NOTICE OF MEETING

BURSLEDON, HAMBLE-LE-RICE AND HOUND LOCAL AREA COMMITTEE
will meet on
Thursday, 26 November 2015
beginning at
6:00 pm
in the
Hamble Primary School, Hamble Lane, Hamble-le-Rice, SO31 4ND

TO: Councillor Tonia Craig (Chair)
   Councillor Steve Holes (Vice-Chair)
   Councillor David Airey
   Councillor Elizabeth Lear
   Councillor Suzy Hamel
   Councillor Jane Rich
   Councillor Lizette Van Niekerk

Staff Contacts: Karin James, Democratic Services Officer Tel: 023 8068 8113; Email: karin.james@eastleigh.gov.uk
Diccon Bright, Area Co-ordinator Tel:023 8068 8436; Email: diccon.bright@eastleigh.gov.uk

RICHARD WARD
Head of Legal and Democratic Services

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Members of the public are invited to speak on general items at the start of the meeting, and on individual agenda items at the time the item is discussed. To register please contact the Democratic Services Officer above.
Please be aware that Eastleigh Borough Council permits filming, sound recording and photography at meetings open to the public.
AGENDA

1. Minutes (Pages 1 - 6)
   To consider the Minutes of the meeting held on 5 November 2015.

2. Apologies

3. Public Participation

4. Declarations of Interest
   Members are invited to declare interests in relation to items of business on the agenda. Any interests declared will be recorded in the Minutes.

5. Community Investment Programme and Revenue Projects (Pages 7 - 14)

6. Naming of street in Bursledon (Pages 15 - 18)

7. Public Footpath Diversion at Car Boot Sale Site, South of Bursledon, Parish of Hound (Pages 19 - 24)

8. Presentation on Planning Guidelines

9. Planning application - Land to the North of Cranbury Gardens, Bursledon (Pages 25 - 64)
   Outline application for up to 45no. dwellings including public open space, landscaping and vehicular access from Cranbury Gardens, pedestrian link to Hamble Lane and new footpath along GreenLane. All detailed matters except for access reserved.

10. Exempt Business
    To consider passing a resolution under Section 100A(4) of the Local Government Act 1972 in respect of the following item of business on the grounds that it is/they are likely to involve the disclosure of exempt information as defined in paragraph(s) 6 and 7 of Part 1 of Schedule 12A of the Act.

    The Schedule 12A categories have been amended and are now subject to the public interest test, in accordance with the Freedom of Information Act 2000. This came into effect on 1st March 2006.

    It is considered that the following items are exempt from disclosure and that the public interest in not disclosing the information outweighs the public interest in disclosing the information.

EXEMPT ITEM

11. Disposal of Land at Netley (Pages 65 - 74)
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DATE OF NEXT MEETING
Thursday, 28 January 2016 at 6:00 pm
at Hamble Primary School, Hamble Lane,
Hamble-le-Rice, SO31 4ND
BURSLEDON, HAMBLE-LE-RICE AND HOUND LOCAL AREA
COMMITTEE

Thursday, 5 November 2015 (6:00 pm – 8:40 pm)

PRESENT:

Councillor Craig (Chair); Councillors Airey, Hamel, Holes, Lear and Van Niekerk

Apologies for absence were received from Councillor Rich

RESOLVED ITEMS (SUBJECT TO QUESTIONS ONLY)

1. MINUTES

RESOLVED -

That the Minutes of the meeting held on 1 October 2015 be confirmed and signed by the Chair as a correct record.

2. DECLARATIONS OF INTEREST

There were no declarations of interest in relation to items of business on the agenda.

3. PUBLIC PARTICIPATION

Hamble Parish Councillor Malcolm Cross spoke with regard to a planning application in Coach Road, where insufficient trees had been replanted and there was now a clear view into the bathroom of the house. Also bushes that were meant to be retained and trimmed had recently been grubbed out, bushes included a rare Hawthorne. A pond had been filled in when the agreement stated it was to be preserved for the sake of wildlife. Although Council Enforcement had been contacted it appeared nothing had been done. Planning officers agreed to take the comments back to their enforcement team.

4. PRESENTATION ON PLANNING GUIDELINES

Development Management staff gave a short presentation on guidelines that had to be taken into account when determining planning applications; in particular the issues that could, and could not, be taken into account. This was set against the broader policy framework.
5. **PLANNING APPLICATION - LAND TO THE WEST OF HAMBLE LANE, BURSLEDON**

The Committee considered the report of the Head of Development Management (Agenda item 6) concerning an application for a Reserved Matters Application for appearance, landscaping, layout and scale pursuant to Outline Planning Permission O/12/71828 for the construction of 150 dwellings with ancillary roads, parking, footpaths, open space and pumping station. This application affects the setting of a Public Right of Way. (ref: Ref. R/15/76830).

The Committee was advised that:

- 2 more letters of support – regarding the need for housing /first time buyers dwellings;
- Parks & Open Space Manager - no objection subject to provision of at least 2 lifesaving points around the attenuation pond;
- Urban design officer – no objection subject to minor revisions to landscaping; and
- Biodiversity officer – no objection subject to minor revisions to landscaping, landscape management plan and ecological mitigation strategy.

**RESOLVED -**

That permission to APPROVE RESERVE MATTERS be delegated to the Head of Development Management, the Chair and Vice Chair subject to:

1) Revised condition 1 - To reference updated plan numbers;
2) An additional condition as follows: Prior to commencement of development details of the lighting proposed for any roads, footpaths and accesses shall be submitted to and approved in writing by the local planning authority. These shall be designed in accordance with the Manual for Streets and any lighting shall be sited to minimise spillage and avoid impacting on flight corridors used by bats. Reason: In the interest of highway safety and nature conservation;
3) The receipt and consideration of further noise information/views of the Environmental Health Officer and subsequent conditions if necessary;
4) An updated landscape management plan, Ecological Mitigation Strategy; and
5) Minor changes to the landscaping plans.

(NOTE: (i) Members asked to be kept informed of the discussions regarding the variation to the s106 on the outline application: (ii) Hound Parish Councillor John Forder spoke regarding the application citing
concerns including the new roads becoming ‘rat runs’, access to the site and related traffic problems, and any trees planted should give due regard to quality as well as quantity; and (iii) the agent spoke in support of the application.)

6. PLANNING APPLICATION - LAND BETWEEN HAMBLE LANE AND GREEN LANE, BURSLEDON

The Committee considered the report of the Head of Development Management (Agenda item 8) concerning an application for the construction of a surface water drainage channel with swale and head wall ancillary to residential development (Reference - O/12/7182). (Ref. F/15/77349)

The Committee was advised that:

- Amended plans had been received
- Head of Transportation and Engineering – No objection
- Hound PC - No objection
- Lead Local Flood Authority (LLFA) – No objection.
- Environment Agency (EA) – no objection
- Tree officer – No objection
- 1 letter of objection on grounds of;
  - the swale doesn’t permanently store water;
  - impact on nearby stream and areas downstream due to increased water flow and pollution;
  - ground conditions in the areas contributes to flooding and flooding would be experienced off-site;
  - swale should be replaced with water being stored in a fully fledged drain and avoids the natural area; and
  - this sets a precedent.

RESOLVED -

That permission to GRANT be delegated to the Head of Development Management in consultation with the Chair and Vice Chair subject to the receipt and consideration of any further third party comments at the end of the consultation period on 6 November 2015.

(NOTE: Hound Parish Councillor John Forder spoke regarding the assessment of water coming off the site.)

7. PLANNING APPLICATION - LAND TO THE SOUTH OF BURSLEDON ROAD, BURSLEDON

The Committee considered the report of the Head of Development Management (Agenda item 7) concerning an application for an Outline application for up to 182 no. dwellings and associated landscaping, open space and infrastructure, and diversion of public right of way, with access
The Committee was advised that:

- Highway England – no objection subject to conditions;
- Southampton CC – objection on grounds of loss of site reserved for a park and ride facility;
- Pipeline Agency – no objection;
- Clinical Commissioning Group – no objection;
- HCC Lead Local Flood Authority – no objection;
- Hamble PC – not raised an objection and support the protection and enhancement of existing rights of way. Strongly object to any future link from Bursledon Road to Jurds Way / Hamble Lane. Concerns re traffic congestion on Hamble Lane, Junction 8 and the Windhover Roundabout;
- Southern Water – No objection in principle. Inadequate capacity for foul drainage and upgrades to existing infrastructure is required. Surface water drainage will need to be designed and managed;
- Biodiversity officer – No objection;
- 1 letter of support from land owner;
- Amended Plans;
- Revised illustrative master plan and landscape strategy received; and
- Sustainability Statement addendum.

RESOLVED –

That the decision to Grant Outline Permission be delegated to Head of Development Management in consultation with the Chair and Vice Chair subject to:

1) The following revised conditions:
   Condition 1 to be updated to referenced latest plan number ‘CSa/2450/107 L, 13156/3003/J’
   Condition 4g Reference Hamble Lane and Bursledon Road rather than “motorway”
   Condition 17 amended to read: “Before development commences, a Construction and Environmental Management Plan (CEMP), a construction phase public communication strategy and a Construction Traffic Management Plan (CTMP) in respect of that phase shall be submitted to and approved in writing by the Local Planning Authority. The CEMP and CTMP must consider the timing and phasing of the works including the movement, routing and quantity of lorries, whilst the CEMP must also consider the location of temporary site buildings and plant and material storage areas, the arrangement for construction deliveries and operatives vehicles to access the site only from Bursledon Road, dust, piling, vibration, noise,
construction traffic movements, lorry temporary construction car parking both on and off-site, temporary lighting, mud on the road, site security, a scheme for controlling noise and vibration from demolition and construction activities (to include piling); the protection of pedestrian routes during construction, storage of and collection of waste and the quality of surface water runoff, watercourse crossings and any proposed diversions (temporary or permanent), a map or plan showing habitat areas to be specifically protected (identified in the ecological report) during the works and any necessary mitigation for protected species. The construction must then be carried out in accordance with the agreed plan. Reason: In the interests of amenity, highway safety and protection of ecological features.

2) The following additional condition; “Prior to commencement details of the proposed water infrastructure plans shall be submitted to and approved in writing by the local planning authority in consultation with Southern Water. The development shall accord with these approved details. Reason: To ensure sufficient water supply is delivered to the development.”

3) Securing a signed Section 106 agreement to include the following updates;

- Public open space to include reference to formal / informal areas, allotments, and new woodland planting
- Children and youth play areas.
- Off-site highway works to deliver the site access as shown indicatively on drawing Figure 1 at Appendix K of the Transport Assessment to be approved prior to commencement of development
- Sustainable Transport contributions towards;
  - Improvements to bus infrastructure in the vicinity
  - Improved off-site pedestrian and cycle links along Portsmouth Road
  - Contributions towards capacity and sustainable access improvements along the Bursledon Road corridor and Hamble Lane corridors identified in the Strategic Transport Study
- Contribution to the delivery of improvements to Tesco roundabout and Jurds Way roundabout if they are not delivered via the Land West of Hamble Lane scheme.
- Travel Plan, along with a bond for the costed measures and the County Council’s assessment and monitoring fees
- Updated master plan

(NOTE: (i) Hound Parish Councillor John Forder spoke regarding drainage and access to and from the site; and (ii) The agent spoke in support of the application.)
8. PLANNING APPEALS

The Head of Legal and Democratic Services reported:-

(a) that the following appeals had been lodged:-

3b Woolston Road, Netley Abbey – Appeal against refusal to grant permission for the Felling of 1no. tree (species unknown) (Ref: T/15/76754) (Previously delegated decision).

(b) that the following appeals had been dismissed:-

16-18 Denzil Avenue, Netley – appeal against refusal to grant permission for 2 chalet dwellings. (Ref: F/15/76288) (Previously delegated decision)

Land at Station Road, Netley – appeal against refusal to grant permission for construction of up to 3 residential dwellings (Ref: 0/14/74970 (Previously delegated decision).

RESOLVED -

That the report be noted.

M5574
BURSLEDON, HAMBLE-LE-RICE & HOUND LOCAL AREA COMMITTEE

Thursday 26 November 2015

COMMUNITY INVESTMENT PROGRAMME AND REVENUE PROJECTS

Report of the Area Co-ordinator

RECOMMENDATIONS

It is recommended that this Committee:

(1) Agrees that £100 be allocated from the revenue reserve for an event to support local businesses;

(2) Agrees that £242 from developers contributions be used for new knee rails at Priory Road open space in Netley;

(3) Approves the purchase of land at Coronation Parade, Hamble for £1 and allocates up to £4000 from developers contributions for legal costs of the transaction;

(4) Agrees that £21,178 of developers contributions be allocated to a Public Art project at Coronation Parade, Hamble;

(5) Agrees that up to £5,000 of developers contributions be allocated for a feasibility study into improved parking at Coronation Parade, Hamble;

(6) Agrees that £15,892 of developers contributions be allocated to a project to improve Netley Local Centre (Station Road and Victoria Road);

(7) Agrees that £6,601 of developers contributions be allocated to a Public Art project at Netley Local Centre (Station Road and Victoria Road);

(8) Agrees no changes to current levels of charges for Hamble Square and Hamble parking permits;

(9) Agrees that £20,000 of developer contributions be allocated for a new toilet and volunteer room block at Bursledon Windmill;

(10) Notes that £100 from the revenue reserve has been allocated to the 2016 ‘Think Safe’ event;

(11) Notes that £315 from developer contributions has been used for a new bin at Mt Pleasant recreation ground, Hamble;

(12) Agrees that £10,000 be confirmed in the Committee’s revenue budget for 16/17 for youth work.
Summary

This report details a number of projects and schemes to improve the prosperity, environment and wellbeing of residents in the Bursledon, Hamble-le-Rice and Hound area. The Local Area Committee’s support is sought to enable their implementation.

Statutory Powers

Section 1 of the Localism Act 2011 i.e. the Local Authority’s general power of competence, including power to act for the benefit of its area or persons resident or present in its area.

Support for local businesses

1. Eastleigh Borough Council is now a member of a ‘Local Action Group’ together with Winchester City and East Hampshire District Councils that can access funding to support rural businesses. (All of BHH, and some small parts of HEWEB and BIFOHH are considered ‘rural’.) To launch this funding scheme and encourage local businesses to apply an event is planned by EBC Economic Development for 4 December 2015. £100 is recommended from the revenue reserve to contribute to the costs of the event.

Improved Open Space at Priory Road, Netley

2. £242 is recommended from the following developers contributions for new knee railings at Priory Road open space in Netley:

OSF/12/70173 Mr N Boyes, 46 Station Road, Netley Abbey 34.16
OS F/14/75048 Hampton Property Developments Ltd, r/o 29 Station Road, Netley Abbey 207.83

Improvements at Coronation Parade, Hamble

3. This committee has the opportunity to improve this part of Hamble’s Streetscene to support local businesses and enhance an important gateway to the village of Hamble. A local consultation has been carried out which shows support for improvements in particular in relation to traffic flows and parking. The surfacing and infrastructure outside the shops needs improving.

4. This land (in between the shop frontages and the Highway, including a set of steps at the eastern end) is not currently in any legal ownership (having ‘escheated’ to the Crown Estate) and therefore requires the Council to take ownership ahead of making improvements. (It is intended that this liability should be taken on only immediately ahead of starting works to improve the area.) Solicitors acting for the Crown Estate will transfer the land into EBC ownership for consideration of £1 and payment of legal costs. The Council’s Principal Valuer (Property and Development Manager) has delegated authority
to acquire land following a Cabinet or Committee decision approving such an acquisition. It is recommended that the committee approves the purchase of land at Coronation Parade, Hamble for £1 and allocates up to £4000 from the following developers contributions for legal costs of the transaction, as the first stage in an overall project to carry out capital infrastructure works in this location:

DC F/14/74053 McCarthy & Stone, The Harrier etc, Hamble Lane, Hamble 31,199.38

5. It is recommended that £21,178 of developers contributions be allocated to a Public Art project at Coronation Parade, Hamble, with the artwork incorporated into the infrastructure improvements, and a Steering Group set up to oversee the project:

DCF/13/71879GE Aviation Systems, Kings Avenue, Hamble Receipt Date:19/03/2013 11,271.19
DC F/14/74053 McCarthy & Stone, The Harrier etc, Hamble Lane, Hamble 9,907.14

6. Feasibility work is required to investigate the possibility of improvements to traffic flow and parking. It is recommended that up to £5,000 of developers contributions be set aside for a feasibility study into improved parking at Coronation Parade, Hamble;

DC F/14/74053 McCarthy & Stone, The Harrier etc, Hamble Lane, Hamble 31,199.38

Improvements at Netley Local Centre (Station Road and Victoria Road shops)

7. As with Coronation Parade, developments in the nearby area give this Committee the opportunity to make infrastructure and other improvements for the benefit of local residents and businesses. It is recommended that £15,892 of developers contributions be allocated to this project which will see infrastructure improvements in the heart of the village of Netley. The first tranche of improvements (to a value of about £3,000) include a number of new bins and improved cycle racks, railings, paving and bus shelters. Further improvements are being investigated, costed and will be determined in consultation with LAC members. The following developer contributions are recommended:

DCF/13/72380First Wessex, land r/o 2 & 4 Hunt Avenue, Netley Abbey Receipt Date:10/06/2013 1,711.76
DCC/13/72388Highwood Group, Netley Court School, Victoria Road, Netley Abbey Receipt Date:29/11/2013 10,615.85
DC F/14/75048 Hampton Property Developments Ltd, r/o 29 Station Road, Netley Abbey 3,499.36
DCF/12/70173Mr N Boyes, 46 Station Road, Netley Abbey 65.02
TOTAL 15,891.99
8. As part of these improvements to Netley Local Centre it is recommended that £6,601 of developers contributions be allocated to a Public Art project, and a Steering Group set up to oversee the project:

DC  C/13/72388  Highwood Group, Netley Court School, Victoria Road, Netley Abbey 6,601.42

Parking charges in Hamble

9. This committee has devolved responsibility for these charges, taking into account recommendations of the Parking Services Manager. Parking charges at the Square were last changed with effect from March 2015 (with the two-hour rate increasing by 10p to £1.30 and the three-hour rate increasing 10p to £1.80). Permit charges have remained unchanged for several years; the subsidy was removed with effect from 1 November 2015. It is recommended that there are no changes to current levels of charges for Hamble Square and Hamble parking permits.

Bursledon Windmill – improvements to facilities

10. Facilities at the Windmill are in need of improvement. A new toilet that is more accessible to visitors including disabled people will improve people’s overall experience of the site. A room for volunteers to base themselves during their time at the windmill, and a place to get warm in the winter months will help attract and retain volunteers, on whom the Windmill’s sustainability increasingly depends. Hampshire County Council in partnership with Hampshire Cultural Trust have progressed design and secured planning permission for a toilet/volunteer room block on part of the car park. The project is soon to be tendered and costs are estimated at £45,000. £25,000 has been identified from Hampshire County Council funds and the overall Heritage Lottery Funded project (to replace the wooden windshaft). It is recommended that this committee allocate £20,000 of developer contributions from the Orchard Lodge development, recently given permission by this committee and with a s106 legal agreement now completed, including this project. It is recommended that the funding be made available contingent on further information (a project timetable) and the project having started within the current 15/16 financial year.

‘Think Safe’ 2016 event for BHH school children

11. Now in its 23rd year, the council’s Think Safe event is being planned for 14th–18th March 2016. Think Safe is a child safety event aimed at about 700 Year 6 children from across the borough, involving teaching and scenarios provided by a range of agencies:

(a) Hampshire Fire & Rescue – fire safety
(b) Hampshire Police – Stranger Danger
(c) RNLI – Coastal and beach safety
(d) Trading Standards
(e) Basic First Aid
(f) Safety around dogs – EBC Environmental Health
(g) Handwashing scenario – EBC Environmental Health

12. Costs of the event include transport, light refreshments and venue hire. Members have agreed to support this project once again with a £100 contribution, which the Committee is asked to note.

New bin at Mt Pleasant recreation ground, Hamble

13. A much-used bin in the corner of the recreation ground near the entrance to Royal Victoria Country Park needed replacing so that responsible dog owners had a bin to place dog waste and other litter. Members agreed £315 from the following developers contribution which the Committee is asked to note:

OS F/14/74053 McCarthy & Stone, The Harrier etc, Hamble
Part of Lane, Hamble
17,133.15

Youth work at Hamble Young People’s Experience (HYPE)

14. This committee has for several years worked in partnership with Hampshire County Council and all three Parish Councils in BHH to fund a youth work service based at HYPE youth centre. Performance reporting shows that over 500 young people are supported each month at HYPE and during outreach sessions. Approximately 100 young people from Hamble, 100 from Netley and 150 from Bursledon and Old Netley attended the service in June. About 100 young people from other areas attended, many of whom are students at Hamble Sports College. Advice and support is provided on a range of issues: health and wellbeing, staying safe, sexual health, relationships, bullying, job searching, emotional and mental health; young people are also able to access more specialist services through HYPE because they feel comfortable seeking help in this setting: health services, counselling, careers advice. The service supports young people with Autism and Aspergers at a dedicated session on Thursday evenings.

15. While it is not yet clear what Hampshire County Council’s contribution in 2016/17 will be, it is recommended that the committee makes an allocation of £10,000 for youth work in BHH at this stage so that funds are available should the current service ‘roll on’ for the first 6 months of 16/17. Parish Council Councils will be asked to consider continuing their commitment to this service.

Financial Implications

16. There are no financial implications apart from the commitments set out for each project. Allocations from the unallocated revenue reserve in this report total £200. This would leave the revenue reserve at around £20,000. Capital
contributions in this report total £73,228.

17. In relation to recommendation 9, current regulations (Community Infrastructure Levy Regulations 2010) allow authorities to use developer contributions to support the timely provision of infrastructure, for example, by using the contributions to backfill early funding provided by another funding body i.e. the Council. Initial funds would come from borrowing which would then be repaid by the Developer Contributions when they are received and applied to the schemes.

Risk Assessment

18. In relation to recommendation 9 the risk of the development not proceeding, and that there are no other developments from which this project could be funded, is considered to be minimal. There are no other identifiable risks attached to these proposals which should be brought to the attention of the Local Area Committee and Council.

Equality and Diversity Implications

19. The Council has a General duty under the Equality Act 2010 of ‘eliminating discrimination, advancing equality of opportunity, and fostering good relations between different people’. Funding allocations for some projects in this report are assessed as positively affecting some specific groups with ‘protected characteristics’ and all of them are expected to benefit all parts of the community. Therefore an Equality Impact Assessment has not been carried out.

Crime and Disorder Implications

20. The proposals have been considered for the effect they may have on crime and disorder, antisocial behaviour and substance misuse. None of the proposals is considered to have a negative impact on crime and disorder. Crime and disorder implications have been described for each proposal above where relevant.

Conclusion

21. These recommendations are now submitted for Members’ approval from the Local Area Committee’s revenue reserve and developer’s contributions. As further schemes are worked up, they will be brought before the Area Committee over the course of the coming months. Members are invited to indicate any schemes which they feel should be publicised in Borough News and local communications with residents and partners.

DICCON BRIGHT
Area Co-ordinator

Date: 10 November 2015
Contact Officer: Diccon Bright
Tel No: 023 8068 8436

AC896DB – BHH CIP and Revenue Projects November 2015
LOCAL GOVERNMENT ACT 1972 - SECTION 100D

The following is a list of documents which disclose facts or matters on which this report or an important part of it is based and have been relied upon to a material extent in the preparation of this report. This list does not include any published works or documents which would disclose exempt or confidential information:

none
RECOMMENDATION

It is recommended that the name Cleverley Rise be approved as a name for a new street in Bursledon.

Summary

The report recommends Cleverley Rise as a street name for a development in Bursledon.

Statutory Powers

Town Improvement Clauses Act 1847, Section 65 and Public Health Act, 1925, Section 19 and Local Government Act 1972, Section 111.

Introduction

1. Work is soon due to commence on construction of a new housing development off Bridge Road in Bursledon by Bovis Homes.

2. The street name Cleverley Rise has been proposed for the development.

Consultation

3. Bursledon Parish Council suggested a name for the cul-de-sac of Cleverley Rise after a historical landowner in the immediate area of the proposed development. Past landowners in the area were Hickley and Cleverley, from whom Joseph Blundell inherited land by marriage in the 19th century. Blundell is already commemorated in the Blundell Lane road name that runs along the eastern and northern boundaries of the site.

4. Bovis Homes are agreeable to the proposed street name of Cleverley Rise and Royal Mail is content with the name.

5. There are no other similar street names in the area so it is considered to be acceptable for this development.
Financial Implications

6. The new nameplates would be provided and erected initially by the developer and when the road is adopted future maintenance and replacement costs would be funded by the Local Area Committee devolved budget for street nameplates.

Equality and Diversity Implications

7. An equal opportunities assessment has not been carried out because the report does not contain proposals for significant changes to existing services, policies or strategies and does not introduce any new services, policies or strategies.

Conclusion

8. It is recommended that the street name Cleverley Rise be approved.

ED VOKES
Head of Transportation and Engineering

Date: 10 November 2015
Contact Officer: Eric Reed
Tel No: 023 8068 8233
e-mail: eric.reed@eastleigh.gov.uk
Appendices Attached: 1 No. Plan
Report No: EN1244

LOCAL GOVERNMENT ACT 1972 - SECTION 100D

The following is a list of documents which disclose facts or matters on which this report or an important part of it is based and have been relied upon to a material extent in the preparation of this report. This list does not include any published works or documents which would disclose exempt or confidential information.

None.
BURSLEDON HAMBLE-LE-RICE & HOUND LOCAL AREA COMMITTEE

Thursday 26 November 2015

PUBLIC FOOTPATH DIVERSION AT CAR BOOT SALE SITE, SOUTH OF BURSLEDON ROAD, PARISH OF HOUND

Report of the Head of Transportation and Engineering

RECOMMENDATION

It is recommended that authorisation be given for the processing of an Order under Section 257 of the Town and Country Planning Act 1990 for the diversion of Public Footpath Hound No. 1 as necessary to facilitate the construction of development granted outline planning permission.

Summary

Development has been granted outline planning permission No. O/15/77121 on land crossed by a public right of way. A Public Footpath Diversion Order is needed to divert part of the footpath on an alternative alignment where affected by the development.

Statutory Powers

Section 257, Town and Country Planning Act 1990.

Introduction

1. A planning application has been approved under application No. 0/15/77121 for residential development south of Bursledon Road, Hound. Some of the proposed housing is over the route of the existing Hound No. 1 footpath which would need to be diverted to enable the development to be implemented.

Procedure for Stopping up and Diversion of Public Paths

2. The procedure has been enabled under Section 257 of the 1990 Town and Country Planning Act and enables an order stopping up or diverting a public path to be made where affected by development. This legal process is undertaken by the Head of Legal and Democratic Services.
Consultation

3. A planning application has been submitted for the development in the knowledge that a public footpath diversion order will be needed as shown on the attached drawing. Consultations with Hound Parish Council, The Ramblers Association, local Members and Hampshire County Council’s Rights of Way Section will be undertaken as part of the procedure involved in making a Diversion Order.

4. There have been so far no objections made to the proposed development on the grounds of it affecting public rights of way that cannot be overcome by providing an alternative diverted route.

Financial Implications

5. There will be no costs for the Council. The developers will be required to meet the full costs of legal and administrative work by the Head of Legal and Democratic Services and Head of Transportation & Engineering, together with advertising costs and construction costs.

Equality and Diversity Implications

6. An equal opportunities assessment has not been carried out because the report does not contain proposals for significant changes to existing services, policies or strategies and does not introduce any new services, policies or strategies.

Conclusion

7. Outline planning permission has been granted for development and this affects Public Footpath Hound No. 1. Authorisation to make an Order to divert the public footpath as shown on the attached drawing is recommended under Section 257 of the Town and Country Planning Act 1990.

ED VOKES
Head of Transportation and Engineering

Date: 10 November 2015
Contact Officer: Eric Reed
Tel No: 023 8068 8233
e-mail: eric.reed@eastleigh.gov.uk
Appendices Attached: 1 No. Plan
Report No: EN1245
LOCAL GOVERNMENT ACT 1972 - SECTION 100D

The following is a list of documents which disclose facts or matters on which this report or an important part of it is based and have been relied upon to a material extent in the preparation of this report. This list does not include any published works or documents which would disclose exempt or confidential information.

None.
1. Current alignment of Hound no.1 public footpath
2. Approximate proposed alignment of Hound no.1 footpath
APPLICATIONS RECOMMENDED FOR DECISION

BURSLEDON, HAMBLE-LE-RICE & HOUND Thursday 26 November 2015
Case Officer Andy Grandfield

SITE: Land to the North of Cranbury Gardens, Bursledon, Southampton, SO31 8FB

Ref. O/15/76883 Received: 23/07/2015 (18/12/2015)

APPLICANT: Landhold Capital

PROPOSAL: Outline application for up to 45no. dwellings including public open space, landscaping and vehicular access from Cranbury Gardens, pedestrian link to Hamble Lane and new footpath along GreenLane. All detailed matters except for access reserved.

AMENDMENTS: 03/11/2015

RECOMMENDATION: 03/11/2015

Subject to (i) consideration of the comments from the Borough's sustainability officer and Hamble-le-Rice Parish Council; (ii) the applicant entering in to a section 106 agreement to secure financial contributions towards community and education facilities, sustainable transport, public art and off-site highway improvements, public open space, affordable housing and closure of access on to Cranbury Gardens on provision of a non-restricted access from land to the north.

GRANT OUTLINE PERMISSION

CONDITIONS AND REASONS:

(1) The development hereby permitted shall be implemented in accordance with the following plans numbered: LP.01, LAND150214 LUP-01 A, LAND150214 IMP-01 A, Design and Access Statement Revision A November 2015 Reason: For the avoidance of doubt and in the interests of proper planning.
(2) The development hereby permitted shall begin either:  
   a) No later than the expiration of two years from the date of this permission; OR  
   b) No later than the expiration of one year from the date of approval of the last of the reserved matters to be approved whichever is the earlier. Reason: To comply with Section 92 of the Town and Country Planning Act 1990.

(3) No development shall start until details of the:  
   a) layout of the site.
   b) scale of the buildings.
   c) external appearance of the buildings
   d) landscaping of the site [hereafter called “the reserved matters”]
      have been submitted to and approved in writing by the Local Planning Authority. Application for the approval of the reserved matters shall be made within two years of the date of this permission. The development shall accord with the approved details. Reason: To comply with Section 92 of the Town and Country Planning Act 1990.

(4) No development shall start until the following details have been submitted to and approved in writing by the Local Planning Authority:
   a) details and samples of the materials to be used in the construction of the external surfaces of the [development/ building].
   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.
   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 and type of construction proposed for any roads footpaths and accesses.
   f) the provision to be made for street lighting and/or external lighting.
      Lighting shall be designed and located to minimise light spillage and avoid impacting on flight corridors used by bats.
   g) a scheme for protecting the development from traffic noise. The development shall be completed in accordance with the approved details.
   h) the provision to be made for the parking of vehicles.
   i) a landscaping scheme to cover all surfacing, trees and planting.
      The development shall not be [occupied/ brought into use] until the approved details have been fully implemented [unless agreed in writing by the Local Planning Authority].
   Reason: To limit the impact the development has on the locality.

(5) No development shall start until details and samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. 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.
(6) No development shall take place until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the Local Planning Authority. The drainage strategy should demonstrate the surface water run-off generated up to and including the 100 year critical storm, including an allowance for climate change, will not exceed the run-off from the undeveloped site following the corresponding rainfall event and that natural drainage routes have been preserved. The development must demonstrate compliance with this strategy and the development shall not be carried out otherwise than in accordance with the approved strategy and details. Those details shall include:

(i) information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater, headwaters and/or surface waters;
(ii) a timetable for its implementation; and
(iii) a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable urban drainage scheme throughout its lifetime.

Reason: To prevent the increased risk of flooding, to improve and protect water quality particularly within the Solent Complex, improve habitat and amenity, and ensure future maintenance.

(7) No development shall start until details for the disposal of foul sewerage from the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The development shall then accord with the approved details. Reason: To ensure satisfactory provision of foul and surface water drainage.

(8) No development shall take place until a landscape management strategy and habitat creation, management and monitoring plan, including long-term design objectives, management responsibilities and maintenance schedules for all landscaped areas (except privately owned domestic gardens), been submitted to and approved in writing by the local planning authority. The development must demonstrate compliance with these strategies through the submission of a landscape management plan and the development shall not be carried out otherwise than in accordance with the approved strategy and details. Reasons: This condition is necessary to ensure the protection of the Solent, wildlife and supporting habitat found on the site and to secure opportunities for the improvement of wildlife corridors and wider enhancement of the nature conservation value of the site in line with national planning policy.

(9) Before development commences a Written Scheme of Investigation (WSI) shall be submitted to, and approved by the local planning authority. The
WSI shall i) secured the implementation of an archaeological evaluation of the site; ii) secured the implementation of a programme of archaeological mitigation of impact, based on the results of the evaluation; and iii) completion of archaeological fieldwork a report will be produced in accordance with an approved programme including where appropriate post-excavation assessment, specialist analysis and reports, publication and public engagement. The development must not be carried out otherwise than in accordance with the approved WSI and mitigation. Reason: To protect archaeology

(10) As part of each reserved matters application a detailed Arboricultural Impact Assessment and Method Statement (including a programme for implementation) in accordance with British Standards Institution Code of practice for trees in relation to design, demolition and construction - Recommendations British Standard BS 5837:2012 shall be submitted for each phase of the development and approved in writing by the Local Planning Authority. Each phase of the development shall then accord with the details of protective fencing ground protection and other measures set out in each approved Method Statement. Reason: To protect trees both on and adjacent to the site.

(11) No work shall commence on any phase of the development until the following has been submitted to and approved in writing by the Local Planning Authority for that phase:


(ii) 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 BS 10175:2011+A1:2013, and BS 8576:2013 and unless otherwise agreed with the Local Planning Authority;

(iii) A detailed scheme (including a programme for implementation) for remedial works and measures to be undertaken to avoid the risk from contaminants and/or gases when each phase of 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 and development shall be carried out in accordance with the approved schemes.

The development shall not be carried out otherwise than in accordance with the approved details. Reason: To allow risk assessment and effective risk management solutions in order to minimise the risks of pollution and to ensure the site is satisfactorily decontaminated
(12) 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 12 (iii) that any remediation scheme required and approved under the provisions of Condition 12 (iii) has been implemented in full in accordance with the approved details (unless varied with the written permission of the Local Planning Authority in advance of implementation). Unless otherwise agreed in writing with the Local Planning Authority such verification shall comprise:

(i) Built drawings of the implemented scheme;
(ii) Photographs of the remediation works in progress;
(iii) Certificates demonstrating that imported and/or material left in situ is free from contamination.

Thereafter the scheme shall be monitored and maintained in accordance with the approved scheme under Condition 12 (iii). Reason: To minimise the risks of pollution and to ensure the site is satisfactorily de-contaminated.

(13) Before development of each phase commences, details of all crime prevention measures in respect of that phase must be submitted to and approved in writing by the Local Planning Authority. The development of that phase shall not be carried out otherwise than in accordance with the approved details. Reason: In the interest of crime prevention.

(14) Before development commences, a Construction and Environmental Management Plan (CEMP), a construction phase public communication strategy and a Construction Traffic Management Plan (CTMP) in respect of that phase shall be submitted to and approved in writing by the Local Planning Authority. The CEMP and CTMP must consider the timing and phasing of the works, the routing and access arrangements for lorry visiting the site, whilst the CEMP must also consider the location of temporary site buildings and plant and material storage areas, the arrangement for construction deliveries, dust, piling, vibration, noise, construction traffic movements, lorry temporary construction car parking both on and off-site, temporary lighting, mud on the road, site security, a scheme for controlling noise and vibration from demolition and construction activities (to include piling); the protection of pedestrian routes during construction, storage of and collection of waste and the quality of surface water runoff, watercourse crossings and any proposed diversions (temporary or permanent), a map or plan showing habitat areas to be specifically protected (identified in the ecological report) during the works and any necessary mitigation for protected species. The construction must then be carried out in accordance with the agreed plan. Reason: In the interests of amenity, highway safety and protection of ecological features.
(15) Prior to the commencement of development (or in accordance with a timetable to be agreed in writing with the Local Planning Authority), no development shall start until a sustainability report demonstrating how all of the essential requirements for residential development of the Eastleigh Borough Council adopted Supplementary Planning Document ‘Environmentally Sustainable Development’ are to be met and evidence provided in the form of design stage SAP data and a BRE water calculator demonstrating Code for Sustainable Homes level 4 standards for energy and water for residential buildings have been submitted to, and approved in writing, by the Local Planning Authority. Reason: To ensure the development meets the national and local requirements of the adopted Supplementary Planning Document ‘Environmentally Sustainable Development’

(16) With submission of the first reserved matters scheme a noise assessment shall be carried out and a report of its findings submitted to and approved in writing by the Local Planning Authority (the report shall include a scheme of layout, design and a programme for implementation and identify any mitigation measures which are considered necessary to protect the proposed development from noise). No dwelling shall be occupied/brought into use until the approved scheme has been fully implemented. Reason: To protect amenity of future occupiers.

(17) Prior to the commencement of development a scheme of work detailing the extent and type of piling proposed within that phase shall be submitted to and approved in writing by the Local Planning Authority. Each phase of development shall not be carried out otherwise than in accordance with the approved details. Reason: To protect the amenity of occupiers of adjoining residential properties

(18) No development shall commence until details of tree protection fencing has been submitted to and approved in writing by the Local Planning Authority. Work must not commence until a site meeting attended by the Arboricultural Consultant, Site Manager and local planning authority officer has taken place including an inspection and subsequent approval of the tree protection fencing by the Local Planning Authority. Once approved no access by vehicles or placement of chemicals, fuels, soil or other materials shall take place within the fenced area. The tree protection fencing shall be retained in its approved form for the duration of the construction period. Reason: To retain and protect the existing trees which form an important part of the amenity of the locality.

(19) Prior to the commencement of the approved works, details of paving and construction, including the formation of a noise bund, within the root zones of retained trees must be submitted to and approved in writing by the Local Planning Authority. These details shall be in accordance with the British Standards Institution Code of practice for trees in relation to design, demolition and construction - Recommendations British Standard BS 5837:2012 . The development must not be carried out otherwise than
in accordance with the approved details. Reason: To conserve the trees adjacent to and within the proposed development.

(20) Prior to the commencement of development, details of a technology and communication strategy for the provision of broadband, fibre optic and audio visual technology must be submitted to and approved in writing by the Local Planning Authority. The infrastructure must then be provided for use upon first occupation of the buildings hereby permitted within that phase and retained thereafter. Reason: To improve the opportunities to work from home and to reduce the proliferation of individual masts, aerials, satellite dishes and wiring on flatted and commercial blocks in the interests of visual amenity.

(21) Prior to the commencement of development, details of the type of construction proposed for the roads and footways including all relevant horizontal cross sections and longitudinal sections showing the existing and proposed levels together with details of street lighting and the method of disposing of surface water and details of the programme of implementation for the making up of the roads and footways must be submitted to and approved by the Local Planning Authority in writing. The development shall not be carried out otherwise than in accordance with the approved details. Reason: To ensure that the roads are constructed to a standard which will enable them to be taken over as publicly maintainable highways.

(22) Prior to commencement of development details of the specification, design and materials for the new footpath along Green Lane shall be submitted to, and approved in writing by, the local planning authority. The footpath shall be provided before commencement of the development hereby approved. Reason: To ensure a clearly defined and safe rote for pedestrians using Green Lane during the construction period and once the development is operational.

(23) Prior to commencement of development details of the lighting proposed for any roads, footpaths and accesses shall be submitted to and approved in writing by the local planning authority. These shall be designed in accordance with the Manual for Streets and any lighting shall be sited to minimise spillage and avoid impacting on flight corridors used by bats. Reason: In the interest of highway safety and nature conservation.

(24) Prior to commencement of development a condition survey of Cranbury Gardens and Green Lane from the proposed site access to Portsmouth Road shall be undertaken and submitted to the local planning authority. The survey shall be accompanied with an obligation to reinstate Green Lane and Cranbury Gardens to its condition prior to commencement of the development within 2 months of construction of the shell of the final dwelling or closure of the approved access on to Cranbury Gardens whichever is the earlier. Reason: To ensure the highway is reinstated to
an appropriate condition after use by extraordinary traffic associated with the movement of HGV construction lorries.

(25) Prior to the occupation of each type of building within the development (or in accordance with a timetable to be agreed in writing with the Local Planning Authority), until a sustainability report demonstrating how all of the essential requirements for residential development of the Eastleigh Borough Council adopted Supplementary Planning Document ‘Environmentally Sustainable Development’ have been met and evidence in the form of as built SAP data and a BRE water calculator demonstrating Code for Sustainable Homes level 4 standards for energy and water for residential buildings, have been submitted to, and approved in writing by, the Local Planning Authority. Reason: To ensure the development meets the national and local residential requirements of the adopted Supplementary Planning Document ‘Environmentally Sustainable Development’.

(26) The roads and footways within each phase must be laid out and made up in accordance with the specification, programme and details for that phase approved and in any event shall be so constructed that, by no later than the time any building erected on the land is occupied, there shall be a direct connection from it to an existing highway. The final carriageway and footway surfacing must be completed within six months from the date upon which the erection is commenced of the penultimate dwelling or building within the phase for which permission is hereby permitted. Reason: To ensure that the roads are constructed to a standard which will enable them to be taken over as publicly maintainable highways.

(27) No development shall take place until full details of the vehicular access have been submitted to and approved in writing by the local planning authority. The details shall include footway and verge crossings; visibility splays; and three-dimensional representations. No dwelling shall be occupied until the means of access have been constructed in accordance with the approved details, unless otherwise agreed in writing by the local planning authority. Reason: In the interest of highway safety.

(28) No trenches for services or drains shall be sited within the crown spread of any trees that are to be retained on site. Reason: To protect the health and stability of the trees to be retained on site.

(29) No construction work shall take place except between 0800 hours to 1800 hours Mondays to Fridays and 0800 hours to 1300 hours on Saturdays and not at all on Sundays or Bank Holidays unless otherwise agreed in writing with the Local Planning Authority. Reason: To protect the amenities of the occupiers of nearby dwellings.

(30) 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.
(31) All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed with the local planning authority. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the local planning authority gives written approval to any variation. Reason: In the interest of visual amenity and biodiversity enhancement.

Report:

This application has been referred to Committee because it is a major development which is contrary to the Development Plan and is controversial.

The site and its surroundings

1. The site is located adjacent to the north of Cranbury Gardens and immediately south of the land promoted by Taylor Wimpey for development on which outline residential development was allowed at appeal. To the east is Hamble Lane whilst along the western boundary is Green Lane, un-metalled road serving a few a property along which is a dedicated right of way. The site is allocated as countryside and strategic gap within the Eastleigh Borough Local Plan (2001-2011). The site comprises 1.62 hectares of agricultural land currently

2. The site is currently open to public views from both Hamble Lane and Green Lane and will be from within the Taylor Wimpey scheme to the north. It comprises gently sloping cropped field and bound by patchy hedging, open field fencing and rear garden fences. Other than the crop that is growing, there is currently no demarcation on the ground between the site and the Taylor Wimpey site (Land west of Hamble Lane). On the western side of Green Lane a strong belt of trees and hedging screen the site from distance views from the west.

3. Adjacent to the site is Cranbury Gardens comprising of bungalows and chalet bungalows located on a relatively narrow highway with footpaths on either side. Linking the site to Portsmouth Road is Green Lane, a tarmac road with no footpath, grass verges and a medium density and irregular pattern of semi-detached and detached properties. To the east of Hamble Lane is a small woodland copse on land owned by the Council and the Jurds Way roundabout which provides access to Lowford village centre and to the approved Taylor Wimpey development.
Description of application

4. The application is an outline application for residential development comprising up to 45 dwellings, public open space, attenuation pond with access from via Cranbury Gardens / Green Lane. All matters have been reserved for future determination, apart from access details. As a result of amendments received following the comments of consultees, the scheme has been reduced from “up to 49” units as originally submitted.

5. The application is accompanied by the following reports and technical assessments which have been updated as necessary throughout the course of the application:

- Air Quality Assessment
- Flood Risk Assessment;
- Noise Impact Assessment;
- Heritage Statement
- Drainage Impact Assessment;
- Planning Statement;
- Design & Access Statement;
- Landscape & Visual Assessment
- Minerals Assessment
- Transport Statement
- Framework Travel Plan
- Ecology Assessment;
- Sustainability Statement.

6. Amended plans were received on 03 November 2015 reducing the number of to up to 45 dwelling. The plan was supported by a revised master plan and design and access statement as well as an updated Transport Statement. Further ecological information in response to officer’s comments was also provided.

7. Although Schedule 2 development, by virtue of the size of the site and the scale of development, the proposal is not above the guidance thresholds advised by the NPPG. However, a screening opinion was sought and the proposal has been screened out under the Town and Country Planning (Environmental Impact Assessment) (England) Regulations 2011 as not needing an Environmental Statement and subsequent EIA.

8. Screening has been undertaken to establish whether a Habitats Regulations Assessment is required and concludes that with appropriate mitigation and conditions to control impacts, there are not any significant likely impacts on any European Designated sites which would occur as a result of the development.
Relevant planning history

9. There is no relevant planning history in relation to this site. On the land to the north there is a resolution to approve a reserved matters scheme for 150 dwellings (R/15/76830 Taylor Wimpey – Land west of Hamble Lane) with outline permission granted in 2014 (O/12/71828). To the north of that site there is the car boot site on which there is also a resolution to grant outline permission for up to 182 dwellings with access from Bursledon Road (O/15/77121).

Representations received

10. 58 letters of objection were received from adjoining residents and those living locally with concerns relating to:

Principle

- Within countryside and Strategic gap
- Loss of agricultural land
- Lack of up-to-date Local Plan presents difficulties in defending hostile applications on greenfield sites.
- Out of character with appearance of lane
- At odds with the scale of adjoining bungalows and chalet bungalows.
- Loss of greenspace between residential areas
- Too many houses recently approved in the local area

Highways and safety

- Green Lane is unsuitable access due to inadequate width, cars parking and its substandard construction
- Impact of increase in traffic on Green Lane and wider highway network including Portsmouth Road, Hamble Lane and Windhover Roundabout
- Dangerous to exit existing drives on Green Lane
- Congestion will impact on businesses
- Unsafe for pedestrians on Green Lane
- Inadequate width to provide new footpath along Green Lane
- Inadequate sightlines at junction with Portsmouth Road
- Loss of on-road parking of existing vehicles on Green Lane
- Transport is unclear on location of automatic traffic count
- Risk of a rat run through to the Taylor Wimpey site.
- Should be solely served through the Taylor Wimpey site
- Poorly served by public transport
- Impact from construction traffic on Green Lane and its residents
- Construction traffic parking on Green Lane / Cranbury Gardens
- Inadequate parking provision within proposed development
Amenity

- Air and noise pollution from more vehicular movements.
- Loss of privacy
- Loss of outlook
- Impact during construction process
- Potential for subsidence due to construction traffic movements

Infrastructure

- Impact on health facilities, dentists and schools.
- Lack of surface water drainage results in flooding on Cranbury Gardens / Green Lane
- Foul drainage upgrades would be very disruptive to Green Lane.

Other matters

- Impact on ecology

Consultation responses (some responses are summarised)

11. **Head of Countryside and Trees - Biodiversity Officer**: Based on the original submission a holding objection on the grounds insufficient information has been provided to demonstrate that quality of water within Spear Pond Gully in to which the SUDs could flow will not be detrimentally harmed. Further, a holding objection is maintained until confirmation the rough grassland around the edge of the site will be retained as favourable habitat for reptiles. Sufficient mitigation can be secured via conditions or contributions to ensure badgers and bats are unharmed and the Solent Recreation Disturbance Project implements measures to prevent harm to the natural features of the Solent Complex.

12. Comments on amended plans and additional information are awaited and will be reported verbally to members at committee.

13. **Head of Countryside and Trees: Tree Services Manager**: No objection in principle.

14. **Head of Countryside and Trees: Parks and Open Spaces Manager**: No objection in principle. The development will need to provide a minimum of 0.2ha of usable Public Open Space (POS) which shall include a Locally Equipped Area of Play (LEAP) with suitable landscaping and natural surveillance. The attenuation basin is not considered “usable POS”.

15. **Head of Regeneration and Planning Policy and Design**:  

   **Policy officer** – The proposal is contrary to the development plan in that it would be development outside of the urban edge that would
physically and visually diminish the strategic gap (1.CO and 2.CO). The gap designation performs the specific function of protecting the individual identity of settlements and of preventing their coalescence. Policy 2.CO of the adopted EBLPR makes it clear that any proposal that physically or visually diminishes the gap would not be permitted. The opinion of the borough landscape officer has been sought to provide comment on the impact of the gap however following development immediately to the north being allowed at appeal in 2014, the gap function of this small undeveloped area of land is diminished significantly. In principle therefore, the proposed development is contrary to the Development Plan and should be refused unless material planning considerations indicate otherwise.

16. Of significant weight in the determination of this planning application is the overall presumption in favour of sustainable development in the NPPF. Paragraph 14 of the NPPF makes it clear that where the Development Plan is absent, silent or relevant policies are out-of-date, planning permission should be granted unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework as a whole. Also of significance is the requirement in paragraph 47 of the NPPF that local planning authorities should maintain a five-year supply of housing land. The Council does not currently have a five-year land supply and is unlikely to be able to demonstrate a 5 year supply by the time this application is determined. The latest published housing land supply position can be found in the Housing Implementation Strategy with a base date of September 2015. In this context, the provision of up to 45 dwellings, including a proportion of affordable housing, is considered to be of weight in determining this application. The site was also designated Countryside and Gap under Policy S9 of the Eastleigh Borough Local Plan 2011-2029. The Examining Inspector found the Plan unsound and recommended non-adoption of the Plan. Therefore the weight that can be attributed to the policies of the Eastleigh Borough Local Plan 2011-2029 is limited. Nevertheless it represents the most recent statement of the Council’s development strategy for the borough.

17. On balance, the proposal is contrary to the Development Plan but there are material considerations that indicate the proposal could be supported.

18. **Head of Regeneration and Planning Policy and Design:**

**Landscape and Design officer** - The use of Green Lane for access is not favoured over using the revised roundabout on Hamble Lane. It would appear that the attenuation pond has unsatisfactorily driven the layout. It would be preferable to connect the drainage basin to the swale / gully to the west and develop links to open space to the north. With regards to the illustrative masterplan concerns are raised as to the back to back dimensions to Cranbury Gardens properties appearing
tight whilst amenity space for the apartment is limited. With the masterplan there is an unnecessary duplication of road parallel to Taylor Wimpey scheme.

19. **Head of Regeneration and Planning Policy and Design:**

   **Sustainability Officer** – comments awaited and will be reported verbally to members at committee.

20. **Head of Environmental Health: Air Quality:** Overall robust modelling has been provided and conclusions are accepted. The report identifies the presence of NO2 concentrations at GF level exceeding thresholds and as such plots 1-4 (on the illustrative master plan) will require mitigation through design details that can be secured via condition (e.g. Mechanical Ventilation, air tightness). No objection in principle subject to conditions.

21. **Head of Environmental Health: Noise:** No data on internal noise levels and how achieve standards. The assessment acknowledges that required internal noise levels can only be achieved with windows shut therefore alternative ventilation methods will be required. This will have to have regard to the issue of air quality when designing the location of air intakes. Garden noise levels will be influenced by layout/orientation which are matters not up for consideration at this stage. The assessment has not considered noise arising from the construction process. No objection in principle subject to conditions.

22. **Head of Environmental Health – Land Contamination:** No objection subject to conditions.

23. **Head of Housing:** No objection in principle. There is no indicative mix and therefore this will need to be discussed at the reserved matters stage. There will be a requirement for the development to deliver 35% affordable units (17no. units) with a split of 65% affordable rented and 35% shared ownership pepper potted around the development. All the affordable dwellings must be built to Lifetime Homes Standards in line with the Council’s Affordable Housing SPD and 3% would be required to be built to wheelchair Accessible Standards.

24. **Head of Transportation and Engineering:** No objection raised following the receipt of additional swept path plans, speed checks and visibility splays being confirmed. This is subject to securing a traffic regulation order (TRO) towards a box junction at the Portsmouth Road/Green Lane junction and developers contributions towards sustainable infrastructure improvements.

25. The development would increase traffic flows along Green Lane by 24 movements during the peak AM and PM traffic from 26 movements within each hour. This equates to less than one movement a minute if evenly spread throughout that hour, thus is not considered to have a
severe impact (as referenced in the NPPF) on this 30 mph road. On Portsmouth Road the additional traffic movements generated as a result of the development is not considered to be significant.

26. The preferred access would be through the Taylor Wimpey site and linking in to the roundabout at Jurd's Way. The suitability of Green Lane for access has been questioned due to its visually narrow nature with no footways and cars parking predominantly on the east side. The revised information provides swept paths that show that even with the proposed footway in place, and various parked cars located along its length, there remains adequate space for a refuse vehicle to pass. As such there will be no requirement for vehicles to park up on the footway. If this occurs, then police enforcement for obstruction can be actioned. Drawings provided now show the full length of Green Lane with the proposed footway in place, and widths as appropriate. Combined with the CAD autotrack tracking drawing submitted, it confirms that the road width is sufficient for purpose and the delivery of the footpath.

27. Visibility splays have been revised to reflect the required 'x' distance of 2.4m, and a 'Y' distance of 59.0 which is reflective of the 37mph 85th percentile speed recorded on Portsmouth Road in accordance to Manual for Streets. Whilst the visibility to the right crosses private landscaping, Condition 12 of the adjacent permission F/12/71525 ensures that landscaping sits behind the visibility splay and is onwards maintained as such.

28. Due to volume of traffic using Portsmouth Road exiting Green Lane could be difficult and would benefit from a box junction. Contributions towards a Traffic Regulation Order to deliver this should be secured.

29. If a route to the north of the site through the Taylor Wimpey scheme is secured, the closure of the Cranbury Gardens access will need to be secured to avoid a rat run scenario. If the site is to be granted permission, then due to the nature of Green Lane and Cranbury Gardens, a Construction Site Management Plan is required. This should outline elements such as HGV/delivery vehicle routes; method for keeping the highway clear of mud; on-site delivery points; on-site turning areas; on-site storage locations; on-site contractor parking areas, etc. This should be provided and agreed in writing by the Local Planning Authority prior to any commencement of works.

30. The footpath to the east of Green Lane as shown on plans should be fully constructed prior to site construction works commencing. This will protect the existing residents in terms of amenity and safety whilst the site is built-out.

31. **Head of Direct Services**: No comments at this stage.
32. **Highways Agency**: Concerns about cumulative impact on Junction 8. Mitigation should be secured through reducing trips.

33. **Hampshire Highways**: No comments provided due to the scale of development being less than 100 units. For development of up to 100 units the Head of Transportation and Engineering provides comment.

34. **Hampshire County as Lead Local Flood Authority**: No objection in principle but advise that the final layout is not agreed until the final size of the attenuation pond is agreed following further investigations.

35. **Hampshire County Council Archaeologist**: No objection. The area is actually one of good archaeological potential, based on the weight of archaeological evidence presented within the statement. Conditions are recommended.

36. **Hampshire County Council School Organisation Officer**: This scheme would generate 14.7 primary aged children and 10.2 secondary aged children. The scheme is within the catchment of Netley Abbey Infant /Junior schools but closer to Bursledon infant / junior schools and Hamble Community Sports College. In accordance with the County Education policy a contribution towards primary education of £324,708 and secondary education £298,360 should be sought.

37. **Hampshire County Council Public Rights of Way**: No comments received.

38. **Hampshire County Council - Minerals**: No objection. The site is less than 3Ha, thus the recovery of a significant amount of mineral resource is an unlikely prospect but incidental recovery as part of the development process. Conditions recommended.

39. **The Ramblers Association**: No comments received.

40. **Environment Agency**: No comment to make

41. **Natural England**: No objection.

42. **Clinical Commissioning Group**: No objection. There is sufficient capacity within the existing surgery provision at Lowford.

43. **Hound Parish Council**: Objection raised on grounds of 1CO (i) – (iv), 2CO, 3CO, 33ES, 59BE (i) – (x), 60BE, 190IN, 191IN & Strategic Gap considerations.

44. **Bursledon Parish Council**: Objection raised on grounds of 1CO (i) – (iv), 2CO, 3CO, 33ES, 59BE (i) – (x), 60BE, 190IN, 191IN & Strategic Gap considerations. In addition Bursledon Parish Council objects with regards to the impact on the traffic infrastructure in particular with
regard to the access to the site and the increased volume of traffic on the surrounding local roads.

45. **Hamble-le-Rice Parish Council**: Comments to be reported verbally to members at committee

**Policy context: designation applicable to site**

- Designated Countryside;
- Designated Strategic Gap;
- Solent Mitigation and Disturbance Zone;
- Mineral Safeguarding Area

**National Planning Policy Framework (NPPF)**

46. The NPPF states that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. Para 14 sets out a general presumption in favour of sustainable development and states that development proposals which accord with the development plan should be approved without delay. Where the development plan is absent, silent, or relevant policies are out-of-date planning permission should be granted unless the adverse impacts of the development would outweigh the benefits; or specific policies in the Framework indicate development should be restricted (paragraph 14). Local plan policies that do not accord with the NPPF are now deemed to be “out-of-date”. The NPPF requires that due weight should be given to relevant policies in existing plans according to their degree of consistency with the NPPF. In other words the closer the policies in the plan accord to the policies in the Framework, the greater the weight that may be given.

47. Three dimensions of sustainability given in paragraph 7 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 paragraph 10 advises that plans and decisions need to take local circumstances into account, so they respond to the different opportunities for achieving sustainable development in different areas.

48. Para 17 sets out 12 core planning principles that include;

- proactively drive and support sustainable economic development to deliver the homes, infrastructure and thriving local places that the country needs. Every effort should be made to identify and then meet the housing and other development of an area and respond positively to wider opportunities needs
- ensuring that the local plan meets the full, objectively assessed needs for market and affordable housing in the housing market
area, including identifying key sites which are critical to the delivery
of the housing strategy over the plan period
• housing applications should be considered in the context of the
presumption in favour of sustainable development
• always seeking to secure high quality design and a good standard
of amenity for all existing occupiers of land
• actively manage patterns of growth to make the fullest possible use
of public transport, walking and cycling, and focus significant
development ion locations which are or can be made sustainable

49. Para. 32 advises that for traffic impact development should only be
refused if cumulative impacts are severe. Sustainable modes of
transport should be maximised.

50. Para. 47 requires local authorities to meet local needs for affordable
and market housing, and identify a 5-year supply of housing.

51. Para. 49 states that housing applications should be considered in the
context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered
up-to-date if the local planning authority cannot demonstrate a five-year
supply of deliverable housing sites

52. Para. 56 – Requirement for good design.

53. Para. 58 – Policies and decisions should aim to ensure developments
establish a strong sense of place; optimise the potential of the site;
respond to local character and history; create safe and accessible
environments; are visually attractive as result of good architecture and
appropriate landscaping

54. Para. 60 – Policies and decisions should not attempt to impose
architectural styles or particular tastes. It is proper to seek to promote
or reinforce local distinctiveness

55. Para. 61 – Securing high quality and inclusive design goes beyond
aesthetic considerations. Planning decisions should address the
connections between people and places and the integration of new
development into the natural built and historic environment

56. Para 69 – Decisions should aim to achieve places which promote
meetings between members of the community, safe and accessible
environments and developments containing clear and legible
pedestrian routes, high quality public space which encourages the
active and continual use of public areas.

57. Para. 70 – Decisions should plan for the provision and use of shared
space, community facilities etc. and ensure an integrated approach to
the location of housing and other uses.
58. Para. 73 – Access to high quality open spaces and opportunities for
sport and recreation can make an important contribution to the health
and well-being of communities. Information gained from assessments
should determine what open space, sports and recreational provision
are needed.

59. Para. 103 – Ensure flood risk is not increased elsewhere.

60. Para. 109 – Seeks to minimise impacts on biodiversity and protect
unacceptable levels of soil, air, water or noise pollution and
remediating contaminated land where appropriate.

61. Para. 118 – Decisions should aim to conserve and enhance
biodiversity. If significant harm cannot be avoided, mitigated or
compensated for, then planning permission should be refused. If
development is likely to have an adverse effect on a SSSI, an
exception should only be made where the benefits clearly outweigh the
impacts. Opportunities to incorporate biodiversity in and around
development should be encouraged. Permission should be refused for
proposals resulting in the loss or deterioration of irreplaceable habitats,
including ancient woodland unless the need for and benefits of
development clearly outweigh the loss.

62. Para. 120 – Decisions should ensure that sites are suitable for their
new use taking into account ground conditions, any pollution from
former activities and any pollution to general amenity.

63. Para. 121 – Ensure sites are suitable for their new use in terms of
ground conditions, land stability, etc.

64. Para 123 – Avoid, mitigate and reduce noise which gives rise to
significant adverse impacts on health and quality of life.

65. Para. 128 – Where a site on which development is proposed includes
or has the potential to include heritage assets with archaeological
interest, local planning authorities should require developers to submit
an appropriate desk-based assessment, and where necessary a field
evaluation.

66. Para 156 – Local plans should set out the strategic priority for the area
including the provision of transport infrastructure

67. Para 162 – Local authorities should work together with providers to
assess the quality and capacity of infrastructure including transport.

68. Para. 192 – The right information is crucial to good decision-taking,
particularly where formal assessments are required (such as
EIA/HRA/FRA).
69. Para 196 indicates that planning law requires that planning applications are dealt with in accordance with the development plan unless material considerations indicate otherwise. The NPPF is such a material consideration.

70. Para 203 - LPAs should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations.

71. Para 204 – Obligations should only be sought where they are necessary, directly related, related fairly and reasonably in scale and kind to the development.

72. Para 216 - Decision-takers can give weight to relevant policies in emerging plans according to the stage of preparation, the extent to which there are unresolved objections to relevant policies and the degree of consistency to the relevant policies in the emerging plan to the policies in the NPPF.

**National Planning Practice Guidance (NPPG)**

73. Where material, this guidance should be afforded weight in the consideration of planning applications.

74. Determining a planning application – To the extent that development plan policies are material, a decision must be taken in accordance with the development plan unless there are material considerations that indicate otherwise. Where the plan is absent, silent or out of date, an application must be determined in accordance with the presumption in favour of sustainable development.

75. Travel Plans, transport assessment and statements in decision taking – supports the provision of Transport Assessments where a Local Planning Authority makes a judgement as to whether a proposal would generate significant amounts of movement.

76. Design – Good quality design is an integral part of sustainable development. Achieving good design is about creating places, buildings or spaces that work well for everyone, look good, will last well and adapt for the needs of future generations. Good design responds in a practical and creative way to both the function an identity of a place. It puts land, water, drainage, energy, community, economic, infrastructure and other such resources to the best possible use over the long as well as the short term.

77. Natural Environment – Local Planning Authorities should take into consideration various publications when taking biodiversity into account and should look for net gains. Sufficient information should be sought through ecological surveys etc.
78. Planning Obligations – these should mitigate the impact of unacceptable development in order to make it acceptable. Obligations should be directly related to the development and fairly and reasonably related in scale and kind.

79. Water Supply, wastewater and water quality – adequate water and wastewater infrastructure is needed to support sustainable development. Conditions can be used to ensure adequate infrastructure.

Saved Policies of the Adopted Eastleigh Borough Local Plan Review (EBLP 2001-2011)

80. The key policies of the adopted local plan are:

- 1.CO - seeks to limit development in the countryside to a range of appropriate uses - the site adjoins the urban edge as defined on the proposals map.
- 2.CO - planning permission will not be granted for development which would physically or visually diminish a strategic gap as identified on the proposals map.
- 18.CO – seeks to limit development which has an adverse effect on the character of the landscape.
- 20.CO – Landscape Improvements
- 22.NC – Protection of SSSIs
- 23.NC – Protection of SINCs
- 25.NC – promotion of biodiversity
- 26.NC – Protect wildlife network
- 30.ES – Noise sensitive developments
- 31.ES – Residential development and noise
- 32.ES – Pollution control
- 33.ES – Air quality
- 34.ES – Reduction in greenhouse gases
- 35.ES – Contaminated land
- 37.ES – Energy efficiency
- 41.ES – Development effecting a watercourse
- 45.ES – Sustainable Drainage requirements
- 59.BE - seeks to ensure the high quality design of new development, taking full and proper account of the context of the site including the character and appearance of the locality
- 72.H – Density – minimum 35 dwellings per hectare unless local circumstances and context indicate otherwise.
- 74.H – Affordable housing.- on site requirement
- 91.T – safeguarding land for traffic schemes including (x) cycle route along the western side of Hamble Lane from Jurds Way to Windhover roundabout.
- 92.T – Contributions sought to Windover full signalisation, Hamble Lane / Portsmouth Road corridor, Eastleigh cycleway network,
• 100.T – Requires development to be well served by sustainable forms of transport, to provide measures to minimize impact on the network, minimise travel demand, provide a choice of transport modes
• 101.T - development to provide contributions towards sustainable transport.
• 102.T – Requires new development to provide safe accesses that do not have adverse environmental implications and are to adoptable standard.
• 146.OS – Green Network
• 147.OS – Open space requirements
• 165.TA – Percent for Art
• 168.LB – Archaeological evaluation
• 190.IN – Infrastructure provision
• 191.IN – Developer contributions

Hampshire Minerals and Waste Plan 2013

81. Policy 15 - Hampshire’s sand and gravel (sharp sand and gravel and soft sand), silica sand and brick-making clay resources are safeguarded against needless sterilization by non-minerals development, unless ‘prior extraction’ takes place.

82. Safeguarded mineral resources are defined by a Mineral Safeguarding Area (MSA) illustrated on the Policies Map and the application site lies within a safeguarded area. Development without the prior extraction of mineral resources in the Mineral Safeguarding Area may be permitted if:

   a. It can be demonstrated that the sterilization of mineral resources will not occur; or
   b. It would be inappropriate to extract mineral resources at that location, with regards to the other policies in the Plan; or
   c. The development would not pose a serious hindrance to mineral development in the vicinity; or
   d. The merits of the development outweigh the safeguarding of the mineral.

83. The soft sand / potential silica sand resources at Whitehill & Bordon (Inset Map 5), further illustrated on the Policies Map are included within the MSA and are specifically identified for safeguarding under this policy.

84. This site falls within the minerals safeguarding area.

Submitted Eastleigh Borough Local Plan 2011-2029

85. The Eastleigh Borough Local Plan 2011-2029 was submitted for examination in July 2014. In December 2014, the Planning Inspector issued his preliminary conclusions on housing need, housing supply
and economic growth and on 11 February 2015 his final report recommended non-adoption as a result of the unsoundness identified to date. The findings of the Inspector in relation to the borough’s housing requirements clearly undermine the Plan’s strategy and policies for guiding future development. The other proposed allocations and ‘Development Management’ policies remain untested.

86. Overall, the weight that can be attributed to the policies of the Eastleigh Borough Local Plan 2011-2029 is extremely limited. Nevertheless it represents the most recent statement of the Council’s development strategy for the borough and as such will be used so far as possible to guide new development proposals. The most relevant policies are:

- S1 – promoting sustainable development
- S2 – support for residential and other development including the presumption in favour of new development within the main built-up areas as defined by the urban edge - the site is adjacent to, but outside the urban edge
- S3 – seeks to focus as much new housing development as possible within the existing urban area
- S5 – the council will seek to achieve the provision of publicly accessible open space including amenity spaces
- S8 – Footpath, cycleway, bridleway links supported
- S9 – there is a presumption against new development in the countryside (all areas outside the urban edge). Development which physically or visually diminishes a countryside gap, or has an urbanising effect detrimental to the openness of the gap, the character of the countryside or the separate identity of the adjoining settlements will not be permitted
- S11/DM9 – the land adjoining the site is significant for nature conservation interest
- S12 – Heritage assets including archaeology protected
- DM1 – includes general criteria for development including that it should not have an unacceptable impact on the character and appearance of urban areas and the countryside and that proposals should take full account of the context of the site (character, appearance, compatible with adjoining uses, scale, materials, density, design etc.)
- DM2 – sets out detailed requirements for development to be environmentally sustainable
- DM4 – flood
- DM5 – Sustainable surface water and watercourse management
- DM7 – protection from pollution including (i) air, (ii) water, (iii) noise, (iv) light and (v) contamination
- DM9 – seeks to protect Sites of Special Scientific Interest and Sites of Interests for Nature Conservation from development which may have a direct or indirect adverse effect. Where the benefits of development clearly outweigh the adverse effects on the
conservation value of the site, measures can be taken to mitigate or, if this is not possible to compensate for the adverse effects.

- DM10 – Heritage
- DM13 – Workforce training opportunities
- DM15 – Protection of best and most versatile agricultural land.
- DM23 – Transport – general development criteria
- DM25 – Residential development in urban areas.
- DM28 – Affordable housing requirement given
- DM29 – Minimum internal space standards specified
- DM32 – New recreation and open space facilities with new development
- DM33 – New and enhanced recreation and open space facilities requirements
- DM36 – Contributions to enhance existing community facilities.
- DM37 – Funding infrastructure through planning obligations

**Supplementary Planning Guidance**

- Supplementary Planning Document: Quality Places (November 2011)
- Supplementary Planning Document: Environmentally Sustainable Development (March 2009)
- Supplementary Planning Document: Biodiversity (December 2009)
- Supplementary Planning Document: Residential Parking Standards (January 2009)
- Supplementary Planning Document: Affordable Housing (July 2009)

**Assessment of proposal**

87. Section 38 (6) of the Planning and Compulsory Purchase Act 2004 states “If regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise”. The development plan is the starting place for determining this application.

plan being unsound. It can therefore be considered to have extremely limited weight in the determination of this application.

89. In terms of “other material planning considerations”, the National Planning Policy Framework and Guidance constitute material considerations of significant weight.

The Principle of Development

90. Neither the saved policies of the adopted Local plan nor the draft policies within the submitted local plan support development on this site with its current and future designation as both countryside (1.CO) and strategic gap (2.CO). The proposed development of housing on this ‘countryside’ site is therefore contrary to the adopted Development Plan.

91. If the proposals are to be supported, there would need to be ‘material considerations’ that would support a decision other than in accordance the adopted plan. These might be an identified shortfall in housing supply or other site specific factors including neighbouring developments, appeal decisions and the potential public benefits from bringing this site forward for housing. In addition to this, Members must also keep in mind the NPPF presumption in favour of sustainable development underlying all decisions.

92. Regard has been given by officers to the status of policy 1.CO and whether this is treated as a “relevant policy for the supply of housing” and if so, is it out of date policy since the adopted local plan does not make provision for housing beyond 2011. It has been argued at appeals that if it is deemed to be out of date, it should be applied to the location of new housing by virtue of paragraph 49 of the Framework (the Council does not have a 5 year housing land supply) and the presumption in favour of sustainable development set out in paragraph 14 of the NPPF is engaged (i.e. if the proposal is sustainable it should be approved). However, when recently allowing the appeal for 104 dwellings west of Sovereign Drive, Botley, Inspector Manning advised the “law is in a state of flux” with some appeal decisions interpreting 1.CO as solely as countryside policy whilst others view it as a policy ancillary to housing supply i.e. out of date if the local plan is not up to date. One of these decisions is to be challenged in the Court of Appeal shortly. Appeal decisions within the borough of Eastleigh and further afield have established that “Gap” policies are not housing supply policies and as such they are ‘up to date’ saved policies. However, what is clear is that S38(6) applies in all cases and the circumstances of each site carry significant weight in the decision process, therefore the granting of development in the countryside and local gap at Sovereign Drive does not by default mean the development on this site should be approved.
93. Whilst working towards adoption of the new Local Plan, the Council has produced an interim document – the "Housing Implementation Strategy" which sets out the five year housing land supply position. It is published quarterly and its methodology has been reviewed since the submitted Local Plan was found to be unsound in Feb 2015. The most recent Housing Implementation Strategy (30 June 2015) states the Council do not have a 5 year Housing Land Supply at present (circa 4.5 years). As such, this development would make a worthwhile contribution to both the overall housing supply (45 units) and the delivery of affordable housing (17 no. units). To ensure the development comes forward in a timely manner and the land is not 'banked' a more proactive condition is recommended to ensure the first reserved matters application (RM) is made within two years, with development commencing within a year of approval of the RM.

94. In terms of policy and site specific matters, the site lies outside the urban edge in an area of countryside and strategic gap. Regard has to be given to the comments of Inspector Grantham when allowing development on the Land to the West of Hamble Lane (Taylor Wimpey scheme). In his opinion the site's landscape character was moderate in terms of quality and sensitivity to change. The site’s value as a strategic gap was greater but its sensitivity to change in that respect is again limited by the number of viewpoints from where the loss of gap would be apparent. With the recent granting of approval for the Reserved Matters, the character of the undeveloped character of land to west of Hamble Lane is set to change. The application site's value as countryside and meaningful Strategic Gap between Southampton, Bursledon and Hamble is rather limited and no longer is considered to deliver any worthwhile separation between settlements that safeguards their character and identities. The diminution of this small part of the gap would not have a clear impact on the gap’s overall robustness on a wider strategic basis.

95. Also material to this decision is the opinion of the Inspector who considered the adopted Local Plan. She recommended this site (which formed part of a larger strategic site including the Taylor Wimpey land to the north and the car boot site) be a reserve housing site for 650 dwellings when reporting on the Eastleigh Local Plan inquiry in July 2005. In reaching this opinion the Inspector concluded with this rounding off of Bursledon and Old Netley, the benefits of the development (housing and open space) were sufficient to outweigh the limited impact on the strategic gap and countryside. However, the Council in 2005 considered that of the 6 reserved sites proposed by inspector that 3 others were more favourable compared to this site. These three sites have all been built out or have consent to develop. The majority of the reserve site already has permissions for housing (348 dwellings with circa 10ha of open space) and this parcel of land north of Cranbury Gardens would complete this former proposal.
96. On balance, subject to assessing the technical detailed issues the principle of development is considered to be acceptable

**Sustainable Development**

97. In investigating whether this site can be said to be sustainable, the NPPF sets out three ‘threads’ to sustainability: economic; social; and environmental. It goes on to state that “These roles should not be taken in isolation, because they are mutually dependent.” Therefore, the main planning issues need to be considered under these headings:

**Economic Sustainability**

98. One of the core planning principles of the NPPF is to proactively drive and support sustainable economic development to deliver, amongst other things, the homes that the country needs. As with any new housing, it’s would bring people into the area which would be a continuing economic benefit that would support growth in the local economy. A New Homes Bonus would also be paid and the development would create construction jobs, which in turn will also result in an increased spending within the local economy. In addition to this development comes the ability to collect financial developer contributions to offset certain impacts of the development, such as transport contributions towards improvements to the local network and contributions towards the provision of enhanced community infrastructure.

99. Provided they are secured, these are all considered benefits in the planning balance and overall, the proposals are considered to be economically sustainable.

**Social Sustainability**

100. The proposal, as well as providing market housing, also includes the provision of 35% affordable housing (17no.), which would support social wellbeing through the provision of a mixed and balanced community. The NPPF aspiration to “deliver a wide choice of high quality homes in inclusive and mixed communities to meet the needs of different people” is met by this provision and weighs in favour of the scheme.

101. The proposal also includes the provision of 0.27ha of public open space (POS) which can be used by all local residents and would be laid to buffer Green Lane and form part of green infrastructure that is delivered through the new developments on this side of Hamble Lane. The proposal would complement the public rights of way network as well providing additional pedestrian links to Hamble Lane and in to the land to the north (Taylor Wimpey site).
102. HCC Children’s Services have advised contributions are to be secured to deliver extensions to local primary and secondary schools, which will also be of benefit to the wider community. The identified schools would be Bursledon Infants / Junior school as well as the remodelling of part of Hamble Community College.

103. Overall, through the mix of residential units, provision of affordable housing, the onsite POS and contributions to education the development demonstrates its compliance with social thread of sustainable development.

**Environmental Sustainability**

**Form, Layout and Design**

104. The application is submitted in outline with the only detailed matter for consideration being the access. It is supported, however, by site analysis and indicative proposals which seek to demonstrate that the proposals are realistic in terms of site constraints and the quantum of development proposed. The site is relatively free from constraints but the form of any future layout will be influenced by the site’s topography, the need to protect trees, biodiversity, existing adjoining properties and drainage constraints. These have all been taken into account in the indicative principles shown for, layout and design of the proposals.

105. It is proposed that the dwellings are laid out at average densities of 28dph, which is below the average sought by the submitted Local Plan and found in recent developments nearby. Although indicative the masterplan demonstrates a mix of property types and tenures can be delivered including sufficient space for an appropriate soft landscaping and open space within the public realm (primarily at site edges adjacent Green Lane and its public right of way). As originally proposed officers had concerns with the illustrative master plan and the relationship of dwellings to existing properties, the scale and massing of the flats on the Hamble Lane frontage and encroachment of development in to vista as approaching the site from Green Lane. The plans have now been amended increasing the extent of open space, setting dwellings back from Green Lane, setting a maximum height of 1.5 storey for the dwellings abutting Cranbury Gardens and reducing the extent of apartments that were proposed. Overall this has seen a reduction in the number of proposed properties from 49 to 45 units. Officers still have some reservations about the indicative layout around the flats in the north east corner, but this is a matter that can be resolved at the reserved matters application stage. The option of securing an alternative strategy to addressing surface water run-off to avoid the need for an attenuation basin to the rear of the Cranbury Gardens properties has been explored. However, due to the topography of the site and its limited opportunity for infiltration it is not feasible to drain to the west and use Spear Pond Gully as an outfall.
106. The land use parameter plan is informed by a scale and massing plan that indicates the majority of properties would be 2 – 2.5 storey, which includes opportunity to provide focal point buildings in key locations. Limiting the scale of the dwellings abutting Cranbury Gardens to 1.5 storey will ensure the privacy and outlook of existing properties is maintained whilst the overall scale and massing is reasonable and reflective of existing and approved development within the locality.

107. The concerns expressed by the landscape and design officer with regards to the internal layout of the site are supported and should the outline consent be approved, these matters would be addressed at the reserved matters stage.

108. Although within the urban edge, Green Lane has a feel and appearance of a rural lane with its soft verges, low boundary walls and hedging and mix of dwellings types unevenly set out along the road. It has a moderate strength of the character (BHH 27: Character Area Appraisal for Bursledon, Hamble-le-Rice and Hound) the guidance within which seeks to retain the soft verges, supplementing with additional planting to maintain the ‘lane’ character. To assist with this feeling, the guidance encourages the retention of open frontages and plot boundaries. The provision of a 1.8m wide footpath would have a significant impact on the character and appearance of the lane and its deliverability has been of concern to many local residents. If the principle of development and use of Green Lane for access is acceptable the provision of a new footpath is recommended to provide a clearly demarcated route for pedestrians. The footpath could be constructed of materials other than traditional tarmac to soften its appearance and protect to some extent the semi-rural feel of the lane.

109. The scheme has been designed to facilitate a vehicular access through to the Taylor Wimpey site, enabling both sites to be accessed from either Bursledon Road via the car boot site or from the approved Hamble Lane access. The applicant has made an undertaking to enter into a section 106 legal agreement to prevent this link being opened up before the proposed access from Cranbury Gardens / Green Lane is closed thereby removing the rat-run concerns.

Landscape and Visual Impact

110. The site is designated as falling within Hound Plan (area 13) as defined in the Eastleigh Borough Landscape Character Assessment. The wider area comprises of a significantly larger and generally undeveloped land west of Hamble Lane to the fringes of Netley and Southampton, extending up to Bursledon Road. The predominant characteristic is the landscape openness, interrupted by intermittent hedges and post and wire fences. The land is both arable and pasture, with patches of ‘horsiculture’ particularly around Hound. The LCAA identifies the character of the area as a whole is vulnerable to development. The site
is used as arable farmland and reflects elements of the wider character with its hedgerows along the boundary.

111. The Landscape and Visual Assessment (LVIA) submitted in support of the scheme suggests the landscape has a low/medium level of sensitivity to change in character, which officers agree with. The field is of limited agricultural value due to its quality and minimal size, and does not contribute to the wider open feel of Hound Plain following housing being allowed at appeal immediately to the north. With a detailed landscape strategy the overall quality of the landscape value of the site would be improved.

112. The topography of the area combined with the mature vegetation and the extent of built development abutting the site limits views of the site primarily to near distance views. The existing urban edge and the approved scheme to the north would screen the development, whilst views from the west and east are restricted due to the mature landscaping just off site. Whilst the scheme will be clearly visible from the right of way along Green Lane the development would project no further west than the approved Taylor Wimpey scheme.

113. Clearly the proposed development would have had an adverse impact on the intrinsic character of the immediate landscape in terms of the loss of the undeveloped site. However, with this in effect being an isolated field surrounded by residential areas the loss of this field would not be in conflict with the objectives of saved policy 2.CO or 18.CO as set out in the adopted Local Plan nor policy S9 in the submitted plan.

**Access, accessibility and Highway Safety**

114. The access to the development is the only detailed matter for consideration. Access on to Cranbury Gardens is to be provided in the form of a bellmouth junction with footpaths on either side. The Head of Transportation and Engineering has raised no objection to the design of the access the final details of which will be agreed with HCC as part of the s278 process (works on a highway).

115. The applicant recognises the preferred option to utilise an access north in to the Taylor Wimpey site and is willing to provide sole access northwards but currently cannot deliver this as site adjoining site falls outside of the applicant’s control. However, should this current application be approved the applicant has agreed to close access on to Cranbury Gardens once an unrestricted access in to the Taylor Wimpey scheme is delivered and this arrangement is to be secured through the s106. At no point would there be a direct link for vehicles created enabling them to travel from Green Lane to Hamble Lane or Bursledon Road.

116. The development is below the threshold for a full Transport Assessment (TA) but it is supported by a Transport Statement (TS).
Assessing existing road use surveys in support of the TS records 26 movements at both the AM and PM peak hours on Green Lane, with a total of 272 movements over a 12 hour period (07:00 – 19:00). The updated TS includes data for Portsmouth Road showing traffic movements of 811 AM peak and 950 PM peak, with a total 12 hour daily flow of 9,440 vehicle movements. The mean recorded speed was just over 18 mph on Green Lane, with the 85th percentile speed being 23 mph. For Portsmouth Road, the mean recorded speed was 31 mph, with the 85th percentile being 37 mph.

117. The proposed development would generate 24 movements each peak hour and 216 movements over the 12 hour period (5 day average). If Green Lane is used as the vehicular access for the development this would all but double movements compared to those currently experienced. Based on existing vehicular movements this is a significant increase and would be noticeable; however, this would only be equivalent to one extra car movement every two minutes within the peak hour which together with the introduction of a new footpath and the relatively low vehicle speeds, the Head of Transportation and Engineering has advised the impact on highway safety is not considered to be severe.

118. The trip distribution has been modelled as almost 50/50 split between traffic exiting/approaching Green Lane from the west and from the east. The revised TS includes information on traffic speeds on Portsmouth Road and advises to comply with Manual for Streets visibility requirements for 37mph, the visibility splay will need to extend to 59m at the junction with Portsmouth Road. This is deliverable albeit with views being achieved across private land which is the subject of a condition to protect sightlines at this junction. To assist with movements through this junction a traffic regulation order (TRO) would be proposed to introduce a box junction.

119. Considering the impact of the increased traffic flows on the wider highway the additional movements in traffic on to Hamble Lane (12 AM Peak or 108 daily) are considered to be within daily variations and unperceivable based on the total daily movements.

120. In response to concerns raised by the Council and local residents, a 1.8m wide footpath is proposed along the eastern side of Green Lane, the provision of which can be delivered within the highway but would require the removal of the grass verge. Existing residents park along this verge and the provision of the path would result in displacement of these cars, which could cause obstructions elsewhere. The revised TS includes a swept path plan demonstrating that with the footpath and some cars parked on Green Lane, a refuse truck could pass, albeit that the extent of ‘on-highway’ parking would be reduced. The benefits of providing a clear, identifiable safe route for pedestrians is considered desirable and should this scheme be approved the path should be delivered early in the construction process. The final surfacing of the
121. The site is well served by footpaths with new links proposed to Hamble Lane and in to the Taylor Wimpey development to the north, which will provide good pedestrian and cycle links to bus stops, local facilities within Lowford Village Centre including shops and doctor surgeries, with schools slightly further away. The site is considered to be located within a sustainable location and the provision of housing in this location would accord with the accessibility strand of sustainable development.

Noise

122. The adopted local plan and draft policy DM7 seeks to avoid unacceptable impact from noise or vibration on noise-sensitive developments including residential development. In situations where the merits of the development outweigh the desirability of locating it away from a location disturbed by noise or vibration, the applicant must demonstrate the design, layout and insulation can meet appropriate standards. Para 123 of the NPPF advises planning decisions should “avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development”.

123. The noise survey has assessed noise generated from traffic on surrounding highway network, identifying high noise levels but concluding that development can be delivered without causing harm to the amenity of future residents. The glazing specification is to be determined at the reserved matters stage along with any other mitigation measures such as alternative ventilation along frontages to the highways.

124. The Head of Housing and Environmental Health has raised no objection to the principle of development advising careful consideration of the final layout, form of dwellings and their internal layout is required to ensure internal and external noise standards set out in the draft submitted local plan policies are achieved.

Air Quality

125. The application site abuts the Hamble Lane Air Quality Management Area (AQMA) which was designated due to the high concentrations of the Nitrogen Dioxide generated due to traffic emission. The adopted Local plan saved policies 32.ES and 33.ES and submitted local plan draft policy DM7 require any impacts upon air quality to be assessed in this regard. There are also a number of European Directives that apply to air quality the most recent of which was issued this autumn. Paragraph 124 of the NPPF advises planning decisions should ensure
that any new development in Air Quality Management Areas is consistent with the local air quality action plan.

126. The application is supported by an air quality assessment that has modelled the impact of traffic on air quality and the suitability of the site for residential development. The dispersion modelling indicated relatively high levels over the frontage of a small number of residential units at ground floor level. As such, appropriate mitigation has been recommended including mechanical ventilation and a high specification of window tightness. These types of mitigation are recommended within the best practice guidance and are considered suitable for a development of this size and nature. The assessment concluded that impacts on pollutant levels as a result of traffic generated from the development were not predicted to be significant at any sensitive location in the vicinity of the site. Based on the assessment results, air quality issues are not considered a constraint to planning consent for the development, subject to the inclusion of relevant mitigation measures.

127. The Head of Housing and Environmental Health has accepted that the principle of development is acceptable subject to further information being submitted as part of the conditions or reserved matter application. On the basis of evidence presented, the scheme accords with the saved policies and NPPF para 124.

128. The impact on air quality of constriction traffic or process is not deemed to be exceptional and can adequately be controlled by a Construction Environmental Management Plan (CEMP) a draft strategy for which has been submitted.

Land Contamination

129. The Desk Top Study and Preliminary Risk Assessment identified that the application site was open land used for agricultural purposes which had no other historical land uses identified, and therefore is would not prevent this site from being developed for housing.

130. The Head of Housing and Environmental Health has reviewed this information and supports the conclusions that are drawn in the reports and recommends conditions accordingly. The development accords with saved policy 35.ES, submitted draft policy DM7(v) and paragraph 121 of the NPPF.

Drainage and Flood Risk

131. The site is located within flood zone 1 and not at risk to either ground water or fluvial flooding. The drainage strategy references infiltration tests have been undertaken and indicate the southeast corner of the site is suitable for infiltration drainage techniques.
132. On this site there is a critical need to protect the water quality that reaches the Spear Pond Gully which feeds into the Solent Complex as such surface water drainage requires full consideration at this outline stage. The test is to ensure that surface water run-off from a developed site is no worse than would have been the case if the site had not been developed. The applicants have stated that a scheme of Sustainable Urban Drainage System (SUDS) would be used to ensure that this test is met and an indicative drainage layout is included within the strategy. Due to the topography the surface water drainage details will be designed to direct drainage to an attenuation pond within the southeast corner and which will feed into the surface water sewer 100m to the east of the site. As Lead Local Flood Authority, HCC are responsible for providing guidance surface water drainage and raise no objection subject to full drainage details being secured before the final layout of the site is approved. Through the implementation of the drainage strategy the development of this site would not contribute to any off-site flooding that is experienced within adjoining roads.

133. The Council’s biodiversity has sought further details to demonstrate that the rate of water flow to Spear Pond Gully is not reduced and pollutants will not reach gully. These are matters that can be addressed through conditions with the final details being secured through a detailed drainage strategy and a construction environmental management plan (CEMP).

134. Southern Water has advised there is a currently inadequate capacity in the local foul drainage network and upgrades would be required. These would be funded by the developer separately to other infrastructure required under Section 106.

135. At this outline stage, the applicant has demonstrated the site can accommodate a suitably designed sustainable surface water strategy and that upgrades to existing foul drainage infrastructure can be delivered. Subject to conditions, the development meets the requirements of saved policy 45.ES, submitted draft policy DM5 and paragraph 103 of the NPPF.

Trees and Biodiversity

136. The application site is not located within or adjacent any areas designated for their nature conservation interests. Spear Pond Gully is located 100m to the west of the site which flows to the Solent, which is designated as the Solent and Southampton Water Special Protection Area (SPA) and the Solent Maritime Special Area of Conservation (SAC) which are both European sites. To demonstrate there will be no hydrological impacts on the SPA and SAC as a result of the development impacting on water flows and quality, further details can be secured via conditions whilst the illustrative master plan and drainage strategy provides sufficient detail that the principle of development can be supported. The scheme has been reviewed under
the Habitats Regulations and it is concluded the development would
not have a likely significant impact on the integrity of Natura 2000 sites.

137. The potential increase in recreational pressure on the SPA would be
alleviated through securing a contribution towards the Solent
Recreational Mitigation Project. On this basis there is no objection from
Natural England.

138. The application is supported by an ecological assessment. The
vegetative habitats found within the site are not uncommon and the
ecological value is considered low, primarily due to its arable status.
The field margins, whilst providing some benefits to wildlife such as
small mammals and birds, are limited in size albeit and are of low
ecological value. The hedgerow and small trees on the edge of the site
are equally of low-moderate value.

139. A visual assessment of the trees on and adjacent to the site identifies
some of the mature and ivy clad trees around the perimeter of the site
have low potential to be used by bats, whilst a more mature oak tree in
the north west corner has a higher potential for bat roosts. With these
trees being along the perimeter of the site they remain unaffected by
the development, whilst a lighting strategy will need to be designed to
ensure bat foraging and commuting corridors are protected.

140. There is no evidence of badgers within or using the site nor is the site
considered to be suitable for dormice, water voles or otters. Small
areas of the proposed development site could be suitable habitat for
reptiles; although none have been recorded following surveys. Through
appropriate landscaping to be secured at the reserved matters stage it
is possible to enhance the site conditions to be more favourable for
reptiles and the overall biodiversity value of the site. The ecological
assessment contains various recommendations to protect and enhance
the biodiversity of the site and these should be secured via condition.

141. The Borough tree officer has raised no objection subject to conditions
including replanting, tree protection measures and a site meeting.

142. Overall the development has the potential to enhance the biodiversity
value of the site and surrounding areas and accords with saved
policies, submitted policies and paragraphs 118 and 119 of the NPPF.

Sustainable measures

143. The application is accompanied by a sustainability statement which
reference national and local standards expected from new
development. The statement advises as part of the reserved matters
scheme the development will demonstrate compliance with a reduction
in carbon emissions and water usage in line with national commentary
on the Housing Review Standards and the Code for Sustainable
Homes, as well as the adopted Environmentally Sustainable Development SPD.

144. Subject to conditions, the principles of development are therefore considered to comply with the aims of Saved Policy 34.ES of the adopted Local Plan, DM2 of the submitted local plan and the adopted SPD on Environmentally Sustainable Development.

Heritage Asset and Listed Building considerations

145. The current lack of archaeological evidence derived from the site and immediate vicinity should not be viewed as a reflection of the lack of archaeological investigation but as a genuine indication of absence of archaeology. The desk based assessment has identified that there is low potential for the presence of archaeological interest within the site, but there remains a definable risk that unknown buried features and deposits of early prehistoric to post-medieval date could survive on the site and could be negatively affected by development groundworks. The assessment concludes that further field investigation are needed, the results of which would inform the need for further investigations. While this potential does not present an overriding concern it should be addressed through a programme of archaeological work secured through suitable conditions attached to any planning consent that might be granted. The County Archaeologist supports this position.

146. It is not considered that the proposed development would have any direct impact on historic buildings, and the indirect impact on the settings of nearby listed buildings is considered to be negligible due to distance and limited intervisibility between the listed buildings and the site.

147. Overall the heritage assets within the site are adequately protected ensuring compliance with the guidance contained within the paragraph 128 of the NPPF and saved policy 168.LB

Minerals

148. Advice on minerals is contained with the adopted Hampshire Minerals and Waste Plan 2013 (in which the site is within a designated Minerals Safeguarding Area) and the NPPF. The prior extraction of minerals, where practicable and commercially feasible is sought in advance of non-mineral development. HCC currently have identified the site and surrounding area as having potential for mineral deposits of a commercial value, thus in accordance with policy 15 of the Hampshire Minerals and Waste Plan 2013 an assessment of the value and need for ‘prior extraction’ has been submitted.

149. The minerals assessment advises that although there is sand and gravel present within the site, that its quantity and quality is not
economically viable for prior extraction which the County Minerals officer agrees with.

Planning obligation/considerations

150. In accordance with the guidance contained within the NPPF, Saved Policies 74.H, 101.T, 147.OS and 191.IN of the adopted Eastleigh Borough Local Plan Review (2001-2011), Policies DM32 and DM37 of the Submission Eastleigh Borough Local Plan 2011-2029, the Council’s ‘Planning Obligations’ SPD and the requirements of Regulation 122 of the Community Infrastructure Regulations, there is a requirement for developers’ contributions to ensure on and off-site provision for facilities and infrastructure made necessary by the development, or to mitigate against any increased need/pressure on existing facilities. This is in addition to the requisite on-site provision of affordable housing.

151. Contributions / Obligations towards the provision of the following infrastructure if agreed and would be secured via a Section 106 agreement index linked as per the Planning Obligations SPD and HCC requirements. The following Heads of Terms have been issued to the applicant for their agreement in principle;

- Provision of an unrestricted and non-ransomed access to land to the north (Taylor Wimpey site) which shall be utilised once access is secured upon which the Cranbury Gardens access will be closed.
- New footpath along the eastern side of Green Lane
- The site access as shown indicatively on drawing 0056 at Appendix E of the Transport Statement to be approved prior to commencement of development
- On-site public open space provision, adoption and maintenance
- On-site public open space/play provision, adoption and maintenance
- On-site footway link improvements and adoption/maintenance
- 35% on-site affordable housing
- Public art provision
- Travel plan provision, bond and monitoring
- Sustainable Transport infrastructure contributions
- Community Infrastructure contributions
- Education contributions
- Air quality monitoring
- Solent Recreational Mitigation Project contributions
- Street tree maintenance
- Sustainable drainage management
- Phasing of the development

152. The projects and measures identified for contribution expenditure in addition to CIL (if relevant at the time of any decision) would comply with the 3 tests set out in Regulation 122 of the Community Infrastructure Levy 2010, in that the monies would go towards the
projects which are directly related to the development, and are fairly and reasonably related in scale and kind to the proposed development. The contributions would be index-linked to ensure the contributions rise in line with the costs of providing the identified projects/measures. The obligations sought are necessary to make the development acceptable in planning terms and to meet the needs generated by the new residents and the potential impact on existing services and facilities.

Other material considerations

153. As previously advised, Members will need to consider whether there are other material considerations which would justify not determining the application in accordance with the development plan. The NPPF requires the principle of sustainable development to be considered, with the presumption in favour of sustainable development.

154. Also of relevance is the Submitted Eastleigh Borough Local Plan 2011 - 2029, July 2014. Whilst the Inspectors report recommends non-adoption on the basis of the unsoundness identified, and it can be given extremely limited weight it does represent the most recent expression of the Council’s position. Many of the policies are yet to be tested at examination such as the gap policy.

Conclusion

155. The NPPF seeks to significantly boost the supply of housing and, in accordance with the NPPF, the adopted Local Plan in respect of settlement boundaries must be considered out of date. This NPPF is based on the presumption in favour of sustainable development, however the development plan, where it is in compliance with the NPPF, is the primary document when considering this development. The proposals are contrary to the development plan in that this scheme would both physically and visually reduce the strategic gap through the provision of housing outside of the urban edge. Section 38(6) of the Act states a scheme contrary to the development plan should be refused unless material considerations indicate otherwise.

156. From the above assessment, the development can demonstrate elements of being economically, socially and environmentally sustainable. The site abuts the urban edge and is within walking distance of shops, schools, health and community facilities and bus services. It would provide private and affordable housing and areas of public open space. The construction process would deliver a number of employment opportunities and, once fully occupied, the development would establish an increase in the workforce resources within the area. There would also be New Homes Bonus benefits.

157. However, the impacts of the development must be acknowledged. The development would result in the loss of undeveloped countryside and Strategic Gap land outside of the urban edge, albeit an areas that has
limited value as undeveloped land or protecting and enforcing the
identity of the existing settlements and communities of Old Netley /
Bursledon and Southampton. The development would also be served
by Cranbury Gardens and Green Lane, which in turn will require the
provision of a new footpath and increase in traffic which would impact
on the semi-rural appearance and character of the lane.

158. Whilst the development would double the traffic flows along Green
Lane, the applicant has demonstrated through the technical transport
statement and addendums that the scheme would not have a severe
impact on highway safety such that the Head of Transportation and
Engineering has not raised an objection. However, the increase in
traffic would be noticeable on the land but not on the wider highway
network.

159. Weighing against this is the Council’s recognition that it cannot
currently demonstrate a 5 year supply of housing.

160. Following a full assessment of the development, on balance there are
sufficient material considerations to grant outline permission for this
development contrary to policies 1.CO and 2.CO of the adopted local
plan. The impacts are recognised but they would not outweigh the
benefits this development delivers and the application is therefore
recommended for approval of outline permission subject to the
applicant entering into an s106 legal agreement. If the legal agreement
is not signed by 26 February 2016 then the scheme should be refused
solely on these grounds.
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