

BIFOHH – Bishopstoke, Fair Oak and Horton Heath Local Area Committee –
19 June 2024

Application Number: F/24/96839
Case Officer: Summer Sharpe
Received Date: 5 February 2024
Site Address: St Martins, Church Road, Bishopstoke, Eastleigh, SO50 6BH
Applicant: Mr D Bowen
Proposal: Demolition of existing bungalow and construction of 2 x 4no. bed dwellings, including creation of vehicular access from Spring Lane and the construction of 2no. garages.

Recommendation: Subject to securing of contributions towards the Council's New Forest Mitigation Strategy.

To delegate back to the Planning Manager in conjunction with The Chair and Vice Chair to GRANT PLANNING PERMISSION with the following conditions

CONDITIONS AND REASONS:

1) The development hereby permitted shall start no later than three years from the date of this decision.

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

2) The development hereby permitted shall be implemented in accordance with the following documents and plans numbered:

- Site Location Plan 2022-009 010
- Existing Site Block Plan 2022-009 011
- Existing Site Plan 2022-009 100
- Existing Ground Floor Plan 2022-009 102 Rev A
- Existing Site Elevations 2022-009 110 Rev B
- Existing Elevations 2022-009 111 Rev B
- Existing Elevations 2022-009 112 Rev B
- Proposed Site Block Plan 2022-009 200 Rev A
- Proposed Site Plan 2022-009 201 Rev E
- Proposed Site Ground Floor Plan 2022-009 202 Rev E
- H.01 Proposed Elevations 2022-009 211 Rev D
- H.01 Proposed Elevations 2022-009 212 Rev D
- H.01 Proposed Ground Floor Plan 2022 204 Rev D
- H.01 Proposed First Floor Plan 2022-009 205 Rev D
- H.01 Proposed Roof Plan 2022-009 206 Rev D
- H.01 Proposed Garage 2022-009 240
- H.02 Proposed Ground Floor Plan 2022-009 207 Rev E

- H.02 Proposed First Floor Plan 2022-009 208 Rev D
- H.02 Proposed Roof Plan 2022-009 209 Rev D
- Proposed Site Elevations 2022-009 210 Rev D
- H.02 Proposed Elevations 2022-009 213 Rev C
- H.02 Proposed Elevations 2022-009 214 Rev D
- H.02 Proposed Garage 2022-009 241
- Proposed Access Drive 2022-009 230 Rev G
- Tree Protection Plan SM-TPP-001 Rev A
- Arboricultural Impact Assessment St. Martins Close, Bishopstoke, Eastleigh, SO50 6BH
- Arb. Impact Assessment SM-AIA-001 Rev A
- Arboricultural Method Statement St. Martins Close, Bishopstoke, Eastleigh, SO50 6BH
- Proposed Residential Development at St Martin's Close Bishopstoke Flood Risk Assessment and Drainage Proposals Report (dated 9 October 2023)
- Spring Lane, Bishopstoke, Nr.Eastleigh Hampshire, SO50 6AZ: Proposed Vehicular Access Technical Note (dated November 2023)
- St Martins Close, Bishopstoke, Hampshire Ecological Appraisal (dated October 2023)
- St Martin's Close Bishopstoke, SO50 6BH Design & Access Statement Rev D (dated April 2024)
- Nutrient Neutrality Statement and Calculations
- PCD547/002 Rev.B

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

- 3) No development shall commence on site until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority, which shall include:
- a) A programme of and phasing of demolition and construction work;
 - b) Provision of long term facilities for contractor parking and parking of vehicles of site operatives and visitors;
 - c) Access and egress for plant and machinery;
 - d) Location of temporary site buildings, compounds, construction material, and plant storage areas used during demolition and construction;
 - e) 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];
 - f) The arrangements for the turning of lorries and details for construction traffic access to the site;
 - 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 the construction period;
 - i) Details of the methodology for ensuring dirt is not transferred onto the highway from the site (i.e wheel washers), and onwards mitigation should this fail, such as the employment of mechanical road sweepers,

and the subsequent refresh of street lining (as and when required) should this be damaged during the process;

- j) The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- k) Details of any temporary lighting;
- l) Protection of pedestrian routes during construction;
- m) Temporary surface water drainage provisions;
- n) Precautionary working method statement (providing full details of those outlined in the 'Response to Ecology Officer and NatureSpace Comments received 11 April 2024)
- o) Measures to protect listed walls along access from Church Road.

Demolition and construction work shall only take place in accordance with the approved management plan.

Reason: In order that the Planning Authority can properly consider the effect of the works on the amenity of the locality.

4) No development shall commence until details for the sustainable disposal of surface water and the disposal of foul sewerage from the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority, and in consultation with Southern Water. The development shall then accord with the approved details.

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

5) Notwithstanding the information submitted to date, no development related works shall take place on site until a detailed arboricultural method statement relating to the creation of the new access on to Spring Lane is submitted to and approved in writing by the Local Planning Authority. The approved method statement must be adhered to in full, and may only be modified subject to written agreement from the Local Planning Authority.

Reason: To retain and protect the existing trees which form an important part of the amenity of the locality.

6) No development related works shall take place on site until a detailed arboricultural supervision proposal, detailing all proposed supervision activity and method of reporting, has been submitted and approved by the Local Planning Authority. The approved arboricultural supervision proposal must be adhered to in full, and may only be modified subject to written agreement from the Local Planning Authority.

Reason: To retain and protect the existing trees which form an important part of the amenity of the locality.

7) No development shall start on site until the access onto Spring Lane, including the footway and/ or verge crossing shall be constructed and lines of sight of 2.4m by 43m provided in accordance with the approved plans (PCD547/002 Rev.B). The lines of sight splays shown on the approved

plans shall be kept free of any obstruction exceeding 0.6m in height above the adjacent carriageway and shall be subsequently maintained so thereafter.

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

8) Notwithstanding the approved plans/ details, no development above damp-proof-course level shall continue until full details of the following have been submitted to and approved in writing by the Local Planning Authority:

- a) materials (and samples where requested) to be used in the construction of the external surfaces of the development;
- b) Construction details of the junctions between different facing materials;
- c) Parapet details;
- d) Window reveals; and
- e) Rainwater goods.

The development shall be carried out in accordance with the approved details.

Reason: To ensure a satisfactory visual appearance in the interest of the amenities of the area.

9) Prior to construction/ repair works to the existing boundary wall the following details shall be submitted to and approved in writing by the Local Planning Authority:

- a) Brick details; colour/ make; and
- b) Mortar details; colour/ material.

The development shall then be carried out in accordance with the approved details.

Reason: To ensure a satisfactory visual appearance in the interest of the amenities of the area.

10) Details of the solar panels shall be submitted to and approved in writing by the Local Planning Authority prior to their installation. The works shall then be carried out in accordance with the approved details.

Reason: To ensure a satisfactory visual appearance in the interest of the amenities of the area.

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

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

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

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

13) The development must accord with the approved arboricultural impact assessment and arboricultural method statement. No excavation, demolition or development related works shall commence until the tree protection measures have been installed as per the tree protection plan reference SM-TPP-001. Once installed, no access by vehicles or placement of goods, chemicals, fuels, soil or other materials shall take place within the protected area. Tree protection measures shall be retained in their approved form for the duration of the works and may only be modified subject to written agreement from the Local Planning Authority.

Reason: To retain and protect the existing trees which form an important part of the amenity of the locality.

14) A watching brief should be followed at all times during demolition and construction works and confirmation of this shall be submitted to the Local Planning Authority prior to completion. In the event that previously unidentified contamination is found during the watching brief it must be immediately reported to the Local Planning Authority. Work shall then cease until an investigation and risk assessment, and where required a remediation scheme, has been submitted to and approved in writing by the Local Planning Authority. Where a remediation scheme is required by the Local Planning Authority, the development shall not be brought into use until a verification report for the remediation work has been submitted to and approved in writing by the Local Planning Authority. All works shall be undertaken by a competent person in accordance with best practice as outlined in BS10175:2011+A2:2017 and LCRM. Any gas monitoring deemed appropriate is to be in accordance with best practice as outlined in such documents as BS8576:2013, BS 8485:2015+A1:2019, Claire RB17 and CIRIA C665.

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

15) Prior to first occupation a landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall cover all hard and soft landscaping (including all boundary treatments, additional tree planting and biodiversity enhancements) and shall provide details of timings for all landscaping and any future maintenance. The approved landscaping scheme shall be carried out in the first planting season following occupation of the development, or completion of the development (whichever is sooner), and to the appropriate British Standard, and maintained thereafter.

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

16) Prior to first occupation, the vehicle parking, bin and cycle storage as shown on plan referenced "Proposed Site Plan 2022-009 201 Rev E" shall

be implemented and thereafter retained for the lifetime of the development.

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

17) Prior to the first occupation of the approved development, supporting information to confirm the predicted internal mains water consumption will achieve a maximum level of 110 litres/person/day shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out otherwise than in accordance with the approved details.

Reason: To achieve water efficiency requirements in the interest of environmental sustainability, in accordance with Policy DM2 of the Eastleigh Borough Local Plan 2016-2036.

18) The development hereby permitted shall not be occupied until a mitigation package addressing the additional nutrient inputs arising from the development has been submitted to, and approved in writing by, the Local Planning Authority. Such a mitigation package shall address all of the additional nutrient loading upon protected European sites from the development and shall allow the Local Planning Authority to ascertain on the basis of the best available scientific evidence that such additional nutrient loading will not have an adverse effect on the integrity of those European Sites, having regard to the conservation objectives for they are designated. The mitigation package shall be implemented in full and evidence of this provided to the Local Planning Authority in writing prior to first occupation of the development.

Reason: To mitigate the nitrates impacts arising from the development upon the European protected Solent Complex in accordance with the requirements of the Conservation of Habitats and Species Regulations 2017.

19) Prior to the occupation of any dwelling hereby approved, evidence that the dwelling complies with Part M4(2) standard (Accessible and adaptable dwellings) of the building regulations for new build residential development (or future equivalent), shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out otherwise than in accordance with the approved details.

Reason: To ensure the development meets higher national access standards in accordance with policy DM29 of the Eastleigh Borough Local Plan 2016-2036.

20) Any vehicular access gates provided shall be set back a distance of 6m from the edge of the carriageway of the adjoining highway.

Reason: In the interests of highway safety.

21) The garages hereby approved shall only be used for the purpose of parking private motor 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 onsite parking for the purpose of highway safety.

22) The development hereby permitted shall not be commenced for a period of at least 21 days from the date of the decision.

Reason: To comply with Section 28I(6) of the Wildlife and Countryside Act 1981 (as amended) as this permission is being granted otherwise than in accordance with the advice of Natural England.

INFORMATIVES

a) Note to Applicant

In the unlikely event that a bat is found, works should stop immediately and Natural England informed: <https://www.bats.org.uk/advice/im-working-on-a-building-with-bats/ive-found-a-bat-during-works>

b) Note to Applicant

Please review Southern Water's Comments in detail online and contact: SouthernWaterPlanning@southernwater.co.uk when and/or where necessary.

c) Note to Applicant

The site is within an area of maximum radon potential of 3-5%. Further consideration needs to be given to the radon risk. As general advice, all developers should:

- a. Consult the Radon UK map (UKradon - UK maps of radon) - if they're in an area above 1%, developers should buy the UK Health Agency Radon report (for approximately £4.00) and check their development. Details on the findings on radon risk should be submitted to the LPA.
- b. If this gives an answer that is greater than 1%, they should consider Radon protection for new developments.
- c. If the answer is greater than 3% then Radon protection will be needed according to Building Regulations, with basic protection required at 3-10% and full protection above 10%.

d) Note to Applicant

In accordance with Paragraph 38 of the National Planning Policy Framework (December 2023), 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.

Report:

1. This application has been referred to Committee by Councillors Caws, Broomfield & Couldrey.

Site Characteristics and Character of the Locality

2. The application site comprises a detached single storey dwellinghouse located towards the south-eastern corner of the 0.28 hectare plot, accessed via St Martins Close (west) which connects to Church Road. The site also contains a detached garage within the south-western corner, with the main garden/ external amenity area to the north and west of the existing dwelling. It is also noted that the site is bound by historic brick walls, with the submitted supporting documents noting that the walls are in varying states of repair/ replacement. The walls are of significance as they historically created a walled garden serving Longmead House estate.
3. The surrounding area comprises residential development. To the south of St Martins Close (the access to the west of the application site) is the Old Rectory (a Grade II Listed Building). It is also noted to the north-west of the application site (on the corner which goes from Church Road to Spring Lane) no's 117 & 119 Spring Lane are also Grade II Listed Buildings. Both Church Road and Spring Lane are subject to topographical changes and surface water flooding. Spring Lane is also noted to be a verdant and vegetated road. The immediate surroundings also fall within the Bishopstoke Conservation Area. There is also a private historic garden relating to Longmead House to the east and south of the site. Further south of the application site is Glebe Mead and skate park.

Description of Application

4. This application proposes the demolition of existing bungalow and construction of 2 x 4no. bedroom dwellings, including creation of vehicular access from Spring Lane and the construction of 2no. garages.
5. The existing dwelling comprises a modest single storey bungalow. It has a footprint of 117m² and a maximum overall height of approx. 5m, and is situated within the south-eastern corner of the plot. The dwelling is accessed via St Martins, to the east of Church Road, and has a long informal path from the parking provisions to the dwelling. The proposals would see the demolition of this existing building.
6. Plot 1 (House 1) would be situated to the north-western corner of the plot. This would have a footprint of approx. 202m², and would be two-storey in part with a maximum height of approx. 7.5m, and an eaves height of approx. 5.3m. The single storey element would have a flat roof height measuring approx. 3.3m. The dwelling would be set in approx.

3.9m from the shared northern boundary. This would also benefit from a detached garage situated towards the southern boundary. This would have a footprint of approx. 35m², with an overall height of 4.5m and eaves which would measure 2.5m. This dwelling would utilise the existing access.

7. Plot 2 (House 2) would be situated fairly centrally within the new second plot, slightly further north than the existing dwelling. This would have a footprint of approx. 140m², and would be two-storey in part with a maximum height of approx. 7.2m, and an eaves height of 5.4m. The single storey element would have a flat roof height measuring approx. 3.3m. This would be set in approx. 4m from the shared northern boundary. This plot would also benefit from a detached garage, which would be sited in a similar position to the existing dwelling. This would have a footprint of approx. 35m², with an overall height of 4.5m and eaves which would measure 2.5m. The access to this dwelling would be created by a new route from Spring Lane. Due to the topography of the site, this would involve significant engineering works to the existing bank to be able to obtain access to Spring Lane which is on lower ground than the proposed dwelling. This would also incorporate some retaining features and landscaping.
8. The proposed dwellings would both be of a contemporary design, utilising a variety of materials, comprising; multi-tone dark brick, vertical cedar cladding, black aluminium fenestration, solar panels, aluminium rainwater goods and parapet capping, timber hardwood entrance doors, and black steel railings and gates.
9. The Design and Access Statement can be found here: [Planning Application: F/24/96839 \(eastleigh.gov.uk\)](#)

Relevant Planning History

- Z/05991/003/00 - Rebuilding of boundary wall 7'6 high. Withdrawn (February 1981)
- Z/11409/001/00 - Erection of a single storey dwelling Refused (May 1981)
- Z/17561/001/00 - Single storey rear extension Permitted (September 1986)

Representations Received

10. 8no. objections summarised as follows:

- (a) visually intrusive,
- (b) impact upon existing boundary wall/ concern about its existing state,
- (c) highways matters/ additional traffic,
- (d) access from Spring Lane,
- (e) ecology concerns; loss of trees and habitat along Spring Lane & impact upon wildlife (including protected species),
- (f) overlooking,
- (g) green roofs are unsightly if not maintained,

- (h) concern about increased use of driveway,
- (i) outlook for neighbouring properties will be affected,
- (j) concern about legal split of land and how this will affect the shared driveway,
- (k) concern about flooding,
- (l) visual impact of new access onto Spring Lane,
- (m) design is not in the local vernacular,
- (n) additional noise and loss of privacy,
- (o) concern about future expansion, and
- (p) construction phase will impact neighbouring amenities.

1no. Support comment summarised as follows:

- (a) consideration has been given to environmental factors,
- (b) constitutes a sympathetic redevelopment,
- (c) overall improvement,
- (d) 2no. houses are very unlikely to have any material impact on traffic,
- (e) construction disturbance whilst inconvenient is unavoidable,
- (f) proposals would add to the village rather than detract from it.

Consultation Responses

11. Parish Council:

Objection – loss of trees, damage to the conservation area, impact upon historic wall, and access onto Spring Lane.

12. Hampshire County Council Highways:

No objection – subject to conditions.

Access: it is proposed that the site will have 2 separate vehicle and pedestrian access points, with one of the proposed dwellings accessing the site via the existing vehicle access from Church Road, and the other dwelling taking access from a new vehicle access from Spring Lane.

In terms of the access from Church Road, it is noted that it is an existing access that currently serves a 4-bedroom dwelling which is to be demolished to make way for the new 4-bed dwelling. Due to the constraints of the access no improvements are achievable, and given there will be no intensification of use following construction, and there is no accident history, the continued utilisation of the access is acceptable in this instance.

With regard to the access to serve the second 4-bed dwelling from Spring Lane, this will be a new access, crossing existing verge, and in terms of visibility, it is proposed that the verge will be subject to regrading in order to provide visibility both left and right. It is noted from drawing number PCD547/002 Rev.B (Transport Technical Note) that with highway works completed, the visibility splay to the south conforms to standards at 2.4 x 43m. However, to the north in order to achieve the required visibility the splay is drawn to the centre of the carriageway

rather than the back edge of the carriage way. In this specific instance, this would be acceptable given the splay reaches the point of a nearside bend in the carriageway. This bend will have the dual affect of (a) slowing vehicles to some extent and (b) making it unlikely that any southbound vehicle overtaking will be undertaken at this point as it would in effect be on a blind bend. As such, the changes of a southbound vehicle being on the nearside carriageway and as such hidden from view would be anticipated to be very low, and undertaken at caution.

A S278 agreement would be required with regard to visibility splays.

Internal Layout: whilst they layout would not be for adoption by HCC as Highway Authority, a review has been undertaken and is generally acceptable.

13. EBC Ecologist:

No objection subject to conditions

Comments 16 April 2024 (following receipt of additional information):
The information shows the availability of good quality terrestrial great crested newt habitat within the site. The retained great crested newt terrestrial habitat is not reflected in the proposed site plan (Rev E). any animals using the site would rely on continuous green infrastructure to be provided around the site boundaries, which is not available with this plan.

The precautionary working method statement/ reasonable avoidance measures outlined are acceptable given the information provided (applied for both amphibians and reptiles).

In addition, large expanses of lawn and paving should be avoided in favour of more varied flowering plants.

14. Nature Space Comments 28 March 2024:

Further information recommended.

Comments 25 March 2024:

Holding objection pending a consultation response from Naturespace Great Crested New Officer and that the impact on the vegetated bank by creation of vehicular access along Spring Lane has not been sufficiently assessed.

15. EBC Arboriculturalist:

No arboricultural objection, subject to conditions.

Firstly, we have no arboricultural objection with regards to the proposal of the 2no. dwellings, subject to compliance with the submitted arboricultural documents. Whilst there are a number of trees in the

vicinity, the arboricultural documents and their proposals are sufficient to retain and protect the import trees on the site and on neighbouring land.

Our principal issue is with the creation of the new access on to Spring Lane. There is insufficient information within the Arboricultural Method Statement demonstrating that this element of the proposal can be achieved without harm to retained trees. At first, it was not clear how the access was to be created without damage to the areas of the bank outside of the driveways footprint. However, it is now understood that piling will be used to construct the retaining wall (as per the annotation on the plan "Proposed Access Drive reference 2022-009 230 Rev G). Theoretically, this is acceptable, but we will require further information pre-commencement regarding final engineering design, detail arboricultural method statement for this element (as machinery will be in close proximity to retained trees and the protective fencing may not be workable given the topography and machinery) and supervision statement (outlining a full arboricultural supervision schedule and reporting methods for this element). If the above information is provided prior to commencement, we are satisfied that there is unlikely to be significant harm to the amenity provided by the trees on the site in the long term.

16. EBC Environmental Health:

No objection subject to conditions

Contaminated Land: the site is not within an identified contaminative land use. However, a limited amount of made grade is anticipated due to previous structures/ uses and as a result of the proposed demolition works. As such a condition and informative are recommended.

Noise: the proposed development is located within a residential setting. Demolition and construction works will elevate noise vibration and dust causing temporary adverse impact. as such a CEMP is recommended to be conditioned.

Air Quality: the proposed development does not represent a significant impact on air quality. Therefore, we have no objection in this regard.

17. Design Review Panel (DRP) Comments 19 March 2024:

No objection – the design quality was very high, however it was considered that there was scope to further develop the design (in particular the relationship between the internal and external spaces around both dwellings, especially House 1. It was considered that much more could be made of the opportunities available for those spaces to interact with each other both physically and visually).

18. Comments from the Council's Urban Design Officer 29 April 2024 (following amendments):

The amended plans overcome the previous comments, no objection.

19. Eastleigh Conservation Officer:

No objection - a good solution for restoring some of the unique history of this site, replacing a substandard housing unit and providing a second, both sustainable.

20. Eastleigh Landscape Officer: Comments 2 May 2024:

Concern: The main landscaping issue remains the impact of the new access drive to Plot 2 on the setting of Spring Lane. The introduction of the vertical sleeper walls is a completely new element in views, and combined with the required tree/ understorey clearance that is part of the access drive works, there can be no doubt this will be an immediately apparent change to the streetscene along Spring Lane. Planting should include taller evergreen species with less ornamental effect so that this new planting merges more naturally with retained vegetation. Tree planting does not indicate any uplift in numbers of new trees.

Comments 14 March 2024:

Primary concern is the impact of the new access to Plot H2 on the character of Spring Lane. It is also acknowledged that the roadsides along Spring Lane are not well maintained. The proposed removal of a number of established trees to create the new access will undoubtedly detract from the landscape character of Spring Lane. In addition, the significant rise up to the level of H2 necessitate significant retaining walls either side of the new drive. The construction of these walls will inevitably lead to further adverse impact on the adjacent existing trees and understorey, exacerbating the change to the scene. Low planting along the top of the walls shown on the images is critical in softening the visual impact of the new driveway. This planting should be shown on the landscape strategy plan. Vigorous evergreen understorey planting would be more appropriate as an extension of the character of adjacent banks.

I am happy with the overall design approach/ site strategy. Grid structure and surrounding courtyards and kitchen gardens create an interesting layout with a variety of external spaces. The incorporation of historic garden elements, including the existing walls, is sensible and will bolster the character of the site. However, further details information would be required.

Various sustainability elements proposed are welcomed, and it is good to see the integration of solar, air source heating, rainwater harvesting and grey water re-use.

21. Southern Water:

Southern Water records show the approximate position of an existing public sewer within the development site. The exact position of the

public assets must be determined on site by the applicant in consultation with Southern Water before the layout of the proposed development is finalised.

Southern Water would not support the proposals for private treatment plant in the presence of public foul sewerage network in the close vicinity of the development site. The foul sewerage shall be disposed in accordance with Part H1 of Building Regulations hierarchy.

22. Natural England

Comments 17 June 2024:

Objection to New Forest recreational impact zone.

No objection to water quality subject to mitigation.

Comments 10 May 2024:

Additional information required with regard to water quality/ nutrient neutrality.

Natural England consider the site to fall within the New Forest recreational impact zone.

Policy Context and Designations Applicable to Site

- Within urban edge
- Bishopstoke Conservation Area
- Great Crested Newt (amber zone)
- Surface water flooding (east - along Spring Lane)
- Historic Private Garden (Longmead House – to the east and south)
- 1no. Yew tree covered by Tree Preservation Order (642-E, which is also a group order covering trees within the neighboring site to the south Friarmayne).

Development Plan

Eastleigh Borough Local Plan 2016-2036

23. The relevant policies comprise:

Strategic policies:

- S1 (Sustainable development);#
- S2 (Approach to new development);
- S3 (Location of new housing)
- S8 (Historic Environment)

24. Development Management policies:

- DM1 (General criteria for new development);
- DM2 (Environmentally sustainable development);
- DM3 (Climate change);
- DM4 (Zero or low carbon energy);
- DM6 (Surface water management);
- DM8 (Pollution);
- DM10 (Water & Waste Water);
- DM11 (Nature conservation);
- DM12 (Heritage Assets);

- DM13 (Transport);
- DM14 (Car Parking);
- DM23 (Residential Development within Urban Areas);
- DM24 (Creating a mix of housing);
- DM29 (Dwellings with higher access standards);
- DM30 (Internal Space Standards);
- DM38 (Funding Infrastructure)

Supplementary Planning Documents

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

National Planning Policy Framework

25. At national level, the National Planning Policy Framework (the 'NPPF' or the 'Framework') is a material consideration of significant weight in the determination of planning applications. The National Planning Policy Framework (the 'NPPF' or the 'Framework') states that (as required by statute) applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise and sets out a general presumption in favour of sustainable development unless material considerations indicate otherwise.

26. Three dimensions of sustainability are to be sought jointly: economic (supporting economy and ensuring land availability); social (providing housing, creating high quality environment with accessible local services); and environmental (contributing to, protecting and enhancing natural, built and historic environment) whilst local circumstances should also be taken into account, so that development responds to the different opportunities for achieving sustainable development in different areas.

National Planning Practice Guidance

27. Where material, the Planning Practice Guidance which supports the provisions and policies of the NPPF should be afforded weight in the consideration and determination of planning applications.

Assessment of Proposal: Development Plan and / or Legislative Background

28. Section 70(2) of the Town and Country Planning Act 1990 and Section 38(6) of the Planning and Compulsory Purchase Act 2004 require a Local Planning Authority determining an application to do so in

accordance with the Development Plan unless material considerations indicate otherwise.

29. The Development Plan comprises the Saved Policies of the Eastleigh Borough Local Plan (2016-2036) and the Hampshire Minerals and Waste Plan 2013 (which is not applicable in this case). The NPPF and the Planning Practice Guidance constitute material considerations of significant weight.

Principle:

30. The application site falls within the urban edge, whereby the general principle of residential development is considered to be acceptable. However, this would be subject to the following considerations set out within this report.
31. Paragraph 11 of the NPPF relates to the presumption in favour of sustainable development, with sub-paragraph d) ii) relating to the decision-taking process, noting that permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.
32. To conclude, the proposal would result in the replacement of 1no. dwelling and provision of 2 no. new dwellings within the urban edge, an area which is acknowledged to be a sustainable location, this contribution would be particularly modest in the form of a single dwelling.

Design and Impact upon Surrounding Conservation Area

33. 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. DM23, relating to residential development in urban areas, also supports the subdivision of land, subject to ensuring this is appropriate within the surrounding context and in terms of transport. Policies S8 and DM12 stipulate that development of a heritage asset would only be permitted where the proposals do not harm or detract from the significance or special interest of the asset.
34. The application site also falls within the "Bishopstoke" Conservation Area. Thus triggering Section 72 of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended), which requires the local planning authority pay special attention to the desirability of preserving or enhancing the character or appearance of a Conservation Area.
35. This application proposes the demolition of the existing dwelling and creation of 2no. new dwellings which would result in the subdivision of the existing plot and creation of new access off of Spring Lane. The subdivision and introduction of 1no. new dwelling would result in

a density of approx. 7. This would be loose knit and would be considered to preserve the character of the area.

36. In terms of the layout, House 1 would be positioned within the north-western corner of the subdivided plot, with the detached garage opposite, to the south. The dwelling would be set in from all boundaries allowing for external courtyards and movement around the plot. House 2 would be positioned within the eastern portion of the site, also set in from all boundaries. The access would be to the east (Spring Lane), whereby views of the dwelling could be obtained. Generally the layout is considered to be appropriate and the introduction of a further dwelling does not create a cramped or unacceptable internal arrangement. With specific regard to landscaping, amendments have been provided to address the Council's Landscape Officers comments. To ensure landscaping is suitable, it is recommended that this be secured via condition (requiring further information to be submitted and reviewed at a later stage).
37. The siting of House 1 results in it being predominantly concealed, with limited public vantage points available. It is acknowledged that neighbouring properties will be able to see House 1 but the views obtained from neighbouring properties are not considered to be harmful given the overall dimensions of the proposed dwelling, combined with the high quality materials and appropriate boundary treatment. Following the Design Review Panel comments, the plans have been amended, whereby the external courtyard now allows for better fluidity between inside and outside living. The overall design and style remains unchanged with the alterations allowing for better movement and connections which improves the dwelling's setting and relationship with the external amenity space.
38. House 2 is situated to the eastern portion of the site, and given the proposed new access off of Spring Lane, this dwelling would be, at points, visible from public vantage points along the lane. Whilst glimpses from the new access to the dwelling could be obtained, there would be fairly significant changes in the land levels thus reducing the prominence and visibility of the proposed dwelling. The views that would be obtained, however, are not considered to be harmful, and would be softened, in part, by some of the existing and proposed landscaping. As a result of the new access, there would be fairly significant retaining structures. There would, however, be landscaping measures to soften its appearance. As noted above, it is recommended that a landscaping plan be secured via condition, thus ensuring the retaining structures would not be overtly prominent and would not result in a harmful visual impact.
39. The overall design of both dwellings and associated garages are notably contemporary. The style and use of materials are not necessarily common features within Spring Lane or Church Road, however, and as noted within DRP comments, the site is fairly isolated and, as set out above, is not overtly visible from public

vantage points, and therefore is a good opportunity for the site to develop its own character and style. The architecture design is considered to be of a high quality, and to ensure the overall finish follows suit, it is recommended that a condition be imposed to ensure the materials and finish are of a high quality.

40. In terms of the impact upon the Conservation Area paragraphs 200-214 of the NPPF are a relevant consideration and relate to proposals affecting heritage assets and considering potential impacts. These paragraphs also introduce the term 'less than substantial harm'. The proposals, whilst resulting in the construction of 2no. modern/contemporary dwellings are not considered to be harmful. The design is considered to be of a high quality and has support from DRP and the Council's Conservation Officer. The proposals would therefore not result in any adverse harm to the Conservation Area, having a neutral impact, thus would not engage the abovementioned Paragraphs of the NPPF.
41. As such, and to conclude, the proposals are considered to be in accordance with Policies DM1 and DM12 of the Local Plan. However, materials and landscaping are recommended to be secured via condition to ensure that the proposals are of a high quality.

Internal & External Amenity for Future Occupiers

42. To ensure adequate internal living standards are met the Local Planning Authority assess the measurements of space against the 'Nationally 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.
43. 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.
44. The application proposes 2no. two-storey 4no. bedroom dwellings, whereby the NDSS requires between 97m² – 124m² for a property of this size. From the submitted plans, the ground floor of House 1 would measure 180m² and first floor would measure approx. 111m², thus cumulating to 291m². House 2 would have a ground floor of 119m², and first floor which would measure 76.8m², thus cumulating to 195.8m². As such, both dwellings would exceed the NDSS requirements. It is also noted that all bedrooms would exceed double person occupancy. Further from the submitted floor plans and

elevations, it appears that each habitable room would be served by a window, thus would be afforded adequate natural light.

45. 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. From the plans submitted, both dwellings would benefit from at least 60% external amenity space, thus would be acceptable.

Impact upon Neighbouring Amenities

46. 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.
47. The addition of further residential development within an area characterised by residential is considered to be acceptable in this regard.
48. House 1 is set in from all boundaries with a number of neighbouring dwellings having rear gardens which back onto the site. 115 Spring Lane benefits from a rear garden of at least 27m in length, 113 Spring Lane benefits from a rear garden of approx. 25m in length (both located to the north) and 10 Church Road benefits from a rear garden of approx. 20m in length (situated to the east). It should also be noted that this neighbour has a large structure within their rear garden. As a result of this structure and separation distance the proposals would not have an adverse impact upon this neighbour. Ultimately, given the separation distance between amenities of neighbouring properties and overall dimensions, the proposed dwelling is not considered to have an adverse impact in terms of being overbearing.
49. House 1 would also not have any windows at first floor level on the northern elevation, and therefore there would not be any concern of overlooking. There would, however, be windows on the southern and eastern elevation at first floor level. However, given the existing structures, separation distance and boundary treatments, these are not considered to result in any adverse overlooking.
50. It is noted that the proposed garage would be within fairly close proximity to the southern boundary. However, this is single storey in nature and of modest dimensions, thus is not considered to have an adverse impact upon the neighbouring property to the south. Further, it should be noted that the access would remain the same for this dwelling. The access off of Church Road is shared with "Friarmayne". This would remain unchanged with the 2no. dwellings being served by the same access, which is the same arrangement as existing.
51. House 2 would also be set in from all boundaries. To the north is 109 Spring Lane this benefits from a rear garden providing approx. 16m separation between the shared boundary. As a result of this

distance, and the overall dimensions of the proposed dwelling, this is not considered to have a harmful impact upon this neighbour.

52. In relation to the internal relationship between House 1 and House 2 they are not considered to have an adverse impact upon one another as a result of the separation distance and boundary treatment. Further details of boundary treatment and planting are recommended to be secured via condition.
53. To the south, the neighbouring property (no.99) is unlikely to be impacted due to the separation distance and given the existing arrangement. It should be noted that the existing dwelling is fairly close to the shared southern boundary and has an acceptable relationship. This application would, however, result in the proposed dwelling being moved further north (away) from the shared boundary, thus could be seen to improve the relationship with this neighbour. It is, however, noted that the application proposes a detached garage which would be in a similar position to the existing dwelling. This would have a smaller footprint and would be screened by existing vegetation, and therefore the proposals are not considered to have an adverse impact upon the amenities of this neighbouring property.
54. It is noted that objection comments have been received, raising concern about further/ future development. The LPA would advise that they are considering the application before them, and not any potential future development. It would also be highlighted that as the application site falls within a Conservation Area (classified as Article 2(3) land) there are further restrictions. The Town and Country Planning (General Permitted Development) Order (2015 as amended) sets out development which can be undertaken without the need for permission. However due to the siting within Article 2(3) land there are further restrictions, meaning that (for example) any future roof alterations (eg. dormers) are likely to require planning permission.
55. To conclude, the proposed dwellings are not considered to result in an adverse impact upon the amenities of the neighbouring properties thus would be in accordance with Policy DM1 of the Local Plan.

Highway Safety, Parking & Refuse Storage

56. 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 – 113.

57. Due to the nature of the proposals, the Local Highway Authority (LHA) have been consulted. They have raised no objections, subject to conditions.
58. In terms of access, the LHA noted that there would be 2 separate accesses to serve the 2no. dwellings. Plot 1 would utilise the existing access, thus would not result in any intensification of this driveway, and would therefore be acceptable. Plot 2 would be accessed via a new driveway adjoining Spring Lane. This access would be subject to regrading the existing verge, in order to provide visibility. The southern visibility splay conforms to the relevant standards, however the northern visibility splay is drawn to the centre of the carriageway (as opposed to the back edge). Despite this, the LHA are still satisfied that there would be sufficient visibility splays given that there is a bend and vehicles are unlikely to be overtaking. They therefore concluded that access would be acceptable.
59. In terms of the internal layout and parking the LHA noted that whilst not for adoption by HCC the internal layout is generally acceptable. Further, the Council's Parking SPD sets out that for a 4no. bedroom property there should be the provision of 3no. off-street parking provisions. Both dwellings would be served by driveways, and would benefit from a detached garage, thus being able to comfortably provide the required parking provisions.
60. With regard to bin and cycle storage, this has been identified within the proposed detached garages. It is recommended that a condition be imposed to ensure the garages are to be used for the parking of vehicles and storing of bins and cycles.
61. As such, and to conclude, the proposals are considered to be acceptable in this regard subject to conditions.

Ecology & Trees

62. 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.
63. As of April this year, planning applications are required to provide 10% biodiversity net gain. As this application was received prior to April the 10% criteria is not applicable. However, Policy DM11 requires all new development to provide at least a net gain in biodiversity.
64. Due to the nature of development, the Council's Arboriculturalist and Ecologist have been consulted.

65. The Council's Arboriculturalist's comments are set out in full above. They raised no objection with regard to the siting of the proposed dwellings, however raised some concern with regard to the proposed new access, by way of insufficient information. However, the construction methods (piling) are considered to be workable on site. As a result, the Council's Arboriculturalist has requested additional information be provided prior to commencement of works. It is worth noting that they are satisfied that the proposals, subject to condition, would not result in any significant harm to the amenity provided by the trees on the site, and therefore would not raise an arboricultural objection.
66. The Council's Ecologist originally raised a holding objection. The agent provided additional information to which the Council's Ecologist was agreeable to. Subject to conditions ensuring precautionary working methods are followed, and biodiversity enhancements are provided the proposals are considered to be acceptable in this regard.
67. Therefore and to conclude, subject to conditions, the proposals are considered to be acceptable with regard to both the impact upon trees and ecology matters.

Drainage

68. 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.
69. A drainage plan would be required, as recommended by Southern Water. As such this is recommended to be secured via a suitably worded condition, which would require discharging at a later date, in consultation with Southern Water.

Contaminated Land

70. Policy DM8 of the 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.
71. The Council's Environmental Health Officer provided comments in relation to contaminated land. They noted that the site is not within an identified contaminated land use, however, a limited amount of made ground is anticipated due to previous structures/ uses and as a result of the proposed demolition works. As such a condition was recommended. Subject to this, the proposals would be considered acceptable in this regard.

Sustainability

72. 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.
73. As well as being situated within a suitable location, the proposals also include the installation of solar panels on the roofs of the proposed dwellings. Whilst this would provide some sustainability measures, and would be a positive facet of the scheme, it is recommended that solar panel details and policy compliant sustainability measures be secured via condition.

SPA Mitigations

74. 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.
75. Due to the nature of the proposals, a HRA was undertaken and submitted to Natural England for their review. They raised an objection, but only to the New Forest recreational impact zone. The LPA, as competent body under the Habitats and Species Regulations (2019), do not consider the application site to fall within the New Forest recreational impact zone, therefore no mitigations would be required. The LPA have sought to engage with Natural England regarding this matter, however have not received a response. Natural England maintain their objection with regard to the impact upon the New Forest, despite the LPA considering it to not fall within the affected area. As such, and in accordance with the provisions of Section 281 (6) of the Wildlife and Countryside Act (1981), as the application is being granted contrary to the advice of Natural England, a condition preventing development from starting for a period of 21 days is recommended to be imposed to the consent.
76. 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 does

not fall within the 5.6km buffer and therefore this monetary mitigation would not be applicable.

77. 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 funding being secured during the planning application.
78. In addition to the above, Natural England have also highlighted that residential development within a certain catchment of the River Itchen (SAC) can result in phosphate loading resulting from additional sewage generated from future residents. The Council also has 'phosphate credits' available to offset this impact.
79. The HRA covered that the proposals would result in an additional 3.41kg/TN/year of nitrogen and 0.07kg/TN/year (pre-2030) of phosphates, and that the necessary mitigation monies would be secured via condition.
80. 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. The application site does not fall within the 13.8km buffer and therefore mitigation would not be applicable.

Climate Impact and Sustainability

81. 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.

82. The declaration of the Climate Change and Environmental Emergency demonstrates a strong commitment from the Council to achieve net zero. It is not part of development plan or emerging plan policy, but it is a material consideration to be considered alongside all other material considerations. 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.
83. The NPPF, Policies S1, DM2 and DM3 of the Local Plan and energy and water elements of the adopted Environmentally Sustainable Development SPD require development to be sustainable in terms of resource use, climate change and energy use. When considering the impact of climate change, the proposed development is not expected to be directly impacted by the potential effects of climate change and is expected to have a negligible impact on the climate as a result of the development or its use.

Equalities Implications

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

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

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

85. 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.

Conclusion

86. To conclude, the proposals, following amendments are considered to be acceptable in accordance with the Local Plan Policies, in terms of design and impact upon conservation area, amenities, access and parking, trees and ecology, drainage, contaminated land and sustainability.
87. The conditions laid out above would ensure that the overall development is acceptable and finished to a high quality. As such, the proposals are considered to be acceptable.

