

DELEGATED OFFICER REPORT

Application Ref: F/23/96082

Site Address: Old Oak Farm, Winchester, Fair Oak, Eastleigh, SO50 7HD

Case Officer: Summer Sharpe

Description: Removal of two mobile homes and accompanying buildings and replacement with two new self-build dwellings, creation of new paddock area, improvements to access sight lines, and new landscaping of site frontage.

Particular Site Constraints?	Yes ☒	No ☐
• Countryside • HRA Screening: SAC, SPA & Ramsar • Great Crested Newt (Amber Zone) • Waste & Minerals (north & west)		

Planning History?	Yes ☒	No ☐
Application no.	Proposal	Decision
LDC/21/90862	Lawful Development Certificate for an existing use: Siting of 2no. static mobile homes.	Certificate Issued (November 2021)
O/20/89174	Outline application for the erection of 4no. dwellings.	Withdrawn

Publicity:	Letters ☒	Site Notice ☐	Newspaper ☐
Representations:	<u>1no. Objection summarised as follows:</u> (a) two-storey properties are out of keeping with the area, and (b) the siting will impact views from neighbouring properties.		
Parish Council:	Object. Outside the urban edge on a piece of land that is not designated for development. Any type of development increases to the urbanisation of the countryside.		
EBC Ecology:	I have reviewed the Updated Ecological Appraisal report by Aluco Ecology Ltd (April 2023). The site is in an amber risk zone for great crested newts. The report states that there is suitable terrestrial habitat for great crested newts on site but although there are two ponds within 250m of the site, neither pond is suitable for great crested newts and they are unlikely to be present on site. Precautionary working methods are required to prevent harm to reptiles, amphibians, badgers, dormice, hedgehogs, and nesting birds which could potentially use this site. These are outlined in the report and can be conditioned as part of a CEMP. The timing of vegetation clearance would need to be planned with consideration of the different requirements of all these species and would need to be done in stages to avoid disturbance during nesting and hibernation times. A reptile receptor area will need to be established in advance of any work. This must be shown on a plan. An ecologist will be required to supervise the destructive search for reptiles, to check for nesting birds if any vegetation clearance cannot be done outside of nesting bird season, and to determine the appropriate positions of bat and bird boxes (and swift boxes if possible). If the plans change and the eastern boundary tree line would be affected by the development, then a phase 2 dormouse survey will be required. This would have to be		

	done before determination as the presence of protected species is a material consideration but is not required by the current plans. Sections 5.3.1 and 5.3.2 of the report propose appropriate mitigation for vegetation. The potentially invasive species (Field Horsetail and Thorn Apple) are mentioned in section 5.3.5. They must not be allowed to spread either on site or off site and should be controlled or eradicated if possible. Planting additional native shrubs and bird boxes are proposed as mitigation for loss of a small amount of woody/scrub habitat which would be removed to build these proposed dwellings. Bat boxes are required for each dwelling, and garden plants must include a variety of plants for pollinators. The retained grassland outside the developed area must be managed to develop an irregular tall edge habitat to provide habitat suitable for reptiles as explained in section 5.3.16. The proposals can be conditioned in a Biodiversity Management and Enhancement Plan (BEMP) produced by an ecologist. This must show the locations of the bird and bat boxes, dark corridors on site, details of any exterior lighting, planting area with plant species lists, and management plans and schedules for biodiversity features. Sedum roofs have been proposed for both houses and these could also be part of a biodiversity enhancement plan. The recommended biodiversity enhancements are summarised in section 5.4.1 of the report. The landscaping strategy plan contains most of this information, so this same plan could be annotated. Ponds have been mentioned in the design access statement and shown on the landscape strategy plan but not in the Updated Ecological Appraisal report. If wildlife ponds are desired, they can be added to the landscaping of the domestic gardens but are not required for mitigation or enhancement. If ponds are added they should be planted with native pond and emergent plant species. The PTP O & M Plan provides information on the sewage treatment plants but page 3 of the manual for this plant states that rainwater from roofs and yards and infiltration water must not be added to this system. Other than sedum roofs mentioned in the DAS, information on surface water drainage has not yet been provided.
EBC Arboriculturalist:	We have no issue regarding the development of the site and towards Winchester Road – there are several small trees but none are significant from an amenity perspective. We do have some concerns regarding trees to the rear of the site, as these are more significant. The provided arboricultural information is simply a tree survey, so does not detail anything other than what is there. We would request that the applicant submits a simple method statement to cover the demolition process, as this could have the potential to harm the trees if carried out in an uncontrolled manner.

	Therefore, we raise no arboricultural objection, subject to the following condition: <i>No excavation, demolition or development related works shall take place on site until an arboricultural method statement, detailing demolition activities, is submitted and approved by the LPA. The approved method statement must be adhered to in full, and may only be modified subject to written agreement from the LPA.</i> <i>Reason: to retain and protect the existing trees which form an important part of the amenity of the locality.</i>
EBC Environmental Health:	None received.
EBC Contaminated Land:	<u>Comments 13 December 2023 (following a desk study):</u> I have reviewed the Environmental Desk Study and Preliminary Risk Assessment for Old Oak Farm, Winchester Road, Fair Oak, Hampshire SO50 7HD produced by Apple Environmental dated November 2023, reference CL/3520/WP. - Historical activities were identified in earliest records such as clay pits, brickworks and kiln within 300m from the site between 1868 and 1895. Several structures were noted to the south of the site in 1957/1968 maps, which seemed to be demolished by 1985. In 2023, 5 structures were present on the east of the site and a new track leading west towards Winchester Rd. - The Groundsure report within Appendix A identified the presence of a landfill within the site boundary and extending to the north of the site (inert and industrial waste between 1962-1972). - Section 5.3 mentioned that artificial deposits are expected across the entire site due to its former use as refuse tip. - A walk-over was mentioned in section 6.2; however, no more details on the findings during the site walkover were mentioned (date of the walkover, current site conditions, visual/ olfactory evidence of contamination, etc.). Several photographs were presented in Section 3.1 showing some features across the site such as mobile homes and other structures, paddocks and areas where waste has been stockpiled. No date is shown on the photographs. - A site location plan was not included in the report. - The Conceptual Site Model (CSM) identified the following sources of contamination on site: heavy metals and other inorganics from former waste infill, hydrocarbons and other organic compounds from former infill and storage/ use of vehicles, asbestos from former infill or surface stockpiling of waste, ground gases from former infill. No mention of demolition of previous structures on site which could contain potential contaminated materials. Off-site sources of contamination: former infill to the north. The surface water feature identified in Section 6.2 was not included as a receptor in the CSM. - The preliminary assessment indicates high risk from inhalation of soil/dust (especially asbestos); and moderate risk from direct contact, ingestion, plant uptake, Inhalation, ignition and exposure to gases and vapours, Direct contact with buildings and main services, contact with

	groundwater, and other off-site environmental receptors from Possible heavy metals and other inorganics, hydrocarbons (including PAHs), other organics, asbestos and ground gases. - The report concludes that further intrusive investigation is recommended, including collection of soil samples for environmental analysis and installation of monitoring wells for ground gas monitoring. Based on the findings of the desk study, and due to the presence of landfill on site, historical land use and waste stockpiled on site, further intrusive investigation is required in order to assess the ground conditions. This investigation should be carried out in accordance with UK Land contamination risk management (LCRM) national guidance, BS10175:2011+A2:2017, and BS 8576:2013. If determined necessary after the investigation, a detailed site-specific 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 and monitoring. Such a scheme shall include nomination of a competent person to oversee the implementation of the works. A verification report should be submitted to the LPA once the remedial works are completed. <u>Comments 18 October 2023:</u> The Planning, Design and Access Statement for Old Oak Farm, Winchester Road, Fair Oak, dated 25th September 2023 by Wessex Planning indicates the site currently comprises two mobile homes with associated garden areas including chicken coops, dog kennels, and household items that would usually be stored inside a garage or other outbuilding. Various old cars and caravans are also kept on the site primarily for residential storage purposes but also in connection with the keeping of the applicant's horses. A review of historical available maps/ photographs shows that the site was not developed until 2005, where a track road was noted and several structures in the southeast corner, with evidence of paddocks from 2012. Made ground is anticipated to be present due the historical developments on site. In addition, our records indicate that the site is located on land with a former contaminative use. The proposed development involves the construction of two self-build dwellings: Plot 1 (placed on the higher, southern side of the access track, cut into the embankment), and Plot 2 (sited on the lower, northern side of the access track). Each plot would benefit from a large garden, a single garage and parking areas. Therefore, considering the site's history, located within an identified brownfield area, and the earthworks involved in the proposed development, it is advised that the application should be accompanied by Desk Study as minimum to demonstrate how contaminated land will be effectively managed. Desk Study must comply with BS10175:2001 'Investigation of potentially contaminated land - code of practice', and include a conceptual site
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	model, preliminary code of practice and site walkover survey. The LPA would review the submitted Desk Study and then could advise whether they are agreeable, and what/ whether additional conditions are required.
EBC Landscape:	The site lies within the designated area of 'countryside' under the local plan (Strategic policy S5, New development in the countryside). It does not conform to one of the criteria through which development would be permitted within the countryside. It would undermine the physical extent of the countryside and have an urbanising effect detrimental to the character of the countryside. The European Landscape Convention supports the need to deal with landscape as a resource in its own right leading to the importance of landscape character. 'Character is not just about the physical elements and features that make up a landscape, but also embraces the aesthetic, perceptual and experiential aspects of the landscape.....' (from Guidelines for Landscape and Visual Impact Assessment). The LVIA summary does not recognise the perceptual aspect: the change of the site to permanent residential use will change the perception of this area and the landscape context in a negative way.
EBC Policy:	Comments are provided on the acceptability of the proposal on land which is designated as countryside under Strategic Policy S5, New development in the countryside. Criterion 1 b relates to the granting of planning permission for new development in the countryside provided it is related to residential extensions and replacement buildings. Criterion 2 in Policy DM26, Residential extensions and replacement dwellings in the countryside is more explicit in statement that permission will not be given for the replacement of mobile homes with permanent dwellings. It is therefore considered that the proposal conflicts with this policy. It is further stated in criterion 1 of Policy DM26 that the extension or replacement of a permanent dwelling in the countryside will be permitted subject to the general criteria and transport policies of the Local Plan and provided: a. the extension or replacement dwelling will not be disproportionate in size to the existing dwelling, neighbouring properties or in relation to its plot, or involve any extension to its curtilage. It is considered that the proposed self-build plots would be disproportionate to the existing dwelling on the site and would result in a significant extension/ change to the developed curtilage. The Planning Policy Team recommends that this proposal is refused on the basis that it directly conflicts with criterion 2 in Policy DM26, Residential extensions and replacement dwellings in the countryside and also because it would fail to comply with criterion 1,a. within this policy.
Hampshire Highways:	<u>Comments 6 November 2023 (following the receipt of additional information/ plans):</u> As previously outlined, the existing access in and out of site is to remain unchanged, however the adjacent hedge position and landscaping is to be amended in order to improve visibility splays for the occupants when exiting

	the site. These drawings demonstrate that visibility splays of 2.4m x 65m can be achieved both left and right when exiting the site (drawing L179/B01). Whilst this splay is below that usually required for visibility on a 40mph stretch of highway such as this, it is noted that the development proposals are not increasing the quantum of development already located on site, with the two dwellings essentially being like for like replacements in terms of trips, and with confirmation received that the paddock area is for personal on site occupant users only, with no commercial element. As such, in this specific case, where development brings no additional movements in and out of the access junction, whilst significantly improving the access junction itself in terms of visibility, there would be no objection to the proposals from a highway perspective. This would however be providing that the conditions as outlined below are applied. Conditions: ACCESS CONSTRUCTION PROVISION <i>No development shall start on site until the access, including the footway and/or verge crossing shall be constructed and lines of sight of 2.4 metres by 65.0 metres provided in accordance with the approved plans. The lines of sight splays shown on the approved plans shall be kept free of any obstruction exceeding 0.6 metre in height above the adjacent carriageway and shall be subsequently maintained so thereafter.</i> <i>Reason - To provide satisfactory access and in the interests of highway safety.</i> GATES SET BACK PROVISION <i>Any gates provided shall be set back a distance of 6.0m from the edge of the carriageway of the adjoining highway.</i> <i>Reason - In the interests of highway safety.</i> CONSTRUCTION METHOD STATEMENT REQUIRED <i>No development shall start on site until a construction method statement has been submitted to and approved in writing by the Planning Authority, which shall include:</i> <i>(a) A programme of and phasing of demolition (if any) and construction work;</i> <i>(b) The provision of long term facilities for contractor parking;</i> <i>(c) The arrangements for deliveries associated with all construction works;</i> <i>(d) Methods and phasing of construction works;</i> <i>(e) Access and egress for plant and machinery;</i> <i>(f) Protection of pedestrian routes during construction;</i> <i>(g) Location of temporary site buildings, compounds, construction material, and plant storage areas;</i> <i>(h) Details of the methodology for ensuring dirt is not transferred onto the highway from the site (i.e. wheel washers), and onwards mitigation should this fail, such as</i>
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the employment of mechanical road sweepers, and the subsequent refresh of street lining (as and when required) should this be damaged during the process. Demolition and construction work shall only take place in accordance with the approved method statement. Reason - In order that the Planning Authority can properly consider the effect of the works on the amenity of the locality.

PADDOCK AREA - FUTURE USE:

The paddock hereby approved shall only be used for equestrian purposes in connection with the residential development on site and shall not, at any time, be used for commercial purposes.

Reason - In the interests of highway safety.

Comments 17 October 2023:

Whilst there would be no objection in principle to the proposals, additional information is required in the form of a visibility splay drawing, and confirmation of frontal gates and site uses, prior to a formal no objection being given from a highway perspective.

Access: it is understood that access in and out of the site is to continue via the existing access taken from Winchester Road. At present, visibility at this point is restricted to the north, likely below current standards, due to landscaping features of hedging and potentially trees.

Whilst the application description states that improvements will be made to access sightlines, Sections 3.14 of the Design & Access Statement buildings on this further outlining that this can be undertaken via the relocating of the roadside hedge, and then drawing SL01 Rev A shows these works to an extent, unfortunately no specific visibility splay drawings have been provided against which to assess potential highway impacts. Whilst it is acknowledged that the proposed residential development is a replication of existing in terms of quantum (2 new for 2 old), and as such any increase in visibility will be for the betterment of the site, specific visibility splay drawings will enable a full assessment of this improvement, and also the placing of a condition to ensure that the splay is retained in the future with nothing place within it (planting etc.) at a height of more than 0.6m.

Additionally, whilst not shown on plans, it is noted that a site entrance gate is currently in place and confirmation of its removal is requested. If it is to be retained, then it should be set back into site a minimum of 6m to enable vehicles to pull off the highway whilst gates are opened. In this regard however, it is also noted that there may be other uses on the site, including horse related activities via the new paddock area. It is requested that these activities are confirmed, and that it can be onwards confirmed that they are resident related only with no commercial use. If commercial use is present, then the distance of the gate set back into site may need to be increased (for car and horse trailer), and also the access may be beneficial to widen the access to allow for two-

	way traffic if vehicle flows deem this a requirement. Any intensification of use may also have a bearing on the visibility splay assessment.
Natural England:	None received.
Southern Water:	The Environment Agency should be consulted directly by the applicant regarding the use of a private wastewater treatment works which disposes of effluent to sub-soil irrigation.
Environment Agency:	We have no objection to the proposal as submitted. Advice is set out on the online comments.

Policy:

National Planning Policy Framework

National Planning Practice Guidance

Development Plan:

Eastleigh Borough Local Plan 2016-2036

Policies: S1 (Delivering sustainable development), S2 (Approach to development), S3 (Location of new housing), S5 (Countryside), DM1 (General development), DM2 (Environmentally sustainable development), DM3 (Climate change), DM4 (Zero or low carbon energy), DM6 (Surface water management), DM8 (Pollution), DM10 (Water and waste water), DM11 (Nature Conservation), DM13 (Access), DM14 (Parking), DM26 (Residential extensions and replacement dwellings in the countryside), and DM38 (Funding infrastructure).

Supplementary Planning Documents:

Quality Places; Residential Parking Standards; Trees and Development.

Site Visit	Yes ☒	No ☐
23 October 2023.		

Assessment:

Site & Surroundings

The application site is located to the east of Winchester Road (B3354), accessed via an existing track. The application site comprises 2no. static mobile homes situated within the south-eastern portion of the site, and a large piece of land including open fields and horse grazing. The application site is bound by fairly mature dense vegetation along its western boundary fronting Winchester Road (B3354), which does provide some screening.

The surrounding area is classified as designated countryside. To the north-east of the site is a protected area for minerals. To the east and south are some residential properties (some accessed via Chestnut Drive). To the west is a strategic footpath along Winchester Road. Further west is a garden centre. To the north-west are other residential properties as part of Hillview Manor Park.

Proposal

This application proposes the removal of 2no. mobile homes and accompanying buildings and replacement with 2no. new self-build dwellings, creation of new paddock area, improvements to access sight lines, and new landscaping of site frontage.

The existing mobile homes are situated within the south-eastern portion of the site. They are considered lawful in planning terms through the granting of a lawful development certificate referenced "LDC/21/90862" granted in November 2021. The proposed dwellings

would be situated to the east of the mobile homes, fairly centrally within the site, still within the southernmost portion.

Plot 1 is the southernmost dwelling, set in approx. 8.7m (at the closest point) from the southern boundary. The dwelling is of a very contemporary design finished in dark timber and metal cladding, with some render, dark aluminium fenestration and a sedum roof. The proposal would have an array of elements with different roof forms. The main dwelling would have a mono-pitched roof with a maximum height of 6.7m. There would be a large expanse of glazing on the southern elevation and smaller windows dotted on all other elevations.

Plot 2 is situated to the north-west of Plot 1, separated by the shared access. Again, this dwelling is of a very contemporary design, utilising the same material palette set out above. This dwelling also has an array of roof forms. The main dwelling has a mono-pitched roof with a maximum height of approx. 6.8m and is broken up into two parts with a middle connecting element in a variance of material. There is also a significant amount of glazing on the southern elevation of this dwelling.

Each plot would be served by a single storey garage. These would have a footprint of approx. 6.1m by 3.1m. These would have mono-pitched green roofs with a maximum height of 3.2m.

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. Section 1.b of this Policy relates to residential extensions and replacement buildings which is expanded upon in Policies DM18 and DM26. It should, however, be noted that new residential development in the countryside is not considered a compatible use by this policy. Policy S5 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.

It is noted that there are 2no. existing, lawful mobile homes within the eastern portion of the site, subject to application LDC/21/90862. Thus, Policy DM26 relating to residential extensions and replacement dwellings in the countryside would be engaged. Section 1 of Policy DM26 sets out that the extension or replacement of a **permanent** dwelling in the countryside will be permitted subject to the general development criteria and transport policies of the Local Plan and provided:

- a. the extension or replacement dwelling will not be disproportionate in size to the existing dwelling, neighbouring properties or in relation to its plot, or involve any extension to its curtilage; and*
- b. in the case of a replacement dwelling, the proposal includes the replacement of the dwelling within the curtilage, and on the same footprint as the existing building, unless environmental and/or access benefits arise from an alternative location within the curtilage; and*
- c. no additional dwellings are created.*

Section 2 of this policy explicitly states permission will not be given for the replacement of mobile homes with permanent dwellings. Therefore, the proposals would not comply with either section of this policy.

To conclude, in terms of basic principle the proposals are considered to be contrary to both Policies S5, and DM26.

Design & Impact upon Countryside

Policy DM1 of the Eastleigh Borough Local Plan (2016-2036) stipulates that all new development should respect the character and appearance of 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.

This application proposes the erection of 2no. permanent dwellings in lieu of the existing 2no. permanent mobile homes. The proposed dwellings would not only be in a completely different position to the mobile homes, they would also be two-storeys in nature with a much larger footprint, and starkly contrasting architectural designs when compared to the existing, low key development.

The proposed dwellings would be two-storeys in nature with excessive amounts of glazing, including contemporary materials/ finishes comprising render, cladding and aluminium. These elements, combined with the proposed design are considered to result in overtly domestic appearing dwellings which are considered to have an adverse impact upon the site as a result of the countryside setting.

It is acknowledged that the dwellings would have green roofs, and the topography of the land would mean that the proposals would not be overtly prominent from some vantage points, however, views of the proposals could still be obtained from other vantage points. The application has been supported by a Landscape and Visual Impact Assessment (LVIA), which the Council's landscape officer has reviewed. The landscape officer noted that the proposals do not conform to one of the criteria (of Policy S5) through which development would be permitted within the countryside, and *that it would undermine the physical extent of the countryside and have an urbanising effect detrimental to the character of the countryside. The European Landscape Convention supports the need to deal with landscape as a resource in its own right leading to the importance of landscape character. 'Character is not just about the physical elements and features that make up a landscape, but also embraces the aesthetic, perceptual and experiential aspects of the landscape.....' (from Guidelines for Landscape and Visual Impact Assessment).* Ultimately, the landscape officer concluded that *the LVIA summary does not recognise the perceptual aspect: the change of the site to permanent residential use will change the perception of this area and the landscape context in a negative way.*

The LVIA notes that there are limited view-points, only glimpses from the north-west and along Winchester Road. It is therefore acknowledged that the site could be visible from public vantage points. It is also noted that there is an agricultural small holding to the north. This has clear views up to the application site. In addition, the character of the landscape would be changed. As noted there is an agricultural small holding, and currently there are horse grazing paddocks, which are compatible countryside uses/ activities. The introduction of significant and permanent residential structures would urbanise the countryside altering its existing character and intrinsic qualities.

Whilst the LVIA is acknowledged the LPA would query the acceptability of development if it is being concealed by vegetation. As noted the proposals would, at points, be visible from public vantage points. A landscape strategy shows the forms of boundary treatment and vegetation which would be used to screen the development. It is also noted that the green roofs have been proposed to aid in the submersion of the proposals. Whilst acknowledging that vegetation and green roofs are positive facets, they should be used for biodiversity enhancements and improvements to the overall scheme and not to aid in its concealment.

Paragraph 134 of the NPPF states *'development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents'*. Due to the inappropriate scale and form of the development, the proposals

are considered to result in incongruous additions, which would have an adversely harmful impact upon the site, surrounding countryside and wider vantage points.

Overall, and to conclude, the proposed dwellings, as a result of their size, scale, massing and form would result in unacceptable additions which would appear at odds with the wider vicinity, detracting from the established countryside setting, thus being contrary to the local plan policies, and SPD. In accordance with Paragraph 134 of the NPPF, this development is not considered well designed, nor does it respect the countryside location, thus warranting refusal.

Internal & External Amenity for Future Occupiers

To ensure adequate internal living standards are met the Local Planning Authority assess the measurements of space against the 'Nationally Described Space Standards' (NDSS) (March 2015). Policy DM30 of the Eastleigh Borough Local Plan (2016-2036) requires that all new dwellings meet the NDSS as a minimum. In addition to internal arrangements, the Quality Places SPD requires all new residential development to provide a garden area of 60% of the host dwellinghouse.

The NDSS sets out the minimum space required for new dwellinghouses, which is dependent upon the number of bedrooms, people who would reside there and storeys. There are also standards relating to sizes of bedrooms; a single occupancy bedroom should measure 7.5m², and a double occupancy bedroom should measure 11.5m².

The application proposes 2no. 4-bedroom two-storey dwellings, whereby the NDSS requires between 97m² – 124m² for a property of this size. From the submitted plans, Plot 1 would measure approx. 169.5m² and Plot 2 would measure approx. 168.5m², thus would exceed the minimum standards of the NDSS. Further to this all bedrooms would exceed single person occupancy. Bedrooms 1 and 2 (for both plots) would also exceed double person occupancy and would be served by en-suites (and dressing rooms in some instances). From the submitted floor plans and elevations, it appears that each habitable room would be served by a window, thus would provide adequate natural light.

In addition, and as set out within the Council's Quality Places SPD, the garden size for new residential development must be at least 60% of the floor space of the host dwellinghouse. From the submitted site plan, it is noted that both plots would meet the 60% amenity space.

Further, limited information has been provided with regard to noise impact. The application site would be situated to the east of Winchester Road (B3354). It is noted that there are currently 2no. mobile homes in situ, albeit set further away from the main road. Given that there are existing residential units on site, and that there are some other examples of dwellings within fairly close proximity to Winchester Road, the harm arising in terms of noise is not considered to be worse, resulting in a harmful impact upon future occupiers, when compared to the existing arrangement.

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.

It is noted that there are a number of properties to the south of the application site, namely where Plot 1 would be situated. As a result of the siting, the most impacted neighbour is likely to be 'Waratah'. From the information available, this property is set approx. 14m from its own rear boundary (at the closest point), whereby Plot 1 would be set in 8.7m (at the closest) from the shared southern boundary. The combined distances would exceed the 22m (rear to rear) distance as set out within the Council's Quality Places SPD. Further

to this, it is noted that there are changes in the land levels, whereby Waratah would be on higher ground than that of the application site. Whilst it is acknowledged that glimpses of the proposed dwelling are likely to be visible from Waratah, this is not considered to be adversely harmful. Given the proposed height of Plot 1, the separation distance and the fact the neighbour to the south is on higher ground, the proposal is not considered to have an adverse impact upon the amenities of this neighbouring property, nor the other neighbouring properties to the south.

Plot 2 is situated further north than Plot 1, and is separated by a greater distance (approx. 33m from the southern boundary). As a result of this, the proposed dwelling is not considered to have an adverse impact upon the neighbouring amenities to the south. To the west is the car parking area serving the garden centre, which is separated by Winchester Road (B3354) and mature vegetation. This dwelling is therefore not considered to have an adverse impact upon the existing surrounding amenities of neighbouring properties.

Plots 1 and 2 have a front-to-front relationship, sharing the same access. They are positioned off centre so as to avoid any direct overlooking. There is approx. 20m between the 2 plots (including the access), as such the dwellings are not considered to have an adverse impact upon one another.

Overall and to conclude, the proposals are not considered to have an adverse impact upon the amenities of the neighbouring properties.

Highway Safety, Parking & Refuse Storage

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 same 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 proposals, the Local Highway Authority (LHA) have been consulted. Originally they raised no objection in principle, however required additional information with regard to visibility splays and the location of the gates (dependent on whether there was any commercial use), utilising this access. Following additional information, the LHA raised no objection to the proposals, subject to conditions (laid out above within the publicity section).

Turning to parking, the Council's Parking SPD sets out that for 4no. bedroom properties there should be the provision of 3no. off-street parking provisions. The site plan (128SLO1 Rev B) shows a driveway with 2no. parking provisions. It is noted each plot would be served by a garage for 1no. vehicle, thus would provide the required off-street parking provisions. It is also noted that the driveway/ hardstanding area allows for additional parking and would also allow for adequate turning on site, to provide access from each plot in a forward gear.

With regard to bin and cycle storage, this has not been identified on the submitted proposed plans, however, it is acknowledged that there is space available on site to provide this. Had the application have been acceptable in other regards, further details of the bin and cycle storage, and their retention in perpetuity, could have been secured via condition.

Ecology & Trees

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.

Due to the nature of development, the Council's Arboriculturalist and Ecologist have been consulted.

The Council's Arboriculturalist has noted that there are some significant trees to the rear of the site. However, subject to condition, they would not raise any objection.

The Council's Ecologist noted that a CEMP would be required to cover precautionary working methods, and timings of vegetation clearance. Further, details relating to a reptile receptor would be required. An ecologist would be required to supervise the destructive search for reptiles to check for nesting birds and if any vegetation cannot be undertaken outside of nesting season and to determine appropriate positions of bat and bird boxes.

The Council's Ecologist also notes that if the plans change and the eastern boundary tree line would be affected by the development, then a phase 2 dormouse survey would be required. This would have to be done before determination as the presence of protected species is a material consideration but is not required by the current plans.

The report also covers mitigation for vegetation. The potentially invasive species must not be allowed to spread either on or off site and should be controlled. This could be suitably conditioned.

Biodiversity enhancements are required and can be condition in a Biodiversity Management and Enhancement Plan (BEMP). This should cover; location of bird and bat boxes, dark corridors on site, details of any exterior lighting, planting areas with plant species lists, details of sedum roofs, management plans and schedule for biodiversity features (including the retained grassland outside the developed area which must be managed). The Council's Ecologist notes that the biodiversity enhancements are summarised within section 5.4.1 and the landscaping strategy contains most necessary information, however could be annotated/ or conditioned within the BEMP.

The Council's Ecologist has also noted that ponds have been mentioned in the design access statement and shown on the landscape strategy plan but not in the Updated Ecological Appraisal report. If these are to be provided this could be secured via condition.

Had the proposals have been acceptable in all other regards additional information could have been requested or the information secured via condition to ensure that the proposals would not result in adverse harm.

Drainage

Policies DM3 and DM6 of the Eastleigh Borough Local Plan (2016-2036) stipulate that new development must provide sustainable drainage systems (SuDs) wherever feasible, naturalised filtration should also be included.

The Council's Ecologist requested more details on surface water drainage. This information has not been requested. However, it should be noted that had the application have been acceptable in all other regards this information would have been requested, whereby this matter could have been dealt with or been conditioned appropriately.

Contaminated Land

Policy DM8 of the submitted Eastleigh Borough Local Plan (2016-2036) stipulates that development will not be permitted if it is likely to cause loss of amenity or impact upon public health or other unacceptable environmental impacts; including land contamination.

Due to the nature/ siting of the proposals, the Council's Contaminated Land Officer (CLO) has been consulted. Originally they requested a desk study be undertaken as a minimum.

Discussions were had with the agent whereby they were advised that the application was not supportable in other regards, so the LPA would proceed with a refusal including contaminated land matters. The agent requested an extension of time to be able to address the Council's CLO comments to which the LPA agreed.

The agent then submitted a desk study (12 December 2023), which the Council's CLO has reviewed. Based on the findings of the desk study further intrusive investigations are required. Further remedial works and verification reports may be required dependent on the finding of further intrusive investigations.

The agent requested a further extension of time to cover these matters (which could take a few months), however the LPA have sought to determine the application as submitted. The desk study concluded that further investigative works are required, as such due to the lack of information this would warrant reason for refusal.

Sustainability

Policy DM2 of the Eastleigh Borough Local Plan (2016-2036) requires new development to provide a 19% improvement in predicted carbon emissions, and water consumption standards of 110L per person per day.

Limited sustainability measures have been proposed. Further, had the proposals been acceptable in all other regards, these requirements could have been secured via condition.

SPA Mitigations

The Council, as the responsible body for Habitats Regulations Assessment (HRA), must ensure as part of a planning application that a development will not have an adverse impact upon any European protected sites, and specifically in this case, the European protected Solent Complex (SPA, SAC and Ramsar sites), River Itchen (SAC) and New Forest National Park (SPA, SAC and Ramsar sites). It is recognised that the addition of residential development would have an adverse impact upon the surrounding designated European protected sites. The Solent & Southampton Water Special Protection Area is an internationally designated conservation site and is protected for its overwintering birds. It is recognised that new house building (within a 5.6km buffer of the designated area) is placing increased pressure on these overwintering birds from more people visiting the coastline. It is noted that the application site does not fall within 5.6km. Further, residential development generates additional nitrogen output into the Solent. Lastly, a more recent impact identified by Natural England is the impact additional housing has upon the New Forest (especially within a 13.8km radius). The application site falls within this radius. However, in this instance, the proposal would result in the replacement of 2 no. existing mobile homes which facilitates residential use therefore the proposed impact would be assessed against the existing impact, and therefore the proposals are not considered to have a worse impact than the existing, and ultimately would be acceptable in this specific regard.

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 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.

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 proposed erection of 2no. permanent dwellings in lieu of 2no. mobile homes, by reason of their nature, siting and excessive dimensions, would result in visually intrusive additions and would have an unacceptable urbanising impact which would be detrimentally harmful to the character, intrinsic qualities and landscape of the countryside, thus the proposals would be contrary to Policies S5, DM1 and DM26 of the Eastleigh Borough Local Plan (2016-2036), and the provisions of the NPPF (2023).
- 2) Insufficient information has been provided to demonstrate that the development would not have an adverse impact in terms of contaminated land, and its impact upon future occupiers. The proposals are therefore contrary to Policies DM1 and DM8 of the Eastleigh Borough Local Plan (2016-2036), and the provisions of the NPPF (2023).

Recommendation:	PERMIT ☐	REFUSE ☒