

qCFH – Chandlers Ford and Hiltingbury Local Area Committee Wednesday 16 September 2020.

Application Number: F/19/85922
Case Officer: Craig Morrison
Received Date: Monday 24 June 2019
Site Address: 16 KEBLE ROAD, CHANDLER'S FORD, EASTLEIGH, SO53 3DS
Applicant: K Warren
Proposal: Erection of 4no. four bedroom detached dwellings with associated garages and hard & soft landscaping following demolition of existing bungalow.

Recommendation: **Delegate to the Head of Housing and Development to Secure the Following**

- Mitigation of the Impact of Nitrates on the River Itchen SAC and Solent and Southampton Water SPA.

Then PERMIT Subject to the following Conditions.

CONDITIONS AND REASONS

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

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

- 2 The development hereby permitted shall be implemented in accordance with the following plans numbered: P-18-079 01-05-002A, P18-079 02-02-001A, P18-079 02-02-002E, P18-079 02-02-003A, P18-079 02-02-004A , P18-079 02-02-005A, P18-079 02-03-001A, P18-079 02-05-004C, P18-079 02-05-005A

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

- 3 No excavation, demolition or development related works shall take place on site until an arboricultural method statement and tree protection plan, as per British Standard 5837:2012 (Trees in Relation to Design, Demolition and Construction – Recommendations), has been submitted to and approved in writing by the LPA. Development shall thereafter proceed in accordance with the approved details.

Reason: to retain and protect the existing trees which form an important part of the amenity of the locality. This condition is required prior to commencement of works to ensure that damage to trees does not occur during clearance and preparation of the site.

- 4 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) measures to control the emission of dust and dirt generated by demolition and construction works, including measures to prevent mud on the highway;

- b) a scheme for controlling noise and vibration from demolition and construction activities [including details of any piling];
- c) 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].

Reason: To limit the impact the development has on the amenity of the locality in accordance with Saved Policy 32.ES of the Eastleigh Borough Local Plan (2001 - 2011). This condition is required prior to commencement to ensure preparatory works and clearance of the site do not have a detrimental impact on the amenity of the locality.

- 5 No development shall start until details for the sustainable disposal of surface water from the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The development shall then accord with the approved details.

Reason: To ensure satisfactory provision of foul and surface water drainage in accordance with Saved Policy 34.ES of the Eastleigh Borough Local Plan (2001 - 2011) . This condition is required prior to commencement to ensure that construction does not prejudice the ability to deliver the most suitable scheme.

- 6 No development shall start until details for the treatment of site boundaries and a timetable for their installation have been submitted to and approved in writing by the Planning Authority. The development shall be brought forward in accordance with the approved timetable and the development shall not be brought into use until the boundary treatment has been fully provided in accordance with the approved details and retained thereafter.

Reason: In the interests of the visual amenity of the locality and to safeguard the amenities of neighbouring residents in accordance with Saved Policy 59.BE of the Eastleigh Borough Local Plan (2001 - 2011) and DM1 of the Emerging Eastleigh Borough Local Plan (2016 - 2036) . This condition is required prior to commencement to ensure that adequate boundary treatments exist prior to the construction work starting to provide for an adequate level of amenity for neighbouring occupiers.

- 7 No development above DPC Level shall start until details and samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure a satisfactory visual appearance in the interest of the amenities of the area in accordance with Saved Policy 59.BE of the Eastleigh Borough Local Plan 2001 - 2011 and Policy DM1 of the Emerging Eastleigh Local Plan (2016 - 2036).

- 8 No development above DPC Level shall start until a landscaping scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall cover all hard & soft landscaping including trees The works shall be carried out in accordance with the approved plans in the first planting season following the occupation of the final dwelling hereby approved and to the appropriate British Standard.

Reason: In the interests of the visual amenity of the locality and to safeguard the amenities of neighbouring residents in accordance with Saved Policy 59.BE of the

Eastleigh Borough Local Plan (2001 - 2011) and Policy DM1 of the Emerging Eastleigh Borough Local Plan (2016 - 2036).

- 9 No development above DPC Level shall start until a landscape management plan and maintenance schedule for a period of 5 years following the occupation of the final dwelling of the development approved has been submitted to and approved in writing by the Planning Authority. The landscaping shall thereafter be managed in accordance with the approved details.

Reason: In the interests of the visual amenities of the locality in accordance with Saved Policy 59.BE of the Eastleigh Borough Local Plan (2001 - 2011) and Policy DM1 of the Eastleigh Emerging Local Plan (2016 - 2036)

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

Reason: In the interests of the visual amenities of the locality in accordance with Saved Policy 59.BE of the Eastleigh Borough Local Plan (2001 - 2011) and Policy DM1 of the Eastleigh Emerging Local Plan (2016 - 2036)

- 11 No substantive external lighting shall be installed except in accordance with a lighting strategy that has first been submitted to and approved in writing by the Local Planning Authority.

Reason: to ensure the safety of future occupiers is balanced against the need to protect neighbouring occupiers from light pollution in accordance with Saved Policy 59.BE of the Eastleigh Borough Local Plan (2001 - 2011) and Policy DM1 of the Eastleigh Emerging Local Plan (2016 - 2036)

- 12 Prior to the occupation of any dwelling 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 site wide 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.

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

- 13 The development hereby permitted shall not be occupied until a refuse management plan has been submitted to and approved in writing by the Local Planning Authority. The plan shall include: details of the management company to be set up; the employment of a private contractor to collect the refuse; measures to be taken if no private contractor is available at any time in the future (such as the employment of a person or persons to ensure bins are wheeled to the collection point); and that bins will not be stored in the open or at the collection point apart from on the day of collection. The refuse management plan shall be carried out in accordance with the approved details, unless otherwise approved in writing by the Local Planning Authority.

Reason: To ensure that adequate waste and recycling collection can be provided without detriment to the Local Highway Network in accordance with Saved Policy 100.T of the Eastleigh Borough Local Plan (2001 - 2011) and Policy DM13 of the Emerging Eastleigh Local Plan 2016 - 2036).

- 14 The development hereby permitted shall be implemented in accordance with the ecological report [Peach Ecology - Reference 0319 Issue 01 Dated 10/08/2020] and all recommendations outlined in Section 5.0 of the report shall be implemented prior to occupation of the development.

Reason: To protect and enhance biodiversity in accordance with Saved Policy 25.NC of the Eastleigh Borough Local Plan (2001 - 2011), Policy DM11 of the Emerging Eastleigh Local Plan (2016 - 2036) and guidance contained within the NPPF.

- 15 The first floor windows on the east and west elevations of plot 2 [as marked on the approved plan] shall be obscure glazed to Pilkingtons level 3 or equivalent and non-opening below 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 in accordance with Saved Policy 59.BE of the Eastleigh Borough Local Plan (2001 - 2011) and Policy DM1 of the Emerging Eastleigh Borough Local Plan (2016 - 2036)

- 16 No unit hereby approved shall be occupied until such time as the garages and parking spaces and other service facilities for that unit, including bin stores, cycle stores, vehicle turning areas, garden boundary treatments and access paths, have been fully provided in accordance with the approved plans. The garages and parking spaces shall be retained at all times for residents parking.

Reason: To ensure the parking and other supporting infrastructure is available for residents of each unit from the time of first occupation.

- 17 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.

- 18 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.

- 19 No driven piling shall take place on the development hereby permitted.

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

- 20 No vegetation clearance shall occur on site during the bird nesting season [between 1st March & 31st August] unless supervised by an appropriately qualified ecologist.

Reason: To prevent harm to breeding birds in accordance with the habitats and species regulations.

- 21 Notwithstanding the provisions of the Town and Country Planning [General Permitted

Development] Order 2015 [or any order revoking or re-enacting that order with or without modification] no development permitted by Part 1 Class A of Schedule 2 of the order shall be carried out without the prior written approval of the Local Planning Authority.

Reason: To protect the amenities of the locality and to maintain a good quality environment in accordance with Saved Policy 59.BE of the Eastleigh Borough Local Plan (2001 - 2011) and Policy DM1 of the Emerging Eastleigh Borough Local Plan (2016 - 2036).

- 22 Notwithstanding the provisions of the Town and Country Planning [General Permitted Development] Order 2015 [or any order re-voking or re-enacting that order with or without modification] no gates or obstructions shall be erected along the access road.

Reason: In the interests of Highway Safety and in accordance with Saved Policy 100.T of the Eastleigh Borough Local Plan (2001 - 2011) and Policy DM13 of the Emerging Eastleigh Borough Local Plan (2016 - 2036).

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 applicant's attention is drawn to the requirement within the British Standard 'Code of practice for safe use of cranes' for crane operators to consult the aerodrome before erecting a crane in close proximity to an aerodrome. This is explained further in Advice Note 4, 'Cranes and Other Construction Issues', available at <http://www.aoa.org.uk/wp-content/uploads/2016/09/Advice-Note-4-Cranes-2016.pdf>

This application has been referred to Committee by Cllrs Grajewski, Atkinson, Duguid, Groves and Broadhurst because the application is considered to be controversial.

1.0 Description of Application

1.1 Erection of 4no. four bedroom detached dwellings with associated garages and hard & soft landscaping following demolition of existing bungalow.

2.0 Site

2.1 16 Keble Road, Chandler's Ford, Eastleigh SO53 3DS

3.0 Residential Development Density (Net)

3.1 23 Dwellings Per Hectare

4.0 Topography

4.1 The part of the site is located on a gentle slope with a fall of approximately 3 metres across the width of the site (from south-west to north-east) The access track which would remain physically unchanged falls by approximately 1 metre from north to south

5.0 Trees

5.1 The application is supported by a tree survey and arboricultural impact assessment which confirms the presence of two on site willow trees in the south western side of the site. These two trees are both classified as category 'B' (moderate quality) by the applicant's arboricultural assessment and are both subject to a tree preservation order.

6.0 Boundary Treatment

6.1 Numerous fences surround the site to the north east and western boundaries. These vary in height from 1.8m on the western and northern boundaries, 1.2m on the eastern boundaries and 1m adjacent to 12 Keble Road. The southern boundary consists of a high hedge consisting of fir trees and a mixture of brick wall and concrete wall adjacent to The Coachways.

7.0 Site Characteristics

7.1 The site currently contains a single storey dwelling located in the eastern part of the site constructed of rendered walls and a tiled roof. The building has been subject to numerous alterations including flat roof canopies and connection to the single storey outbuilding to the north.

7.2 The site contains an access from Keble Road with a large turning circle within the site. There is a shed, greenhouse and a number of raised planters in the western portion of the site. It appears that the property has been empty for some time and the garden has become overgrown.

8.0 Character of Locality

8.1 The local area comprises a mature residential neighbourhood with a more modern development located to the South (The Coachways permitted by application Z/40216/000/00 in 2004).

8.2 Keble Road itself consists of mostly inter-war and post war properties with a mixture of bungalows, some of which have had dormers added, and two storey dwellings. Most properties are detached with some semi-detached properties.

8.3 Keble Road has treed verges and spaces between properties allow for views of mature trees in the wider area including the existing willow trees on the application site.

9.0 Planning History

9.1 Recent planning history on this site is limited to tree works to the two willow trees on site.

10.0 Representations Received

50 letters received from 32 Addresses. The matters raised are summarised below.

Highway Safety and Parking

- Inadequate Access
- Maintenance of road
- Traffic Generation and Highway Safety
- No visitor parking
- Access to driveways for existing residents
- Use of access via the Crossways is unacceptable
- Access to the site should be from The Crossways
- Highways Impact from Construction Traffic (including material on the highway)
- Incorrect region used in Traffic Data.

Amenity

- Air Quality impacts from additional traffic
- Noise
- Loss of Privacy
- Impact on outlook from existing properties

Character and Streetscene

- Permitted Development would allow for further inappropriate development on small plots
- Materials proposed do not match others in the area
- Overdevelopment

Trees

- Trees will require frequent works
- Damage to protected trees

Sewerage and Drainage

- Difficulties connecting to main sewer
- Drainage and ground stability impact

Other Matters

- Damage to existing properties and boundary treatments
- Installation of a telecoms cabinet
- Loss of Biodiversity
- Enough building in the area

1 Letter received from Hampshire Swifts requesting swift bricks be incorporated into the dwellings proposed

11.0 Consultation Responses

11.1 EBC Direct Services – Objection to the use of third party refuse collection as we have a statutory duty to collect domestic waste and recycling.

11.2 HCC Highways – No Objection

11.3 Ecology – No Objection

The PEA report is fine and the recommendations in the report should be conditioned.

These include precautionary roof tile stripping, vegetation clearance to be done outside of bird nesting season, a wildlife sensitive lighting scheme, bird and bat roost boxes, hedgehog hibernacula, small mammal access holes in any closed board fences, and the wildlife-friendly landscaping recommendations.

In addition, because the hedgerows will be in private gardens, a landscape management note should be added that the native hedgerows should be trimmed on a 3 year rotation (top, and each side in alternate years) to ensure a supply of fruit and flowers is always available for wildlife.

The proposed surface water drainage needs to be clarified. The Proposed Site Plan (Opt2, rev E, August 2020) shows that details of a proprietary soakaway system will be conditioned. The Amended DAS (section 6.4) (Sept 2019) shows a permeable surface on the shared access and block paving to parking and private driveways with a potential soakaway in each back garden. What was the original surface water drainage scheme for the original property? The existing footprint was 192 m² and the proposed new footprint will be 496 m² plus paving for drives, parking and shared access. In total this appears to cover more than half of the site. Have drainage calculations and soil investigations been done to determine the amount of surface water runoff and what system is appropriate for this site?

11.4 Natural England – Await Amended Nutrient Budget

11.5 Southampton Airport Safeguarding – No objection subject to note to applicant regarding the use of cranes

11.6 Trees – No Objection to amended proposals subject to conditions

12.1 Policy Context: Designation Applicable to Site

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

- The site is located outside of but adjacent to the Bournemouth Road Special Policy Area.

12.2 Development Plan Saved Policies and Emerging Local Plan Policies

- Eastleigh Borough Local Plan Review 2001-2011 saved Policies: 25.NC (Biodiversity), 26.NC (Biodiversity Enhancement), 28.ES (Waste Collection and Recycling), 32.ES (Pollution Control), 33.ES (Air Quality), 34.ES (Energy and Climate Change), 36.ES (Lighting), 37.ES (Energy and Water Consumption) 59.BE, (Development Criteria), 62.BE (Access for People with Disability), 72.H (Housing Densities) 100.T (Transport and New Development) 102.T (Access), 104.T (Parking)

Due to the status of the Submitted Eastleigh Borough Local Plan 2011 – 2029, this plan carries little weight in the determination of this application.

12.3 Submitted Eastleigh Borough Local Plan 2016- 2036:

The 2016-2036 Local Plan was submitted to the Planning Inspectorate on 31st October 2018 and the examination concluded in January 2020. The Council received the Inspector's post-Hearing advice on 1 April 2020. The Council is progressing with modifications to the Local Plan to enable its adoption, anticipated in late 2020. Given the status of the Emerging Plan, it is considered that overall moderate weight can be attributed to it. The most relevant policies are:

- DM1 (General Development Criteria), DM8 (Pollution), DM10 (Water and Waste Water), DM11 (Nature Conservation), DM 13 (General Development Criteria – Transport), DM14 (Parking), DM23 (Residential Development in Urban Areas), DM32 (Internal Space Standards for New Residential Development).

12.4 Supplementary Planning Documents

- Supplementary Planning Document: Quality Places (November 2011)
- 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)

12.5 National Planning Policy Framework

12.6 The National Planning Policy Framework (NPPF) states that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. Para 11 sets out a general presumption in favour of sustainable development and states that development proposals which accord with the development plan

should be approved without delay. Where the development plan is absent, silent, or relevant policies are out-of-date planning permission should be granted unless the adverse impacts of the development would outweigh the benefits; or specific policies in the Framework indicate development should be restricted (paragraph 11). Local plan policies that do not accord with the NPPF are now deemed to be “out-of-date”. The NPPF requires that due weight should be given to relevant policies in existing plans according to their degree of consistency with the NPPF. In other words the closer the policies in the plan accord to the policies in the Framework, the greater the weight that may be given.

12.7 National Planning Practice Guidance

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

13.0 Policy Commentary

13.1 The above policies and guidance combine to form the criteria against which this application will be assessed with particular regard to the Principle of Development, The Impact on Amenity, Streetscene and Character, Highways, Ecology and Protected Species, Refuse Storage and Collection, Drainage, Noise and Air Quality, Planning Obligations, Sustainability Measures and Climate Change and Equalities Implications.

14.0 Comment on Consultation Responses and Representations Received

14.1 Concern has been raised on any damage that could be caused as a result of the failure of foul or surface drainage. The details of both of these will be covered and it would be the responsibility of the future owner(s) of the site to ensure that these are maintained in good working order. Any damage caused by any part of the construction to neighbouring properties would be a civil matter between property owners.

14.2 A question has been raised on who would maintain the roads once completed. The roads cannot be built to adoptable standards and would therefore remain private and maintenance would be the responsibility of the future property owners.

14.3 Concern was raised that section 10.1 of the Transport Statement did not refer to the correct site, this has been amended, while this error was noted the findings of the transport statement are accepted by The Highways Authority (HCC).

15.0 Assessment of Proposal: Development Plan and / or Legislative Background

15.1 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."

15.2 Policy 59.BE of the Local Plan 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, have a satisfactory means of access and layout for vehicles, cyclist and pedestrians, make provision for refuse and cycle storage and avoid unduly impacting on neighbouring uses through overlooking, loss of light, loss of outlook, noise and fumes.

15.3 The proposal is considered to comply with relevant Development Plan policies as set out in the assessment below.

16.0 The Principle of Development

16.1 The application site lies within the Chandler's Ford Urban Edge and therefore the principle of development and redevelopment is acceptable in principle subject to other detailed and technical considerations. The site lies within flood zone 1 (of least risk of flooding) and therefore the risk of flooding is not considered to be a constraint to the principle of development of the site.

17.0 The Impact on Amenity

17.1 Saved Policy 59.BE and Policy DM1 require development to avoid unduly interfering, disturbing or conflicting with neighbouring uses with particular reference made to noise, fumes, dust, overlooking, loss of daylight, loss of outlook, vibration, or from floodlighting or security lighting.

17.2 Noise, fumes, dust and vibration would only likely arise during construction which can be controlled via a Construction Management Plan condition. Floodlighting and security lighting can equally be controlled by condition to ensure that light spill does not disturb neighbouring occupiers. It is therefore necessary to consider the remaining three issues in further detail to ensure that the design of the proposal would not result in a detrimental impact on neighbouring occupiers.

Overlooking

17.3 The majority of the site is enclosed by existing boundary treatment but with some parts of the site, particularly the north-east corner on the boundary with 22 Keble Road. The fence along the access road is low in places and

allows views into the neighbouring gardens. A condition is recommended to secure strengthening of the boundary treatments to ensure that the neighbours are secured an appropriate level of privacy from movements within the site. Given the narrow access and proximity to neighbouring gardens it is considered to be reasonable and proportionate to require updated boundary treatment to be agreed and installed prior to the commencement of development to reduce the level of impact on neighbours from the construction process.

17.4 Some filtered overlooking would be possible to the rear of the gardens of 8 – 22 Keble Road however the distance between the closest window and the boundary would be 6 metres and the level of overlooking in this case would not be an unusual situation in a suburban setting. Mutual overlooking between properties and gardens already exists in Keble Road and it is not considered that the additional properties would have a significant impact on the ability of existing residents to enjoy their gardens.

17.5 The adopted Quality Places SPD sets a minimum window to window distance of 22 metres to the rear windows of properties allowing for a reduced standard where the windows face the public realm. In the case of the properties in the crossways the majority of properties meet the 22 metre standard. Where plot 2 projects further south than the others it achieves 20 metres which, given its view towards the front bedrooms of the properties in the Crossways which have some visibility from the public realm this is considered to be an acceptable separation distance and is supported by the guidance contained in the Quality Places SPD. The properties in Keble Road are in excess of 25 metres and a distance of 23 metres is achieved between plot 1 and 75a Bournemouth Road which are in excess of the guidance contained within the Quality Places SPD. It is not considered that there is an unacceptable impact of overlooking on any neighbouring properties or gardens from the proposal.

Outlook

17.6 Given the distances between neighbouring properties (a minimum of 20 metres), the proposal is not considered to result in an overbearing impact on any neighbouring properties.

Loss of Light.

17.7 Due to the orientation of the properties in relation to the angle of the sun it is only necessary to consider the impact on properties to the north, east and west which are primarily properties in Keble Road. The properties in Keble Road have long gardens meaning that the nearest properties are in excess of 20 metres from the boundary of the site. Given the scale of the development loss of light would not have a material impact on these properties. There are mature trees within the gardens of 18 – 22 Keble Road such that any loss of light from the proposed dwellings would be limited.

17.8 Some loss of light would occur, particularly in the winter months to the end of the gardens of 10-12 and 22 Keble Road however these properties also have substantial gardens and any light lost would be to the ends of the gardens and leave much of the garden unaffected. The loss of light that would result from the proposals is not considered to result in a significant impact on the amenities of any neighbouring occupiers.

Future Occupiers

17.9 The proposed dwellings are orientated such that overlooking between properties is limited and there would not be significant levels of overshadowing between properties.

17.10 All properties have gardens that exceed 60% of their residential floorspace. Where plots 1 and 2 have large trees within the gardens these properties have much larger gardens as required by the Quality Places SPD. Given their orientation, notwithstanding the shadow cast from the trees the occupiers of these plots would still enjoy sufficient usable space and light levels within their gardens.

17.11 All plots in terms of the Nationally Described Space Standards would be considered as 4 bedroomed 7 person dwellings. At 124 square metres all plots would therefore exceed the minimum required floorspace of 115 square metres as required by Emerging Policy DM32.

Amenity Summary

17.12 As a whole the proposal has an acceptable impact on neighbouring properties in terms of overlooking, loss of light and outlook and provides for adequate levels of amenity for future occupiers of the proposed properties. Matters of noise, fumes, dust and vibration during construction and light spill post construction can all be controlled by condition if permission is granted.

18.0 Streetscene and the Character of the Area

Saved Policy 59.BE requires the development to take full and proper account of the context of the area.

18.1 The development would be seen in glimpsed views from Keble Road, as it sits on slightly higher ground however the spacing of properties and integration of the existing mature trees within and adjacent to the site would soften views of the properties such that the properties would integrate successfully into the surrounding townscape.

18.2 The plot sizes of the properties vary between approximately 225 and 390 square meters which is larger than the average property plot in The Crossways (120 and 300 square metres) but smaller than those plots in Keble Road which tend to be between 500 and 600 square metres.

18.3 The design of the properties is modern in style however their form and scale is traditional, with simple elevations and pitched, gabled roofs such that the more modern appearance of the properties would be most apparent from within the site and would not visibly jar with properties in Keble Road or those within The Crossways which take a more modern appearance in any case. While the majority of properties in Keble Road are brick faced there are examples of rendered properties within the streetscene and therefore the materials proposed are not alien to the wider area and given the varied form and style of properties in the area it is considered that a different style of property could successfully integrate with the surrounding area.

19.0 Highways Impact and Parking

19.1 Saved Policy 100.T requires development to be well served by public transport, cycling and walking. The site is located within a short walk and cycle of Bournemouth Road and Leigh Road which provides access to bus services and local shopping facilities and is approximately 10 minutes walk from Chandlers Ford Railway Station. Accordingly it is considered that the site is situated in a sustainable location which provides alternatives to the private car to access other destinations thereby minimizing the development's impact on the existing transport network.

19.2 While the proposal is not considered likely to generate large numbers of journeys for the purposes of criterion iii of Saved Policy 100.T the applicant has provided a transport assessment which shows that the development is likely to generate a total of 3 vehicle movements in the AM peak (2 additional) and 2 movements in the PM Peak (1 additional).

19.3 Concern has been raised by objectors regarding the suitability of the access route as it is capable only of allowing a vehicle to travel in 1 direction. The access is 42 metres in length and has a minimum width of 3.2 metres with the majority of the access being between 3.4 and 3.7 in width. It has been suggested that the development would be better accessed from The Crossways. Other comments have been received stating that an access from The Crossways would be unacceptable, in any case the applicant has confirmed that the development cannot be accessed from the Crossways as there is an area of land that is outside of the applicant's control between the boundary of the site and carriage of The Crossways.

19.4 It is accepted that there is the potential for conflict between vehicles using the existing single access track travelling in either direction along the access route which measures 42 metres in length. The County Highways Officer no longer raises a concern with regards to the access following a reduction from 5 to 4 units on site. In the County's original comment a preference was expressed for the track to be widened to allow 2 cars width at the access onto Keble Road to stop off the road to allow another car to pass with a further passing place further. However, it was acknowledged that the relatively low traffic movements associated with the development would not result in harm to the highway network if vehicles paused at the access to allow another vehicle to exit.

19.5 The applicant does not own any land either side of the access track and therefore cannot widen the access at any point. There is sufficient width however to allow for a vehicle to travel in either direction while being able to safely pass a pedestrian.

19.6 The low numbers of vehicle movements shown in the transport assessment (a total of 3 movements in the am peak and 2 in the pm peak) show that the chance of two vehicles meeting along the access track is low. However it is accepted that in some cases a vehicle may have to reverse back out onto Keble Road . Given that the majority of properties on Keble Road do not have space to turn within their curtilages it is considered that in the event that a vehicle had to reverse back out onto Keble Road that this would not present an unacceptable risk to highway safety. On balance therefore while a passing place and a wider access adjacent to Keble Road would be preferable it is not considered that the arrangement would lead to an unacceptable impact on highway safety.

19.7 Saved Policy 104.T requires residential development to comply with the standards as set out within the adopted Residential Parking Standards SPD. This requires 4 bedroomed houses to provide 3 car parking spaces as well as 3 visitor spaces (0.2% of the total), garages must be 3 metres x 6 metres to count as a car parking space. The proposal shows a suitably sized garage and 2 car parking spaces per dwelling. In terms of visitor spaces there is a visitor space adjacent to the parking for plot 2 and 2 informal visitor spaces opposite plot 3. In terms of spaces the proposal complies with the standards and therefore Policy 104.T. HCC highways and Hampshire Fire and Rescue have been asked to confirm that the visitor spaces proposed allow for sufficient space for vehicles and emergency vehicles to turn within the site and an update will be provided to members on this matter.

20.0 Ecology and Protected Species

20.1 Due to the condition of the property and the overgrown nature of the garden a Preliminary Ecological Appraisal has been submitted by the applicant. The report found that in relation to bats, while there were some potential access points in the existing building, following emergence survey work no bats were found to be using the building but some were seen to commute across and around the site. It is considered that the development is therefore unlikely to adversely affect bats however bat roosting features should be incorporated into the new buildings.

20.2 In relation to reptiles, the nature of the site with overgrown lawns, hedgerow, vegetable plots and compost heaps are suitable habitats for reptiles. A phase II survey was therefore completed which found no evidence of reptiles using the site. It was concluded that this was likely due to the site's historic separation from other suitable reptile habitats, no further assessment is required therefore.

20.3 The report considers that the possibility of Great Crested Newts or dormice using the site is unlikely but that birds and hedgehogs may be using the site. Careful clearance of the site is therefore recommended with steps set out in the report. The existing conifer hedge will also be replaced with a native multi-species hedgerow in order to provide bio-diversity net gain. A condition recommends the implementation of the recommendations of the report in relation to protections and enhancements of biodiversity.

20.4 It is considered as a result that the application has adequately assessed the impacts on biodiversity and protected species and would not result in a likely impact on protected species and with the conditions recommended would lead to an enhancement in biodiversity as required by Saved Policy 25.NC of the Eastleigh Borough Local Plan (2001 – 2011), Policy DM11 of the Emerging Local Plan and Paragraph 104 (d) of the NPPF.

20.5 The site lies outside of the 5.6km buffer for recreation impact on overwintering birds in the Solent SPA however the proposal would result in an increase in nitrogen entering the Solent via Chickenhall Waste Water Treatment Works and thereby affecting the conservation objectives of the Solent and Southampton Water SPA. The applicant has agreed to mitigate this via the scheme provided by Eastleigh Borough Council removing agricultural land from the council's land holdings at Horton Heath from use and will be required to make a financial contribution of £4,500 (£13,500 in total for a net increase of 3 dwellings) in line with the council's adopted and published strategy.

20.6 Taking into account the existing use of the Horton Heath site the offset of the 8.7 Kg of Nitrogen that would be generated by the development, 0.37 hectares of the site would be required in mitigation. The applicant has confirmed that This land is within the control of Eastleigh Borough Council as the competent authority for the purposes of Habitats and Species Regulation 2017 and therefore there is reasonable certainty that this land will be kept out of agricultural use in perpetuity and the proposal would not result in a significant adverse effect on the Solent and Southampton Water SPA.

20.7 A Habitats Regulations Assessment has been completed and the recommendation is subject to receiving no objection from Natural England on the basis of Nitrates impact on the Solent and Southampton Water SPA.

21.0 Trees

21.1 The application has been amended to reduce the number of dwellings to four, principally to allow for the retention of the two willow trees on site which are subject to Tree Preservation Order. Following the changes the Council's Tree Officer is satisfied that the construction of the dwellings does not prejudice the retention of the trees. The trees would remain within the gardens of plots 1 and 2 which can sometimes lead to pressure for additional works or removal. However, as set out in the amenity section the gardens of plots 1 and 2 are larger than the minimum requirements and given the additional

protection of the Tree Preservation Order it is not considered that the management required would lead to their early demise or removal.

21.2 Permitted development rights have been removed from the proposed dwellings, both to protect garden sizes and to ensure that any further works to the dwellings would not have a detrimental impact on the roots of the trees.

22.0 Refuse Storage and Collection

22.1 The applicant has been unable to demonstrate that the council's waste and recycling collection vehicles would be able to collect waste from within the site. The applicant has therefore elected to secure a private waste collection that would use smaller vehicles that could collect from within the site.

22.2 Whilst this is not the authorities preferred option it has been supported by planning appeals and it is considered reasonable and enforceable way to deal with this matter by a condition requiring the applicant to submit details of a waste and recycling strategy that would thereafter be operational in perpetuity.

23.0 Drainage

23.1 The application site lies in flood zone 1 and therefore at lowest risk from flooding however the access is noted to be in an area at risk of surface water flooding. This is not considered to be a barrier to development, given that this area is already laid to hardstanding and a condition for drainage is recommended if permission is to be granted.

24.0 Noise and Air Quality

24.1 Saved Policy 32.ES states that development will only be permitted if they have been designed to control the impact of air, land or water pollution to an acceptable level. It is accepted that without proper management that noise, dust and water pollution can become issues during construction. A condition requiring a Construction Environmental Management Plan is therefore recommended.

24.2 During operation it is not considered that the addition of 3 additional dwellings in an established residential area would unacceptable impacts in terms of noise air or water pollution. Concern has been raised regarding the impact of odours if sewerage systems were to fail due to the need to use a pump system to connect to the mains system in Keble Road. The application shows the foul water system connecting to the existing mains system in Keble Road. The specification and maintenance of such a system is dealt with at Building Regulation Stage at which stage the developer will have to demonstrate that the system is fit for purpose and has sufficient capacity.

24.3 It is acknowledged that there would be an increase in traffic using the access which runs between 12 and 18 Keble Road which currently has an approximately 1.2 metre fence on the boundary. In order to provide sufficient privacy and noise protection the applicant has agreed to increase the height of

the boundary treatment in this area to 1.8 metres. For visual amenity purposes the preferred option would be for a wall with a fence on top and it is recommended to secure the details of these by condition.

25.0 Planning obligation /considerations

24.1 In line with ministerial statements and case law this development for 3 additional dwellings cannot require contributions towards affordable housing or tariff style contributions towards matters such as transport infrastructure. Excluded from this are contributions towards mitigating the direct impacts of the development in terms of the impact of nutrients on the Southampton and Solent Special Protection Area and SAC. A contribution of £13,500 must be resolved by direct payment or secured by legal agreement before any permission is granted.

26.0 Equalities Implications

26.1 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.

When making policy decisions, the Council must take account of the equality duty and in particular any potential impact on protected groups.

26.2 It is considered that this application does not raise any equality implications.

27.0 Sustainability Measures and Climate Change:

27.1 National legislation and guidance, together with local policy ensure that all planning applications are tested for their resilience to and impact on the environment. Details elsewhere in this report set out the Climate Change and Environmental implications of this application and their proposed mitigations.

27.2 The NPPF (paragraphs 95-99), Saved Policies 34.ES and 37.ES of the Local Plan, and emerging Policies S1, DM2 and DM3 of the submitted Local Plan require development to be sustainable in terms of resource use, climate change and energy use. In March 2015 a Ministerial Statement announced that the Code for Sustainable Homes would cease to be applied to new development, although the requirement to achieve the Code's levels for energy efficiency and water consumption remains. A condition requiring

the new development to meet these requirements can reasonably be imposed and is recommended accordingly.

28.0 Conclusion

28.1 The proposal is acceptable in principle, and whilst the access to the site is via a single width driveway it is not considered that this would result in a highway safety impact that would warrant refusal of the application. The proposal provides satisfactory levels of amenity to existing neighbouring properties and future occupiers and would not result in a detrimental impact on existing trees on site which can be satisfactorily retained within the design of the scheme.

27.2 It is recommended that the decision to permit this scheme is delegated to the Head of Housing and Development to allow for the resolution of mitigation of nutrient impacts on the River Itchen SAC and Solent and Southampton Water SPA and then Permitted subject to Conditions.