

CFH – Chandlers Ford and Hiltingbury Local Area Committee Wednesday 19 June 2019.

Application Number: F/18/84154
Case Officer: Gary Osmond
Received Date: Wednesday 3 October 2018

Site Address: 9 VALLEY ROAD, CHANDLER'S FORD, EASTLEIGH, SO53 1GQ

Applicant: Sam Doswell

Proposal: Construction of 4No, two bedroom, 5No. three bedroom and 3No. four bedroom dwellings with associated amenity space and parking, following demolition of existing care home.

Recommendation: PERMIT

Subject to:

- i) revisions to the site layout which will accommodate a bin collection area in an acceptable manner; and
- ii) the securing of planning obligations towards:- Community Infrastructure; Public Open Space & Play Provision, including towards the provision of Local Green Space; and Public Art.

CONDITIONS AND REASONS

- 1 The development hereby permitted shall be implemented in accordance with the following plans numbered:170718, 197 P-00, 3117-VALL-ICS-XX-RP-C-07.001, 7515, 7515 L01, 7515_D01 Rev.N, 7515_D02 Rev.B, 7515_D03 Rev.F, 7515_D04, 7515_D05, 7515_D06 Rev.A, 7515_D07 Rev.A, 7515_D08 Rev.A, 7515_D09 Rev.A, 7515_D10, 7515_D11, 7515_D12, 7515_D13, 7515_D14 Rev.B, 7515_D15 Rev.B, 7515_D16, 7515_D17, 7515_E01, 7515_E02, 7515_E03, C031801-01, C12273, DP147, ENC/1903/18/7BB5, GWPR2641, GWPR2641 P, TT.DOS.VAL.501 Rev.B, VALL-ICS-01-XX-DR-C-001-P4, VALL-ICS-01-XX-DR-C-002-P3, VALL-ICS-01-XX-DR-C-050-P1, VALL-ICS-01-XX-DR-C-051-P1-S2 & VR250918-01 Rev.A.
Reason: For the avoidance of doubt and in the interests of proper planning.
- 2 The development hereby permitted shall start no later than three years from the date of this decision.
Reason: To comply with Section 91 of the Town and Country Planning Act 1990.
- 3 No construction or demolition work shall start until a Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. Demolition and construction work shall only take place in accordance with the approved method statement which shall include:
 - a) a programme and phasing of the demolition and construction work, including roads, landscaping and communal space;
 - b) location of temporary site buildings, compounds, construction material and

plant storage areas used during demolition and construction;
c) the arrangements for the routing / turning of lorries and details for construction traffic access to the site;
d) the arrangements for deliveries associated with all construction works, loading / unloading of plant & materials and restoration of any damage to the highway, including vehicle crossovers and grass verges;
e) the parking of vehicles of site operatives and visitors;
f) measures to control the emission of dust and dirt generated by demolition and construction;
g) a scheme for controlling noise and vibration from demolition and construction activities (to include piling);
h) provision for storage, collection, and disposal of rubbish from the development during construction period;
i) measures to prevent mud and dust on the highway during demolition and construction;
j) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
k) temporary lighting; and
l) protection of pedestrian routes during construction.
Reason: To limit the impact the development has on the amenity of the locality and neighbouring occupiers.

- 4 Development shall not commence until a Construction Environmental Management Plan (CEMP) detailing construction SuDS and other mechanisms to ensure that there is no pollution of the surface water drainage system during the course of demolition and construction has been submitted to and agreed in writing by the Local Planning Authority. The agreed CEMP shall then be followed in full throughout the course of demolition and construction works.
Reason: To ensure water quality is preserved and protected species populations are not impacted.
- 5 No construction, demolition or deliveries to the site shall take place during the construction period except between the hours of 0800 to 1800 Mondays to Fridays or 0900 to 1300 on Saturdays and not at all on Sundays or Bank Holidays.
Reason: To protect the amenities of the occupiers of nearby dwellings.
- 6 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.
- 7 No driven piling shall take place on the development hereby permitted.
Reason: To protect the amenity of the occupiers of the nearby dwellings.
- 8 Prior to reaching DPC level of the first dwelling unit, details of the materials to be used in the construction of the external surfaces of the development hereby permitted, including window frames, fascias and soffits, rainwater goods, porch canopies and front doors, shall be 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.

- 9 The development hereby approved shall be carried out in accordance with the submitted flood risk assessment (ref: document reference 3117-VALL-ICS-XX-RP-C-07.001, Revision E, dated 12 April 2019, and compiled by Infrastruct CS Ltd.) and the following mitigation measures it details:
- a) Finished floor levels shall be set as detailed below and in Table 7.8.D and Appendix H:
- Plot 1 finished floor levels shall be set no lower than 31.95m above Ordnance Datum (AOD) as detailed in Table 7.8.D and Appendix H;
 - Plot 2 finished floor levels shall be set no lower than 32.56m above Ordnance Datum (AOD) as detailed in Table 7.8.D and Appendix H;
 - Plots 3, 4, 5 and 6 finished floor levels shall be set no lower than 31.80m above Ordnance Datum (AOD) as detailed in Table 7.8.D and Appendix H;
 - Plot 7 finished floor levels shall be set no lower than 31.85m above Ordnance Datum (AOD) as detailed in Table 7.8.D and Appendix H;
 - Plots 8 and 9 finished floor levels shall be set no lower than 31.90m above Ordnance Datum (AOD) as detailed in Table 7.8.D and Appendix H; and
 - Plots 10 and 11 finished floor levels shall be set no lower than 32.15m above Ordnance Datum (AOD) as detailed in Table 7.8.D and Appendix H.
- b) Compensatory storage shall be provided to the North West corner of the proposed site, using the 1% AEP 105% CC allowance, the proposed volume of storage should be 18.00m³ for contour band 30.97m to 31.17m, 36.10m³ for contour band 31.17m to 31.37m and 4.70m³ for contour band 31.37m to 31.67m as detailed in Table 7.8.E, Appendix H.

These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

Reason: In line with section 9 of the Planning Practice Guidance of the National Planning Policy Framework (NPPF) for Flood Risk and Coastal Change to reduce the risk of flooding to the proposed development and future occupants and prevent flooding elsewhere by ensuring that compensatory storage of flood water is provided.

- 10 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 in consultation with Southern Water. The development shall then accord with the approved details.

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

Note to Applicant: A formal application for connection to the public sewerage system is required in order to service this development, please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk. Please read our New Connections Services Charging Arrangements documents which has now been published and is available to read on our website via the following link <https://beta.southernwater.co.uk/infrastructurecharges>.

- 11 No development shall start until details of a sustainable drainage system have been submitted to and approved in writing by the Local Planning Authority in consultation with Southern Water. The details shall include a timetable for its implementation and a management/ maintenance plan for the lifetime of the development, including the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the effective operation of the sustainable drainage system throughout its lifetime.
Reason: To ensure satisfactory drainage for the development.
- 12 The agreed Sustainable Drainage Scheme with any necessary landscaping shall be fully implemented and written verification by an appropriate drainage consultant of its implementation in accordance with the approved plans and supporting drainage statements shall be provided to the Local Planning Authority prior to the first occupation of any dwelling unit. The sustainable drainage scheme shall thereafter be retained, maintained and managed in accordance with the approved management and maintenance statement.
Reason: To ensure adequate drainage and to prevent flooding and pollution.
- 13 Prior to reaching DPC level of the first dwelling unit, details for the on site provision of bin & cycle storage facilities shall be submitted to and approved in writing by the Local Planning Authority. No dwelling unit shall be occupied until its allocated bin & cycle storage has been provided/ constructed in accordance with the approved details and thereafter retained and kept available.
Reason: To ensure the adequate provision of on site facilities.
- 14 Prior to reaching DPC level of the first dwelling unit, details of biodiversity mitigation and enhancement measures to include: integral bird, bat and bee features installed in every dwelling; details of external lighting to minimise light spill into landscaped areas; and ecological landscape enhancement, shall be submitted to and agreed in writing by the Local Planning Authority. The agreed measures shall then be implemented in full prior to the occupation of the building, unless agreed in writing by the Local Planning Authority.
Reason: To ensure suitable mitigation and enhancement for lost habitat.
- 15 The development hereby approved must accord with the arboricultural report reference MB190205-01 dated February 2019. No excavation, demolition or development related works shall commence until the tree protection fencing and ground protection has been installed as per the tree protection plan contained within the report. Once installed, no access by vehicles or placement of goods, chemicals, fuels, soil or other materials shall take place within the protected area. Tree protection measures shall be retained in their approved form for the duration of the work. This condition may only be fully discharged upon completion of the proposed development
Reason: To retain and protect the existing trees which form an important part of the amenity of the locality.
- 16 Prior to reaching DPC level of the first dwelling, a landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall cover all hard & soft landscaping, including trees, boundary treatment and biodiversity enhancement, and shall provide details of timings for

all landscaping and any future maintenance. The works shall be carried out in accordance with the approved plans and to the appropriate British Standard within twelve months of completion of the last building shell.

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

- 17 All hard & soft landscaping, tree planting and boundary treatment shall be carried out in accordance with the approved details and to the appropriate British Standard. For a period of 5 years after planting, any trees or plants which are removed, die or become seriously damaged or defective, shall be replaced as soon as is reasonably practicable with others of the same species, size and number as originally approved in the landscaping scheme.
Reason: In the interests of the visual amenity of the locality and to safeguard the amenities of neighbouring residents.
- 18 Prior to reaching DPC level of the first dwelling, details of the main site access alterations/ improvements, including any footway and verge crossing, shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. 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 ensure satisfactory vehicular access.
- 19 Any first floor windows on the side elevations of all plots shall be obscure glazed to Pilkingtons level 3 or equivalent with no opening parts less than 1.7 metres above the floor level of the rooms they serve, or be positioned with their lower sill at least 1.7 metres above the floor of the room in which they are installed. Once installed the windows shall be permanently maintained in that condition.
Reason: To protect the amenity and privacy of the adjoining residential properties.
- 20 Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015, or any order revoking and re-enacting that Order with or without modification, no development permitted by Classes A, B, C or D of Part 1 of Schedule 2 of the order shall be carried out without the prior written consent of The Local Planning Authority.
Reason: To protect the amenities of the locality and neighbouring properties, and to maintain a good quality living environment.
- 21 Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015, or any order revoking and re-enacting that Order with or without modification, no development permitted by Class F of Part 1 of Schedule 2 of the order shall be carried out to the frontage of any dwelling hereby approved without the prior written consent of The Local Planning Authority.
Reason: To protect the amenities of the locality and neighbouring properties, and to maintain a good quality living environment.
- 22 Prior to the occupation of any building within each individual phase of the

development [or, in accordance with a timetable to be agreed in writing with the Local Planning Authority], as built stage SAP data and as built stage water calculator confirming energy efficiency and the predicted internal mains water consumption to achieve the following shall be submitted to and approved in writing by the Local Planning Authority: In respect of energy efficiency, a standard of a 19% improvement of dwelling emission rate over the target emission rate as set in the 2013 Building Regulations In respect of water consumption, a maximum predicted internal mains water consumption of 105 litres/person/day. The development shall not be carried out otherwise than in accordance with the approved details.

Reason: To support a comprehensive approach to high quality design across the site; in line with the guidance set out in the Government's Ministerial Statement of 25 March 2015 which states that Local Planning Authorities should, from the date of its publication, take into account the government's intentions in the statement and not set conditions with requirements above a Code level 4 equivalent.

- 23 No dwelling unit shall be brought into use until its allocated parking spaces have been constructed, surfaced and marked out in accordance with the approved plan and safe access to Valley Road provided. The approved parking area shall not thereafter be used for any purpose other than the turning, parking, loading and unloading of vehicles.

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

- 24 The development hereby permitted shall not be brought into use until a turning space has been provided within the site to enable vehicles to enter and leave in forward gear. The turning space shall subsequently be retained and kept available for such purposes at all times.

Reason: In the interests of highway safety.

- 25 The development hereby permitted shall not be brought into use until visibility splays of 2.4 metres by 43 metres have been provided at the junction of the access and the public highway. Nothing over 0.6m in height above the level of the carriageway shall be placed or permitted to remain within the visibility splay.

Reason: In the interests of highway safety.

- 26 Written verification by an appropriate consultant confirming that the construction of all unadopted roads and footpaths within the development is in accordance with the approved plans and details shall be provided to the Local Planning Authority prior to the first occupation of the 10th dwelling unit.

Reason: To ensure that the development is provided to an appropriate standard.

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

Note to Applicant: the permission does not authorise the undertaking of any works involving excavations in the carriageway, footway or verge. A road opening permit must be obtained from Hampshire Highways, HCC call centre number 0845 6035633.

Note to Applicant: It is requested that the building works are carried out considerately to minimise disruption to the occupiers of the neighbouring properties. The council operates a code of best practice, which is available on the council's website www.eastleigh.gov.uk by following the links to Planning, Guidance on the process, scroll down to Guidance on Aspects of the Planning & Construction Process and select considerate builders advice note.

Note to Applicant: In accordance with Appendix C of the Council's adopted Policy Quality Places SPD, the Council requires developers to meet the cost of bins for general and recycling waste. These must be purchased from the Council's Direct Services unit.

Report:

This application has been referred to Committee because it is a major application.

Description of Application

1. The application seeks consent for the construction of 4No, two bedroom, 5No. three bedroom and 3No. four bedroom dwellings with associated amenity space and parking, following demolition of existing care home. These would be made up of a mixture of detached and semi-detached properties with access from Valley Road.

Site Area & Residential Development Density (Net)

2. The application site measures 4410 square metres, which results in a density of just over 27 dwellings per hectare for the twelve unit scheme proposed.

Topography, Trees & Boundary Treatment

3. The site is generally flat and level, with a very modest fall of around a metre from the front south-eastern to rear north-western corners. There are a number of groups of trees across the site, as well as other individual specimens just outside the site boundaries on neighbouring land. The majority of these trees are subject to Tree Preservation Orders (TPOs). The most noticeable group are those to the very front of the site along the Valley Road frontage which is predominantly made up of Scots Pine, as well as a dense line of Lawson Cypress. Other trees across the site include Scots Pine, Silver Birch, Poplar and Weeping Willow. In terms of boundary treatments, while the site frontage is defined by the line of Cypress, the majority of the remaining boundaries are marked by 1.8 – 2.0 metre close boarded fencing.

Site Characteristics & Character of Locality

4. The application site is large, even in comparison to the average Valley Road plot size. The site was last used as a nursing home, closing in 2014. The majority of the site has been developed, consisting of a sizable car park immediately behind the frontage trees, accessed via two vehicular entrances onto Valley Road. Behind the car park are the original Moorwood Cottage, a sizable 1920s/30s chalet bungalow, and a fairly typical 1960s two storey dwelling. These original dwellings have been enlarged and linked together through a series of extensions, including a very deep, predominantly single storey addition to the rear which extends some 50+ metres into the site. Between this large addition and the site boundaries are landscaped amenity areas, including a pond towards the north-western corner of the site.
5. The surrounding area is predominantly residential in nature, although there are two remaining nursing homes in Valley Road: 'The Beeches' and 'Valley Lodge', as well as a children's nursery, 'Little 1 Nursery'. Most properties along this stretch of Valley Road are good size two storey detached dwellings on sizable plots, although there are some examples of semi-detached dwellings, most dating from around 1910 to 1930s. Further to the west the character of the street is a little more mixed consisting of 1920s semis and detached bungalows, through to more recent additions to the street. In general, the street has a fairly spacious and green character.
6. Other development surrounding the application site consists of 1960s/70s semi-detached dwellings and more recent back-land development which is from the early 2000s.

Relevant Planning History

7. There are various planning applications and pre-application enquiries relating to the site's former use as a nursing/care home but this is the first such proposal to develop the site for residential purposes.

Representations Received

8. A total of 21 representations have been received from 17 addresses: 4 objecting; 11 in support; and 6 commenting.
9. Those objecting to the application have raised the following points:
 - Overlooking and loss of privacy.
 - Loss of light.
 - Flooding and drainage concerns.
 - Revised street scene not in keeping with Valley Road.
 - Loss of trees.
 - Disturbance during demolition and construction.
 - Devaluation of neighbouring properties.

10. Those in support have made the following comments:

- Redevelopment of the site would improve the appearance of the street and get rid of a derelict building.
- Would contribute to “much needed” new housing in the locality.
- Good range of housing proposed.
- Would make a good use of a brownfield site.

11. Whilst those neither supporting nor objecting to the application have highlighted the following issues:

- Care should be taken to retain protected trees.
- The amenity of neighbouring properties should be protected.
- Appropriate boundary treatment to be provided.
- Protection of neighbours during demolition and construction.
- Neighbouring properties and those downhill of the site should be protected from flooding and existing drainage issues.
- Replacement trees should be provided.
- Contractors should not park on Valley Road or verges.

Consultation Responses

12. **Tree Officer** – No objection provided the revised and updated arboricultural documents are followed in full. A condition to this effect is recommended.

13. **Environmental Health** – No objection subject to amenity protection conditions during demolition and construction.

14. **Ecology Officer** – Holding objection on the grounds of loss “unacknowledged and unacceptable loss of biodiversity”. Most vegetation on site had been cleared prior to ecology surveys being carried out. A number of potentially worthy trees are to be removed with little room for suitable replacements. The proposed landscaping is insufficient to compensate for habitat already lost and does not appear to follow the recommendations of the ecology report.

15. The ecology survey shows site trees as having negligible bat roost potential. However, a garage has been identified as a single pipistrelle roost and the site as having high levels of bat foraging and commuting activity. A better landscape scheme and more tree retention would ensure no net loss of suitable habitat.

16. Again, better landscape proposals and more tree retention would ensure no net loss of suitable habitat for birds.

17. Regarding drainage, it is unclear if the proposed system will provide sufficient filtration of surface water before being discharged off site. “It is regrettable that a naturalised form of SuDS has not been provided on the site as this would have encompassed the full principles of SuDS.”

18. Proposed compensatory flood storage is to be provided by lowering ground levels. However, this is within the root protection area of retained trees which would damage tree roots. The creation of a permanent wetland area would be of benefit, assisting with local flood issues as well as providing habitat.
19. Conditions recommended requiring bird, bat and bee features to be installed in all dwellings, the need for suitable external lighting to protect bats, and the need for a Construction Environmental Management Plan to be agreed prior to commencement.
20. **Direct Services** – Has requested that a bin collection point should be provided at the site entrance with room for a 240ltr wheeled bin and 25ltr food waste caddy per household.
21. **Housing Enabling Officer** – “This application triggers a 20% affordable housing requirement and on the basis of the proposal for a total of 11 dwellings, 20% equates to 2 dwellings. However, the information submitted advises that Vacant Building Credit is applicable to the proposed development which negates any affordable housing contribution. On this basis I have no further comments to make.”
22. **Hampshire Highways** – No objection. The existing site access positions are acceptable with adequate visibility and no known accident record. Parking appears adequate but this is for Eastleigh Borough Council to consider. However, it is suggested that some parking spaces be widened when immediately adjacent to a wall. The internal layout of the site appears acceptable but confirmation that it can accommodate the correct size refuse vehicle would be required via an updated tracking drawing, as that shown appears under standard.
23. It is the opinion of the Highway Authority that trip generation associated with the proposed residential use would be less than or no greater than the former care home use. As such no transport contributions are sought.
24. **Chandler’s Ford Parish Council** – Concerns expressed regarding the proximity of Plot 7 to Flood Zones 2/3, as well as the potential impact of the development to add to existing foul sewer flooding issues elsewhere in Valley Road.
25. **Environment Agency** – No objection to the revised Flood Risk Assessment and Drainage Strategy, Issue E, submitted in support of the application provided a condition is included requiring the approved development to follow the recommendations of the assessment.
26. **HCC Flood & Water Management** – No objection. The revised Flood Risk Assessment and Drainage Strategy, Issue E, has addressed all previous points. “Therefore we consider that the proposals for surface water drainage meet the current standards/best practice in relation to surface water drainage.”

27. **Southern Water** – No objection. Consent will be required from Southern Water to connect the development to the public foul sewer and final details of drainage should be agreed in consultation with Southern Water prior to commencement.
28. **Natural England** – No objection subject to the approval of a Biodiversity Mitigation and Enhancement Plan.
29. **HCC Children’s Services** – No comments received.
30. **University Hospital Southampton** – Requests a financial contribution towards providing health care services to meet increased demand.

Policy Context: Designation Applicable to Site

- Within Built-up Area Boundary
- Within Established Residential Area

Development Plan Saved Policies and Emerging Local Plan Policies

31. **Eastleigh Borough Local Plan Review (2001-2011)** saved Policies: 25.NC, 28.ES, 34.ES, 43.ES, 45.ES, 59.BE, 74.H, 100.T, 102.T, 146.OS, 185.IN & 191.IN
32. **Submitted Eastleigh Borough Local Plan 2011 - 2029, July 2014**
The Eastleigh Borough Local Plan 2011-2029 was submitted for examination in July 2014 but the Inspector concluded that insufficient housing was being provided for in the Plan and that it was unsound. While this has not been withdrawn and remains a material consideration, it can therefore be considered to have extremely limited weight in the determination of this application.
33. **Emerging Eastleigh Borough Local Plan 2016-2036**
The Council undertook public consultation on an updated Local Plan (2016 – 2036) during the summer of 2018 with the plan being formally submitted to the Secretary of State in October 2018. Given the status of the Emerging Plan, it is considered that limited weight can be attributed to it.

34. Supplementary Planning Documents

- Supplementary Planning Document: Quality Places (November 2011)
- Supplementary Planning Document: Biodiversity (December 2009)
- Supplementary Planning Document: Residential Parking Standards (January 2009)
- Supplementary Planning Document: Environmentally Sustainable Development (March 2009)
- Supplementary Planning Document: Planning Obligations (July 2008, updated 2010)
- Supplementary Planning Document: Affordable Housing (July 2009)

National Planning Policy Framework

35. At a national level, the National Planning Policy Framework (the 'NPPF' or the 'Framework') is a material consideration of significant weight in the determination of planning applications. The NPPF states that (as required by statute) applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise and sets out a general presumption in favour of sustainable development.
36. The three identified dimensions of sustainability should to be sought jointly: economic (supporting economy and ensuring land availability); social (providing housing, creating high quality environment with accessible local services); and environmental (contributing to, protecting and enhancing natural, built and historic environment) whilst local circumstances should also be taken into account, so that development appropriately responds to the different opportunities for achieving sustainable development in different areas.

National Planning Practice Guidance

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

Policy Commentary

38. The above policies and guidance combine to form the criteria against which this application will be assessed with particular regard to: planning policy and the principle of that proposed; the loss of the former care home; the layout and design of that proposed and its impact upon the street scene and character of the surrounding area; trees; parking and highway matters; residential amenity; drainage and flooding; environmental sustainability; and nature conservation.

Comment on Consultation Responses and Representations Received

39. A response to the majority of planning related matters is given below. With regards to concerns relating to the devaluation of neighbouring properties, while these concerns are noted, the impact of any development upon the value of property is not a material planning consideration and cannot be used as a reason to approve or refuse an application.
40. In response to the request from University Hospital Southampton NHS Foundation Trust for financial contributions, this has been reviewed by Development Management and Legal Specialists who are of the opinion that the request and the justification given does not comply with the requirements of the CIL regulations. As such, no such contributions are sought from this development.

Assessment of Proposal: Development Plan and / or Legislative Background

41. 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."

In this case policy issues for consideration include:

Planning Policy & Principle

42. The application site lies within the urban edge where the basic principle of development is considered to be acceptable. It also lies within an established residential area, meaning that further proposals for residential development would be generally appropriate for the nature of the surrounding area. However, any formal planning approval will be based upon the exact nature, design and impact of that proposed being considered appropriate and in accordance with the relevant Local Plan policies and Supplementary Planning Documents. The most relevant policy in this case is saved Policy 59.BE of the adopted Local Plan which requires development to take full and proper account of the context of the site including the character and appearance of the locality and be appropriate in mass, scale, materials, layout, design and siting. It also requires a high standard of landscape design, a satisfactory means of access and layout for vehicles, cyclists and pedestrians, to make provision for refuse and cycle storage and avoid unduly impacting on neighbouring uses through overlooking, loss of light, loss of outlook, and noise and fumes.

Loss of Care Home

43. Whilst the former care home was run by a private company, it could nonetheless be considered as a community facility given that it did provide a service to the local community. As such, saved Policy 185.IN of the adopted Local Plan would apply. This policy relates to the loss of established community facilities and states that the Council will not allow development which would result in the loss or removal of an established community facility unless suitable alternative provision is made which is of an acceptable quality and appropriately located to serve the needs of the community, or that it can be demonstrated that the facility is surplus to local needs.

44. As has been set out above, the home has been closed since 2014, with little or no viable interest shown in reopening it as a care facility. This is likely for a number of reasons, principal of which is the amount of work required to bring it up to current standards and being too small to be financially viable in the current climate. Given the current position and the length of time the home has been closed, during which it is presumed other care homes have taken up any shortfall in provision, it is considered that the former care home can be

viewed as being surplus to local needs. As such, its loss would not be deemed contrary to saved Policy 185.IN of the adopted Local Plan.

Layout, Design, Street Scene & Area Character

45. As set out above, the application seeks consent for the construction of 4No. two bedroom, 5No. three bedroom and 3No. four bedroom dwellings with associated amenity space and parking, following demolition of the existing care home. The site is rectangular in shape, being approximately 35 metres wide and 120 metres deep and having a north – south orientation. Both existing vehicular access points would be reused, that to the west serving a single detached four bedroom dwelling, and that to the east being the main access point which would serve the remainder of the development, with the internal road running along the eastern boundary of the site.
46. Fronting onto Valley Road is the detached four bedroom dwelling previously mentioned (Plot 1), together with a pair of three bedroom semi-detached houses which utilise a shared parking area (Plots 2a & 2b). Behind these, orientated parallel to Valley Road but fronting the internal site road, are two pairs of two bedroom semi-detached dwellings (Plots 3 to 6). Whilst not quite chalet bungalow in form, they do have lower ridgelines and eaves which give them a reduced scale compared to a full two storey dwelling. These plots would have more formal 'on-street' parking rather than individual driveways. Behind these, facing north, are three more three bedroom dwellings – a detached (Plot 7) and a pair of semi-detached (Plots 8 & 9) – again with on-street parking rather than driveways. And finally to the north of these would be two detached four bedroom houses (Plots 10 & 11). Parking for Plot 10 would be on-street and set to its rear, with parking for Plot 11 again on-street and to its front at the end of a turning head. All plots would have a private rear garden at least 10.0 metres deep.
47. In terms of architectural style, it is proposed to use a very traditional form and materials. All dwellings would have pitched roofs covered in clay or slate tiles, red brick is used throughout, with brick detailing, bay windows, lead porch canopies and decorative bargeboards to provide interest, including faux tax windows. Whilst Valley Road is relatively mixed overall, that proposed does take some inspiration from the older original Edwardian villas which front the street.
48. An objection has been raised with regards to the impact of the development upon the Valley Road street scene, highlighting that semi-detached dwellings are not prevalent. It is accepted that the majority of properties along this stretch of the road are predominantly detached but there are examples of semi-detached properties nearby, namely Nos.2 & 4 which are a hansom pair of original Edwardian dwellings. This inclusion of a pair of semi-detached properties to the frontage does in fact assist in providing an appropriate increase in scale between the two existing properties which immediately neighbour the site, No.11 being a slightly more modest 1950s/60s dwelling and No.7 being a far larger original Edwardian detached villa. This transition across the site is considered to be appropriate and the much closer

positioning to the Valley Road frontage in fact reinforces the existing building line, something the present building does not. There is also an intension to retain the main protected trees and enhance the planting to the frontage, which will assist in softening the physical impact of the development.

49. Whilst the proposed development immediately fronting onto Valley Road is considered to be generally acceptable, there are some reservations relating to the layout, or more specifically the quantity and form of development proposed for the remainder of the site and how well this sits with the prevailing pattern of development in the area. This part of Chandler's Ford is generally characterized by detached and semi-detached dwellings on good size plots, Valley Road in particular being one street where the plot sizes are rather generous. Even the 'denser' development of streets such as Heathlands Close, Cypress Grove and Acorn Drive, which are all in relatively close proximity to the site, have reasonable size plots and gardens by modern standards. In contrast, the number of units proposed for the application site has resulted in plot and garden sizes which are noticeably smaller than the vast majority of surrounding plots, even the smallest of those in Heathlands Close. Notwithstanding this, all proposed plots with the exception of Plot 8 meet the Council's 'Quality Places' Supplementary Planning Document guidance on garden size, which states that dwellings should be provided with useable gardens which are a minimum of 60% of the floor area of the dwelling which it serves (Plot 8 equates to 54%). This guidance also states that when a garden faces within 30 degrees of due north, it should have a minimum depth of 12.0 metres. Whilst this standard is met for Plot 1, the garden depths for Plots 2a & 2b at 10.0 metres fall short due to the dwellings having to be set slightly further back in order to avoid impact on the frontage trees. Whilst failing to meet these minimum standards for a small number of plots, in general that proposed is considered to acceptably balance the necessary requirements with site constraints. As such, it would be unreasonable to justify a refusal of the application on the grounds of plot/garden size.
50. Another result of the number of units proposed and the need to meet the Council's parking standards is how the site frontage of almost all the proposed plots are dealt with. Each of the two and three bedroom dwellings are required to have a minimum of two off-road parking spaces, with three spaces being required for the four bedroom dwellings. The tight arrangement of the plots and the need to provide adequate room to manoeuvre in and out of a parking space has resulted in all but Plots 1, 2a & 2b having to utilise formal street parking rather than the more informal driveway parking used elsewhere in the surrounding area. Whilst this would not necessarily cause an issue for the street scene, being that this would only be noticeable whilst within the site, it is an arrangement which is quite out of context with the character of the surrounding area in that it something far more likely to be found in a much denser urban context rather than the much looser green suburban context of Valley Road. However, again this is not considered to be sufficient grounds to refuse the application.
51. One of the other characteristics of this part of Valley Road is the lack of built form of any noticeable scale within the rear gardens of properties. If viewed as

a simple figure and ground diagram this would be clearly evident by the positioning of most development towards the street frontages and a lack of development behind. However, a couple of conspicuous exceptions to this are the Valley Lodge Care Home and the former care home of the application site. Both of these buildings extend significantly to the rear of their plots, in particular the application site. Whilst the proposed inclusion of the central site plots (Plots 3 to 6) on the face of it appear quite out of context, when compared to the present situation they could in fact be viewed as an improvement in that they are of a much smaller footprint and overall scale. Whilst seemingly contrary to the general pattern of development in the surrounding area, the presence of the existing former care home building would make it difficult to demonstrate any increased harm to the character of the area.

52. Other minor issues are: how practical the shared driveway and parking area for Plots 2a & 2b would be in reality, i.e. occupiers of Plot 2a having to manoeuvre their car immediately in front of the living room window of their neighbours at 2b; potential difficulties in accessing the garage for Plot 1; the site access restrictions and need for a bin collection point capable of accommodating eleven wheelie bins and food waste caddies at the site entrance, which if not dealt with correctly could look unsightly.
53. Whilst these issues and those discussed earlier are of some concern, and that a reduction in the number of units or their size would help to overcome them by allowing more room to provide the necessary ancillary accommodation required, i.e. private gardens and parking, thereby providing a higher quality scheme, it is not considered that they would be sufficient to justify a refusal of the application, which in general accords with the minimum policy and guidance requirements.

Trees

54. As highlighted above, there are a number of protected trees on the site and on immediately adjoining land. All but four would be retained leaving: the large Scots Pines to the site frontage and Cypress, albeit these would be lowered to form a hedge; a further Scots Pine in the middle of the site; and a Poplar and three Silver Birches to the rear. Those removed are a Scots Pine and conifer to the site frontage, and a Poplar and Weeping Willow in the centre of the site. In addition to these retained trees it is proposed to plant a further 13, the majority of which would be within the public areas of the site, together with soft landscape planting which would need to be maintained by a management company.
55. Following extensive consultations with the Council's Tree Specialists, the scheme's layout has been revised with all buildings now outside of root protection areas. However, special ground protection measures and surfacing will be required in some areas, most notably at the main site access from Valley Road which must pass over the root protection areas of a number of retained trees. A detailed Arboricultural Impact Assessment (AIA) has been submitted in support of the amended scheme. This has been reviewed by the

Council's Tree Specialist who has raised no objection subject to the content and recommendations of this assessment being followed in full. A condition to this effect is recommended.

56. Some concern has been raised by the Council's Ecologist with regards to ground level changes within the Root Protection Area (RPA) of retained trees as part of flood prevention works. Whilst it is proposed to make some modest level alterations, these will not be within the RPA of the relevant trees, which will be protected from the level changes by a retaining wall around the edge of the RPA.

Parking & Highway Matters

57. Allocated parking to meet the Council's 'Residential Parking Standards' SPD is provided, principally in the form of formalised parking spaces 'on-street' rather than within the curtilage of each unit. There is also sufficient room to provide informal visitor parking within the site, albeit not formally marked out.
58. In general the site layout is acceptable in terms of vehicle manoeuvring, although space is tight in a few places, such as the aisle width in front of Plot 7 and at the main site entrance. Whilst this would not raise any concerns were it to be only serving a couple of dwellings, it is required to serve eleven and would be far busier than a normal driveway access. However, the ability to widen this access is compromised by the location of protected Scots Pines at the site frontage which are to be retained and form an important element of the street scene. On balance therefore, whilst not ideal, that proposed is acceptable. A view backed up by the lack of objection from Hampshire Highways.
59. Other highway concerns raised by those who have commented on the application relate to contractor parking and possible damage to highway verges. These concerns are noted and the recommended construction management condition requires details of contractor parking, and loading / unloading of deliveries to be provided and agreed prior to works commencing. Whilst the Council cannot prevent contractors from parking on the highway, there should be more than sufficient space on site to accommodate parking, site office, materials storage, etc.

Residential Amenity

60. When considering residential amenity there are two areas to look at: the impact of the proposed development upon existing neighbouring properties; and the amenity of future occupiers of the development.
61. Some concern has been raised by those objecting to the application in relation to overlooking and loss of privacy. In this respect the properties most likely to be impacted are those in Cypress Grove to the east and Heathlands Close to the west. The proposed site layout ensures that the orientation of dwellings is such that their relationship to properties in Cypress Grove is perpendicular, together with a reasonable separation distance, thereby

resulting in no overlooking or loss of privacy to those dwellings. With regards to neighbouring dwellings in Heathlands Close, whilst the rear of Plots 10 & 11 do face the rears of Nos.20-24 Heathlands Close, the distance between these elevations at 25 and 29 metres exceeds the 22 metre minimum distance set out in the Council's 'Quality Places' SPD. The site layout will result in some increased overlooking of neighbouring gardens, but this is not to any unacceptable extent and is something to be expected in suburban areas.

62. In this respect therefore, and the other main amenity issues of light and outlook, whilst there will be some degree of impact upon neighbouring properties, it would not be to such an extent that it would be unreasonable in planning terms. As such, the proposed development does meet the requirements of the 'Quality Places' SPD and saved Policy 59.BE of the adopted Local Plan. Notwithstanding this, given the minimal garden sizes proposed, it is recommended that the usual permitted development rights which would allow extensions to the dwellings be removed in order to ensure sufficient usable external amenity space is maintained, and also to ensure that sufficient off-street parking is retained. Permitted development right in relation to the creation of hardstanding to the front of dwellings is also recommended for removal in order to protect the visual amenity of the development and quality of environment for future occupiers.
63. Looking at the amenity of future occupiers of the proposed development, as has been discussed above, although garden sizes are smaller than those of existing neighbouring plots, in some cases significantly smaller, the majority meet the Council's minimum standards and generally would receive sufficient day and sunlight. Whilst the proposed garden sizes are generally based on minimum standards, the scale of internal accommodation more than exceeds the nationally described space standards, which goes some way to compensating for the smaller scale external amenity space.
64. With regards to issues of privacy, light and outlook, again whilst the site layout is relatively tight, there would be no unacceptable level of overlooking or loss of light. Equally, whilst the outlook from Plots 2a & 8 is somewhat impinged by the flank elevations of the neighbouring plots to their north and south, this is not to the extent that a strong argument could be made that the outlook from these plots is unacceptable.
65. A further amenity issue to take into consideration is disturbance to neighbouring properties during the course of demolition and construction. This has been highlighted by those who have commented on the application and can be dealt with by way of suitably worded conditions requiring approval of a construction management plan and restrictions on working hours, etc.
66. Overall therefore with regards to issues of amenity, the application does generally accord with the requirements of the 'Quality Places' SPD and saved Policy 59.BE of the adopted Local Plan.

Drainage & Flooding

67. Concerns have been raised in relation to both foul and surface water drainage issues which have affected properties on lower ground to the west of the site, in that the proposed development could exacerbate existing problems. Objections were also initially raised by both the Environment Agency (EA) and Hampshire County Council's Flood and Water Management team (FWM) relating to a number of the proposed dwellings being within Flood Zones 2 & 3 in which the north-western corner of the site falls.
68. Saved Policy 45.ES relates to surface water disposal and states that "Development proposals must incorporate adequate measures for the disposal of surface water from the development including, where practicable, source control techniques and sustainable drainage systems, incorporating future maintenance of the system." Following the initial objections from the EA and FWM, the developer undertook further site investigations and provided an updated Flood Risk Assessment and Drainage Strategy (FRA). These investigations established that the site's ground conditions, which are predominantly clay, would make natural percolation or soakaways unviable. As such, it is proposed to use a system of tanked permeable paving which would filter the surface water, hold it in a tanked layer of aggregate underneath, before discharging it at a controlled rate into the existing surface water sewer in Valley Road. Calculations show that this system would half the current surface water flow from the site, thereby easing pressure on the local surface water system.
69. Revisions were also made to the proposed site layout, which with the inclusion of some low retaining walls, moved the proposed dwellings out of Flood Zones 2 & 3. The revised FRA also demonstrates that the construction of these dwellings and retaining structures would not result in any further harm to neighbouring properties through dispersing of flood waters elsewhere. These layout revisions and updated FRA have been reviewed by the EA and FWM who have both lifted their original objections to the application, subject to conditions.
70. With regards to foul drainage, whilst the application site is unlikely to be impacted by sewer flooding, given it sits on higher ground, concerns were raised that the development could add to current problems. Again, this has been investigated by the developer and their drainage consultant and a comparison made as to the likely foul water flows associated with the proposed development compared to the existing. These calculations show that the flows from a 35 bedroom care home would equate to approximately 14 dwellings. That being the case, the proposed development for 12 units would result in a theoretical reduction in foul water flows into the local sewer network. Whilst it is accepted that the former care home has been closed for a number of years and prior to that was not at full occupancy, any assessment made must be based on a worst case scenario. Although currently closed, the care home could reopen without the need for any planning consent, meaning that foul drainage equivalent to 14 dwellings could be reintroduced to the local network. Given this flow rate is greater than that which would be produced by

the proposed development's 12 dwellings, it is considered that there would be no reasonable grounds to refuse the application in this respect, particularly as no objection has been raised by Southern Water. However, conditions requiring any final drainage scheme to be approved prior to commencement in consultation with Southern Water are recommended.

Environmental Sustainability

71. The Council's 'Environmentally Sustainable Development' SPD requires all new dwellings to meet a minimum of code level 4 of the Code for Sustainable Homes together with a number of other mandatory requirements on water and energy conservation. However, the code has now been revoked with the intention that these requirements will be assessed by Building Regulations. Notwithstanding this, it is Council policy that any new dwellings must meet the equivalent of Code Level 4 with regards to water and energy conservation. This is secured via a planning condition.

Nature Conservation

72. As has been highlighted above in the Council's Ecologist's response, concerns are raised with regards to the amount of clearance already undertaken on site and proposals for further tree removal. Concerns have also been highlighted that the intended site layout and landscaping scheme leaves little room for worthwhile new tree or landscape planting, thereby resulting in a likely inability to ensure a net biodiversity gain as encouraged by the NPPF.
73. Whilst it is disappointing that a substantial amount of site clearance was undertaken before any ecological surveys were undertaken, meaning the true extent of the development's impact cannot be properly ascertained, the developer was within their rights to do this work. Although a number of trees are subject to preservation orders, this does not prevent the removal of any trees or planting which is not covered by the preservation orders. Equally, the site is not subject to any nature conservation designation or within close proximity to such a site.
74. The concerns relating to a lack of space to provide suitable replacement planting to mitigate for that lost and a more naturalized SuDS drainage scheme are shared. However, these concerns are not considered to be sufficient to refuse the application and there is still scope to improve the proposed landscape planting scheme to provide some habitat enhancement, together with other enhancement measures which could be secured by conditions.

Planning Obligations / Considerations

75. 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.

76. Contributions / Obligations towards the provision of the following infrastructure have been agreed and would be secured via a Section 106 agreement index linked as per the Planning Obligations SPD and HCC requirements:

- Community Infrastructure
- Public Open Space & Play Provision
- Local Green Space
- Public Art

77. The projects and measures identified for contribution expenditure will 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.

Affordable Housing

78. The proposed scheme for twelve units would usually be required to provide an equivalent of 20% affordable units, which in this instance would be rounded down to two dwellings. However, national policy provides an incentive for brownfield development on sites containing vacant buildings. Where a vacant building is brought back into any lawful use, or is demolished to be replaced by a new building, the developer should be offered a financial credit equivalent to the existing gross floorspace of relevant vacant buildings when the local planning authority calculates any affordable housing contribution sought. In this instance, whilst the total floor space of the proposed scheme does exceed the existing floor space of the former care home, it is only by a very modest amount of a few tens of square metres. This would mean any figure secured, together with the restrictions on where and how any monies secured can be utilised, could not be realistically used.

Other Material Considerations

79. An issue which has recently arisen is 'nutrient neutrality' and the impact additional waste water from residential development is having on important nature conservation sites such as the Solent. This essentially relates to drainage and how discharges from sewerage treatment plants are affecting the level of nutrients in the water, which is in turn impacting upon biodiversity. Natural England have advised on new residential development, there is

currently uncertainty over whether mitigation will be required to address the existing levels of nitrogen and phosphorus input to the water environment causing eutrophication at the international sites of Solent & Southampton Water Special Protection Area (SPA) and Ramsar site and the Solent Maritime Special Area of Conservation (SAC). Therefore in light of this uncertainty and for confidence that the development will be deliverable, it is Natural England advice that proposed residential developments achieve nutrient neutrality. To this end, Natural England have published draft methodology to calculate nitrate levels and for new development recommend information is provided regarding the existing and predicted levels of nitrates leaching into the water environment to give a “nutrient budget”, and that this budget should be able to demonstrate no increase in nutrients, known as “nutrient neutrality”. Where an increase in nutrient levels is expected, Natural England advise mitigation should be devised prior to issuing a decision to offset this increase and ensure the protected habitats are protected. Following recent case law, the Council are no longer able to condition mitigation details be provided post permission being granted.

80. The Council are currently considering the implications of this issue and how where needed, mitigation can be secured and delivered. Such mitigation could be direct through on-site sewage treatment provision, through upgrading existing sewage treatment works or reducing the amount of water used within the development; or indirect through the offsetting of nitrogen generation from development by taking land out of nitrogen intensive uses (e.g. agricultural uses including arable and livestock farming). For smaller development schemes, mitigation may take the form of contributions towards off-site measures. The impact, if any, will need to be set out within an Appropriate Assessment as required by Article 6 of the EC Habitats Directive 1992, and interpreted into British law by the Conservation of Habitats and Species Regulations 2017. The Assessment is to be undertaken by the Council as the Competent Authority. Whilst this application can be referred to committee and a resolution to grant permission reached, the nutrient neutrality matter will need to be resolved prior to the decision being issued. The Council are reviewing the options for mitigation in consultation with Natural England. As part of the assessment, regard will need to be had to the impact of the existing care home.

81. Notwithstanding this, as has been discussed above, it has been demonstrated that the foul sewerage flows resulting from the proposed development would be less than those of the 35 bedroom care home currently on site. That being the case, this would result in a reduction in overall flows, therefore resulting in less impact upon nutrient levels. As such, it is considered that the LPA can reasonably consider approving the proposed application without fear of adding to the present situation. Natural England has been consulted on this view and their response is awaited.

Conclusion

82. Closure of the Moorwood care home in 2014 and the lack of any viable interesting in reopening it is considered to demonstrate that the facility is

surplus to requirements. As such, the proposed redevelopment of the site is considered to be acceptable in principle. Equally, a housing scheme would be suitable for the residential nature of the surrounding area. That being the case, a judgement needs to be made as to whether the scheme proposed is acceptable in terms of its design, impact upon the surrounding area and neighbouring occupiers, as well as the quality of environment created for future residents of the development.

83. As discussed above, whilst the development does not quite meet minimum standards in some aspects, and there are a number of concerns with particular elements of the development which could be improved upon, these are not considered to be sufficient to justify a refusal of the application. On balance therefore, whilst these concerns remain, the application proposal is considered to meet the general requirements of the relevant saved policies of the adopted Local Plan and the Council's supplementary planning documents, albeit a reduction in the number or size of units would allow for a number of these concerns to be better addressed. Notwithstanding this, the application is recommended for approval subject to: i) revisions to the site layout which will accommodate a bin collection area in an acceptable manner; and ii) the securing of planning obligations towards:- Community Infrastructure; Public Open Space & Play Provision, including towards the provision of Local Green Space; and Public Art; as well as the conditions listed above.



Title:
9 Valley Road

Scale:
1:1250
Map Ref:
SU4321NW
Date:
10/06/2019

