

ELAC – Eastleigh Local Area Committee Tuesday 18 January 2022

Application Number: F/21/91786
Case Officer: Rebecca Altman
Received Date: 22 October 2021
Site Address: Land at Villeneuve St Georges Way, Eastleigh, SO50 9SJ
Applicant: The Hendy Group Ltd
Proposal: Construction of car dealership (Class Sui Generis), incorporating a workshop, ancillary offices, associated parking, access, servicing, landscaping, access and other associated works.

Recommendation:

To delegate the decision back to the Executive Head of Planning and Economy in consultation with the Chair and Vice Chair of Eastleigh Local Area Committee to GRANT PLANNING PERMISSION subject to the following updates and conditions:

- i) the receipt and consideration of outstanding consultation responses from Southern Water, Southern Gas and Southampton Airport;**
- ii) the inclusion of any additional conditions or updated plan numbers to reflect amendments;**
- iii) the applicant entering into a legal agreement to secure the required planning obligations relating to public art and biodiversity (to be confirmed);**
- iv) receipt of satisfactory information to address water filtration of surface water drainage to prevent pollution to Monks Brook; and**
- v) the receipt and consideration of a response from Natural England in relation to the Habitats Regulations Assessment Appropriate Assessment.**

CONDITIONS AND REASONS:

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

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

2. The development hereby permitted shall be implemented in accordance with the following plans numbered:
 - PL_001 P2 (Site Location Plan)

- PL_002 P2 (Block Plan)
- PL_003 P3 (Existing Site Plan Survey)
- PL_004 P5 (Proposed Site Plan)
- PL_007 P5 (Proposed Ground Floor Plan)
- PL_008 P5 (Proposed First Floor Plan)
- PL_009 P5 (proposed Second Floor Plan)
- PL_023 P2 (Proposed Ground Floor Plan Area Schedule)
- PL_024 P2 (Proposed First Floor Plan Area Schedule)
- PL_025 P2 (Proposed Second Floor Plan Area Schedule)
- PL_010 P3 (Proposed Roof Plan)
- PL_011 P3 (Proposed Sections, showrooms and workshop)
- PL_012 P4 (Proposed Elevations 1 of 2)
- PL_013 P4 (Proposed Elevations 2 of 2)
- PL_006 P3 (Proposed Site Elevations)
- PL_018 P1 (External Visuals)
- PL_019 P1 (Gross External Area, showrooms and workshop)
- PL-020 P1 (Gross Internal Area, showrooms and workshop)
- PL_026 P1 (Net Internal Area, showrooms and workshop)
- PL_022 P1 (Gross External Area, decked car park ground floor)
- PL_014 P3 (Proposed Ground Floor, decked car park)
- PL_015 P3 (Proposed First Floor, decked car park)
- PL_016 P3 (Proposed Sections, decked car park)
- PL_017 P3 (Proposed Elevations, decked car park)
- PL_027 P1 (Decked Car Park Strategy)
- PL_005 P3 (Proposed Site External Materials)
- PL_028 P2 (Calculation of Parking Spaces)
- EVW-AHR-ZZ-ZZ-DR-L-0002 P3 (Tree Protection and Removal Plan)
- EVW-AHR-ZZ-ZZ-DR-L-0003 P3 (Soft Landscape Plan)
- EVW-AHR-ZZ-ZZ-DR-L-0006 P1 (Tree Pit Plan and Detail)
- EVW-AHR-ZZ-ZZ-DR-L-0001 P3 (Landscape Site Plan)
- EVW-AHR-ZZ-ZZ-DR-L-0004 P3 (Top Soils Plan)
- EVW-AHR-ZZ-ZZ-SH-L-0001 P3 (Soft Landscape Plants and Maintenance Schedule)
- EVW-AHR-ZZ-ZZ-DR-L-0005 P3 (Site Sections)
- 020.0680.002 B (Swept Path Analysis)
- 020.0680.003 A (Visibility Splays at Access Points)

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

3. No work shall start on site until the following has been submitted to, and approved in writing by the Local Planning Authority:
 - a) Desk Study documenting all the previous and existing land uses of the site and adjacent land in accordance with national guidance as set out in Contaminated Land Reports Nos.1 and 2, and BS10175:2011+A2:2017 Investigation of potentially contaminated sites Code of Practice, and, unless otherwise agreed with the Local Planning Authority;

- b) A site investigation report documenting the ground conditions of the site and incorporating chemical and gas analysis identified as appropriate by the desk study in accordance with BS10175:2001+A2:2017, and, unless otherwise agreed with the Local Planning Authority;
- c) A detailed scheme for remedial works and measures to be undertaken to avoid the risk from contaminants and/or gases when the site is developed and proposals for future maintenance and monitoring. Such a scheme shall include nomination of a competent person to oversee the implementation of the works.

Site investigations are to be undertaken by a competent person and in accordance with best practice as outlined in BS10175:2011+A2:2017 and LCRM. Any gas monitoring deemed appropriate is to be in accordance with best practice as outlined in such documents as BS8576:2013, BS 8485:2015+A1:2019, Claire RB17 and CIRIA C665.

Reason: To ensure that risk from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors.

- 4. Before any part of the development is occupied or used, unless otherwise first agreed in writing by the Local Planning Authority (LPA), a verification report demonstrating the effectiveness of the remediation works carried out and a remediation completion certificate confirming that the approved remediation scheme has been implemented in full shall both have been submitted to and approved in writing by the LPA.

The verification report and remediation completion certificate shall be submitted in accordance with the approved scheme and undertaken by a competent person in accordance with Defra and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors.

- 5. All development shall be stopped immediately in the event that contamination not previously identified is found to be present on the development site and details of the contamination shall be reported immediately in writing to the Local Planning Authority (LPA). Development shall not re-start on site until the following details have then been submitted to and approved in writing by the LPA:-
 - (a) a written report of the findings which includes, a description of the extent, scale and nature of contamination, an assessment of all potential risks to known receptors, an update of the conceptual site model (devised in the desktop study), identification of all contaminant linkages and unless otherwise agreed in writing by the LPA and

identified as unnecessary in the written report, an appraisal of remediation options and proposal of the preferred option(s) identified as appropriate for the type of contamination found on site; and (unless otherwise first agreed in writing by the LPA),

- (b) a detailed remediation scheme designed to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment. The scheme should include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works, site management procedures and a verification plan outlining details of the data to be collected in order to demonstrate the completion of the remediation works and any arrangements for the continued monitoring of identified contaminant linkages; and before any part of the development is occupied or used (unless otherwise first agreed in writing by the LPA) a verification report demonstrating the effectiveness of the remediation works carried out and a completion certificate confirming that the approved remediation scheme has been implemented in full shall both have been submitted to and approved in writing by the LPA.

The above site works, details and certification submitted shall be in accordance with the approved scheme and undertaken by a competent person in accordance with best practice as outlined in BS10175:2011+A2:2017 and LCRM. Any gas monitoring deemed appropriate is to be in accordance with best practice as outlined in such documents as BS8576:2013, BS 8485:2015+A1:2019, Claire RB17 and CIRIA C665.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors.

6. Development shall not commence until the developer has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation and recording, which has first been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the archaeological interest of the historic site is properly safeguarded and recorded.

7. Development shall not commence until a Construction Environmental Management Plan (CEMP) covering the following matters has been submitted to and approved in writing by the Local Planning Authority:
- Mechanisms to ensure that there is no pollution of the nearby Monks Brook;
 - A programme of and phasing of construction works;

- Provision of long term facilities for contractor parking;
- Arrangements for deliveries associated with all construction works;
- Methods of construction works;
- Access and egress for plant and machinery;
- Protection of pedestrian routes during construction;
- Location of temporary site buildings, compounds, construction material, and plant storage areas;
- Details of the methodology for ensuring dirt is not transferred onto the highway from the site.

The agreed CEMP shall then be followed in full throughout the course of construction works.

Reason: To ensure water quality within Monks Brook and into the River Itchen is preserved and protected species populations are not impacted, and to ensure that the construction would not adversely affect local amenity or highway safety.

8. Prior to any works above foundation / slab level, a detailed lighting strategy shall be submitted to and approved in writing by the Local Planning Authority. This shall include details of the type and luminance levels of all external lighting to the building and parking areas. The approved lighting strategy shall be implemented in accordance with the approved details and thereafter retained.

Reason: In the interest of visual amenity.

9. Prior to any works above foundation / slab level, full details, including samples, of the materials to be used for the external walls, roofs, doors and windows of the proposed development, shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved materials.

Reason: To ensure a high quality development in the interest of visual amenity.

10. a. Prior to any works above foundation / slab level, a detailed scheme for hard and soft landscaping shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall specify species, density, planting, size and layout.
 - b. The approved landscaping scheme shall be carried out in the first planting season following occupation of the development, or completion of the development (whichever is sooner), and shall thereafter be maintained in accordance with the Landscape Maintenance Plan approved under Condition 15;
 - c. If within a period of ten years after planting any tree or plant is removed, dies or becomes, in the opinion of the Local Planning Authority, seriously damaged, defective or diseased, another tree or plant of the same species and size as that originally approved shall be planted at the same place,

within the next planting season, unless the Local Planning Authority gives its written consent to any variation.

Reason: To ensure a high quality landscape scheme in the interest of visual amenity and biodiversity.

11. Prior to any works above foundation / slab level, a boundary treatment plan indicating the positions, design, materials and type of boundary treatment to be erected shall be submitted to and approved in writing by the Local Planning Authority. The boundary treatment shall be installed in accordance with the approved details before the development is first occupied and thereafter retained.

Reason: In the interest of visual amenity.

12. Prior to the occupation of the building hereby permitted, the following shall be submitted to and approved in writing by the Local Planning Authority: A report showing how the development meets the relevant essential requirements in the Eastleigh Borough Council's adopted Environmentally Sustainable Development Supplementary Planning Document, including: A BREEAM New Construction Post Construction certificate at 'excellent' standard. The development shall not be carried out otherwise than in accordance with the approved details.

Reason: To ensure the development meets the relevant essential requirements of the adopted Environmentally Sustainable Development Supplementary Planning Document.

13. The drainage system for the site shall be installed in accordance with the details set out within the Drainage Strategy Statement for Planning (prepared by Calcinotto, dated 22nd October 2021), and surface water discharge to the surface water sewer network shall be limited to the approved discharge rates, unless alternative details are first submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that drainage of the site is properly managed in the interest of amenity and to prevent flood risk to the site or surrounding area.

14. Prior to occupation and operation of the development hereby permitted, details for the long term maintenance of the drainage system shall be submitted to and approved in writing by the Local Planning Authority. The details shall include:

- Maintenance schedules for each drainage feature type and ownership; and
- Details of protection measures.

The drainage system shall thereafter be maintained in accordance with the approved details.

Reason: To ensure long term maintenance of the drainage system to prevent flood risk to the site and surrounding area.

15. Prior to occupation of the development hereby permitted, a Landscape and habitat Management and Maintenance Plan shall be submitted to and approved in writing by the Local Planning Authority. The landscaping shall thereafter be maintained in accordance with the approved details.

Reason: To ensure the longevity of the landscaping in the interest of visual amenity.

16. Visibility splays of 2.4m x 25m shall be provided at the accesses from Villeneuve St Georges Way and Kornwestheim Way and thereafter retained. Any landscaping within the visibility splays shall be maintained at a maximum height of 0.6m.

Reason: In the interest of highway safety.

17. The car parking spaces shall be provided in accordance with the approved plans before first use of the development hereby permitted, and shall thereafter be retained for vehicle parking / storage purposes only.

Reason: To ensure adequate parking in the interest of highway safety and local amenity.

18. No construction, demolition or deliveries to the site shall take place during the construction period except between the hours of 0800 to 1800 Mondays to Fridays or 0900 to 1300 on Saturdays and not at all on Sundays or Bank Holidays.

Reason: To protect the amenities of the occupiers of nearby uses.

19. No piling shall take place unless details of the methods have first been submitted to and approved in writing by the Local Planning Authority. Piling shall thereafter be carried out in accordance with the approved details.

Reason: To minimise risks to groundwater.

Note to applicant: The drainage proposal would require discharge of surface water into an existing surface water sewer. The applicant will need to consult the asset owner with the intention of reusing existing connections and undertake any required improvements to the condition of the sewer before any connection is made.

Note to applicant: In accordance with paragraph 38 of the National Planning Policy Framework (2021), 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.

Report:

1. This application has been referred to Committee because Eastleigh Borough Council is the landowner, it is for major development, and is in the public interest.

Site Characteristics and Character of the Locality

2. The application site lies to the south of Leigh Road, between Villeneuve St Georges Way to the east and Kornwestheim Way and Fleming Park to the south. The site was formally the location of Eastleigh Borough Council's offices until March 2014. The building was subsequently demolished in 2015 and the site has been vacant since. It is currently bordered by hoarding and the site itself comprises a mix of gravel hardstanding, grass and scrub vegetation.
3. To the south of the site is Fleming Park, which comprises open space for public sport and recreation use, the Places Leisure Centre, and Fleming Park Bowling Club. The Bowling Club lies close to the south-east side of the application site and is bordered by high hedging. There is a footpath that runs alongside the south side of Kornwestheim Way and some mature trees on the western corner with Villeneuve St Georges Way. To the south-west is a large area of parkland (Fleming Park Parkland). To the west of the site, on the opposite side of Villeneuve St Georges Way is a car showroom and to the east is a group of listed former farm buildings used as offices. Further to the east is the Holiday Inn. The area to the north of Leigh Road is characterised by a mix of business uses, with a car showroom to the north-west, and the Hampshire Fire and Police Headquarters to the north.

Description of Application

4. Planning permission is sought for the construction of a car dealership, with associated decked car park, external parking and landscaping. The main building would be positioned centrally within the site and would be predominantly two-storey in height, with a three-storey element on the southern side. The building would provide 4,121.4m² of floorspace, comprising a reception area, display vehicles, workshop, valet and storage on the ground floor, and commercial showroom, offices and staff facilities on the first floor.
5. To the rear of the main building, on the southern side of the site, there would be a part single, part two-storey decked car park, providing 94 parking spaces for storage, servicing and staff parking. The external parking areas would comprise a further 116 parking spaces, comprising display parking, customer parking and service parking.

6. Parking spaces by type:
 - Service Parking – 75
 - Display / storage parking – 84
 - Staff parking – 34
 - Customer parking – 17
 - Total - **210**
7. Access to the site would be via Villeneuve St Georges Way on the west side of the site, leading to Leigh Road to the north and Kornwestheim Way to the south. Landscaping would be provided around the site edges, including a line of trees on both sides of Villeneuve St Georges Way, and tree planting to the south and east boundaries.
8. During the course of the application, the scheme has been amended to address comments raised by planning officers and consultees. This includes amendments to the site layout to incorporate additional landscaping and amendments to the fenestration and materials for the elevations of the building.
9. The proposal has been screened out under the Town and Country Planning (Environmental Impact Assessment) (England) Regulations 2017. The development does not meet the thresholds set out in the regulations for Schedule I or II development and is unlikely to have significant effects on the environment. The proposal is therefore not EIA development.

Relevant Planning History

- F/18/83492 – Erection of four storey office block (with car parking at ground floor), roof plant room, 200 car parking spaces, landscaping and associated works – permitted 9 October 2018
- X/17/80119 – Former Magistrates Court – Variation of Condition 1 to allow revised site layout – permitted 13 July 2017
- F/16/78623 – Former Magistrates Court – Construction of car dealership – permitted 30 August 2016
- O/15/77116 – Former Civic Offices and Magistrates Court – Outline: construction of car dealership, office space, and fast food takeaways – Resolution to approve subject to competition of S106 Agreement.

Representations Received

10. Two representations received, objecting on the following grounds:
 - Not appropriate site for a car showroom; should be used for development that benefits the community;
 - No need for another car showroom;
 - Unattractive design;

- Lack of staff parking, leading to increased parking pressure on surrounding roads and increased risk of accidents.

Consultation Responses (summarised)

11. Landscape specialist

12. Concerns raised about the scale and extent of development with limited opportunity for landscaping, particularly when viewed from Leigh Road and Fleming Park.
13. Drainage along Villeneive St Georges Way may need to be adjusted to move away from the trees.
14. Suggestions made to improve hard surface materials and advice given in relation to soft landscaping and planting species. Landscape Maintenance Plan requested.

15. Tree Specialist

16. Unfortunate that so many trees have been removed. The only significant tree within the red line is an Ash tree on the corner opposite Fleming Park. The plans appear to propose removing even more trees. Note that the Tree Protection Plan within the Impact Assessment document does not match the Tree Protection and Removal Plan, which requires clarification.

17. Ecology Specialist

18. No information to demonstrate that SuDs has been considered. As the nearby Monks Brook is a tributary of the protected waters of the River Itchen, it is imperative that surface water is properly filtered and clean before discharge. Further drainage details required.
19. An additional area of vegetation is required to provide biodiversity net gain. The vegetated strip to the south is not sufficient to replace the scrub, ruderal and grassland habitat currently on site. Inclusion of green walls could assist in meeting the biodiversity net gain.
20. Unfortunate that the site has been cleared to ground level. However, the reptile report concludes that no reptiles were recorded on site.

21. Urban Design Specialist

22. Concern about the proposal for a car showroom on such a visually prominent site. The development should provide a lot more landscaping and tree planting to help soften the impact of the hardstanding and car parking and to improve biodiversity. Particular concern about the proposed decked car park and visual impact on adjacent Fleming Park, and suggest that the car park is incorporated as part of the building rather than a standalone structure. Concern about the poor relationship with the

adjacent listed building; east elevation should be enhanced. Design amendments recommended to south and north elevations.

23. Built Heritage Consultant

24. No objection. In terms of the impact on the adjacent listed former farmhouse, the scheme is an improvement on the previously approved office scheme due to a more sympathetic built form and a less pressured boundary. By having the lowest mono-pitch roof closes to the listed building and the three-storey element at the rear, the effect will be less imposing, and the fascia level of the closet element of the new building is close to that of the adjacent building. The decked car storage is quite low and an intriguing design.
25. Important that beds of soft landscape adjacent to the boundary with the listed building are not reduced, and that any trees have sufficient root spread to avoid damage to existing buildings.

26. Economic Development Specialist

27. Support the proposal. Whilst the jobs that would be created would not be particularly skilled or aligned with priority sectors, it is recognised that the site has been unoccupied since 2014 and it would be preferable to see it in a new use. The previously proposed office use has been proven unviable, and the proposed car showroom use is consistent with the adjacent site use. The proposed workshop would provide opportunities for training local employees including apprentices, and such light engineering skills are in high demand. The development is predicted to generate around 50 jobs overall.

28. Hampshire Highways

29. No objection subject to conditions.
30. Access: No highway works are required to existing junctions; junctions with Villeneuve St Georges Way and Kornwestheim Way are both acceptable in terms of visibility and movement space. Likely that vehicle transporter tracking would be undertaken roadside rather than on site, which would not have a detrimental impact on the private roads.
31. Layout: Layout is acceptable with clearly defined parking areas and adequate space for turning vehicles, including refuse vehicles. No pedestrian footways are proposed but this is acceptable given low level of vehicle movements and likely speeds of vehicles onsite.
32. Parking: Parking layout is acceptable. Inclusion of 3 disabled spaces and 9 electric charging points is welcomed.
33. Trip generation: The trips associated with the proposed development would be 1 lower than that of the previously permitted office development. No

highway contributions or highway improvement works are required but recommend via condition the submission of a Construction Method Statement.

34. Hampshire Flood and Water Management

35. No objection subject to conditions to ensure that the drainage system is implemented and maintained. Surface water runoff is to be managed through porous paving and an aquacell attenuation tank. This is acceptable in principle since the underlying geology makes infiltration unfeasible. The applicant will need to ensure safe connection to the existing sewer.

36. Environmental Health: Pollution

37. Agree that there would be a small change in emissions on the local highway network, and the development would have negligible impact on air quality. Site specific mitigation measures will be necessary during construction. A Construction Environmental Management Plan (CEMP) is required.

38. Noise mitigation measures outlined within the submitted Noise Impact Assessment are considered appropriate. Construction noise can be addressed through the CEMP.

39. Environmental Health: Contaminated Land

40. Likely that made ground is present beneath the former building and hardstanding, presenting possible contamination risk. No objection subject to conditions requiring a land contamination assessment to be carried out.

41. Eastleigh Ramblers

42. No comments on the application proposals.

43. Southampton Airport

44. No comments received to date. The councillors will be updated at the committee.

45. Southern Gas

46. No comments received to date. The councillors will be updated at the committee.

47. Southern Water

48. No comments received to date. The councillors will be updated at the committee.

49. Environment Agency

50. No objection subject to conditions to ensure that risks of contamination are addressed, and to agree any piling works.

Policy Context and Designations Applicable to Site

- Within Built-up Area Boundary
- Within Established Mixed Use Area
- Designated Employment Site
- Within Site of Archaeological Interest
- Affects Setting of Listed Building

Development Plan Saved Policies and Emerging Local Plan Policies

Eastleigh Borough Local Plan Review (2001-2011) Saved Policies:

- 20.NC (Landscape Improvements)
- 25.NC (Promotion of biodiversity)
- 32.ES (Pollution Control)
- 33.ES (Local Air Quality Management)
- 34.ES (Energy and Climate Change)
- 35.ES (Contaminated Land)
- 36.ES (Lighting)
- 43.ES (Flooding)
- 45.ES (Surface Water Drainage)
- 52.BE (Eastleigh Approach Roads)
- 58.BE (Urban Greenspace)
- 59.BE (Promoting Good Design)
- 60.BE (Road and Rail Corridors)
- 63.BE (Car Park Design)
- 100.T (Transport and New Development)
- 101.T (Transport Contributions)
- 102.T (Site Access)
- 103.T (Green Travel Plans)
- 104.T (Car Parking)
- 117.E and 118.E (Redevelopment of Employment Sites)
- 165.TA (Public Art)
- 168.LB (Archaeological Investigation)
- 174.LB (Listed Buildings)
- 191.IN (Provision of Infrastructure)

Submitted Eastleigh Borough Local Plan 2011 - 2029, July 2014

51. 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.

Submitted Eastleigh Borough Local Plan 2016-2036

52. The Eastleigh Borough Local Plan 2016-2036 was submitted by the Council to the Planning Inspectorate on 31st October 2018 with hearings in public having commenced in November 2019 and concluded in early 2020. The Council subsequently received the Inspector's feedback and recommended action points on the plan in April and May 2020. On 25 June 2020, the Council's Cabinet 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 which may be necessary.
53. The Council's Planning Policy Team subsequently prepared further evidence and drafted the main modifications in response to each of the Inspector's letters and points and the Inspector has also held an additional hearing in January 2021 in relation to Mercury Marina. Following on from this, the Inspector has now finalised the main modifications for public consultation and the Council has also prepared modifications to the policies map and proposed additional modifications. A report of the Planning Policy Senior Specialist was considered at Cabinet and Full Council on 27 May 2021 which recommended approval of the modifications proposed for public consultation.
54. Consultation on the Main Modifications took place between 9th June and 21st July 2021, and adoption of the plan is anticipated in mid 2022. It is considered that overall considerable weight can be attributed to it. The most relevant policies are:
- S1 (Sustainable Development);
 - S2 (Approach to New Development);
 - S4 (Employment Provision);
 - S10 (Green Infrastructure);
 - DM1 (General Development Criteria);
 - DM2 (Environmentally Sustainable Development);
 - DM3 (Adapting to Climate Change);
 - DM5 (Managing Flood Risk);
 - DM6 (Sustainable Surface Water Management and Watercourse Management);
 - DM8 (Pollution);
 - DM10 (Water and Waste Water);
 - DM11 (Nature Conservation);
 - DM12 (Heritage Assets);
 - DM13 (Transport);
 - DM14 (Car Parking);
 - DM15 (Safeguarding Existing Employment Sites);
 - DM40 (Funding Infrastructure);
 - E1 (Land at Civic Offices)

Supplementary Planning Documents

- Quality Places (November 2011);
- Environmentally Sustainable Development (March 2009);
- Biodiversity (December 2009);
- Planning Obligations (July 2008, updated 2010).

National Planning Policy Framework

55. At 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.

National Planning Practice Guidance

56. 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.

Assessment of Proposal

57. 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.

58. As indicated above the Development Plan comprises of the Saved Policies of the Eastleigh Borough Local Plan Review 2001-2011 and the policies within the Hampshire Minerals and Waste Plan (October 2013) and the application must be assessed against those that are of relevance to the proposed development. It is noted that the Minerals and Waste Plan is not relevant to this proposal.

Principle

59. The application site is an allocated employment site in the Eastleigh Borough Local Plan 2001-2011. Policies 117.E and 118.E seek to protect employment sites by supporting redevelopment for employment purposes and ensuring that any alternative development does not adversely affect employment provision in the local area. Policy E1 of the emerging Local Plan also allocates the site as an area for employment redevelopment. The policy states that the site would be suitable for a range of uses including offices or other uses providing employment, education, training or community use. Furthermore, Strategic Policy S1 of the emerging Local Plan supports development that would help maintain and grow the local economy of the Borough.

60. Whilst the proposal for a car dealership would not fall within the specific employment uses identified within existing or emerging policies, it is nevertheless an employment generating use, estimated to generate up to 50 jobs. This would include workshop jobs offering opportunities for training. Given that the site has been vacant now for a number of years, it is considered desirable to bring it back into a viable employment generating use, and the Council's Economic Development Officer has offered support for the scheme.
61. The application is supported by a Market Statement, which provides evidence to justify the current proposal as a replacement for the previously approved office scheme. The report confirms that the site was extensively marketed for office development, starting in 2019 and including online marketing and social media campaigns, onsite signage and provision of high quality printed material. However, a number of factors have led to office use no longer being the most viable option for the site. Most notably, the impact of Covid 19 has led to many office buildings being underoccupied in recent years due to a greater proportion of home and flexible working. The report notes that whilst the marketing of the application site received significant interest, many of the enquiries have been for smaller sized floorspace than the approved office scheme. The report also looks at availability of other office space within the borough and concludes that there is over 100,000sqft of available office space on the market, which is sufficient to meet current demand (taking account of office demand and take up in the last 5 years).
62. The applicants have also explained the drivers behind the current proposal, noting that it would offer the Hendy Group the opportunity to expand an existing thriving business and make efficient use of land, being located immediately adjacent to an existing Hendy showroom. The location would allow the Hendy Group to operate more efficiently across their nearby sites, reducing travel distances for staff and customers.
63. Overall, it is considered that the proposed car showroom would be an appropriate use for the site, bringing it back into a viable use and generating new employment in accordance with policy objectives.

Sustainable Development:

64. Section 2 of the NPPF (2021) states that the purpose of the planning system is to contribute to the achievement of sustainable development, which can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs.
65. Achieving sustainable development means that the planning system has three overarching objectives – economic, social and environmental (which are interdependent and need to be pursued in mutually supportive ways). Planning policies and decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and

opportunities of each area. Each of the three dimensions of sustainable development is considered below.

Economic Sustainability:

66.Paragraph 8 of the NPPF sets out that the economic objective of sustainable development is to 'help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure'.

67.On balance, for the reasons outlined in this report, it is considered that there is an economic benefit to the proposed scheme, and therefore it is considered economically sustainable.

Social Sustainability:

68.The NPPF defines social sustainability as the creation of strong, vibrant and healthy communities, and fostering well-designed, beautiful and safe spaces. It is considered that the proposal would contribute to the wider objectives of social sustainability by bringing a vacant site back into a viable and active use and supporting employment provision within the Borough.

Environmental Sustainability:

69.There are a number of different components to Environmental Sustainability, including consideration of site-specific planning matters and the impacts of the development on its surroundings, which are considered below under the relevant subheadings.

Design and Appearance:

70.Policy 59.BE of the Local Plan requires development to take full and proper account of the context of the site including the character and appearance of the locality and be appropriate in mass, scale, materials, layout, design and siting. Emerging Policy E1 of the Local Plan 2016-2036 specifically requires any development of the site to achieve a positive relationship to Fleming Park and Leigh Road, to improve the setting of the adjacent listed building and have regard to existing trees.

71.The application site lies in a visually prominent location fronting one of the main routes into Eastleigh town and visible from the publicly accessible Fleming Park to the south. Any development of this site is required to achieve a high quality of design, responding to the scale of surrounding development and having regard to the visual impact on the adjacent open space and listed buildings.

72.The main showroom building would be located centrally within the site, with a two level decked car park to the rear. The areas surrounding the building would be predominantly hard surfaced to provide the required levels of parking for display vehicles, customers and staff, but the scheme has incorporated soft landscaping where possible to soften and enhance its visual appearance.

73. The general design approach for the main dealership building is considered appropriate, reflecting the commercial nature of such a building but incorporating features of interest including varied height pitched roofs, extensive areas of glazing similar to that on the adjacent car showroom, and a glazed feature window on the north-west corner. The tallest section of the building would be on the southern side, where the height increases to three-storey. Following comments made by the Council's Urban Design Officer, this element of the building has been amended to incorporate additional fenestration and simplify its form to enhance its visual appearance when viewed from the south. The previously bland east elevation of the main building has also been 'broken up' with the incorporation of contrasting cladding, and further glazed fenestration has been added to the north elevation. Precise details of the proposed materials, including samples, would be requested by condition.
74. The decked car park would be located on the southern side of the site, and would extend close to the southern boundary. Whilst the car park would incorporate two levels of parking, its overall height has been kept to a minimum. However, it would still be a visually prominent feature in views from Fleming Park, and the layout plan includes proposals for soft landscaping and tree planting along the southern boundary and on the northern side of Fleming Park to soften the visual impact. The car park would be clad in a decorative metal cladding in a muted colour, which would further help to reduce its visual prominence.
75. Following the amendments made, the design and appearance of the proposed buildings are considered to be of sufficient quality to meet the objectives of the saved and emerging Local Plan policies.

Landscaping and trees:

76. When the site was occupied by the Council Offices, there were substantial areas of landscaping and tree planting, with a notable green area on the north-western corner, which provided a visually attractive entrance to the site. The majority of the former trees and landscaping have been cleared in recent years, with only one significant tree remaining on the south-west corner. This tree is proposed to be retained and has been incorporated into the design of the scheme. Along with this, the proposal incorporates areas of soft landscaping and tree planting around the boundaries of the site, and a tree-lined avenue is proposed to be created along Villeneuve St Georges Way.
77. The applicants have confirmed that the design for the tree lined avenue has taken account of the position of the below ground drainage culvert, with root barriers proposed to be installed to prevent damage to the culvert.
78. During the course of the application, the applicants have responded to the points raised by the Landscape Officer and have made amendments to various elements of the proposed landscaping scheme. Key changes include:

- Adjustments made to positions of parking spaces to allow sufficient room for boundary hedge planting;
- Changes made to tree and planting species in line with Landscape Officer suggestions;
- Revision to parking layout on north-west side of site to allow space for additional landscaping and planting of a tree;
- Amendments made to type and colour of boundary and surface treatments.

79. Further information to address landscaping matters is awaited. Subject to agreement of amended plans, it is considered that a landscape scheme of a sufficiently high quality could be achieved, to create an attractive setting for the proposed development and to provide biodiversity benefits. Conditions would be imposed to ensure that the agreed landscaping scheme is fully implemented and maintained.

Impact on heritage assets

80. The proposal would affect the setting of a Listed Building and section 66(1) of the Planning (Listed Building & Conservation Areas) Act 1990 states:

“In considering whether to grant planning permission for development which affects a Listed Building or its setting, the Local Planning Authority ... shall have regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses”.

81. Where any harm is identified to a heritage asset, paragraphs 200 – 202 of the NPPF require local planning authority's to weigh the harm against wider public benefits.

82. The site lies adjacent to a group of three Grade II listed buildings: Home Farmhouse; Home Farm Granary; and Home Farm Barn. The design of the proposed building has taken account of the proximity to the listed buildings, with the height reduced on the eastern side, and the provision of landscaping along the eastern boundary. Whilst there would be a taller three-storey element to the car dealership building, this element would be set further away from the listed farmhouse and would not appear over-imposing. The Council's Heritage Consultant has noted that the former Council Offices created a more imposing and dominating relationship with the listed buildings and has raised no objection to the current scheme.

83. In conclusion, it is considered that the setting of the adjacent listed buildings would be preserved by the proposed development. An assessment of harm under paragraphs 200 - 202 of the NPPF is therefore not required in this case.

84. When the previous office development was granted permission on this site, it was noted that there was the potential for below ground archaeology and a condition was imposed requiring a written scheme of archaeological investigation to take place. The same condition would

continue to be recommended to ensure that any archaeological impact is properly considered and mitigated.

Access, Parking and Transport Matters

85. The development would be accessed from Villeneuve St Georges Way and Kornwestheim Way, with road surfacing improvements made to ensure a safe environment for cars and pedestrians. Plans showing vehicle tracking to demonstrate how vehicles would safely turn within the site have been provided and confirmed to be acceptable, and appropriate visibility splays would be provided at the accesses. A condition is recommended to ensure that any landscaping within the visibility splays is kept below 0.6m in height in order to maintain visibility.
86. The proposal would include 210 parking spaces, comprising a mix of staff and customer parking, display vehicle parking, storage and service parking. The majority of the parking would be for display, servicing and storage, and the applicant has explained that the number of spaces would ensure that there is sufficient turn around of used car sales to make the business viable. 3 spaces for disabled parking and 9 electric vehicle charging points would also be provided. Eastleigh Borough Council does not have parking standards for non-residential development, but no objection to the level of parking has been raised by Hampshire County Council.
87. A number of the parking spaces would be provided within a 2 level decked car park to the rear of the site. The applicants have provided a parking strategy plan showing how alternative options were explored for providing additional parking on existing sites owned by Hendy Ford, but these options were discounted for operational reasons or due to visual impact. Having carefully considered the decked car park on the application site and its reduction in size from that originally tabled, officers are satisfied that this is necessary to ensure adequate storage to maintain a viable business.
88. In relation to traffic generation, the Hampshire Highways Officer has commented that the proposed level of traffic would be similar to that of the previous permitted office scheme on the site. No requirements for off-site highway improvements have been identified.
89. Overall, the proposed development is considered acceptable in terms of access and parking, in accordance with saved and emerging Local Plan policies.

Noise, Air Quality and Land Contamination:

90. The application is supported by an Air Quality Assessment and Noise Impact Assessment.
91. In relation to air quality, the Council's Environmental Health Officer has concluded that the development would have a negligible impact on air quality in the area given the small increase in traffic likely to be

generated by the proposed development. Measures would be required to mitigate dust during construction and these can be incorporated into a Construction Environmental Management Plan (CEMP), secured by condition.

92. With regard to noise, it is not anticipated that any noise generated from the development would be harmful to local amenity given the ambient noise levels of road traffic in the area. Noise mitigation during construction can be controlled through the CEMP.
93. Conditions are also requested in relation to contaminated land, to ensure that any impacts are fully investigated and mitigated where required.

Impact on local amenity

94. There are no neighbouring residential properties in close proximity to the site. The site lies in an area characterised by a mix of uses, including existing car showrooms and workshops, and based on the details of the submitted Noise and Air Quality assessments, it is not considered that the development would generate any significant levels of noise, disturbance or pollution to the surrounding area beyond that which already exists.

Drainage and Flood Risk:

95. The application is supported by a Flood Risk Assessment and Drainage Strategy.
96. The Drainage Strategy confirms that surface water runoff from the site would be managed through porous paving and an aquacell attenuation tank, and that surface water would be discharged through an existing surface water sewer connection. The Hampshire Flood Authority has confirmed that the proposed drainage system is acceptable in principle as the underlying geology would make infiltration unfeasible.
97. The Council's Ecologist has requested further information to confirm the measures included in the drainage system to prevent pollution of the nearby Monks Brook, which connects to the River Itchen. This further information is under review and an update will be provided prior to the Planning Committee.
98. The Hampshire Flood Authority has noted that for connection to the existing sewer network, agreement will be needed from the sewer asset owner (understood to be Eastleigh Borough Council), and improvements may be required prior to making any connection. This is a matter to be addressed by the applicant, and if there was subsequently a need to amend the drainage strategy, the recommended planning condition would allow for any alterations to be submitted to and approved by the Local Planning Authority.

Nature conservation and biodiversity

99. The application site currently comprises a mix of hard surfacing and vegetation, with approximately 50% of the site area vegetated in July 2021. The application is supported by a Preliminary Ecological Appraisal and Reptile Survey, which confirm no evidence of protected species on the site and therefore no requirement for mitigation in this respect.
100. The applicants have submitted a biodiversity net gain calculator, which indicates that whilst soft landscaping would be incorporated into the scheme, the development overall would result in a net loss of biodiversity when compared to its current condition. In accordance with national policy, all developments should seek to protect and enhance biodiversity, therefore mitigation is required to address the net loss of biodiversity from the proposed development. This matter is currently under negotiation but is likely to require a financial contribution towards off-site biodiversity enhancements.
101. The proposed drainage system for the site would involve discharge of surface water through an existing surface water sewer system, which connects to Monks Brook. Monks Brook is a tributary of the River Itchen, and without proper filtration of the surface water prior to discharge, there is the potential that the development would impact upon the protected waters of the River Itchen through increased pollution. Further information as to how this matter is being addressed is currently under review.
102. For the construction phase, information on surface water drainage and water filtering would be requested as part of the Construction Environmental Management Plan, which would be secured by condition.

Sustainability Measures and Climate Change:

103. National legislation and guidance, together with local policy ensure that all planning applications are tested for their resilience to and impact on the environment. Saved Policies 34.ES and 37.ES of the Local Plan, and emerging Policies S1, DM2 and DM3 of the emerging Local Plan require development to be sustainable in terms of resource use, climate change and energy use. For non-residential developments over 500sqm, a BREEAM 'excellent' score is required.
104. The applicants have submitted a BREEAM pre-assessment report, which concludes that it should be possible to achieve a score of BREEAM 'excellent'. This can be secured by condition and would ensure that the development meets the objectives of saved and emerging policies. The proposal also includes the provision of solar panels to the roof of the building, and the applicants have noted that the business would be selling electric vehicles, helping to promote more sustainable car use.

Planning obligation /considerations

105. In accordance with the guidance contained within the NPPF, saved and emerging local plan policies, the Council's 'Planning Obligations' SPD and the requirements of Regulation 122 of the Community Infrastructure Regulations, there is a requirement for developers' contributions to make the development acceptable. Contributions / Obligations towards the provision of the following infrastructure is under negotiation and would be secured via a Section 106 agreement index linked as per the Planning Obligations SPD:

- Public Art
- Environmental Improvements / biodiversity mitigation

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

Other material considerations

Climate Change:

107. National legislation and guidance, together with local policy ensure that all planning applications are tested for their resilience to and impact on the environment. The Climate Change and Environmental implications of this application and their proposed mitigations have been considered.

Equalities Implications:

108. Section 149 of the Equalities Act 2010 created the public sector equality duty. Section 149 states:-

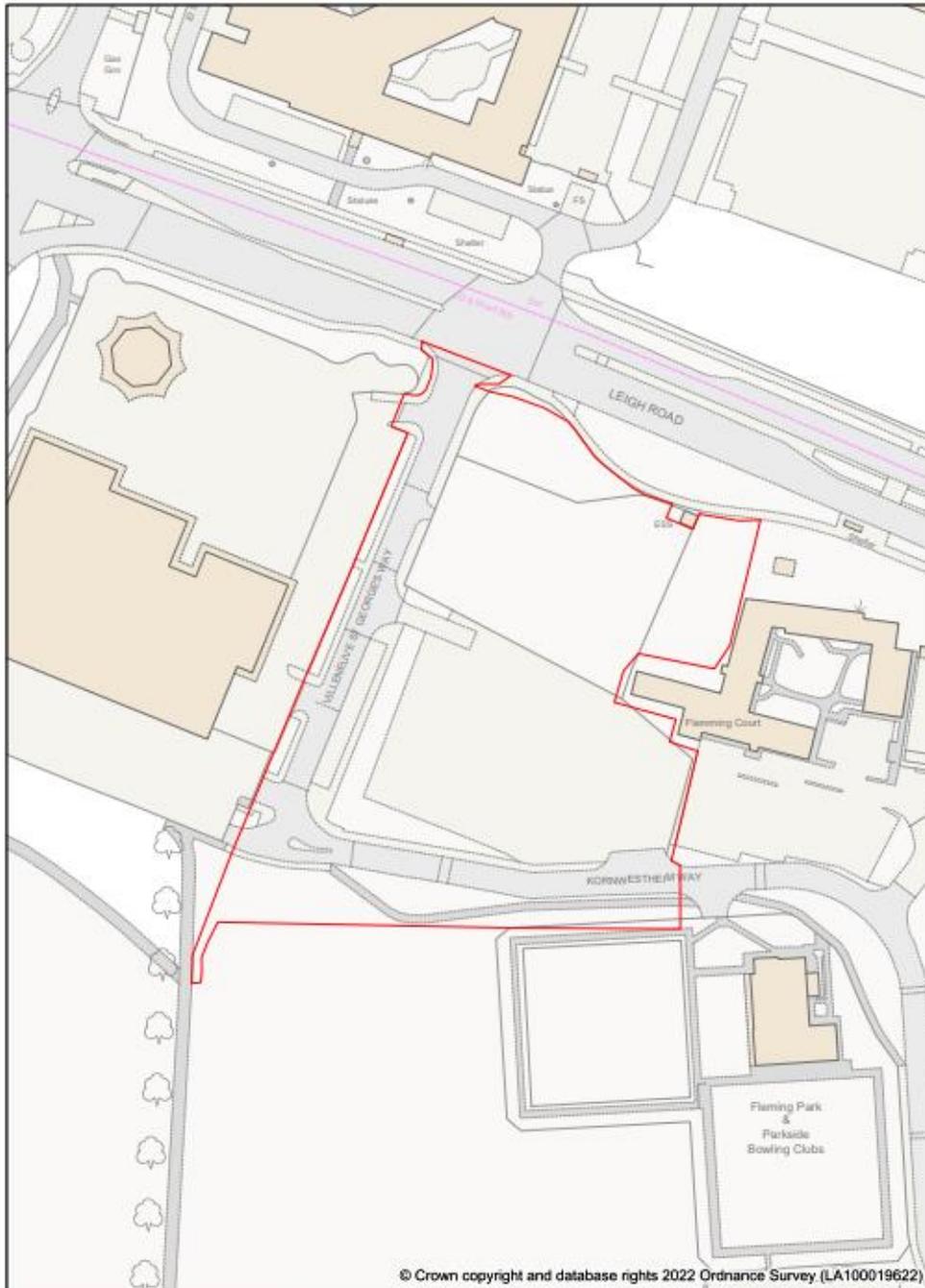
- A public authority must, in the exercise of its functions, have due regard to the need to:
 - a. eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
 - b. advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - c. foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

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

Conclusion

110. The proposed car dealership would bring a vacant site into a viable use, providing economic benefits to the local area and supporting an existing business. Subject to approval of the submitted amendments, the design of the building and associated landscaping is considered acceptable having regard to the commercial nature of the use, and its relationship with surrounding buildings and spaces. The development would preserve the setting of the adjacent listed buildings and appropriate measures would be incorporated to address matters relating to drainage, pollution and energy efficiency. The scheme would include sufficient parking and would not adversely impact on the local highway network. Subject to conditions and developer contributions, the development is considered to meet the requirements of national policy and saved and emerging Local Plan policies.

Land at Villeneuve, St George Way, Eastleigh



Department:	F/21/91786
Date: 05/01/2022	Scale: 1:1250