

**Application Number:** F/22/92349  
**Case Officer:** Gary Osmond  
**Received Date:** 28/01/2022  
**Site Address:** Hanns Way car Park, Hanns Way, Eastleigh  
**Applicant:** Vivid Homes  
**Proposal:** Erection of three storey building consisting of 4no. one-bedroom and 2no. two-bedroom apartments with ancillary bin and cycle storage, landscaping and parking

**Recommendation:** **Subject to:**

- i) **Comments from Natural England; and**
- ii) **Securing of contributions towards the Council's New Forest Mitigation Strategy.**

**To Delegate back to the Executive Head of Planning and Economy in conjunction with The Chair and Vice Chair to GRANT PLANNING PERMISSION with the following conditions:**

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**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: [list]

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

- 3 No construction or site preparation work shall start until a Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. All works 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 the routing/ turning of lorries and details for construction traffic access to the site;
- c) the arrangements for deliveries associated with all construction works, loading/ unloading of plant & materials and restoration of any damage to the highway;
- d) the parking of vehicles of site operatives and visitors;

- e) measures to control the emission of dust and dirt generated by demolition and construction;
- f) a scheme for controlling noise and vibration from demolition and construction activities (to include piling);
- g) provision for storage, collection, and disposal of rubbish from the development during construction period;
- h) measures to prevent mud and dust on the highway during demolition and construction;
- i) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- j) temporary lighting; and
- k) protection of pedestrian routes during construction.

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

- 4 No work shall start on site until the following has been submitted to, and approved in writing by the Local Planning Authority:
- a) 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;
  - b) 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 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 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 LCRM.

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 No site preparation or construction works shall commencement until an Asbestos Management Plan has been submitted to and approved in writing by the Local Planning Authority, in order to ensure construction workers and adjacent sensitive receptors are adequately protected from the asbestos identified within Made Ground soils beneath the site. The development and construction works must accord with these approved details.

Reason: In the interests of amenity and protection of human health.

- 7 No development shall start until details for the protection of existing sewer infrastructure during the construction process has been submitted to and approved in writing by the Local Planning Authority in consultation with Southern Water. All works shall then accord with the approved details.

Reason: To ensure existing infrastructure is protected.

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

Reason: To ensure satisfactory provision of foul and surface water drainage.

- 9 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.

- 10 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.

- 11 No development above damp proof course level shall start until full details of noise and odour protection measures incorporated within the development have been submitted to and approved in writing by the Local Planning Authority (LPA). These details shall include technical details of fenestration sound insulation for the higher 15-minute average and instantaneous incident noise impacting the external façade, sound insulation and mechanical ventilation means, which shall include air purification measures, as well as details of on-going maintenance of the systems. Once approved, these measures shall be

installed and written verification from an appropriately qualified professional provided to the LPA before occupation of the development which demonstrate all mitigation measures are effective.

Reason: To protect the amenities of future occupiers of the development from noise and odours in the locality.

- 12 Notwithstanding the approved plans / details, no development above damp proof course level shall start until details of the following have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
- a) details of all facing and cladding materials and finishes;
  - b) roof, parapet and coping finishes and construction details;
  - c) window reveal depths and decorative brickwork details;
  - d) details of window frame and external door colours and materials;
  - e) details of rainwater goods;
  - f) details of balcony balustrade materials, colour and appearance;
  - g) details of finish for the underside of balconies;
  - h) details of main entrance canopy; and
  - i) details of any external lighting.

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

- 13 No development above damp proof course level shall start until details for the treatment of site boundaries have been submitted to and approved in writing by the Planning Authority. The development shall not be brought into use until the boundary treatment has been provided in accordance with the approved details and retained thereafter.

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

- 14 No development above damp proof course level shall start until details of privacy screens to be positioned to the western side of the balconies on the northern elevation of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The development shall not be brought into use until the privacy screens have been installed in accordance with the approved details and shall be retained thereafter.

Reason: To protect the amenities of neighbouring residents.

- 15 No development above damp proof course level shall start until details of any new dropped kerb access or footway crossing have been submitted to and approved in writing by the Local Planning Authority. The development shall not be brought into use until the approved details have been fully implemented.

Reason: To ensure satisfactory access to the site.

- 16 The existing access from Hanns Way shall be stopped up and abandoned and

the footway crossing reinstated in accordance with details to be approved by the Local Planning Authority in conjunction with the Highway Authority.

Reason: To ensure safe pedestrian access to the development property and in the interests of visual amenity.

- 17 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 residents.

- 18 All hard & soft landscaping and tree planting 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 residents.

- 19 No development above damp proof course level shall start until full details of ecological enhancement measures have been submitted to and approved in writing by the Local Planning Authority. These agreed measures shall then be implemented in full prior to occupation of the development and retained.

Reason: To protect and enhance biodiversity.

- 20 All windows at first and second floor level on the western 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 rooms which it serves; positioned with its lower sill at least 1.7 metres above the floor of the room in which it is installed. Once installed the windows shall be permanently maintained in that condition.

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

- 21 The development shall not be occupied until the bin storage and any level access/dropped kerb required for servicing has been constructed in accordance with the approved details and thereafter retained and kept available.

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

- 22 The development hereby approved shall not be occupied until the cycle

storage, including charging points for E-bikes and scooters has been constructed in accordance with the approved details and thereafter retained and kept available.

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

- 23 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.

Note to Applicant: the permission does not authorise the undertaking of any works involving excavations in the carriageway, footway or verge. A road opening permit must be obtained from Hampshire Highways.

Note to Applicant: This development is located within a residents parking scheme and it is Council policy that residents of all new developments will not be eligible for parking permits. The term development means the construction of new or replacement buildings or alterations to existing buildings that result in an increased demand for parking not catered for within the development.

Note to Applicant: Any use of cranes must comply with the British Standard Code of Practice for the safe use of Cranes and the Crane operators must consult the aerodrome before erecting a crane in close proximity to an aerodrome. This is further explained in Advice Note 4, Cranes & Other Construction Issues [available at <http://www.aoa.org.uk/policy-campaigns/operations-safety/>].

Note to Applicant: It is requested that the building works are carried out considerately to minimise disruption to the occupiers of the neighbouring properties. The council operates a code of best practice, which is available on the council's website [www.eastleigh.gov.uk](http://www.eastleigh.gov.uk) by following the links to Planning, Guidance on the process, scroll down to Guidance on Aspects of the Planning & Construction Process and select considerate builders advice note.

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**Report:**

1. This application has been referred to Committee because the application site is owned by Eastleigh Borough Council.

**Description of Application**

2. The application seeks consent for the construction of three storey building consisting of 4no. one-bedroom and 2no. two-bedroom apartments with ancillary bin and cycle storage, amenity space and landscaping.
3. The application is accompanied by the following reports and technical assessments:
  - Planning Statement
  - Design and Access Statement
  - Air Quality Assessment
  - Noise Assessment
  - Odour Assessment
  - Ground Investigations Report
  - Contaminated Land Study
  - Highways Access Statement
  - Drainage Strategy
  - Ecological Enhancement Plan
4. The proposal has been screened out under the Town and Country Planning (Environmental Impact Assessment) (England) Regulations 2011 due to the size and nature of the proposed development.
5. Screening under the Habitats Directive was required due to the development's impact in combination with other development upon the Solent and New Forest SPAs.

**Site Characteristics and Character of the Locality**

6. The application site is located at the junction of Wells Place and Hanns Way on the western edge of Eastleigh town centre and forms part of the transition between the mixed retail, leisure and commercial uses of the town centre to the east, and predominantly residential development to the west. Wells Place is a continuation of Factory Road, which is one of the main east-west routes into the town centre, where as Hanns Way effectively acts as a service road to retail and commercial units which front High Street to the east.

7. Immediately to the north of the site is a sizable electrical substation. To the east is 'Smith Bradbeer House' on the opposite side of the Wells Place – Hanns Way junction, a three storey building consisting of shops, offices and a local church. To the south-east is The Swan Shopping Centre and to the south-west is Eastleigh Baptist Church and the 'Wells Place Centre', together with a reasonably well used pedestrian link lying between the two which links to Blenheim Road. Immediately to the west residential properties from Desborough Road back onto the site boundary.
8. The site itself is rectangular in shape, being approximately 15 metres deep and 30 metres wide along its Hanns Way frontage. The site is tarmacked and has been used as a public surface car park since 2005 when the original Unigate Dairy buildings were demolished.

### **Relevant Planning History**

9. Temporary planning consent for the current car park use was granted in October 2005 (Ref. F/05/55012). This consent also included demolition of the building on site, which was originally used as a garage and workshop by Unigate Dairies, the main depot being on the site of the Swan Centre. Since this 2005 permission, there have been no other formal planning applications relating to the site.

### **Representations Received**

10. A total of 18 representations have been received from individuals and organisations, 16 objecting to the proposals and 2 commenting. A summary of the issues and concerns raised is set out below. It should be noted that the representations received are based on the originally submitted proposals, which have been amended since. Details of the amendments made are set out in the assessment section of this report. Whilst amendments have been made to the scheme, it is considered that all of the concerns and issues originally expressed by those who have commented on the application remain relevant.
  - The concerns and issues raised are as follows:
    - Loss of the current car park, which is well used by customers of local businesses and community groups.
    - Loss of parking will dissuade people from coming to and using Eastleigh town centre.
    - Loss of accessible disabled parking spaces.
    - Alternative town centre parking provision is not always suitable or available for some existing users.
    - Loss of parking will increase parking pressures in surroundings streets, particularly in the evenings when restrictions end.
    - Current use of the car park is not understood by the Council and insufficient justification for its loss has been provided.



- Insufficient parking provision for residents of the development.
- Overdevelopment of the site.
- Highway safety concerns – delivery drivers parking dangerously or inconsiderately.
- Increased traffic impact.
- Loss of privacy to neighbouring properties.
- Three storeys is too high and not in keeping with the locality.
- Loss of outlook for Desborough Road properties.
- Loss of light.
- Disturbance during construction.
- Current drainage issues would be added to.
- Site is not suitable for residential development.
- Poor living environment for future occupiers of the development.
- Poor quality design.

### **Consultation Responses**

11. **Environmental Health (Pollution)** – “This latest application includes updated technical reports on noise impact from premises and the ambient environment during the night-time to supplement daytime and evening measurements that were report in the first version. They were carried out in the summer when premises noise from plant and equipment would probably be highest, and they were marginally higher. The concluded solution is the same proposed before of closed windows and mechanical ventilation and you and I have discussed whether this is a suitable solution for new residential development. I believe that is now a planning consideration and if this style of living is considered acceptable for an urban infill or inseting development, then my role will be to review the technical details of fenestration sound insulation and mechanical ventilation means after a planning condition for these to be approved by the Local Planning Authority prior to commencement of construction works and verified before occupation. On this, prior to accepting the conditions, the applicant should clarify if it is willing to design the fenestration sound insulation for the higher 15-minute average and instantaneous incident noise impacting the external façade. This is an important point and our ‘no comment’ on noise is contingent on the applicant’s acceptance of this.
12. On odour impact, the revised reports include for the results of survey carried out during the hot summer weather as we asked. The results are mildly adversely impacting at times from restaurant kitchens and other times not impacting. Positive impact was noted but this realty is a quality determined by the dwelling occupant as the desirability of cooked food smell may not always be appreciated over the longer term. It was noted by the surveyor that in terms of malodour waste food bins are used properly by kitchen / restaurant staff and there is collection (as early as 5am and noise measurements corresponded with this as well). We cannot agree to the conclusion that a statutory nuisance would not be apparent as of course this depends on the loss of amenity to dwellings at

the time investigation. It is feasible on the other hand to install air purifiers in the mechanical ventilation systems (also needed for noise as mentioned above) and we have recently agreed to similar measures for other town centre development using these. Given that is mildly adversely impacting odours are not tolerated by residents and the risk of agent of change implications to the food premises operators, we advise the applicant to agreed to installing the air purifiers in dwellings. Details would be required prior to commencement of works and verified before occupation.

13. As commented, whether to grant planning consent now rests on the consideration of whether living in a sealed up environmental or behind closed windows in new residential development is suitable or satisfactory quality of life?”
14. **Environmental Health (Land Contamination)** – Initial investigations show evidence of made ground, including asbestos to be present on site. The current preliminary risk assessment does not take into account that the proposals include areas of landscaping and garden space and should be updated as such. Should the application be approved, conditions requiring further site investigations and a detailed mitigation strategy to be submitted to and agreed with the LPA prior to construction are recommended, including verification, as well as a specific Asbestos Management Plan to ensure construction workers and adjacent sensitive receptors are protected.
15. **Urban Design Officer** - Given the location of the site, a mixed-use scheme comprising commercial use on the ground floor with residential above is recommended. This would immediately negate privacy and outlook issues for occupiers of the ground floor flats.
16. A three-storey building is considered appropriate on this prominent corner site, to create enclosure to this important gateway into the town centre. It is unfortunate however that the constraints of the sewer easements have diluted the potential of the development to properly address the corner using conventional design solutions.
17. The footprint of the building has been chamfered to work with the position of the easements, but this corner could be strengthened and enhanced with, for example, a set of balconies or oversailing roof, or perhaps a curved brick wall to become a notable feature of the building.
18. There are also concerns that the scale and mass of the building would appear oppressive from the rear of the properties on Desborough Road. The elevational treatment of the western elevation will be important in this regard.
19. It is noted that some vertical decorative brickwork is proposed to parts of the eastern elevation. However, there is no indication of any other detailing – decorative or otherwise – to provide visual interest to the other

elevations, such as window reveal depths, soldier courses, windowsills or lintels, coping or capping to the roof or where the facing materials transition from brick to cladding. These details are important to provide life and interest to the elevations and need to be undertaken in a manner befitting of the building's position within the street scene. If such details are poorly executed, the building will date very quickly.

20. The overall form and elevational arrangement of the building lacks interest and will appear rather monotonous, particularly from the north and west. This relates not only to the lack of detailing but also the lack of elevational hierarchy and the visual conflict between the strong horizontal form of the building verses the vertical emphasis of the window openings – although this is not continued on all elevations and the western elevation is confused in this regard. The Hanns Way elevation in particular needs to be broken up more vertically with altering heights and depth to the elevation.
21. **Landscape Officer** – The constraints of the sewer easements and limitations this places on potential tree planting and construction of a boundary wall need to be taken into account in any landscape proposals. If a boundary wall cannot be provided, then appropriate dense woody planting and a robust metal railing should be used to provide adequate securing to the ground floor units which are in close proximity to the pavement. Low maintenance slower growing planting is preferred to ensure the scheme looks presentable between maintenance visits; and planting should be carried out at a sufficiently high density to create an architectural presence and reduce the risk of weeds establishing. Removal of on-site parking would provide opportunities for some communal amenity space.
22. **Hampshire Highways** – No objection from a highway safety of traffic perspective. Lower than standard parking provision is acceptable given the town centre location. It will be for EBC to determine if there will be any reduction in town centre parking provision, however, from a highways perspective this is acceptable given parking restrictions in the area preventing obstructive parking, as well as the overall remaining town centre parking provision appearing to have spare capacity. Servicing from Wells Place is acceptable.
23. Should the application be approved, conditions relating to closure of the existing vehicular site access and reinstatement of the footway, together with approval of a construction method statement.
24. **Ecologist** – The existing site has no ecological value due to be entirely paved. As such, any new landscaping will be an enhancement, provided the nature and species of planting chosen is suitable. However, it is noted that opportunities for ecological enhancement purely through planting in this constrained urban site are limited. The inclusion of in-built bat and swift bricks are welcome but further enhancements could be

achieved through the use of green roofs/walls, SuDs drainage, rain gardens and rainwater harvesting.

25. **Natural England** – Comments on Habitats Regulations Assessment awaited.
26. **Hampshire Swifts** – The inclusion of two Swift Bricks is welcomed but it is recommended that at least one brick per dwelling be incorporated into the development to assist in the decline of Swift, House Sparrow and Starlings.
27. **Southern Water Services** – No development or tree planting should take place within 3 metres of the public sewers crossing and adjacent to the site. No soakaways or any other water retaining features should be located within 5 metres of the public sewers. All existing infrastructure should be protected during the course of construction works.
28. **Scottish & Southern Electric** – No comments received.
29. **Eastleigh Business Improvement District (BID)** – “We would not support this application as it is taking away a vital car park for the elderly and disabled that use the town. Many of these users do not feel safe in multi-storey car parks. This is also the nearest car park to ShopMobility and used regularly by their customers who are all vulnerable. With the cost of living crisis this would have an adverse effect as this is also the only free car park in walking distance to the ShopMobility unit.”

### **Policy Context and Designations Applicable to Site**

- Within Built-up Area Boundary
- Within Eastleigh Town Centre Secondary Shopping Area
- Adjacent to Established Residential Area

### **Development Plan Policies**

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

The Eastleigh Borough Local Plan 2016-2036 was adopted by Full Council on 25<sup>th</sup> April. The most relevant policies are:

#### Strategic Policies:

- S1 (Delivering sustainable development);
- S2 (Approach to new development);
- S3 (Location of new housing);
- S11 (Transport infrastructure).

#### 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);
- DM8 (Pollution);
- DM11 (Nature conservation);
- DM13 (General development criteria - Transport);
- DM14 (Parking);
- DM22 (Changes of use in retail frontages in Eastleigh town centre, district centres, local centres and neighbourhood parades);
- DM23 (Residential development in urban areas);
- DM24 (Creating a mix of housing);
- DM29 (Dwellings with higher access standards);
- DM30 (Internal space standards for new residential development);
- DM 36 (Community, leisure and cultural facilities);
- E3 (Eastleigh Town Centre); and
- E5 (Public realm improvements in and adjoining Eastleigh town centre).

### **Hampshire Minerals and Waste Plan**

- Policy 15 – Safeguarding of Mineral Resources.

### **Supplementary Planning Documents**

- Quality Places (November 2011);
- Residential Parking Standards (January 2009);
- Environmentally Sustainable Development (March 2009);
- Biodiversity (December 2009);

### **National Planning Policy Framework (2021)**

30. 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.
31. 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**

32. 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:**

33. 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**

34. The application site lies within the urban edge where the basic principle of development is considered to be acceptable, with any planning approval being dependent upon whether the proposals are considered to accord with the relevant policies and guidance of the adopted development plan. The site also lies inside the Secondary Shopping Zone of Eastleigh town centre. The most relevant policies in this case are DM1, DM22 and E3 of the adopted Local Plan.
35. Policy DM1 requires new development to have no unacceptable impact upon the “amenities of new and existing residents; the character and appearance of urban areas, the countryside and the coast”, make efficient use of the site, as well as “take full and proper account of the context of the site including the character, appearance and land uses of the locality or neighbourhood, and be compatible with adjoining uses and be well integrated with these in terms of mass, scale, materials, layout, density, design and siting, both in itself and in relation to adjoining buildings, spaces and views.” It goes on to state that “Where adjoining development is poor in urban design terms, new development should contribute to improving the character of the area”.
36. In addition to these requirements, DM1 also requires development to include appropriate landscaping for external spaces, together with ensuring development proposals “incorporate provision for people with disabilities and create accessible communities that cater for all”.

37. The site lies within Eastleigh town centre where Policies DM22, E3 and E5 apply. DM22 relates to development within town, district and local centres, as well as shopping parades, principally in relation to proposed changes of use and states that:
- “Within the ground floor of the core shopping zone, primary and secondary shopping frontages of Eastleigh town centre... a change of use or redevelopment involving the loss of a Class E use, community or leisure/cultural uses under Classes E and F; or sui generis uses including pubs, drinking establishments and hot food takeaways; must demonstrate that:
- a. the new use retains an active ground floor frontage;
  - b. it does not adversely affect amenity of an area or the appearance of the frontage; and
  - c. it does not have a negative impact on the provision of services or on the sustainability of a key shopping area.”
38. Policy E3 relates specifically to Eastleigh town centre and states that the regeneration of the town centre will be supported and sets out a number of criteria. The first relates to specific blocks within the town centre which do not include the application site; the second promotes “well designed, high density mixed-use development that delivers schemes suitable for modern retailing and other town centre uses”; and the third states that proposals “within the core, leisure, primary and secondary shopping zones... a change of use or development will also need to meet policy DM22.”
39. Policy E5 looks to secure contributions towards public realm improvements “to public spaces, arrival points and street frontages” at a number of areas within the town centre, including Wels Place.
40. The main policy therefore is DM22. In strict policy terms, the proposed development, which is entirely for residential use, does not accord with the requirements of DM22 a. in that it would not retain an active ground floor use – residential not being considered an active use for town centre purposes. However, the existing site, being a car park, is not an active town centre use in the same way as a Class E retail or commercial use. As such, it can be argued that redevelopment of the car park to an entirely residential use will not result in the loss of an existing active use, as it is not currently in an active town centre use for planning purposes. That being the case, the principle of redevelopment can be accepted, with the acceptability or otherwise of the proposed scheme being based upon issues of design, amenity and impact upon neighbouring uses, rather than a matter of principle.

### **Sustainable Development**

41. Section 2 of the NPPF (February 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.

42. 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) that should be delivered through the preparation and implementation of plans and the application of the policies in the Framework. Each of the three dimensions of sustainable development is considered below.
43. 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.
44. National legislation and guidance, together with local policy ensure that all planning applications are tested for their resilience to and impact on the Environment. Details elsewhere in this report set out the Climate Change and Environmental implications of this application and their proposed mitigations.

### **Economic Sustainability**

45. Section 2 of the NPPF, states that the objective of economic sustainability 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;”
46. Also of relevance is section 7 of the NPPF ‘Ensuring the vitality of town centres’. This states that “Planning policies and decisions should support the role that town centres play at the heart of local communities, by taking a positive approach to their growth, management and adaptation.” Part of this is to “allow a suitable mix of uses (including housing)” and “recognise that residential development often plays an important role in ensuring the vitality of centres and encourage residential development on appropriate sites.”
47. In economic terms, the introduction of additional residential development into the town centre will have benefits by bringing in new residents who would be able to easily access local facilities and businesses. There would also be benefits to the local construction industry and suppliers during the build process, as well as to the management company appointed to look after the development.
48. Conversely, based on representations received, local businesses could be negatively impacted by loss of a conveniently positioned car park



through a reduction in customers. There is also the possibility of loss of income to the Council from reduce parking charges, although it is believed this would be alleviated by increased use of other town centre car parks.

49. In terms of economic sustainability therefore, it is considered that the proposed redevelopment of the current car park would result in a neutral to marginally positive impact.

### **Social Sustainability**

50. In relation to social sustainability, section 2 of the NPPF states that the objective is “to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities’ health, social and cultural well-being;”
51. Section 5, ‘Delivering a sufficient supply of homes’ goes on to state that “it is important that a sufficient amount and variety of land can come forward where it is needed,” and “that the needs of groups with specific housing requirements are addressed”. In this instance, the applicant is a well-established provider of affordable housing, and it is believed that the six units proposed, if approved, would be used as affordable units which would assist in providing much needed homes for those on current housing waiting lists. As such, this would be a positive benefit in terms of social sustainability.
52. Section 8 of the NPPF, ‘Promoting healthy and safe communities’, paragraph 92 states that “Planning policies and decisions should aim to achieve healthy, inclusive and safe places which... promote social interaction, including opportunities for meetings between people who might not otherwise come into contact with each other”.
53. One of the principal, if not the main issue raised by those representations received is concern that the loss of the current car park, which includes a number of disabled spaces, would restrict access to the town centre and a number of adjacent community facilities, such as ShopMobility and the Eastleigh Basics Bank, as well as The Wells Place Centre and two local churches, to particular vulnerable residents and a number of community groups. These concerns have been well articulated, are not unreasonable and considered to carry a reasonable degree of weight in planning terms. However, whilst these concerns are noted, it has been demonstrated that there is sufficient parking capacity in and around the town centre to make up for those spaces lost, albeit not so conveniently located to the facilities listed above, as well as on-street disabled parking bays along Wells Place.

54. Whilst the strong concerns raised at the resulting loss of the current car park are noted, there is alternative provision elsewhere within the town centre. It is also the case that the development would provide much needed affordable housing in a very sustainable location. In terms of social sustainability therefore, it is considered overall there would be a neutral impact.

### **Environmental Sustainability**

55. Section 2 goes on to state that the objective of environmental of sustainability is “to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.”
56. 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.

### **Scale, Form, Layout and Design**

57. As set out above, the application seeks consent for the construction of three storey building consisting of 4no. one-bedroom and 2no. two-bedroom apartments with ancillary bin and cycle storage, amenity space and landscaping. The building is not three storeys across its whole footprint but drops to two storeys along the western boundary with the rear gardens of properties fronting Desborough Road and is of a flat roof form with projecting brick framed balconies to the north and south.
58. The unusual angled shape of the building’s footprint is a response to sewer easements which run along the length of the eastern boundary and diagonally across the south-western corner of the site. No built development or tree planting is likely to be allowed within these easement zones, which may prevent the ability to provide the brick boundary wall shown on the submitted drawings and illustrations.
59. The main elevation of the building fronts Hanns Way and would include the main entrance. To the north is a small communal amenity space with a single visitor parking space and access to a communal cycle store which would be within the building itself. To the south, the building presents a set of projecting brick framed balconies which assist in ‘turning the corner’ and giving some presence to what is a relatively important corner. Access to an internal communal bin store is also from the southern elevation, with collection being from Wells Place. The whole building would be surrounded by an area of soft landscaping, the details of which can be agreed and secured via a suitably worded condition. This would also include the final boundary treatment, which is currently proposed to be a low brick wall with railings atop. However, this would be

subject to the agreement of Southern Water given the street boundary treatments would be within the sewer easement zones.

60. In terms of materials the building would be predominantly faced in red brick, with dark grey metal cladding to a large portion of the second/top floor. Window frames, rainwater goods, copings and capping's would also be in a dark grey metal finish, together with balcony railings and balustrades. Further interest is provided to the elevations through the use of vertical decorative brick panel detailing.
61. The design being considered by the Committee is an amended version of that originally submitted, albeit the majority of that proposed remains unchanged, other than revisions to the southern and northern corners to provide more interest to the street scene and better address the corner of Wells Place and Hanns Way.

### **Street Scene / Townscape and Area Character**

62. As mentioned above, the application site is located at the junction of Wells Place and Hanns Way on the western edge of Eastleigh town centre and forms part of the transition between the mixed retail, leisure and commercial uses of the town centre to the east, and predominantly residential development to the west. In terms of street scene and townscape, any development of the site needs to ensure that an appropriate 'gateway' into the town centre is created, something currently lacking given its current use as a surface car park. In such a location, good urban design practice is to provide some presence, addressing and turn the corner in an appropriate manner. This was something lacking in the originally submitted scheme but which has now been successfully addressed with the amended scheme.
63. With regards to the proposal's impact upon the visual character of the area, the building is of an appropriate height and scale, and responds to the site constraints, in particular the sewer easements, in a reasonable manner. Aesthetically it would be an improvement over the present situation, enhancing the street scene and townscape at what is an important gateway into the town centre from the west.
64. A further element of character to be considered is the intended use of the development proposed and how it would or would not integrate with existing neighbouring uses. A number of those who have commented on the application, including the Council's Environmental Health Team have raised concern at the appropriateness of providing residential accommodation within the part of the town centre. The principal reason for this, particularly in the case of Environmental Health, is the nature of existing surrounding commercial uses and how they may impact future residents of the scheme, which is discussed in more detail below (see amenity section). Notwithstanding these reservations, it is not unusual to find residential accommodation within a town centre location and is in fact something which is encouraged by national planning guidance. As

such, the introduction of further residential development to the town centre is in fact considered to assist in enhancing the character of the area. However, the need to protect the amenity of occupiers of the proposed development, as well as occupiers of existing neighbouring properties and uses must be taken into consideration.

### **Access, Parking and Highway Matters**

65. The application site is in a very accessible and sustainable location on the edge of Eastleigh town centre which provides a wide range of shops, community and leisure facilities, as well as a main bus station and mainline train station. It is for this reason that the proposals do not include any on-site parking for residents of the development. Whilst the concerns raised in this regard are noted, all surrounding streets are subject to parking restrictions and new residents of the development would not be entitled to on-street parking permits. As such, there should be no overspill parking resulting from the development as residents will be aware of the situation.
66. With regards to general highway matters, this has been reviewed by Hampshire Highway, who have raised no objection in relation to highway impact or safety. The need for a construction management plan to be approved before commencement is noted and a suitable condition is recommended.

#### Loss of Existing Car Park:

67. The other main issue in relation to parking is the resulting loss of the current car park, including a number of free disabled spaces, with redevelopment of the site. This has raised a considerable degree of concern, which has been briefly discussed above (see social sustainability). These concerns are noted, as is the strength of feeling expressed. However, planning decisions need to be based on the material planning evidence available. An 'Access Statement' has been submitted in support of the application which shows that the present car park provides 19 spaces, 3 of which are disabled. It also demonstrates that there is more than sufficient capacity within other town centre car parks to make up for the loss of these spaces, including the presence of two sets of on-street disabled bays along this stretch of Wells Place – a 21 metre bay (up to four cars) on the south side of Wells Place between Desborough Road and Hanns Way, and a 25 metre bay (up to five cars) on the north side between Hanns Way and High Street. Whilst it is noted that these on-street bays may not be so convenient to use, it does demonstrate that a reasonable level of disabled parking is available in the immediate locality. Therefore, based upon the material planning evidence under assessment, the proposed development is not considered to undermine the adequate provision of town centre parking and specifically, disabled parking provision, to warrant the refusal of planning permission.

## **Noise, Air Quality**

68. As has been set out in the response of the Council's Environmental Health Team, there are concerns that the close proximity of neighbouring commercial uses, such as hot food takeaways, restaurants, etc. and the associated mechanical extraction and chiller equipment associated with those units, as well as odours which would emanate from those establishments, together with servicing of those units in the early hours and deliveries from these units throughout the day and into the evenings, will have an impact upon the amenity of future occupiers of the residential scheme proposed. These concerns have resulted in detailed noise and odour assessments being undertaken over the hot summer period, in order to try and establish what the present situation is whether it can be mitigated to an acceptable level.
69. These investigations demonstrated that there is a problem in relation to noise and odours and at such a level which would have an unacceptable impact upon future residents if not appropriately mitigated. As such, mitigation in the form of higher specification glazing and mechanical ventilation was suggested by the applicants. However, whilst these measures would address noise issues, provided a higher glazing standard is used, they would not address odour. As such, Environmental Health have requested that the mechanical ventilation system also include air purification measures. Without these measures being installed and appropriately maintained throughout the lifetime of the development, Environmental Health would raise an objection to the application on the grounds of unacceptable impact upon the amenity of occupiers. The provision of the mechanical ventilation and air purification measures will be secured through conditions, as will the appropriate maintenance programme for such measures.
70. In addition to the concern in relation to the amenity of future occupiers, concern has also been raised by Environmental Health on the grounds of the 'agent of change' principle, i.e. the introduction of a sensitive use, such as residential, into an existing commercial area could result in complaints against those existing established businesses from future residents of the development. In order to prevent existing businesses from being unfairly penalised, the agent of change principle places the responsibility for mitigating impacts from existing noise-generating activities or uses on the proposed new noise-sensitive development. In other words, the person or business responsible for the change must also be responsible for managing the impact of the change. This is a further reason why a high level of mitigation is required to adequately address Environmental Health concerns.

## **Amenity**

Neighbouring residents:

71. Concerns have been raised by immediate neighbours in Desborough Road in relation to loss of privacy, light and outlook. These concerns are fully understandable, given the proposals are for the construction of a three storey building on a site currently without any built development. That proposed will undoubtedly have an impact upon these neighbouring properties. The issue is whether this impact would be acceptable or not in planning terms.
72. With regards to privacy, the proposed western elevation does include a number of windows at first and second floor level. These windows serve communal landings, internal hallways, bathrooms and a bedroom. However, these can all be obscured glazed and have their ability to open restricted in such a way so as to prevent any overlooking or loss of privacy to neighbouring properties and their gardens through an appropriately worded condition. One further potential area of overlooking would be from the projecting balconies to the northern elevation of the building. Whilst the distance to the rear elevations of Desborough Road properties is approximately 20 metres, close to the distance usually considered acceptable in the Council's 'Quality Places' SPD, the elevated position of these balconies could result in unwanted overlooking of gardens. As such, a condition is recommended for privacy screens to be installed to the side of these balconies.
73. In relation to loss of light, it is acknowledged that the construction of a three storey building in relatively close proximity to the rear boundaries of neighbouring Desborough Road properties will have an impact upon the amount of direct sunlight available to these properties and their gardens during the earlier hours of the morning. However, from mid-morning through to mid-afternoon, sunlight will reach these properties, as would good levels of general daylight throughout the day. In planning terms therefore, the loss of light experienced would not be unacceptable or sufficient to justify a reason for refusal in this respect.
74. As with light, that proposed will have a significant effect upon the outlook currently enjoyed by neighbouring Desborough Road properties. The proposal tries to address this by stepping back the top floor away from the rear boundaries of these properties, so that they are generally presented with a two storey scale structure closest to their boundary. The western elevation of the building would be 12.0 metres away from the nearest rear Desborough Road elevation, increasing to 15.0 metres for the second floor element. These distances generally conform to that recommended within the Council's 'Quality Places' SPD. It is also the case that this is a relatively dense edge of town centre location, where a degree of impact from neighbouring development would be expected. As such, whilst there will be a negative impact upon the outlook from the rear of these

neighbouring dwellings, it is not considered that this on its own would be sufficient to warrant a reason for refusal.

75. Finally, some concern was also expressed in relation to the impact upon the amenity of neighbours during the construction process. Building works will inevitably result in a degree of disturbance. However, this would only be for a temporary period and controls can be applied on working hours, suppression of dust, deliveries, etc. to ensure that the impact is minimised. Conditions to this effect are recommended.
76. In relation to the amenity of current neighbouring residents therefore, whilst there will inevitably be an impact, the proposals nonetheless generally accord with the requirements of the Council's 'Quality Places' SPD and Policy DM1 of the local plan. As such, it is not felt that impact upon the amenity of existing neighbours could be used as a reason to refuse the application.

Neighbouring uses:

77. Equally, provided the mitigation measures in relation to noise and odour are installed and maintained, there should be no impact upon the ability of existing neighbouring commercial uses to continue operating as the presently do.
78. One further amenity impact is that upon other neighbouring uses, such as The Wells Place Centre, etc. through the loss of the existing car park. The concerns expressed in this regard by those groups/organisations who have commented are noted. However, it has been demonstrated that there is sufficient parking capacity elsewhere in and around the town centre, including a number of on-street disabled spaces very close by. Whilst the loss of the car park would certainly be an inconvenience at the least, it is very finely balanced as to whether this is sufficient in planning terms to justify a reason for refusal, particularly without clear evidence to demonstrate one way or other.

Future residents:

79. The close proximity of hot food takeaways, such as Pizza Hut and restaurants such as McDonalds, and their associated mechanical extraction equipment, air conditioning and chiller units, etc. raised an objection to the application from Environmental Health in relation to the noise impact of these uses upon the amenity of future occupiers. Further noise concerns relating to early morning servicing of these units, refuse collections, etc. together with the high number of vehicle movements associated with delivery drivers collecting takeaway orders into the late hours of the evening, as well as general town centre activities into the evenings and through the night also raised concerns. In addition to these noise issues, concern was also expressed with regards to the impact of odours upon residents from kitchen extract systems and storage of refuse.

80. In order to address these comments, further more detailed surveys were undertaken, as discussed above, and mitigation measures recommended. Following submission and review of these surveys and mitigation measures, Environmental Health have lifted their original objection, on the proviso that the mitigation measures are designed and installed as set out above. However, as can be seen from their formal response, whilst the original formal objection has been lifted, strong reservations remain as to the appropriateness of the site for residential purposes and whether it is reasonable to expect residents to live in flat units which are mechanically ventilated and where opening a window could subject them to unacceptable levels of noise and odour intrusion.
81. These concerns are noted. However, it has been demonstrated and confirmed by Environmental Health that there is a mitigation solution which would allow the development to meet the necessary standards in terms of the internal noise environment and which would limit the impact of unwanted odours. In terms of the planning balance these mitigated elements shall be considered in addition to the clear benefits that the scheme delivers.
82. With regards to the more regular amenity issues of privacy, light and outlook, whilst there is some concern at the potential loss of privacy to the ground floor flats given their relatively close proximity to the back edge of the pavement, the building is sufficiently set back to provide a reasonable degree of defensible space, which would be further aided by the provision of an appropriate boundary treatment.
83. In terms of light and outlook, all flats are at least dual aspect with their principal elevation facing east. As such they will receive a good degree of daylight and reasonable outlook, albeit the view is generally of rear service yards and parking.
84. In relation to the amenity of future residents of the development therefore, despite the continued concerns expressed by Environmental Health, it has been demonstrated that an adequate mitigation solution is achievable and provided these mitigation measures are correctly designed, installed and maintained, an acceptable internal environment for residents can be achieved. As such, the basic requirements of the 'Quality Places' SPD and Policy DM1 can be met.

### **Land Contamination**

85. The previous use of the site as a maintenance garage and demolition of the original buildings on site required ground investigations to be undertaken. Details of the results of these investigations have been submitted in support of the application, which show the presence of made ground, including asbestos. Mitigation measures have been



suggested but will need to be updated to reflect the latest amended design and landscape proposals. However, these are details which can be secured via condition and agreed prior to any works on site commencing.

### **Drainage and Flood Risk**

86. Other than the need to ensure the two sewers crossing the site are protected during construction, there are not considered to be any drainage or flood risk issues associated with the site.
87. Policy DM6 requires developments to incorporate Sustainable Urban Drainage measures (SUDs). Given the town centre location and likely restrictions by Southern Water with regards to placing any drainage infrastructure over or within the existing sewer easements, scope to provide a full SUDs to serve the development may be limited. However, it may be possible to include measures such as green roofs and walls, rain gardens, etc. which would assist in dealing with surface water in a more sustainable manner.

### **Ecology and Trees**

88. The current site has very limited ecological or biodiversity value, due to be entirely tarmacked. As such, development of the site would have no adverse impact in this regard but could in fact improve the value of the site through the provision of nesting and bat boxes, and suitable soft landscaping. A condition requiring details of biodiversity enhancement measures is recommended.
89. There are no trees currently within or adjacent to the site, and unfortunately scope for new tree planting may be limited due to the extent of the site covered by the sewer easements. There may be space to plant a number of modest trees within the rear communal amenity area as part of a site wide landscape strategy.

### **Impact on Special Policy Areas**

#### Nitrates:

90. Natural England have advised that the increase in wastewater from new housing developments within the borough is having a detrimental effect on the quality of water entering the Itchen and Solent catchment areas through nitrification. As such all developments for additional housing are required to reach nutrient neutrality (ensuring that development does not add to existing nutrient burdens), in order to meet the requirements of the Conservation of Habitats and Species Regulations 2017 (as amended).
91. The application site will use the Chickenhall Lane wastewater treatment works, which discharges into the River Itchen. As such the proposed development is required to achieve nutrient neutrality for both nitrogen and phosphorus. To mitigate for the increase in nutrients the developer

intends to purchase credits from the Eastleigh Borough Council schemes, which takes land out of agricultural uses and creates recreational spaces thus reducing the nutrient output of the land. The developer will need to provide evidence of this mitigation via a pre-occupation condition.

Recreational Disturbance:

92. The site is within the 13.8km catchment area for the New Forest Special Protection Area. It is recognised that new housing developments within this catchment area is likely to result in additional visitors to these protected sites. In order to mitigation for this impact the developer has agreed to pay a contribution towards the Council's New Forest Mitigation Strategy (which provides Suitable Alternative Natural Green Spaces within the borough). No contribution have been received to date, and these will need to be paid upfront if the Council intends to permit the development.

Habitats Regulations:

93. A habitat regulations assessment has been undertaken by the Local Planning Authority for the proposed development, which outlines the likely impacts on the special protection areas and proposed mitigation. This is currently being reviewed by Natural England.

### **Sustainability Measures and Climate Change**

94. 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.
95. 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.

96. The NPPF aims for the need for housing to be met, and policy S2 of the Local Plan sets a target for 14,580 dwellings to be provided by 2036. 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.

97. When considering the impact of climate change, the proposed development would be expected to be resilient to the potential effects of climate change and is expected to reduce/limit impacts on climate emissions as a result of the development or its use. No specific information has been provided as to what measures or systems it is proposed to incorporate within the development other than the intention to use a fabric first approach. However, there is scope to include photovoltaic panels to the roofs, green roofs, electric charging points within the communal cycle store, etc.

### **Planning Obligations / Considerations**

98. Given the development proposes a total of six units, it falls under the threshold for when planning obligations can be secured.

### **Other Material Considerations:**

### **The Council's Five-Year Housing Land Supply**

99. Also of note is the latest position on the Government- required 5 year housing land supply. The published figure for August 2022 confirms that the Council currently has a 5.1 year supply. The addition of urban windfall sites, such as the proposal, makes a small but important contribution to the to the council's housing land supply.

### **Equalities Implications**

100. Section 149 of the Equalities Act 2010 created the public sector equality duty and 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.*

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

This requirement applies to the planning application under consideration, but also applied to the original decision to redevelop the car park for alternative purposes given the site is owned by the Council. Whilst no formal full Equality Impact Assessment has been undertaken, a brief informal assessment was undertaken as part of a report to Cabinet in June 2019 when approval to undertake redevelopment the car park for affordable housing was agreed. This took the view that the provision of new affordable housing in a sustainable location was considered to outweigh the loss of three disabled parking spaces, there being on-street disabled spaces nearby.

102. With regards to the current planning application, it is considered that the equalities implications of that proposed does carry weight in planning terms. The provision of new affordable housing in a sustainable location is considered to outweigh the loss of three disabled parking spaces, there being on-street disabled spaces nearby.

### **Conclusion**

103. The application lies within the urban edge where the basic principle of development is considered acceptable. The site also lies within the boundaries of Eastleigh town centre, where a mix of uses are encouraged, including residential. That proposed would contribute to the provision of much needed affordable housing in a highly sustainable location. It is considered to be of an appropriate design which would assist in enhancing the visual amenity of this part of the town centre, helping to provide a gateway feature and adding to the townscape quality of the area.
104. The concerns in relation to the amenity of existing and future residents are noted but can be addressed to an acceptable degree provided appropriate mitigation measures are implemented, albeit they may not be ideal. Equally, the development itself would not result in any unacceptable impact upon neighbouring commercial uses.
105. The resulting loss of the existing car park and strong concerns expressed with regards to the impact on community groups and certain vulnerable local residents are acknowledged. However, it has been demonstrated that there is sufficient alternative parking provision, including disabled parking, in the locality.
106. To conclude, although concerns remain, these have been addressed to an acceptable level in planning terms. In weighing up the planning balance therefore, the application is considered to fall in favour of a recommendation to approve, subject to the provisos and recommended conditions set out at the beginning of this report.

F/22/92349



Address: Hanns Way Car Park,  
Hanns Way, Eastleigh

Date: 04/11/2022

Scale: 1:1250