

DELEGATED OFFICER REPORT

Application Ref: H/23/96612

Site Address: SALTACRE, SALTERNS LANE, BURSLEDON, SOUTHAMPTON, SO31 8DH

Case Officer: Dorothy Hei-Tung-Hoh

Description: Installation of Pond

Particular Site Constraints?	Yes ☒	No ☐
• Outside of the urban edge – Countryside • Within The Old Bursledon Special Policy Area • Within The Old Bursledon Conservation Area		

Planning History?	Yes ☒	No ☐
• Z/15375/000/00 - Conversion of barn to form studio/workshop - Permit - 28/10/1974 • Z/15375/002/00 - Conversion of barn to form studio workshop - Permit - 02/04/1980 • C/15375/003/00 - Construction of two storey rear extension including balcony - Permit - 06/12/1994 • C/34172/003/00 - Construction of double garage with rear lobby and first floor games room and balcony, single storey linking extension and attached store and plant room - Permit - 06/02/2003		

Publicity:	Letters ☒	Site Notice ☐	Newspaper ☐
Representations:	<u>1st Consultation</u> No comments were received. <u>2nd Consultation</u> 1 supporting letter was received to the application.		
Parish Council:	<u>1st Consultation</u> No comments were received. <u>2nd Consultation</u> No objection.		
Built Heritage Consultant:	<u>1st Consultation</u> This proposed pond is close to the western boundary of the site, so close to Salterns, but as it is only a pond it should have minimal impact and not affect the setting of Salterns, no objection. <u>2nd Consultation</u> No further comments were received.		

Ecologist:	<u>1st Consultation</u> An ecological impact assessment letter report based on a site visit, with precautionary working methods is required. Precautionary working methods must be included in the report. Biodiversity enhancements are required for all planning applications but the pond itself may be a biodiversity enhancement depending on what is planted in and around it. <u>2nd Consultation</u> This does not change my earlier response that from the ecologist's perspective, an ecological impact assessment letter report based on a site visit, with precautionary working methods is required. <u>After reviewing the site photos and the Preliminary Ecological Appraisal (PEA) report by Arbtech (February 2024)</u> The recommendations within this report are sound and shall be implemented. This includes precautionary working methods to protect reptiles and amphibians and which would also protect hedgehogs.
District Licensing Officer (Great Crested Newts):	<u>1st Consultation</u> No further information required- site is unlikely to impact great crested newts and/or their habitat therefore this development is considered low risk. <u>2nd Consultation</u> Considering the new information provided, our comment remains unchanged. The development scale is still considered to be small and low risk.
Tree Consultant:	<u>1st Consultation</u> We raise no arboricultural objection to the installation of the proposed pond. There are some mature trees in close proximity, but it is felt that the proposed location is a suitable distance. <u>2nd Consultation</u> We raise no arboricultural objection to the new proposed location.

Site Visit:	Yes ☒	No ☐
Details: 12 th January 2024		

Policy: National Planning Policy Framework Planning Practice Guidance Development Plan: The <u>Eastleigh Borough Local Plan 2016-2036</u> The most relevant policies are Strategic policies S1, S2 and S5; and Development Management policies DM1, DM2, DM11, DM12, DM14, DM26 and BU7. Supplementary Planning Documents:

Assessment:

Saltacre is in zone 8 of the Old Bursledon Conservation Area. The site is a substantial plot, with its immediate west highlighted as an unlisted building that makes a positive contribution to the area. The applicant initially proposed placing the pond close to the eastern boundary of the site, away from the host dwellinghouse. However, amended plans were received on 01/02/2024, relocating the pond much closer to the main house, within the western part of the rear garden. A 14-day re-consultation period has been initiated.

Principle

- Policy DM1 of the Eastleigh Borough Local Plan (2016-2036) stipulates that all new development should respect the character and appearance of the area, take full and proper account of the context of the site including the character, appearance and land uses of the locality or neighbourhood, and be compatible in terms of mass, scale, layout density, design, and siting.
- The application site lies outside the urban edge within designated countryside. Here the basic principle of development is not usually considered acceptable unless for justifiable agricultural, horticultural, or recreational purposes. Strategic policy S5 of the Eastleigh Borough Local Plan (2016-2036) also restricts development in the countryside principally in order to maintain its rural character and to limit urbanisation. However, Policy DM26 of Eastleigh Borough Local Plan (2016-2036) allows extensions to existing dwellings in the countryside that are not subject to an agricultural occupancy condition and are not likely to result in the subdivision of the plot. The policy requires that new extensions do not result in the dwelling becoming disproportionate in size to its plot and neighbouring dwellings.
- Policy BU7 relates to the Old Bursledon Special Policy Area, designated to protect an area of low-density housing, woodland, open fields, and salt marshes adjacent to the River Hamble, served by narrow country lanes with well-established hedgerows, banks, walls and trees. The Old Bursledon Special Policy Area includes the Conservation Area. The policy states that residential extensions and replacement dwellings in the Old Bursledon Special Policy Area will only be permitted provided they:
 - i) do not increase the volume of the original dwelling (as existing when the conservation area was first designated in 1982) by more than 25%. Further extension beyond this limit will not be permitted;
 - ii) have regard to the impact of the development on the space between buildings and the openness of the area, ensuring that the character of the undeveloped landscape between buildings is conserved and enhanced;
 - iii) do not create a dwelling disproportionately larger than the one that is being extended or replaced;
 - iv) are subservient to and in proportion to the existing building in form, scale and design;
 - v) do not contribute to the cumulative urbanisation of the area; and
 - vi) are not otherwise detrimental to the character of the area as viewed from the River Hamble.

Character and Design

- The proposed pond will measure 4.0m in length and 2.5m in width. Its placement within the substantial rear garden is considered relatively minor in size, ensuring it will not contribute to overdevelopment of the site. Relocating the pond closer to the main house also helps establish a stronger visual linkage with the host dwellinghouse.

- Due to the expansive nature of the application site and its lower position in relation to Salterns Lane, combined with the presence of numerous trees, the site enjoys a high degree of privacy. It is considered that the proposed pond will not be visible from the main road, thereby ensuring that there are no adverse impacts on the street scene.
- Due to the site's location within a conservation area and outside the urban edge, the installation of the pond is considered well-suited to this environment and is not expected to have adverse effects on the area's character.

Impact on Residential Amenity

- Policy DM1 of the Eastleigh Borough Local Plan (2016-2036) amongst other matters, stipulate that all new development should not have an unacceptable impact upon residential amenities of both new and existing residents.
- Given the size of the proposed pond, it is considered that noise and disturbance levels will be minimal, thus not adversely impacting the countryside setting of the site. Moreover, due to its considerable distance from neighbouring properties and effective screening around the site, the proposal will have a negligible impact on nearby residents.

Ecology

- 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.
- The application site falls within a red impact risk zone for great crested newts, with several records located within 400 meters to the northeast. Therefore, consultation has been conducted with both the Ecologist and the Hampshire Newt Officer as part of this application. Following a review of site photos and the Preliminary Ecological Appraisal (PEA) report by Arbtech (February 2024), the Ecologist has advocated the recommendations outlined in the report, which include implementing precautionary working methods to protect reptiles, amphibians, and hedgehogs, as well as best practices to prevent pollution. These measures involve covering soil piles to prevent sediment runoff during heavy rain, refuelling only on spill mats placed on hard standing surfaces, and ensuring proper storage and disposal of any chemicals or pollutants generated by the development in accordance with COSHH regulations.
- Furthermore, biodiversity enhancements recommended in the report include planting pollinator-friendly seed mixes, maintaining undisturbed areas of the vegetated garden along the hedgerow to allow grasses to grow to a height of more than 5cm for commuting amphibians, and creating hibernacula such as log piles within undisturbed hedgerows on site.
- Additionally, the Hampshire Newt Officer has commented that the proposed works are small-scale, with limited impacts expected on suitable great crested newt habitats. Therefore, the development is considered low risk, with no likely impact on great crested newts or their habitats.

Trees and landscaping

- Despite the presence of numerous trees within the site, the Council's Tree Consultant has confirmed that no objections have been raised against the proposal.

Highways and Parking

- Policy DM14 of the Eastleigh Borough Local Plan (2016-2036) requires residential development to provide off-highway parking which is adequate in terms of highway safety/traffic management.
- The installation of the pond will not impact the existing driveway, ensuring that the current parking arrangement remains unaffected.

Climate Change:

In July 2019, the Council declared a Climate Change and Environmental Emergency. In doing so it agreed, among other things, to: (a) put in place measures to ensure the Council's own operations and functions achieve carbon neutrality by 2025; (b) work with partners to aim for all projects and services delivered in the Borough to achieve carbon neutrality by 2030; (c) ensure that the Council's procurement policy recognises carbon neutrality as one of its primary considerations; and (d) recognise the urgency of action to mitigate and adapt to climate change in every decision taken by the Council. This is underpinned by the Climate and Environment Emergency Strategy 2020–2030 and the supporting Climate and Environmental Emergency Action Plan – Update June 2020.

The declaration of the Climate Change and Environmental Emergency demonstrates a strong commitment from the Council to achieve net zero. The NPPF, 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, 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.

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:

- Permit subject to conditions.

Recommendation:

PERMIT ☒

REFUSE ☐