

DELEGATED OFFICER REPORT

Application Ref: F/23/95491

Site Address: The Stables, Grange Road, Southampton, Eastleigh, SO31 8GB

Case Officer: Summer Sharpe

Description: Retention of the replacement entrance gates, fence and hardstanding area.

Particular Site Constraints?	Yes ☒	No ☐
• Countryside • Settlement Gap (Area A Bursledon, Southampton, Netley, Hamble (A10)) • Minerals Safeguarding • Solent Mitigation & Disturbance Zone • Surface Water Flooding (Grange Road)		

Planning History?	Yes ☒	No ☐
F/05/54050	Erection of single storey stable block and tack room	Refused (August 2005)
F/06/56013	Construction of single storey stable block and tack room	Permitted (April 2006)
F/09/66174	Construction of hay store	Refused (December 2009)
F/10/66765	Construction of hay store	Refused (April 2010)
F/10/67814	Construction of hay store	Permitted (November 2010)
F/20/88060	Raising of stable roof to provide loft storage space (part retrospective)	Refused (September 2020)
F/23/95495	Retention of replacement roof to the stable building and provision of a reduced rear (northwest) dormer (Alternative to application F/20/88060).	Under Consideration

Publicity:	Letters ☒	Site Notice ☐	Newspaper ☐
Representations:	None received.		
Parish Council:	None received.		
EBC Ecologist:	Biodiversity enhancements are required. A diverse range of flowering plants and shrubs to attract pollinators and bird boxes mounted in sheltered locations would be appropriate for this site.		
HCC Highways:	<u>Comments 12 October 2023 (following amended plans):</u> Having reviewed the drawing, it is noted that the request that gates be inwards opening has been accepted and updated on plans accordingly. As such, there is no objection to the proposals from a highway perspective subject to condition. In terms of the secondary issue of planting on the frontage, it is noted that the description of this has been updated to 'Existing Planting Unchanged' rather than the previous description of 'New Reinforce Planting', and that trees have been removed. This is welcomed as (a) the trees would have interfered with visibility splays and (b) the proposed location of trees would have interfered with visibility splays. It is noted however that the existing Laurel Bushes in place will also have the potential to interfere with visibility as they (a) grow out over highway land and (b) grow in height. As such it is that:		

	1. If the Laurel bushes are located on highway land, that they are removed immediately as such private planting is not permitted, and 2. A condition be applied to any remaining frontage planting located on private land, but overhanging the highway with growth, in order to retain visibility at maximum levels. <u>Comments 10 October 2023:</u> No objection in principle. Updated are required: 1) Alteration to the gates. These are shown on plans to be out-swinging, which removes the availability of an off-highway vehicle waiting area as gates are open. They should be revised to open into site, at which point there would be no highway safety issue. 2) Removal of frontage planting. The planting shown on plans as 'New Reinforced Planting' has been planted on highway land which is not permissible. Additionally, the planting obscures visibility when exiting the site and as such should be removed. If the planting is required, this should be re-planted within the boundary lines of the property.
--	--

Policy:

National Planning Policy Framework

National Planning Practice Guidance

Development Plan:

Eastleigh Borough Local Plan 2016-2036

Policies: S1 (Delivering sustainable development), S5 (Development within the countryside), S6 (Protection of settlement gaps), DM1 (General development), DM11 (Nature Conservation), DM13 (Transport), and DM14 (Parking).

Supplementary Planning Documents:

Quality Places; Biodiversity; and Trees and Development.

Site Visit

Yes ☒

No ☐

27 September 2023.

Assessment:

Site & Surroundings

The application site comprises a piece of land and stable block which is located to the north of Grange Road, opposite 'Ainsworth Insulations', an industrial/ commercial unit. This unit is located to the south of Grange Road and is set back from the road by an area of hard standing and also benefits from entrance gates. The application site is the first plot to the north of Grange Road when entering from Portsmouth Road (A3025). This is predominantly bound by barbed wire fencing (enclosing animals). From the site visit there also appeared to be some young vegetation in-front of the fencing, adjacent to Grange Road, with the main entrance gate which is set back from the road.

Proposal

This application seeks the retention of the replacement entrance gates, fence and hardstanding area.

The replacement gates comprise black arched iron railings, with a maximum height of approx. 2.2m. The fencing comprises 2no. panels either side of the entrance gates, with a maximum height of approx. 1.8m. This application also comprises additional hardstanding of approx. 225m² situated to the west of the existing hard surface.

Principle

The application site falls within designated countryside protected by Policy S5. This Policy sets out that new development in the countryside is generally restricted and notes (1) compatible usages for which new development in the countryside is appropriate. This Policy also goes on to stipulate (2) that new development in the countryside will seek to avoid adverse impacts upon the intrinsic character of the landscape.

The application site also falls within a settlement gap, protected by Policy S6, which ultimately seeks to ensure that development would not undermine the physical extent and/or visual separation of settlements, nor have an urbanising effect detrimental to the character of the countryside or the separate identity of adjoining settlements. This Policy is supported by the 'Settlement Gap Study'. The proposals have resulted in replacement entrance gates, fencing and hardstanding area. Within the Settlement Gap Study, the site, Area A10, is described as follows:

Triangular piece of land framed by mature field boundary vegetation associated with Grange Road, Shop Lane and Portsmouth Road. With the exception of a cluster of agricultural business units, and the manicured garden to the single dwelling along Grange Road, the sub area is well enclosed.

The proposals have replaced existing entrance gates, added a fence panel either side of these gates and also increased the amount of hardstanding. Whilst it is acknowledged that the proposals have replaced an existing gate, the proposals are considered to be overly urban and ornate compared to the previous 5-bar gate, which is characteristic of this type of agricultural/ countryside area. In addition, the excessive amount of hardstanding is considered to further erode the existing greened field and urbanise the site to a harmful extent.

Design

Policy DM1 of the Eastleigh Borough Local Plan (2016-2036) stipulates that all new development should respect the character and appearance of urban areas, take full and proper account of the context of the site including the character, appearance and land uses of the locality or neighbouring, and be compatible in terms of mass, scale, layout density, design and siting.

The application seeks the retention of the main entrance gates and 2no. fence panels either side. From a review of the streetscene it was noted that the application site had been bound by gates (either wooden or metal 5-bar style) for the last 15 years, therefore entrance gates on site have been established and are not considered uncharacteristic. However, the design of such gates have always, formerly, been characteristic and respectful of the countryside location. The proposed gates are considered overly urban and ornate, not respecting the rural setting of the immediate surroundings. Further worsened by the introduction of 1.8m fencing panels either side of the entrance gate, eroding the sense of openness and rural character of the site.

From the site visit it was noted that immediately opposite the application site there is a commercial/ industrial unit which is bound by approx. 2m high gates. The design and nature of these neighbouring gates are permeable, with dense vegetation behind, which softens their appearance, thus are very different in character to those at the application site.

The proposals have also increased the amount of hardstanding. From a review of the planning history, it is understood that hardstanding was previously approved as part of the original application which granted permission for the construction of the stable building. It is noted that the amount of hardstanding has increased over time. The incremental change is considered to be adversely harmful, as a result of the gradual expansion and unwarranted urbanisation of the countryside and settlement gap location.

It is noted that an element of landscaping has been proposed, however the existing vegetation is on highways land and the resultant hardstanding/ siting of boundary treatment would not easily allow for sufficient landscaping to screen the development. The proposals are therefore unlikely to provide the necessary screening to mitigate the harm arising from the development. Further, landscaping should not be used to conceal development, it should be used to enhance and improve acceptable schemes.

As such and to conclude, the proposals result in the harmful erosion and uncharacteristic additions of development within the countryside and settlement gap. The proposals are therefore contrary to Local Plan Policies thus warranting refusal.

Impact upon Neighbouring Amenities

Policy DM1 of the Eastleigh Borough Local Plan (2016-2036) amongst other matters, stipulates that all new development should not have an unacceptable impact upon residential amenities of both new and existing residents.

Owed to the location and type of development, the physical structure of the gates/ boundary treatment and hard standing, are not considered to have an adverse impact upon the amenities of the neighbouring properties.

Highway Safety & Parking

Policy DM13 of the Eastleigh Borough Local Plan (2016-2036) requires that development is or could be well served by public transport, cycling and walking and it includes measures which minimise its impact on the existing highway network. Policy DM14 of the Plan requires that an appropriate level of car parking be provided in accordance with the Council's adopted standards. The policy provisions are consistent with the requirements of the NPPF and in particular those of paragraphs 107 and 108.

Due to the nature of the development, the Local Highways Authority (LHA) were consulted. They raised no objection to the proposals, however requested updated plans to show the gates opening in to the site, and the removal of planting along the frontage.

Amended plans were provided which showed the gates to open into the site, however the annotations noted 'existing planting unchanged'. Following a review of these plans, the LHA raised no objection subject to a condition. The suggested condition reads:

No works shall be undertaken on site until any areas of landscaping growth contained between the full length of the property boundary fronting Grange Road, and the carriageway of Grange Road have been reduced to a maximum height of 0.6m above the adjacent carriageway. This height shall be subsequently maintained so thereafter.

Reason: to provide satisfactory access visibility in the interests of highways safety.

It should be noted that the existing development has already taken place and is therefore not operating acceptably given that visibility splays are currently impaired by the existing vegetation.

As such, at present the proposals do not provide safe access, whilst this could be conditioned, as suggested by Highways above, removing the vegetation would then have an adverse impact in terms of the design and landscaping. These are the two key competing factors; highways safety and the design/ landscaping and its impact upon the

countryside and settlement gap. Both matters are considered equally as important and competing. Therefore the proposals can be refused on the basis of unacceptable visibility splays, that cannot be improved without causing demonstrable harm to the visual amenity of the surrounding countryside.

Ecology

Policy DM11 of the Eastleigh Borough Local Plan (2016-2036) stipulates that the Borough Council will work with statutory and voluntary agencies and developers to; protect, conserve and enhance areas subject to international, national and local nature conservation designations, and promote the net gain of biodiversity on all sites through the protection, enhancement and connection of existing provisions and new habitats and features compatible with the native biodiversity characteristics of the Borough.

The Council's Ecologist noted that the proposals were retrospective, therefore biodiversity enhancements were requested. It was suggested that this could include *a diverse range of flowering plants and shrubs to attract pollinators and bird boxes mounted in sheltered locations would be appropriate for this site.*

Other Matters

The agent was advised that the application would be refused, whereby they submitted additional information, which they advised would provide clarity on the former and present frontage, fencing and landscaping arrangements. This additional information noted that applicant believes the fencing and vegetation to be within their boundary. They also provided photos of the site and access and advised that the planting in 2014 may have caused a potential obstruction, however when compared to the existing, they believe does not impact visibility.

The LHA have reviewed this information. They advised that visibility splays (at updated access points) are a key consideration of their highways response. They noted that in the past there had been obstructive vegetation, however the proposals must be assessed accordingly in their current state, as such visibility splays would be required to be secured as part of this application.

They LHA also noted that their understanding was that the vegetation was on highways land, and therefore requested its removal. If, however, on private land (owned by the applicant) then the LHA require a visibility splay plan showing a minimum visibility splay of 2m x 215m (due to Grange road being a 60mph road). From the Council's mapping system it appears that the verge where the planting is situated does fall within HCC ownership/ adopted highway. However, ownership matters are not considered to be fundamentally pertinent to the decision making of this application.

Ultimately, the additional information provided does not change the LPAs view.

Equalities Act:

Section 149 of the Equalities Act 2021 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.

Climate Change:

In July 2019, the Council declared a Climate Change and Environmental Emergency. In doing so it agreed, among other this, 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.

The declaration of the Climate Change and Environmental Emergency demonstrates a strong commitment from the Council to achieve net zero. The NPPF and development plan 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 Local Plan, as is an assessment of climate impacts.

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 and 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. When considering the impact of climate change, the proposed development is expected to be resilient to the potential effects of climate change and is expected to limit impacts on climate emissions as a result of the development or its use.

Conclusion:

Reasons for Refusal:

- 1) The overall design and appearance of the development results in an unacceptable erosion to and urbanising impact which would be detrimentally harmful to the countryside and settlement gap. As such the proposals are contrary to Policies S5, S6, and DM1 of the Eastleigh Borough Local Plan (2016-2036) and the provisions of the National Planning Policy Framework (2023).
- 2) Due to restricted visibility at the site entrance, caused by the presence of vegetation, the proposal fails to provide safe access to the highway and results in increased danger to road users, contrary to Policy DM13 of the Eastleigh Borough Local Plan (2016-2036) and the provisions of the National Planning Policy Framework (2023).

Recommendation:

PERMIT ☐

REFUSE ☒