REF. NO. F/15/77341

PLANNING APPLICATION REPORT

DESCRIPTION/ ADDRESS	-	Renewal of planning permission F/12/71729 for the construction of dog training hall with associated exercise area, parking and landscaping following demolition of existing barn. Land at Moorlands Farm Botley Road West End Southampton SO30 3HD

SITE VISIT DATE – 6/11/15

ARE PLANS ACCURATE? - yes

HAVE ALL NECESSARY NEIGHBOURS BEEN CONSULTED? - Yes

THE SITE AND ITS SURROUNDINGS

DESCRIPTION OF APPLICATION	The application seeks a renewed permission for the erection of a new training hall for use by the 'Hearing Dogs for Deaf People', with the extension of the existing private driveway and demolition of some of the existing farm barns. Associated parking and landscaping works are also proposed.
SITE AREA	Approx. 0.27ha
RESIDENTIAL DEVELOPMENT DENSITY (NET)	N/a
TOPOGRAPHY	The site is relatively level
TREES	There are a number of trees adjacent to the proposed access road leading to the barn. Some scrub trees are proposed to be lost as a result of the development and for the access.
BOUNDARY TREATMENT	Fences and trees on motorway side/hedged screen field from public footpath then more open with post and wire fencing adjacent Moorgreen Meadows.
SITE CHARACTERISTICS	Part of farmyard with run-down, poor quality farm buildings not functional for agricultural use except for some storage. Modern farmhouse near site entrance. Dog-exercising field used for grazing cattle. Open views from parts of public footpath. Not visible from motorway or Botley Road due to screening and lower lying land
CHARACTER OF LOCALITY	Within West End/Hedge End part of Strategic Gap between Southampton and Hedge End. Urban fringe as adjoins industrial park and motorway. Also Moorgreen Meadows and open countryside beyond.

RELEVANT PLANNING HISTORY

REFERENCE	DESCRIPTION	DECISION
F/12/71729	Construction of dog training hall with associated exercise area, parking and	Permitted

REF. NO. F/15/77341

RELEVANT PLANNING HISTORY

REFERENCE	DESCRIPTION	DECISION
	landscaping following demolition of existing barn.	

REPRESENTATIONS RECEIVED

SOURCE	SUMMARY OF CONTENT
None	

CONSULTATION RESPONSES

CONSULTEE	SUMMARY OF RESPONSE
Head of Transportation and Engineering	No objection. Vehicle and cycle parking sufficient. Sustainable transport contributions required
Natural England	No objection
Eastleigh Ramblers	Hampshire County Council as the highway authority has recognised that this Map does not correctly reflect the legal alignment of the right of way which came into existence on its current alignment as a result of the M27 South Coast Motorway (Chilworth to Windover Section Side Roads Variation) (No. 2) Order 1981 and an extract from the plan in that order is below. The correct alignment is as set out physically around the outside of the proposed development site. Hampshire County Council have indicated that they will be making arrangements for the Definitive Map to be corrected as part of the annual Legal Event Order process details of which have yet to be published on their web site at http://www3.hants.gov.uk/row/locating-row/legal-event-orders.htm. As the proposals do not directly impact on the right of way and the proposals do not appear to adversely affect the setting of the right of way the Ramblers' Association has no objection to these proposals.
	The site is located in close proximity to the M27 motorway, and we would advise the applicant to follow guidance in British Standard 8233 when designing their building,and to consider the installation of acoustic glazing that is suitable for reducing road traffic noise The contaminated land desk study and risk assessment, ref J12146/c01/DB, recommends either further investigation of the site or installation of appropriate protection measures, due to a former landfill/ filled area of land directly to the south of the site and the farming use adjacent to the site. A) No work shall commence 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, 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 a and monitoring. Such a scheme shall include nomination of a competent person to oversee the implementation of the works. B) The development hereby permitted shall not be occupied/brought into

CONSULTATION RESPONSES

CONSULTEE	SUMMARY OF RESPONSE
	use until there has been submitted to the local planning authority verification by the competent person approved under the provisions of the above condition that any remediation scheme required and approved under the provisions of the above condition has been implemented in full in accordance with the approved details (unless varied with the written permission of the local planning authority in advance of implementation). Unless agreed in writing with the local planning authority such verification shall comprise:- (a) built drawings of the implemented scheme (b) photographs of the remediation works in progress (c) certificates demonstrating that imported and /or material left in situ is free from contamination. Thereafter the scheme shall be monitored and maintained in accordance with the approved scheme under the above condition. The applicant should be advised that *in advance of the commencement of development* the condition requires that the assessment be completed and approved. Also that as a result of the assessment, amendments to the design of building structures may be required, further that adequate provision of time needs to be made so the assessment can be completed before works commence on site. Further information and advice about developing 'Brownfield land' can be found on the Council's website. The relevant web-page is entitled 'Development of Brownfield Land'.
HCC Archaeologist	I have checked our records and there are no archaeological issues I would wish to raise in this instance.
Head of Countryside and Trees	I have read Natural England's response and note that they do not feel that the proposed development will have a deleterious impact on the site. I am afraid I cannot agree with this view at the present time as it is my view there could be impacts within the construction and operational phases During the construction period buildings will be demolished, foundations dug and another building erected. Construction could pollute the SSSI due to accidental chemical and fuel spill and large scale silt disturbance. To ensure safety measures are in place to protect the ecology within the SSSI I recommend that Construction Environmental Management Plan (CEMP) should be required by conditions *Before any work commences on site a Construction Environment Management Plan will be submitted to Eastleigh Borough Council incorporating safeguards to preserve the water quality and flows leaving the site.* ***Reason**: To ensure no impact on the Moorgreen Stream and Solent Complex due to contamination and changes in flow.* During the operational phase, the proposed use of the site to exercise dogs is likely to cause an increase in nitrates within the surface runoff due to increases in dog faeces. This will, if un-attenuated, flow straight into the Moorgreen stream which feeds SSSI. This stream eventually becomes Ford Lake before entering the Hamble near to the designated Solent Complex. Currently the drainage strategy only indicates that surface water will pass through a storage tank before discharge. This will provide inadequate filtration to ensure good water quality within the Moorgreen stream. At the very least I would expect a silt trap to be incorporated into the system, but ideally this should be accompanied by an over ground swale to enable the surface water to be filtered through vegetation before entering the tank. To ensure no impact on the SSSI in relation to the operational use of the site I recommend that the following condition is attached to any planning permission granted *A Sustainable Urban Drainage will be submitted to and agreed by Eastleigh*

CONSULTATION RESPONSES

CONSULTEE	SUMMARY OF RESPONSE
	Borough Council before construction commences. Surface water should ideally be filtered through a silt trap, swale and settlement tank before discharge offsite . ***Reason:*** *To ensure the preservation of water flows and water quality to the Moorgreen stream and Solent complex* **Dormouse mitigation** A small section of potential dormouse habitat has been identified within the site. This will need to be removed as part of the proposals. I agreed with Adam Jessop that due to the small area and the suboptimal potential a precautionary mitigation strategy can be submitted rather than a full survey being undertaken. Although I agree that the measures within the Ecological Assessment meet best practice standards in most respects no mention is made of clearance works being undertaken with an ecological watching brief. To ensure dormice are protected from harm within the development I recommend that the following condition be attached to any permission granted. *Before construction commences a dormouse mitigation and enhancement strategy will be submitted to and agreed by Eastleigh Borough Council.* ***Reason:*** *To ensure the protection of dormice from harm.* Providing the above conditions are attached to any permission granted I have no objection to the proposals (Amended Report received and DS confirmed condition not now required) Trees: No arboricultural concerns therefore raise no objection
Environment Agency	No comments
Highways England	No objection
Southern Water	No objection – comments on previous application remain
Landscape Officer	The position and quantum of screen planting would seem to be adequate. However more detail is required. Please refer the applicant to the Landscape and development checklist and put a landscape condition on any approval
West End Parish Council	No objection
HCC SuDS	As this application relates to a site which is less than 1 hectare in size, there is no need for us to comment on it at this time. However, please direct the applicant to our website http://www3.hants.gov.uk/flooding/hampshireflooding/drainagesystems.htm for further information on recommended surface water drainage techniques. Also, please note that if the proposals include works to an ordinary watercourse, under the Land drainage Act 1991, as amended by the Flood and Water Management Act 2010, prior consent of the Lead Local Flood Authority is required for this work. This consent is required as a separate permission to planning. Details can be found http://www3.hants.gov.uk/flooding/hampshireflooding/watercourses.htm
Direct Services	No comments

POLICY CONTEXT

DESIGNATION APPLICABLE TO SITE
Outside Built-up Area Boundary Adajcent to Site of Special Scientific Interest Within Strategic Gap

REF. NO. F/15/77341

DEVELOPMENT PLAN SAVED POLICIES, EMERGING LOCAL PLAN POLICIES AND SPD'S

Eastleigh Borough Local Plan Review (2001-2011), saved policies 1.CO, 2.CO, 59.BE, 62.BE, 104.T, 191.IN, 18.CO, 10.CO, 22.NC

Submitted Eastleigh Borough Local Plan 2011 - 2029, July 2014, (the Submitted Local Plan) comprising:

- Revised Pre-submission Eastleigh Borough Local Plan 2011 - 2029, published February 2014; and
- Schedule of Proposed Minor Changes, submitted to the Secretary of State in July 2014'
- DM1, DM23, DM24,S8, DM37,DM6, DM9, DM16

Supplementary Planning Document: Planning Obligations

NATIONAL PLANNING POLICY GUIDANCE

National Planning Policy Framework and PPG

POLICY COMMENTARY

The above policies and guidance combine to form the criteria against which this application will be assessed with particular regard to

COMMENT ON CONSULTATION RESPONSES

See below

COMMENT ON REPRESENTATIONS RECEIVED

n/a

PLANNING OBLIGATION/CONSIDERATIONS

In accordance with the provisions of the following;

- National Planning Policy Guidance
- Community Infrastructure Levy Regulations 2010 (SI 2010/948) as amended by the Community Infrastructure Levy (Amendment) Regulations 2011 (2011/987)
- Saved policies 101.T, 191.IN of the Eastleigh Borough Local Plan Review 2001-2011
- Emerging policies DM23, DM32, DM35 and DM37 of the Revised Draft Eastleigh Borough Local Plan Review 2011-2029
- Supplementary Planning Document – Planning Obligations

Planning obligation contributions are sought to offset the impact of the development on local infrastructure. For this development contributions are sought towards Sustainable Transport. The applicant has paid the contributions through an appropriate up-front payment for the previous application F/12/71729 which are carried forward. This transport contribution was negotiated between the applicants' transport consultant and the Council's Transport Planner following a detailed assessment of likely trip rates from this specific proposal.

ASSESSMENT OF PROPOSAL

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

REF. NO. F/15/77341

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 application seeks permission for the construction of a purpose built training facility for use by the charity, 'Hearing Dogs for the Deaf'. The site currently comprises of a number of existing farm barns and areas of hard standing. The proposed training facility would be positioned within an area of land currently used as pasture, following the demolition of an existing barn.

The proposed building would measure approx. 22.4m by 11.3m and would provide a training hall, office, toilets and storage areas, with the majority of the floor space being for the training hall. The building is designed in a barn style, with a hipped roof, measuring approx. 7m at ridge height.

Principle

The application site lies outside the urban edge, within an area designated as both countryside and strategic gap. The proposed use does not strictly fall under the categories of development permitted in countryside locations by Policy 1.CO. However, by its very nature it is a specialised use which is best suited to a countryside location, due to the potential for noise and disturbance that would arise from the dogs exercising in the grounds of the building. Although the training activities would take place inside the hall, the dogs would require areas to exercise and rest in before/during/after the training sessions – this requires a certain amount of space and as such, would be more difficult to accommodate within a more built up area, where there would also be the potential for conflict with neighbouring uses/properties.

The design of the building is relatively modest and although larger than the barn to be demolished, it is not considered to be of such a scale as to be unduly prominent or intrusive within the countryside and gap setting. A condition is recommended to ensure samples and details of all materials are submitted for approval to ensure an appropriate finish is achieved. The plans also show new screening planting and tree planting around the perimeter of the site, which would help to soften the overall appearance of the development in relation to the countryside/gap setting. The Landscape Officer has raised no objection to the proposals on these grounds.

As such, it is therefore considered that an exception to Saved Policy 1.CO is justified in this instance and that the proposals will not physically or visually diminish the strategic gap setting to such a degree as to be unacceptable, and therefore comply with Saved Policy 2.CO of the adopted plan and Policies DM1 and S8 of the emerging local plan.

The proposal is likely to be part of a more comprehensive scheme for the charity should further parts of the holding become available in the future. This has been taken into account, although no draft comprehensive scheme is currently available.

Highway Issues

The plans show the provision of 33 no parking spaces to serve the training hall, including two disabled spaces adjacent to the entrance to the building. Engineers have confirmed no objection to the proposals on these grounds. Adequate cycle and bin storage is also proposed and again, there is no objection from Engineers on these grounds. The site access is considered acceptable, with satisfactory sight lines being achieved and as such, there is no objection in terms of highway safety.

The existing public footpath is not adversely affected by the proposed development and the Eastleigh Ramblers have raised no objection to the proposals.

REF. NO. F/15/77341

ASSESSMENT OF PROPOSAL

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

As such, the proposals are considered to comply with the guidance contained in Saved Policies 59.BE, 62.BE and 104.T of the adopted local plan, and Policies DM1, DM23 and DM24 of the emerging local plan.

Ecology

The application site lies adjacent to the Moorgreen Meadows SSSI. Revised ecology reports for reptiles (June 2015), ecological assessment (August 2015) and Amphibians (Sept 2015) are submitted. The Council's Biodiversity Officer had raised a holding objection to the proposals as the ecology report did not include a watching brief for dormice during clearance works. This has been amended to address the concerns raised and conditions are recommended which also include construction management and sustainable drainage controlsals as recommended. Conditions are also recommended in respect of protection for nesting birds and the need for bat friendly lighting to be used on the site. It is confirmed that the proposals for this charity assisting the deaf are considered to be in the public interest.

With the additional information provided and the required conditions, it is considered that the proposals would not have a detrimental impact on the ecological value of the SSSI, anyEuropean Protected Site (SPA, SAC or Ramsar) or protected species and as such, the proposals are acceptable.

HRA (Habitat Regulations Assessment) has been screened out due to the minor nature of the proposals.

A condition requiring full details of the proposed drainage strategy is also proposed, addressing the Biodiversity Officer concerns and Engineers previous comments on this issue. It is noted that the Environment Agency, HCC FWM team and Southern Water have raised no objection to the proposals

OTHER MATERIAL CONSIDERATIONS

Also of relevance is the Submitted Eastleigh Borough Local Plan 2011 - 2029, July 2014. While not yet adopted it does carry weight by virtue of being intended as the current local plan's replacement. With regards to this application, the new policies essentially echo those of the current plan and are not considered to affect the recommendation put forward. The NPPF and associated PPG are, however, significant material considerations. The saved policies of the Development Plan are considered to be up to date in respect of the proposals concerned and there is no conflict between Development Plan policies and NPPF/PPG guidance in respect of the matters to be considered.

CONCLUSIONS

Permission is recommended subject to conditions