ASSESSMENT OF PROPOSAL

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:-

"If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."

The development complies with the saved policies of the development plan in that;

- The relatively small nature of the building and its setting nestled in with existing mature hedging and trees, ensures the hide is not intrusive or detrimental to the character and appearance of the area. The hide replaces a previous hide that had been in situ for circa 20 years from which the applicant is able to observe the wildlife within this recognised nature reserve. The materials are suited to this location and it would be difficult to draw a conclusion other than that the building does not under the special characteristics of the Old Bursledon Conservation or the SPA. It complies with policies 18.CO, 10 (ii), 169.LB and 179.LB in this respect.
- The building is not replacing one that had temporary permission (there is no record of consent being issued for the original building but it would be immune from enforcement action due to the length of time it was on site). It would be used in association with the primary use of the site, that of a nature reserve, which is private and does not generate traffic movements of any note. The original building has been removed already, as such policy 10.CO (iii, iv) have been complied with.
- There are no nature conservation grounds on which to refuse this scheme.

OTHER MATERIAL CONSIDERATIONS

It is considered that there are no other/other material considerations to warrant a decision otherwise than in accordance with the Development Plan and/or legislative background.

CONCLUSIONS

The recommendation is to permit

CONSULTATION RESPONSES

CONSULTEE	SUMMARY OF RESPONSE
Bursledon PC	Object policies 10.CO and ICO (iv) and that it is not a hide
Countryside and Tree - Ecology	No objection
Old Bursledon Action Group	Object as they are not hides but sheds. They should have been removed following the appeal for the barn

POLICY CONTEXT

DESIGNATION APPLICABLE TO SITE
Outside Built-up Area Boundary Within Designated Conservation Area

DEVELOPMENT PLAN POLICIES

Eastleigh Borough Local Plan Review (2001-2011) 10.CO, 18.CO, 59.BE, 169.LB, 179.LB
Supplementary Planning Guidance: Biodiversity

SPECIAL POLICY AREA

Old Bursledon Special Policy Area

NATIONAL PLANNING POLICY GUIDANCE

National Planning Policy Framework

POLICY COMMENTARY

The above policies combine to form the criteria against which this application will be assessed with particular regard to residential amenity, trees, nature conservation, street scene and character of the area

COMMENT ON CONSULTATION RESPONSES

OBAG – The sheds to which reference is made were closer to the barn and it would seem have been removed from the site. The building the subject of this application does have the appearance of a shed, with its low pitched roof over a timber clad building, but having been inside it is set up as a hide from which to observe wildlife (large glass window in end elevation) and make notes.

COMMENT ON REPRESENTATIONS RECEIVED

X	See below		Other……

PLANNING OBLIGATION/CONSIDERATIONS

N/A

MINOR DEVELOPMENT PLANNING APPLICATION REPORT REF. NO. C/12/70655

DESCRIPTION/ ADDRESS	Retrospective: Retention of replacement shed to be used as an observation hide Secret Garden Nature Reserve High Street Bursledon Southampton SO31 8DJ

SITE VISIT DATE	June 2012			
ARE PLANS ACCURATE?	X	Yes		No. If not why not…….
HAVE ALL NECESSARY NEIGHBOURS BEEN CONSULTED?	X	Yes		No. If not why not…….

THE SITE AND ITS SURROUNDINGS

DETAILED DESCRIPTION OF APPLICATION	Retention of a replacement observation shed measuring 3.6m x 2.6m x 2.4m (h). The shed is clad in oak timber and has a felt roof.
SITE AREA	N/A
RESIDENTIAL DEVELOPMENT DENSITY (NET)	N/A
TOPOGRAPHY	Site slopes southwards towards the railway line
TREES	Numerous trees within the site but none effected by this structure.
BOUNDARY TREATMENT	Combination of hedging and field fencing
SITE CHARACTERISTICS	Within countryside, this site has operated as a private nature reserve for 20 years. The site is accessed along a track and is not visible from public vantage points. The entire site is managed as a nature reserve with the area around the shed more manicured and kept, with ponds, bridges, benches whilst to the south the land is more meadow in appearance.
CHARACTER OF LOCALITY	Within the Old Bursledon Conservation Area and the Old Bursledon Special Policy Area.

RELEVANT PLANNING HISTORY

REFERENCE	DESCRIPTION	DECISION
None relevant to this structure but there is a reasonable amount of history with other developments on this site. This includes erection of a barn and the original use of the site as a nature reserve.		

REPRESENTATIONS RECEIVED

SOURCE	SUMMARY OF CONTENT
None	