

BHH – Bursledon, Hamble and Hound Local Area Committee Thursday 22 September 2022.

Application Number: C/22/92414
Case Officer: Gary Osmond
Received Date: Thursday 3 February 2022
Site Address: Land Adjacent to 10 Crowsport Estate Hamble-Le-Rice, Southampton, SO31 4HG
Applicant: Andrew Loizou
Proposal: Erection of 1no. detached 3-bedroom dwelling provided with access, covered parking area, amenity and storage facilities following demolition of 2no. existing garages

Recommendation: PERMIT subject to:

- i) any actions required following outstanding consultee comments; and
- ii) securing mitigation towards recreational impact upon The Solent and New Forest National Park SPAs.

CONDITIONS AND REASONS

- 1 The development hereby permitted shall be implemented in accordance with the following plans numbered: P01, P02, P03, P04, P05 C, P06 C, P07 B, P08 B, P09 B & P10 B.

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

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

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

- 3 No construction or demolition work shall start until a Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. Demolition and construction work shall only take place in accordance with the approved method statement which shall include:
- a) location of temporary site buildings, compounds, construction material and plant storage areas used during demolition and construction;
 - b) the arrangements for deliveries associated with all construction works, loading/ unloading of plant & materials and restoration of any damage to the highway including vehicle crossovers and grass verges;
 - c) the parking of vehicles of site operatives and visitors;
 - d) measures to control the emission of dust and dirt generated by demolition and construction;
 - e) a scheme for controlling noise and vibration from demolition and construction activities (to include piling);
 - f) measures to prevent mud and dust on the highway during demolition and

construction;

g) the erection and maintenance of security hoarding where appropriate; and
h) temporary lighting.

Reason: To limit the impact the development has on the amenity of the locality

- 4 No development shall start until details of a sustainable drainage system have been submitted to and approved in writing by the local planning authority. The details shall include a timetable for its implementation and a management/maintenance plan for the lifetime of the development, including the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the effective operation of the sustainable drainage system throughout its lifetime. The system shall be implemented prior to occupation and thereafter managed and maintained in accordance with the approved details.

Reason: To ensure satisfactory drainage for the development.

- 5 The development must accord with the arboricultural report reference 221456 - AIA 2. No excavation, demolition or development related works shall commence until the tree protection measures have been installed as per the tree protection plan contained within the report. Once installed, no access by vehicles or placement of goods, chemicals, fuels, soil or other materials shall take place within the protected area. Tree protection measures shall be retained in their approved form for the duration of the work and may only be modified subject to written agreement from the Local Planning Authority.

Reason: To retain and protect the existing trees which form an important part of the amenity of the locality.

- 6 No development above damp-proof course level shall start until the following details have been submitted to and approved in writing by the Local Planning Authority:
- a) details of the proposed parapet wall coping and glazing;
 - b) details of rainwater goods and downpipes;
 - c) details of glazing to be used including window frame colour;
 - d) details of proposed boundary treatments including the alignment, height and materials of all walls, fences and other means of enclosure;
 - e) details of ancillary structures, including carport, bin and cycle storage facilities; and
 - f) the provision to be made for external lighting.

The development shall not be occupied until the approved details have been fully implemented unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure a satisfactory visual appearance in the interest of the amenities of the area.

- 7 The exterior walls of the development hereby permitted shall be in a white rendered finish and of a texture to match that used on neighbouring Crowsport

dwellings.

Reason: To ensure a satisfactory visual relationship between the new development and the existing.

- 8 No development above damp proof course level shall start until a landscaping scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall cover all hard & soft landscaping, including trees and shall provide details of timings for all landscaping and any future maintenance. The works shall be carried out in accordance with the approved plans and to the appropriate British Standard.

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

- 9 The replacement tree shall be 1 no. Oak and be of a minimum of 14-16cm girth and be planted within three years of the date of this planning approval. Planting must be in accordance with BS: 8545.

Reason: To conserve the character of the locality.

- 10 The development hereby permitted shall be implemented in accordance with the recommendations outlined in the ecological report by Hampshire Ecological Services Ltd, dated April 2022.

Reason: To protect and enhance biodiversity.

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

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

- 12 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.

- 13 All hard & soft landscaping, tree planting and boundary treatment shall be carried out in accordance with the approved details and to the appropriate British Standard. For a period of 5 years after planting, any trees or plants which are removed, die or become seriously damaged or defective, shall be replaced as soon as is reasonably practicable with others of the same species, size and number as originally approved in the landscaping scheme.

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

- 14 The first floor window on the western side elevation shall either be obscure

glazed to Pilkingtons level 3 or equivalent with no opening part less than 1.7 metres above the floor level of the room which it serves, or be positioned with its lower sill at least 1.7 metres above the floor of the room in which it is installed. Once installed the window shall be permanently maintained in that condition.

Reason: To protect the amenity and privacy of the adjoining residential properties.

- 15 The development hereby permitted shall not be occupied until the parking area has been provided in accordance with the approved plans and thereafter permanently retained and used only for the purpose of accommodating private motor vehicles incidental to the enjoyment of the dwelling house as a residence.

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

- 16 The development hereby permitted shall not be occupied until the bin & cycle storage provision has been constructed in accordance with the approved plans and thereafter retained and kept available.

Reason: To ensure the adequate provision of on site facilities.

- 17 Any externally mounted sustainability measures, such as photovoltaic panels or heat pumps shall be positioned and installed in such a manner so as to cause minimal visual intrusion.

Reason: In the interests of the visual amenity of the area.

- 18 The development hereby permitted shall not be occupied until a mitigation package addressing the additional nutrient inputs arising from the development has been submitted to, and approved in writing by, the Local Planning Authority. Such a mitigation package shall address all of the additional nutrient loading upon protected European sites from the development and shall allow the Local Planning Authority to ascertain on the basis of the best available scientific evidence that such additional nutrient loading will not have an adverse effect on the integrity of those European Sites, having regard to the conservation objectives for they are designated. The mitigation package shall be implemented in full and evidence of this provided to the Local Planning Authority in writing prior to first occupation of the development.

Reason: To mitigate the nitrates impacts arising from the development upon the European protected Solent Complex in accordance with the requirements of the Conservation of Habitats and Species Regulations 2017.

Note to Applicant: In accordance with paragraph 38 of the National Planning Policy Framework (July 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:

This application has been referred to Committee by Councillors Cross, Rich and former Councillor Airey.

Description of Application

1. The application seeks consent for the construction of a three bedroom detached dwelling, set over two floors, including a first floor roof terrace, with private amenity space, ancillary bin and cycle storage and off-road parking accessed from the main estate road. The dwelling would replace a set of prefabricated garages which sit on land linked to No.10 Crowsport. The scheme being considered by the Committee is an amended version of that originally submitted in April 2022, which included a detached garage and no replacement Oak tree.
2. In addition to the standard plans and elevations, the application is accompanied by the following reports and technical assessments:
 - Design and Access Statement
 - Topographical survey
 - Arboricultural Impact Assessment and Method Statement
 - Ecological Appraisal Report

Site Characteristics & Character of the Locality

3. The application site is within the urban edge and lies on the northern edge of the Crowsport Estate, which itself sits at the northern end of the Hamble-le-Rice Conservation Area. The site forms part of the 'garden' of No.10, albeit does not appear to have been used for general recreational purposes for some time and is not in the tidiest of conditions. It is roughly rectangular in shape with its longest sides oriented east-west. The plot is generally open, with a set of three prefabricated garages to its eastern side, and gated emergency access to the neighbouring marina adjacent to this.
4. The site follows the general topography in the locality, sloping gently down from west to east towards the River Hamble with a fall of approximately 800mm across the length of the site. Boundary treatment to the rear (north) consists of a 2.5 metre hedge, to the east a 1.8 metre timber fence adjacent to the marina emergency access, and with the remaining southern and western boundaries being open onto the estate road and the garden of No.10. To the east but outside the site boundaries are a number of sizable Oak trees, with further mature planting to the west within the garden of No.10 but again outside the boundaries of the application site.
5. To the east, south and west are neighbouring properties, also within the

Crowsport Estate. To the north-west are properties of Oakwood Way, and immediately to the north of the site is a large industrial shed associated with the marina.

Relevant Planning History

6. The most recent consent associated with the application site is T/21/89931 for the felling of 1No. Oak tree. This was granted in May 2021 on the condition that a replacement Oak is planted on site. Prior to this outline planning consent was refused in Feb 2003 (Z/32836/002) for the construction of a two storey dwelling. This was refused on the grounds of design and lack of residential amenity space.

Representations Received

7. Two representations were received commenting on the originally submitted proposals, one in support, stating that it would tidy up this corner of the estate, and the other highlighting a number of concerns. These included: no replacement tree being shown; loss of the existing garages; reduction in the existing plot size of No.10; construction of a two storey dwelling would set a precedent; and the proposed first floor exceeding 50% of the ground floor area, contrary to the limitations of the Crowsport Special Policy Area.
8. Following the submission of the amended scheme now being considered, only one representation was received from the same neighbour, again highlighting all the previous points other than that relating to the replacement tree.

Consultee Responses

9. **Heritage Consultant – Holding Objection**
10. The general approach of the design is in keeping with the estate and will have the benefit of masking the boatyard shed behind to a certain extent, but the first floor is in excess of the 50% rule. While one would normally expect this to be rigidly upheld, in this instance the extenuating circumstances of the restricted plot could allow some relaxation of the rule, but the generous kitchen/dining area could cope with some reduction to enable the balance to be closer to the 50% rule.
11. The principle of developing this plot in this general manner is not a problem, in fact it has distinct advantages for the estate as a whole by tidying up the plot and masking to a certain extent the HYS and MDL industrial building on the adjacent site behind.
12. One would normally expect any new building on this estate to fully conform to the 'Crowsport Guidance' as set out in the Conservation Area SPD, but in this instance, given the unique site restrictions for the benefit of the whole estate and more, I would be in favour of granting a slight relaxation in recognition of the overall gains produced for the village but not by as much as is currently proposed in this application. In view of the foregoing holding objection.

13. **Tree Officer** – No objection to amended scheme and revised Arboricultural Impact Assessment, the recommendations of which must be followed in full and secured via condition.
14. **Ecologist** – Given that the proposal is a residential development it will need to comply with the EBC Nitrate Mitigation Scheme if permission was to be granted to ensure nutrient neutrality. A contribution towards the Solent Disturbance and Mitigation Project (Bird Aware Solent) should also be sought.
15. I raise no objection to this application on the grounds of ecology subject to the recommendations in the Preliminary Ecological Appraisal being implemented in full under a suitably worded planning condition.
16. **Hamble Parish Council** – Objection
17. The building proposed is too large for the size of the plot and is out of keeping with the scale and massing of other dwellings within Crowsport. As such it will be incongruous with the surrounding area and will cause harm to the design of this important conservation asset.
18. The current footprint of the building also means it is not compliant with the conservation principles which states that the first floor should not exceed 50% of the useable ground floor.
19. A previous application was approved to remove a tree large tree from the site. A condition of the removal was the replacement on the site with a further mature tree. This condition cannot be met within the terms of this proposal.
20. **Natural England** – Awaiting comments on an updated Habitats Regulation Assessment.
21. **Southern Water** – Comments awaited.
22. **Southern Electric** – Comments awaited.

Policy Context and Designations Applicable to Site

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

Development Plan Local Plan Policies

Submitted Eastleigh Borough Local Plan 2016-2036

23. The most relevant policies are:

24. Strategic Policies:

- S1 – Delivering Sustainable Development
- S2 – Approach to New Development
- S8 – Historic Environment

25. Development Management Policies:

- DM1 – General Criteria for New Development
- DM2 – Environmentally Sustainable Development
- DM3 – Adaption to Climate Change
- DM6 – Sustainable Surface Water Management and Watercourse Management
- DM11 – Nature Conservation
- DM12 – Heritage Assets
- DM14 – Parking
- DM23 – Residential Development in Urban Areas
- DM29 – Dwellings with Higher Access Standards
- DM30 – Internal Space Standards

26. Hampshire Minerals and Waste Plan

- Policy 15 – Safeguarding of Mineral Resources

27. Supplementary Planning Documents

- Quality Places (November 2011)
- Hamble-le-Rice Conservation Area Appraisal (August 2008)
- Residential Parking Standards (January 2009)
- Environmentally Sustainable Development (March 2009)
- Biodiversity (December 2009)
- Planning Obligations (July 2008, updated 2010)

National Planning Policy Framework

28. 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 National Planning Policy Framework (the 'NPPF' or the 'Framework') states that (as required by statute) applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise and sets out a general presumption in favour of sustainable development unless material considerations indicate otherwise. A deliverable 5 year supply of housing within each local authority area is required, and if this is not demonstrated a tilted balance in favour of the development applies. Agent of Change principles protect existing businesses.

29. Three dimensions of sustainability are to be sought jointly: economic (supporting economy and ensuring land availability); social (providing housing, creating high quality environment with accessible local services); and

environmental (contributing to, protecting and enhancing natural, built and historic environment) whilst local circumstances should also be taken into account, so that development responds to the different opportunities for achieving sustainable development in different areas.

National Planning Practice Guidance

30. 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:

Development Plan and / or Legislative Background

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. The Development Plan comprises the Saved Policies of the Eastleigh Borough Local Plan Review 2001-2011 and the Hampshire Minerals and Waste Plan 2013 (which is not applicable in this case). The NPPF and the Planning Practice Guidance constitute material considerations of significant weight.

Policy & Principle

32. The application site lies within the urban edge and within an established residential area, where the basic principle of development is considered acceptable. Any planning approval, however, is dependent on that proposed being in accordance with the relevant policies of the adopted Eastleigh Borough Local Plan (2016 – 2036). The main policies in this instance are S1, S8, DM1 and DM12.
33. Policy S1 requires proposed development to be environmentally, economically and socially sustainable, as set out by the NPPF. This is partly reiterated by Policy DM1, which requires development to take full and proper account of the context of the site and its surroundings, including neighbouring uses and occupiers. It also requires a high standard of design and amenity, as well as ensuring that natural features, such as trees, woodlands, hedgerows, ponds, priority habitats or other landscape features of value to the character of the area are protected.
34. Policies S8 and DM12 relate to protection of the historic environment and heritage assets within the Borough, which include designated conservation areas and special policy areas, as well as nationally and locally listed buildings.
35. Also of relevance is guidance relating specifically to the Crowsport Estate contained in the Hamble-le-Rice Conservation Area Appraisal, which is discussed in more detail below.

Layout, Form, Scale & Design

36. As set out above, the application site forms the eastern end of No.10's curtilage, which would be subdivided to provide the proposed new building plot. The new plot is roughly rectangular in shape, being approximately 31 metres long by 10 metres wide at its narrowest point and would result in the existing curtilage of No.10 being reduced by just over a third (approx. 35%). Given No.10 is one of the largest plots within the estate – certainly in terms of its length – this would still leave ample room for useable amenity space, even for the now enlarged dwelling.
37. It is acknowledged that a similar proposal to subdivide the existing plot was refused outline consent in 2003. However, the proposed new plot in that instance was significantly smaller, approximately 70% of that now proposed, which whilst still smaller than the vast majority of neighbouring plots within the estate, is not so much smaller as to appear out of context with its surroundings.
38. In terms of the site layout, it is broadly divided in half, with the dwelling itself to the west and its garden, parking and ancillary structures to the east. This arrangement is principally down to the presence of a sewer main which cuts across the site and the easements required either side. The originally submitted scheme proposed two off-road parking spaces and a garage to the eastern end. However, this did not allow sufficient room for the planting of a replacement Oak, as was required by application T/21/89931. As such, the application was amended, removing the garage from the north-eastern corner of the site, thereby allowing sufficient space for an Oak and room for it to mature. This has addressed one of the primary areas of concern.
39. A further area of concern highlighted is the scale of the proposed dwelling, in that it is too large for the size of the plot and is out of keeping with the scale and massing of other dwellings within Crowsport. Looking first at the size of the dwelling in comparison to its proposed plot, the footprint of the dwelling only takes up a quarter of the total plot area. The useable external amenity area – not including the first floor roof terrace – being 115% of the dwelling's total floor area, is almost double the 60% minimum standard set out in the Council's 'Quality Places' SPD. It could not therefore be argued that the dwelling is in any way an overdevelopment of the plot.
40. In relation to the size and scale of the dwelling, at 125 square metre floor area, it is generous for what is a three bedroom dwelling. However, in the context of the Crowsport Estate and other nearby properties, it is smaller than average. As for massing, its two storey scale and flat roof form is not out of context with the estate, many properties of which have been extended and altered to provide first floor accommodation.
41. It is believed part of these concerns relate to the guidance contained within the Hamble Conservation Area Appraisal document, which includes a specific section on Crowsport. This states that:

“In order to preserve its unique style; developments including extensions will not be permitted unless the design reflects the scale, form and character of the estate and has:

- i. roof forms that are flat with parapets*
- ii. walls that are of white render*
- iii. Windows that are of a simple rectangular form without glazing bars*
- iv. First floor extensions that do not exceed 50% of the area of the ground floor.”*

The relevant part in this instance is iv. which sets a limit for first floor additions of no more than 50% of the dwelling's ground floor area. This is intended to ensure that any first floor additions remain subservient, in order to help preserve the single storey character of the original estate.

42. The first floor of the proposed dwelling does not meet this limit, being just under 70% of the ground floor area. Strictly speaking therefore, the development does not meet the requirements of the supplementary guidance. However, a number of counter arguments have been put forward which do need to be considered, the first being that the 50% figure is guidance, not an absolute, and intended for extensions and alterations to existing properties rather than new builds.

43. Planning by its nature is rarely black and white, requiring a degree of judgement and discretion. Whilst not disagreeing with the view that the 50% figure is guidance, meaning that a greater percentage may be acceptable in some circumstances, in this instance the 70% figure could be viewed as too far from that considered acceptable, even for a new build scheme, as has been stated by the Council's Heritage Consultant.

44. Notwithstanding, there are further factors which need to be considered and weighed against the guidance limitations. These include considering the proposed development within its surrounding context, rather than in isolation. As has already been highlighted above, the proposed dwelling is somewhat smaller than the vast majority of neighbouring Crowsport properties, some of which are quite substantial. As such, the proposed dwelling is already starting from a smaller base point, meaning that even with its proposed first floor exceeding the guidance limits, it is still smaller than a number of other first floor additions to other properties within the estate. It has also been argued were a garage attached to the dwelling, as is often found elsewhere within the estate, the ratio between ground and first floor would be much close to the 50% limit. Whilst these factors do not completely overrule the adopted guidance, they do lessen its weight to some degree in favour of the proposed development.

45. In terms of the dwelling's design and appearance, its form, fenestration and materials accord to the remaining parts of the Crowsport guidance. It is of a simpler form to other properties within the estate, but this is considered to be more akin to the original modest character of the estate when it was first built.

Elevationally window proportions and the ratio of solid to void is appropriate, as are design features such as providing a raised parapet to the roof. Equally, the ancillary subservient elements of the scheme, such as the car port, garden storage, boundary treatments and landscaping are also considered appropriate. Other than the 50% limit, all other parts of the Crowsport guidance are met.

Amenity

46. In terms of amenity, the proposed dwelling, due to its orientation and proximity to neighbouring properties, will not result in any unacceptable loss of privacy, light or outlook, meeting the requirements of the Council's 'Quality Places' SPD in this regard and Policy DM1. A first floor roof terrace is proposed, but will not cause any undue overlooking and is a feature found on the vast majority of Crowsport properties.
47. Equally, the Council's minimum standards in terms of internal floor area and useable external amenity space, as required by Policy DM30 and the 'Quality Places' SPD are exceeded.
48. A condition in relation to restricted working hours and the protection of neighbour's amenity during construction is recommended.

Highways & Parking

49. The road through the Crowsport is a private unadopted street. As such, if approved, the applicant will need to ensure that any additional consents from other owners are obtained, should that be required. This may include such measures as undertaking a pre and post construction survey of the road and replicating and damage caused as a result of the construction works. A condition to this effect could be applied were this a public highway, but in this instance it would be a civil matter.
50. In terms of parking, two off-road spaces are proposed, which meets the requirements of the Council's 'Residential Parking Standards' SPD for a three bedroom dwelling. Secure bin and cycle storage would also be provided and can be conditioned.

Trees & Nature Conservation

51. One of the principal objections to the originally submitted scheme was the lack of space to accommodate the replacement Oak tree required by tree consent T/21/89931. This has now been addressed through removal of the originally proposed garage, which provided sufficient space in the north-east corner of the site for an Oak to be planted and give space for it to grow to maturity. This has been reviewed and agreed by the Council's Tree Officer, who has also recommended that the content of the submitted Arboricultural Impact Assessment and Method Statement be followed in full. A condition to this effect is recommended.

52. In relation to ecology, the application site has very minimal habitat value, as has been demonstrated by the supporting Preliminary Ecological Appraisal, which has been reviewed by the Council's Ecologist. The appraisal makes a number of recommendations in relation to biodiversity enhancement, such as the provision of bat and bird boxes/brick. These recommendations are considered appropriate and can be secured via condition, thereby complying with Policy DM11.

Habitats Regulations

53. Screening under the Habitats Directive was required as the development is in an environmentally sensitive location, within the catchment area for the River Hamble. It is considered that due to the type and location of development the proposal would, without mitigation, have a likely significant effect on the:

- Solent Maritime Special Area of Conservation (SAC),
- Solent and Southampton Water Special Protection Area (SPA) and Ramsar,
- New Forest Special Area of Conservation (SAC), Special Protection Area (SPA) and Ramsar.

54. As such, any planning consent will be subject to mitigation being secured towards nutrient neutrality through a pre-occupation condition, as well as towards the recreational impact of the development upon the Solent and New Forest. This will most likely be secured via financial contributions towards the 'Solent Disturbance and Mitigation Project' (Bird Aware Solent) and the Council's New Forest Mitigation Project, either as upfront payments or a through a completed and signed legal agreement.

Street Scene & Area Character

55. The existing state and appearance of the site could be viewed as detracting from the otherwise clean and crisp character of the Crowsport Estate. Development of the site would provide the opportunity to address this and much improve the appearance of the immediate area. However, it is acknowledged that this on its own is not a reason for granting planning approval. Notwithstanding, it does weigh in the application's favour, albeit planning policy requirements should still be met where necessary.

56. As set out above, the design and appearance of the proposed development follows the architectural style of Crowsport and generally conforms to policy and guidance requirements. It is also supported in principle by the Council's Heritage Consultant, who has raised no concerns in relation to the visual amenity or character of the conservation area. In fact, he notes that if built, the dwelling would help to screen the large workshops of the marina to some extent, as would the new Oak, albeit in a number of years.

57. Despite not conforming with the 50% first floor guidance, it is considered that all other design and amenity requirements have been met and that the proposed development would result in a significant enhancement of the

Crowsport Estate and in turn the wider conservation area, as required by Policies S8, DM1 and DM12.

Drainage

58. Policy DM6 requires all new development to utilise sustainable surface water drainage methods. Whilst every endeavour will be made to achieve this, the constrained nature of the site, including the position of the existing sewer and its easement, as well as a likely high water table and ground conditions may make this difficult. Notwithstanding, a condition requiring details of suitable surface water drainage to be submitted and approved prior to works commencing is recommended.

Sustainability

59. It is intended that the dwelling will be built to the highest possible standards in terms of insulation and building fabric, as well as utilising energy efficient systems and appliances. Should external equipment such as photovoltaic panels or air source heat pumps be used, these would be positioned so as to be as visually unobtrusive as possible.

Climate Change

60. In July 2019, the Council declared a Climate Change and Environmental Emergency. In doing so it agreed, among other things, to: (a) put in place measures to ensure the Council's own operations and functions achieve carbon neutrality by 2025; (b) work with partners to aim for all projects and services delivered in the Borough to achieve carbon neutrality by 2030; (c) ensure that the Council's procurement policy recognises carbon neutrality as one of its primary considerations; and (d) recognise the urgency of action to mitigate and adapt to climate change in every decision taken by the Council. This is underpinned by the Climate and Environment Emergency Strategy 2020–2030 and the supporting Climate and Environmental Emergency Action Plan – Update June 2020.
61. The declaration of the Climate Change and Environmental Emergency demonstrates a strong commitment from the Council to achieve net zero. The NPPF, development plan and adopted local plan policy do not set this as a specific target, but it is a material consideration to be considered alongside all other material considerations. In any case addressing climate change is a core part of the NPPF and local plan policy. The need to support the economy is part of the Strategic Environmental Assessment for the adopted local plan, as is an assessment of climate impacts.
62. The NPPF, Policies S1, DM2 and DM3 of the Local Plan and energy and water elements of the adopted Environmentally Sustainable Development SPD require development to be sustainable in terms of resource use, climate change and energy use. When considering the impact of climate change, the proposed development is expected to be resilient to the potential effects of climate change.

Equality

63. 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:

- eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- 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. It is considered that this application does not raise any equality implications.

Conclusion

64. In principle the subdivision of the existing plot to construct an additional dwelling is considered acceptable, as is the general design and appearance of the dwelling, which other than exceeding the 50% first floor limit discussed above, meets all other design guidance and policy requirements. It would result in a significant improvement to the street scene and an enhancement of the conservation area and would do so without having any unacceptable impact upon the amenity of neighbouring residential properties. It would also allow for a replacement Oak to be planted, thereby helping to preserve and enhance the long-term amenity and character of the area, as well as provide biodiversity enhancement.

65. On balance therefore, it is considered that an exception to the 50% first floor area limit is justified in this instance, particularly given the relatively modest scale of the dwelling in comparison to the vast majority of existing Crowsport dwellings. As such, the application is recommended for approval subject to: the recommended conditions; any actions required following outstanding consultee comments; and securing mitigation towards recreational impact upon The Solent and New Forest National Park SPAs.

C/22/92414



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Address: Land Adjacent to 10 Crowsport Estate
Hamble-Le-Rice, Southampton, SO31 4HG

Date: 12/09/2022 | Scale: 1:1250

