

DELEGATED OFFICER REPORT

Application Ref: F/23/95507

Site Address: Willow Bee, Allington Lane, Eastleigh, SO30 3HP

Case Officer: Rachael Morris

Description: Replacement entrance gate, hardstanding and frontage fence (Retrospective).

Particular Site Constraints?	Yes ☒	No ☐
• Countryside • Great Crested Newt IRZ - Amber		

Planning History?	Yes ☒	No ☐
• O/05/53274 - Outline: Construction of 90 dwellings following demolition of existing buildings – Refuse – Apr 2005 • F/16/78978 - External horse exercise area – Permit – Nov 2016		

Publicity:	Letters ☒	Site Notice ☒	Newspaper ☐
Representations:	None		
Parish Council:	No Comment		
Ecology:	<u>Oct 2023.</u> No further concerns about surface water drainage changes with respect to the submitted surface water drainage statement. <u>Sept 2023.</u> I have reviewed the BEMP by Ecosupport (September 2023). The pre- and post-clearance habitat potential and proposed compensation/enhancements for each species have been provided. Given the scale of habitat loss and the extensive compensation and enhancements needed, I recommend that if this application were to be approved, a 5-year monitoring plan would need to be conditioned and documentation of appropriate management, as recommended in the BEMP, will need to be provided. The planned usage of the site has still not been clarified. This may also change the level of impact on the proposed replacement habitats. <u>Aug 2023.</u> I have reviewed the site photos and aerial photos from Google maps (2023 imagery) and Google earth (2000 to the present). The Google maps street view photo of the site from Allington Lane (March 2023) shows a line of scrub has been removed from between two large trees and a large green tank at the site entrance. The site is within an amber great crested newt impact risk zone with records of great crested newts approximately 550 m to the north and to the northwest. From the photos the habitat which was cleared could have supported amphibians such as great crested newts, reptiles, nesting birds and hedgehogs. From the Gates and Fencing Proposed plan by Solent Design (Rev B June 2023) it is not clear whether the closed board timber fence is just at the front of the site or continues all the way around the property. There are two rectangles at on the northern side of the area shown as hardstanding which have not been labelled on the plan. The lamp post and red post box shown in the site photos give the site a residential appearance. The site entrance has been cleared of vegetation and the surface appears to have been compacted. There is a black surface water drainage pipe/culvert which has been laid across and under the site entrance and closed board fencing with solid (concrete) base boards		

	has been constructed at the entrance and along the Allington Lane road frontage. A net loss of biodiversity has occurred on site due to the removal of vegetation. This is contrary to local and national policies (DM11 and the NPPF) which require biodiversity net gain. A biodiversity enhancement and management plan (BEMP) is required. This must show how biodiversity net gain will be achieved on site. The must compensate for the loss of habitat and provide biodiversity enhancements to ensure net gain. A surface water drainage plan is required. The closed board fence must have gaps in the base boards (15 x 15 cm minimum) where small mammals such as hedgehogs can move freely across the property.
Hampshire Highways:	<u>Sept 2023.</u> Visibility splay drawing has been produced - Drawing NJC-001. Whilst as suspected the visibility splays are below current standards, as previously outlined this would be acceptable in this specific case given that the site has an existing use, and the new access is an improvement when compared to the existing access that would otherwise continue its use. As previously outlined, the purpose of the request was to receive a drawing against which a condition could be applied, to ensure that any landscaping contained within the visibility splay could have a condition placed upon it to ensure that landscaping is kept low and maximum achievable visibility splays are maintained in future years. <u>Aug 2023.</u> There is no objection in principle to the proposals from a highway perspective. The new access design allows for a setback holding space into site prior to the gates, which allows for a vehicle to wait off the highway whilst the gates are opened. This is an improvement on the historical gated access which directly abutted the highway and meant a vehicle had to obstructively wait for the gates to be opened. In terms of visibility, whilst no plan has been submitted to demonstrate whether or not visibility splays can be accorded to in line with current standards, which typically for a 40mph speed restricted road would be a minimum of 2.4m x 120.0m, following a site visit it does appear that there may be a shortfall. However, in consideration with the historical access, the use of which could continue should planning for the new access be refused, and which also appears to be below standards in terms of visibility, the benefits of the new access outweigh the benefits of the retention of use of the old from a highway perspective. It is however requested that a condition is placed to ensure that the visibility envelope is kept clear of any vertical obstruction (landscaping / bushes / trees) above the height of 0.6m in the future.

Site Visit:	Yes ☒	No ☐
Details: 11/08/2023		

Policy:
National Planning Policy Framework Planning Practice Guidance Development Plan: The <u>Eastleigh Borough Local Plan 2016-2036</u> The most relevant policies are Strategic policies S1, S2 and S5; and Development Management policies DM1, DM2, DM6, DM11, DM13, DM14, DM18 and DM26. Supplementary Planning Documents:

Assessment:

Principle

- The retrospective application is set within the countryside where the principle of development is not accepted unless otherwise supported by policy in the local plan or there are other material considerations.
- It is not clear if this entrance is intended for use as a non-residential or residential site as it appears unrelated to anything other than a constructed hard-standing. The application is not supported with any justification for the operational need for the development in this countryside location.
- As there is no operational need for development, general countryside restraint policies apply. If referring to the extension and replacement of non-residential building in the countryside, then policy DM18 applies or if for a residential extensions and replacement dwelling in the countryside then policy DM26 applies. Nonetheless, there is no existing building in which to extend or replace so neither of the above policies would be appropriate.
- Strategic policy S5 states planning permission will be granted for new development in the countryside provided it is related to: the provision of employment through agricultural development, the extension and replacement of existing employment uses and the re-use of existing buildings; residential extensions and replacement buildings, limited residential conversions, rural workers' dwellings and accommodation for Gypsies, Travellers and Travelling Showpeople; community, tourist, or visitor uses through the re-use of buildings including facilities for the interpretation of heritage assets; outdoor recreation and open space; allotments and community farms; cemeteries; and essential public utilities. Therefore, in principle, this retrospective hard-standing and frontage is not supported in principle within the countryside. The impact of the development on the countryside is assessed in the following paragraphs.

Impact on the Countryside

- It is noted that the retrospective frontage gate with brick piers and fencing serves a hardstanding which forms part of this application and has been created by clearing a large area of vegetation. This in turn has created an unauthorised access to a classified road.
- This entrance gate represents a significant urbanising built form with no clear planning justification to serve and as such is a visually intrusion in this countryside location. The entrance gate with fence represents a sizeable length and scale which does not accord with policy that recommends development will not have an urbanising effect on the countryside in terms of its density, scale, massing, layout and height; and that any access, car parking or landscaping can be provided without having a detrimental impact on the character of the countryside.
- The proposed fencing, brick piers and gate represent a stark elevation to Allington Lane. The structures impede views through the site creating a barrier through this stretch of the rural street scene. Their placement is in a location that was once occupied by a large area of dense vegetation which offered a softer and more appropriate edge to the highway in this rural location.
- While it is noted that there are existing permitted access driveways within the locality, they are placed to serve established planning uses and therefore serve an operation function. As stated the application is silent in relation to the purpose of the significant access intervention and represents inappropriate and unjustified development in this countryside location.
- While an element of landscaping is proposed to try and soften this appearance, it would ultimately not result in an acceptable scheme. Whilst it is recognised that the planting would assist in reducing the starkness of the new development and the

fencing will grey/soften with time, this is not sufficient mitigation to reduce the visual harm caused by the structures and associated hardstanding to overcome the unjustified and inappropriate development. Furthermore, Hampshire Highways make comment to the need to keep this landscaping low-lying to avoid detrimentally impacting the visibility splays and as such landscaping would provide limited screening.

- Given the visual harm caused by the development it is considered to have a harmful impact on the rural setting and does not accord with policy S5.

Highways

- Whilst the visibility splays are below current standards, this would be acceptable in this specific case given that the site has an existing use, and the new access is an improvement when compared to the existing access that would otherwise continue its use.
- If approved, a condition to ensure that landscaping and any obstruction exceeding 0.6 metre in height is kept free of the splays in order to achieve maximum visibility in future years.

Climate Change:

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 Environment Emergency Action Plan – Update June 2020.

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.

Equalities Implications:

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.

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:

Recommendation:

PERMIT ☐

REFUSE ☒

- The development would represent an undesirable visual intrusion into an area of countryside for which there is no overriding planning justification or operational

need for the development. As such the proposal is contrary to policy S5 of the Eastleigh Borough Local Plan [2016-2036]