

Planning statement in respect of the provision of single storey extension, to provide additional sales area and hardsurfacing to provide an overflow car parking area at In Excess Garden Centre, Winchester Road, Fair Oak SO50 7HD

The following statement seeks to set out the rationale for the provision of an overflow car parking area and a single storey extension at In Excess Garden Centre, Winchester Road, Fair Oak.

The proposed extension will enable the applicant to employ an additional four employees and thus make an important contribution to the local economy.

All works are contained within the site's existing planning unit. With reference to the hardsurfaced area it is argued that its use is an ancillary use to that of the wider site (and does not therefore require planning permission). However, at some 950sq-m it is acknowledged that laying of a new hardsurfaced area does not benefit from permitted development rights.

Consent is therefore requested for the provision of the hardsurfaced area (and not for the change of use of the land itself).

The proposals include the provision of a single storey extension this is located within 2m of the site boundary and so therefore requires express planning permission.

The site is a well-established garden centre. The proposals seek to provide a more efficient use of land and an enhanced sales area. As such, the proposals meet relevant policy advice, do not harm local residential amenities and will support and enhance the existing garden centre which continues to make an important contribution to the local economy and well-being of the community.

The existing use clearly is a community benefit and should be supported.

Policy DM18 of the adopted local plan confirms the principle of development on site subject to criteria that seeks to ensure that there is no harm to character of the local area.

The application is supported by the following:

- Site plan
- Location plan
- Elevational details

Site and surrounding area

The application site comprises In Excess Garden Centre, located to the west of Winchester Road, Fair Oak. Overall, the wider site comprises some 2.1 hectares and is identified in the following extract:



The vehicular access to the site is from Winchester Road, which is a classified road (B3354) and is of sufficient width to accommodate the HGVs that service the site. Winchester Road is also a bus route – with regular services to and from Winchester and Fareham.

The following extract comprises an aerial photograph of the site:



The proposed hardsurfaced area is to be provided at the northern edge of the site and the proposed extension near its southern boundary.

The garden centre is a well-established business and has been on-site since at least 1981 (when it was known as Beech Farm Nurseries). It provides a wide range of services and amenities for the local community. In addition to the sale of trees, shrubs and plants and gardening tools the centre provides a range of shopping facilities, a restaurant (serving food from 9.00am) and a dog friendly lounge.

As such the garden centre has a large number of local employees and thus comprises an important element of the local economy.

The garden centre has a large customer parking area – comprising some 146 car parking spaces. It is anticipated that the hardsurfaced area will provide an additional 40 staff car parking spaces.

Policy Advice

National advice - Section 38(6) of the Planning and Compulsory Purchases Act 2004 and section 70(2) of the Town and Country Planning Act 1990 require that applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise.

Reference is drawn to the National Planning Policy Framework (2024), which sets out the regime for determining planning applications.

Paragraph 2 of the NPPF states the following:

Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. The National Planning Policy Framework must be taken into account in preparing the development plan and is a material consideration in planning decisions.

Paragraphs 7 and 8 refer to the requirement to achieve sustainable development:

7. The purpose of the planning system is to contribute to the achievement of sustainable development, including the provision of homes, commercial development and supporting infrastructure in a sustainable manner. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs.

8. Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):

- a) *an economic objective – 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;*
- b) *a social objective – 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; and*
- c) *an environmental objective – 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.*

Paragraph 48 reinforces the requirement to determine planning applications in accordance with the development plan unless material considerations indicate otherwise:

48. Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise.

Paragraph 56 refers to the use of planning conditions to make an otherwise unacceptable scheme acceptable:

56. Local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations.

Section 6 of the NPPF refers to Building a strong, competitive economy:

85. 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. The approach taken should allow each area to build on its strengths, counter any

weaknesses and address the challenges of the future. This is particularly important where Britain can be a global leader in driving innovation, and in areas with high levels of productivity, which should be able to capitalise on their performance and potential.

Paragraph 88 seeks to support a prosperous rural economy:

88. Planning policies and decisions should enable:

Paragraph 89 seeks to support businesses in rural areas:

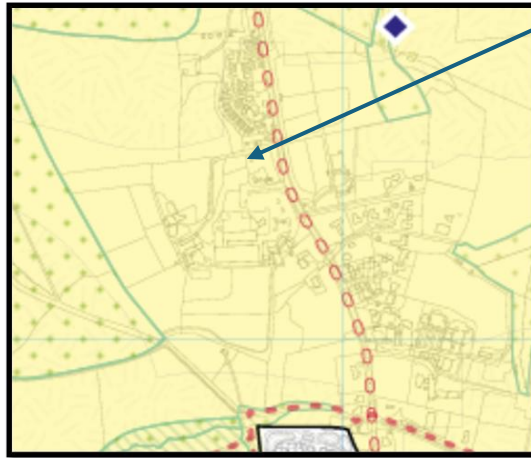
Planning policies and decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport. In these circumstances it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable (for example by improving the scope for access on foot, by cycling or by public transport). The use of previously developed land, and sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exist.

Annex 2 of the NPPF sets out the definition of previously developed land

Previously developed land

Land which has been lawfully developed and is or was occupied by a permanent structure and any fixed surface infrastructure associated with it, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed). It also includes land comprising large areas of fixed surface infrastructure such as large areas of hardstanding which have been lawfully developed. Previously developed land excludes: land that is or was last occupied by agricultural or forestry buildings; land that has been developed for minerals extraction or waste disposal by landfill, where provision for restoration has been made through development management procedures; land in built-up areas such as residential gardens, parks, recreation grounds and allotments; and land that was previously developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape.

Local plan - the adopted local plan is the Eastleigh Borough Local Plan 2016-2036. The site is identified as being located in the countryside as per the following extract:



Strategic policy S1, Delivering sustainable development

1. *To be sustainable, new development in the Borough should:*

c. maintain and help to grow a high-performing local economy that benefits the Borough, south Hampshire and the wider economy, without adverse impact on south Hampshire's city, town and other centres, the quality of the local environment or local transport networks;...

Policy SP4 seeks refers to employment provision. It provides for provision B2, B8 and E(g) uses and other employment generating uses as follows;

Strategic policy S4, Employment provision

1. *To contribute towards sustainable economic growth, provision will be made for additional floorspace for uses in the B2, B8 and E(g) use classes and **other employment-generating uses** through:*

d. new employment development within the urban edge and by the re-use and/or redevelopment of buildings in the countryside (policies DM18 and DM19, Chapter 5);

Strategic policy S5, New development in the countryside

1. *Planning permission will be granted for new development in the countryside provided it is related to:*

a. the provision of employment through agricultural development (policy DM17), the extension and replacement of existing employment uses (policy DM18) and the re-use of existing buildings (policy DM19);

b. residential extensions and replacement buildings (policies DM18 and 26), limited residential conversions (policy DM19), rural workers' dwellings (policy DM27) and accommodation for Gypsies, Travellers and Travelling Showpeople (policy DM31);

2. In permitting new development in the countryside the Borough Council will seek to:

a. 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;

b. secure long-term beneficial management practices that will enhance the landscape and biodiversity of the countryside and coast;

c. avoid sterilisation of mineral resources, in accordance with the Hampshire Minerals and Waste Plan;

d. safeguard the best and most versatile agricultural land unless the benefit of the development clearly outweighs the loss; and

e. protect soils during construction wherever possible in line with the 'Defra code of practice for the sustainable use of soils on construction sites'.

Policy DM1 seeks to set out general criteria for new development:

Policy DM1, General criteria for new development

1. All new development should (as relevant):

a. not have an unacceptable impact on, and where possible should enhance:

i. residential amenities of both new and existing residents; the character and appearance of urban areas, the countryside and the coast;

ii. biodiversity (avoiding significant adverse impacts); and

iii. the significance of heritage assets;

b. make efficient use of the site, maximise opportunities to increase density and have regard to potential development opportunities on adjoining land;

c. take full and proper account of the context of the site including the character, appearance and land uses of the locality or neighbourhood,

and be compatible with adjoining uses and be well integrated with these in terms of mass, scale, materials, layout, density, design and siting, both in itself and in relation to adjoining buildings, spaces and views. Where adjoining development is poor in urban design terms, new development should contribute to improving the character of the area;

d. not involve the loss of or damage to trees, woodlands, hedgerows, ponds, priority habitats or other landscape features of value to the character of the area, for appearance or biodiversity unless they can be replaced with features of equivalent or enhanced value, (recognising that some species and habitats may be irreplaceable);

e. include a landscape scheme covering the design and layout of external space;...

g. provide satisfactory management arrangements for all landscape, green infrastructure and biodiversity enhancement;

Policy DM8, Pollution

1. Development will not be permitted if it is likely to cause loss of amenity or impact on public health or other unacceptable environmental impacts through:

a. air pollution (including odours or particulate emissions);

b. pollution of surface, underground, coastal waters or other watercourses;

c. noise or vibration

d. light intrusion, both generally and with respect to the South Downs National Park's status as an International Dark Night Skies reserve;

e. or land contamination.

2. Development susceptible to particular forms of pollution will not be permitted:

a. where it will be adversely affected by such pollution, unless measures can be taken that adequately mitigate the polluting effects; or

b. where it would inhibit existing economic or other activities giving rise to acceptable polluting effects.

3. *Where a development site is known or suspected to be contaminated, before the site is developed the Borough Council will require the contamination to be remediated to a standard where as a minimum it cannot be defined as 'contaminated land' under Part IIA of the Environmental Protection Act 1990.*

Policy DM18 refers to non-residential buildings in the countryside:

Policy DM18, Extension and replacement of non-residential buildings in the countryside

1. The extension or replacement of non-residential buildings in the countryside will be permitted, subject to the general development criteria and transport policies of this Local Plan and provided that:

- a. the existing building is in lawful use and is not subject to a temporary permission;*
- b. the extension or replacement building is for a non-residential use;*
- c. the extension or replacement building would not have an urbanising effect on the countryside in terms of its density, scale, massing, layout and height;*
- d. access, car parking, landscaping and services can be provided without having a detrimental impact on the character of the countryside;*
- e. so far as possible the property is sustainably located in terms of accessibility by means of transport other than the private car;*
- f. the extended building or its replacement would be located within the existing curtilage unless its relocation or extension would contribute to improving the character and quality of the local area;*
- g. in the case of a replacement building, the proposal also includes the demolition of the building to be replaced; and*
- h. the development would not by itself or cumulatively with other recently permitted schemes undermine the Council's strategy for the development of employment-related floorspace (see strategic policy S4).*

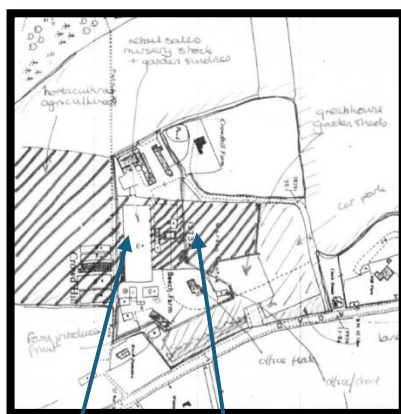
Planning history

There have been three relevant planning applications on site that clearly establish the site is a brownfield commercial site with an authorised as a garden centre.

Planning applications - the site was formerly part of the garden centre located to the south of the site and was part of its car parking area. The site then has fragmented over the years into various storage uses, as per the following;

1. Application no. 13732/7 – use of land as garden centre – *to regularise the existing use at Beech Farm Nurseries, Crowd Hill, Fair Oak*. Conditionally approved 11th February 1982.

The plan attached to the consent that identifies the extent of the garden centre is as per the following extract:



Whilst the colours on the hatching are not apparent it is clear that the area of land to be used for customer parking is clearly within the defined site as is that of the proposed extension.

Included in the application is an aerial photograph of the site, dated 1997, that clearly shows the whole of the site occupied as a brownfield site;

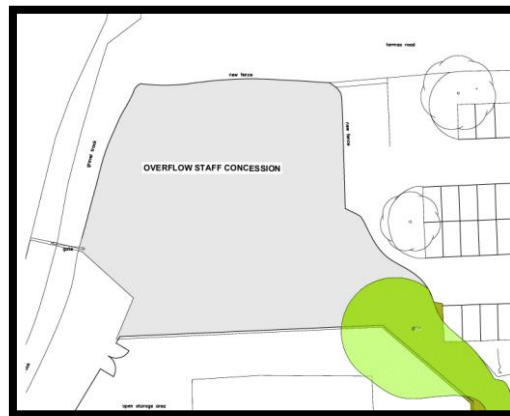


Proposed development

The proposal comprises two elements namely the formation of a hardsurfaced in the northern portion of the site and a single storey near is southern boundary. Dealing with these two elements in turn:

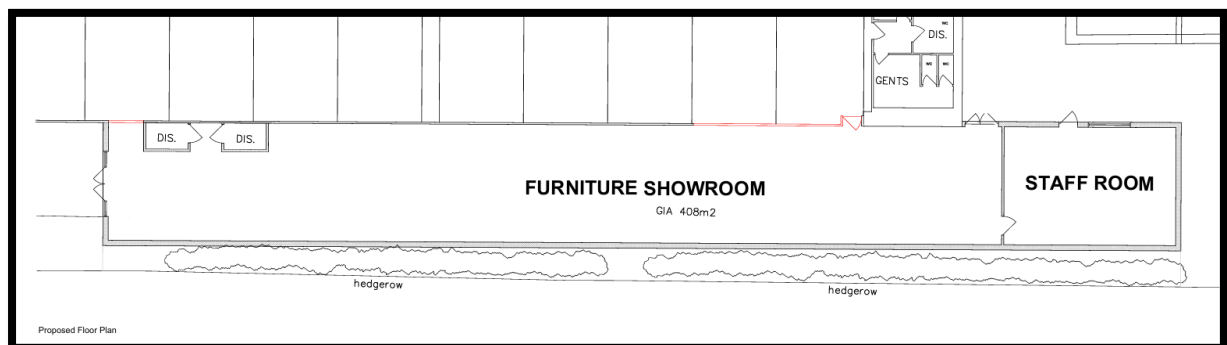
Hardsurfaced area – the proposals seek to provide a replacement hardsurfaced area of some 950sq-m in the northern portion of the site and within the established planning unit. This comprises an underutilised part of the site, but one that is clearly part of the garden centre site. It is therefore argued that the use of the land for the parking of vehicles associated with the garden centre is an ancillary use and therefore no permission is required for the change of use.

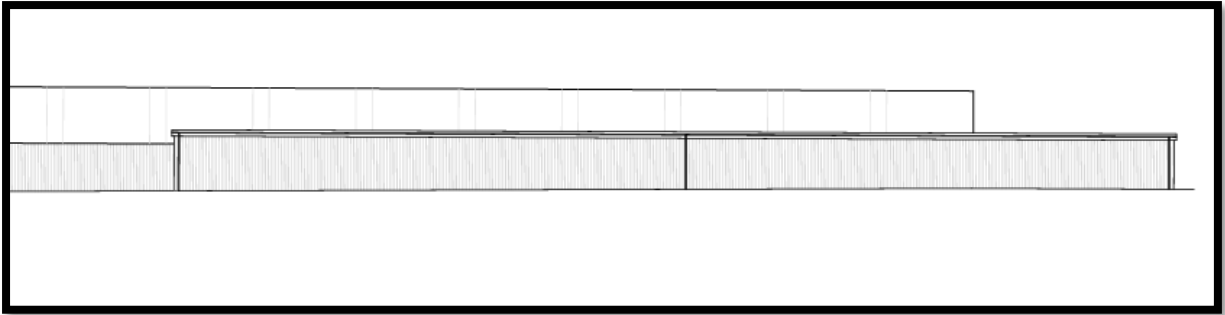
However, it is noted that the formation of a hardsurfaced area of 950sq-m requires planning consent.



The proposed use will create some 40 additional staff parking spaces.

Single storey extension – the proposals seek to provide a single storey extension to the immediate south of the existing building.



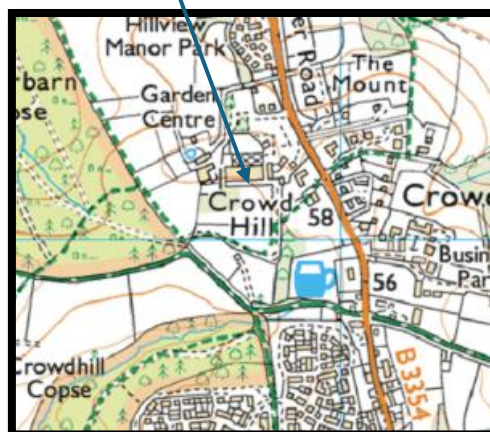


The proposed extension comprises a subservient element when viewed within the context of the wider building.

The land to the south of the site comprises open fields as per the following extract (courtesy of Google Earth);



Given that there are no public rights of way within the immediate vicinity of the site it is clear that the proposed development will have limited impact on the public domain (image courtesy of Pro-map);



Analysis

The hardsurfaced area is proposed in order to facilitate its use as a staff car parking. The use of this area (by providing staff car parking in association with the garden centre) is entirely consistent with its authorised use. There no change of use of this part of the site and given that it is cleared there is no reason why it cannot currently be used for this purpose.

Effectively this part of the application is therefore simply one seeking to resurface this part of the site.

This part of the application site is well-contained within the garden centre site and will have no visual impact on the wider area.

The proposed extension will provide an enhanced retail area. The proposals are relatively modest and, whilst close to the site boundary will not be close to adjacent buildings or dwellings. The proposed extension will not result in harm to local residential amenities.

The proposed extension is intended to provide increase retail floor area. Both elements of the application seek to make efficient use of land and should be encouraged. The proposals are policy compliant and meet the overarching aspirations of the NPPF – the proposed use will provide for a more attractive site for customers to visit thus making a enhancing the local community (thus meeting the social objective); making a positive contribution to the local economy, not least through enhanced employment opportunities (economic) and; making the efficient use of land (environmental).

The proposals comprise sustainable development (thereby complying with policy S1 of the local plan; help support employment opportunities (S4) and; make efficient use of land and not harm residential amenities (DM1).

Policy DM18 refers to extensions to non-residential buildings in the countryside. The proposals clearly comply with this policy for the following reasons:

- The existing use is lawful;
- The use is non-residential;
- The proposed development is a relatively small extension and will not have an urbanising impact on the wider area;
- The proposals will not harm the character of the countryside;
- Access to the site can made by use of public transport;