

Agenda Item 7

HEWEB – Hedge End, West End and Botley Local Area Committee – 25 September 2023

Application Number: F/22/93835
Case Officer: Summer Sharpe
Received Date: 15 September 2022
Site Address: Moorlands Farm, Botley Road, West End, Southampton, SO30 3HD
Applicant: Tom Francis
Proposal: Demolition of all existing buildings and detailed planning approval for light industrial floorspace [Use Class E(g)(ii) & E(g)(iii)], warehouse floorspace [Use Class B8] and estate office (Use Class E(g)(i)).

Recommendation: Subject to the completion of a S106 legal agreement to secure financial contributions towards:

- Sustainable Transport
- Public Art

then delegate to Service Director for Planning and Environment to PERMIT subject to the following conditions:

CONDITIONS & REASONS

- 1) The development hereby permitted shall start no later than three years from the date of this decision.
Reason: To comply with Section 91 of the Town and Country Planning Act 1990.
- 2) The development hereby permitted shall be implemented in accordance with the following plans numbered:
 - Location Plan 7912_L01 (received 12 May 2023)
 - Existing Site Plan (Part 1 of 2) 7912_E01 (received 12 May 2023)
 - Existing Site Plan (Part 2 of 2) 7912_E02 (received 12 May 2023)
 - Existing Site Sections A_A and B-B 7912_E03/A (received 12 May 2023)
 - Existing Block Plan 7912_E04 (received 12 May 2023)
 - Site Plan (Part 1 of 2) 7912_D01/P (received 12 May 2023)
 - Site Plan (Part 2 of 2) 7912_D02/M (received 12 May 2023)
 - Floor Plan Unit Type A 7912_D03/D (received 12 May 2023)
 - Elevations Unit Type A 7912_D04/D (received 12 May 2023)
 - Floor Plan Unit Type B 7912_D05/C (received 12 May 2023)

- Elevations Unit Type B 7912_D06/C (received 12 May 2023)
- Floor Plans & Elevations Unit Type C 7912_D07/C (received 12 May 2023)
- Floor Plans & Elevations Unit Type D 7912_D08/B (received 12 May 2023)
- Site Sections A_A and B-B 7912_D09/B (received 12 May 2023)
- Access Road Works Part 1 of 2 7912_D100/D (received 12 May 2023)
- Access Road Works Part 2 of 2 7912_D101/D (received 12 May 2023)
- Access and Visibility NJC-001-Rev A (received 4 July 2023)
- Proposed Access Widening NJC-009 (received 4 July 2023)
- Visibility Cross Section NJC-009-1 (received 4 July 2023)
- Access and Tracking NJC-008-Rev B (received 4 July 2023)
- Layout – Landscape Mitigation and Enhancement ACLA/BMC/04/D (received 12 May 2023)
- Proposed Boundary Treatments ACLA/BMC/05/A (received 12 May 2023)

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

- 3) No construction or demolition work shall start until a Construction Environmental Management Plan (CEMP) has been submitted to, and approved in writing by, the Local Planning Authority. Demolition and construction work shall only take place in accordance with the approved method statement which shall include:
 - a) a programme of the demolition and construction work, including roads, and landscaping;
 - b) location of temporary site buildings, compounds, construction material and plant storage areas used during demolition and construction;
 - c) the arrangements for the routing/ turning of lorries and details for construction traffic access to the site;
 - d) the arrangements for deliveries associated with all construction works, loading/ unloading of plant & materials and restoration of any damage to the highway [including vehicle crossovers and grass verges];
 - e) the parking of vehicles of site operatives and visitors;
 - f) measures to control the emission of dust and dirt generated by demolition and construction;
 - g) a scheme for controlling noise and vibration from demolition and construction activities (to include piling);
 - h) provision for storage, collection, and disposal of rubbish from the development during construction period;
 - i) measures to prevent mud on the highway during demolition and construction;
 - j) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
 - k) temporary lighting;
 - l) protection of pedestrian routes during construction;

m) details of protection measures to prevent pollution and sediments from entering the nearby watercourse;
n) details of protection measures surrounding ecological buffer zones;
o) details of wildlife protection measures during demolition and construction (based on the recommendations set out within Section 8 of the Ecological Impact Assessment (May 2023)).

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

- 4) No development shall commence on site until the following has been submitted to, and approved in writing by the Local Planning Authority:
- a. Report of Preliminary Investigation comprising a Desk Study, Conceptual Site Model, and Preliminary Risk Assessment documenting previous and existing land uses of the site and adjacent land in accordance with UK Land contamination risk management (LCRM) national guidance and including BS10175:2011+A2:2017 Investigation of potentially contaminated sites - Code of Practice, and, unless otherwise agreed with the Local Planning Authority,
 - b. Report of a site investigation documenting the ground conditions of the site and incorporating chemical and gas analysis identified as appropriate by the Preliminary Investigation and in accordance with BS10175:2011+A2:2017, and BS 8576:2013 and unless otherwise agreed with the Local Planning Authority,
 - c. Detailed site-specific scheme for remedial works and measures to be undertaken to avoid the risk from contaminants and/or gases when the site is developed and proposals for future maintenance and monitoring
- Such a scheme shall include the nomination of a competent person to oversee the implementation of the works.

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

- 5) The development hereby permitted shall not be brought into use until there has been submitted to the Local Planning Authority verification by the competent person approved under the provisions of condition 4(c) that any remediation scheme required and approved under the provisions of condition 4(c) 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). Unless agreed in writing with the Local Planning Authority such verification shall comply with UK Land contamination risk management (LCRM) and the guidance contained in EA Guidance for the Safe Development of Housing on Land Affected by Contamination - R&D Publication 66: 2008. Typically such a report would comprise:
- a. A description of the site and its background, and a 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 works in progress, etc.

d. Certificates demonstrating that imported and/or material left in situ is free from contamination, gas/vapour membranes have been installed correctly. Thereafter the scheme shall be monitored and maintained in accordance with the scheme approved under condition 4(c).

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

- 6) In the event that any evidence of potential contamination is found at any time when carrying out the approved development, and that was not previously identified in the approved Phase 2 report, it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with a methodology previously approved by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme, a verification report must be prepared in accordance with the verification condition stipulated above, and which is subject to the approval in writing of the Local Planning Authority.
- Reason: To minimise the risk from land contamination for the safety of future users.

- 7) Prior to the commencement of development, full details of site drainage based on the submitted Flood Risk Assessment & Sustainable Drainage Strategy (September 2022) and Sustainable Drainage Strategy Addendum no.2 (May 2023) (including foul and SuDS schemes) and its location shall be submitted to and approved in writing by the Local Planning Authority (in consultation with National Highways, Southern Water and Local Lead Flood Authority). These details shall include:

- a) A foul water system maintenance and management plan – including responsibility for monitoring the system on a 24/7 basis and an emergency plan (in case of spills during servicing by the tanker or any other malfunctions)
- b) Specify the responsibilities of each party for the implementation of the SuDS scheme
- c) Specify a timetable for implementation for all drainage (foul & SuDS)
- d) Provide a management and maintenance plan for the lifetime of the development (including any arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime)

The development shall thereafter be undertaken in strict accordance with the approved details prior to the first use of the development hereby permitted and retained in accordance with the agreed specification. No surface water shall be permitted to run off from the development hereby permitted onto the Strategic Road Network or into any drainage system connected to the

Strategic Road Network. No drainage connections from any part of development hereby permitted may be made to any Strategic Road Network drainage systems.

Reason: To ensure that the M27 continues to be an effective part of the national system of routes for through traffic in accordance with section 10 of the Highways Act 1980 and paragraph 59 of DfT Circular 01/2022.

- 8) Prior to any development being undertaken along the boundary with the M27, a boundary treatment plan shall be submitted to and approved in writing by the Local Planning Authority (in consultation with National Highways). The plan shall include as a minimum:

- a) details of the fencing location, type, construction method and maintenance;
- b) details for management of existing boundary planting to include an Arboricultural Tree Survey and Tree Protection Plan with a Method Statement for any works required to address the removal, retention and management of trees along this boundary.

All works shall be undertaken in accordance with the agreed plan and shall be completed prior to first use, and maintained as such thereafter.

Reason: To mitigate any adverse impact from the development on the M27 and to ensure that the M27 continues to be an effective part of the national system of routes for through traffic in accordance with section 10 of the Highways Act 1980 and to satisfy the reasonable requirements of road safety.

- 9) Prior to the commencement of the development hereby permitted a Landscape Management Plan and Planting Schedule, (including all hard and soft landscaping, trees, all other means of enclosure along boundaries not adjoining the M27, and details of implementation and maintenance), shall be submitted to and approved in writing by the Local Planning Authority (in consultation with National Highways). The agreed details (except planting) shall be implemented in full prior to first use of the development hereby permitted. The planting shall be implemented in full within the first planting season post first occupation (at the latest), and maintained as such thereafter.

Reason: To protect the National Highways estate, protect public safety and ensure the safe and efficient operation of the Strategic Road Network, and in the interests of the visual amenity of the locality, and biodiversity.

- 10) For a period of no less than 10 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 development meets the essential requirements of the adopted Supplementary Planning Document 'Environmentally Sustainable Development', and in the interests of the visual amenity of the locality.

- 11) Prior to commencement of development, an updated badger survey/walkover shall be submitted to and approved in writing by the Local Planning Authority. The report should cover mitigation measures in the event badgers/ a badger sett is found. No development shall commence until the agreed mitigation measures have been implemented in full (if any required). Works to the development hereby permitted shall commence within 4 months of the date of the approved report, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of protecting protected species.

- 12) Prior to the commencement of development a Bird Hazard Management Plan, detailing measures for flat, shallow pitched and green roofs which may be attractive to nesting, roosting and loafing birds and in compliance with Wildlife Hazards Around Aerodromes, shall be submitted to and agreed in writing with the Local Planning Authority in consultation with Southampton Airport. The agreed Bird Hazard Management Plan shall then be implemented in full by completion of the development and shall remain in situ for the lifetime of the development. No subsequent alterations shall be undertaken, unless first submitted to and approved in writing by the Local Planning Authority in consultation with Southampton Airport.

Reason: It is necessary to manage the development in order to minimise its attractiveness to birds which could endanger the safe movement of aircraft and the operation of Southampton Airport. The Bird Hazard Management Plan must ensure that flat/shallow pitched roofs be constructed to allow access to all areas by foot using permanent fixed access stairs ladders or similar. The owner/occupier must not allow gulls, to nest, roost or loaf on the building. Checks must be made weekly or sooner if bird activity dictates, during the breeding season. Outside of the breeding season gull activity must be monitored and the roof checked regularly to ensure that gulls do not utilise the roof. Any gulls found nesting, roosting or loafing must be dispersed by the owner/occupier when detected. The owner/occupier must remove any nests or eggs found on the roof. The breeding season for gulls typically runs from March to June.

- 13) Prior to first use of the development hereby permitted, details of biodiversity enhancements, including a Biodiversity Environmental Management Plan (BEMP) and timings, shall be submitted to and approved in writing by the Local Planning Authority. The works shall then be carried out in accordance with the approved details and maintained for the lifetime of the development.

Reason: In the interests of the visual amenity of the locality, and biodiversity.

- 14) The development hereby permitted shall not be first used until the access, including the footway and/or verge crossing which shall be constructed in accordance with the S278 process, with lines of sight provided in accordance with the approved plans. The lines of sight splays shown on the approved plans shall be kept free of any obstruction exceeding 0.6 metre in height

above the adjacent carriageway and shall be subsequently maintained so thereafter.

Reason: To provide satisfactory access and in the interests of highway safety.

- 15) The development hereby permitted shall not be first used until the access road, including any areas of widening has been constructed in accordance with the approved plans. The access road shall be kept free of any obstruction and shall be subsequently maintained thereafter.

Reason: To provide satisfactory access and in the interests of highway safety

- 16) The development hereby permitted shall not be first used until a Delivery Vehicle Management Plan has been submitted to and approved by the Local Planning Authority in consultation with the Local Highway Authority. This plan shall outline the methodology that will be utilised by the site management to ensure that HGV / Articulated vehicles are able to enter and exit site unobstructed by other vehicles travelling in opposing directions. The development shall be carried out in accordance with the approved details.

Reason: To provide satisfactory access and in the interests of highway safety.

- 17) Prior to first use of the development hereby permitted, a permanent external lighting scheme shall be submitted to and approved in writing by the Local Planning Authority, and the approved scheme implemented in full. This shall include mitigations measures, to protect wildlife and the adjoining SSSI, which shall then be implemented and maintained for the lifetime of the development, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of protecting wildlife and the adjoining SSSI.

- 18) The development must accord with the arboricultural report reference AIA/AMS-KC/CH/MOORLANDS/001 Rev C. No excavation, demolition or development related works shall commence until the tree protection measures have been installed as per the tree protection plans reference TPP-KC/MOORLANDS/001 Rev D Sheets 1 and 2. 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.

- 19) Notwithstanding the approved plans /details, no development above slab level shall commence until full details of the following:

- a) Parapet/ coping details
- b) Details of fenestration insets/ frames
- c) Junction details between different facing materials
- d) Details of rainwater goods

and materials (and samples where requested) to be used in the construction of the external surfaces of the development hereby permitted have been

submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure a satisfactory visual appearance in the interest of the amenities of the area.

- 20) The development hereby permitted shall, in accordance with the layout shown on drawing 7912_D01/P be used only for purposes of light industrial floorspace, warehouse floorspace and estate office within Use Classes E(g)(ii), E(g)(iii), B8, and E(g)(i) (respectively), of the schedule to the Town and Country Planning [Use Classes] Order 1987, [or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification] and for no other purposes.

Reason: In the interests of highway safety and local amenity.

- 21) The development hereby approved shall follow the recommendations of the submitted BREEAM Pre-Assessment (dated October 2022), and within 12 months of first use of the development, a BREEAM 'excellent' final stage certificate/ a final Non-Domestic Building Energy Performance Certificate shall be submitted to the Local Planning Authority, demonstrating that the completed development has achieved a minimum BREEAM 'Excellent' / 'A' energy performance rating.

Reason: To ensure the development meets the essential requirements of the adopted Supplementary Planning Document 'Environmentally Sustainable Development'.

INFORMATIVES:

- a) The applicant is reminded that a S278 agreement will need to be entered into with Hampshire County Council separate to any planning application.
- b) In accordance with paragraph 38 of the National Planning Policy Framework (September 2023), 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.

1. **Report**
2. This application has been referred to Committee by Councillors; Asman, Gomer and Tennent.
3. **Site Characteristics and Character of the Locality**
4. The application site comprises a 1.71ha piece of land, situated to the north of Botley Road (B3035) accessed via a road which runs parallel with the M27. The site itself comprises a derelict farmstead, with a number of run-down buildings. An existing industrial site is located to the immediate south east of the site.
5. The application site falls within the designated countryside, with TPO'd trees and SSSI to the east of the site. The western boundary is also bound by trees, providing screening to the M27. To the immediate south-east of the application is the outskirts of Hedge End Industrial Centre which falls within the urban edge and is also a designated employment protection site. This area comprises a mixture of usages including retail, commercial and industrial. Further west of the application site and M27 there are residential estates, also falling within the urban edge. To the south-west of the site is the Ageas Bowl.
6. **Description of Application**
7. This application proposes the demolition of all existing buildings and detailed planning approval for light industrial floorspace [Use Class E(g)(ii) & E(g)(iii)], warehouse floorspace [Use Class B8] and estate office (Use Class E(g)(i)).
8. The application proposes 4no. separate industrial buildings:
9. Units A & B:
Unit A is proposed to be situated slightly north-west of the centre of the site. Unit B is proposed to be situated slightly south-west of the centre of the site, allowing for a road and parking provisions in-between. Both units would be orientated at an angle, whereby Unit A would be slightly set in from the western boundary. The units would have a length of approx. 52.6m and a width of approx. 17.2m and internal footprint of approx. 810m². The units would have a flat roof which would measure approx. 7.2m in height. There would also be solar panels on the roofs, and a section of sedum roof, with parapet railings which would project approx. 0.5m above the roof of the host unit. The units would both also have a staggered north-western elevation as a result of the projecting elements. There would be 5no. projecting elements which would be finished in alternating materials. The recessed elevations would be finished in red brick work, and the projecting elements would be finished in either charred larch (laid horizontally or vertically) and silvered

cedar/larch (laid diagonally). The fenestration would be light timber framed and the loading doors would be grey in colour. The rainwater goods are proposed to be concealed.

10. Unit C:

This unit is proposed to be situated centrally within the site. This would be set in from the northern and eastern boundaries, positioned to the east of Unit A. This would have a length of approx. 27m and width of approx. 11.6m (thus having a total internal floor space of approx. 280m²). This would have a flat roof which would measure approx. 7.3m in height. There would be 3no. projecting elements which would be finished in alternating materials. The recessed elevations would be finished in red brick work, and the projecting elements would be finished in charred larch (laid either horizontally or vertically). The fenestration would be light timber framed and the loading doors would be grey in colour. The rainwater goods are proposed to be concealed.

11. Unit D:

This unit is proposed to be located towards the south-eastern part of the site, set in from both the southern and eastern boundaries. This would have a footprint of approx. 13.5m by 8.6m, with an internal floorspace of approx. 98.5m². This unit would have a pitched roof with eaves which would measure approx. 6m and an overall height of approx. 9.5m. This unit would be finished in a combination of materials; red brick wall at lower level on the elevations, and zinc cladding above. The roof would also be zinc including solar panels, which would sit flush to the roof. The fenestration would be grey aluminium, and rainwater goods would be finished in grey.

12. The 4no. industrial units have been positioned fairly centrally within the site to allow one way vehicular movement throughout the site, with 2no. units to the north and south, a SuDS pond being the main turning feature. The roads are therefore contained within the parameters of the buildings and SuDS feature. The proposals have been amended during the process whereby there has been the creation and protection of buffers to the east and south adjoining the SSSI, as well as enhanced landscaping.

13. The proposals have been amended during the application process. The main alterations relate to the layout and design of the proposed units. The siting of the 4no. buildings have been set in from all boundaries by varying degrees. Buildings B and C have been set in 20m from the eastern and southern boundaries, and Building D has been set in completely from the 15m buffer and partially within the 20m buffer. The units all have a contemporary design, however footprints and roof forms have been altered as part of the amendments. There has also been landscaping alterations, including the SuDS ponds which now creates a turning point for vehicles, allowing for one way vehicular movement throughout the site.

14. **Relevant Planning History**

15. F/12/71729

Construction of dog training hall with associated dog exercise area, parking and landscaping following demolition of existing barn
Permitted (February 2013)

16. F/15/77341

Renewal of planning permission F/12/71729 for the construction of dog training hall with associated exercise area, parking and landscaping following demolition of existing barn.
Permitted (December 2015)

17. F/18/84683

Construction of a dog training hall with associated exercise area, parking and landscaping following demolition of existing barn
Permitted (April 2019)

18. O/21/91192

Demolition of all existing outbuildings and outline planning approval with details of access to be approved and all other matters reserved for redevelopment to provide light industrial floorspace [Use Class E(g)(ii) & E(g)(iii)] and warehouse floorspace [Use Class B8], conversion of existing farmhouse to provide ancillary office space [Use Class B8] and provision of an estate office [Use Class E(g)(i)]
Withdrawn (February 2022)

19. **Representations Received**

20. 4no. Objections from 2no. people have been received, summarised as follows:

(a) failure to recognise the significance importance of the site of special scientific interest (SSSI), (b) impact upon wildlife/ protected species and plants, (c) impact of additional traffic, (d) concern about drainage/ water pollution, (e) lack of buffer zones, and (f) concern about the landscape and ecology management plan.

21. 1no. Comment summarised as follows:

(a) caretaker of land has caused damage to the SSSI, and (b) concern about traffic.

22. Eastleigh Ramblers

Footpath no.10 runs between this property and the M27. The proposed site layout plan appears to show the footpath in the correct alignment coming out onto the Botley Road. Other plans show it coming out onto the proposed

access road which must be avoided so no plans of this type must be approved. When considering land contamination, you also consider the use of asbestos sheets to repair the fencing along that section running parallel with the M27. The fence was original post and rail.

23. **Consultation Responses**

24. Parish Council
None received.

25. EBC Sustainable Transport
None received.

26. EBC Arboriculturalist
No objection, subject to condition

Comments 17 May 2023 (following receipt of amended plans)

We have no further comments to make. Please condition accordingly if you are minded to approve the application.

Comments 3 January 2022 (following the receipt of Report reference AIA/AMS-KC/CH/MOORLANDS/001 Rev B and Tree protection plans reference TPP-KC/MOORLANDS/001 Rev C Sheets 1 and 2)

We had a couple of points of objection with the previous iteration. We are happy to see that all of our points have been addressed. We remove our objection subject to the imposition of a specific condition.

Comments 4 November 2022:
Holding objection.

27. EBC Ecologist
No objection, subject to condition.

Comments 4 July 2023:

The packaged sewage treatment plant brochure states that the life of the glass-reinforced plastic system is 25 years, it needs to be serviced by a tanker and a kiosk is required to house the control panel and air blowers. A foul water system maintenance and management plan must include responsibility for monitoring the system on a 24/7 basis and an emergency plan in case of spills during servicing by the tanker or any other malfunctions. A CEMP will be required for replacing the system every 25 years in perpetuity, which can be conditioned.

Comments 22 June 2023:

Ecological features were identified. The surface water drainage has been redesigned with no earthworks to be done within the 15m buffer, with

mitigation in place no impact to the SSSI is likely. Amphibian wildlife passages have been designed to connect the pond to suitable habitat with the buffer zone. Recommended conditions are listed in section 8 of the ecology report. A badger survey must be done immediately prior to construction works, which can be conditioned. All bat work will be done under licence from Natural England (this can only be obtained after planning permission is granted). In order to avoid disturbance/ harm to nesting birds or damage to their nests, all constructions works and the removal of the outbuildings, will be undertaken outside of the bird nesting season. If this is not possible any potential nesting sites must be checked by a suitably qualified Ecologist. If an active nest is identified a 5m buffer will be established, within which no works will be able to take place until the Ecologist has confirmed the fledglings have left the area of impact. Reptile mitigation must be done as set out within Section 8.3, this must also include ongoing habitat monitoring (for 5 years) and management as outlined. The Landscape Mitigation and Enhancement Plan is satisfactory. A biodiversity enhancement mitigation and management plan (BEMP) is required and can be conditioned. A CEMP is also required and can be conditioned, this should include wildlife protection measures outlined in the ecology report, as well as dust control and surface water drainage with pollution and sediment control measures to protect the watercourse, ecological buffer zones and Moorgreen Meadows SSSI. This should also include details as to who is responsible for monitoring the site during the construction phase. Wildlife sensitive lighting plan is required, but can be conditioned. SuDS details are required, but can be conditioned, further details required with regard to packaged sewage treatment plant.

Comments 13 March 2023:

Detached buildings A and C and moving building C slightly towards (but not over) the 20m SINC buffer is acceptable. There are also two clear migration connections between the pond and the ecology areas. Use of the pond is more likely during dawn and dusk periods when there is less likelihood of traffic using the proposed turning circle. A revised SuDs plan would be required.

Comments 16 February 2023:

Discussions were had with the agent about the creation of buffers, moving Building D north-west. Sedum roofs will be kept as much as possible and SuDs pond/ turning circle will be reviewed.

Comments 26 January 2023:

Proposals result in a huge improvement. More accurate SSSI boundaries are required. If 20m buffer is not feasible then it may be possible to have a 15m buffer in some areas and provide additional habitat in others. The proposed swale/ reed bed should be moved away from the buffer. Swale will need to be managed as habitat.

Comments 13 December 2022:

The Ecology report (December 2022) confirmed bats and suitable habitat for protected species. The report also states that *if development does not take place within 18 months of this report then the findings of the survey will no longer be considered valid and may require updating*. (18 months after August 2022 walkover). The report has noted a biodiversity net gain. Recommendations and mitigations are noted and agreed, and a BEMP which can all be conditioned. Additional SuDS information would be required.

28. EBC Environmental Health
No objection, subject to condition(s).

Comments 21 December 2022:

No change to our previous advice as there appears no point sources of air pollution. Conditions are recommended.

Comments 17 October 2022:

The site setting is set back from the community and close to the M27, a source of high noise and air pollution. Offices located in the eastern corner more distant from the pollution. For short term exposure in handling storage, the effects of air pollution will be reduced and not of a magnitude we would advise against for short term or occasional use. A proportionate Construction and Environmental Management Plan would be appropriate.

Contaminated Land conditions requested.

29. EBC Policy
No objection, subject to condition.

Comments 17 October 2022

The countryside location engages Policy S5 and DM18. The main considerations, in this specific instance, of Policy DM18, Extension and replacement of non-residential buildings in the countryside are those which relate to the density, scale, massing, layout and height (criterion c) and avoiding detrimental impacts upon the character of the countryside (criterion d). It is observed that the footprint of some of the proposed buildings will not be located on the existing developed areas and would be located on what appears to be undeveloped parts of the site. The footprint of the employment buildings which are proposed to be located outside the existing developed parts of the site would constitute a material change of use of land designated as countryside and as such would not be acceptable.

Policy DM1, General criteria for new development will also be important to consider with regards to the overall design proposed and with regards to development not having an adverse impact on, and where possible enhancing the countryside amongst other things. It is noted that the proposal could potentially help to improve the overall appearance of the site which is

currently in a state of disrepair whilst any urbanising effect would be minimised. This is due to its location adjacent to an existing employment estate to the east provided the overall scale and massing of the proposed buildings (less floorspace compared to the previously withdrawn outline proposal) would not be considered to materially alter the character of the site. The applicant has also proposed mitigation measures which go further compared those in the previously withdrawn outline application with regards to the provision of informal woodland, priority habitats, native woodland, native hedging and a SuDS pond and basin on the site.

The principle of employment development would be acceptable and would contribute to the Council's wider employment land supply targets whereby a total of 2,124sq.m. of new employment floorspace is proposed (gross internal area). With regards to criterion h in Policy DM18, the development would not by itself or cumulatively with other recently permitted schemes undermine the Council's strategy for the development of employment-related floor space (see policy S4). This is due to the loss of existing employment floorspace on protected employment sites and the development of some employment allocations for other uses over recent years. It is also noted that the applicant has reduced the floorspace of the proposed scheme due to the above noted concern of developing on the undeveloped countryside.

Policy DM2, relates to environmentally sustainable development. The applicant has indicated the intention for the scheme to achieve BREEAM 'Excellent' in the submitted Design and Access Statement. It is noted that an Accredited Assessor has been appointed at this early design stage to assist the development in achieving the required BREEAM level.

The proposal for redeveloping the site for employment uses will be acceptable provided that the proposed biodiversity related mitigation measures are considered to outweigh any loss to the proposed undeveloped areas of countryside within the curtilage of the site. It is observed that development proposed on the undeveloped countryside will be less substantial compared to the previously withdrawn outline planning application due to the smaller scale of the proposal in terms of the overall amount of floorspace proposed (853sq.m less than the previously withdrawn outline consent). This will help to ensure that the overall character of the site is protected in accordance with Strategic Policy S5 of the 2016-2036 Local Plan.

30. EBC Urban Design
No objection, subject to condition.

Comments 19 May 2023:

The amendments have overcome the concerns relating to the undesirable large footprint of Buildings A and C as a consequence of being proposed as a semi-detached building. I have no further objections. Material details,

including samples can be conditioned.

Comments 4 January 2023:

The additional information provided has overcome the concerns raised in my previous consultation, and I have no further objections. Material details, including samples, can be conditioned provided that these follow the details set out in the Design and Access Statement and subject to case officer agreement.

Comments 21 October 2022:

External Layout:

The existing buildings are currently in a state of disrepair, and they do not appear to have any architectural merit. In addition, where the character of an existing place has limited or few qualities, then a new and positive character should be proposed to enhance its identity. In this context, it is considered that the proposal helps to improve the overall appearance of the site and makes a positive contribution to the character of the area.

In terms of layout, while it is acknowledged that the footprint of some of the buildings will be located outside what is the current developed area, it seems that the proposal won't have a detrimental visual impact on the surrounding area subject to addressing concerns raised by the Landscape Officer.

There are some discrepancies between the plans.

Height, Form, Scale & Mass

No objections in principle. Furthermore, the site is currently well-screened, and it is anticipated that there won't be many opportunities for the proposal to be seen from wider views.

External Appearance & Materials:

No objections in principle to the proposed architectural language nor to the material palette shown on page 13 of the DAS. However, it is important to ensure that an excessive variation of detailing is not employed in a single scheme, as it often results in a discordant composition. It would be encouraged to keep it simple and reduce to the minimum timber cladding orientations proposed.

The external finishing materials and detailing are very important from an urban design perspective. These should be durable and of high quality, reinforce the overall design concept, and take account of the context of the site. Further details/ samples of materials are needed.

Trees, Green Infrastructure and Landscape

The concerns raised by the Landscape Officer regarding potential visual impact, particularly from the motorway, are shared. Therefore, any proposal to remove trees alongside the access road, which are currently providing a significant level of screening, would need to be carefully considered.

Green roofs are welcomed as they provide added benefits for biodiversity and sustainable drainage.

31. EBC Landscape

The proposals would result in development within the designated countryside, whereby there are effects on the landscape and views. Additional information comprising full landscape details are requested.

32. EBC Economic Development (4 October 2022)

Economic Development are in full support of this application and the business and employment opportunities it brings.

33. National Highways

No objection, subject to conditions.

Comments 3 January 2023:

Following the receipt of additional information the details supplied answer the queries. We have no objection subject to 3 conditions covering; drainage, boundary treatment, and landscaping.

Comments 12 December 2022:

Recommend that planning permission not be granted for a specified period: additional information required.

Comments 25 October 2022

Recommend that planning permission is not granted for a specific period: additional information required.

34. Natural England

No objection subject to appropriate mitigation.

Comments 31 May 2023:

No objection, subject to appropriate mitigation being secured (CEMP & SuDS)

Comments 2 February 2023:

No objection, subject to appropriate mitigation being secured (CEMP & SuDS)

Comments 26 October 2022

Further information required:

- A construction environmental management plan (CEMP)
- Conditions stipulating the implementation of surface water drainage (SuDS)

35. Environment Agency (24 October 2022)

No objection

Environmental permit – advice to applicant:

The Environmental Permitting (England and Wales) Regulations 2016 require a permit or exemption to be obtained for any activities which will take place:

- on or within 8 metres of a main river (16 metres if tidal)
- on or within 8 metres of a flood defence structure or culverted main river (16 metres if tidal)
- on or within 16 metres of a sea defence
- involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert
- in a floodplain more than 8 metres from the riverbank, culvert or flood defence structure (16 metres if it's a tidal main river) and you don't already have planning permission

36. Hampshire Highways

No objection, subject to conditions and mitigations.

Comments 5 July 2023:

Following clarification, no objection subject to conditions (access construction provision, access road provision and CEMP).

Site Access Junction: access into the site is proposed to be via a new formal priority junction / bell mouth arrangement, replacing the existing simple vehicle crossover that has been deemed insufficient due to the potential flows and type of vehicles crossing this, as well as the lack of known strength within its existing construction. The proposed access is shown on submitted drawings, with vehicle tracking available which shows how movements will be achievable for both articulated vehicles and standard cars. Within the tracking drawings, it is demonstrated how two-way car movements are achievable at the access, and also how an articulated vehicle and a car can pass each other at the access with the articulated vehicle existing and entering site in to/from the east. Tracking drawings demonstrating the same combined movements from the west have not been submitted, however it is clear from the articulated left turn in (from the west) drawing that adequate space for a car to be passed is available. As such, the access from the highway onto site is agreeable in principle for the purposes of planning. A S278 will be required.

Internal Site Layout: whilst it is understood that the site will not be for adoption by HCC under a S38, an assessment of the information provided has been undertaken. The submitted drawings demonstrate that once on site, the layout essentially provides for a one-way circuit, which allows for forward gear movement and adequate space for the movement of vehicles anticipated to access the site. There are however conflict areas on the mid-section of the access track should an articulated vehicle enter site as another is trying to leave, and this would also affect a standard car and articulated vehicle trying to pass each other with a lack of available passing points. As previously suggested, additional passing points should continue to be investigated by the

applicant as they would be beneficial to the users of the site, however this would be an internal site issue and it not anticipated to have an impact on the local highway network with any manoeuvre adjustments having to be made on site. To ensure the highway is not affected however, it would be requested that a Delivery Vehicle Management Plan is submitted by the applicants, outlining how deliveries will be managed to ensure this situation does not occur (by pre-set delivery timings; a call ahead and hold internal traffic arrangements etc). This should be secured via condition.

Trip Generation, Developer Contributions and conditions as per original comments.

Comments 10 June 2023:

No objection, however there are disparities between some of the information. Clarification required.

Comments 22 December 2022:

Following the receipt of additional information there is no objection to the proposals, although a S278 agreement with HCC would be required.

Access: following concerns raised in regard to the utilisation of the existing vehicle crossover, the applicants now propose a formal access junction into the site. Whilst this severs the continued pedestrian and cycle route, for safety reasons this is accepted. The design of the access junction remains subject to S278, but for the purposes of planning, a review undertaken suggests that it will be acceptable. Appropriate visibility splays are achievable, even when taking into account the brow of the hill to the west, and auto-tracking diagrams demonstrate how vehicles can achieve suitable access and egress. Whilst there remains minor conflict areas on site, where two HGV's may not be able to pass, any adjusting movements will be contained on site, and with an adequate passing space provided at the entrance to the site, this will not have an impact on the highway.

Internal Site Layout: whilst it is understood that the site will not be for adoption by HCC under a S38, an assessment of the layout has been undertaken. Internally, as outlined above, auto-track diagrams have demonstrated that there is adequate space for vehicles to pass along the access track, bar a short section where it will be difficult for two HGVs to pass. However, such instance would be anticipated to be rare, and may be overcome by the additional heights of HGVs whereby drivers will see oncoming HGVs and make waiting decisions accordingly. This will not however have an impact on the highway, it will be an internal issue. Once on site, the layout essentially provides for a one-way circuit, which allows for forward gear movement and adequate movement for the vehicles anticipated to access the site, and again any delays will be internalised and will be for on-site management with no highway impacts anticipated.

Trip Generation, Developer Contributions and conditions as per previous comments.

Comments 13 October 2022

No objection in principle: amended plans and additional information required.

Access: this is via an existing vehicle crossover, which has historically served the site. Whilst the associated Transport Assessment (TA) looks to demonstrate that this provides adequate geometry and visibility, there are concerns as to how appropriate this would be for the proposed development. Firstly, in terms of visibility whilst drawings suggest that appropriate splays can be achieved, it is not clear whether these have taken in to account the fall in levels to the west and whether the brow of the bridge restricts forward visibility. If a simple vehicle crossover were to be maintained, give way markings would be required. In terms of vehicle crossover itself, in its present layout this is too wide, and amendments would be required to tighten this up appropriately with a narrowing of the existing width onto the highway with some drop kerbs re-instated. This would require a S278. Due to frequency and number of vehicle movements anticipated, there are concerns in regard to the suitability of a vehicle crossover, both in terms of functionality and construction, given it is unlikely that the crossover has been constructed to appropriate standards for such heavy and frequent flows. As such, it would be requested that this should be replaced by a formal bell-mouth junction.

Internal Access: further information would be required to show how two way articulated vehicle movements will be accommodated, or how an articulated lorry and car will pass each other.

Internal Site Layout: The site will not be for adoption by HCC under a S38. The layout is largely acceptable, with parking spaces and adequate aisle widths to allow for easing turning in and out of spaces. Vehicle tracking has been provided for articulated lorry movements, demonstrating how they can turn within the site to allow for forward gear access and egress.

Trip Generation: as a result of the proposals, there will be an additional 24 vehicle movements in the AM peak, 21 additional vehicle movements in the PM peak and approximately 239 additional vehicle movements over a typical 24hour period, over and above the permitted site development. Whilst as an individual site, these additional movements are not anticipated to have a severe impact on the local highway network, accumulated with the other local development whose vehicle flows are anticipated to move through the same local highway junctions and utilise the same sustainability travel methods, updates to the local highway network and infrastructure will undoubtedly result.

Development Contributions: £54,970. Exact utilisation of this funding would be outlined as part of the S106 agreement, and so schemes may change during any interim period that arises between now and the signing of such an agreement, initially it would be anticipated that contributions would be secured for:

- Highway improvements on West End Highway Street
- Junction improvements on the Tollbar Way corridor
- Sustainable transport improvements (bus, cycle and/ or pedestrian) in the local vicinity of the site

37. Hampshire Lead Local Flood Authority

Comments 26 May 2023:

There appears to be no changes made to the climate change allowances used for the 1 in 30 year storm event and 1 in 100 year storm event. We would be looking to see the relevant peak rainfall allowances used depending on the life expectancy of the development, but this will always include an allowance for the 1 in 30 year event. Additionally, a vortex flow control has now been proposed with an orifice diameter of less than 50mm. This seems to be for the chamber within the permeable paved area which would be acceptable, however the invert level does not match between the layout and calculations.

Officer Note: additional information can be secured via condition.

Comments 20 October 2022

The site is brownfield and lies within Flood Zone 1 and there are areas of increased surface water flood risk that appear to relate to land drainage features adjacent to the site.

Additional information would be required:

- Hydraulic calculations to incorporate recently revised changes to climate change allowances for peak rainfall.
- Exceedance flow routes on a layout, to also include extents of any flooding predicted.

38. Southern Gas Network (4 October 2022)

In the event that gas pipes are present within your site, there may be restrictions on the work being undertaken to ensure the safety of your site and the protection of the gas pipes.

39. SSE

4no. pipes within close proximity (abandoned MOD, exolum pipeline, SSE & SGN).

40. Southern Water

Comments 26 May 2023:

Comments remain unchanged.

Comments 21 October 2022:

The exact position of the public assets must be determined on site by the applicant in consultation with Southern Water, before the layout of the development is finalised.

- The 2 inches water distribution main requires a clearance of 6m on either side of the water distribution mains to protect it from construction works and to allow for future access for maintenance
- No excavation, mounding or tree planting should be carried out within 6m of the external edge of the public water distribution mains without consent from Southern Water
- No new soakaways, swales, ponds, watercourses or any other surface water retaining or conveying features should be located within 5m of a public water distribution mains
- All existing infrastructure including protective coatings and cathodic protection, should be protected during the course of construction works.

It is possible that a sewer now deemed to be public could be crossing the development site. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its ownership before works commence on site.

The Environment Agency should be consulted directly by the applicant regarding the use of a private wastewater treatment works which disposes of effluent to sub-soil irrigation.

Under certain circumstances SuDS will be adopted by Southern Water should this be requested by the developer. Where SuDS form part of a continuous sewer system, and are not an isolated end of pipe SuDS component, adoption will be considered if such systems comply with the latest Design and Construction Guidance. Where SuDS rely upon facilities which are not adoptable by sewerage undertakers the applicant will need to ensure that arrangements exist for the long-term maintenance of the SuDS facilities. It is critical that the effectiveness of these systems is maintained in perpetuity. Good management will avoid flooding from the proposed surface water system, which may result in the inundation of the foul sewerage system.

Where a SuDS scheme is to be implemented, the drainage details submitted to the Local Planning Authority should:

- Specify the responsibilities of each party for the implementation of the SuDS scheme
- Specify a timetable for implementation
- Provide a management and maintenance plan for the lifetime of the development

This should include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

41. Southampton Airport
Comments 18 October 2022

BH1 Submission of a Bird Hazard Management Plan: Development shall not commence until a Bird Hazard Management Plan has been submitted to and approved in writing by the Planning Authority in consultation with Southampton Airport.

We would also make the following observation: Given the nature of the proposed development it is possible that a crane may be required during its construction. We would, therefore, draw the applicant's attention to the requirement within CAP 1096 the Guidance to crane users on the crane notification process and obstacle lighting and marking.

We, therefore, have no aerodrome safeguarding objection to this proposal, provided that the above conditions are applied to any planning permission.

It is important that any conditions requested in this response are applied to a planning approval. Where a Planning Authority proposes to grant permission against the advice of Southampton Airport, or not to attach conditions which Southampton Airport has advised, it shall notify Southampton Airport, and the Civil Aviation Authority as specified in the Town & Country Planning (Safeguarded Aerodromes, Technical Sites and Military Explosive Storage Areas) Direction 2002.

42. **Policy Context and Designations Applicable to Site**

- Countryside
- Solent Mitigation & Disturbance Zone
- TPO trees along the eastern boundary of the site (94-E)
- Flood Zone (east of application site)
- SSSI (east of application site)
- Urban edge & Existing Employment Sites (south-east)

43. **Development Plan Policies**

44. **Eastleigh Borough Local Plan 2016 – 2036**

45. The relevant policies comprise:

46. Strategic Policies:
- S1 (Sustainable Development)

- S4 (Employment Provision)
 - S5 (Countryside)
 - S11 (Transport Infrastructure)
 - S12 (Footpaths, cycleways & bridleways)
47. **Development Management Policies**
- DM1 (General Development Criteria)
 - DM2 (Environmentally Sustainable Development)
 - DM3 (Adaption to Climate Change)
 - DM4 (Zero or Low Carbon Energy)
 - DM6 (Sustainable Surface Water Drainage)
 - DM8 (Pollution)
 - DM11 (Nature Conservation)
 - DM13 (Transport)
 - DM14 (Parking)
 - DM15 (Safeguarding Existing Employment Sites)
 - DM17 (Agricultural Development)
 - DM18 (Extension & Replacement of Non-Residential Buildings in the Countryside)
48. **Hampshire Minerals and Waste Plan**
- Policy 15 – Safeguarding of Mineral Resources.
49. **Supplementary Planning Documents**
- Planning Obligations (2008)
 - Biodiversity (2009)
 - Environmentally Sustainable Development (2009)
 - Quality Places (2011)
 - Trees & Development (2022)
50. **National Planning Policy Framework**
51. At 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 National Planning Policy Framework (the 'NPPF' or the 'Framework') 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.
52. 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.

53. Planning Practice Guidance

54. 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.

55. Assessment of Proposal: Development Plan and / or Legislative Background

56. 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.
57. The Development Plan comprises the Saved Policies of the Eastleigh Borough Local Plan (2016-2036) and the Hampshire Minerals and Waste Plan 2013 (which is not applicable in this case). The NPPF and the Planning Practice Guidance constitute material considerations of significant weight.

58. Environmental Impact Assessment

59. The proposals have been considered against the criteria within the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (the Regulations) and the provisions of the Planning Practice Guidance (PPG). The development is not of a type described in Schedule 1 of the Regulations whereby an Environmental Statement will always be required. Whilst the proposals are of a type described in Column 1 of Schedule 2 of the Regulations (10 Infrastructure Projects), the development is not located within a sensitive area (albeit noted that there is SSSI located to the north/ east of the application site) and the area of the development (1.71ha) is significantly below the relevant threshold in Column 2 (5 hectares – as set out within The Town and Country Planning and Infrastructure Planning (Environmental Impact Assessment) (Amendment) Regulations 2018 which amended the 2017 Regulations). In accordance with the provisions of the Regulations and the Planning Practice Guidance (Paragraph: 017 Reference ID: 4-017-20170728), projects which are described in the first column of Schedule 2 but which do not exceed the relevant thresholds or meet the criteria in the second column of the Schedule, or are not at least partly in a sensitive area, are not Schedule 2 development and, therefore, do not need to be screened by the

Local Planning Authority. An Environmental Statement is therefore not required.

60. **Principle**

61. The application site falls within designated countryside and, as such policy S5 of the Eastleigh Borough Local Plan (2016-2036) is of relevance. This policy sets out that there are specific criteria which development must comply with in order for it to be acceptable within the countryside. Section 1 notes types of development which would be compatible within the countryside, and Section 2 sets out what development will seek to do to ensure the proposals do not have an adverse impact upon the countryside.
62. Section 1(a) of policy S5 notes that proposals that provide employment through agricultural development and extension and replacement of existing employment uses can be acceptable but would be subject to Policies DM17 and DM18. It is also noted that to the immediate south-east of the application site is the urban edge and an existing employment site (Hedge End Retail Park). The application proposals would provide employment opportunities through the creation of 4no. industrial buildings. It is acknowledged that the proposals would not provide agricultural development but would replace existing derelict buildings on site. Whilst the proposals would not be within strict accordance with Policy S5, they would provide employment opportunities, similar in nature to those to the immediate south-east of the site, as such, are not considered to be harmful. The Council's Policy Team noted that the proposals would ultimately result in new development in the countryside contrary to policy S5. However, they also considered policies DM1 (design related), whereby they concluded that the proposals *could improve the overall appearance of the site which is currently in a state of disrepair whilst any urbanising effect would be minimised*. They also noted the close proximity to the existing employment site, thus the proposals would not be considered to materially alter the character of the site. Furthermore, ecology benefits would be provided, in accordance with policy DM1. In addition, they also noted that the principle of employment development would be acceptable and would contribute towards the Council's wider employment land supply targets, supported by policy S4(d). Therefore, and considering the overriding environmental and economic benefits of the scheme, it would be concluded that the proposals would be acceptable, in this specific instance.
63. Section 2 of policy S5 notes that proposals within the countryside should avoid adverse impact upon woodland, and the intrinsic character and landscape of the countryside, and secure long-term beneficial management practices that will enhance the landscape and biodiversity of the countryside, amongst other criteria. The application site is located to the north of Botley Road and the east of the M27 motorway. Due to the topography of the land, the site is set down at a much lower level than Botley Road. Further, there is

significant screening along the western boundary, with the M27, comprising fencing and mature vegetation. The proposals are therefore not readily visible from these public viewpoints. It is, however, acknowledged that there is a public footpath nearby which would provide views of and into the site. However, and as will be discussed further below within this report, additional information has been provided with regard to ecology and biodiversity improvements to ensure that the proposals are acceptable and would not result in harm to the countryside and its intrinsic character or appearance.

64. Furthermore, and as noted within the history section, 3no. previous planning applications permitted a dog training hall with associated parking and landscaping. Within these reports the officers noted that the site fell within designated countryside and the strategic gap, however, noted that the use is a specialised use best suited to the countryside due to potential for noise and disturbance that would arise from the dogs and exercising in the grounds of the building. As a result, they concluded that an exception to former Policy 1.CO was justified, and that the proposals would not result in adverse harm. It should be noted that the application site was formerly within the strategic gap, this was since removed (as set out within the Settlement Gap Study 2020) and no longer falls within the gap.
65. To conclude, the application proposals, whilst not falling within strict accordance with Section 1 of Policy S5, are not considered to result in adverse harm to the countryside. As noted above, the site is not readily visible, unless utilising the public footpath, therefore there are limited public vantage points thus the proposals would not be considered to have an adverse visual impact upon the wider surroundings. As will be expanded upon within the design section of this report, the Council's urban design officer concluded that they are agreeable to the appearance, scale and form of the proposals, thus would not result in visual harm. Further, the applicant indicates that the proposals would provide 43no. jobs within the 4no. industrial units. The use of these units would be comparable to the existing employment site within the urban edge to the immediate south-east of the site and would therefore be a compatible land use. In addition, biodiversity matters will be discussed within this report with recommendations and enhancements being secured via condition. As such, and in this specific instance, the proposals are considered acceptable.
66. **Design and Appearance**
67. Policy DM1 of the Eastleigh Borough Local Plan (2016-2036) stipulates that all new development should respect the character and appearance of urban areas, take full and proper account of the context of the site including the character, appearance and land uses of the locality or neighbouring, and be compatible in terms of mass, scale, layout density, design and siting.

68. Starting with the layout, this has been amended during the application process following the receipt of ecology concerns in relation to the lack of buffers to the SSSI. The siting of the 4no. buildings have been set in from all boundaries by varying degrees. Buildings B and C have been set in 20m from the eastern and southern boundaries, and Building D has been set in completely from the 15m buffer and partially within the 20m buffer. There is also the introduction of SuDS ponds, and landscaping within the site which both ecology and urban design consultees are agreeable to. The Council's landscape officer requested additional information, however it is considered that landscaping matters can be secured via condition.
69. Turning to the appearance of the proposed units, these are of a contemporary design utilising a combination of materials comprising; red brick, charred larch cladding, light timber fenestration and grey loading doors. The elevational treatment and succinct material palette is considered to aid the simplicity and coherence of the overall development. The buildings mass and scales all vary, with Units A & B being the largest. However, all buildings are considered to be acceptable with regard to their design and siting. The Council's urban design officer has requested a condition in relation to materials to ensure that the overall finish is of a high-quality.
70. As noted above, due to the topography of the land, the site is set down at a much lower level than Botley Road. Further, there is significant screening along the western boundary, with the M27, comprising fencing and mature vegetation. The proposals are therefore not readily visible from these public viewpoints. It is, however, acknowledged that there is a public footpath nearby which would provide views of and into the site. The views obtained are not considered to be harmful given the high-quality design and appearance the proposals would achieve. Furthermore, it should be noted that the proposals would be an improvement to the existing derelict arrangement of buildings.
71. Overall, and to conclude, subject to conditions, the proposals are considered to be acceptable with regard to their design and their impact upon the countryside and would therefore be in accordance with Policy DM1.
72. **Impact upon Neighbouring Amenity**
73. Policy DM1 of the Eastleigh Borough Local Plan (2016-2036) amongst other matters, stipulates that all new development should not have an unacceptable impact upon residential amenities of both new and existing residents.
74. Due to the location of the application site, separation distances (approx. some 80m) and the proposed siting of the proposals they are unlikely to have any adverse impact upon any residential amenities. Whilst it is noted that there is a public footpath around the application site, due to the siting of the proposals

within the site, this is not considered to result in an adversely harmful impact upon this footpath.

75. The proposals would be situated to the north-west of existing industrial/commercial units, and therefore would be compatible with the established surroundings and are unlikely to have an adverse impact upon these amenities.
76. Overall and to conclude, the proposals are not considered to have an adverse impact upon the neighbouring amenities and would therefore be acceptable in this regard.
77. **Highways Safety & Parking**
78. Policy DM13 of the Eastleigh Borough Local Plan (2016-2036) requires that development is or could be well served by public transport, cycling and walking and it includes measures which minimise its impact on the existing highway network. Policy DM14 of the same Plan requires that an appropriate level of car parking be provided in accordance with the Council's adopted standards. The policy provisions are consistent with the requirements of the NPPF and in particular those of paragraphs 107 and 108.
79. Due to the nature of the proposals, Highways England and the Local Highway Authority (LHA) have been consulted.
80. Originally, National Highways raised an objection on lack of information with regard to the potential impact upon the M27, and proposed internal works. However, following additional information they removed their objection subject to 3 conditions (outlined above: drainage, boundary and landscaping). Subject to these conditions National Highways are agreeable to the proposals.
81. As well as National Highways, the Local Highways Authority (LHA) were also consulted. They originally raised concerns requesting amended plans and additional information. They provided comments on access noting that whilst there appears to be an existing vehicle crossover further information needs to be provided to demonstrate that visibility splays can be achieved, as well as noting that S278 would be required. They requested additional information in terms of internal access. They also noted that whilst the site would not be for adoption, the internal configuration was broadly acceptable. In terms of trip generation the LHA noted that the proposals would result in approximately 239 additional vehicle movements over a typical 24hour period, over and above the permitted site development. They noted that as an individual site, these additional movements would not be anticipated to have an adverse impact on the local highway network, however accumulated with the other local development whose vehicle flows are anticipated to move through the same local highway junctions and utilise the same sustainability travel

methods, updates to the local highway network and infrastructure will undoubtedly be required. Therefore, developer contributions were requested to cover: highway improvements on West End Highway Street, junction improvements on the Tollbar Way corridor, and sustainable transport improvements (bus, cycle and/ or pedestrian) in the local vicinity of the site.

82. Additional information was submitted, which addressed the site access, proposing a new formal priority junction/ bell mouth arrangement, and including vehicle tracking plans which show how movement is achievable throughout the site. The vehicle tracking does, however, show some areas of conflict, therefore the LHA have recommended a delivery vehicle management plan be secured via condition. Together with other conditions (CEMP and access provisions) the LHA have raised no objection.
83. Turning to parking, 58no. vehicular parking spaces and 7no. sheltered secure cycle parking units are proposed. It is anticipated that the proposals would create 43no. jobs and therefore it is considered that there would be sufficient parking on site for users of the end development.
84. To conclude, following amendments, additional information and subject to specific conditions, the proposals are considered to be acceptable in this regard.
85. **Ecology & Trees**
86. Policy DM11 of the Eastleigh Borough Local Plan (2016-2036) stipulates that the Borough Council will work with statutory and voluntary agencies and developers to; protect, conserve and enhance areas subject to international, national and local nature conservation designations, and promote the net gain of biodiversity on all sites through the protection, enhancement and connection of existing provisions and new habitats and features compatible with the native biodiversity characteristics of the Borough.
87. The Council's ecologist originally raised concern with regard to the lack of buffer from the proposed development to the adjoining SSSI, as well as lack of information with regard to drainage, and sewage treatment plants which will be discussed below in this report. Following these concerns, the applicant sought to amend the layout of the proposals, providing a minimum 15m buffer from Building D to the SSSI and a minimum of 20m buffer from Buildings B & C. (Building A is situated further west and would therefore be further away from the SSSI). Further ecology reports and information has been provided whereby the Council's Ecologist is now satisfied that this information can be secured via appropriately worded conditions.
88. The Council's arboriculturalist originally raised a holding objection, requesting further information. Following the receipt of amendments, they removed their

objection and requested conditions be imposed. Therefore, and subject to these conditions, as set out above, the proposals are considered to be acceptable in this regard.

89. To conclude, the relevant consultees would be agreeable to the proposals, subject to suitably worded conditions. Therefore, the proposals are considered to be acceptable in this regard.
90. **Drainage**
91. Policies DM3 and DM6 of the Eastleigh Borough Local Plan (2016-2036) stipulate that new development must provide sustainable drainage systems (SuDs) wherever feasible, and naturalised filtration should also be included.
92. In terms of drainage, the Environment Agency, Natural England, National Highways, Southern Water, the Local Lead Flood Authority (LLFA), and the Council's Ecologist provided comments.
93. The Environment Agency ultimately raised no objection, and they also provided advice on when a permit would be required. Natural England originally requested additional information relating to SuDS, however, it is considered that this information could be secured via condition. National Highways also requested that a drainage condition be imposed, in consultation with them.
94. Southern Water noted that the exact position of the public assets must be determined on site by the applicant in consultation with Southern Water, before the layout of the development is finalised. They also set out the necessary distances required between pipes and development/ construction work, as well as setting out information required for the implementation of SuDS scheme. It is therefore recommended that these matters can be secured via condition.
95. The LLFA noted that the application site falls within Flood Zone 1 and that there are areas of increased surface water flood risk that appear to relate to land drainage features adjacent to the site. They therefore requested additional information. Following the receipt of additional information the LLFA noted that there was no changes made to the climate change allowances, as well as requesting further information on peak rainfall allowances and clarification on vortex flow control. This information is recommended to be secured as part of the drainage condition.
96. The Council's Ecologist also requested additional information. Following the receipt of additional information, they noted that the proposed packaged sewage treatment plant had a 25 year lifetime and that a foul water system maintenance and management plan would need to include responsibility for

monitoring the system (24/7) and an emergency plan in the event of spills or any other malfunctions. They concluded that these measures could be secured via condition.

97. To conclude, the development is considered to be acceptable with regard to drainage matters subject to conditions.

98. **Contaminated Land**

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

100. As part of the Environmental Health Officers comments, it was noted that the Council's Contaminated Land Officer requested additional information via conditions. Subject to these conditions, the proposals are considered to be acceptable.

101. **Sustainability**

102. Policy DM2 of the Eastleigh Borough Local Plan (2016-2036) requires new development to be environmentally sustainable. In this instance, the proposals would result in development above 500sq.m floorspace (measured externally), therefore must achieve BREEAM 'excellent' (or equivalent). This Policy is also supported by the Council's Environmentally Sustainable Development SPD.

103. The application has been supported by a BREEAM Pre-Assessment, which seeks to demonstrate how sustainability will be integrated into the development. This proposes a pre-assessment target score of 79.77% and an 'excellent' rating. It has therefore been, principally, demonstrated that the proposals could be Policy compliant and achieve BREEAM excellent rating. To ensure these targets are met a condition is recommended to be imposed securing formal certification to be submitted to the LPA within 12 months of occupation.

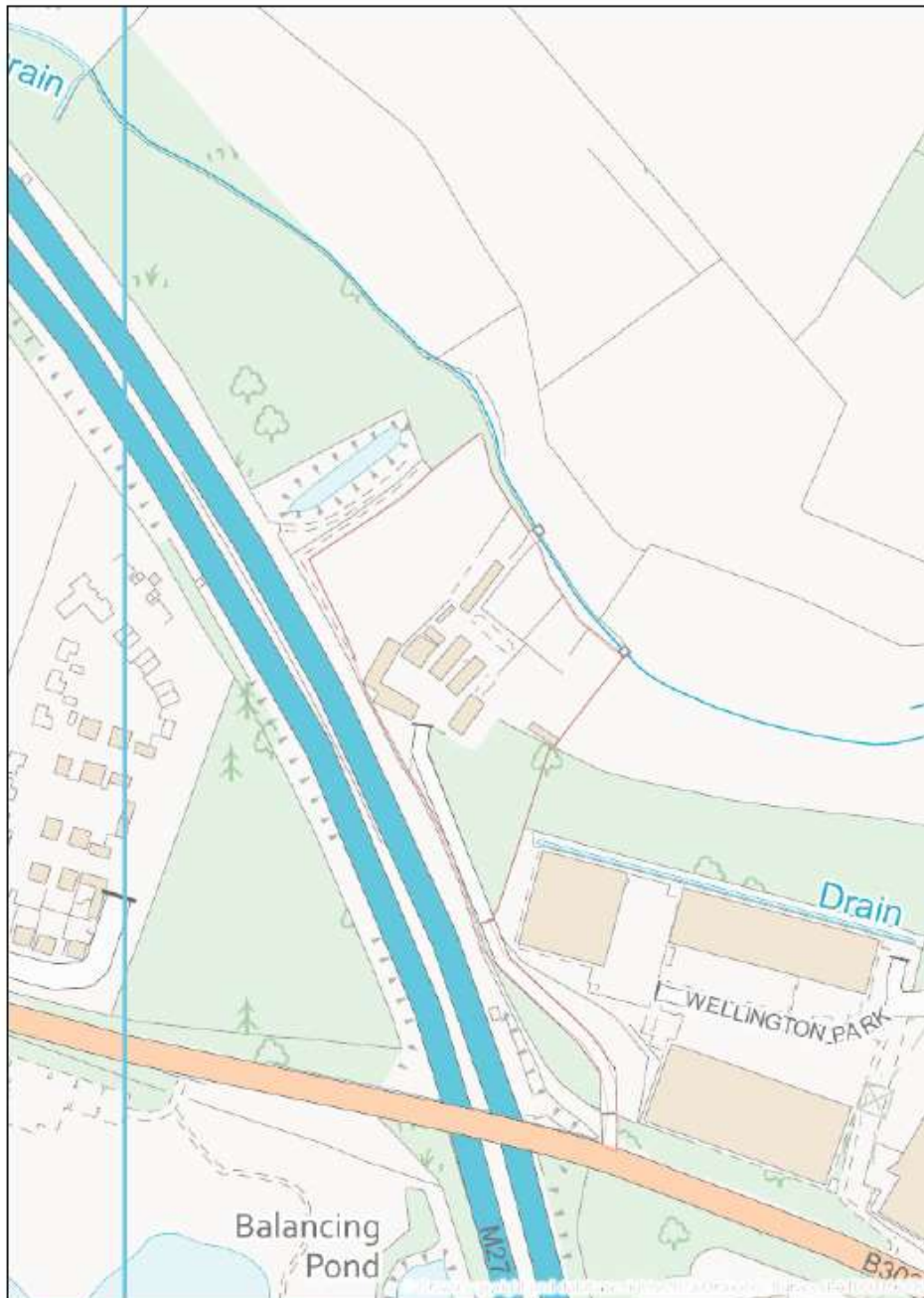
104. **S106 Matters**

105. In accordance with the guidance contained within the NPPF, Policies S1 and DM38 of the Eastleigh Borough Local Plan 2016-2036, the Council's 'Planning Obligations' SPD and the requirements of Regulation 122 of the Community Infrastructure Regulations, there is a requirement for developers' contributions to ensure on and off-site provision for facilities and infrastructure made necessary by the development, or to mitigate against any increased need/pressure on existing facilities.

106. A S106 Legal Agreement would therefore be required to secure monies for the following:
- Sustainable Transport
 - Public Art
107. The projects and measures identified for contribution expenditure will comply with the 3 tests set out in Regulation 122 of the Community Infrastructure Levy 2010, in that the monies would go towards the projects which are directly related to the development, and are fairly and reasonably related in scale and kind to the proposed development. The contributions would be index-linked to ensure the contributions rise in line with the costs of providing the identified projects/measures. The obligations sought are necessary to make the development acceptable in planning terms and to meet the needs generated by the new residents and the potential impact on existing services and facilities.
108. **Climate Impact and Sustainability**
109. In July 2019, the Council declared a Climate Change and Environmental Emergency. In doing so it agreed, among other this, to: (a) put in place measures to ensure the Council's own operations and functions achieve carbon neutrality by 2025; (b) work with partners to aim for all projects and services delivered in the Borough to achieve carbon neutrality by 2030; (c) ensure that the Council's procurement policy recognises carbon neutrality as one of its primary considerations; and (d) recognise the urgency of action to mitigate and adapt to climate change in every decision taken by the Council. This is underpinned by the Climate and Environment Emergency Strategy 2020-2030 and the supporting Climate and Environmental Emergency Action Plan – Update June 2020.
110. The declaration of the Climate Change and Environmental Emergency demonstrates a strong commitment from the Council to achieve net zero. The NPPF and development plan do not set this as a specific target, but it is a material consideration to be considered alongside all other material considerations. In any case addressing climate change is a core part of the NPPF and adopted plan policy. The need to support the economy is part of the Strategic Environmental Assessment for the Local Plan, as is an assessment of climate impacts.
111. **Equalities Implications:**
112. Section 149 of the Equalities Act 2010 created the public sector equality duty. Section 149 states:-

- a. A public authority must, in the exercise of its functions, have due regard to the need to:
 - i. eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
 - ii. advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - iii. foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
113. 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.
114. **Conclusion**
115. The proposals, following amendments are considered to be acceptable in accordance with the Local Plan Policies, in terms of design, amenities, access, parking, and ecology.
116. There are multiple conditions recommended in order to ensure further necessary information is supplied at the appropriate time and that construction is carried out in a suitable manner.
117. Therefore, subject to completion of a S106 Legal Agreement, the proposals are recommended for approval.

F/22/93835



EASTLEIGH
BOROUGH COUNCIL



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Date: 23/08/2023

Scale: 1:2500