

(BIFOHH, Bishopstoke, Fair Oak and Horton Heath Local Area Committee,
28th June 2023)

Application Number: F/22/94174
Case Officer: Rachael Morris
Received Date: 11/11/2022
Site Address: FAIR OAK SPORTS PAVILION, PAVILION CLOSE, FAIR OAK, EASTLEIGH, SO50 7PS
Applicant: Fair Oak & Horton Heath Parish Council
Proposal: Conversion of the existing playing field to accommodate 2.no football pitches and 2.no cricket pitches with the loss of 1.no football pitch. Erection of a single-storey cricket score-box & storage cabin. Erection of cricket nets. Extension to an existing culvert. Associated landscaping, and footpath upgrade.

Recommendation: **Subject to:**

- i) **Response from Natural England on Habitat Regulation Assessment (HRA);**
- ii) **Any further representations made on the application during the publicity period due to expire on 20th June 2023**

To delegate back to the Service Director for Planning and Environment in conjunction with the Chair and Vice Chair to GRANT PLANNING PERMISSION with the following conditions:

CONDITIONS AND REASONS:

1. The development hereby permitted shall be implemented in accordance with the following plans numbered: TGMS1111.9-3 Rev 4, 25 05 23-Rev1, Tgms1111.9-6 Rev3, TGMS1111.9-1 Rev6, Tgms1111.9-5, Tgms1111.9-4
Reason: For the avoidance of doubt and in the interests of proper planning.
2. The development hereby permitted shall start no later than three years from the date of this decision.
Reason: To comply with Section 91 of the Town and Country Planning Act 1990.
3. Prior to the commencement of work relating to the ancillary storage building, full elevational details and materials to be used shall be submitted and approved in writing by the Local Planning Authority. The details shall be in broad accordance with plan references Part 2 Rev 5

and Part 3 Rev 5.

Reason: To ensure a high-quality design in accordance with Policy DM1 of the Eastleigh Borough Local Plan (2016-2036).

4. Prior to commencement of development, a Landscape Ecological Management Plan (LEMP) and final landscaping scheme shall be submitted and approved in writing by the Local Planning Authority. The submitted LEMP and landscaping scheme shall include detail in broad accordance to the submitted Enhancements Plan (25 05 23-Rev1) and submitted Landscape Management Plan (HBD2230LSR2). The scheme shall cover all biodiversity enhancements, hard and soft landscaping including trees, planting, boundary treatments, and hard surfacing and provide details of timings for all landscaping. This must ensure the approved Biodiversity Net Gain on site is maintained. The development shall thereafter be carried out in accordance with the approved details.

Reason: To ensure biodiversity enhancement and suitable management on site. In the interests of the visual amenity of the locality and biodiversity on site.

5. Prior to the commencement of works a schedule of playing field maintenance for the adjacent 11x11 football pitch on the Wyvern College site, including a programme for implementation for a minimum period of 5 years, shall be submitted to and approved in writing by the Local Planning Authority after consultation with Sport England. Following written approval of the schedule of playing field maintenance by the Local Planning Authority the approved schedule shall be complied with in full.

Reason: To ensure the alternative football provision is maintained to standard

6. Prior to any drainage works or culvert works, culvert details and detailed drainage plans showing how the pitch drainage will feed into the proposed area of wet woodland, the size of the drainage catchment area for the proposed wet woodland, cross sections and long sections of the proposed wet woodland and details for the remainder of the site including any new discharge points.

Reason: To ensure suitable drainage on site in accordance with DM6.

7. The development must accord with the arboricultural report reference HBD2202IAMS3. No excavation, demolition or development related works; no access by persons, vehicles or plant; and no placement of goods, chemicals, fuels, soil or other materials shall take place within the Root Protection Areas of any retained tree in proximity to the proposed culvert installation.

Reason: To retain and protect the existing trees which form an important part of the amenity of the locality in accordance with Policy DM1 of the Eastleigh Borough Local Plan (2016-2036).

8. The development hereby approved shall accord in full to the submitted and approved Construction Environmental Management Plan (referenced 20230206P1 Rev 2) unless otherwise agreed in writing by the Local Planning Authority.
Reason: To limit the impact the development has on the amenity of the locality and the surrounding environment
9. The proposed stop netting will be put away when not in use/play.
Reason: To ensure the site remains accessible for all users including potential wildlife
10. The development hereby approved shall accord to the submitted Dormouse Survey Report (Rev1-04 11 22), Great Crested Newt Survey Report (Rev1-04 11 22) and Ecological Appraisal Report (Rev1-04 11 22) completed by Hampshire Ecological Services and implement the recommended enhancement measures.
Reason: To ensure protected species that are potentially present are safeguarded in accordance with DM11.
11. The proposed footpath including additional boardwalk area shall be constructed to Hampshire Countryside Service Design Standards (2020) for Path Surfacing and Boardwalks.
Reason: To ensure the footpath/boardwalk is suitably constructed and best practice is followed.

Note to Applicant: This planning permission does not convey the right to implement the development without other required permissions, such as an Ordinary Watercourse Consent.

Note to Applicant: In accordance with paragraph 38 of the National Planning Policy Framework (July 2021), Eastleigh Borough Council takes a positive approach to the handling of development proposals so as to achieve, whenever possible, a positive outcome and to ensure all proposals are dealt with in a timely manner.

Report:

1. This application has been referred to Committee because the Parish Council is the applicant.

Site Characteristics and Character of the Locality

2. The site is an established recreational sports pitch which currently provides 3.no football pitches and 1.no cricket square. The site is served by parking facilities and an existing Pavilion.
3. The site is 12.5 hectares, mostly laid with grass with areas of woodland bordering to the North, West and South. To the East, there are residential properties.

4. There is an existing culvert on site to the north-west which is bordered by a Site of Importance for Nature Conservation (SINC) (Wyvern Technology College Meadow).
5. The nearest listed building is the thatched cottage to the south of the tennis courts. This building is a 17th Century and early 19th Century cottage and workshop, known as The Bush.

Description of Application

6. Planning permission is sought for the conversion of the existing playing field to accommodate 2.no football pitches and 2.no cricket pitches with the loss of 1.no football pitch. Erection of a single-storey cricket scoreboard & storage cabin. Associated landscaping and footpath upgrade.
7. The proposed ancillary storage cabin and scoreboard is approx. 12m X 4.8m and is located to the east of the site, similar in location to the existing ancillary building to be removed.
8. The pitches to be provided include an additional 11v11 football pitch to the south with the 9v9 football pitch to the north being retained. The existing 11v11 football pitch in the centre is to be lost. An additional cricket wicket is to be provided in addition to the existing one, but of which is being relocated within the site for a more efficient use of space. Therefore, in total, the site will accommodate 2.no cricket wickets and 2.no football pitches. In addition to the relocated cricket nets to the north of the site.
9. The proposed footpath will follow a similar line to the existing footpath on site that runs down the east of the site and loops around the bottom to connect through the woodland area to the south. This is proposed to be enhanced and an additional boardwalk provided within the wooded area to the south to link into the One Horton Heath site.
10. The application is accompanied by the following reports and technical assessments:
 - Phase 1 Desk Study and Site Reconnaissance
 - Pitch Power – Football Assessment Report
 - Design and Access Statement
 - Ball Strike Assessment
 - Arboricultural Impact Assessment and Method Statement
 - Landscape Management Plan
 - Dormouse Survey Report
 - Ecological Appraisal Report
 - Great Crested Newt Survey Report
 - Feasibility Study

- Design Standards for Path Surfacing
- Drainage Plan
- Biodiversity Net Gain metric 4.0

The application was amended resulting in changes to the site layout including the orientation to the southern football pitch, so it is at a North-South orientation rather than East-West. Also, an increased area of proposed swale to accommodate wet woodland habitat has been added to the proposal.

Relevant Planning History

- Z/17252/016/00 - Change of use: to playing fields, recreation ground, and car park with access off Botley Road – Permit – Feb 1994
- Z/34447/000/00 - Construction of 2no. Tennis courts with 2.7-metre-high perimeter fencing – Permit – Jun 1997
- F/16/78246 – Construction of cricket scoreboard & storage cabin – Permit – May 2016

Representations Received

11. 62 representations received:

- 8 objections
- 2 comments
- 52 in support

12. The representations include comments regarding:

- The extra wicket is essential to accommodate demand for the local community.
- Provision for the 5 Saturday teams along with for women and junior cricket.
- Sport is integral to the community and to the wellbeing of adults and children.
- Second cricket wicket is needed for the sustainability of Fair Oak Cricket Club.
- 3 out of 5 men's teams are unable to play at the Lapstone and must go elsewhere. An extra wicket will result in less car journeys to other cricket wickets.
- A safe place for people to walk is vital however not lighting the path is a missed opportunity.
- An increase in leisure facilities locally is important given the numbers of new homes currently under construction.
- The drainage will improve use all year round
- There are issues with parking at weekends when sports are played on top of schools related parking issues in the week.
- More people play football so don't agree with this loss of a pitch; however, football is also provided at Wyvern College.

- Antisocial behaviour congregating around the score-box huts. Litter will be left. Noisy with play and music.
- The proposed planting will be detrimental to amenity in neighbouring gardens. Existing planting is not maintained by the Parish.
- The proposed replacement score-box hut is too close to residential properties.
- Relocating the nets will represent a noise and safety issue for the residents of the houses.

13. At the time of publication, 1 day remained of the re-consultation period that was required due to the submission of amended plans.

14. **Fair Oak Parish Council** – No comment

Consultation Responses

15. **EBC Ecology** - Objection.

There is the uncertainty of how wet, and therefore successful, the replacement wet woodland will be compared to that being lost. Additionally, if the existing watercourse is classed as a stream, rather than a ditch, then the scheme will result in a biodiversity net loss (on the rivers and streams metric only – there is a gain on the habitats metric). On the positive, the applicants have done their best to maximise biodiversity opportunities wherever possible on the site, given the site's restrictive nature for the requirements of the scheme.

16. **EBC Environmental Health** – No Objection subject to a CEMP.

We understand the sport facilities comprise reuse mainly on existing land or reconfiguration will be provided for cricket use in daylight hours and there will be no artificial lighting installed. No new vehicle parking spaces are proposed. In terms of operational pollution impact, we anticipated this to be broadly like the current situation. We understand also that construction works will be of approximately two months duration and would include installing drains and some filling or level of the site which might be dusty in dry weather and cause temporary noise impact from the site works and vehicles accessing the site. Therefore, we advise you to include a condition for a Construction Environmental Management Plan. We expect this to set out the Best Practicable Means that will be employed to minimise noise, vibration and dust impacts to including Fair Oak Infants School, Fair Oak Junior School, Wyvern College and neighbouring dwellings.

17. **EBC Tree Officer** – No Objection subject to a condition.

At pre-app we had concerns regarding the removal of a significant number of willow without demonstrating that they could be replaced. We are pleased to see that the applicant has now demonstrated that the replacement planting can now be achieved. In addition, details of the path were also lacking at pre-app, but are now contained within this application. Ultimately, despite the removal of G1 being contrary to

policy, the applicant has demonstrated that suitable replacement trees can be provided.

18. EBC Landscape – No Comment

19. EBC Urban Design – No Comment

20. EBC Leisure Services – No Objection.

This project will enable growth and development of cricket locally where there is currently displaced demand outside of the local authority area due to the lack of pitch provision. The Playing Pitch Strategy (PPS) 2017 identifies a need for a second cricket pitch at Lapstone Playing Fields. The current provision enables a capacity of 50 match equivalent sessions (MES). This was being exceeded in 2017 by Fair Oak Cricket Club and since then the club has grown significantly with an additional two senior teams, a women's team and numerous junior teams. It is expected that the need for an additional cricket pitch at Lapstone will be re-affirmed by the new PPS which is currently in development and expected to be adopted in 2023. Given the strategic need and local evidence base I would fully support the need to a second cricket pitch and associated ancillary facilities at Lapstone Playing Fields. In terms of football use, it is clear that there is a high demand for youth football locally and Wyvern FC has grown in size since the PPS was last completed in 2017. To support the growth of youth football locally a number of new grass and artificial pitches have been developed to increase capacity and support the demand. Enhanced 3G facilities at Wyvern School have supported training and match play demand from Wyvern FC who are now the main football user at Lapstone Playing Fields. It is my view that the proposed mitigation of enhanced grass pitch provision at Wyvern College adheres to Paragraph 97 of the NPPF to ensure that equivalent provision is being offered in terms of quantity and quality in a suitable location.

21. Built Heritage Consultant – No Objection.

The proposed double shipping container cricket pavilion is to replace an existing wooden structure some 45m to the north-north-west of the proposed position, which is about 25m north-west of the tennis courts, a similar distance from the dwellings in Daisy Fields and some 125m from the listed building. The proposal is the other side of the tennis courts from the heritage asset, not in the immediate vicinity of the building and of lesser size than any of the buildings that are close to it, so its impact will only be minimal in relation to it, not seriously affecting the setting of the listed cottage. Given the other objects in the vicinity of the listed building and the proposals distance from it this will not cause any greater harm.

22. Asset Management – No Comment

23. Eastleigh Ramblers – Partial Objection.

The planning application appears to be lacking in detail on the lengthening of the pipe taking the watercourse and detail on the construction of the head wall at the new end of the pipe. We withdraw that element of our objection of 11 June 2023 that relates to the reorganisation of the playing fields. We do not withdraw that part of our objection that relates to the provision of a footpath through the playing fields to connect the proposed 2500 houses in One Horton Heath with the Wyvern Schools. It is the intention to funnel children to school along two proposed routes into Pavilion Close where there are already unresolved safety issues at school traffic times with the footways being blocked by parked traffic and unable to provide the function for which they were built.

24. HCC Waste and Minerals – No Comment

25. Lead Local Flood Authority (HCC) – Comment

Due to the minimal increase in impermeable area, the LLFA has no comments regarding surface water drainage. The proposal for land drainage may require additional outfalls that may need ordinary watercourse consent from the LLFA in addition to any planning permission.

26. HCC Countryside Services – No Objection.

The proposed layout will not physically impact on footpath 1b. It is welcomed that the application recognises the need for access to and from existing and future parts of the community. Future residents of the One Horton Heath (OHH) development south of the site can reasonably be expected, possibly in some numbers, to want to access the playing fields routinely to enjoy the facilities. The provision of a footpath running from the existing pavilion around the eastern boundary of the site, then through woodland to a point on the Applicant's boundary with the OHH development, could greatly facilitate this access. The Service wishes, however, to raise concern as to how future users from the OHH development would reasonably connect to the path given it does not link to any existing right of public access at its southern point. Provision of a walking and cycling path, and linking to similar within the OHH site, would add further weight to Eastleigh Borough Council's Local Plan Policy S9.

Update: It has been explained that the drainage design as originally supplied omitted to include a further drainage pipe west of the playing field and proposing to outfall water south into an existing ditch, which itself carries water away to the south. Fair Oak and Horton Heath Public Footpath 1b will not be undermined by the proposed drainage system revision at the site. The Service, therefore, withdraws its holding objection and raises no objection to the proposal.

27. Sports England – No Objection.

Having re-consulted the ECB, they are satisfied with the amended plans for the proposed scoreboard/store/shelter noting the wider onsite facilities being provided. In relation to the practice nets, taking account of the underlying principles and case provided, the ECB supports the proposed location. The ECB suggests that a 'sun plot' be considered so as to inform usage in the future with appropriate Health and Safety considerations factored in (i.e. minimise usage when the sun interference is at its worse). Sport England reiterates its support for the application under a combination of exception 5 and 2 of our playing fields policy. The absence of an objection is subject to a condition being attached to the decision notice.

28. Wyvern Football Club – No Comment

29. Hampshire Highways - No Objection.

Any additional trips generated by the proposals would largely be outside of traditional peak hours, and whilst associated vehicle parking would be for EBC to assess in their role as Local Parking Authority, there appears to be an adequate provision that is suitably laid out.

30. Environment Agency – No Comment

31. Natural England – No Objection.

Awaiting further comment following the submission of a Habitat Regulation Assessment (HRA).

Policy Context and Designations Applicable to Site

- Outside Built-up Area Boundary / within the countryside
- Within Established Residential Area
- Within settlement gap
- Adjacent to a Site of Importance for Nature Conservation (SINC) (Wyvern Technology College Meadow)
- Adjacent to a listed building (The Bush - List Entry Number: 1204040)

Development Plan

Eastleigh Borough Local Plan 2016-2036

32. The Eastleigh Borough Local Plan 2016-2036 has full weight. The most relevant policies are

Strategic policies:

- S1 (Sustainable Development);
- S2 (Promotion of New Development);
- S5 (New development in the countryside);

- S6 (Protection of settlement gaps);
- S9 (Green infrastructure).

Development Management policies:

- DM1 (General Development Criteria);
- DM2 (Environmentally Sustainable Development);
- DM6 (Sustainable Surface Water Management and Watercourse Management);
- DM11 (Nature Conservation);
- DM14 (Car Parking);
- DM32 (Protection of recreation and open space facilities);
- DM34 (New and enhanced recreation and open space facilities).

Hampshire Minerals and Waste Plan

33. Policy 15 – Safeguarding of Mineral Resources.

Supplementary Planning Documents

- Quality Places (November 2011);
- Environmentally Sustainable Development (March 2009);
- Biodiversity (December 2009);

Other documents

- Eastleigh Borough Council Sports Facilities Needs Assessment & Playing Pitch Strategy Update (2017)

National Planning Policy Framework

34. 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. Agent of Change principles protect existing businesses.

35. 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

36. 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

37. 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 policies within the Council's adopted Local Plan 2016-2036 and the Hampshire Minerals and Waste Plan 2013. The NPPF and the Planning Practice Guidance constitute material considerations of significant weight.

Principle:

Sustainable Development:

38. Section 2 of the NPPF (July 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.
39. 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.
40. 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.
41. 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.

Planning Policy:

42. The proposal is assessed against the following policies from the 2016-2036 Eastleigh Local Plan.
43. Policy S1, Delivering sustainable development, states: To be sustainable, new development in the Borough should: k. maintain, enhance, extend and connect the natural habitats within and landscape value of the Borough, extending natural habitats into new and existing development to achieve an environmental net gain.
44. Policy S5, New development in the countryside, states: Planning permission will be granted for new development in the countryside provided it is related to:... outdoor recreation and open space (policies DM32 and DM33);
45. Policy S6, Protection of settlement gaps, states: Development within a Settlement Gap as set out in the policies map will be permitted provided that: a. it would not undermine the physical extent and/or visual separation of settlements; and b. it would not have an urbanising effect detrimental to: i. The character of the countryside; or ii. The separate identity of the adjoining settlements.
46. Policy S9, Green Infrastructure, states: Through new development and other initiatives the Borough Council will seek to achieve the provision, retention and/or enhancement of the following forms of multifunctional green infrastructure, including provision of: b. interlinked publicly accessible open space through new and existing development including for example formal sports facilities and informal amenity spaces and cemeteries; d. interconnected urban green infrastructure within the fine grain of existing and new development including green, cycle ways, paths and linkages between community facilities and open spaces to link community facilities;
47. Policy DM1, General criteria for new development, states: All new developments should... d. not involve the loss of or damage to trees, woodlands, hedgerows, ponds, priority habitats or other landscape features of value to the character of the area, for appearance or biodiversity unless they can be replaced with features of equivalent or enhanced value, (recognising that some species and habitats may be irreplaceable);
48. Policy DM6, Sustainable surface water management and watercourse management, states: Where a watercourse is present on a development site, it should be retained or restored into a natural state and enhanced where possible. The culverting of any watercourse will not generally be permitted, and development should wherever possible remove any existing culverts and increase on-site flood storage. Development should be laid out to enable maintenance of the watercourse.

49. Policy DM11, Nature Conservation, states: Development will not be permitted if it is likely (either individually or in combination with other developments) to have a direct or indirect adverse effect on priority habitats, protected or priority species, or on the local ecological network unless it can be demonstrated that: a. there are no alternative solutions; b. the adverse effects are unavoidable; c. measures are taken to mitigate or, as a last resort, compensate for the adverse effects; d. there is an overall biodiversity net gain; and e. if there are any residual adverse effects, the benefits of the development clearly outweigh the adverse effects on priority habitats, priority and protected species, and the local ecological network.
50. Policy DM32, Protection of recreation and open space facilities, states: The loss of existing or allocated recreation and open space facilities, including those identified on the policies map, are only likely to be permitted in exceptional circumstances, where: c. the development is for alternative recreation or open space facilities, the need for which clearly outweighs the loss. 2. Development ancillary to the recreational use may be permitted on recreation sites provided that it does not adversely affect land forming part of, or capable of forming part of, a playing pitch/court/green. Any replacement provision should be made available for use prior to commencement of development.
51. Policy DM34, New and enhanced recreation and open space facilities, states: The provision, extension or enhancement of public and private recreation and open space facilities or uses including those identified in policy DM32 above will be permitted provided that: a. they accord with the general development criteria and the biodiversity, and heritage policies of this Local Plan; b. in the countryside: i. new buildings will be limited to those ancillary to and essential for the use of the land for outdoor sport and recreation; and ii. development should not involve structures, flooding or activities that cause urbanisation or detract from rural character; c. they contribute to the management of, and where possible enhance the countryside and urban open spaces and; d. they are readily accessible to those they are intended to serve by means of transport other than the private car and accord with the transport and parking policies of this Local Plan.

Assessment:

Sports Provision

52. The scheme proposes the provision of a sport and recreation facility to exist alongside an existing sports provision on site. The proposal includes a second cricket wicket with the reconfiguration of the existing wicket and football pitch, including the removal of one football pitch.
53. The provision of a second cricket wicket has been a long-standing aspiration to meet the demand for cricket in the area and with Fair Oak

Cricket Club in particular – as identified in the Eastleigh Playing Pitch Strategy (PPS). The proposal looks to maximise the use of the existing playing fields, utilising the existing ancillary provision (4 changing room pavilion, groundsman shed, car parking, services etc) already in place to support the use of the new pitches.

54. The alternative to this approach would be to find a new greenfield site to deliver 2 cricket wickets and the associated ancillary requirements including a new 4 changing cricket pavilion, practice facilities and car parking. No appropriate available site has been identified which could accommodate this but in addition, it is felt that this alternative would have a more significant environmental and ecological impact than the proposals being presented, which utilise existing recreational playing fields to deliver this longstanding and strategically important objective, without delivering on more greenfield land.
55. The existing site is an established playing field with the site currently well-used for sports. The cricket wicket is proposed to replace a football pitch, resulting in 2.no cricket wickets and 2.no football pitches on site.
56. It is noted that the provision of a second cricket wicket is proposed to provide for the required need of Fair Oak Cricket Club as listed in table 3.1 on page 25 of the Eastleigh Borough Council Sports Facilities Needs Assessment & Playing Pitch Strategy Update (2017). Lapstone Playing Fields is listed in this document as a Natural Turf Pitch Site, under site reference 12.
57. The proposal also provides additional cricket nets which are suitably located to allow use without detrimentally impacting neighbouring properties or other sports uses on site, within the CCTV range to reduce the potential for anti-social behaviour, within reach of a power supply and outside of Root Protection Areas. New 2-lane cricket nets are to be located on the northern boundary of the site, to serve the northern cricket wicket, on the same orientation as the existing nets of which these replace. These nets are approx. 150m from the nearest residential property and it is considered these proposed nets are located further than existing to immediate neighbours.
58. Although the site is within the countryside, policy S5 allows for outdoor recreation and open space within the countryside. Moreover, although the site is also within the settlement gap, policy S6 allows development that would not undermine the physical extent and/or visual separation of settlements. Overall, the proposed built form in this proposal is minor and would not create an urbanising impact or reduce the perceived space between settlements.
59. As stated in policy DM32, the loss of sporting provision is not likely to be supported. However, overall, there is no loss of general sporting provision. The loss of the football pitch is proposed to be mitigated on

the Wyvern Football ground where currently there is an unused pitch. A service agreement between Wyvern and the Parish is in place to provide the football pitches as part of a communal use. This is on-going outside of the planning application and is making progress. Therefore, it is not considered that a sporting provision/recreational loss is proposed here. A condition requiring maintenance of the pitch on the Wyvern Football ground is recommended prior to the loss of the football pitch.

Ancillary building

60. The proposed ancillary building to provide storage and serve as a scoreboard is to replace an existing ancillary building which is to be removed. The proposed ancillary building will present a tidier external appearance compared to the existing building which is starting to appear run-down.
61. The ancillary building has been moved to provide provision for the south-end of the playing fields with the main pavilion building providing most of the facility to the whole field plus as an immediate provision to the northern pitches.
62. As this site is proposed within the countryside, this new building needs to accord with policy DM34 which requires development to be limited to those that are ancillary to and essential for the use of the land for outdoor sport and recreation. The ancillary building remains essential for the sports use of the land and is a minor addition replacing an existing building, as such will not detract from the rural character of the site and is acceptable.
63. It is noted that some neighbouring residents at Daisy Fields are concerned by this relocation due to the potential for increased noise and disturbance associated with this building, however this building has been placed here after much consideration with no viable alternative due to the position in which it needs to serve the field. This scoring hut will reside at the bottom of the existing batter slope, which presents a 2m level change between residential properties and the proposed location of the cricket hut, which will largely overcome any concerns regards outlook or visual amenity. It is a relocation of an existing provision, in which this field is an allocated playing field for recreational purposes. It is also worth noting that this proposed scoring hut is not expected to create unacceptable noise outside of what is expected within an area of open space/playing field or when compared to the adjacent tennis courts that are already present to the south of properties in Daisy Fields. It is therefore not considered that the new, relocated storage building

would have an adverse impact on the amenity of neighbouring residents.

Ecology

64. The proposal involves a 44m extension to the culvert to create a levelled area for cricket playing space.

65. The culvert extension will also remove the surrounding goat willow trees in an area of wet woodland which is suitable habitat for great crested newts, dormice and other small mammals which are recorded in proximity and for reptiles. Due to the young age of this area, the classification has been rated as poor within the Biodiversity Net Gain Defra 4.0 Metric. However, mitigation has been proposed in the relevant reports including:

- Three dormouse nest boxes to be provided prior to works, including the disturbance/removal of vegetation, and will remain on site permanently (Dormouse Survey Report, November 2022).
- A hand search will be carried-out by a licensed ecologist in order to remove dormouse utilising the sections of vegetation to be removed prior to clearance. This is also supported by a list of precautions that will be taken to reduce the risk of dormouse being harmed (Dormouse Survey Report, November 2022).
- A Great Crested Newt License/Great Crested Newt Low-Impact Class License from Natural England will be required before work can take place on the culvert (Great Crested Newt Survey Report, November 2022).

66. In addition, an area of wet woodland is proposed to the south-west of the site to replace the habitat lost at the area culverted. Since the original submission, this has been increased in size, and as submitted in the Defra 4.0 metric calculations, a Biodiversity Net Gain (BNG) of 12.31% is being provided. This has been achieved through an updated pitch layout to accommodate the greater wet woodland replacement habitat. Although, there is still the potential that the wet woodland being created may not be as wet as the woodland being lost. This is due to a smaller catchment feeding the created woodland compared to the catchment feeding the woodland to be lost.

67. Overall, there is a BNG provided, as required within Policy DM11 and the requirement to meet 10% on all aspects of the metric is not in legislation until November 2023.
68. In order to provide the outfield space needed to play cricket and deliver the project, it was not possible to utilise the site without the element of culvert extension; currently under consideration through a separate Ordinary Watercourse Consent process and does not form a material planning consideration when assessing this planning application.
69. As stated in policy DM11, development will not be permitted if it is likely (either individually or in combination with other developments) to have a direct or indirect adverse effect on priority habitats, protected or priority species, or on the local ecological network unless it can be demonstrated that: there are no alternative solutions; the adverse effects are unavoidable; measures are taken to mitigate or, as a last resort, compensate for the adverse effects; there is an overall biodiversity net gain; and if there are any residual adverse effects, the benefits of the development clearly outweigh the adverse effects on priority habitats, priority and protected species, and the local ecological network.
70. As previously outlined, the project cannot be delivered without the removal of this area of goat willow and the extension of the culvert. England & Wales Cricket Board (ECB) guidelines for cricket pitch dimensions require a minimum boundary radius of 45.72m (50 yards) from the pitch, with a 3m safety run off from the boundary edge. The ECB also requires that where 2 pitches are adjacent to each other, a 30m gap is retained between the 2 boundary edges to remove the ball trajectory risk.
71. Two attempts at providing an alternative layout which delivers the 2 pitches whilst avoiding this existing drainage ditch and the associated vegetation were submitted as part of this application process. These show that the pitches cannot be delivered without the boundaries touching or overlapping, let alone factoring in the safety run off and requirement for a 30m gap between pitch boundaries.
72. Whilst retention of existing habitat is always preferred, the application demonstrates that no suitable alternative design is viable to deliver the scheme, but suitable ecological compensation will be delivered as part of the scheme to mitigate for the existing habitat being lost, including the delivery of a Biodiversity Net Gain across the site.

73. As laid out in the submitted Enhancements Plan (25 05 23-Rev1), across the site there will be the delivery of new tree and shrub planting, bat boxes, insect hotels, log piles, turf piles, bird boxes and dormouse nest boxes. A condition to see a Landscape Ecological Management Plan is imposed to see this plan followed in broad accordance but also associated management.

Trees

74. Whilst the proposed removal of trees (G1) is contrary to policy, the applicant has demonstrated that suitable replacement trees can be provided. Some concerns were raised regarding the resolution of the tree protection plan and the lack of formal fencing around the culvert installation, and the subsequent risk of confusion with contractors working to remove G1. Therefore, it was requested that an arboricultural consultant marks trees for removal or provides some form of monitoring of the tree works. This has now been provided through an updated report. Therefore, the only condition required is a compliance one. Subject to compliance with the Tree Report, there is no objection from the Council's Tree Officer.

Car Parking

75. The proposed removal of a football pitch to increase the provision of a cricket wicket is not expected materially alter the current car parking arrangement.

76. The provision of the cricket wicket within a local playing field would encourage sustainable travel such as walking and cycling as people are more likely to use their local pitch/wicket. The enhanced footpath on site will increase connectivity for this sustainable travel; in the future from the proposed One Horton Heath development. Therefore, it is not expected that car parking needs to be increased as a result of this sports provision alteration.

77. With the proposed pitch configuration, which removes a football pitch on site, there could be some improvement on the parking issues experienced during the football season when all 3 existing football pitches were in use. The provision of the alternative football pitch, not assessed in this application, is expected at Wyvern College, which has a separate car park arrangement.

Footpath

78. The proposed footpath will replace an existing footpath which runs the length of the east of the site and links to an existing boardwalk through the woodland area to the south. The existing footpath is poorly surfaced and as a result experiences sections of muddy, difficult to walk surface. Improved surfacing will increase usability through-out the year. The section of footpath to the field will be 1.8m wide, laid with a permeable surface, un-lit and constructed to Hampshire Countryside Service Design Standards (2020).
79. The existing footpath route on the field, has been slightly deviated to allow for users to be clear of the ball-strike zone.
80. This footpath also proposes the addition of a boardwalk (3-4m long) to the south-west of the site to provide a link over an existing small ditch which will connect to the proposed One Horton Heath site. This will be to Hampshire Countryside boardwalk specification which only needs to be 1.2m wide as users of this small section of boardwalk will be able to see from end to end.
81. The footpath has been amended in light of comments received to accommodate probable desire lines from Pavilion Close and to the proposed ancillary scoreboard hut.
82. Considering the response from Eastleigh Ramblers in which their partial objection lies, it would be noted that it is not the intention for the children from the proposed One Horton Heath scheme to attend Fair Oak schools, although it is noted that there may be some exceptions. In addition, to the comment regarding the existing parking problems in Pavilion Close for school drop off/pick-up, this is a pre-existing issue, and it is not required that the application to solve this.
83. While the provision to cycle has been considered within the application process as commented on by Hampshire Countryside Services, when using the boardwalk areas, cyclists will need to dismount as these areas do not provide sufficient width to allow both cyclists and pedestrians to safely pass one-another. There are passing points provided but the use from a cycling perspective is inappropriate here. Although there is a lack of cycleway provision this is not a reason for refusal; on balance there is an overall improvement to the footpath network outside of the boardwalk area and as such these are considered appropriate.

84. The footpath is proposed as a permissive route which will be the Parish Council's to maintain. This is considered suitable, and it is anticipated that this will connect into the One Horton Heath site to another permissive route. Ultimately, this would lead to a Public Right of Way network.

Sustainability Measures and Climate Change:

85. 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.

86. The declaration of the Climate Change and Environmental Emergency demonstrates a strong commitment from the Council to achieve net zero. The NPPF, development plan and adopted local plan policy do not set this as a specific target, but it is a material consideration to be considered alongside all other material considerations. In any case addressing climate change is a core part of the NPPF and local plan policy. The need to support the economy is part of the Strategic Environmental Assessment for the adopted local plan, as is an assessment of climate impacts.

87. The proposed scheme includes the improvement to a footpath network which will encourage sustainable transport. In addition, the fact this is utilising and maximising potential of an existing recreational ground, avoids the need to provide the required two cricket wickets (as identified in the Playing Pitch Strategy) on a green-field space with no existing sport provision. Having to provide a brand-new sporting provision site would result in increased environmental impacts to both the site and the surrounding area by needing to provide new amenities on site (e.g., car parking and a pavilion building). Notwithstanding this, no alternative site has come forward as appropriate. Therefore, this scheme accords with broad climate change objectives.

Other material considerations

88. The proposal is not considered to result in a likely significant impact on a European Protected site (SPA, SAC or Ramsar). HRA (Habitat Regulation Assessment) screening was required for this

development as it had a potential to create a detrimental impact to watercourses during construction. However, with the submitted CEMP, this has been suitably mitigated and the LPA has concluded that there will be no significant impact. An Appropriate Assessment has been submitted to Natural England and a response is awaited.

Equalities Implications:

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

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

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

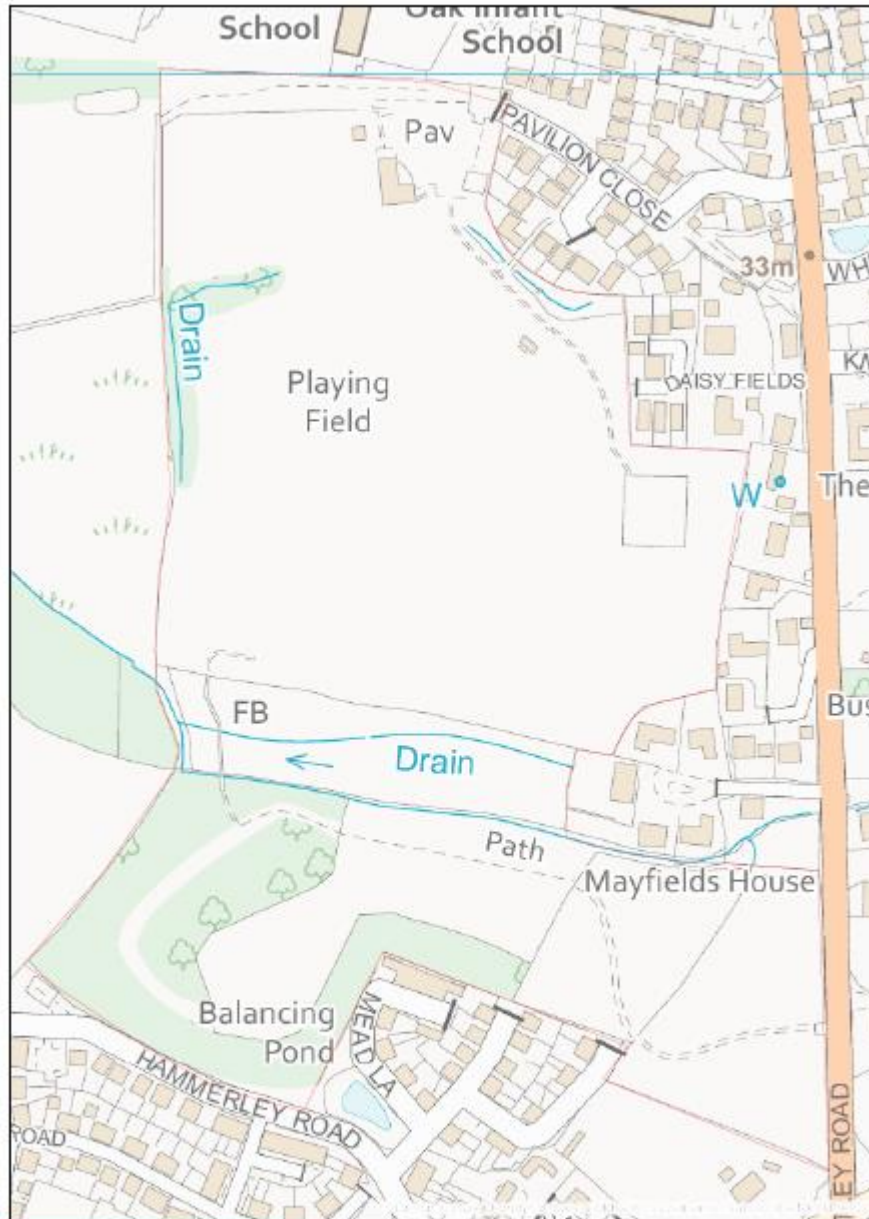
Conclusion

91. To conclude, the scheme offers a benefit to the site in terms of cricket provision, site connectivity to the One Horton Heath site and biodiversity net gain. It is recognised that this is at the cost of 1. no football pitch however this provision will be re-provided at the adjacent site of Wyvern Technology College. In addition, while there is a proposed culvert to the watercourse, the scheme will provide replacement wet woodland and other biodiversity enhancements.

92. The proposed culvert is weighed up in the planning balance against the positive contributions this scheme will provide onsite and as such in this instance is deemed acceptable in planning terms. However, this will be subject to further consent from The Lead Local Flood Authority at Hampshire to go ahead and is not a material planning consideration. Nonetheless, this is necessary to the successful implementation of the scheme.

93. The recommendation is to permit with conditions but subject to receiving a response from Natural England on the submitted Habitat Regulation Assessment

F/22/94174



EASTLEIGH
BOROUGH COUNCIL



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Date: 16/06/2023

Scale: 1:2500