

Application Number: F/25/99762
Case Officer: Gary Osmond
Received Date: 18th July 2025
Site Address: Broadway Farm, Broad Oak, Botley
Applicant: CCW Services Ltd.
Proposal: Creation of hardsurfaced area for the loading and unloading of HGVs.

Recommendation: PERMIT subject to completion of S106 agreement securing reinstatement of existing hardstanding.

CONDITIONS & REASONS:

1) Approved Plans:

The development hereby permitted shall be implemented in accordance with the following plans and documents:

- Location – Location Plan;
- 2013-103 F – Site Layout Plan;
- JOB – 22384 – Topographic Survey; and
- 25005-TPP-1 – Tree Protection Plan.

Reason: For the avoidance of doubt and in the interests of proper planning.

2) Commencement:

The development hereby permitted shall start no later than twelve months from the date of this decision.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990.

3) Contamination Investigation:

No work shall start on site until the following has been submitted to, and approved in writing by the Local Planning Authority:

(a) A Desk Study documenting all the previous and existing land uses of the site and adjacent land in accordance with national guidance as set out in Contaminated Land Reports Nos.1 and 2, and BS10175:2011 Investigation of potentially contaminated sites Code of Practice, and, unless otherwise agreed with the Local Planning Authority;

(b) A site investigation report documenting the ground conditions of the site and incorporating chemical and gas analysis identified as appropriate by the desk study in accordance with BS10175:2011, BS 8576:2013, BS 8485:2015+A1:2019, Claire RB17, CIRIA C665 and other relevant guidance, unless otherwise agreed with the Local Planning Authority;

(c) If required, a detailed scheme for remedial works and measures to be undertaken to avoid the risk from contaminants and/or gases when the site is developed and proposals for future maintenance and monitoring. Such a scheme shall include nomination of a competent person to oversee the implementation of the works.

Reason: To minimise the risk from land contamination for public safety.

4) Verification report:

The development hereby permitted shall not be occupied / brought into use until there has been submitted to the Local Planning Authority verification by the competent person approved under the provisions of condition 3 that any remediation scheme required and approved under the provisions of condition 3 has been implemented fully in accordance with the approved details (unless varied with the written permission of the Local Planning Authority in advance of implementation). Typically, such a report would comprise:

- a. A description of the site and its background, and summary of relevant site information;
- b. a description of the remediation objectives and remedial works carried out;
- c. verification data, including - data (sample locations/analytical results, as-built drawings of the implemented scheme, photographs of the remediation work in progress, etc.
- d. Certificates demonstrating that imported and/or material left in situ is free from contamination, confirmation of material removal (i.e. waste transfer tickets), gas/vapour membranes have been installed correctly.

Thereafter the scheme shall be monitored and maintained in accordance with the scheme approved under condition 3.

Reason: To minimise the risk from land contamination for the safety of the future users of the development.

5) Imported soils:

Any imported soils required for the development hereby permitted should be demonstrated to be suitable for its intended end use and meet the approval of the Local Planning Authority prior to use on site.

Reason: To minimise the risk from land contamination for the safety of the future occupiers of the development.

6) CEMP:

No construction or demolition/removal work shall start until a Construction Environmental Management Plan has been submitted to, and approved in writing by, the Local Planning Authority. All works shall only take place in accordance with the approved management plan which shall include:

- a) location of temporary site buildings, compounds, construction material and plant storage areas used during demolition and construction;
- b) the arrangements for the routing / turning of lorries and details for construction traffic access to the site;
- c) the arrangements for deliveries associated with all construction works, loading / unloading of plant & materials;
- d) the parking of vehicles of site operatives and visitors;
- e) measures to control the emission of dust and dirt generated by demolition and construction;
- f) a scheme for controlling noise and vibration from demolition and construction activities (to include piling);
- g) provision for storage, collection, and disposal of rubbish from the development during construction period;

h) measures to prevent mud and dust on the highway during demolition and construction;

i) temporary lighting; and

k) measures for the protection of wildlife and habitat, including the neighbouring Site of Importance for Nature Conservation.

Reason: To limit the impact the development has on the amenity of the locality.

7) Construction Hours:

No construction, demolition or deliveries to the site shall take place during the construction period except between the hours of 0800 to 1800 Mondays to Fridays or 0900 to 1300 on Saturdays and not at all on Sundays or Public Holidays.

Reason: To protect the amenities of the occupiers of nearby dwellings.

8) No Burning:

No burning of materials obtained by site clearance or any other source shall take place during the demolition, construction and fitting out process.

Reason: To protect the amenities of the occupiers of nearby properties.

9) Tree Protection:

The development must accord with the arboricultural report reference 25005-AIA-LF. No excavation, demolition or development related works shall commence until the tree protection measures have been installed as per the tree protection plan reference 25005-TPP-1. Once installed, no access by vehicles or placement of goods, chemicals, fuels, soil or other materials shall take place within the protected area. Tree protection measures shall be retained in their approved form for the duration of the work and may only be modified subject to written agreement from the Local Planning Authority.

Reason: To retain and protect the existing trees which form an important part of the amenity of the locality.

10) Drainage:

The development hereby approved shall not be brought into use until the surface water drainage scheme set out in the submitted Flood Risk Assessment & Drainage Strategy by Paul Basham Associated, reference '020.5961/FRADS/4' and dated April 2025 has been implemented in full and verification of its correct installation has been provided to and acknowledged in writing by the Local Planning Authority. Once installed, the drainage system shall thereafter be managed and maintained in accordance with the approved drainage scheme for the lifetime of the development.

Reason: To ensure satisfactory drainage for the development and protect local biodiversity habitat.

Note to Applicant: If the proposals include works to an ordinary watercourse, under the Land Drainage Act 1991, as amended by the Flood and Water Management Act 2010, prior consent from the Lead Local Flood Authority is required. This consent is required as a separate permission to planning.

- 11) Acoustic Fencing:
The development hereby approved shall not be brought into use until final details and specifications of the acoustic fencing surrounding the hardstanding to the southern and western boundaries has been submitted to and approved in writing by the Local Planning Authority and installed in accordance with the approved details. The fencing shall then remain in place throughout the lifetime of the development in an acceptable state of repair.
Reason: To protect the amenity of neighbouring residential properties.
- 12) Reversing Alarms:
No audible reversing warning alarms shall be used on any vehicle between the hours of 8pm and 8am on any day of the week.
Reason: To protect the amenity of neighbouring residential properties.
- 13) Lighting:
The development hereby approved shall not be brought into use until final details and specifications of the wayfinding lighting to be used within the new hardstanding area, including control measures has been submitted to and approved in writing by the Local Planning Authority and installed in accordance with the approved details. The approved lighting shall then remain in place throughout the lifetime of the development in an acceptable state of repair.
Reason: To protect the amenity of neighbouring residential properties and the wider locality.
- 14) Ecological Mitigation:
The precautionary mitigation outlined in section 4.3 of the Preliminary Ecological Appraisal by Johns Associated, reference '1560a/Version 2.0' and dated 5th June 2025 shall be implemented in full.
Reason: To protect wildlife habitat and local biodiversity.
- 15) Cessation of Use:
The hardstanding area approved under this application (identified as 'Proposed Commercial Storage Area' on drawing 103 Rev C) must not be utilised until the hard surfacing of the area has been fully completed. Upon completion, utilisation of the existing hardstanding area to the east of the site for parking or storage (identified as 'Hardstanding to Revert to Landscaped Area' on drawing 103 Rev C) must permanently cease.
Reason: In the interests of highway safety and amenity.
- 16) Landscape Scheme – Approved hardstanding:
The submitted soft landscaping, management and maintenance scheme by Briarwood Landscape Architecture, reference 'BLA432-04 A' shall be carried out and completed in accordance with the approved details and to the appropriate British Standard within twelve months of the new hardstanding area hereby approved coming into use. For a period of 5 years after planting, any trees or plants which are removed, die or become seriously damaged or defective, shall be replaced as soon as is reasonably practicable with others of the same species, size and number as originally approved in the landscaping scheme.
Reason: In the interests of the visual amenity of the locality.

- 17) Landscape Scheme – Reinstatement of existing hardstanding:
No works to remove the existing eastern hardstanding shall commence until a final landscaping and planting scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall cover all soft landscaping including trees and boundary treatments and shall provide details of timings for all landscaping and any future maintenance. The works shall be carried out in accordance with the approved plans and to the appropriate British Standard. For a period of no less than 5 years after planting, any trees or plants which are removed, die or become seriously damaged or defective, shall be replaced as soon as is reasonably practicable with others of the same species, size and number as originally approved in the landscaping scheme. Reason: To ensure the protection of the adjacent Site of Importance for Nature Conservation and Ancient Woodland, and to provide habitat enhancement.

Conditions to comply with the Environment Act (2021)

- 1) The development must adhere to the Biodiversity Net Gain report (John's Associates, dated 5th June 2025) which has been submitted and approved by the Local Planning Authority in accordance with paragraph 14(2) of Schedule 7A of the Town and Country Planning Act 1990 and shall be implemented in accordance with the approved details unless otherwise agreed in writing with the Local Planning Authority.
Reason: To ensure delivery of at least a 10% biodiversity net gain as required by the Environment Act (2021) and to comply with Policy DM11 of the Eastleigh Borough Local Plan (2016-2036).
- 2) The development shall not commence until a Habitat Management and Monitoring Plan (HMMP), prepared in accordance with the submitted Biodiversity Gain Plan, has been submitted to and agreed in writing by the Local Planning Authority along with a timetable for implementation. Thereafter those habitats shall be managed and maintained in accordance with the approved details for a minimum period of 30 years following completion.
Reason: To ensure delivery of at least a 10% biodiversity net gain as required by the Environment Act (2021) and to comply with Policy DM11 of the Eastleigh Borough Local Plan (2016-2036).
- 3) Notice in writing shall be given to the Local Planning Authority when the:
a) habitat creation and enhancement works as set out in the HMMP have commenced; and
b) habitat creation and enhancement works as set out in the HMMP have been completed.
Reason: To ensure delivery of at least a 10% biodiversity net gain as required by the Environment Act (2021) and to comply with Policy DM11 of the Eastleigh Borough Local Plan (2016-2036).

Note to Applicant: In accordance with paragraph 39 of the National Planning Policy Framework (December 2024), 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.

Note to Applicant: Please note that separate consent may be required from Esso Petroleum Limited to construct the approved development over their pipeline.

Report:

This application has been referred to committee by Councillors Corben, Garton, House and Kyrle.

Description of Application

1. The application seeks consent for the creation of a new area of tarmac hardstanding for the parking, loading and unloading of HGVs, together with ancillary fencing, lighting, drainage and landscaping. Additionally, the proposals include the reinstatement of an existing area of hardstanding back to paddock with ecological enhancements.
2. The application is accompanied by the following reports and technical assessments which can be viewed on the Council's website [here](#) together with the proposed plans and drawings:
 - Planning Statement
 - Preliminary Ecological Assessment
 - Arboricultural Impact Assessment and Method Statement
 - Biodiversity Net Gain Report
 - Statutory Biodiversity Net Gain Metric
 - Transport Statement
 - Landscape Proposals
 - Lighting Technical Report
 - Flood Risk Assessment and Drainage Strategy
 - Employment Land and Economic Impact Assessment

Site Characteristics and Character of the Locality

3. Broadway Farm lies to the west of the village of Botley to the north of 'Broad Oak' (A334) which is the main route into the village from the west. Whilst still called Broadway Farm, the site is no longer used for any agricultural or horticultural purposes but has for the past 25 – 30 years been used by a haulage firm – CCW Services – for storage and distribution purposes (Use Class B8), albeit has seen rapid expansion in recent years.
4. The wider 'farm' is split into three parcels: western, central and eastern. The two outer parcels are open mainly grassed 'paddock' land bound by hedgerows and trees on their outer edges. The central parcel consists of a

number of storage/warehouse buildings of varying sizes, as well as open areas used for lorry parking, loading and unloading. To the south of the main warehouse structures, which are positioned in the middle of the site, is an area of hardstanding used for staff parking and vehicle storage, together with ancillary office accommodation and a large bungalow which is the applicant's place of residence.

5. The eastern parcel is mainly grass, other than the northern third of which has been covered in tarmac and is being used for the parking/storage of vehicles and trailers, as well as open storage of pallets and containers. This is separated from the remainder of the paddock/field to the south by an earth bund with a central gap which allows access to the southern portion of the field from the hardstanding area, some of which is being used for further storage purposes. It is this area of hardstanding which the proposed new hardstanding is intended to replace. The western parcel is also grass, the very southern part of which forms part of the curtilage of the frontage bungalow.
6. To the north and east of the wider site is woodland which forms part of a Site of Importance for Nature Conservation (SINC), part of which has been identified as being Ancient Woodland and includes a watercourse which is a tributary of the Hamble River.
7. In terms of the wider context, the site lies outside the urban edge and within the designated Botley/Hedge End Settlement Gap on a short stretch of road between the settlements of Hedge End to the west and Botley to the east. Immediately surrounding the site is agricultural land used for grazing and arable purposes, together with residential properties fronting the main road.

Representations Received

8. One public representation was received objecting to the application on the grounds of: building in the countryside and a designated settlement gap; creation of further flooding; air, soil, water, light and noise pollution; and that the supporting assessments do not take into account the benefits of the soon to be completed Botley bypass in terms of reducing traffic volumes.

Consultation Responses:

9. **Landscape** – Whilst no formal written comments have been received, the Urban Design and Landscape Team Leader, who was heavily involved in last year's planning enforcement appeal (see below), has advised that provided suitable mitigation planting can be provided and the existing area of hardstanding is removed and land reinstated, that they would have no objection to that now proposed.
10. **Environmental Health (Noise)** – The revised noise assessment submitted demonstrates a marginal increase in noise (+2dB) to the nearest residential properties when one HGV is manoeuvring, with noise increasing per additional vehicle at any one time. The mitigation measures proposed are a

2m high solid boundary fence to the trailer storage area, as well as tonal reversing alarms being turned off and visual flashing alerts being used instead during nighttime periods.

11. The overall impact as shown is acceptable, the use of multiple HGVs units simultaneously is a concern and a risk but because this is a relocation and these works/activities already occur on site, I find this acceptable.
12. It is suggested that the specification and location of the acoustic fence, and its continued maintenance, as well as including reversing alarms being turned off during nighttime movements is conditioned.
13. **Environmental Health (Air Quality)** – Given no additional HGV movements are expected, there should be no additional impact upon local air quality. However, a CEMP is recommended to limit impact on neighbouring residential properties.
14. **Environmental Health (Contaminated Land)** – No objection subject to conditions requiring the submission of a suitable preliminary ground investigation prior to commencement, including details of remedial works if required, and submission of a verification report. The suitability of any imported soils will also need to be provided prior to their use on site.
15. **Ecology** – The application as presented is an opportunity to relocate the existing hardstanding into an ecologically more favourable location while providing a very desirable ecological buffer to the existing partly ancient woodland to the east. This will also deliver a significant biodiversity net gain. Therefore, I have no objection to this application on the grounds of drainage or ecology providing conditions are applied should permission be granted to: ensure existing habitat is protected; drainage is implemented as set out in the drainage strategy; a CEMP is agreed prior to works commencing; and that BNG is provided in accordance with the submitted Biodiversity Net Gain report.
16. **Trees** – No objection to removal of the conifer hedge. All other significant trees will be suitably protected. Tree protection condition recommended.
17. **Hampshire Highways** – No objection to the proposals from a highway perspective, subject to the cessation of use of the existing area of hardstanding as soon as the new proposed hardstanding is completed and brought into use.
18. It is understood that the proposed hardsurfaced area is to replace an existing area of hardsurfacing which was implemented without appropriate permissions and will be reinstated to a grassed / landscaped area following completion of the proposed hardsurfaced area. Given this, and as outlined in the associated documentation (Transport Statement), it would not be anticipated that any additional vehicle trips to and from the site would be generated. In addition, no changes to access to and from the highway

required, and as such no negative highway impacts are anticipated as a result of the development proposals.

19. Internally, whilst the site would remain private and of no direct concern to HCC as Local Highway Authority, an initial review has been undertaken, and the area would appear sufficient for purpose, with adequate space for parking and turning on-site available.
20. **HCC Flood & Water Management** – No objection provided the proposed surface water drainage strategy is undertaken, managed and maintained in accordance with the submitted Flood Risk Assessment and Drainage Strategy
21. **Environment Agency** – No comments received.
22. **Esso Petroleum** - Esso Petroleum Limited, do have apparatus situated within the area of proposed works but have no in principle objections so long as the works are undertaken in accordance with the 'Special Requirements for Safe Working' guidance and the covenants contained in the Deed of Grant are adhered to. To confirm, the change in surface above the pipelines and any other works within 3m of the pipelines will need to meet with Esso's approval which will be conditional to issuing a consent.
23. **Botley Parish Council** – No objection.

Policy Context:

24. **Designations Applicable to Site**
 - Outside the Urban Edge
 - Within Settlement Gap
25. **Eastleigh Borough Local Plan 2016-2036**

Strategic Policies:

- S1 (Delivering sustainable development);
- S2 (Approach to new development);
- S4 (Employment provision);
- S5 (New development in the countryside);
- S6 (Protection of settlement gaps);

Development Management Policies:

- DM1 (General criteria for new development);
- DM2 (Environmentally sustainable development);
- DM6 (Sustainable surface water management);
- DM8 (Pollution);
- DM11 (Nature conservation);

- DM13 (General development criteria – transport); and
- DM14 (Parking).

26. Hampshire Minerals and Waste Plan

- Policy 15 – Safeguarding of Mineral Resources.

27. Supplementary Planning Documents

- Quality Places (November 2011 and emerging document 2026);
- Parking Standards (September 2025);
- Trees and Development (April 2022); and
- Biodiversity (December 2009).

National Planning Policy Framework

28. At the 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 NPPF 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. A deliverable five-year supply of housing within each local authority area is required, and if this is not demonstrated a tilted balance in favour of the development applies.
29. 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

30. 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

31. 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 of the Eastleigh Borough 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.

Policy & Principle

32. The application site lies outside the urban edge and within an area designated as Settlement Gap, where Policies S5 and S6 apply. Additionally, Policies DM1, DM6, DM8, DM11 and DM13 are relevant.
33. Policy S5 sets out the forms of development considered acceptable within the countryside, which can include the “the extension and replacement of existing employment uses” provided the requirements of Policy DM18 are complied with. Policy S5 goes on to state that “In permitting new development in the countryside the Borough Council will seek to... avoid adverse impacts on the rural, woodland, riparian or coastal character, the intrinsic character of the landscape including the avoidance of adverse landscape impacts on areas adjoining national parks and their settings, the significance of heritage assets and on the biodiversity of the area”. However, whilst S5 references Policy DM18, this policy only applies to the extension or replacement of non-residential buildings outside the urban edge, something which does not form part of this planning application, meaning that it is not relevant.
34. Policy S6 relates to development within Settlement Gaps and states that development within these areas will be permitted provided it would not undermine the physical extent and/or visual separation of settlements; and would not have an urbanising effect detrimental to the character of the countryside; or the separate identity of the adjoining settlements.
35. In principle therefore, further development relating to the established commercial use is acceptable, with any formal planning consent being dependent on how well that proposed is considered to accord with the above Local Plan policies.

Relevant Planning History

36. Broadway Farm has an extensive planning history, as set out in the table below.

Application Ref:	Description:	Decision:
	Enforcement appeals against notices relating to unauthorised change of use of land and associated tarmac hardstanding.	Allowed (in part) – 30/09/2025

LDC/23/95111	Broadway Farm – LDC for building operation by the laying of sub-base hard core (type one crushed concrete) with concrete cellular ‘grasscrete’, together with the parking of motorised vehicles to include heavy vehicles and trailers.	Refused – 29/08/2023 Refused on appeal –7/05/2024
F/22/94108	Proposed construction of a Warehouse for storage and distribution (Class B8) together with a relocation of existing parking apron for first response vehicles and ancillary works.	Refused Feb 2023
F/22/93195	Construction of a Warehouse for storage and distribution (Class B8) together with a parking apron for first response vehicles and ancillary works.	Withdrawn Jul 2022
F/21/91859	Construction of a warehouse for storage and distribution (Class B8) with ancillary works including parking area, together with retention of tarmac hardstanding for open vehicle storage.	Withdrawn Jan 2021
F/17/81201	Retention of 2No. product handling/storage buildings and alterations and extensions to existing pallet storage building in association with the continued use of the site for storage and distribution (Use Class B8).	Permit Mar 2019
LDC/17/80680	Lawful Development Certificate for proposed construction of a new material handling/storage building (Use Class B8).	Certificate Issued Feb 2018

Z/17963/001/00	Use of rear yard for pallet repair and storage with retention of relocated portable office and shed.	Refused Jul 1997 – granted temporary approval at appeal Sep 1998
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37. As can be seen, there has been a clear expansion and intensification of activities on site from approximately 2017 onwards, which aligns with the growth of the business. Application F/17/81201, which was considered concurrently with LDC/17/80680, sought approval for the retention of two warehouse buildings which had been constructed to replace previous sheds which were no longer fit for purpose, together with the proposed extension and refurbishment of other existing buildings.
38. Whilst no formal planning approval for the industrial/commercial use of the site had ever been granted, the LPA took the view that a ten-year continuous industrial use of the site could be demonstrated, albeit no formal application for a certificate of existing use has ever been submitted. As such, the principle of improvements to the existing site was considered acceptable and the application was approved in March 2019. The approval of F/17/81201 effectively established a legitimate industrial/commercial use of the site in planning terms. However, it was the LPA's view that this legitimate commercial use only related to the central developed portion of the site, with the paddocks to the east and west not being included within the commercial use of the site.
39. Following the 2019 planning approval, three further planning applications were submitted. The first two, F/21/91859 and F/22/93195 both sought approval for the retention of the current tarmac hardstanding to the east which had been laid in 2020 without consent, together with further expansion of the site through the construction of another large warehouse. These were followed by F/22/94108, which again proposed an additional warehouse and other works but also included the removal of the unauthorised hardstanding.
40. As can be seen, none of the applications since the initial 2019 approval have been successful. In the case of the planning applications, this principally related to concerns as to the significant expansion of the business activities on site and associated buildings and hardstanding areas required to a site which sits outside the urban edge and within a settlement gap. In the case of the lawful development certificate, which was dismissed at appeal in May 2024, the applicant failed to demonstrate that the area on which the unauthorised hardstanding had been laid had been used continuously for the parking of HGVs for a period in excess of ten years.

Recent Enforcement Appeal:

41. The recently determined planning enforcement appeal again related to the area of hardstanding to the east of the main developed part of the site. The planning enforcement notice which had been issued required use of the hardstanding to cease, for it to be pulled up and the land reinstated back to grass. As with the above planning applications, it was the LPA's view that the hardstanding and its use for the parking of HGVs was not considered to be appropriate within a settlement gap, both for its physical and visual presence. Additionally, there were concerns that the hardstanding, which had not been constructed with appropriate drainage, was likely resulting in pollution of the neighbouring SINC and ancient woodland from untreated surface water runoff.
42. During the course of the appeal proceedings, various reasons for retaining the hardstanding were put forward by the applicant ranging from there being limited visual and physical harm, through to the need for the hardstanding to effectively run and manage a business which provided significant employment to the local area and the wider borough. It was also stated that without sufficient on-site space for the parking, loading and unloading of HGVs, the business would lose its primary contract and jobs would be lost.
43. Having weighed up the various arguments for and against the retention of the current area of hardstanding, the Inspector chose to allow the appeal, albeit a modified version of that originally sought. This modified version required the provision of a 15 metre wide planted buffer zone between the permitted hardstanding and the neighbouring ancient woodland and for the buffer zone to continue for the full length of the eastern site boundary. This buffer zone would provide protection for the woodland, together with an upgraded drainage system and further native planting to the southern edge of the hardstanding. Additionally, new fencing and lighting would be included, the details of which would be agreed with the LPA within a defined timescale.
44. The Inspector, whilst acknowledging the visual and physical harm which had resulted, was of the opinion that this was relatively localised and could be addressed through the additional landscape planting proposed. She also acknowledged the potential for ongoing ecological harm but again was of the view that these issues could be reasonably mitigated through the provision of the buffer zone and other measures. She also placed considerable weight on the particular operating requirements of the applicant and the economic argument which had been put forward. As such, the appeal was allowed in September 2025. The reasoning of the Inspector and her decision will be a significant material consideration in the assessment of this current planning application.

Proposals

45. The application seeks consent for the creation of a new area of tarmac hardstanding for the parking, loading and unloading of HGVs, together with ancillary fencing, lighting, drainage and landscaping, together with the reinstatement of an existing area of hardstanding back to paddock with

ecological enhancements. This hardstanding would support the B8 storage and distribution business which has been running from the site for the past 20-30 years.

46. The existing area of hardstanding in the north-east corner of the site measures approximately 2,050 square metres and can accommodate around 18 – 20 HGV trailers whilst still allowing sufficient space to manoeuvre. The appeal approval requires the creation of a 15 metre wide buffer zone to the neighbouring woodland, which will reduce the useable area of the existing hardstanding by approximately 20%, which once manoeuvring space has been taken into account will reduce the number of trailers which can be accommodated. This is part of the reason for the proposed new hardstanding which would be located to the north-west of the Broadway Farm site.
47. The new area of hardstanding will measure approximately 1,950 square metres, which whilst not dissimilar to the existing, is better laid out for manoeuvring HGV trailers and should allow around 25 trailers to be accommodated. Additionally, it is better linked to the existing central warehousing, so should be more operationally efficient.
48. The proposed new hardstanding will require the removal of a line of conifers which run north to south and are not currently in the best condition. New landscape and tree planting will be provided along the western edge of the new hardstanding, together with further planting between this and the existing western boundary of Broadway Farm which consists of a treed field boundary typical of the locality. The existing planting along the northern boundary will be further bolstered by new planting. Within this space between the new hardstanding and the site's western boundary a new attenuation pond would be constructed as part of the drainage proposals for the new hardstanding.
49. The other main element of the application is the removal of the existing hardstanding in the north-east corner of the site. Although this area has been approved by the recent appeal decision, at least in part, it is proposed that this will be removed in its entirety and the land put back to grass, including a 20 metre planting buffer to the neighbouring SINC.

Sustainable Development:

50. Section 2 of the NPPF (December 2024) 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.
51. Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways. Each of the three objectives of sustainable development are considered below.

52. 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.

Economic Sustainability:

53. Section 2 of the NPPF, states that the objective of economic sustainability is “to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;”.
54. It goes on to state in section 6 – ‘Building a strong, competitive economy’ – that “Planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.” (para.85). It also states that “Planning policies and decisions should recognise and address the specific locational requirements of different sectors.” (para.87).
55. The economic benefits of the existing business and the part in which the current area of hardstanding plays was discussed at length during the course of the appeal hearing and was a factor which carried considerable weight in the outcome of the appeal. The Employment Land and Economic Impact Assessment (ELEIA) which was submitted in support of the appeal, and which has again been included in support of the current planning application, indicated that CCW Services employs 75 full time staff, with 110 members of staff in total, many of whom live locally, and had a wage bill of £2.4 million in 2024. This number of employees is around twice that of a similarly sized B8 employer, which is predominantly due to the nature of goods and services the company provides to a number of customers who have very specific logistical requirements which can easily be provided at Broadway Farm due to the particular circumstances of the site and its location.
56. Whilst the proposed new area of hardstanding is intended to replace the existing and not for further expansion of the business, it is important to understand how it relates to the business and the part in which the business plays in the local economy. These were issues on which the appeal Inspector placed considerable weight and was certainly a factor which swung her decision in favour of allowing the appeal.
57. The Inspector’s decision reflects the NPPF requirement to support economic growth and promote economic sustainability. Although that proposed replaces a facility which is to be removed, the importance of the hardstanding for the way in which the business operates and its continued success is noted. The number of employees from the local area and what they contribute to the wider local economy is also noted. For the purposes of the NPPF therefore, that proposed is considered to be economically sustainable.

Social Sustainability:

58. In relation to social sustainability, section 2 of the NPPF states that the objective is “to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities’ health, social and cultural well-being;”
59. Whilst that proposed has no direct impact upon social sustainability, as discussed above, its role in ensuring the existing business can maintain its current level of employment is acknowledged. This in turn does have a positive impact in supporting the local community by providing jobs.

Environmental Sustainability:

60. Section 2 goes on to state that the objective of environmental sustainability is “to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.”
61. There are a number of different components to Environmental Sustainability, including consideration of site-specific planning matters and the impacts of the development on its surroundings, which are considered below under the relevant subheadings.

Layout

62. Specifics of that proposed are set out above. Whilst it will result in a further expansion of the currently developed part of Broadway Farm, overall, the physical expansion westwards is relatively modest, particularly when compared to the existing hardstanding to the east. In terms of its shape and proportions that now proposed is a more obvious and sensible solution to providing the space required. As discussed above, it will also be more operationally efficient, allowing a greater number of trailers and vehicles to be parked in a very similar overall area. It also provides an opportunity to more clearly define what is the operational and ancillary areas of the site and what is not through the provision of new landscape planting.

Fuel Pipeline:

63. The proposed new hardstanding would be placed above an underground fuel pipeline controlled by Esso Petroleum who have been consulted. They have raised no objection in principle provided the works are undertaken in accordance with their requirements and do not impact the existing pipeline or the ability to maintain it. Whilst no conditions relating to protection of the pipeline have been requested, an advisory note is recommended to ensure that and necessary additional consents are obtained.

Landscape Impact & Area Character

64. As set out above, the application site lies outside the urban edge and within the Hegde End and Botley Settlement Gap where Policies S5 and S6 apply. Policy S5 allows the extension and replacement of existing employment uses outside the urban edge and states that “the Borough Council will seek to... avoid adverse impacts on the rural, woodland, riparian or coastal character, the intrinsic character of the landscape”. Policy S6 relates to development within settlement gaps and states that development within these areas will be permitted provided it would not undermine the physical extent and/or visual separation of settlements; and would not have an urbanising effect detrimental to the character of the countryside; or the separate identity of the adjoining settlements.
65. Impact upon the settlement gap and wider landscape character of the locality was one of the main issues discussed at the enforcement appeal hearing. It was the LPA’s view that the formation of the existing eastern hardstanding had an unacceptable impact by both physically extending the existing commercial/industrial operations of Broadway Farm into a previously undeveloped part of the site and visually through use of the hardstanding for the parking and storage of HGVs, pallets and containers, thereby resulting in a detrimental urbanising effect.
66. In her decision, the Appeal Inspector acknowledged that the hardstanding did result in a degree of physical and visual harm upon the countryside and settlement gap. However, she was of the opinion that the resulting harm was relatively localised and could be made acceptable through further landscape planting and better lighting controls. In the overall planning balance, she was also of the opinion that need for the hardstanding in the operation of the business and the potential economic impact of its loss weighed against the level of physical and visual harm caused. When assessing the landscape impact of that now proposed, the Inspector’s reasoning carries considerable weight.
67. Looking at the landscape impact of that now proposed, it is again the LPA’s view that there will be a degree of physical and visual harm upon the countryside and settlement gap. Whilst the site is not visible from Broad Oak, it is visible from Woodhouse Lane to the north-west of the site, albeit it is acknowledged that this is at a distance and viewed against a wider backdrop of woodland and mature treed field boundaries. It could be argued that the site now proposed is more visually prominent from public vantage points. However, with the new boundary and other landscape planting proposed, it is considered that the visual impact will be mitigated to an acceptable degree once the new planting matures.
68. In terms of overall physical and visual impact upon the landscape and character of the locality, it is considered that there would be a neutral impact, with the harm caused being compensated by the removal of the existing hardstanding to the east, together with the new landscaping and biodiversity

enhancements which can be secured. Overall therefore, it is considered that proposed will accord with the general requirements of Policies S5 and S6.

Access & Highways

69. Given the proposed new hardstanding is intended to replace an existing similarly sized area which is to be removed, there should be no change in the capacity of the site to accommodate additional vehicles. This is confirmed within the supporting transport statement and is the presumption on which the comments from Hampshire Highways are based. Whilst there are no current planning controls in relation to the number of vehicles, and no ability to reasonably apply such restrictions in planning terms, the LPA are not aware of any plans to significantly increase the number of vehicles using the site. As such, there should be no additional impact upon the local highway network, or any need to alter/upgrade the existing site access arrangements which have previously been deemed acceptable in highway terms. That being the case, the application accords with the requirements of Policy DM13 which relates to transport issues.
70. As discussed above, the new hardstanding, its position within the site and relationship to the existing developed part of the site will allow the site as a whole to be used more efficiently. It also ensures that the existing areas of the site which are used for various purposes, including staff parking and vehicle storage will not be affected. As such, the requirements of Policy DM14 are adhered to.
71. The one representation received made reference to the submitted transport statement not taking into account the impact of the soon to be completed Botley bypass in relation to reducing traffic through the centre of Botley and in turn traffic using Broad Oak. Whilst a valid point, it should be noted that HGVs currently accessing the Broadway Farm site cannot access the site from the east due to the angle of the site access. Equally, HGVs cannot leave the site and travel east for the same reason. It is also the case that CCW specifically require their drivers not to drive through the centre of Botley, although most journeys are in a westerly direction towards the M27 motorway, negating the need to travel through Botley.
72. Notwithstanding the potential for the total percentage of traffic using Broad Oak associated with the application site increasing, this would be as a result of the overall traffic numbers reducing due to the bypass, rather than any actual increase in the number of movements to and from the site. It would be difficult therefore to reasonably argue that the proposed replacement hardstanding would result in any additional or detrimental impact upon the local highway and could not be used as a potential reason for refusal.

Amenity

73. When assessing the impact of the proposed development upon amenity there are two main areas to be considered: its impact upon adjacent residential dwellings; and its impact upon the wider locality. Potential impacts mainly relate to noise and light disturbance as a result of activities on site, such as loading and unloading, manoeuvring vehicles, hitching and unhitching trailers, etc. These activities are already taking place elsewhere on site, but the relocation of the main hardstanding area will bring it closer to a number of properties which front Broad Oak, in particular Poplar, Hawthorne and Springtime Cottages, as well as the applicant's bungalow to the front of the site.
74. Following initial comments from the Council's Environmental Health Team a more detailed noise assessment has been undertaken. This assessment modelled the site in 3D and more accurately calculates the likely impact of activities taking place on the proposed new hardstanding. The assessment demonstrated that the impact upon the closest properties – Poplar Cottage and Broadway Farm bungalow – would be less than originally calculated, although mitigation measure will still be required. As such, it is proposed to erect a 2.0 metre high solid timber fence around the parking/storage area, with details of its final specification being agreed with the LPA via condition. Additionally, it is recommended that tonal reversing alarms are switched off during nighttime hours, with visual flashing beacons being used instead. Again, this is something that can be conditioned. With these measures in place any noise impact can be kept to acceptable levels and should be no worse than at present.
75. Concerns have also been raised regarding lighting at night and the potential for further light pollution in the locality impacting neighbouring residential properties. Given the nature of the business and when operations are taking place, there is a need for lighting for safety and security purposes. Presently, most lit areas are confined to the central developed part of the site where the warehouse buildings do provide a degree of shielding.
76. The location of the proposed new hardstanding would expand the central developed portion of the site and will require some lighting mainly for safety and wayfinding purposes. The supporting lighting assessment submitted with the application proposes that lighting will be limited to the periphery of the hardstanding area, set at a height of 2.0 metres in a downward direction and shielded to prevent any upward light spill. It also suggests that this lighting be controlled via PIR sensors, meaning that it would only illuminate when movement is detected. With such measures, the final specification of which can be secured via condition, it is considered that there should be no unacceptable impact upon nearby residential properties in terms of light pollution. Equally, these measures will minimise impact upon the wider locality as well as local biodiversity.
77. There is also the potential for disturbance during construction of the new hardstanding and works to remove the existing. However, this would only be for a temporary period and can be controlled through the submission

and approval of a Construction Environmental Management Plan (CEMP) which can be conditioned.

78. In terms of the impact upon amenity, that proposed should not result in any greater degree of disturbance than already occurs provided the above mitigation measures are put in place and retained for the lifetime of the development. As such, it is considered that the proposed development can be made acceptable and will accord with the requirements of Policies DM1 and DM8 of the Local Plan, as well as the Council's 'Quality Places' SPD.

Drainage & Flood Risk

79. The application site lies within Flood Zone 1 where it is considered there is a low risk of flooding. Notwithstanding, how the new hardstanding will be drained is an issue which needs to be considered so as to ensure surface water runoff from the site does not result in flooding problems elsewhere, and that the quality of water discharged from the site is acceptable so as to prevent ecological harm.
80. Due to the nature of the soil in this area, dealing with surface water via natural percolation is not feasible. As such, water will need to be dealt with by alternative means. It is proposed that surface water will be discharged into an existing drainage ditch which runs along the northern edge of the site, which in turn discharges into the Pudbrook Lake watercourse and through the Woodhouse Gully SINC, and on to the Hamble River. However, prior to being discharged into the existing ditch, surface water will go through two forms of natural filtration and be collected in an attenuation basin prior to being discharged at a controlled rate of 2 ltrs/sec. This will ensure that runoff into the ditch is not increased, and that the quality of the water discharged is acceptable. With these measures in place the proposed drainage scheme will meet the requirements of Policy DM6. Conditions requiring the site drainage to meet the specification set out within the supporting Flood Risk Assessment and Drainage Strategy, together with its ongoing management and maintenance is recommended.

Trees

81. Other than the line of conifers, no other trees will need to be removed to make way for the new hardstanding. These are not protected and provide little in the way of an attractive or highly visible feature within the wider locality. The more important trees along the northern and western boundaries of the site will not be impacted and can be suitably protected during construction. Additionally, new native trees will be planted to bolster and enhance the existing boundary planting and will be a more appropriate alternative to the conifers to be removed.
82. With regards to the trees and woodland adjacent to the existing area of hardstanding to be pulled up, whilst there is potential for some harm to occur during works to remove the tarmac and prepare the land for new planting, provided care is taken within root protection areas, any harm

should be minimised. The long term improvement to the woodland SINC by removing the pressure upon it and improving the quality of drainage will be a significant benefit in favour of the application.

Ecology

83. As set out above, immediately to the north and east of Broadway Farm is an area of woodland which is designated as a SINC, and which includes an area identified as ancient woodland. The impact upon this woodland as a result of constructing the existing area of hardstanding and through its use by HGVs was one of the main issues discussed at the enforcement appeal and considered by the Inspector. Whilst it was noted that harm may have already resulted to the woodland, although nothing definitive could be established due to the lack of information as to the condition of the woodland prior to the works being undertaken, she did acknowledge the potential for further harm if the hardstanding continued to be used in the same manner. However, the view was taken that appropriate mitigation could be achieved by providing an appropriate physical buffer between the parking area and the woodland, together with an improved drainage system.
84. The removal of the current area of hardstanding and provision of new hardstanding on the opposite side of the Broadway Farm site well away from the sensitive SINC and ancient woodland will greatly improve the present situation in terms of ecology. The removal of the current hardstanding land provision of a new 20 metre wide habitat buffer will be a substantial improvement over the present situation and allows for significant habitat creation and protection.
85. The proposed new hardstanding will not directly impact the woodland SINC due to the separation between them and is unlikely to have any direct impacts within the footprint proposed for the hardstanding as the baseline habitat is modified grassland. The hedgerow and trees to the north of the proposed hardstanding are likely to be of some ecological interest and could provide habitat for some protected species but any potential impacts can be avoided through precautionary mitigation.
86. Operationally, there could be indirect impacts on the northern boundary particularly through light spill. Again, these can be mitigated through good, ecologically sensitive design.
87. In terms of ecology therefore, that now proposed is considered to be a significant improvement over the present situation and that which has been approved at appeal. Provided the works are undertaken as set out within the supporting ecological assessment, including the drainage strategy, it is considered that the development will meet the requirements of Policy DM11 of the adopted Local Plan.

Biodiversity Net Gain

88. The application is required to meet the statutory requirement for a 10% biodiversity net gain. This is calculated by assessing the quality of habitat on site and using the statutory metric to allocate a unit figure. The baseline habitats across the site are generally low in ecological value (5.29 units). The site is comprised primarily of developed, sealed surface or buildings with significant areas of modified grassland. A significant habitat net gain is possible by re-naturalising the existing hardstanding and buffering the existing woodland along the eastern boundary. In terms of linear habitats, there is a small length of non-native cherry laurel which is scheduled to be removed and replaced with a length of native hedgerow. Overall, the proposals are scheduled to provide a habitat gain of 23% and a gain in hedgerow units of 418%.
89. Conditions requiring the final details of the habitat improvement to be submitted and agreed are proposed, together with securing contributions towards the monitoring of the new habitat for the next 30 years through a S106 agreement.

Contaminated Land

90. Whilst potential land contamination is not expected to be an issue in this instance, the Council's Environmental Health team have recommended conditions which require a preliminary investigation to be undertaken and suitable mitigation proposals if required to be put forward and agreed with the LPA before development commences. With these conditions the application will adhere to the requirements of Policy DM8.

Sustainability Measures and Climate Change

91. 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; (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.
92. 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.
93. The NPPF, 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.

94. When considering the impact of climate change, the proposed development would be expected to be resilient to the potential effects of climate change and is expected to reduce/limit impacts on climate emissions as a result of the development or its use. Given the nature of the development and its intended purpose, it will be difficult to secure any specific measures as part of this planning application, other than sustainable drainage. Notwithstanding, there is other legislation associated with the haulage business which requires more sustainable practices to be used and the efficiency of the vehicles used.

Other Material Considerations:

Legal Agreement

95. A major factor in recommending approval of the planning application is that use of the existing hardstanding to the east of the site ceases and that the tarmac, etc is pulled up and land reinstated to its former condition, in addition to new landscaping and biodiversity enhancements. It is the LPA's view that this is best achieved through a legal agreement between the applicant and the Council which clearly sets out what is expected and when.
96. The agreement will set out an agreed timescale for when works are to commence and when they are to be completed, including reinstatement of the existing eastern area of hardstanding. It will also ensure that the new western and existing eastern areas cannot be used at the same time, with use of the existing ceasing as soon as the new is brought into operation. Additionally, it will need to provide funding for future BNG monitoring of the site for the next thirty years.
97. This legal agreement is currently being drafted by the applicant's solicitor, and the granting of planning permission is subject to an acceptable agreement being completed and signed before any formal planning consent is issued.

Equalities Implications

98. Section 149 of the Equalities Act 2010 created the public sector equality duty and states:-

A public authority must, in the exercise of its functions, have due regard to the need to:

- *eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;*
- *advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;*

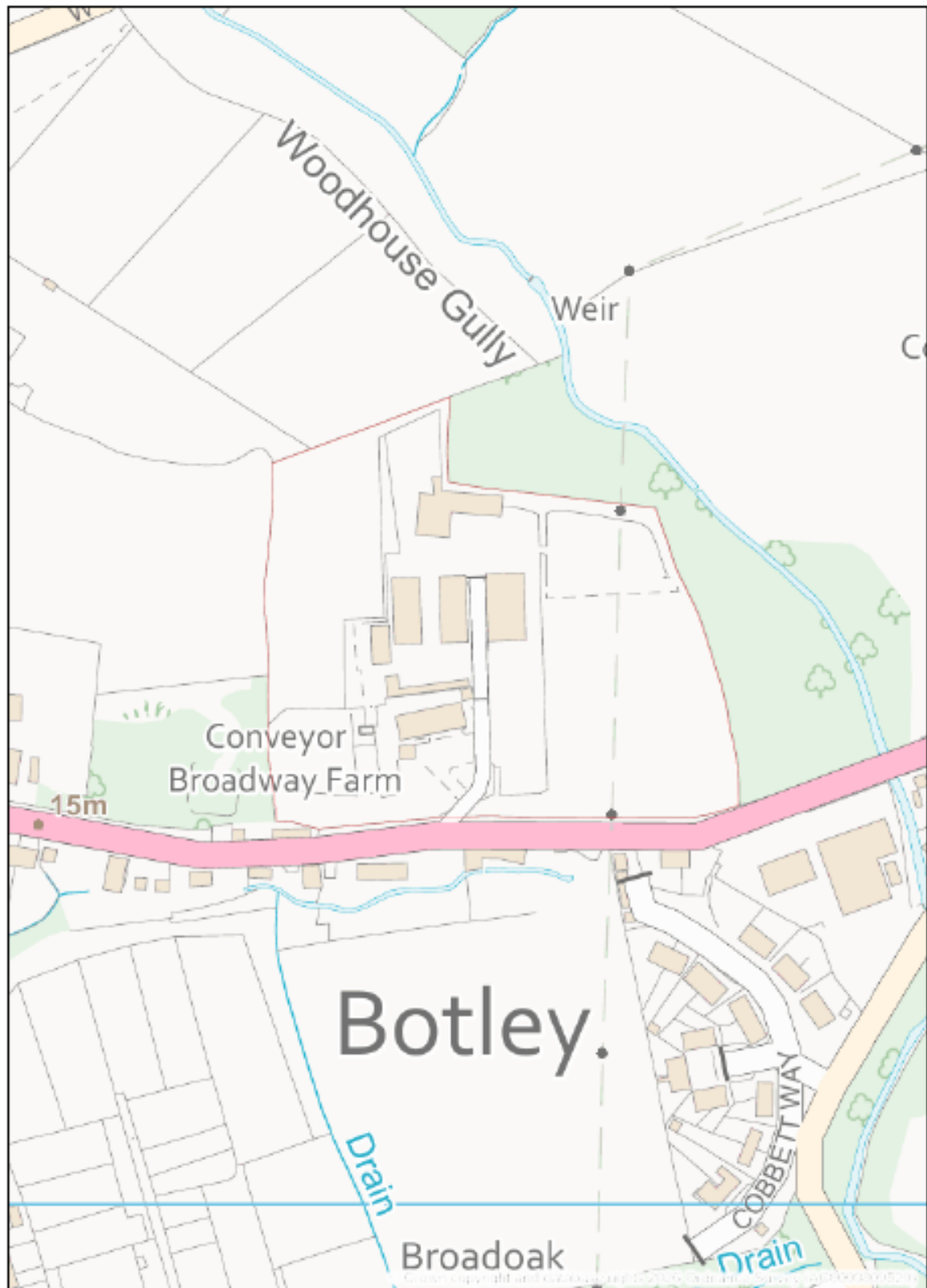
- *foster good relations between persons who share a relevant protected characteristic and persons who do not share it.*
99. When making policy decisions, the Council must take account of the equality duty and in particular any potential impact on protected groups. It is considered that this application does not raise any specific equality implications.

Conclusion and planning balance:

100. In very basic principle terms, that proposed can be considered acceptable, provided it would not result in any unacceptable harm to the surrounding countryside and settlement gap, as well as the amenity of neighbouring properties and the wider locality. The site's fairly extensive and recent planning history has highlighted reservations and concerns at the quite rapid growth of the business and intensity of activities on site, together with the potential for future growth.
101. Looking at the specifics of that currently proposed, it is the LPA's view that there would be a degree of both physical and visual harm upon the locality from the formation of the new hardstanding, as there is with the existing to the eastern side of the site. However, this harm can be mitigated to some extent through the provision of new landscape and tree planting, albeit not to the point where no harm would result. This therefore weighs against the application in the planning balance.
102. Regarding impact upon the amenity of neighbouring properties and the wider locality, again there will be a degree of harm, albeit this can be mitigated to the extent that no greater degree of disturbance over that already taking place would occur. As such, there would be a neutral impact.
103. The economic argument put forward by the applicant and accepted by the Appeal Inspector is also acknowledged and carries considerable positive weight in the planning balance.
104. However, the issue which is now considered to carry more weight in favour of the application is the opportunity to protect and enhance the woodland SINC and ancient woodland which immediately borders Broadway Farm to the east, through the removal of the existing eastern hardstanding and reinstatement of the area to provide significant biodiversity enhancement.
105. Overall therefore, whilst it is acknowledged that there will be both physical and visual harm upon the countryside and settlement gap, this harm can be reasonably mitigated and should not result in any greater degree of harm than that consented via the planning enforcement appeal. Equally, the amenity of the locality should not be impacted to any greater extent that it is at present. The weighting applied to the economic argument by the Inspector is also acknowledged, as is the fact that a consent has already be granted in part for the existing hardstanding.

106. It could be argued therefore that consent for that now proposed should not be granted given a consent for the existing hardstanding is already in place. However, in this instance, the ecological and biodiversity gains and protection that the application can secure is considered to carry considerable weight in the overall planning balance. It is for this reason that the application is recommended for approval subject to the conditions set out above and completion of a S106 agreement securing the reinstatement of the existing hardstanding site and BNG monitoring funding.

F/25/99762



Address: BROADWAY FARM
BROAD OAK, BOTLEY

Date: 26/02/2026

Scale: 1:2500