

ELAC – Eastleigh Local Area Committee Tuesday 19 January 2021.

**Application**

**Number:** F/20/89125

**Case Officer:** David Huckfield

**Received Date:** 13/11/2020

**Site Address:** Former Eastleigh Post Office, 14 High Street, Eastleigh, SO50 5LA

**Applicant:** Eastleigh Borough Council

**Proposal:** Demolition of former post office and sorting office buildings and erection of 1no. four storey building consisting of ground floor flexible commercial space (within use classes E(a), E(c), E(e), E(g)(i), Class F1/F2) and 10no. affordable residential units, and 1no. six storey building consisting of flexible ground floor commercial space (within use classes E(a), E(c), E(e), E(g)(i), Class F1/F2) and 18no. residential units with creation of associated public realm / open space.

**Recommendation:**

**Subject to:**

- i) The completion of outstanding consultations and the addition of any necessary additions or amendments to conditions;**
- ii) The receipt of amended plans to address the impacts upon the privacy of the occupiers of neighbouring properties and the addition of any resulting necessary additions or amendments to conditions;**
- iii) The applicant entering into a legal agreement to secure the required affordable housing and planning obligations; and**
- iv) The completion of a Habitats Regulations Assessment for the development by the Local Planning Authority and the undertaking of subsequent consultation with Natural England where required.**

**To Delegate back to the Head of Housing and Development in conjunction with the Chair and Vice Chair of Eastleigh Local Area Committee to PERMIT**

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**CONDITIONS AND REASONS:**

1. The development hereby permitted shall be implemented in accordance with the following plans numbered: 20/05/P/001, 20/05/P/005 Rev 0, 20/05/P/008 Rev 0, 20/05/P/010, 20/05/P/100 Rev 0, 20/05/P/101,

20/05/P/102 Rev 0, 20/05/P/103 Rev 0, 20/05/P/104 Rev 0, 20/05/P/105, 20/05/P/106 Rev 0, 20/05/P/140 Rev 0, 20/05/P/141 Rev, 20/05/P/142 Rev 0, 20/05/P/143 Rev 0, 20/05/P/144 Rev 0, 20/05/P/150 Rev 0, 20/05/P/151 Rev 0, 20/05/P/152 Rev 0, 20/05/P/153 Rev 0, 20/05/P/154 Rev 0, 20/05/P/155 Rev 0, 20/05/P/156 Rev 0, 20/05/P/201 Rev 0, 20/05/P/300 Rev 0, 20/05/P/405 Rev 0, 20/05/P/406 Rev 0, 20/05/P/410 Rev 1, 20/05/P/411 Rev 1, 20/05/P/420 Rev 1, 20/05/P/421 Rev 1, 20/05/P/422 Rev 1, 20/05/P/423 Rev 1, 20/05/P/425 Rev 0, 20/05/P/426 Rev 0, 20/05/P/427 Rev 0, 20/05/P/428 Rev 0, 20/05/P/440 Rev 0, 20/05/P/450 Rev 1.

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 works shall commence until a Construction Environment Management Plan (CEMP), has been submitted to, and approved in writing by, the Local Planning Authority. Demolition and construction shall only take place in accordance with the approved details which shall include:

- a) a programme and phasing of the demolition, construction and development works;
- b) the location and height of temporary site buildings, compounds, construction material and plant storage areas used during demolition and construction;
- c) safeguards to be used within the construction process to ensure surface water contains no pollutants on leaving the site;
- d) safeguards for fuel and chemical storage and use, to ensure no pollution of the surface water leaving the site;
- e) the arrangements for the routing / turning of lorries and details for construction traffic access to the site;
- f) the arrangements for deliveries associated with all construction works, loading / unloading of plant & materials and restoration of any damage to the highway [including any vehicle crossovers where applicable];
- g) the parking of vehicles of site operatives and visitors;
- h) the protection of pedestrian routes during construction;
- i) management measures to control the emission of dust generated by demolition and construction works;
- j) a scheme, following assessment, for controlling noise and vibration impacts on noise sensitive properties from demolition, site preparation and construction activities (to include details of any piling if proposed);
- k) provision for storage, collection, and disposal of waste from the development during the demolition and construction period,

- l) measures to prevent mud and dust on the highway during demolition and construction; and
- m) the erection and maintenance of any security hoardings including any decorative displays and facilities for public viewing, where appropriate.

Reason: To limit the impact the development has on the amenity of the locality, neighbouring residents, and biodiversity and hydrology during the demolition and construction process.

4. No development above slab 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.

5. Prior to the commencement of any construction, demolition or other development works, measures for the protection of any public water apparatus (public sewers and any water mains) on or in the proximity of the site that could be affected by the development shall be submitted to and approved in writing by the local planning authority, in consultation with Southern Water. The development shall then be carried out in accordance with the approved details.

Reason: To ensure the adequate protection of the public water/sewerage system.

6. Prior to the commencement of any construction works on the new buildings hereby approved, final details of the proposed means of foul and surface water sewerage disposal shall be submitted to and approved in writing by the local planning authority. The development shall then be carried out in accordance with the approved details.

Reason: To secure satisfactory drainage provisions to serve the development.

7. No development above slab level shall be carried out until a detailed final landscaping scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall cover all hard and soft landscaping including trees, planting, boundary treatments, street furniture, hard surfacing including measures for the laying out of the public realm space, as well as details of ecological enhancement, compensation and mitigation measures. Timings for the implementation of all measures and landscaping, as well as details of ongoing management responsibilities shall also be provided and the works shall thereafter be carried out in accordance with the approved details and to the appropriate British Standard.

Reason: In the interests of the amenity and biodiversity.

8. All hard & soft landscaping, tree planting and boundary treatments shall be carried out in accordance with the approved details and to the appropriate British Standard. 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 amenity of the locality and to safeguard the amenities of neighbouring residents.

9. Prior to first occupation of the development hereby approved, the bin and cycle storage as shown on the approved plans shall be provided and made available for use for the occupiers of the development. Thereafter these facilities shall be retained for that use.

Reason: To make satisfactory provision for bin and cycle storage and in the interests of the encouraging sustainable travel.

10. 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 an 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].

11. Details of external lighting shall be submitted to and approved in writing by the Local Planning Authority prior to its installation. The development shall then accord with the approved details.

Reason: In the interests of amenity, biodiversity and community safety.

12. 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.

13. If the existing buildings present on the site are to be demolished during the bird nesting season (between 1st March & 31st August), they shall be first inspected by a suitably qualified ecologist to ensure that there are no birds nesting within them.

Reason: To prevent harm to breeding birds.

14. 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 and 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.

15. 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.

16. The commercial units hereby approved shall be used only for purposes within Classes E(a), E(c), E(e), E(g)(i), F1, or F2 of the schedule to the Town and Country Planning [Use Classes] Order 1987 (as amended), [or in any provision equivalent to those Classes in any statutory instrument revoking and re-enacting that Order with or without modification], and for no other purposes whatsoever.

Reason: In the interests of amenity and protecting the vitality and viability of Eastleigh Town Centre.

**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:** Southern Water requires a formal application for any new connection to the public foul and surface water sewer to be made by the applicant or developer. To make an application visit: <https://developerservices.southernwater.co.uk/> and refer to their New Connections Services Charging Arrangements documents which are available on their website via the following link: <https://southernwater.co.uk/developing-building/connection-charging-arrangements>

**Note to Applicant:** This development is located within a residents parking scheme and it is Council policy that residents of all new developments will not be eligible for parking permits. For the avoidance of doubt, the term

development means the construction of new or replacement buildings or alterations to existing buildings that result in an increased demand for parking not catered for within the development.

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## **Report**

1. This application has been referred to committee in accordance with the provisions of the Council's Constitution as Eastleigh Borough Council are the applicant.

## **Description of application site**

2. The application site is comprised of the former Eastleigh Post Office and the adjoining Sorting Office buildings which are situated within Eastleigh Town Centre. The Post Office building, which is presently vacant, has accommodation set across three levels and occupies a prominent position along the eastern side of the High Street on to which it fronts, with the Sorting Office building being single storey in height and situated to the rear, with access via Wells Road. The Sorting Office is currently in use as a creative hub providing art and design studios and flexible event space for its tenants.
3. Wells Road acts as a service route for the application site as well as the other businesses along the High Street and Market Street, in addition to a proportion of those fronting on to Leigh Road to the north. This route also leads to a modest sized car parking area to the northern side of the Sorting Office building which serves the development site. This car park is surrounded by chain link fencing and is bound by a cluster of trees to its western perimeter. There is a private access route running parallel with the southern boundary of the site which links Wells Road with the High Street, with this being presently gated at either end.
4. The site lies within the urban edge within the Council's adopted Local Plan (the Eastleigh Borough Local Plan Review 2001-2011) and forms part of the Eastleigh Town Centre Special Policy Area. It also falls within a designated shopping zone, with the predominant portion of the site (encompassing both of the existing buildings and the area in between) being within the 'secondary shopping zone' and what is currently the car parking area falling within the 'primary shopping zone' boundary.

## **Description of application**

5. The application seeks full planning permission for the comprehensive redevelopment of the site incorporating the demolition of the existing buildings and the provision of two separate mixed-use blocks which would be situated at the eastern and western extents of the site respectively. The latter, which would have a frontage onto the High Street, would be four storeys in height, while the eastern block to the rear would be six storeys, with the uppermost storey in both cases being

positioned such that it is recessed from the elevations of the main building. Each block has a degree of flexible commercial space at ground floor level and encompasses residential development on the upper storeys which will provide for a combined total of 28no. flats, comprised of 12no. 1-bedroom units and 16no. 2-bedroom units. The frontage block which has 10no. units, would be wholly affordable housing with this equating to 35% affordable provision.

6. The proposals also incorporate bin and cycle storage to serve the commercial and residential uses, the provision of a public realm space in the area immediately between the two blocks, as well as the opening-up of the link along the southern perimeter of the site to allow for the provision of a connecting pedestrian route between High Street and Wells Road which would then allow for onward access to Market Street further to the east. Vehicular access and site servicing would continue to be from Wells Road.
7. The application is accompanied by the following reports and technical assessments which have been updated where necessary throughout the course of the application:
  - Bat Survey Report
  - Daylight and Shading Assessment
  - Design and Access Statement
  - Drainage Strategy
  - External Lighting Strategy
  - Lifetime Homes Plan
  - Lighting Impact Assessment
  - Noise Impact Assessment
  - Structural Strategy
  - Sustainability Statement
  - Topographical Survey
  - Transport Statement
  - Tree Survey

### **Relevant planning history**

8. The site has been subject to a number of small-scale applications over the years which relate to minor alterations, extensions or changes to the post office and sorting offices buildings, including applications for advertisement consents. The most recent and relevant permission for the site related to the change of use of the sorting office building to artists' studios with associated external alterations to its exterior. This permission was granted in 2012 under planning reference F/12/70801.
9. In terms of recent planning application in the proximity of the site, of notable relevance is the consent at No. 4 High Street to the north of the application site (Ref. F/18/84679). This granted permission in March 2019 for the construction of 10no. one-bedroom flats above and behind

the retained ground and first floor commercial premises, to create a four-storey building fronting on to the High Street. This permission is as yet unimplemented but remains extant.

### **Representations received**

10. A total of 70 letters of objection have been received in relation to the application as well as 1 letter of comment and 1 letter of support.
11. The following matters were raised as concerns or objections to the proposals (summarised):

#### *Scale, design and impact on the character of the area*

- Loss of the historic buildings that are present on the site and part of the heritage of Eastleigh.
- Negative impacts on the architectural character of the High Street.
- The façade of the post office building at least should be retained.
- The proposed buildings are too high for a low-rise town like Eastleigh and are out of keeping with this part of the town centre.
- The design is industrial in appearance and does not blend in with the existing architecture.
- The proposed materials are out of keeping and the landscaping is inadequate.
- Overdevelopment of the site.

#### *Loss of the Sorting Office*

- Loss of the Sorting Office as a creative hub for local artists.
- The Sorting Office is a valuable part of the community locally and throughout the county with this providing art and craft workshops, works experience opportunities, engagement in public art projects and open studio events.
- The Council has encouraged and supported the thriving artistic community and this relationship should continue if Eastleigh wants to be seen as a forward-thinking council which can support and embrace the arts.
- The Sorting Office is important in sustaining a vibrant High Street and makes Eastleigh stand apart from other Hampshire towns.
- The small businesses in the Sorting Office should be supported and given shop frontage in the former post office.
- Suitable alternative space should be found for tenants of the sorting office.
- The site proposed as an alternative is not a long-term prospect and even in the short term is not suitable due to having no facilities.
- The tenants of the Sorting Office had been told that the development would involve studio spaces and a gallery/shop.
- The Sorting Office should be promoted and expanded upon not knocked down.

### *Impacts on the town centre, proposed uses and the need for the development*

- There is no need for any additional retail space in Eastleigh, there are currently many units unused.
- The retail space will be empty for months / years to come given how many units are empty in Eastleigh currently.
- The development is not wanted and additional flats are not needed in this part of Eastleigh.
- The town centre should be re-energised with jobs opportunities not homes.
- More housing will put people off going shopping in the town centre.
- Eastleigh needs both affordable low-rise accommodation and independent shops and small creative businesses.
- The building should be repurposed for the community or giving smaller local businesses a chance for a retail space at a low cost.
- There are many other dilapidated buildings that could be used.
- There are enough new builds and not enough doctors, schools etc.
- The High Street should be maintained with local shops for the community.
- Disruption to the town centre during construction.

### *Highways related considerations*

- Lack of parking provision for the new development for both residents and workers within the commercial premises.
- Residents will not use public transport.
- Inadequate cycle storage provision.
- Inappropriate road infrastructure to serve the development.
- The bin storage is inadequate and waste collection vehicles will have issues collecting waste from the bin storage areas.
- Eastleigh should be investing in vehicle infrastructure and improving the bus services.
- Impact on area used for refuse and recycling for No. 12a High Street.

### *Residential amenity*

- Visual intrusion to existing residential properties.
- Loss of light and loss of privacy to neighbouring properties and uses, as well as disturbance from open windows and balconies.
- Impacts of noise from night-time activity on future residents.
- Impacts from potential air conditioning units including additional noise.
- Disturbance, vibration, dust and disruption during development works, as well as potential obstruction to neighbouring properties and businesses.

### *Other*

- The space below the planned flats will encourage loitering, drug dealing, domestic dramas and somewhere to hide or it will exclude the public all together.
  - The proposed housing will not be representative of the community and supportive of first-time buyers or those in need of social housing.
  - There is no clear description of the type of cladding being used, its integrity against combustion nor how this structure will satisfy current building regulations under fire safety.
  - As EBC are the applicant, the decision should be made by a committee with no connections to EBC.
12. The letter of comment received was from the Sorting Office and this highlights the extent to which the studio space is valued by the artists that use it and the benefits they consider of having a community of artists housed in one building in Eastleigh Town Centre and what this can bring to both Eastleigh and the surrounding area. It also emphasised the importance of art, culture and creativity to people's well-being and mental health, particularly in these times of uncertainty. The letter went on to state that during the initial planning consultation, it was suggested that the Sorting Office Studios, with an additional workshop space and gallery space would return to the developed site, and that the tenants would like to continue supporting the Council's public art policy and recognise the potential to engage in this area to a greater extent.
13. The letter of support received made the following comments:
- This is just what Eastleigh needs, more people living in the town. The building is reasonably well fitting for the area and has good access to transport options.

### **Consultation responses**

#### **14. Southern Water**

There are existing Southern Water assets in the vicinity of the development site. The exact position should be determined in consultation with Southern Water before the layout is finalised and clearance requirements and stand-off distances should be adhered to. A condition is requested with regards to sewer protection measures. Southern Water can facilitate foul and surface water sewerage disposal to service the proposed development and a formal application will be required to be made to Southern Water in relation to this. In situations where surface water is being considered for discharge to the Southern Water network the drainage hierarchy for surface water should be followed which is reflected in part H3 of the Building Regulations. A

further condition is requested to require final details of foul and surface water drainage to be submitted for approval.

*Updated comments are awaited on additional information received from the applicant in response to the above comments.*

#### 15. **Tree Officer – No Objection**

##### Existing Site

The site contains a small group of trees (Norway maple and ash) to the north of the site, adjacent to the rear service road. These trees are not statutorily protected. The trees are self-seeded and have thus grown in a position that is compromised for potential future growth. In addition, the trees have a number of significant structural defects on account of the nature and location of their growth, as evidenced in the tree survey.

##### Arboricultural Impact

It does not appear that a definite proposal has been formed with regards to the trees: the DAS states that the trees will be “retained if possible” and the tree survey does not make recommendations with regards to the proposed development. Despite their structural condition, these trees do provide some amenity and ecosystem services provision in an area of significant hardstanding and structures. There may also be some ecological value to the trees. However, whilst it is respected that the proposal may try to retain the trees, we are not convinced this is appropriate given the structural condition of the trees, their location in hardstanding and the lack of potential for future growth. So long as any landscape design incorporates new tree planting – to help mitigate for the loss of the amenity and ecosystem service provision – we do not raise an arboricultural objection to the proposal and the removal of these trees if required.

#### 16. **Housing Officer – No Objection**

This application triggers a 35% affordable housing requirement and based on the proposal for a total of 28 dwellings, 35% equates to 10 dwellings. The Design and Access Statement details the application of Vacant Building Credit which when applied reduces the affordable requirement to 8 dwellings. This requirement would be secured through the S106 agreement. The applicant has advised that it is proposed that the whole of the front block of 10 flats would be delivered as affordable housing which would deliver an extra 2 flats to be allocated to those on the housing register.

We would normally seek for a mix of tenures but given the proposals I would suggest that single rented tenure option would be sought as Registered Providers seek to avoid the provision of mixed tenure blocks

for ease of management. Additionally, as the balance of the scheme is proposed as private market rent this would align with this proposal.

It is good to see a mix of flat sizes proposed between 1 and 2 bedrooms and also the ability for some of the 2 bed flats to accommodate up to 4 people which will provide a range of accommodation and will help create a mix of households within the proposed blocks. Our requirement would be for all the affordable housing units to be built to Lifetime Homes Standards and this is acknowledged in the Design and Access Statement. We would recommend that an early dialogue with a Registered Provider takes place to ensure that the affordable units meet the required standards.

#### **17. Design Review Panel – No Objection**

The Panel were generally supportive of such a positive intervention within the Town Centre and the contribution it would play in enhancing the variety and interest of the urban grain and public realm, particularly that of Wells Road to the rear of the site. It is considered that there is much scope within Eastleigh Town Centre for higher scale development, although this should only be undertaken where appropriate.

The division of the site to provide two separate blocks either side of a small public square, linked to High Street and Wells Road by a 'new' pedestrian link was considered to be the right approach to redeveloping the site. The proposed four storey block with setback top floor facing the High Street frontage was considered appropriate in its scale and form, sitting comfortably with the general scale and form of existing development along this side of the street. It was suggested that potential for altering or reworking the glazed colonnade along the site frontage be investigated as it would be a shame for the colonnade to hide a development which would be a positive contribution to the street scene and the town centre as a whole.

The introduction of a six-storey block to the rear of the site within a part of the town which is predominantly two or three storeys in scale is a bold move but one which was generally supported by the Panel. However, whilst the height of the block generally works well at the moment due to the amount of space around it, thought as to how this could impact upon future redevelopment of surrounding sites will need to be taken into consideration.

There needs to be an appropriate transition between surfacing and boundary treatments to ensure that the quality of the public space is not degraded/impinged upon by poorer quality space outside the site. As part of this it was suggested that the separate storage building to the north of the site becomes part of the site boundary treatment, rather than a structure just placed within the space.

Views of the development when looking from the north or south of Wells Road will be required in order to fully assess the impact of such a large structure upon the visual amenity and character of this 'rear' area. There also needs to be further assessment of the scheme's visual impact when viewed from street level, i.e. at a human scale. It was also suggested that further development of the central public space be undertaken, and thought be given as to how this space and the access points/walk-through areas are lit at this stage to ensure these spaces are attractive in the evenings and safe for residents to access their flats.

Overall, the Panel were of the opinion that this would be a positive development for the Town Centre, but which could be improved further if the above points are successfully addressed.

#### **18. Urban Design Officer – No Objection**

No objection to the general layout, form, scale or functions proposed. Further design development of the central square and public realm is required and further consideration of boundary treatments is required, as well as how ancillary servicing spaces will interact with the public realm.

The block fronting onto High Street would be four storeys high with a setback 3rd floor, so as to not dominate the street and better respect the predominantly two to three storey scale of the street. This is an approach which has been approved on a redevelopment scheme a few doors along at No.4 High Street, although not yet implemented. The rear block is six storeys in height and open on all sides, again with a more subservient top floor set in from the edges of the building so as to visually reduce its perceived height and scale. The elevational treatment also uses tricks to reduce its perceived scale, which work quite successfully.

This is a bold and well considered scheme which provides an opportunity to enhance a part of the town centre which has substantial potential to make better use of the land available, increase the population living in the town centre and for a much-improved public realm.

Whilst there are still a number of more detailed design aspects to be tied down and developed further, which will ensure the scheme achieves its potential, I would raise no objection to the proposals at this stage. Although I would wish to have the opportunity to comment on more developed proposals for the central square and boundary treatments.

#### **19. Hampshire County Council Highways – No Objection**

No objection in principle from HCC as Local Highway Authority, subject to a condition being applied to require the submission of a construction management plan prior to the commencement of development.

## ACCESS:

Access to the site for pedestrians will remain unchanged by the development, and sufficient space is allowed for to the rear of the property for refuse collections and service vehicles. This is demonstrated via vehicle tracking diagrams included within the associated Transport Statement (TS).

## PARKING:

No vehicle parking is provided for the development for either the retail or residential elements. For the retail, adequate space is provided within the surrounding public car park areas and is as such acceptable, and given the sites sustainable location within a short walk of both the mainline rail station and bus station, along with all the retail and employment facilities and good foot and cycle networks, it is also considered suitable for what will essentially be a car free development. Developers should however make future occupiers fully aware of the no car parking provision, as it is EBC policy that no new development within the town centre area will be eligible to join the residential parking scheme within which the development sits.

In regard to cycle parking, given the lack of vehicle ownership opportunities for residents, an uplift in cycle parking would be anticipated (above and beyond the EBC Parking Standard of 1 space per unit), and this is indeed provided through secure shared cycle sheds. Clarification of the total quantum is requested, along with where staff cycle parking will also be accommodated, given that this should also be within a secure sheltered lockable facility [this has subsequently been clarified].

For customers, the existing provision of on street cycle hoops is acceptable when considered with other secure cycle parking opportunities within the locality.

## TRIP GENERATION:

Given the lack of parking opportunities on site or within the residents parking area, it would be anticipated that vehicle trips to and from the site would reduce as a result of the development proposals from a residential perspective. In terms of the retail options, given the wider offer of the Eastleigh town centre area, and associated adjustments made for both trips that would be associated with the existing use, along with discount measures such as pass-by and linked trips, again no additional vehicle trips would be anticipated as a result of the development proposals.

## 20. **Hampshire County Council Flood and Water Management**

An assessment of flood risk would be expected to be included with any

application even if a full Flood Risk Assessment was not required. This has not been provided. There is no assessment of the drainage hierarchy which would need to be undertaken prior to agreement to a discharge to a sewer. We would also need to see an agreement in principle from Southern Water stating the allowable discharge rate.

Although an existing discharge rate is identified, there is no evidence to show that this is appropriate or accurate. Further evidence should be provided to demonstrate the existing discharge rate. A climate change percentage of 30% has been applied. This is not in line with current standards and needs to be revised. Some calculations have been provided but are not using recognised drainage software. A hydraulic model needs to be provided, taking into account the correct climate change factor, include the full drainage network and the results provided for both the 1:30 and 1:100 + climate change storms. A compliance check output (audit wizard or equivalent) should also be included.

The design has raised a few concerns. The Aco drainage proposed is not usually able to be laid to a curve and we note that this is adjacent to the carriageway so there is a risk of vehicle loadings. The cover is currently only specified for pedestrian loadings. The attenuation is used with water passing through the permeable pipe and into the storage but there appears to be no mechanism to inspect and clean the storage units. This type of system is extremely sensitive to siltation but no measures appear to have been provided for this. The pipe layout is also reliant on water backing up through the system and the calculations are not sufficient for us to assess the risk of exceedance.

There appears to be a pipe going beneath the building. This is not best practise and should be avoided wherever possible. Surface water is shown as being collected primarily by yard gullies. These are extremely small and evidence should be provided that these will be sufficient to collect the volume of water expected. In addition to the points above, water quality needs to be assessed in accordance with the guidance in the Ciria SuDS Manual. Exceedance flow plans are required and maintenance schedules need to be provided for the each feature in the drainage network.

*Updated comments are awaited on additional information received from the applicant in response to the above comments.*

## 21. **Ecology – No Objection**

The mitigation and enhancement recommendations in the Bat Survey Report are appropriate and should be followed. The enhancement plan shows the retention of the original trees and the addition of three trees in planters. The latest site layout plan shows two triangular planters with seating. These two plans must be amended to agree with each other when the landscape design and biodiversity mitigation and enhancement are finalised. The planting scheme for these planters has not been

specified, however low level uplighting to trees is shown within these planters. Uplighting is not recommended as these trees will be needed as foraging habitat for bats and potential nesting sites for birds (depending on their size).

The tree report recommends removal of the three trees on site. The proposed Landscape Design does not show these trees being retained. An enclosed nest box was planned for the northernmost retained tree. If these trees are not planned to be retained this proposed mitigation for loss of a bird nesting site will also be lost. The lighting of the buildings appears to be appropriate for an urban setting but should be coordinated with the proposed locations of bird and bat boxes on the most updated plan to ensure that light will not shine on these sensitive areas.

The original green roof area was proposed to shelter the bike store in the original plan. Now that the bike and bin stores are proposed within the ground floor of each building, what is the new purpose of this structure? The current surface water drainage from the southern part of the roof is combined with the foul water drainage in one outfall pipe and into a foul sewer. The northern roof drainage is assumed to have a similar path, although it has not been surveyed. The current surface water proposal is to separate the surface and foul drainage, using on site storage in below ground voided units, installing yard gullies, below ground pipework and discharging into a surface water sewer with a hydrobrake or similar to reduce flow volume. The maintenance plan is included at the end of the surface water drainage strategy.

I would like to see a more naturalised SuDS plan submitted. This site appears appropriate for the use of rain gardens as shown in the CIRIA SuDS manual. This would allow surface water to flow into the soil and be filtered before discharge into the surface water sewer. It would also provide better irrigation for the plants and trees. There are a number of SuDS solutions available which combine rain gardens with tree planters and underground surface water storage. Seating could be incorporated into this area as previously planned without obstructing the flow of surface water into the soil. If gullies are required in addition, they should be the type that contain an element of filtration.

## **22. Direct Services**

No objection.

## **23. Other Consultations**

Comments are currently awaited from Southampton Airport, Economic Development, Environmental Health, the NHS CCG, as well as Hampshire County Council Children's Services (Education).

## **Policy context: designation applicable to site**

- Within the Urban Edge
- Within Designated Special Policy Area (Eastleigh Town Centre)
- Within Designated Shopping Zone

### **National Planning Policy Framework (NPPF)**

24. 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.
25. The three identified dimensions of sustainability should to be sought jointly: economic (supporting economy and ensuring land availability); social (providing housing, creating a high quality environment with accessible local services); and environmental (contributing to, protecting and enhancing the 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.

### **Planning Practice Guidance**

26. 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.

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

27. The key saved policies of the adopted local plan relating to this application are:
- 25.NC and 26.NC (biodiversity), 28.ES (waste collection and recycling), 30.ES (noise-sensitive development), 31.ES (residential development and noise), 33.ES (air quality), 34.ES (energy and climate change), 35.ES (contaminated land), 45.ES (drainage), 59.BE (promoting good design), 72.H (housing densities), 73.H (creating mixed communities), 74.H (affordable housing), 100.T, 101.T and 102.T (transport and new development), 104.T (parking), 125.TC and 126.TC (Eastleigh Town Centre general principles), 127.TC (Eastleigh Town Centre shopping area), 137.TC (Primary shopping zone), 138.TC (Secondary shopping zone), 141. TC (Upper floors), 147.OS (public open space), 165.TA (public art contributions), 185.IN (community facilities), 190.IN (infrastructure and utilities), 191.IN (developer contributions).

### **The Submitted Eastleigh Borough Local Plan 2011-2029**

28. 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.

### **The Submitted Eastleigh Borough Local Plan 2016-2036**

29. The Eastleigh Borough Local Plan 2016-2036 was submitted by the Council to the Planning Inspectorate on 31st October 2018 with hearings having commenced in November 2019 and concluded in early 2020. The Council has now received the Inspector's feedback and recommended actions on the plan. On 25 June 2020, the Council resolved to progress the examination on the basis of the main modifications outlined in the Inspector's letter and action points and / or any other main modifications that may be necessary in response to and acknowledging the Inspector's letter regarding the policy concerning Mercury Marina (HA2), with a view to working with the Inspector through the examination process to seek a plan which can be found 'sound' and adopted by the Council during the course of 2021. Given its status therefore and the Council's decision to proceed with this, it is considered that considerable weight can be given to the Plan and the policies contained within it
30. Within the Submitted Eastleigh Borough Local Plan 2016-2036, the site continues to fall within the urban edge and within a designated shopping zone. The following policies of the Submitted Plan are of relevance to the development proposals: S1 (Delivering Sustainable Development), S2 (Approach to New Development), S3 (Location of New Housing), DM1 (General Criteria for New Development), DM2 (Environmentally Sustainable Development), DM3 (Adaption to Climate Change), DM6 (Sustainable Surface Water Management and Watercourse Management), DM8 (Pollution), DM11 (Nature Conservation), DM13 (General Development Criteria – Transport), DM14 (Parking), DM21 (New Retail Development), DM22 (Changes of Use in Retail Frontages in District Centres), DM23 (Residential Development in Urban Areas), DM26 (Creating a Mix of Housing), DM30 (Delivering Affordable Housing), DM31 (Dwellings with Higher Access Standards), DM32 (Internal Space Standards for New Residential Development), DM40 (Funding Infrastructure), E3 (Eastleigh Town Centre).

### **Supplementary Planning Guidance**

- Supplementary Planning Document: Quality Places (2011)
- Supplementary Planning Document: Residential Parking Standards (2009)
- Supplementary Planning Document: Biodiversity (2009)
- Supplementary Planning Document: Planning Obligations (2008)
- Supplementary Planning Document: Environmentally Sustainable Development (2009) (Updated 2015)

- Eastleigh Town Centre Vision (Discussion Document – 5<sup>th</sup> Revision – November 2014)
- Eastleigh Borough Council Public Art Strategy (2015-2019)

### **Assessment of proposal**

31. 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.
32. As indicated above the Development Plan comprises of the Saved Policies of the Eastleigh Borough Local Plan 2001-2011 and the application must be assessed against those that are of relevance to the proposed development.

### **The principle of development**

33. The site lies within the urban edge where the basic principle of development is considered to be acceptable. It also falls within the Eastleigh Town Centre Special Policy Area within the Council's adopted Local Plan where Saved Policies 125.TC and 126.TC apply to development proposals. Saved Policy 125.TC, amongst other things, requires that development within the town centre creates a high quality of built and urban design, that is maximises development density by providing the maximum number of storeys appropriate in design terms to the site and its surroundings, shows that all storeys are designed for active use such as housing or offices, and has uses on the ground floor which attract customers, encompassing a range of town centre uses. Additionally, Saved Policy 126.TC requires that measures are included to accommodate any additional trips generated by the development; first through encouraging sustainable modes of travel and secondly, where feasible and necessary, by providing further short stay car parking.
34. The general principle of a mixed use development incorporating commercial uses at ground floor level and residential redevelopment on the upper storeys of the proposed buildings is therefore considered to be acceptable subject to the proposals adhering to the criteria of these policies, as well as the other relevant local and national planning policies and associated supplementary planning guidance. The matters of material relevance to the proposals in these regards are considered in the sections below.

### **Impacts on the vitality and viability of Eastleigh Town Centre**

35. In terms of the proposed mix of uses, the proposals include the provision of a range of flexible commercial space at the ground floor level of the buildings, as well as residential apartments on the upper storeys in each case. The site lies within a designated shopping zone, the majority of which, including the High Street frontage, falls within the secondary

shopping zone within the Council's adopted Local Plan where Saved Policy 138.TC allows for redevelopment to uses within the 'A' planning classes (A1 retail, A2 financial and professional services, A3 restaurant / café, A4 drinking establishments, A5 hot food takeaways), as well as leisure or cultural uses. Saved Policy 127.TC additionally requires that uses within the shopping zone that are provided at ground floor level should be such as to be able to accommodate a lot of customers and present a continuous ground floor visible frontage to the street, with this also being a requirement of Saved Policy 125.TC as set out above.

36. With regards to the commercial uses first of all, the use classes order has recently been updated with the 'A' use class having been revoked and replaced with uses within the new class 'E' (this includes former A1, A2 and A3 uses amongst others) and A4 and A5 uses now becoming *sui generis*. The application seeks approval for a range of uses for the ground floor commercial units, which would allow for a degree of flexibility to enable them to appeal to as wide a range of potential tenants as possible. These uses include retail (E(a)), financial and professional services (E(c)), medical or health facilities (E(e)), offices (E(g)(i)), learning and non-residential institutions (F(1)) and local community uses (F2) including halls or meeting places for the principal use of the local community.
37. As noted above, Saved Policy 138.TC generally allows for flexibility for a range of uses within the secondary shopping zone with this including provision for cultural and leisure uses, in addition to other town centre uses such as retail and financial and professional services. Whilst some of the uses proposed may generate more footfall than others, the ground floor spaces have been designed with large windows to all public sides as to present an appropriate active frontage which suitably addresses the adjoining streets and spaces. It is also of material relevance that the Post Office building itself has been vacant for some time and presently therefore contributes little by way of vitality and viability to the centre of Eastleigh. Allowing for a range of uses therefore which could occupy the commercial space maximises the potential for these parts of the development to be fully occupied and make a greater contribution to the town centre in these regards.
38. In terms of the introduction of residential uses to the site, paragraph 85 of the NPPF states that planning policies and decisions should recognise that residential development often plays an important role in ensuring the vitality of centres and encourages residential development on appropriate sites. The provision of new housing in the town centre in combination with other uses is also encouraged within the Eastleigh Town Centre Vision document to support the provision of providing housing within sustainable communities and reinforce a sense of community in the town centre, with Saved Policy 141.TC of the adopted Local Plan stating that the use of upper floors of premises in shopping areas, including for residential purposes, will be permitted subject to the amenity of the upper floor uses not being adversely affected by the

ground floor use and adequate provision being made for the disposal, storage and collection of waste. The provision of residential uses on the upper floors of the development is therefore supported in policy terms at both local and national level with this assisting in achieving a concentration of people in the town centre and thereby enhancing vitality, as well as allowing more people to live in locations that are accessible to facilities by public and other sustainable modes of transport such as cycling and walking.

39. As set out within Saved Policy 141.TC it is important however that the commercial uses proposed do not conflict with the upper floor residential uses in terms of unduly impacting upon the amenity of their occupiers. Such impacts, depending on the types of commercial use, could potentially be in a range of manners which may include through odours as well as through noise and disturbance generated either by the activities carried out within a premises (including through the playing of music) and/or hours of operation (for example through late night uses which may generate external activity associated with customers coming and going)) and/or deliveries which could result in disturbance at unsociable hours.
40. The uses applied for are however considered to be relatively low impact in these respects. No odour generating uses are proposed (for example restaurants or hot food takeaways) and the range of uses for which permission has been sought are generally considered to be compatible with residential properties. Certain uses may however still seek to play audible music or have longer opening hours (for example retail stores or community centre uses) or undertake deliveries during the early morning or at night and as such it is considered that it would be reasonable to impose a restriction on hours that deliveries can take place as well as on hours of use, with the latter also having regard to the fact that the site lies within a town centre location where some level of evening activity may reasonably be expected. The submitted noise assessment additionally recommends enhanced sound insulation be installed between the ground floor commercial units and upper floor dwellings, as well as MVHR to limit the risk of disturbance to occur to residents. At this stage comments are awaited from the Council's Environmental Health team on each of the above matters and members will be updated further on this at the committee meeting. Appropriate conditions will subsequently be imposed accordingly taking account of the comments of the Environmental Health Officer.
41. With regards to the existing uses on site, the post office building is presently vacant as noted above, with the former sorting office providing for art and design studios and flexible event space for its tenants. A number of the third-party representations received in relation to the application have raised the matter of the loss of the sorting office and it is acknowledged that this appears to have been a well utilised facility that has been very much appreciated by those that have used it. The building is not however subject to any statutory protection and as such

the application could not be reasonably refused as a result of its loss and, indeed, the retention of this building in its current form as has been suggested within some of the representations received, would also compromise the potential of this town centre site to be redeveloped in a more efficient manner than is presently the case.

42. In terms of the use of the Sorting Office, it is understood that the Council in its capacity as landowner and landlord for the building have been in dialogue with the tenants with a view to assisting in the relocation of the facility to alternative premises owned by the Council which have been identified elsewhere within the centre of Eastleigh, with engagement being undertaken as to how these may be further adapted if required to meet the tenants needs. Additionally, the flexible commercial space which is proposed as part of the application could, under the provisions of use class F1, allow for the use of this space for similar purposes, albeit the realisation of any such arrangement to this effect would be a separate matter between landlord and tenant and is not a material planning consideration.

### **Layout and design**

43. Saved Policy 59.BE of the adopted Local Plan requires that development takes full and proper account of the context of the site including the character and appearance of the locality and that it is appropriate in a number of regards including its massing, scale, layout, design, siting and density, whilst Saved Policy 125.TC, amongst other things, requires that development within the town centre creates a high quality of built and urban design, that is maximises development density by providing the maximum number of storeys appropriate in design terms to the site and its surroundings.
44. These local plan requirements are reflected within national planning policy, with Paragraph 122 of the NPPF requiring that planning decisions encourage the efficient use of land whilst at the same time respecting the character of the area, promoting regeneration and change, and securing well-designed, attractive and healthy places. Paragraph 127 goes on to state that planning decisions should ensure that developments: will function well and add to the overall quality of the area; are visually attractive as a result of good architecture; and, are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities).
45. The existing site incorporates the former Eastleigh Post Office and associated Sorting Office buildings which vary between 2.5/3 storeys and single storey in height. These buildings, whilst occupying a significant portion of the site in terms of their footprint, are relatively low scale and density and it can be argued therefore that in combination they represent a somewhat inefficient use of land on what is one of the more sizeable town centre sites within central Eastleigh. Whilst the buildings

themselves do undoubtedly have some degree of architectural merit, they are not subject to any statutory protection as noted above and, as set out within the submitted Design and Access Statement, are somewhat convoluted in terms of their existing layout. They are not therefore particularly easily adaptable or accessible. It is therefore considered that the site presents an opportunity to provide a high-quality development of a more significant scale which both improves the appearance of the land itself and brings it back into active use, as well as being something that could potentially act as a driver for further regeneration in this part of Eastleigh Town Centre.

46. The application proposes a comprehensive redevelopment scheme encompassing the demolition of the existing buildings and the erection of two separate blocks, one of four storeys in height addressing the High Street frontage and one of six storeys at the rear (east) of the site, with the land in between providing a mixture of flexible external space for the proposed commercial uses as well as public realm space. A pedestrian through-route is also proposed along the southern boundary of the site which would link Wells Road with the High Street and would thereby allow access to both blocks from these roads.
47. In terms of the scale, form and design of the development, the proposed frontage block would be more substantial than the structure that it would replace. It has however been designed in a such manner that the third floor is recessed from the buildings elevations as to visually reduce its perceived height and massing and appropriately respect the predominantly two to three storey scale of this part of the street. It is not therefore considered that it would appear unduly large or dominating upon the street scene or detract from the character of the High Street and, whilst not yet built, it is noted that a similar approach to redevelopment has been approved slightly further to the north at Number 4 High Street.
48. The rear block would be larger at six storeys in height and open to all sides, with this again having a recessed upper storey to reduce its perceived height and scale, with the proposed elevational treatments which incorporate split level and less regular fenestration further assisting in this regard. Whilst the building would be taller than that proposed to the front and also the existing surrounding neighbouring buildings, it is considered that in this particular case the site has the capacity to accommodate this scale of development given its overall size and the space that exists around it. Nonetheless it is acknowledged that a building of this scale and in this location will begin to alter the character of this part of the centre of Eastleigh, particularly with it being positioned in what has historically been a subservient part of the town which has principally been used for servicing. This approach has however been supported by both the Council's Urban Design Officer as well as the Eastleigh and Winchester Design Review Panel and, as demonstrated within the visuals presented in the Design and Access Statement, it is not considered that it would detract from the character of the area but

rather act as a positive driver to encourage further redevelopment and regeneration within this part of the town.

49. With regards to their appearance, the elevational treatment of each block is slightly different with the block fronting the High Street having more formality and hierarchy to the scale and fenestration of each floor, whereas the rear block is slightly less formal with more asymmetrical fenestration which, as noted above, is utilised in part to assist in visually reducing its perceived scale. Each block is however pulled together through the materials used and matching architectural features, such as the perforated metal cladding panels which reflect the franking marks used on letters and present a subtle nod to the history of the site. A material pallet has been proposed which incorporates red brick for the frontage block, two types of buff brick for the rear block, simple stone detailing for sills and coping, and 'bronze' coloured metal cladding for the subservient top floors and elevational cladding of both buildings. These are simple robust materials that should assist in giving a high-quality appearance to the development whilst also providing visual interest.
50. With regards to the space in between the buildings, the application sets out that this is proposed to encompass a mixture of uses, with the space directly to the east/west of the proposed ground floor commercial units to be given over as flexible external space for the use of tenants under licence, for example, for external seating, whilst at the same time having the potential to be retained for wider ranging public events. Pedestrian 'desire lines' have then been plotted on the plan showing the primary circulation routes which sets a route at 45 degrees through the central area of public realm which will be given over to planting and mid-scale trees, with these two areas seeking to provide a mixture of sunny, dappled shade and shaded spots for the public and customers of the commercial uses to sit out and take advantage of the outdoor environment. The area to the north of the site is proposed as a mixed-use surface and will allow for vehicular deliveries, refuse collection and residential drop off in a secure off-street location, without impacting on the Public Realm area immediately between the two proposed blocks.
51. The Council's Urban Designer and the Design Review Panel, whilst supporting the general principles proposed, have suggested some further development of the layout and landscaping of the external space may be necessary for it to realise its full potential and it is recognised that its success will also to some degree depend on the exact nature of the commercial end occupiers and if and how they make effective use of some of this area. There may also be some changes required to the landscaping as a result of the drainage and ecological considerations associated with the application as set out within the relevant consultation responses on these matters. It is considered however that the hard and soft landscaping, as well as the final lighting scheme and any street furniture provisions, could be appropriately covered by a condition requiring these details to be submitted for approval and, overall, it is considered that the area will serve to provide a flexible external space

which is not unduly dominated by the new buildings and has suitable potential to enhance the public use and the visual appearance of this part of the town centre. The space is also well overlooked by the new commercial and residential uses which will serve to assist in discouraging anti-social behaviour from taking place within it.

52. Taking account of all of the above factors and the site context, overall it is considered that the development is acceptable in terms of use, layout, design and impact on the character of the area and that it achieves the balance advocated within national planning policy of making efficient use of land and achieving appropriate densities, whilst at the same time respecting the character of the area, promoting regeneration and change within the Town Centre, and securing well-designed, attractive places. The development is therefore considered to comply with Saved Policies 59.BE and 125.TC of the adopted Local Plan and paragraphs 122 and 127 of the NPPF in these respects.

### **Residential amenity**

53. Saved Policy 59.BE of the adopted Local requires that development avoids unduly interfering, disturbing or conflicting with adjoining or nearby uses, including by way of overlooking and loss of light or outlook, whilst Paragraph 127 of the NPPF, amongst other things, requires that planning decisions ensure that development provides a high standard of amenity for existing and future users. The Council's adopted Quality Places SPD provides additional guidance in relation to amenity in support of Saved Policy 59.BE and there are two primary considerations in this respect in this case, these being the impact of the development on that of the occupiers of existing neighbouring properties and the appropriateness of the level of amenity that would be afforded for the future occupiers of the proposed dwellings.
54. In terms of the latter first of all, the Council's Quality Places SPD requires that new homes have sufficient internal space for residents to use comfortably and to support a practical quality of home life for the intended number of residents. In this respect, the government has published nationally described space standards which will be incorporated into the Council's planning policy when the Submitted Local Plan is adopted. The proposed units would meet these standards and thereby would have a sufficient level of internal floor space to allow residents to live comfortably. The internal spaces are also generally well laid out and provide for good potential for reasonable levels of outlook to be available from and light to be received to habitable spaces, with the latter being demonstrated by the submitted daylighting assessment for the development.
55. The one exception to this is the second bedrooms within a small number of the upper floor flats in the frontage block which have their only windows positioned on the northern elevation of the building and in close proximity to the neighbouring property to this side. This affects the

windows of three bedrooms in total, with these being at first floor and second floor levels. This is not an ideal arrangement as it would both compromise light and outlook for these rooms to some degree. Whilst on balance this is not considered entirely unacceptable in itself, there is also a resulting conflict between these windows and the facing roof lights within the southern roof slope of the neighbouring property at Number 12a High Street, with this creating the potential for an adverse loss of privacy for its occupiers. Amendments have therefore been requested within this part of the development to address this issue and these may require some minor internal reconfiguration of the front block to ensure that the development does not impact unduly upon the privacy of the neighbouring residents.

56. With regards to the matter of the privacy for the future occupiers, the Quality Places SPD states that where apartments are looking onto other apartments, separated exclusively by public or communal space, these should be a minimum distance apart between windows of habitable rooms to ensure satisfactory standards of privacy and day light and prevent unacceptable levels of overshadowing. The minimum distance within this guidance is 20m where both buildings are new build. The two new blocks achieve a minimum figure of 16.2m, which is below this standard. It is necessary in all cases however to have regard to the context in which a development is taking place when applying these amenity standards. In this instance, the site is situated within a town centre environment where there is perhaps a reasonable expectation for residents that buildings may be sited closer together than would be the case elsewhere, for example on a greenfield site. It is also important to ensure that efficient use of land is being made and development densities are maximised in the town centre in accordance with the provisions of the special policy area designation. On balance, therefore and taking account of these factors, the separation distance is not considered to be unacceptable in this instance.
57. For exterior space, there is a general requirement within the Quality Places SPD for flats to have a communal amenity area which is a size equivalent to 25sqm per unit, with the provision of balconies also being encouraged where appropriate to provide a degree of unit-specific outdoor sitting space. Where a flatted development is adjacent to or in particularly close proximity to a useable recreation space or within an area of very good local facilities, such as a town centre, this requirement for communal space can however be waived. Whilst one option for the central square could have been to provide direct external amenity space for the new residents, given the proximity of Eastleigh Recreation Ground to the site and the range of facilities available in Eastleigh Town Centre, this is not considered to be a requirement in planning terms that would be insisted upon in this case and indeed the use of this area as a public space would be considered more appropriate in this location. A number of the units also have balconies or roof terraces, including those on the top storey of the frontage block, as well as all 18no. apartments in

the rear block which are integrated into the design of the buildings, in order to provide unit specific outdoor sitting space for residents.

58. With regards to the impact on neighbouring occupiers, whilst a number of the buildings which surround the site are in commercial use, there are existing residential properties to the south which, in closest proximity, includes No. 16a High Street and Grayton House, as well as to the north with this including No. 39 Wells Road and 12a High Street. Grayton House lies perpendicular to the rearmost of the proposed blocks and appears to contain only a bathroom window and upper floor external access door within its facing elevation which limits the potential for the development to compromise the privacy of the occupiers of this neighbouring building. The siting of the proposed development to the north of Grayton House will also negate any possibility for unacceptable overshadowing or loss of light to occur. In terms of No. 16a High Street, this unit does have facing fenestration to its northern side. This will however be set opposite the stairwell and lift area for the frontage block, as opposed to being directly opposite any habitable rooms and, on balance therefore the resulting arrangement is not considered to be unacceptable.
59. In terms of No. 39 Wells Road and 12a High Street as well as the residential units/flats further to the north (including to the rear of 8 High Street), these buildings do have habitable windows facing towards the western elevation of the proposed rearmost block. The general standard where apartments are facing onto apartments as in this case, is for a 22m separation distance (20m where both buildings are new build as noted above). A separation distance of approximately 20 metres is afforded to the closest of these buildings which again when taking account of the town centre context, is not considered unacceptable. As noted above, No. 12a also has facing rooflights within its southern roof slope which serve a bathroom and bedroom, with the latter also being served by a window within its eastern elevation. Taking account of these factors, including the secondary nature of these rooms, it is not considered that any resulting impacts in terms of loss of outlook or light would be unacceptable in planning terms and, indeed, the submitted daylight assessment and accompanying shadow diagrams demonstrate that reasonable levels of sunlight and daylight will be maintained for the neighbouring properties relative to the existing situation. The matter of the privacy impacts upon No. 12a High Street do however need to be addressed through amendments to the plans as set out above.
60. Taking account of the above factors and subject to these amendments, the application is considered to comply with the requirements of Saved Policy 59.BE of the adopted Local Plan and Paragraphs 127 of the NPPF in respect of the matter of residential amenity.

## **Transport and highway matters**

61. Saved Policy 100.T of the adopted Local Plan requires that development is or could be well served by public transport, cycling and walking and it includes measures which minimise its impact on the existing highway network. Saved Policy 59.BE (v.) requires that development has a satisfactory means of access and layout for vehicles, cyclists and pedestrians including appropriate links to surrounding footpaths cycleways and public transport services, whilst Saved Policy 104.T requires that an appropriate level of car parking be provided in accordance with the Council's adopted standards. These policy provisions are considered to be consistent with the requirements of the NPPF and in particular those of paragraphs 108 and 109.
62. The application is supported by a Transport Statement which appraises the key transport matters associated with the development, including the site's accessibility, the development layout and cycle parking arrangements, access and servicing arrangements, and the impacts of the proposals on the local road network. This assessment has been reviewed by the Highway Authority and supplemental information has subsequently been received in response to their comments during the application process.
63. In terms of parking, the requirements for residential uses are set out within the Council's adopted Residential Parking Standards SPD. Generally, for housing developments within the Borough, on-site car parking is required to be provided. The SPD however recognises Eastleigh Town Centre and the surrounding area as the most accessible location in the Borough with regard to local facilities and public transport services with regular trains and buses in particular providing comprehensive and frequent services to surrounding villages, towns and cities, including both Winchester and Southampton. The town is also well served by public off-street parking, with the surrounding roads also being within a controlled parking zone which restricts the potential for overspill parking from new development into nearby residential streets. The SPD therefore sets out that a reduction in the usual standards can be accommodated within the town centre and indeed allowing flexibility in this respect gives the potential for imaginative proposals to come forward as part of town centre redevelopment and regeneration schemes. In this case and given the particularly central location of the site, it is considered that a car free development would be acceptable, and no objection has been raised in this respect by the Highway Authority.
64. Where car free developments are proposed, however, it is important that sufficient provision is made to allow for residents to maximise sustainable transport options and notably, in this case, through sufficient and secure cycle parking. In this regard, integral shared secure bike storage is provided for the residential occupiers within the two proposed blocks, with cycle parking for the commercial uses available in a separate building in the northern part of the site. The level of provision represents a notable uplift on the Council's adopted standards with

residential storage for 60 cycles, and 10 spaces for the commercial uses. This numbers have been clarified by the applicant in response to the query raised in this regard by the Highway Authority, with storage to be stacked to maximise capacity for cycles. For customers of the commercial premises, the existing provision of street cycle hoops within the town centre is deemed to be acceptable when considered with other secure cycle parking opportunities within the locality as has been confirmed by the Highway Authority.

65. With regards to the impacts on the local highway network, as noted by the Highway Authority, given the lack of parking opportunities on site or within the surrounding residents parking areas, it would be anticipated that vehicle trips to and from the site would reduce as a result of the development proposals from a residential perspective. In terms of the retail options, given the wider offer of the Eastleigh town centre area, and associated adjustments made for trips that would be associated with the existing use, along with discount measures such as pass-by and linked trips, again no additional vehicle trips would be anticipated as a result of the development proposals.
66. In terms of access and servicing, pedestrian access is acceptable from a highways perspective and sufficient space has been allowed to the rear for refuse collections and other service vehicles via Wells Road. This has been demonstrated through the provision of vehicle tracking diagrams which are contained within the Transport Statement which accompanies the application. The level of bin storage is also acceptable and accords with the relevant standards, with no objections being raised by the Council's Direct Services Team.
67. Overall, the proposals are considered to be acceptable in terms of their accessibility and highway related impacts and comply with Saved Policies 59.BE, 100.T, and 104.T in these regards.

### **Contaminated land**

68. Saved Policy 35.ES of the adopted Local Plan requires that it be demonstrated that land that is known or suspected to be contaminated will be remediated to a suitable standard for the proposed end use. Paragraphs 170 and 178 of the NPPF stipulate that planning decisions should contribute to and enhance the natural environment through remediating and mitigating contaminated land and that decisions should ensure that sites are suitable for their new use, taking account of ground conditions and former activities. Paragraph 179 goes on to state that where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner.
69. The site has historically been used for commercial purposes, primarily as a post office and associated sorting office, and lies adjacent to other commercial premises. Taking account of these former, historic and

adjacent uses, as well as the sensitive nature proposed end use (residential), the development may have the potential to be affected by contaminants in the ground. Whilst any such risks would not be considered to be prohibitive to redevelopment, further investigation may be necessitated, and remediation required where deemed to be necessary. Comments are however awaited on this matter from the Council's Environmental Health Officer but it is envisaged that, if deemed to be required, this matter could be covered by appropriate planning conditions which then be imposed on the planning consent should permission be granted.

## **Trees**

70. Saved Policy 59.BE of the adopted Local Plan 2001-2011 requires that development takes full and proper account of the context of the site and is appropriate in relation to natural features and trees worthy of retention. Trees in relation to design, demolition and construction – Recommendations (BS 5837:2012) advises that a realistic assessment of the probable impact of any proposed development on trees should take into account the characteristics and condition of the trees concerned, with due allowance and space for their future growth and maintenance requirements. To maximise the probability of successful tree retention account should be taken during the design process of any shading of buildings and open space, any direct damage both below and above ground, future pressure to remove trees, and seasonal nuisance.
71. The application is supported a Tree Survey which appraises and categorises the arboricultural features on or adjacent to the site. The site contains a small group of trees (Norway maple and ash) in its northern section, adjacent to the rear service road. These trees are not statutorily protected and are self-seeded specimens that have grown in a position that is compromised for potential future growth. In addition, the trees have a number of significant structural defects on account of the nature and location of their growth, as evidenced in the tree survey. Whilst it is acknowledged that they do provide some amenity and potentially ecological value in a location that is largely otherwise dominated by hardstanding, the Council's Tree Officer has raised no objection to their removal given their structural condition and lack of potential for future growth. The applicant has confirmed that they are intended to be removed with additional replacement planting proposed in the central square area to mitigate for the loss of the amenity and ecosystem service and on this basis and in light of the comments of the Council's Tree Officer, this is considered to be acceptable in this case.

## **Ecology and drainage**

72. Saved Policy 45.ES of the adopted Local Plan requires that development provides for adequate drainage infrastructure, whilst Saved Policy 25.NC states that development which will adversely affect a habitat or feature of importance for wild fauna and flora will not be permitted, unless it can be

demonstrated to the satisfaction of the Council that: (i) the benefits of the development outweigh the adverse impacts (ii) the adverse impacts are unavoidable, and (iii) appropriate measures are taken which would mitigate or compensate for any adverse impact. This includes in relation to drainage and the potential for the pollution of designated sites as a result of inadequate surface water provisions.

73. These policies are considered to be consistent with Paragraphs 155 to 165 of the NPPF which, *inter alia*, require that development incorporates appropriate sustainable drainage systems and does not increase flood risk elsewhere and Paragraph 170 which requires that, when determining planning applications, local planning authorities minimise impacts upon and provide net gains for biodiversity, including wherever possible, through helping to improve local environmental conditions such as water quality.
74. The site is located within Flood Zone 1, which is defined as having low probability of flooding and an area where commercial and residential development is considered acceptable in principle. The application is supported by a drainage strategy which proposes to discharge foul sewage to the existing foul sewer serving the site, with surface water drainage also being proposed to be discharged to the public sewerage network. The foul drainage provisions are considered to be acceptable and no objection has been raised by Southern Water in respect of these. Additional information has however been requested with regards to various aspects of the approach to surface water management by Hampshire County Council, Southern Water and the Council's Ecologist as set out within their respective consultation responses. The applicant has subsequently provided further information on this matter and updated responses from these consultees are presently awaited.
75. In terms of other ecological considerations, given that the site is surrounded by extensive areas of hardstanding there is more limited potential for biodiversity to be present within the site. Notwithstanding this and due to the combination of the age of the buildings and the disuse of the post office in recent years, there could be some potential for bats or birds to have been utilising the buildings. A survey has therefore been undertaken and provided with the application, with this assessing the suitability of the site for these species as well as including the results of surveys carried out to see if they are present in the buildings. Due to the presence of suitable roosting features and some nearby foraging and commuting habitat, the buildings were classed as having low bat roost suitability, however, no bats or evidence of bats were seen during the surveys and the report concludes that the buildings are not being used by roosting bats. As foraging bats were however observed in the vicinity of the site, the report recommends that enhancements for roosting bats be provided within the development (bat bricks).

76. Two disused birds nests were found to be present in the former post office building and courting/breeding behaviour was also observed during the survey by pigeons. The report therefore recommends that the buildings should be checked by a suitably qualified ecologist prior to demolition works commencing. The same is recommended for the existing trees present on the site prior to them being removed. It is also recommended that new nesting opportunities are provided within the development (bird boxes) as part of the ecological mitigation and enhancement measures.
77. The submitted report has been reviewed by the Council's Ecologist who has endorsed the findings and recommendations contained within it. Responses have also been provided to the questions that the Ecologist raised in her initial consultation response and the plans have been amended to remove the uplighters from the indicative lighting scheme, with the final lighting design to be subject to a condition at which stage it can also be ensured that there is no conflict with the bat and bird boxes which, as noted above, are to be incorporated into the fabric of the building. In addition, the external store at the northern end of the site will have a green roof to provide a further ecological enhancement. The final planting scheme for the site and ecological enhancement measures can be suitably covered by way of a planning condition.

### **Nutrient neutrality**

78. The water environment within the Solent region is one of the most important for wildlife in the United Kingdom. It is internationally recognised and is protected under the Water Environment Regulations and the Conservation of Habitats and Species Regulations 2017 (as amended). Natural England have advised that there are high levels of nitrogen and phosphorus input to this water environment with evidence that these nutrients are causing eutrophication at these designated sites. These nutrient inputs currently mostly come either from agricultural sources or from wastewater from existing housing and other development. The resulting dense mats of green algae and other effects on the marine ecology resulting from an excessive presence of nutrients are impacting on the Solent's protected habitats and bird species. There is presently uncertainty as to whether new growth will further deteriorate designated sites and whilst this uncertainty remains, Natural England have advised that new housing developments across the Solent region have the potential to exacerbate these impacts and create a risk to the future conservation status of these sites.
79. The Council, as the responsible body for Habitats Regulations Assessments under the Conservation of Habitats and Species Regulations, must ensure as part of a planning application that a development will not have an adverse impact on any European protected sites or the features for which they are designated and the above-mentioned impacts are therefore required to be mitigated. One way in which to address this issue is for new development to achieve

nutrient neutrality which is a means of ensuring that development does not add to existing nutrient burdens and provide certainty that the scheme is deliverable in line with the requirements of these Regulations.

80. The Council has adopted an interim strategy whereby it will identify areas of agricultural land and remove them from a nitrate intensive use, which would provide mitigation through offsetting the impacts of a development. This will ensure no net increase in nitrates within the Solent and thereby allow a development to achieve nutrient neutrality. In order to do this, the Council calculates the level of nitrate mitigation this land provides (measured in kg) and makes 'nitrate credits' available to developers to buy, with the securing of the required funding then being done through the S106 process. The charge for these credits is £4,500 per dwelling which includes estimated costs of land purchase and ongoing maintenance. The requisite charge for this development is therefore £126,000 and the applicant has agreed to utilise this scheme as a means of offsetting the impacts of the development. These contributions will need to be secured via a legal agreement. A Habitats Regulations Assessment will also need to be undertaken by the local planning authority to outline whether there will be any significant effects on the European protected site, moving to the appropriate assessment stage in consultation with Natural England where these cannot be ruled out.

### **Environmentally sustainable development and climate change**

81. Saved Policies 34.ES and 37.ES of the adopted local plan require development to be sustainable in terms of climate change use and resource and energy use, whilst the NPPF within Paragraph 8, as part of the environmental objective of sustainable development, states that development should use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change, including moving to a low carbon economy.
82. The development incorporates both commercial and residential development. The Council's Environmentally Sustainable Development SPD requires that where non-residential development of more than 500sqm is proposed, BREEAM standards will apply. As the proposed floorspace in this case is less than this figure (395sqm), this requirement is not applicable in this case. Notwithstanding this, the development proposes the use of passive and efficient energy measures to enhance its environmentally sustainability credentials and minimise its energy demands. These measures include improved U-values, mix mode ventilation, solar control glass, energy efficient lighting, high efficiency boilers, and high efficiency heat recovery (in MVHR systems). In addition, solar photovoltaic panels will be installed on the roofs of the buildings to generate viable renewable energy for the development. The development will also be required to adhere to the requirement for the properties to be designed to achieve a maximum of 105 litres per person per day water usage as per the Council's standards for residential

development.

83. Conditions will be imposed in respect of water usage and energy efficiency and with this and the measures outlined above, it is considered that the development will be sustainable in terms of climate change and resource and energy use.

### **Planning obligations**

84. In accordance with the guidance contained within the NPPF, Saved Policies 25.NC, 74.H, 147.OS, 165.TA and 191.IN of the adopted Eastleigh Borough Local Plan Review (2001-2011), the Council's 'Planning Obligations' SPD, and the requirements of Regulation 122 of the Community Infrastructure Regulations, there is a requirement for planning obligations to ensure on and off-site provision for facilities and infrastructure made necessary by the development, and to mitigate against any increased need/pressure on existing facilities. This is in addition to the requisite on-site provision of affordable housing.
85. With regards to affordable housing provision, Saved Policy 74.H requires 35% on-site provision for a development of the size proposed. This would equate to 10no. units for a development of 28no. properties. National planning policy however provides an incentive for brownfield development on sites containing vacant buildings (the Vacant Building Credit). This states that 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 which will be sought. As the post office building is presently vacant therefore, its floorspace can be offset against the new development and this reduces the affordable housing requirement to 8no. units in line with national planning policy. Notwithstanding this, the application still proposes to provide 35% affordable housing, which in this case is therefore an overprovision of 2no. units, with all affordable units to be constructed to Lifetime Homes standards in line with the Council's requirements. This overprovision represents a benefit of the development proposals.
86. In addition to the affordable housing provision, financial contributions / obligations towards the following infrastructure have been identified as being required in respect of the development proposed:
  - Community infrastructure
  - Off-site public open space provision
  - Wildlife sites and local green space
  - Public art
  - Nutrient neutrality mitigation
87. Contributions may also potentially be necessitated towards education, health and air quality monitoring, however these will need to be

confirmed by the relevant consultees in these respects and their responses on the application are presently awaited.

88. The projects and measures identified for contribution expenditure would comply with the 3 tests set out in Regulation 122 of the Community Infrastructure Levy 2010, in that the monies would go towards the projects which are directly related to the development, and are fairly and reasonably related in scale and kind to the proposed development. The contributions would be index-linked to ensure they 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.
89. These obligations will need to be secured via a Section 106 Agreement and any planning permission will be subject to the applicant entering into this accordingly.

### **Equalities implications**

90. Section 149 of the Equalities Act 2010 created the public sector equality duty. Section 149 states that:
  - (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; and,
    - (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.

91. It is not considered that this application raises any equality implications.

### **Other material considerations**

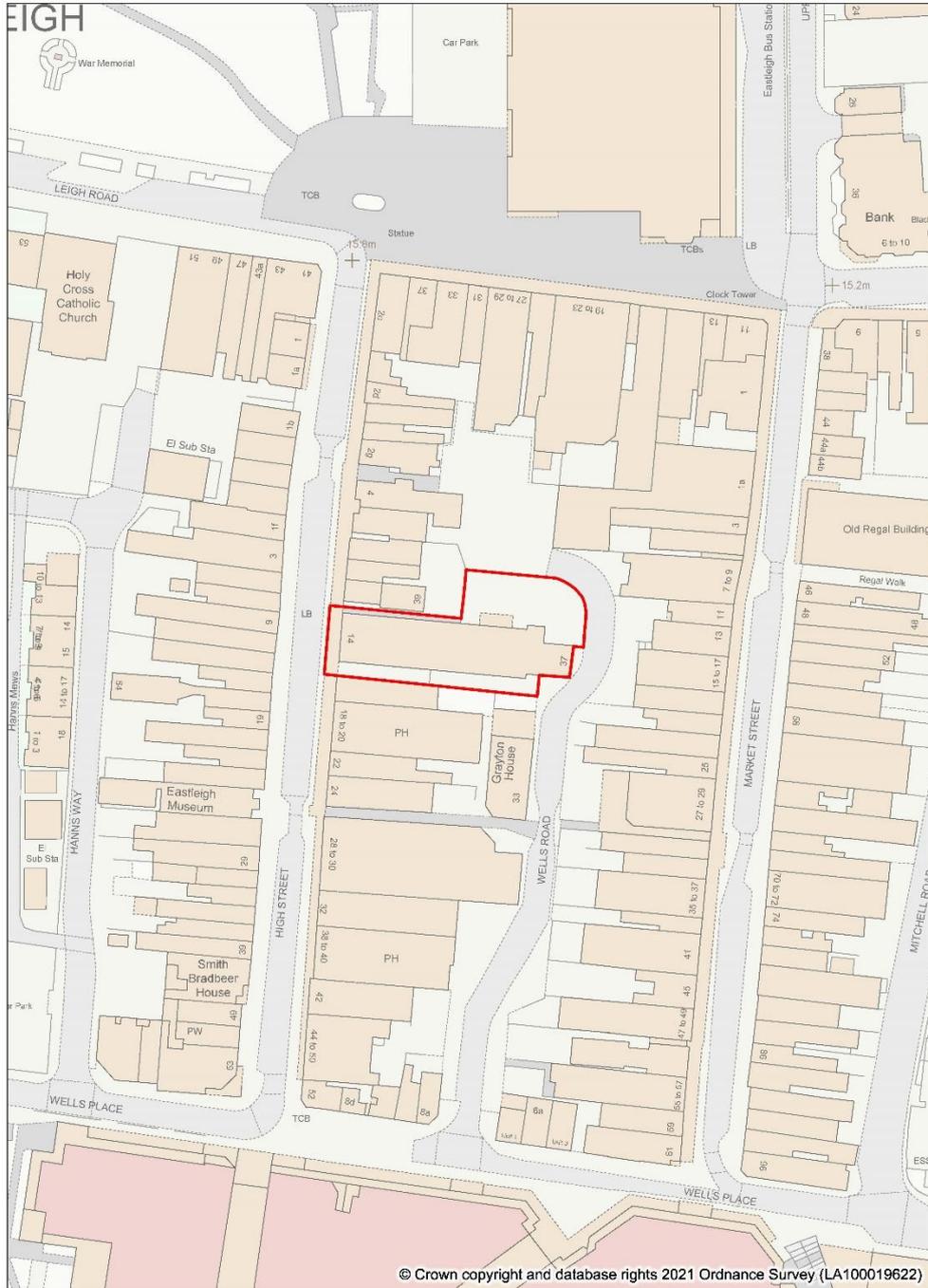
92. None.

### **Conclusion**

93. In conclusion, it is considered that the development is acceptable in terms of use, layout and design and that it achieves the balance advocated within local and national planning policy of making efficient use of this sustainably located and partly vacant brownfield site and achieving appropriate densities, whilst at the same time respecting the character of the area, promoting regeneration and change within

Eastleigh Town Centre, and securing well-designed, attractive places. It will also include an overprovision of on-site affordable housing and mitigate its impacts upon and contribute to improvements to local infrastructure through developer contributions. Subject to the outstanding matters being addressed, it is also acceptable in terms of its highway impacts and in respect of the matters of trees, as well as ecology and residential amenity. Overall therefore and subject to the applicant entering into a legal agreement to secure the requisite planning obligations and consideration of the outstanding consultation responses, the proposals comply with local and national planning policy provisions and are considered to constitute sustainable development.

F/20/89125



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