

DELEGATED OFFICER REPORT

Application Ref: F/25/100674

Site Address: Land south of Grange Road, Netley Abbey

Case Officer: Katie Lasham

Description: Retrospective application for extension to area of hardstanding.

Particular Site Constraints?	Yes ☒	No ☐
Within designated countryside Within a settlement gap Located within proximity of a waste processing area Within amber risk zone for great crested newts		

Planning History?	Yes ☒	No ☐
LDC/25/100747: Lawful Development Certificate for use of land as a dog exercise arena (existing development). Not lawful, decided February 2026. F/14/74042: Change of use of agricultural field to dog training facilities (Sui Generis). Refused March 2014.		

Publicity:	Letters ☒	Site Notice ☐	Newspaper ☐
Representations:	No third-party representations have been received.		
Hound Parish Council:	Objection for the following reasons: • Lack of drainage provision • Flooding impacts due to hardstanding • Concern over change of use and use of cars being parked on land and potentially being used for storing / parking cars.		
Bursledon, Hamble-Le-Rice and Hound Local Area Committee members	Objection for the following reasons: • Substantial flooding since hardstanding was laid • Hardcore is considerably higher than the road, causing flooding • Loss of greenery • Caused dangerous driving and road closure due to ice formed on road from surface water not being infiltrated on site • Unsuitable development for countryside location		
Hampshire Highways	No objection. The proposal retains the existing access, and the creation of hardstanding will reduce the ability for mud to enter the road network.		
Ecology	Objection. The extension of the hard standing into areas that were previously vegetated has removed potential habitat for great crested newts. No proposed reintroduction of landscaping or habitat that great crested newts could benefit from has been proposed. Significant biodiversity net gain loss with no proposed reintroduction of habitat, and no baseline assessment undertaken to show clearly the loss of habitat and how this is to be replaced. Perimeter green infrastructure must be re-instated and scrub with a graded edge must be re-established. The hard standing must have clear boundaries to separate it from the green infrastructure, and both must be shown on a plan. This must include existing and proposed tree and plant species to demonstrate ecological enhancement. Insufficient information provided. Surface water drainage is proposed to be infiltrated by the hardstanding only, with no other form of SUDS proposed, and as per Policy S6, with no SuDS features proposed, this requires infiltration testing to demonstrate permeability as well as		

	demonstration of pollution hazard mitigation. Change in site levels could cause surface water flowing onto the highway, adjacent woodland and pond to southeast.
Trees	Objection on retrospective application to the retention of hardstanding due to its impact on retained trees, including hardstanding extending to above tree collar depth. As this material contains fines and has been compacted in places, it is likely to block gaseous exchange with the roots and inhibit water percolation (as evidenced by the standing water), harmfully impacting trees and tree roots, contrary to Policy DM11 and the Trees and Development SPD.

Site Visit:	Yes ☒	No ☐
Details: 4 February 2026		

Policy:
National Planning Policy Framework Planning Practice Guidance Conservation of Habitats and Species Regulations 2017 (as amended) Development Plan: The <u>Eastleigh Borough Local Plan 2016-2036</u> The most relevant policies are Strategic policies S1, S2, S5 and S6; and Development Management policies DM1, DM2, DM6; DM11, DM14 and DM17. Supplementary Planning Documents: Quality Places; Parking Standards; Character Area Appraisals; Trees and Development.

Assessment:
<u>Summary of site and proposal</u> The application site is existing agricultural land located within the designated countryside set just outside Netley and is within the settlement gap separating Netley, Burseldon and Southampton. The site benefits from an existing access and hardstanding covering an area of 649sqm, with the remainder of the site covered by grassland and in lawful use as an agricultural field. An area of woodland is in immediate proximity of the site, and a pond is located to the southeast, demonstrating important ecological receptors are within proximity of the site. Landowners of the site have recently sought to regularise an unlawful use for a dog exercise facility set just to the north of this red site outline area, and the Lawful Development Certificate issued by the Council determined that insufficient evidence had been provided to demonstrate the use was indeed lawful. As such the wider site remains in use as agricultural land. This planning application seeks retrospective permission for the installation of 588sqm of MOT Type 1 hardstanding that was proposed to serve as a parking and driveway for the unlawful dog exercise arena, in addition to that of the 649 sqm of hardstanding already installed within this parcel of land. Prior to unlawful works commencing, the site had an established perimeter of trees, with trees also set well into the site offering a verdant character consistent with that of a countryside setting and included a significant amount of soft landscaping suitable for the habitat of great crested newts which are prevalent in this area. The topography of the site was also level and aligned with the road level of Grange Road. A site visit has confirmed that the introduction in a significant amount of hardstanding has resulted in a loss of many established trees and soft landscaping. The hardstanding has also extended up to and surrounding retained trees and has not been appropriately compacted in areas of the site, resulting in an uneven land level.

Principle of development

The application site is located within the countryside where development is restricted subject to it meeting the requirements set out within Policy S5 of the Local Plan. The proposal has sought permission for hardstanding to be laid to serve the needs of a dog exercise arena located further into the site. However, a recent Lawful Development Certificate application was determined (LDC/25/100747) which confirmed that the use this hardstanding is intended to serve is not lawful, the site therefore remains in use as an agricultural field.

Policy DM17 of the Local Plan permits agricultural development in the countryside where a farm diversification would enable the long-term commercial viability of the agricultural enterprise. However, this proposal has not provided any evidence to show that the dog exercise arena is part of a farm diversification, as there is no demonstration of a wider existing agricultural enterprise this hardstanding would support the viability of. Policy S6 of the Local Plan permits development within a settlement gap where it would not undermine the visual separation of the settlements and would not have a harmful urbanising effect, therefore development in the settlement gap in principle is acceptable subject to meeting set criteria which is discussed in the next section of this report. For the reasons outline, the scheme is contrary to Policies S5 and DM17 of the Local Plan.

Impact on character and appearance of the area

Policy DM1 of the Local Plan requires all development to respect and where possible enhance the character and appearance of the area, taking full account of mass, scale, materials, layout, density, design and siting both and in relation to the surrounding character of the area, spaces and countryside views.

The proposed plans show that hardstanding is to extend across most of the site through an additional installation of 588sqm of hardstanding on top of the already existing 649sqm of hardstanding, with a modest retention of some soft landscaping to the east of the site and all trees retained. It is not clear from the plans whether soft landscaping is retained below the tree canopies or if the hardstanding is to extend up to the perimeter, as the canopies of trees cover the perimeter of the site. A site visit carried out on 4 February confirmed that the hardstanding spans across the full site including the eastern perimeter of the site, which is shown on plans as offering soft landscaping, demonstrating inconsistencies with the proposed plans, with the hard standing on site more expansive than that shown on plans. The plans also show the site does not propose any loss of trees, however a site visit confirmed there has been a significant amount of tree felling on site. The site visit also shows that the land levels across the site have increased, and in some areas the hardstanding is more compacted than others, creating an uneven and poorly installed hardstanding, that appears unkempt in its appearance and has not been represented clearly on plans.

The site is within a settlement gap and the designated countryside, where it is particularly important that the character and design of development respond appropriately with its surrounding rural setting. There has been no justification for the extent of hardstanding proposed, and this would appear significantly at odds with the surrounding verdant character. The otherwise rural character of the surrounding vicinity appears entirely contradictory with the proposed expanse of hardstanding and would be inappropriate development within this area. Furthermore, a site visit confirmed that the hardstanding has created altered levels to the topography of the site, with compaction of the hardstanding not carried out across the entirety of the site, creating uneven ground and a poorly designed scheme that offers no visual assimilation with the wider natural surroundings of the locality. Site visit photos also show that the hardstanding material comprises a mixture of bricks, concrete, plastic and other waste material within the MOT Type 1, offering an unsuitable set of materials laid as hardstanding for this countryside location.

No soft landscaping is proposed to replace the significant loss of landscaping on site and with the loss of trees to the site frontage and site curtilage, this has created clear views into the site from the street scene of Grange Road, further exacerbating the harm created. Even

if the dog exercise area was the lawful use the hardstanding is serving, the total loss of grassland to the site to be replaced with hardstanding is entirely inappropriate and unnecessary for the purpose it intends to serve. With no graded edging to the site and clear boundaries between hard and soft landscaping, nor the space to do this with the expanse of hardstanding proposed, the scheme appears chaotic in its design, creating poor design principles and offers no breakage and softening from the otherwise entire expanse of hard landscaping on this site.

Concern has been raised regarding the proposed area being used for the storing of cars on site, however there is no planning permission for a change of use from agricultural use and the hardstanding serving an agricultural use will unlikely have a significant intensification on the number of vehicles being parked in this area.

Overall, whilst the proposal is not considered so harmful as to materially impact or diminish the settlement gap, the proposal has failed to create a high-quality design that responds appropriately to the rural countryside area and is contrary to Policies S5 and DM1 of the Local Plan and the aims of the Quality Places SPD.

Impact on residential amenity

Paragraph 135(f) of the NPPF and Policy DM1 of the Local Plan requires all development to preserve the amenity of neighbouring residents and where possible enhance it to provide a high standard of amenity for existing and future occupiers.

The proposed hardstanding to existing agricultural land is not considered to have any harmful impact on the amenity of surrounding neighbours, with the nearest land uses in proximity comprising a solar farm, a household waste recycling centre and agricultural land. For these reasons, the area of hardstanding is in accordance with Policy DM1 of the Local Plan.

Impact on highways

Policy DM14 of the Local Plan requires new development to provide enough parking spaces in accordance with the Parking Standards SPD and Policy DM13 requires any new development to ensure that a change in use of a site should demonstrate safe and convenient access to the highway network.

Highways Hampshire have been consulted on the proposal and raise no objection, noting that the access is to remain as existing, with no alterations proposed other than that of the materials being a hard surface and an increase in hard surfacing. The highways officer notes that the hard surface will help to prevent mud / dirt from being tracked from the site onto the highways which is of benefit to the highway network. The highways officer based this consultation response on the dog exercising facility having planning permission. However, there is no planning permission already approved for the dog agility area and it has not been demonstrated as lawful through the passage of time (LDC/25/100747). Despite the highways officer commenting on the proposal in relation to the hardstanding serving a different use, with no alterations to the access itself this remains acceptable for the agricultural use.

The material proposed on the plans is shown as MOT Type 1, a graded granular sub-base material comprising a mix of crushed stones, gravel and fine particles to create a compact and durable layer for vehicle movements. Whilst the proposed MOT Type 1 material is acceptable in principle from a highway's perspective, a site visit on 4 February shows that most of the MOT Type 1 material has not been appropriately compacted and the land now appears uneven with loose materials across the site, which could cause this material to enter the highway network.

Without vehicles being restricted from driving over areas that have not been compacted the proposal has not satisfactorily demonstrated that there is no harm to highway safety. It is not appropriate to condition the compaction of all the MOT Type 1 across the site as it would

impact the surrounding trees and their root protection areas which is surrounds, therefore the scheme demonstrates an inappropriate material in proximity of the highway network for the expanse of hardstanding proposed, contrary to Policy DM13 of the Local Plan.

Impact on trees

Policy DM11 requires proposals to protect, conserve and enhance habitats including trees that are important to biodiversity and local character. The Trees and Development SPD seek development to not involve the loss of trees that add to the value of the character of the area, for their appearance or for biodiversity, unless they can be replaced with features of equivalent or enhanced value.

The proposed block plan shows inconsistencies with the works carried out on site, with the plans showing no loss of trees as part of the works, when the site visit confirmed that substantial tree felling has taken place on site, with the retention of only a few trees within the site.

A site visit undertaken on 4 February showed that the hardstanding had been distributed across most of the site, including up to and around the tree stem of retained trees within the site. The site visit has also confirmed that the hardstanding had been laid so high above the retained trees near the site entrance that it has gone above the tree collar, materially harming the trees and their ability to be preserved in perpetuity. As the MOT Type 1 material contains fines and has been compacted in places, it is likely to block gaseous exchange with the roots and inhibit water percolation (as evidenced by the standing water). There has been no arboricultural information submitted with this proposal and no consideration of the impact on trees and their root protection zones. Damage to tree bark is also demonstrative of machinery used to spread out the fill material, demonstrating little regard to the retention and protection of trees.

There has been considerable clearance of trees across the site and whilst it is acknowledged the trees are not protected, there has been no proposed replanting of trees or soft plan submitted with the scheme to mitigate the loss of trees. The Trees and Development SPD is clear that trees add value to the character of the area, they serve as green infrastructure for natural surface water infiltration and improve the biodiversity of an area serving surrounding wildlife and that any loss of trees should be replaced with features of equivalent or enhanced value. Set within this countryside location, the loss of trees without any replacement or any space for replacement due to hardstanding extending across the entirety of the site, with hardstanding also extending up to the tree collars of existing trees is entirely unacceptable. Furthermore, the hardstanding has likely compacted the soil below, further harming the root protection areas of retained trees.

Therefore, the loss of mature trees to be replaced with hardstanding with no plan for replacement trees or space retained within the site for replanting and damage to retained trees is contrary to Policy DM1 and DM11 of the Local Plan and the Trees and Development SPD.

Impact on ecology, green infrastructure and landscaping

Policy DM11 of the Local Plan requires the protection, conservation and enhancement of all international, national and local nature conservation and designations and networks of habitats. It also requires a net gain of biodiversity on all development sites.

The ecology officer was consulted on the proposal and has objected due to the site being located within an amber impact risk zone for great crested newts and where the land falls within an amber or red zone, developers must prove that their plans pose no risk to great crested newts. As the proposed extension of hardstanding expands into areas previously vegetated, this has potentially removed habitat for great crested newts. There has been no evidence provided to demonstrate how works have safeguarded their habitat and with the hardstanding spanning across the entirety of the site with no graded edging nor retention of

quality grassland, there is no space to offer replacement habitat. It has therefore not been demonstrated that protected species have been appropriately safeguarded.

The application is exempt from providing the required 10% biodiversity net gain through the Environment Act 2020 as the proposal is retrospective, however Policy DM11 of the Local Plan and paragraphs 187d and 192b is clear that the proposal should not result in a biodiversity net loss and should provide some net gain. A pre-development baseline in this instance is required to determine how much vegetation has been removed and the impact of the loss must be measured and to overcome the loss of vegetation, a preliminary ecological appraisal, a biodiversity net gain metric using the pre-development baseline and a green infrastructure planting plan are required to demonstrate enhancements to site.

As there has been no landscaping scheme provided showing ecological enhancements and replacement tree planting, or a biodiversity net gain measured using a pre-development baseline measurement or a preliminary ecological appraisal to proposed suitable replacement habitat for great crested newts, the scheme has caused detriment to the pre-existing green infrastructure, contrary to Policies DM1 and DM11 of the Local Plan.

Impact on drainage

Policy DM6 of the Local Plan requires new development to incorporate a Sustainable Urban Drainage System (SuDS). It goes on to explain that sites of 0.5 hectares and under will support non naturalised SuDS such as permeable paving, if justified. Proposals should also meet the Ciria SuDS manual.

The supporting Planning Statement refers to the scheme proposing a surface material that is permeable and that will allow the ground to drain via infiltration on site. However, MOT Type 1 material is not typically a permeable surface due to it comprising fine grain materials that do not allow for water to easily drain, particularly once compacted. The drainage officer was consulted on the proposal and explains that if infiltration is part of the surface water strategy with no other strategy proposed, soil percolation tests and information regarding soil structure to demonstrate infiltration is feasible must be submitted, which have not been provided. Furthermore, all surface water drainage should demonstrate compliance with hazard mitigation requirements in the Ciria SuDS manual. The drainage officer also makes clear that where there have been changes in site levels, this has the potential to affect the surface water drainage both on site and drainage flowing off site due the land being higher than that of Grange Road. The applicant must demonstrate to the LPA that all surface water flooding is managed on site so that it does not cause any flooding on the highway, nor should it drain into the adjacent woodland or the pond to the southeast of the site. With no level plans submitted to show the hardstanding across the site, the Council cannot appropriately assess the impacts of land levels on to the surrounding area.

Due to the expanse of hardstanding proposed and with the material utilised not being permeable, with no supporting evidence or infiltration testing provided to substantiate claims that surface water can be appropriately infiltrated on site, the scheme has not provided a suitable drainage strategy to ensure that the proposed hardstanding will not create surface water run off onto the surroundings. Furthermore, the significant loss of green infrastructure to the site and the change in levels of the hard standing has further reduced the ability for the site to naturally infiltrate surface water, compounding the impacts of the large expanse of hardstanding and its ability to natural infiltrate on site. For these reasons, the scheme is contrary to Policy DM6 of the Local Plan.

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; (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, development plan and adopted local plan policy do not set this as a specific target, but it is a material consideration to be considered alongside all other material considerations. In any case addressing climate change is a core part of the NPPF and local plan policy. The need to support the economy is part of the Strategic Environmental Assessment for the adopted local plan, as is an assessment of climate impacts.

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, 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 reduce/limit impacts on climate emissions as a result of the development or its use.

Equalities Implications

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

- A public authority must, in the exercise of its functions, have due regard to the need to:
 - a. eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
 - b. advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - c. foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

When making policy decisions, the Council must take account of the equality duty and in particular any potential impact on protected groups. It is considered that this application does not raise any equality implications

Conclusion:

Recommendation:

PERMIT ☐

REFUSE ☒

Comments ...