that there are no vertical obstructions within the visibility splay envelope.

Moving into the site, the access road is shown as being 4.8m wide, which would be generally acceptable.

However, whilst vehicle tracking drawings have been produced, they do not show simultaneous movements of vehicles accessing and egressing the site at the same time. In this regard, additional drawings are requested in order to demonstrate that all the various combination of movements in and out at the same time can be achieved at the access. The importance of this is that Bridge Road has a high level of vehicle flows, and any requirement for a vehicle to have to wait on the highway whilst another left site has highway safety implications. It may well be that the initial section of access road needs to be widened to some extent to fully accommodate vehicle movements.

Additionally given the access improvement works and associated footway will involve work adjoining the public highway, the developer should be made aware that the

	subsequent 278 approval will be required prior to implementation, and this will require additional information. Condition 2 (approved plans) – in principle the updated plans are acceptable (subject to comments made above) and as such there would be no objection. Condition 10 (details) – from a highway perspective, highway elements contained within this condition will still be required, though they can essentially be covered by the S278 process. Condition 13 (stopping up of existing access) – it is understood that the existing access from the highway will now be utilised for the site access (albeit with an upgrade) and as such there is no requirement for a formal stopping up of the existing access. As such there would be no objection to the removal of this condition from a highway perspective.
Local Lead Flood Authority:	<u>Comments 7 December 2023 (Following additional information):</u> No objection. This variation of condition has identified changes in the layout. A revised drainage plan has been provided to demonstrate the overall drainage strategy is consistent with the previously approved information. <u>Comments 19 October 2023:</u> There are no issues with the principle of the amendments. The only query I would raise is that there are some minor changes to the drainage proposals in relation to Property 1. I would expect the previously proposed drainage to be amended to suit the layout and am confident that it is still compliant with the calculations I have reviewed. I would however recommend that the drainage drawing is resubmitted as the connection points are now likely to be on the opposite side of the property and will not therefore be compliant with the approved drainage drawing submitted under DC/22/92965.
Fisher German:	Our client Esso Petroleum Co Ltd, do have apparatus situated near the proposed works. Esso Petroleum Co Ltd have no objections to the proposals so long as the enclosed 'Special Requirements for Safe Working' booklet and the covenants contained in the Deed of Grant are adhered to.
Southern Water:	No objection to the variation of condition 2, and no comments to make with respect to other conditions.
Southern Gas:	This mains record only shows the pipes owned by SGN in our role as a Licensed Gas Transporter (GT). Please note that privately owned gas pipes or pipes owned by other GTs may be present in this area and information regarding those pipes needs to be requested from the owners.
Natural England:	Natural England is not able to provide specific advice on this application and therefore has no comment to make on its details. Although we have not been able to assess the potential impacts of this proposal on statutory nature

	conservation sites or protected landscapes, we offer the further advice and references to Standing Advice.
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Policy:

National Planning Policy Framework

National Planning Practice Guidance

Development Plan:

Eastleigh Borough Local Plan 2016-2036

Policies: S1 (delivering sustainable development), S2 (approach to development), S3 (location of new housing), DM1 (General development), DM2 (environmentally sustainable development), DM3 (climate change), DM6 (surface water management), DM10 (water & waste water), DM11 (nature conservation), DM13 (access), DM14 (parking), DM23 (residential development within urban areas), DM30 (internal space standards), and DM38 (funding infrastructure).

Supplementary Planning Documents:

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

Site Visit	Yes ☒	No ☐
23 October 2023.		

Assessment:

Site & Surroundings

The site comprises circa 1.2hectares of land, located to the north-west of the River Hamble, situated between the A27 and M27. The site is accessed from the north side of Bridge Road (A27).

The site comprises Oak Lodge, a detached red brick property located to the north of the site, along the western boundary. There is also a single storey red brick outbuilding towards the eastern boundary and a gas governor in the southeast corner.

The site forms part of a wider scheme which has previously received planning permission for its redevelopment of 8no. dwellings. From a site visit it was noted that some development on site had commenced (Plots 5-8). In addition, it was noted that there has been a loss of a couple of trees and hedgerow, however T8 (located to the north-west of Plot 4) remains in situ.

The application site specifically relates to a previously approved dwelling (Plot 1), situated towards the south-western boundary of the site. To the immediate south is mature vegetation which provides sufficient screening from Bridge Road (A27) south.

To the northern boundary of the application site is a designated Site of Importance for Nature Conservation (SINC). To the east, the boundary treatment comprises close board fencing. However, it is noted that there are mature trees which also bound the site. The wider surroundings comprise residential dwellings, with a fairly new estate to the north/east (Cleverley Rise).

Proposal

This application proposes the variation of condition 2 (approved plans) and condition 10 (details), and removal of condition 13 (stopping up of existing access) to accommodate the relocation of Plot 1 of planning permission F/20/87926 for construction of 6no. five bed dwellings, conversion of existing outbuilding to 1no. 3 bed dwelling and the refurbishment

of existing dwelling at Oak Lodge with associated garages / car parking, new access from Bridge Road, landscaping and associated works.

The proposals would largely remain as previously approved in terms of the general internal layout and siting of most of the approved dwellings. This application would specifically seek the relocation of Plot 1 and would retain the existing access to the north of Bridge Road. Planning application F/20/87926 previously approved this to be situated fairly centrally within the southern portion of the application site (due north of Bridge Road) and to the east of the previously approved new access. This application proposes to locate Plot 1 to the west of the existing/ retained access, still within this southern portion of the site.

Principle

The application site falls within the urban edge, whereby the general principle of residential development is considered to be acceptable. It should also be noted that planning application F/20/87926 permitted 6no. new dwellings, conversion of existing outbuilding to a dwelling and the refurbishment of existing dwelling at Oak Lodge, which included Plot 1 (the application site). This application is seeking to relocate the positioning of Plot 1, and retain the existing access, as opposed to creating a new access road. The proposals are therefore considered to be acceptable in principle. However, would be subject to the following considerations set out within this report.

Design

Policy DM1 of the Eastleigh Borough Local Plan (2016-2036) stipulates that all new development should respect the character and appearance of urban areas, take full and proper account of the context of the site including the character, appearance and land uses of the locality or neighbouring, and be compatible in terms of mass, scale, layout density, design and siting.

The application proposes alterations to the layout by retaining the existing access and relocation of Plot 1. The internal layout would remain largely as existing, albeit the main access route to Bridge Road would be altered.

Plot 1 has been reduced in terms of its footprint, the attached garage has also changed siting (as a result of the proposed retention of the existing access). Plot 1 would also have some tile hanging at first floor, however this would not extend the whole way around the first floor level, it would solely be on the south-east elevation, and part of both the south-west and north-eastern elevations. The remainder of the first floor level would be finished in red facing brick work. The reduced footprint, and material alterations are not considered to be harmful, especially when read within the wider context of the previously approved site. Further, and in terms of materials, the wider scheme permitted under F/20/87926 incorporated a variety of materials; including facing brick work, white and stone coloured render, red clay hanging tiles, red clay roof tiles, black rainwater goods and white upvc fenestration, which were also approved under discharge of condition application DC/22/92965. The proposals reducing the footprint and altering the design of the dwelling, but still utilising materials with an approved palette is considered to be acceptable.

In terms of wider context and landscaping matters, the Council's Landscape Officer has not provided any comments on this specific scheme. However, previously (as part of application F/20/87926) they requested a site specific landscape plan. Condition 10(h) secured landscape information, which was discharged under application DC/22/92965. Given that the layout is a different, as a result of the retention of the existing access and relocation of Plot 1, compared to the previously approved scheme, it is recommended that a similar landscape condition be imposed.

Ultimately, and to conclude, the proposals are considered to be acceptable, subject to conditions.

Internal & External Space for Future Occupiers

To ensure adequate internal living standards are met the Local Planning Authority assess the measurements of space against the 'National Described Space Standards' (NDSS) (March 2015). Policy DM30 of the Eastleigh Borough Local Plan (2016-2036) requires that all new dwellings meet the NDSS as a minimum. In addition to internal arrangements, the Quality Places SPD requires all new residential development to provide a garden area of 60% of the host dwellinghouse.

The NDSS sets out the minimum space required for new dwellinghouses, this is dependent upon the number of bedrooms, people who would reside there and storeys. There are also standards relating to sizes of bedrooms; a single occupancy bedroom should measure 7.5m², and a double occupancy bedroom should measure 11.5m².

The original application approved 6no. new 5no. bedroom dwellings, conversion of an existing outbuilding and a refurbishment to Oak Lodge. All approved dwellings met the NDSS.

This application proposes alterations to Plot 1, a 5no. bedroom dwelling, whereby the NDSS sets out this would require between 110m² – 128m². Plot 1 would provide approx. 94m² at ground floor and approx. 84m² at first floor level (cumulatively 178m²), thus exceeding the NDSS requirements. Further, from the submitted floor plans and elevations, it appears that each habitable room would be served by a window and would therefore benefit from sufficient natural light.

In addition, and as set out within the Council's Quality Places SPD, the garden size for new residential development must be at least 60% of the floor space of the host dwellinghouse. Given that Plot 1 has been reduced in size, compared to the previously approved plans, it is likely that the proposal would meet this requirement.

Further, due to the nature of the proposals, the Council's Environmental Health Team have been consulted. They have not provided any comments on this scheme, however, it was noted that Conditions 10(g) and 12 of planning permission F/20/87926 sought to protect amenities from ambient noise generated from the M27 and A27. These have subsequently been discharged under DC/22/92965. Subject to a condition securing these measures be implemented as per the approved information then this would be acceptable.

To conclude, the proposals would accord with the abovementioned policies and SPD, as such are considered to be acceptable in this regard.

Impact upon Neighbouring Amenities

Policy DM1 of the Eastleigh Borough Local Plan (2016-2036) amongst other matters, stipulates that all new development should not have an unacceptable impact upon residential amenities of both new and existing residents.

The previous application assessed the site as a whole and concluded that none of the proposed dwellinghouses would have an adverse impact upon the neighbouring amenities.

This variation of condition application relates solely to the relocation of Plot 1. This dwelling is situated towards the south-western portion of the site, closest to the A27. As a result of this siting it is a sufficient distance from any existing neighbouring amenity thus would not result in any adverse harm. Furthermore, this dwelling is situated a sufficient distance from the other development within the wider site. Plots 2, 3 and 4 are also

screened by vegetation so would not be impacted upon by Plot 1. As such, the proposed relocation of Plot 1 is not considered to have an adverse impact upon the amenities of the neighbouring properties.

During the application process, it was noted that some vegetation along the northern boundary was removed. On previously approved plans it was to be retained. However, following discussions with the Council's Arboriculturalist its loss was considered acceptable in arboricultural terms. However, there would still be the requirement to replant vegetation in a similar area, to provide biodiversity enhancements and also to protect the amenities of the neighbouring properties. As set out within the 'Design' section of this report, it is recommended that a landscape condition be imposed. Therefore, and subject to condition this is considered to be acceptable.

Previously, the Council's Environmental Health Team recommended that a CEMP be conditioned. This was conditioned as part of application F/20/87926, and subsequently discharged under application DC/22/92965. The construction of this dwelling should be undertaken in accordance with the agreed CEMP, which is recommended to be secured via condition.

Ultimately, and to conclude, the proposals are not considered to have an adverse impact upon the amenities of the neighbouring properties, subject to conditions.

Highway Safety, Parking & Refuse Storage

Policy DM13 of the Eastleigh Borough Local Plan (2016-2036) requires that development is or could be well served by public transport, cycling and walking and it includes measures which minimise its impact on the existing highway network. Policy DM14 of the same Plan requires that an appropriate level of car parking be provided in accordance with the Council's adopted standards. The policy provisions are consistent with the requirements of the NPPF and in particular those of paragraphs 108 and 109.

Due to the nature of the proposals, Hampshire County Council (Local Highways Authority (LHA)) have been consulted. Originally, the LHA raised some concern with regard to the proposals. Following this, amended plans were submitted. The LHA raised no objection to the latest version of amendments, however noted a S278 would be required.

In terms of parking, the Council's SPD sets out that for a 5no. bedroom property there should be the provision of 3no. off-street parking provisions. The location plan shows that there would be provision for at least 3no. off-street parking provisions for all 8no. dwellings on site, as such the proposal would exceed the required provisions. There would also be a requirement to provide additional/ visitor parking, which was secured as part of the previous application. This application seeks the re-location of Plot 1 and retention of existing access. These are not considered to have an adverse impact upon the internal parking configuration and would therefore be acceptable, subject to conditions.

Turning to bin and cycle storage, this was conditioned (10(i)) as part of application F/20/87926, and subsequently discharged under application DC/22/92965.

As such, and to conclude, the proposals, subject to condition are considered to be acceptable in this regard.

Ecology & Trees

Policy DM11 of the Eastleigh Borough Local Plan (2016-2036) stipulates that the Borough Council will work with statutory and voluntary agencies and developers to; protect, conserve and enhance areas subject to international, national and local nature conservation designations, and promote the net gain of biodiversity on all sites through the

protection, enhancement and connection of existing provisions and new habitats and features compatible with the native biodiversity characteristics of the Borough.

Due to the nature of development, the Council's Arboriculturalist and Ecologist have been consulted.

Originally, as part of the previous planning application F/20/87926, the Council's Arboriculturalist raised a holding objection. Following amendments, they then removed their objection, subject to conditions. It was also noted that Plot 4 had permitted development rights removed (Classes A, E & F of Schedule 2, Part 1 of the GPDO). This was specifically to restrict extensions, outbuildings and hardstanding to ensure that future development would not have an adverse impact upon the nearby protected tree.

As part of this application, the Council's Arboriculturalist raised no objection. It was noted that, since the previous application, there had been the loss of 2no. large mature trees (in 2022), which were located either side of the existing access road. However, as they are no longer in situ there are no significant constraints with regard to the repositioning of the dwelling or upgrading the existing access road from an arboricultural perspective. However, the previous relevant tree conditions are still recommended to be imposed to ensure the proposals do not have an adverse impact upon remaining/ existing trees.

The Council's Ecologist raised no objection to the proposals. Therefore, and subject to the previous conditions in relation to ecology and biodiversity enhancements, the proposals are considered to be acceptable in this regard.

Drainage

Policies DM3 and DM6 of the Eastleigh Borough Local Plan (2016-2036) stipulate that new development must provide sustainable drainage systems (SuDs) wherever feasible, naturalised filtration should also be included.

As part of the previous application F/20/87926 the Council's Ecologist requested information in relation to surface water drainage design. This was subsequently conditioned as part of the previous application and required the submission of additional details. This condition (11) has been discharged as part of discharge of condition application DC/22/92965.

As part of this application the Local Lead Flood Authority (LLFA) were consulted. They advised that there were no issues with the principle of the amendments, however noted that there some minor changes to the drainage proposals in relation to Plot 1. Following the receipt of additional information/ amended plans, it has been demonstrated that the overall drainage strategy is consistent with the previously approved information. Therefore subject to a condition ensuring these agreed measures are implemented as part of this application, then the proposals are considered to be acceptable in this regard.

It is noted that neighbours objections relate to the concern about flooding. Condition 11 (Drainage) has sought to secure appropriate drainage solutions for the as built scenario. Whilst it is understood, from the objections received, there are current issues in terms of drainage/ flooding, this is not uncommon during the construction phase given that there are reduced areas of sustainable drainage. However, the LLFA are satisfied that the as built scenario would be acceptable.

Contaminated Land

Policy DM8 of the submitted Eastleigh Borough Local Plan (2016-2036) stipulates that development will not be permitted if it is likely to cause loss of amenity of impact upon public health or other unacceptable environmental impacts; including land contamination.

Due to the nature and location of the proposals, the Council's Contaminated Land Team (CLT) have been consulted upon. They previously reviewed the proposals and noted that they would be acceptable subject to conditions. Since, the contaminated land information under discharge of condition application DC/22/92965 has been discharged, this report covered the wider site, including this application site.

The Council's Contaminated Land Officer noted that this application would relocate Plot 1. They considered this to be a minor reconfiguration to the previously approved site layout, which would have minimal impact on contaminated land perspective, and therefore their previous comments sent on the original application would still be relevant. Condition 8 of planning permission F/20/87926 required further contaminated land information. This has since been discharged as part of application referenced DC/22/92965. There was also a prior to occupation condition (9) imposed as part of F/20/87926, which would be recommended to be imposed as part of this application.

Sustainability

Policy DM2 of the Eastleigh Borough Local Plan (2016-2036) requires new development to provide a 19% improvement in predicted carbon emissions, and water consumption standards of 110L per person per day.

Other than being situated within a suitable location, the proposals do not provide any sustainability measures. Condition 17 of permission F/20/87926 required additional information to be submitted to and approved by the LPA stipulating that the approved development shall have a 19% improvement of dwelling emission rates over target emission rates (as set by building regulations), and that water consumption be no more than 105 litres per person per day. These requirements are also recommended to be secured via condition as part of this application.

SPA Mitigations

The Council, as the responsible body for Habitats Regulations Assessment (HRA), must ensure as part of a planning application that a development will not have an adverse impact upon any European protected sites, and specifically in this case, the European protected Solent Complex (SPA, SAC and Ramsar sites), River Itchen (SAC) and New Forest National Park (SPA, SAC and Ramsar sites). It is recognised that the addition of residential development would have an adverse impact upon the surrounding designated European protected sites. Due to the nature of the proposals, a HRA was undertaken and submitted to Natural England for their review.

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 recreational disturbance to our coastline through careful management. The application site falls within the 5.6m buffer. As the proposals relate to a variation of condition, the site as a whole, would be considered:

- 1 x 3no. bedroom dwelling = £834
- 6 x 5no. bedroom dwelling = £6,900

Cumulatively, the mitigation monies required would be £7,734 (as of 1 April 2023), which have now been received.

In terms of water quality, Natural England have advised that new housing development should achieve nutrient neutrality in order to mitigate the impacts of additional nitrogen arising from the sewage generated by the future residents. This wastewater then feeds into the Solent Complex via Waste Water Treatment Works, which discharges into the

river network and so causes eutrophication affecting the features for which it is designated. The Council has adopted its own strategy for achieving nutrient 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 the funding being secured during planning application. The HRA covered that the proposal would result in an additional 5.57kgTN/year, and that the necessary mitigation monies would be secured via condition.

Furthermore, Natural England has also recently raised concern with regard to additional residential development within 13.8km radius of the New Forest. This is considered to have an adverse impact upon the New Forest by way of additional trips resulting in further recreational disturbance. There is a monetary mitigation of £2,220 per residential unit to offset the impact upon the New Forest National Park, which was covered within the HRA. Cumulatively, the mitigation monies required would be £15,540, which have now been received.

Other Matters

From a site visit, it was noted that works have already commenced on site, and therefore it would not be reasonable for the LPA to impose any pre-commencement conditions as part of this application.

From a history search, it was also noted that discharge of condition application DC/22/92965 discharged conditions: 3 (CEMP), 5 (Arboricultural Method Statement), 8 (Preliminary Investigation), 11 (Drainage), and 12 (Noise Report). As such, these conditions would be compliance conditions to ensure that the development within this application complies with the discharged information. Conditions 4 (Arboricultural Report) and 10 (Materials/ details) were partially discharged, therefore these conditions remain pertinent to this application.

Equalities Act:

Section 149 of the Equalities Act 2021 created the public sector equality duty. Section 149 states:

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

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

Climate Change:

In July 2019, the Council declared a Climate Change and Environmental Emergency. In doing so it agreed, among other things, to: (a) put in place measures to ensure the Council's own operations and functions achieve carbon neutrality by 2025; (b) work with partners to aim for all projects and services delivered in the Borough to achieve carbon neutrality by 2030; (c) ensure that the Council's procurement policy recognises carbon neutrality as one of its primary considerations; and (d) recognise the urgency of action to mitigate and adapt

to climate change in every decision taken by the Council. This is underpinned by the Climate and Environment Emergency Strategy 2020-2030 and the supporting Climate and Environmental Emergency Action Plan – Update June 2020.

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

The NPPF aims for the need for housing to be met, and policy S2 of the Emerging Local Plan sets a target for 14,580 dwellings to be provided by 2036. The NPPF, Saved Policies 34.ES and 37.ES of the Local Plan, Policies, S1, DM2, and DM3 of the Emerging Local Plan and energy and water elements of the adopted Environmentally Sustainable Development SPD require development to be sustainable in terms of resource use, climate change and energy use. When considering the impact of climate change, the proposed development is expected to be resilient to the potential effects of climate change and is expected to limit impacts on climate emissions as a result of the development or its use.

Conclusion:

The application is recommended for approval subject to conditions.

Recommendation:

PERMIT ☒

REFUSE ☐

Conditions:

- 1) The development shall start no later than 11 February 2024, three years from the date of the decision of planning application F/20/87926.

Reason: to comply with Section 91 of the Town and Country Planning Act 1990.

NB. The works have already started on site.

- 2) The development hereby permitted shall be implemented in accordance with the followings plans numbered:

As part of this variation application:

- Plot 1 – Floor plans & elevations – As proposed 1122 1009
- Ground floor site plan 1122 1010 Rev L
- Roof site plan 1122 1011 Rev K
- Site Overview 2022-6493-000 Rev F
- Access Overview and Visibility Splays 2022-6493-001 Rev D
- HCC Standard Car and Delivery Van Vehicle Swept Path Analysis 2022-6493-002 Rev D
- Fire Tender and Refuse Freighter Vehicle Swept Path Analysis 2022-6493-003 Rev D
- Fire Tender Vehicle Swept Path Analysis 2022-6493-004 Rev D
- Refuse Freighter Vehicle Swept Path Analysis 2022-6493-005 Rev D
- Internal Junction Visibility Splay 2022-6493-006 Rev C
- Car Parking Vehicle Swept Path Analysis 2022-6493-007 Rev D
- Gas Governor Vehicle Swept Path Analysis 2022-6493-008 Rev B
- Passing Bays Overview Swept Path Analysis 2022-6493-010 Rev B
- Passing Bays Overview 2022-6493-009 Rev A
- Passing Bays Overview Swept Path Analysis 2022-6493-010 Rev A
- Landscape plan 1122 1106 Rev G

For clarity the following plans were approved as part of F/20/87926 and remain pertinent to this decision:

- 28013-PL198 Rev C
- 28013-PL199 Rev A
- 28013-PL204 Rev B
- 28013-PL205 Rev B
- 28013-PL206 Rev B
- 28013-PL207 Rev B
- 28013-PL208 Rev B
- 28013-PL209 Rev C
- 28013-PL210 Rev B
- 28013-PL211 Rev B

Reason: For the avoidance of doubt and in the interests of proper planning.

- 3) No construction or demolition work shall start until a Method Statement has been submitted to, and approved in writing by the Local Planning Authority. Demolition and construction work shall only take place in accordance with the approved method statement which shall include:
 - a) A programme and phasing of the demolition and construction work, including roads, footpaths and landscaping;
 - b) Location of temporary site buildings, wheel wash, compounds, construction material, and plant storage areas used during demolition and construction;
 - c) Arrangements for the routing / turning of lorries and details for construction traffic access to the site;

- d) The arrangements for deliveries associated with all construction works, loading/unloading of plant & materials and restoration of any damage to the highway [including vehicle crossovers and grass verges];
- e) The parking of vehicles of site operatives and visitors;
- f) Measures to control the emission of dust and dirt generated by demolition and construction;
- g) A scheme for controlling noise and vibration from demolition and construction activities (to include piling);
- h) Provision for storage, collection, and disposal of rubbish from the development during construction period;
- i) Measures to prevent mud and dust on the highway during demolition and construction;
- j) The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- k) Temporary lighting;
- l) Protection of pedestrian routes during construction;
- m) And in terms of local habitat protection; measures to prevent light spill from temporary lighting into surrounding habitats; noise control, dust suppression, water quality preservation (controlled water and fuel run-off), temporary protective fencing (to demarcate retained habitats without causing entrapment of wildlife), timing of works (specifically in relation to breeding bird season), storage of materials/ chemicals/ equipment and waste disposal.

All measures were agreed and discharged under planning application DC/22/92965. Any continued construction works shall accord with the approved measures.

Reason: To limit the impact the development has in construction phase on the amenity of the locality and to protect the biodiversity of the site and surrounding habitats during construction.

- 4) Prior to the commencement of development, a supervision statement prepared by a qualified arboricultural specialist shall be submitted to, and approved in writing by the Local Planning Authority. This statement shall include:
 - Details of the appointment of retained arboricultural consultant;
 - Details of arboriculturally sensitive activities with regards to both the veteran and non-veteran trees and the necessary mitigation measures, including the construction exclusion zone;
 - Timing of arboriculturally sensitive activities and a proposal for notifying the LPA so that a representative from the LPA may attend if required;
 - Reporting methods including sign off, recognising the need for the supervision to continue until the development is completed.

No excavation, demolition or development-related works shall commence until evidence has been submitted and approved by the LPA that the tree protection measures have been installed, as per the approved supervision statement. Once approved, no access by vehicles or placement of goods, chemicals, fuels, soil or other materials shall take place within the fenced area, nor shall any ground levels be altered or excavations made without the written consent of the Local Planning Authority, beyond that which is agreed in the arboricultural documentation. Tree protection measures shall be retained in their approved form for the duration of the work. This tree condition may only be fully discharged on completion of the development subject to satisfactory written evidence of monitoring and compliance by the retained tree specialist during construction.

All agreed measures shall be undertaken in accordance with partially discharged information under planning application DC/22/92965. However this condition will require further complete discharging following completion of the development.

Reason: To retain and protect the existing trees, including Veteran Oak trees, which form an important part of the history and amenity of the locality.

- 5) Prior to the commencement of development, an updated arboricultural method statement shall be prepared by a quality arboricultural specialist and shall be submitted to, and approved in writing by the Local Planning Authority. This statement shall include:

- A services plan and method statement, including trenchless techniques for services in root protection areas;
- A commitment to the adherence to all approved arboricultural documents, including review and updates on arboricultural documents, where necessary and agreed in advance with the LPA.

The development shall proceed in accordance with the approved method statement.
[All measures were agreed and discharged under planning application DC/22/92965.](#)
[Any continued construction shall accord with the approved measures.](#)

Reason: To retain and protect the existing trees, including Veteran Oak trees, which form an important part of the history and amenity of the locality.

- 6) No burning or materials obtained by the site clearance or any other source shall take place during the demolition, construction and fitting out process.

Reason: To protect the amenities of the occupiers of nearby properties.

- 7) No construction, demolition or deliveries to the site shall take place during the construction period except between the hours of 0800 to 1800 Mondays to Fridays or 0900 to 1300 on Saturdays and not at all on Sundays or Bank Holidays.

Reason: To protect the amenities of the occupiers of nearby properties.

- 8) No work shall commence on site until the following has been submitted to, and approved in writing by the LPA:

a) Report of Preliminary Investigation comprising a Desk Study, Conceptual Site Model, and Preliminary Risk Assessment documenting previous and existing land uses of the site and adjacent land in accordance with national guidance and as set out in Contaminated Land Report Nos. 11, CLR11, and BS10175:2011+A2:2017 Investigation of potentially contaminated sites – Code of Practice, and, unless otherwise agreed with the LPA,

b) If required by the Report of Preliminary Investigation, a report of a site investigation documenting the ground conditions of the site and incorporating chemical and gas analysis identified as appropriate by the Preliminary Investigation and in accordance with BS10175:2011+A2:2017, and BS8576:2013 and unless otherwise agreed with the LPA,

c) If a report of a site investigation is required, a detailed site specific scheme for remedial works and measures to be undertaken to avoid the risk from contaminants and/ or gases when the site is developed and proposals for future maintenance and monitoring (such a scheme shall include nomination of a competent person to oversee the implementation of the works).

The development shall proceed in accordance with the approved scheme.

[All measures were agreed and discharged under planning application DC/22/92965.](#)

Reason: To minimise the risk from land contaminated for the safety of the property's occupiers.

- 9) The development hereby permitted shall not be occupied / brought into use until there has been submitted to the Local Planning Authority verification by the competent person approved under the provisions of condition 7 that any remediation scheme required and approved under the provisions of condition 7 has been implemented fully in accordance with the approved details (unless varied with the written permission of the Local Planning Authority in advance of implementation). Unless agreed in writing with the Local Planning Authority such verification shall comply with the guidance contained in CLR11 and EA Guidance for the Safe

Development of Housing on Land Affected by Contamination - R&D Publication 66: 2008. Typically such a report would comprise:

- a) A description of the site and its background, and summary of relevant site information,
 - b) a description of the remediation objectives and remedial works carried out
 - c) verification data, including - data (sample locations/analytical results, as built drawings of the implemented scheme, photographs of the remediation works in progress, etc.
 - d) Certificates demonstrating that imported and / or material left in situ is free from contamination, gas / vapour membranes have been installed correctly
- Thereafter the scheme shall be monitored and maintained in accordance with the scheme approved under condition 8(c).

Reason: To minimise the risk from land contamination for the safety of the property's occupiers.

- 10) No development shall start until details have been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the approved details have been fully implemented [unless agreed in writing by the Local Planning Authority], with the exception of h) which shall be delivered in accordance with the approved timetable, and shall include:
- a) Details and samples of the materials to be used in the construction of the external surfaces of the development;
 - b) The alignment, height and materials of all walls, fences and other means of enclosure;
 - c) The details and layout of foul sewers and surface water drains (and confirmation that Southern Water and LLFA has been consulted of the designs);
 - d) Plans including cross sections to show proposed ground levels and their relationship to existing levels both within the site and on immediately adjoining land;
 - e) Width, alignment, gradient, sight lines, lighting and type of construction proposed for any roads, footpaths and accesses – also sitewide design for emergency services and waste and recyclables collections, parking areas and residential car parking spaces;
 - f) Details for ongoing management and maintenance of any roads, footpaths and access including any future plans for adoption;
 - g) A scheme for protecting the development from A27 noise;
 - h) A landscaping scheme to cover all surfacing, trees and planting all site boundaries, specific details for the north-west site boundary, a timetable for completion of the landscaping, and a site wide management and maintenance plan, in general accordance with arboricultural report reference 19/12/241//NH v5.0 dated November 2020; planting plan reference 1038-5400 rev E; and landscape management and maintenance plan dated November 2020 rev B; and taking account of the presence of the on-site sewer and associated buffer;
 - i) Details for bin and cycle storage;
 - j) Details of the access (including any footway and crossing and visibility splays (at the junction of the access and the public highway).

All measures were agreed and discharged under planning application DC/22/92965.

Reason: To limit the impact the development has on the locality.

NB. Condition 10(h) is not agreed as part of this application.

- 11) Notwithstanding the approved landscape details (External Boundary Treatments Plan 1122 1104_Rev C and Landscape Specification & Management Plan), under discharge of condition application DC/22/92965. An updated site wide landscaping scheme, which reflect the changes hereby approved, (including the removal of vegetation along the northern boundary), shall be submitted to the Local Planning

Authority within 3 months of the date of this decision. The landscape details will be implemented and maintained in accordance with the agreed timescales.

Reason: To limit the impact the development has on the locality, and to ensure there are biodiversity enhancements/ green features in the interests of visual amenity.

- 12) No development shall begin until a detailed surface water drainage scheme for the site (based on the principles illustrated, and hereby approved: the Preliminary Engineering Layout and Supporting Calculations information; Flood Risk Assessment & Surface Water Drainage Strategy (UNDA), Surface Water Technical Note (Odyssey), Preliminary Engineering Layout (Odyssey), Overland Flow Route (Odyssey), Permeable Pavement Catchment Plan (Odyssey); Catchment 1 Greenfield Runoff Rate (Odyssey); Catchment 2 Greenfield Runoff Rate (Odyssey), Permeable Paving Cascade Information (Odyssey), Permeable Paving Catchment Information (Odyssey)) has been submitted and approved in writing by the Local Planning Authority.

The submitted details should include:

- a. A technical summary highlighting any changes to the design from that within the approved Flood Risk Assessment.
- b. Exceedance Plans demonstrating the flow paths and areas of ponding in the event of blockages or storms exceeding design criteria. Detailed information to demonstrate how plot 2 will be protected against exceedance flows to be provided.
- c. Maintenance regimes for the entire surface water drainage system must be provided with confirmation of responsibilities for each element.

The development shall proceed in accordance with the approved scheme.

All measures were agreed and discharged under planning application DC/22/92965. Developshall shall also accord with approved plan "D2034-001 H" (received 22 November 2023 as part of this variation application).

Reason: To ensure satisfactory drainage for the development.

- 13) Notwithstanding the approved document 'Noise Impact Assessment and Glazing Specification (SCL7014.200529.R1), no development shall take place until details are submitted and approved by the LPA for mechanical ventilation and heat recovery systems across all plots. Further details for Plot 1 are to be submitted and approved including glazing performance details. Acoustic barrier design details should be referred to as part of this work and are also required for submission under separate condition (detailed design). Details will also be prepared and summarised in an accompanying supporting noise report. The development shall proceed in accordance with the approved details.

All measures were agreed and discharged under planning application DC/22/92965.

Reason: In the interests of occupier amenity.

- ~~14) Within 9 months of the development commencing the existing site accesses shall be stopped up and abandoned and the footway/ verge shall be reinstated in accordance with the details to be approved by the Local Planning Authority in conjunction with the Highway Authority.~~

~~Reason: To ensure that there is only one vehicular access to the property and in the interests of visual amenity.~~

- 15) For a period of no less than 5 years after planting, any trees or plants which are removed, die or become seriously damaged or defective, shall be replaced as soon as is reasonably practicable with others of the same species, size and number as originally approved in the landscaping scheme.

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

- 16) The development shall not be brought into use until all resultant materials have been removed from the site.

Reason: To protect the amenities of the occupiers of nearby properties.

- 17) The mitigation and enhancement recommendations set out in the Ecology Report by Ecosupport (July 2020), Reptile Survey by Ecosupport (April 2019), Bat Survey by Ecosupport (January 2019) and the Landscape plan shall be implemented in full. The 6no. integral swift bricks shall be installed prior to first occupation.

Reason: In the interests of promoting biodiversity.

- 18) The development shall not be occupied [unless agreed in writing by the Local Planning Authority] until 'as built' stage SAP data confirming a 19% improvement of dwelling emission rates over target emissions rates as set by building regulations and an 'as built' stage water calculator confirming predicted internal mains water consumption to be no more than 105 litres/person/day and a sustainability report [highlighting how all of the essential requirements of the Eastleigh Borough Council adopted Supplementary Planning Document 'Environmentally Sustainable Development' have been met] has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the development meets the requirements of the adopted Supplementary Planning Document 'Environmentally Sustainable Development'.

- 19) The garages hereby approved shall only be used [for the purpose of parking private mote vehicles] in connection with the residential use of the property and shall not, at any time, be used for living accommodation, business, commercial or industrial purposes.

Reason: To ensure the adequate provision of on site parking for the purpose of highway safety.

- 20) Notwithstanding the provisions of Part 1 Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking, re-enacting or modifying that Order), no extension or alteration to Plot 4, within Schedule 2, Part 1, Classes A, E and F of the Town and Country Planning (General Permitted Development) (England) Order 2015 shall be made except with the prior written consent of the Local Planning Authority.

Reason: It is considered that the extension of this dwelling (Plot 4) or installation of hard surfacing of could result in an adverse effect upon nearby veteran trees.

Informatives:

Note to Applicant: Esso Petroleum Co Ltd have apparatus situated near the proposed works. Esso Petroleum Co Ltd have no objections to the proposals so long as the enclosed 'Special Requirements for Safe Working' booklet and the covenants contained in the Deed of Grant are adhered to.

Note to Applicant: The developer should be made aware that a subsequent S278 approval will be required prior to implementation of the new access, and this will require additional information such as formal engineering drawings to be submitted. This may result in updates being required which could affect the approved layout, and as such early engagement with the S278 team would be advised. Details of the S278 process can be found via the following link:

<https://www.hants.gov.uk/transport/developers/constructionstandards>

Note to Applicant: Please note:

- The public foul sewer requires a clearance of 3 metres on either side of the gravity sewers to protect it from construction works and to allow for future access for maintenance.
- No development or tree planting should be carried out within 3 metres of the external edge of the public gravity sewer without consent from Southern Water.
- No soakaways, swales, ponds, watercourses or any other surface water retaining or conveying features should be located within 5 metres of public sewers.
- All existing infrastructure should be protected during the course of construction works.

Southern Water have restrictions on the proposed tree planting adjacent to Southern Water sewers, rising mains or water mains and any such proposed assets in the vicinity of existing planting. Reference should be made to Southern Water's publication "A Guide to Tree Planting near water Mains and Sewers" and Sewers for Adoption with regards to any landscaping proposals and our restrictions and maintenance of tree planting adjacent to sewers and rising mains and water mains. Furthermore, it is possible that a sewer now deemed to be public could be crossing the development site. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its ownership before any further works commence on site.

Southern Water requires a formal application for a connection to the foul sewer to be made by the applicant or developer. We request that should this application receive planning approval, the following informative is attached to the consent:

A formal application for connection to the public sewerage system is required in order to service this development. Please read our New Connections Services Charging Arrangements documents which has now been published and is available to read on our website via the following link:
southernwater.co.uk/developing-building/connection-charging-arrangements

Under certain circumstances SuDS will be adopted by Southern Water should this be requested by the developer. Where SuDS form part of a continuous sewer system, and are not an isolated end of pipe SuDS component, adoption will be considered if such systems comply with the latest Sewers for Adoption (Appendix C) and CIRIA guidance available here: [water.org.uk/sewerage-sector-guidance-approved-documents/ciria.org/Memberships/The_SuDS_Manual_C753_Chapters.aspx](https://www.water.org.uk/sewerage-sector-guidance-approved-documents/ciria.org/Memberships/The_SuDS_Manual_C753_Chapters.aspx)

Where SUDS rely upon facilities which are not adoptable by sewerage undertakers the applicant will need to ensure that arrangements exist for the long-term maintenance of the SUDS facilities. It is critical that the effectiveness of these systems is maintained in perpetuity. Good management will avoid flooding from the proposed surface water system, which may result in the inundation of the foul sewerage system.

Please note that non-compliance with Sewers for Adoption standards will preclude future adoption of the foul and surface water sewerage network on site. The design of drainage should ensure that no groundwater or land drainage is to enter public sewers.

Note to Applicant: In accordance with paragraph 38 of the National Planning Policy Framework (February 2019), Eastleigh Borough Council takes a positive approach to the handling of development proposals so as to achieve, whenever possible, a positive outcome and to ensure all proposals are dealt with in a timely manner.

