

Bursledon, Hamble-le-Rice and Hound Local Area Committee 19 December 2019

Application Number: RM/19/86186

Case Officer: Dawn Errington

Valid Date: 7 August 2019

Site Address: Land to the north side of Grange Road, Netley Abbey, Southampton

Applicant: Stratland Estates Ltd

Proposal: Reserved Matters pursuant to Outline planning permission O/16/78014 for 89 dwellings (matters to be considered: appearance, landscaping, layout and scale) and discharge of conditions 5, 6, 7, 8, 9, 10, 11, 13, 15, 16, 17, 18, 19, 21 and 22 of outline permission O/16/78014.

Recommendation: i) APPROVE the Reserved Matters subject to the following conditions:

- 1 The development shall be carried out in accordance with the conditions of the outline permission O/16/78014.
Reason: For the avoidance of doubt and in the interests of proper planning.
- 2 The development shall be carried out in accordance with the following plans and documents: LP.01, SL.01 RevH, AHL.01RevF, BML.01 Rev F, DML.01 Rev F, RSL.01 Rev F, GAL.01 Rev D, SE.01 Rev C, CSL.01 RevH, CSE.01 RevC, Garden Area Schedule, PEP.01 Rev P3, LLD1679-LAN-DWG-104-04-GA sheets 1-4 Rev5, LLD1679-LAN-DWG-200-04-PP-Key Plan, P.73-76.e_B, P.83-85.p_B, P.88-89.p_B, STRA180834, LLD1679-LAN-DWG-310-0, HT.C(2Blk)-2.e_B, HT.C(2Blk)-2.p_B, P.1.2.p_B, HT.B-1.eRevA, BDC.01.pe_A, P.12-14_17-19_70-72 RevA, P.42-44.eRevA, HT.A.pRevA, 15415-BT5, P.53-55.pRevA, HT.4B.p RevA, P.45-47.pRevA, GAR.03.peRevA, GAR.01.pe Rev A, P.62-66.e2 RevA, HT.B-2.eRevA, HT,3B.p RevA, HT.4B.e.RevA, P62-66.e1 RevA, HT.B-2.p RevA, 18-242-100 RevC, 18-242-103, HT.C(2Blk)-1.p RevA, HT.B-1.p_A, P.48-49.pRevA, P.62-66.p2 RevA, P15-16.e RevA, P.79-82.p2 RevA, P.42-44.p RevA, HT.D-A.p_A, SLP.01 RevP1, 18-242-012, P.5-7.e RevA, P79-82.p1_A, P.3-4_10-11.e RevA, HT.3B.e RevA, P.5-7.p RevA, 18-242-102, P.1-2.e RevA, HT.D.e RevA, HT.C(2Blk)-1.e RevA, P.62-66.p1 RevA, P.53-55_56-58.e RevA, 18-242-101, HT.D.p RevA, HT.C.e RevA, P.12-14.p RevA, P.15-16.p RevA, GAR.02.pe RevA, LLD1679-LAN-REP-001-00, P.45-47.e RevA, HT.D-A.e RevA, P.3-4.p RevA, HT.C.p RevA, HT.A.e RevA, P.48-49_77-78.e RevA, 18-242-104, GS.01.pe RevA, LLD 1679-LAN-DWG-101-05, LLD 1679-LAN-DWG-102-05, LLD 1679-LAN-DWG-103-05, LLD 1679-LAN-DWG-201-03, LLD 1679-LAN-DWG-202-04, LLD 1679-LAN-DWG-203-03, LLD 1679-LAN-DWG-204-04, LLD 1679-LAN-SCH-002-03, LLD 1679-LAN-

SPE-001-0. Reason: For the avoidance of doubt and in the interests of proper planning

- 3 Prior to installation, details of tree pits for trees to be planted within verges or areas of hardstanding shall be submitted to and approved in writing by the Local Planning Authority and these details shall be fully provided.
Reason: in the interests of visual amenity.
- 4 Within 2 months of completion of works, verification by an appropriately qualified professional that the following works have been completed as approved shall be provided to the Local Planning Authority:
 - a) The Sustainable Urban Drainage System
 - b) The noise mitigation
 - c) The landscapingReason: in the interests of amenity
- 5 Within 2 months of completion of the Sustainable Urban Drainage System works a risk assessment of these works by an appropriately qualified professional shall be carried out and submitted to the Local Planning Authority and any recommendations shall be fully implemented within the following 3 months. Reason: in the interests of safety.

ii) DISCHARGE the following conditions of outline permission O/16/78014:

- Condition 5 Materials (partial, subject to final materials specifications)
- Condition 6 Construction Method Statement
- Condition 7 Site level cross sections and roads, footpath and access details
- Condition 8 Foul sewerage details
- Condition 10 Landscaping scheme and 20m SINC buffer
- Condition 11 Open space management plan
- Condition 13 Revised Arboricultural Method Statement and Tree Protection Plan
- Condition 15 Strategy for eradication of Japanese Knotweed
- Condition 16 Bat mitigation strategy
- Condition 17 Reptile translocation, mitigation, management and monitoring plan
- Condition 21 Archaeological assessment and strategy
- Condition 22 Implementation of Archaeological strategy

iii) DELEGATE the discharge of the following conditions of outline permission O/16/78014 to the Head of Housing and Development on receipt of satisfactory consultation responses:

- Condition 9 Sustainable drainage system details
- Condition 18 Noise mitigation scheme
- Condition 19 Contaminated land report and remediation measures

NOTES 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. The conditions and terms of the S106 agreement for planning permission O/16/78014 apply.

REPORT

1. This application was referred to this Committee by the Bursledon, Hamble-le-Rice and Hound Local Area Committee when determining the outline application, because it is a major development which is contrary to the Development Plan and is controversial.

The site and its surroundings

2. The site is located to the north-west of Grange Road and south of the Westwood Local Nature Reserve, most of which is a Site of Importance for Nature Conservation (SINC). Existing residential development lies to the north-east and south-west of the site, but the site is located outside of the urban edge, within designated countryside and the Strategic Gap between Southampton and Hedge-End / Bursledon / Netley. The Netley Abbey Conservation Area wraps around the site, to the north-east, north-west and most of the south-western boundary. However, the site itself is outside of the Conservation Area. The Grade II listed building, Netley Grange (now the Dancing Goose Public House), is located to the north-east of the site, with the Scheduled Monuments (of National Importance) of Netley Abbey and associated features being located at a distance to the north and north-west.
3. The site covers approximately 3.5ha site of agricultural land, currently used for grazing horses. A public right of way (Hound Footpath no.16) runs through the Westwood Local Nature Reserve to the north-west of the site. A small residential development – Grange Farm - set back from Grange Road and accessed via a private drive is located to the north-east of the site, with the Dancing Goose public house and Listed Building in front of those residential dwellings. Between the pub and the application site is a field which has planning permission (ref F/19/85325) for 9 dwellings and this development is underway. A paddock (subject to a separate planning application) is located to the immediate south-west, with further residential development beyond, some properties fronting Grange Road and others set behind. Further residential development is located on the other side of Grange Road and is sited within the urban edge.
4. Generally, the site slopes from the east to the north-western corner, with the slope being gentle at the front of the site but getting steeper towards the rear of the site. Existing trees and vegetation are located on the south-east boundary with Grange Road and the north-western boundary with the Westwood Local Nature Reserve. The boundary to the south-west is demarcated by a post and wire fence where it adjoins the neighbouring

paddock, but the northern part of this boundary consists of existing trees and hedgerows. Similarly, the part of the north-eastern boundary nearest Grange Road is demarcated by a post and wire fence and consists of existing trees and hedgerows along with the residential development of Grange Farm. None of the trees on site are covered by a Tree Preservation Order (TPO), but a significant part of the adjoining SINC is covered by a woodland TPO.

Description of application

5. Reserved Matters and condition discharge are the second and third stages of the planning process following the initial grant of outline permission for a development. The application is in two parts:
 - i) reserved matters approval for the detailed matters of appearance, landscaping, layout and scale of the 89 dwellings approved under outline planning permission; and
 - ii) the discharge of conditions imposed on the above outline permission for a number of other details not covered by the reserved matters

6. The site layout largely follows the indicative layout provided at outline stage, with a single vehicle access off Grange Road (this was approved in detail under the outline permission and subsequently amended to slightly widen the bellmouth of the access) and perimeter blocks with dwellings facing outwards onto the principal roads and open space/woodland to the north (rear) of the site and other courtyard areas. As previously envisaged, the scheme includes a mix of houses and flats ranging from 1 to 4 bedrooms in size. The two blocks of flats are relatively small, not exceeding 5 in number or two storeys in height, and the dwellings (a mixture of short terraces, semi-detached and detached properties) also do not exceed two storeys in height. 35% of the units are affordable in line with the outline permission. The open space includes a comprehensive scheme for sustainable drainage and a local area of equipped play and this also provides the requisite 20m wide buffer to the adjoining woodland SINC and pond. There is a need for a pumping station for the foul sewerage provision and this is located in the open space. Pedestrian links are provided to Grange Road and there is now a vehicular/pedestrian link to the adjoining site for 9 dwellings to the west (subject to planning application F/19/85422).

7. Amended plans were submitted on 29.10.19 and 6.12.19 in response to neighbour and consultee/officer comments. Amongst other changes, these ensure that the roads are designed to be adopted up to the site boundary and have revised the sustainable drainage scheme as a result.

8. The application is accompanied by the following reports and technical assessments which have been updated as necessary throughout the course of the application:
 - Planning Statement
 - Design & Access Statement
 - Ground Gas Risk Assessment
 - Ground Appraisal Report

- Mineral Safeguarding Assessment
 - Arboricultural Assessment and Method Statement and Tree Protection plan
 - Manual for Managing Trees on Development Sites
 - Construction Make-up Strategy
 - Construction Method Statement
 - Long Term Soft Landscape Management Plan, soft landscape specification and detailed planting schedule and specification
 - Surface and Foul Water Drainage Statement
 - Archaeological Evaluation Report
 - Reptile Mitigation Strategy
 - Bat Mitigation Strategy
 - Trial Pit Soakage Testing
 - Japanese Knotweed Remediation Method Statement
 - Lighting Strategy
 - Environmental Noise Impact Assessment
9. Under the Town & Country Planning (Environmental Impact Assessment) (Amendment) Regulations 2015 the proposal does not reach the revised threshold set out in Schedule 2, which for residential development of this nature is 150 dwellings or 5 hectares. As such it was not necessary to issue a screening opinion and an Environmental Statement is not required.
10. Screening was also undertaken to establish whether a Habitats Regulations Appropriate Assessment is necessary, with the conclusion that it is, due to the likely significant impacts on the European Designated site of the Solent Complex from recreational disturbance and nitrogen deposition impacts. The proposal would result in an increase in nitrogen entering the Solent via Peel Common Waste Water Treatment Works, thereby affecting the conservation objectives of the Solent and Southampton Water SPA. Mitigation for this is provided in the form of Eastleigh Borough Council removing agricultural land use at land west of Horton Heath. With this mitigation secured, in addition to the construction management and surface water drainage mitigation already secured by conditions, the proposal would not then result in a significant adverse impact on any European Designated Site. The Appropriate Assessment with this conclusion has been completed and no objection raised by Natural England. However, they have been asked to comment on a minor update. The scheme was also screened at outline stage when it was concluded that an AA was not required, but since then there has been a change in case law that means mitigation measures cannot be taken into account at screening stage and Natural England have also introduced this new issue of nutrient neutrality.

Relevant Planning History

11. Outline planning permission ref O/16/78014 granted 8.1.18 for 89 dwellings with detailed approval for vehicular access off Grange Road. The permission is subject to a S106 agreement and conditions.

Representations

12. Eighteen letters of objection were received from occupiers of 15 local properties with concerns relating to:
- principle of development in countryside/loss of grazing land
 - traffic and other infrastructure impacts
 - impact of play area on adjoining property
 - Japanese Knotweed may spread
 - Provision for Swift bricks should be made
 - Pumping station on land owned by others and will have visual, noise and odour impacts on neighbours
 - Boundary issue not yet resolved
 - Chimneys will impact energy efficiency and air quality

Consultation responses

- 13. Environmental Health** – comments on contaminated land and noise condition information to be reported
- 14. Tree Officer** – no objection subject to compliance with conditions
- 15. County Archaeologist** – no objection to condition discharge
- 16. Housing officer** – no objection
- 17. Design Officer** – sought amended plans in respect of minor design changes (received)
- 18. Hampshire Highways** – amendments to parking, turning and some aisle widths sought (received). Comments on revised plans showing roads to adoptable standard to be reported.
- 19. Southampton Airport** – no objection to condition discharge
- 20. EBC Heritage consultant** – amendments suggested to improve relationship with Listed Building and Conservation Area
- 21. EBC Sustainable Drainage consultant** – design changes to improve SuDS recommended
- 22. HCC Flood and Water Team** – no objection to condition discharge for SuDS water volume. Reconsulted on amended scheme
- 23. Southern Water** – foul sewerage and permeable paving on original proposals would not be adopted standard. Comments on revised scheme to be reported.
- 24. Direct Services** – no objection
- 25. HCC Countryside Team** – no objection
- 26. Landscape Officer** – improved pedestrian connectivity, enhanced SuDS and improved hard and soft landscaping sought (received)
- 27. Natural England (re HRA)** – to comment on updated appropriate assessment
- 28. Hound Parish Council** – no objection
- 29. Ecology Officer** – no objection

Policy Context: Designation Applicable to Site

- Designated Countryside
- Designated Strategic Gap
- Solent Mitigation and Disturbance Zone

- Mineral Consultation Zone
- Adjacent Conservation Area

National Planning Policy Framework (2019)

30. The National Planning Policy (the 'NPPF' or the 'Framework') states that (as required by statute) applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. There is a general presumption in favour of sustainable development (unless material considerations indicate otherwise) and 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 (again, unless material considerations indicate otherwise) permission should be granted unless the adverse impacts of the development would significantly and demonstrably outweigh the benefits; or specific policies in the Framework indicate development should be restricted. Local plan policies that do not accord with the NPPF are 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.
31. The three dimensions of sustainability are to be sought jointly: economic (supporting economy and ensuring land availability); social (providing housing, creating high quality environment with accessible local services); and environmental (contributing to, protecting and enhancing natural, built and historic environment) whilst also taking local circumstances into account, so they respond to the different opportunities for achieving sustainable development in different areas.
32. Core relevant planning principles and objectives include:
- proactively drive and support sustainable economic development to deliver the homes, infrastructure and thriving local places that the country needs. Local authorities to meet local needs for affordable and market housing, and identify a 5-year supply of housing
 - housing applications should be considered in the context of the presumption in favour of sustainable development;
 - always seeking to secure high quality design and public spaces and a good standard of amenity;
 - contribute to conserving and enhancing the natural environment and reducing pollution;
 - conserve heritage assets in a manner appropriate to their significance;
 - actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable;

- take account of and support local strategies to improve health, social and cultural wellbeing for all, and deliver sufficient community and cultural facilities and services to meet local needs.
- Sustainable modes of transport should be maximised and priority given to pedestrian and cycle movements, access to high quality public transport, safe and secure layouts minimising conflicts between traffic and cyclists/pedestrians.
- 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
- policies and decisions should not attempt to impose architectural styles or tastes. It is proper to seek to promote or reinforce local distinctiveness

Planning Practice Guidance

33. Where material and relevant, this supplementary guidance to the NPPF should be afforded weight in the consideration of planning applications. The Nationally Described Space Standards are also of relevance.

The Development Plan

34. At the current time the Development Plan for the borough comprises the Eastleigh Borough Local Plan Review (2001-2011) and the Hampshire Minerals and Water Plan (October 2013).

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

35. The key relevant policies of the adopted local plan are:

- 1.CO - seeks to limit development in the countryside to a range of appropriate uses.
- 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.
- 23NC – protection of SINC's.
- 25.NC – promotion of biodiversity
- 26.NC – promotion of measures to enhance features and habitats of nature conservation importance
- 28.ES – waste collection and storage
- 30.ES – protection of noise-sensitive development from unacceptably high levels of noise and/or vibration
- 32.ES – control of air, land and water pollution
- 34.ES – reduction in greenhouse gases
- 35.ES – contaminated land
- 37.ES – energy efficiency, water consumption, waste, renewable energy and adaptability
- 42.E – development within catchment of watercourse or affecting wetlands

- 43.ES – seeks protection from flooding
- 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 – minimum density of 30 dwellings per hectare required unless local circumstances and context indicate otherwise.
- 73.H – requires an appropriate mix of dwellings
- 74.H – requirement for on-site provision of affordable housing
- 100.T – requires development to be well served by sustainable forms of transport, to provide measures to minimize impact on the network, minimize travel demand, provide a choice of transport modes.
- 102.T – requires new development to provide safe accesses that do not have adverse environmental implications and are to adoptable standard.
- 104.T – parking standards
- 147.OS – provision of public open space
- 169.LB – preservation or enhancement of Conservation Areas
- 174.LB – protection of Listed Buildings and their settings.

Hampshire Minerals and Waste Plan 2013

36. The application site lies within a Minerals Safeguarding Area, to which Policy 15 “Safeguarding – mineral resources” applies.

Submitted Eastleigh Borough Local Plan 2011-2019

37. 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. Whilst it has not been formally withdrawn the weight which can be attributed to it is extremely limited due to the later submission of the revised Plan:

Submitted Eastleigh Borough Local Plan 2016-2036

38. The Eastleigh Borough Local Plan 2016-2036 was submitted to the Secretary of State for examination in October 2018 and the examination hearings commenced in November 2019, with adoption expected in 2020. The Plan carries moderate weight and has relevant policies for reserved matters and condition discharge proposals including:
- DM1 – General criteria for new development
 - DM2 – Environmentally sustainable development
 - DM3 – Adaption to climate change
 - DM5 – Managing flood risk
 - DM6 – Sustainable surface water management and watercourse management
 - DM8 – Pollution
 - DM11 – Nature conservation
 - DM12 – Heritage assets
 - DM13 – General development criteria – transport

- DM14 – Parking
- DM24 – Housing sites, and mixed use sites including housing with planning permission
- DM26 – Creating a mix of housing
- DM30 – Affordable housing
- DM31 – Dwellings with higher access standards
- DM32 – Internal space standards for new residential development
- DM35 – Provision of recreation and open space facilities with new development

39. Emerging policy DM24 is of relevance, where it allocates land with valid planning permission for residential development. These sites are expected to be implemented in accordance with the requirements of their respective planning permission. Included at site 33 is the application site – Land to the north of Grange Road (89 dwellings) – including public open space.

Supplementary Planning Guidance

40. The following supplementary planning guidance is relevant:

- 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)
- Supplementary Planning Document: Netley Abbey Conservation Area Appraisal
- Supplementary Planning Document: Character Area Appraisals – Bursledon, Hamble-le-Rice and Hound

Assessment of proposal:

Development plan and Legislative Background

41. Section 70(2) of the Town and Country Planning Act 1990 and Section 38(6) of the Planning and Compulsory Purchase Act 2004 require a local planning authority determining an application to do so in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan in this case comprises the saved policies of the Eastleigh Borough Local Plan Review 2001-2011 and the Hampshire Minerals and Waste Plan (adopted 2013).

The Principle of Development

42. The existing planning permission for the site outweighs the countryside/strategic gap policy designation in the adopted Local Plan. The Outline permission established that the construction of 89 dwelling units with

associated roads, footpaths, drainage, infrastructure and public open space was acceptable in principle, providing much-needed housing and contributing towards the Government requirement for a 5-year housing supply, including affordable housing. The matter of the principle of the development, its access off Grange Road, the conditions of the planning permission and terms of the associated Section 106 legal agreement are not, therefore, for reconsideration at this later planning stage. It is worth noting, however, that these require extensive provisions and mitigation including financial contributions towards health, transport, air quality management, community infrastructure, public art, nature conservation and open space projects; 35% on-site affordable housing; an on-site play area and nature conservation and protected species mitigation.

The Reserved Matters

43. The four formal matters which were not considered at the outline stage are those of layout, scale, appearance and landscaping. There were, however, indicative and parameter plans provided and considered with the outline application, with a requirement that the reserved matters should broadly be in line with those indicative details and indeed the submitted plans now under consideration are so.

Site Layout

44. The single point of vehicular access off Grange Road leads to hierarchy of roads with two circular routes within the site in addition to frontage roads either side of the access, set back from Grange Road. Where possible, the houses and flats face outwards towards Grange Road or the public open space which runs along two sides of the site, and in the centre of the development there is a courtyard of dwellings beyond a treed space. This avoids long stretches of rear garden fences on public boundaries and enables car parking to be provided through a mixture of frontage, side and courtyard options, enabling the built form to dominate rather than parked cars. The layout provides this car parking to meet the standards set down in the Council's adopted Residential Parking Standards SPD, and for the requisite back-to-back distances and garden sizes set down in the Quality Places SPD. The flats do not have private amenity space, as they are located adjacent to open space (which is allowed by the Quality Places SPD). One block of flats is for affordable housing and one block for market sale, and the overall affordable mix and plot siting is in accordance with the Council's Affordable Housing SPD and the terms of the outline permission.
45. Critical to this site is the need to provide for a 20m buffer to the adjoining SINC and a comprehensive Sustainable Urban Drainage System (SuDS) for surface water drainage which ensures that water run-off volume and quality is retained as per the greenfield baseline. These are both provided, in addition to the requisite play area. The play area is located at the northern end of the site with a substantial existing hedge and tree buffer providing screening for the neighbouring property.

46. Footpath and vehicular links are essential for sustainable development and linking sites together and to this end links out onto Grange Road and into the adjoining Hermitage site are provided. Members will recall that the direct footpath link into Westwood Copse was removed from the outline scheme following concerns regarding impacts on nature conservation.
47. In addition to existing neighbouring properties, the layout has been considered in respect of the two adjoining sites with recent planning applications/permissions and does not result in undue conflict with these. The pumping station is to be largely underground and is a sufficient distance away from existing and new dwellings so as not to cause amenity impacts.
48. The site layout, as amended, meets the requirements of the outline permission, relevant planning policy and consultees and is acceptable.

Scale and Appearance

49. In line with the outline permission and in recognition of the site's location surrounded by a conservation area and close the Dancing Goose public house listed building with domestic scale buildings, the quantum of development and height of buildings has been deliberately restricted. Whilst still providing an interesting roofscape and a range of dwelling types and sizes, buildings have been kept to a maximum 2 storeys in height. The flats, in particular, are not of a scale which is visibly out of character with the locality. Generally, the highest density is in the centre of the site, with development scaling down to the north and east to soften the development edge closest to the conservation area and other properties.
50. The submitted materials plans for traditional facing and hard-surfacing materials demonstrate that the scheme is of appropriate quality for this location and provide an attractive streetscape. Whilst final materials specifications are to be provided, a restrained palette of materials is proposed which includes red brick, some tile hanging, red/brown clay tiles and grey slate tiles. Whilst chimneys are proposed to add visual interest, they are not useable and will not result in energy efficiency or air quality impacts. The plans have been amended to ensure that roads are of surfaces which can be adopted by HCC Highways, which necessarily reduces the range of hard surfacing materials used and will include tarmac. Combined with the landscaping and boundary treatments, the built form is of sufficient range and quality to offset this visually.
51. It is also considered, given the above, that the Local Planning Authority has met its duty under Sections 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving the listed building and its setting and the Netley Conservation Area respectively.

Landscaping

52. The landscaping strategy for the site supports the choice of complements the site layout and materials and strengthens the site's character through use of soft planting, fences and railings to provide enclosed spaces. Significant new tree planting adds to the existing woodland backdrop for the site and retained hedges. The landscaped sustainable drainage scheme is multi-purpose, providing for surface water drainage, biodiversity and visual and public amenity. The sloping landform is accommodated in the strategy. Of necessity, the hard-surfacing materials for adopted areas is limited, but as stated above, this does not compromise the scheme overall.

Climate Change

53. National legislation and guidance, together with local policy ensure that all planning applications are tested for their resilience to and impact on the environment. The Climate Change and Environmental implications of this reserved matters and condition discharge application are tied to the outline permission which include requirements for dwellings to be designed for reduced water and energy consumption. The landscaping scheme includes extensive tree planting and the scheme provides for sustainable urban drainage, footway links and other sustainable transport provisions. The site is not in an area of flood risk, nor would the development increase the risk of flooding.

Condition Discharge Details

54. Subject to the views of consultees, the details submitted to discharge the relevant pre-commencement details are acceptable and the conditions referenced above can be discharged. In particular, the Japanese Knotweed methodology has been agreed by our Ecology Officer and the sustainable drainage has undergone a detailed process of assessment and amendment, recognising the sensitive nature of the site. It now includes the use of attenuation tanks, a swale and pond with fore-bays. If consultees are unable to respond to final details in time for committee, the final discharge is recommended to be delegated to officers.

Other matters

55. Whilst boundary disputes are not a material planning consideration, clearly the applicant cannot proceed if land is not in their ownership or control. Clarification on the matters raised has been sought.

Equalities Implications

56. Section 149 of the Equalities Act 2010 created the public sector equality duty. Section 149 states:-
(1) A public authority must, in the exercise of its functions, have due regard to the need to:

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

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

Conclusion

58. Both the reserved matters and condition discharge elements of the application recommended for approval are acceptable and compliant with relevant planning policy and supplementary guidance and approval/discharge is recommended. Any outstanding condition discharge matters are recommended to be delegated to the Head of Housing and Development to agree and formally discharge.



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Title

Land on the north side of
Grange Road

Scale

1:2500

Map Ref

SU4509SE

