

DELEGATED OFFICER REPORT

Application Ref: F/23/95867

Site Address: The Old Fairground, Bursledon Road, SO19 0NL

Case Officer: Summer Sharpe

Description: The construction of a 3 bedroom detached house with associated parking and landscaping to replace an existing 3 bedroom mobile home.

Particular Site Constraints?	Yes ☒	No ☐
• Countryside • Settlement Gap (Area A Bursledon, Southampton, Netley, Hamble (A1 & A3) (& adjoining areas A4, A5 & A6)) • Minerals & Waste Safeguarding • Solent Mitigation & Disturbance Zone • Great Crested Newt (Green Zone) • Surface water flooding (to the south of the site) • SGN pipeline (north-east)		

Planning History?	Yes ☒	No ☐
Application no.	Proposal	Decision
F/17/79859	Use of land to form 2no. permanent plots for use by travelling show people, including storage for vehicles, up to 12 caravans and associated equipment, and the creation of a new access road from Bursledon Road and service road.	Permitted (July 2017)
DC/17/82029	Discharge of Conditions Application for conditions 3, 4,5 ,6, 7, 8, 9 & 10 for Planning Permission Application F/17/79859.	Discharged (February 2021)

Publicity:	Letters ☒	Site Notice ☐	Newspaper ☐
Representations:	None received.		
Parish Council:	Councillors objected to the application as the site is located in a local gap that falls within designated countryside protected by Policy S5.		
EBC Ecology:	The most recent aerial photo (Apple Maps) shows that there is currently no vegetation surrounding the existing mobile homes on site and no habitat for protected species in the zone of impact for this proposal or in the paved area surrounding the site. The property is in a green great crested newt impact risk zone but there is no potential habitat for great crested newts which would be affected by this proposals. There are records of common lizards, slow worms and adders near this site, but these are separated from the site by several large roads which form barriers to dispersal. There are also records of bats, badgers and hedgehogs in the area. A built-in bat box and swift nest box would be appropriate biodiversity enhancements. Planting flowering plants for pollinators in the landscaped area, especially night-scented flowering plants to attract moths as food for bats would also be appropriate. Rainwater harvesting has been mentioned in the planning statement. More details on surface water drainage must be provided, but these can be conditioned.		

EBC Arboriculturalist:	There are some youngish trees adjacent to the highway, which have the potential to develop into good specimens, especially an oak close to the site access. We do not raise any concerns with the physical location of the proposed dwelling or the use of the area around the trees as garden. However, we have some minor concerns regarding how the site will be developed and any construction access and activities that may impact the rooting systems of the trees along the highway. This is a relatively easy concern to overcome and can be done so with an arboricultural method statement and tree protection plan. Therefore, we raise no arboricultural objection to the proposal, subject to the following condition: <i>No excavation, demolition or development related works shall take place on site until an arboricultural method statement and a tree protection plan, as per British Standard 5837:2012 (Trees in Relation to Design, Demolition and Construction – Recommendations), are submitted and approved by the LPA. The approved arboricultural documents must be adhered to in full, and may only be modified subject to written agreement from the LPA.</i> <i>Reason: to retain and protect the existing trees which form an important part of the amenity of the locality.</i>
EBC Environmental Health:	The proposal is for the construction of a 3 bedroom dwelling on land adjacent to the heavily trafficked A3024 Bursledon Road, and to the land used by travelling show people to store and maintain their vehicles and equipment, it is also adjacent to a field often used for the travelling fair. These adjacent land uses have the potential to give rise to noise and other impacts on the proposal site. Information is not provided on ambient noise levels, nor an assessment of the impact of noise from the road, or the adjacent uses, or how the noise standards of the Local Plan will be achieved. Given the likely occupants relationship to the fair activities it is unclear how the agent of change principle applies in this circumstance. However, we have concerns that should the property change hands and not be occupied by a member of the fairground family that proper consideration should be given to the agent of change principle. At this time, we are unable to support the application as insufficient information has been provided: • to demonstrate that the impacts of noise, and other matters, have been adequately assessed, • to demonstrate that significant adverse impacts will be avoided, and otherwise minimised, • to show how suitable noise standards will be achieved, • how the agent of change principle has been considered to ensure business uses are not compromised (this may be dependent upon the tenure of the property).

EBC Contaminated Land:	A review of available historical maps indicates that the site has not been previously developed but used as traveller's site since around 2007 (according to available aerial imagery). An old gravel pit was noted in 1930 map at approximately 270m southeast from the site boundary, and backfilled around 1970s. The site is not located within a reported contaminated area. Localised made ground is anticipated to be found due to the recent site use as traveller's site (previous application reference F/17/79859 granted in 2017 for 2 permanent plots for use by travelling people, including storage for up to 12 caravans and creation of new access road from Burlesdon Rd and service road from Botley Rd). The superficial deposits comprise River Terrace Deposits (sand and gravel), overlying bedrock geology of Wittering Formation (sand, silt and clay) which is classed as Secondary A Aquifer. The site is not within a Source Protection Zone. No superficial water features were noted within the site. The site is located within the lowest band of radon potential area (less than 1% of homes at or above the Action Level), and risk of radon is considered low. Based on the considerations above, I have no objections with the principle of the project in terms of contaminated land, however, it is advised that prior to the completion of the development, the developer: • <i>provide information to confirm that a watching brief has been followed and to report on any findings or actions taken as a result of unexpected contamination;</i> • <i>provide suitable confirmation of any excavated soils disposed of site;</i> • <i>prior to their use on site, provide suitable confirmation that any that soils to be imported to site to make up topsoil or subsoil meet with the approval of the LPA";</i>
EBC Landscape:	The site is located within countryside and settlement gap on the edge of Southampton. It is an important location forming the transition between the edge of the city and the landscape beyond. F/17/79859 - The current site layout is different from the approved layout in arrangement, quantity of developed area and quality of implementation. DC/17/82029 - The permitted landscape plan has not been implemented in full and the current arrangement has a greater landscape and visual impact than what has been permitted. The site shows an unpermitted and cumulative degradation of the gap and countryside. The previous applications sought to mitigate the impact of development within the site, creating sensitive boundary treatments which matured over time. Due to the changes from the approved conditions to implementation on the site, the development negatively impacts the area and is in breach of the existing permission (F/17/79859) and condition 10 (DC/17/82029).

	The location shown for the new house to replace the static caravan does not match one of the approved living area (F/17/79859) and moves the permanent proposed building closer to the boundary, where it is more visible. One of the purposes of previous permissions was to arrange the extent and location of development to limit overall impact and then mitigate what effects remained. Botley Road and Bursledon Road provide a clear and logical settlement boundary, further development which erodes the effect of the gap and impacts the countryside should be discouraged. It is difficult to see any benefit from the proposals in terms of landscape character or visual impact. The existing planting that provides some screening to the proposed sites northern boundary is not in the applicant ownership. There is no control of this land by the applicant and they need to demonstrate mitigation measures within their ownership. Given the deficiencies in the landscape implementation from the previous permissions, should permission be granted for the house, a detailed landscape plan, specification and management plan will be required and enforced. To conclude, the proposal creates an unacceptable additional impact on the countryside and the settlement gap.
EBC Policy:	Comments as per the consultation response sent to Southampton City Council in relation to application CS/23/95904. This sets out the policy issues with the application and our objection to the proposal.
Hampshire Highways:	No objection. Access in and out of the site is unchanged, utilising the same access as that for the existing mobile home, as well as the various fairground vehicles historically stored on site. This is acceptable, with the vehicle access having been upgraded in recent years. Internally, there is adequate space afforded for parking and the turning of vehicles to enable forward gear access and egress. Onwards, due to the width of the access drive, refuse bins can be positioned in non-obstructive locations in readiness for kerbside collection.
Natural England:	No objection.
Southern Water:	The Environment Agency should be consulted directly by the application regarding the use of a private wastewater treatment works which disposes of effluent to sub-soil irrigation. The supporting documents make reference to drainage using Sustainable Drainage Systems (SuDS). Additional SuDS information is required.
SGN:	On the mains record you may see the low/medium/intermediate pressure gas main near your site. There should be no mechanical excavations taking place above or within 0.5m of a low/medium pressure system or above or within 3.0m of an intermediate pressure system. You should, where required confirm the position using hand dug trial holes.
SSE:	There are no records of any owned apparatus within the specific search area.
Southampton City Council:	<u>Planning Policy</u>

	In terms of the Southampton context, our Development Plan currently comprises the “saved” policies of the City of Southampton Local Plan Review (as amended 2015) and the City of Southampton Core Strategy (as amended 2015). The site is identified in the Southampton Development Plan as forming part of the Strategic Gap between Southampton and Eastleigh. Policy CS21 of our Core Strategy confirms that the Council will seek to protect the Strategic Gap to maintain it’s open character. Policy CS17 of the Core Strategy specifically relates to accommodation for travelling showpeople and confirms the City Council’s commitment to providing sufficient sites to meet local need and requires this need to be balanced in terms of other material considerations, including impact on residential amenity, highways and landscape. Southampton City Council Gypsy and Traveller Accommodation Assessment Final Report September 2021 highlights a need for additional accommodation for the community. At this time, the city Council has not identified any new sites to meet the identified need. <u>Consideration of the Key Issues</u> In my view, the central issue for consideration in this application is the balance between the benefits of providing a dwelling to meet the needs of the travelling showpeople community and the effect of the proposal on the Eastleigh/Southampton Strategic Gap. I note that the applicant for the current development is Mr Cole, who has a long connection with the site and his business as a travelling showperson is operated from the site. I also note that Mr Cole’s personal circumstances means that a mobile dwelling is no-longer best suited to his needs. Whilst the site currently is used to contain equipment and residences of significant size, there are no other permanent above-ground structures on the site, other than boundary fencing. Currently, the appearance of the site will change throughout the year as equipment is moved on and off the site. Although, it is acknowledged that, even in peak travelling season, the site will remain in use. The scale and massing of the proposed dwelling is much greater than existing mobile home and it will be apparent from Bursledon Road, especially given the openness of the site access and the absence of landscaping abutting the access internally. The proposed permanent dwelling would inevitably result in a change from the transient appearance of the site. Currently, Botley Road provides the distinct urban edge of the city. There is one nearby dwelling to the east of Botley Road, although this is set back approximately 23m from the road, well screened by landscape planting and its proximity to the junction means it reads more as a marker to the commencement of the urban area. By contrast, the proposed dwelling would not readily relate to other existing points of development, appearing somewhat isolated within the surrounding context.
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	<u>The Planning Balance</u> I agree that the introduction of a permanent dwelling would erode the effectiveness of the Strategic Gap in this location, particularly over the longer-term. The dwelling would be visible from public vantage points, particularly through the site access on the approach to the City of Southampton, particularly due to its scale, massing and positioning, adjacent to the open site access. That said, the balance of considerations is slightly different for Southampton City Council than for Eastleigh Borough Council. In particular, the City Council does not have an equivalent policy which resists the replacement of temporary dwellings with permanent dwellings in this location. Furthermore, Southampton City Council neither has an alternative supply of sites for travelling showpeople nor a five-year supply of site for other forms of housing. Taking this into account, together with the personal circumstances of the applicant and the current visual condition of the strategic gap at this point, in my view, outweighs the visual harm to the gap for the City Council. Please note that, were Eastleigh minded to support the principle of development in this location, Southampton would not support the application in its current form. We would require a green landscaped screen to the eastern side of the dwelling rather than the current situation with the close-boarded fencing along the access. We would also seek the creation of a domestic setting to the house, i.e., a landscaped front and rear garden rather than the storage/lorry turning area being the setting to the dwelling. The roadside landscaping would also need to be enhanced to screen the dwelling more effectively. In addition to this, we would note that contaminated land and archaeology issues also need resolution.
Environment Agency:	None received.

Policy:

National Planning Policy Framework

National Planning Practice Guidance

Development Plan:

Eastleigh Borough Local Plan 2016-2036

Policies: S1 (Delivering sustainable development), S2 (Approach to development), S3 (Location of new housing), S5 (Countryside), S6 (Protection of settlement gaps), DM1 (General development), DM2 (Environmentally sustainable development), DM3 (Climate change), DM4 (Zero or low carbon energy), DM6 (Surface water management), DM8 (Pollution), DM10 (Water and waste water), DM11 (Nature Conservation), DM13 (Access), DM14 (Parking), DM26 (Residential extensions and replacement dwellings in the countryside), DM31 (Gypsies, Travellers and Travelling Showpeople), and DM38 (Funding infrastructure).

Supplementary Planning Documents:

Quality Places; Residential Parking Standards; Trees and Development.

Site Visit	Yes ☒	No ☐
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Assessment:

Site & Surroundings

The application site is located to the south of the crossroads junction where Bursledon Road (A3024) and Botley Road (B3033) adjoin. The site, subject to this application, is specifically located to the south-west of Bursledon Road situated behind existing vegetation. The site is accessed via Bursledon Road (east) and is currently bound by close board fencing and gates (which are slightly set back within the site).

The site currently comprises a travellers site with 2no. lawful mobile homes and associated paraphernalia. From a site visit, it was also noted that there were numerous vehicles/ lorries/ fairground equipment, on a predominantly gravelled surface.

The site itself and surroundings fall within designated countryside and settlement gap. To the south is open fields (the former old fairground). When travelling (north-west) along Bursledon Road you get a feeling of countryside and openness with vegetation either side of the road. There is a pedestrian pathway on one side of the road and some streetlighting, however the urban tendencies/ characteristics are limited, until the cross road junction, which is located to the north/ north-east of the application site. It should also be noted that to the north of the site is where the administrative boundary of Eastleigh Borough Council ends and Southampton City Council starts. To the north-west of the application site (north of Botley Road) is a comprehensive residential estate. To the north-east of the application site (north of Botley Road) is a car garage and further east is an ambulance station. From an aerial view of the site and surroundings it is apparent where the urbanisation of Southampton City Council starts (north of Botley Road). To the south of Botley Road, still within the Borough of Eastleigh there is stark contrast, with there being open fields, and protected countryside and gap, which is important given the dense and urban nature of Southampton City to the north.

Proposal

The application proposes the construction of a 3 bedroom detached dwelling with associated parking and landscaping to replace an existing 3 bedroom mobile home.

The proposed dwelling would have a footprint of approx. 190.8m² (including the attached garage), and would be two-storey in nature with a maximum height of 7.7m with a pitched roof. The proposed dwelling would have eaves which would measure approx. 2.8m in height. To the southern elevation there would be a projecting gable, this would extend approx. 2.1m from the southern elevation, and would measure approx. 4.9m in width. This would also have a pitched roof (orientated differently to that of the main dwelling), with a maximum height of 7.5m with an eaves height of approx. 4.1m. This element would be finished in render and apex glazing. Either side of this element there would be 1no. pitched roof dormer. These would both project approx. 2.3m from the southern roof slope, would measure approx. 2.8m in width, with an overall height of 3.4m which would include a terrace area surrounded by timber balustrading. To the northern roof slope there would be 6no. rooflights. There would also be a terrace to the western elevation. At ground floor this area would be covered, and at first floor this terrace/ balcony area would be set back within the roof slope of the host dwelling. To the east would be the attached garage. This would project approx. 3.9m to the east, and would have a depth of approx. 7.9m. This would also have a pitched roof set down from the host dwelling (approx. 6m) with eaves which would measure approx. 2.4m. The host dwelling and garage element would be finished in a combination of materials: facing brick work, slate style roof tiles, upvc fenestration, rooflights, black upvc rainwater goods and timber posts with brick piers.

Principle

The application site falls within designated countryside protected by Policy S5. This Policy sets out that new development in the countryside is generally restricted and notes (1) compatible usages for which new development in the countryside is appropriate. Section 1.b of this Policy relates to residential extensions and replacement buildings which is expanded upon in Policies DM18 and DM26, and accommodation for Gypsies, Travellers and Travelling Showpeople which is expanded upon within Policy DM31. It should, however, be noted that new residential development in the countryside is not considered compatible. Policy S5 also goes on to stipulate (2) that new development in the countryside will seek to avoid adverse impacts upon the intrinsic character of the landscape.

It is noted that there is 1no. existing static mobile home within the north-eastern portion of the site, subject to permission F/17/79859. Thus, Policy DM26 relating to residential extensions and replacement dwellings in the countryside would be engaged. Section 1 of Policy DM26 sets out that the extension or replacement of a permanent dwelling in the countryside will be permitted subject to the general development criteria and transport policies of the Local Plan and provided:

- a. the extension or replacement dwelling will not be disproportionate in size to the existing dwelling, neighbouring properties or in relation to its plot, or involve any extension to its curtilage; and
- b. in the case of a replacement dwelling, the proposal includes the replacement of the dwelling within the curtilage, and on the same footprint as the existing building, unless environmental and/or access benefits arise from an alternative location within the curtilage; and
- c. no additional dwellings are created.

However, section 2 of this policy explicitly states permission will not be given for the replacement of mobile homes with permanent dwellings. Therefore, the proposals would not comply with this policy.

Policy DM31 specifically relates to Gypsies, Travellers and Travelling Showpeople. This Policy is supported by the Gypsy and Travellers and Travelling Showpeople Accommodation Assessment (GTTSAA) (2017), which sets out existing and allocated pitches. Previous application (F/17/79859) permitted the change of use of land for 2no. permanent plots for use by travelling show people (including up to 12no. caravans and associated equipment). From this application it is noted that the intended occupants of the site and their personal circumstances meet the revised Gypsy and Traveller definition as set out in the Government guidance. The proposals would therefore comply with this policy.

Further to the countryside designation, the application site also falls within settlement gap, protected by Policy S6, which ultimately seeks to ensure that development would not undermine the physical extent and/or visual separation of settlements, nor have an urbanising effect detrimental to the character of the countryside or the separate identity of adjoining settlements. This Policy is supported by the 'Settlement Gap Study' (2020), within this, the application site falls within Area A3. The site adjoins Area A1, which the site may partially fall within. The site also adjoins Areas A4 (west), A5 (south-west) and A6 (south).

Area A3 is described as follows:

Open field pattern with associated woodland GI adjacent to Shop Lane, partially used for agricultural storage/ infrastructure. Glimpsed views from Southampton toward Bursledon, critical to limit settlement coalescence and maintain physical distance from Gap edge. Improvements to field boundary GI would help to limit intervisibility and provide greater sense of settlement separation.

Whilst on site visit it was noted that the quality of settlement gap was lacking, as there was paraphernalia and storage of vehicles/ equipment. Whilst the current state of the land has

a negative impact upon the quality of the designation it does not take away the gap status. Further, the application site is surrounded by settlement gap thus needs to be respected. It should also be noted that the Council's Landscape Officer has raised concern with regard to the current state of the land, noting that previous permissions did not appear to have been undertaken in accordance with approved details. The current state of the land may not, therefore, be lawful and could be reviewed/ pursued separate to this planning application.

The proposal would result in the construction of a permanent dwelling in lieu of the existing mobile home. Whilst it is acknowledged that there is an existing mobile home, storage and other paraphernalia on site, the proposals would represent a departure to Policies S5 and DM26. The site also falls within the settlement gap. It is noted that the previous application was determined in 2017, this would have been prior to Eastleigh Borough Council's Local Plan (2016-2036) which was adopted April 2022, and the supporting document of the Settlement Gap Study 2020. It should be noted that Policy S6 relating to settlement gaps underwent rigorous scrutiny, whereby land was removed from the settlement gap. In this instance, the application site, and the surroundings were retained within the gap and the description above highlights its importance. The proposals are therefore considered to undermine the physical extent and visual separation of settlements and have an urbanising effect detrimental to both the character of the countryside and the separate identity of the adjoining settlements, thus would be contrary to the criteria laid out in Policy S6.

To conclude, in terms of basic principle the proposals are considered to be contrary to Policies S5, S6 and DM26.

Design & Impact upon Countryside/ Settlement Gap

Policy DM1 of the Eastleigh Borough Local Plan (2016-2036) stipulates that all new development should respect the character and appearance of 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.

This application proposes the erection of a permanent dwelling in lieu of the existing mobile home. The proposed dwelling would be in a similar position to the mobile home, but due to the nature of the proposal, naturally, has a much larger footprint. The proposed dwelling would be two-storeys in nature with an expansive and top heavy roof form. This would be further exacerbated by the projecting two-storey gable and introduction of 2no. dormers, on the southern elevation. These elements are considered to result in an overtly domestic appearing dwelling which would have an adverse impact upon the site as a result of the countryside and settlement gap location.

Whilst it is acknowledged that to the north of the site there are residential dwellings, it should initially be highlighted that these fall within the administrative boundary of Southampton City Council. Further, it is noted that these are of modest sizes and designs, with a combination of materials; red brickwork and some buff brick, brown/ dark tile hanging, and upvc fenestration. Generally the properties are set back from Botley Road allowing for vegetation and/or parking provisions. The proposed dwelling does not appear to have sought any design cues from existing residential development, albeit they do not fall within Eastleigh Boroughs administrative zone.

The proposed dwelling would appear excessively large, especially in terms of its width, which is worsened by the attached garage, and height, which is worsened by the top heavy roof form and roof additions (gabled element, dormers and rooflights etc). The proposed dwelling would be finished in a combination of materials (render and brick work). The proposed scale, proportions and materials are not considered to respect the countryside or settlement gap siting.

Further to the above, the Council's Landscape Officer has raised concern with regard to the current state of the land and development not being in accordance with previously approved details. They noted that should permission be granted for the house, a detailed landscape plan, specification and management plan will be required and enforced, this should also cover deficiencies in the landscape implementation from previous permissions. However, they did ultimately conclude that the proposal would create an unacceptable additional impact on the countryside and the settlement gap.

Paragraph 134 of the NPPF states '*development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents*'. Due to the inappropriate scale and form of the development, the proposal is considered to result in an incongruous addition, which would have an adversely harmful impact upon the site, surrounding countryside, settlement gap and wider public vantage points.

Overall, and to conclude, the proposed dwellinghouse, as a result of its size, scale, massing and form would result in an unacceptable addition which would appear at odds with the wider vicinity, detracting from the established countryside and settlement gap siting, thus being contrary to the local plan policies, and SPD. In accordance with Paragraph 134 of the NPPF, this development is not considered well designed, nor does it respect the countryside and settlement gap location, thus warranting refusal.

Internal & External Amenity for Future Occupiers

To ensure adequate internal living standards are met the Local Planning Authority assess the measurements of space against the 'Nationally Described Space Standards' (NDSS) (March 2015). Policy DM30 of the Eastleigh Borough Local Plan (2016-2036) requires that all new dwellings meet the NDSS as a minimum. In addition to internal arrangements, the Quality Places SPD requires all new residential development to provide a garden area of 60% of the host dwellinghouse.

The NDSS sets out the minimum space required for new dwellinghouses, which is dependent upon the number of bedrooms, people who would reside there and storeys. There are also standards relating to sizes of bedrooms; a single occupancy bedroom should measure 7.5m², and a double occupancy bedroom should measure 11.5m².

The application proposes a 3no. bedroom two-storey dwelling, whereby the NDSS requires between 84m² – 102m² for a property of this size. From the submitted plans the ground floor would measure approx. 134m² and the first floor would measure approx. 109m², thus would cumulate to an overall footprint of approx. 243m², thus would exceed the minimum standards of the NDSS. Further to this, all bedrooms would exceed double person occupancy and would be served by dressing rooms and en-suites. From the submitted floor plans and elevations, it appears that each habitable room would be served by a window, thus would provide adequate natural light.

In addition, and as set out within the Council's Quality Places SPD, the garden size for new residential development must be at least 60% of the floor space of the host dwellinghouse. From the submitted site plan, an area to the north of the proposed dwelling has been annotated as 'area of landscaping'. This area measures approx. 234m², and therefore would meet the 60% amenity space.

Due to the nature of the proposals, the Council's Environmental Health Officer has been consulted upon. They raised concern with regard to noise levels, as a result of the busy road adjacent to the site, as well as activities related to the fair, and potential for the proposed dwelling to be occupied by a person not associated with the fair. Whilst it is acknowledged that limited information has been provided with regard to noise impact,

(especially given that the application site would be situated to the west of Bursledon Road, and to the south-west of a busy cross road junction), it is, however, noted that there is currently a mobile home in situ and therefore the impact is considered to be neutral, not dissimilar to the existing arrangement. However, had the proposals have been acceptable in all other regards noise and occupancy matters could have been secured via condition.

Impact upon Neighbouring Amenities

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.

Due to the siting of the proposal, within countryside and settlement gap, there are limited neighbouring amenities. It is noted that there are currently 2no. mobile homes on site, the retained mobile home is shown on the proposed site plan and is separated from the proposed dwelling, as a result it is not considered that the proposals would result in an adversely harmful impact upon the amenities of the retained mobile home.

The neighbouring properties to the north-west of the application site (north of Botley Road) are considered to be a sufficient distance from the proposed dwelling (over 60m) and are also separated by vegetation. Thus the proposals are not considered to have an adversely harmful impact upon the amenities of these neighbouring properties.

Highway Safety, Parking & Refuse Storage

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.

Due to the nature of the proposals, the Local Highway Authority (LHA) have been consulted, whereby they have raised no objection in terms of access, given that this is via an existing arrangement. (It was also noted that this vehicle access had been upgraded in recent years). The LHA advised that internally there was adequate space afforded for parking and turning to enable forward gear access and egress. Further due to the width of the access drive refuse bins could be positioned in a non-obstructive location, thus would not have an adverse impact upon the safety of road users.

With regard to parking, the Council's Parking SPD sets out that for a 3no. bedroom property there should be the provision of 2 no. off-street parking provisions. The proposals would provide 1no. garage for 1no. vehicle and it is considered that there would be sufficient space within the red line curtilage to facilitate parking for 1no. other vehicle.

With regard to bin and cycle storage, this has not been identified on the submitted proposed plans, however, it is acknowledged that there is space available on site to provide this. Should the application have been acceptable in all other regards, further details of the bin and cycle storage, and their retention in perpetuity, could have been secured via condition.

Ecology & Trees

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.

Due to the nature of development, the Council's Arboriculturalist and Ecologist have been consulted.

The Council's Arboriculturalist has noted that there are some youngish trees adjacent to the highway, which have potential to develop into good specimens. They do not have any concerns with regard to the siting of the proposed dwelling, however do have concerns with regard to the construction process. Therefore and subject to condition, they would raise no objection.

The Council's Ecologist has also raised no objection subject to biodiversity enhancements (including bat and bird boxes and improved landscaping/ vegetation).

Had the proposals have been acceptable in all other regards additional information could have been requested or the information secured via condition to ensure that the proposals would not result in adverse harm.

Drainage

Policies DM3 and DM6 of the Eastleigh Borough Local Plan (2016-2036) stipulate that new development must provide sustainable drainage systems (SuDs) wherever feasible, naturalised filtration should also be included.

The Council's Ecologist noted that rainwater harvesting was mentioned in the planning statement, and requested more details on surface water drainage. Southern Water also requested that additional information be provided. This information has not been requested. However, it should be noted that had the application have been acceptable in all other regards this information would have been requested, whereby this matter could have been dealt with or been conditioned appropriately.

Contaminated Land

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.

The Council's Contaminated Land Officer raised no objection in principle to the proposed development, however recommended that a condition be imposed, which required additional information to be provided prior to the completion of the development. Had the proposals have been acceptable in all other regards this condition could have been imposed.

Sustainability

Policy DM2 of the Eastleigh Borough Local Plan (2016-2036) requires new development to provide a 19% improvement in predicted carbon emissions, and water consumption standards of 110L per person per day.

The proposals do not provide any sustainability measures. However, had the proposals have been acceptable in all other regards, these requirements could have been secured via condition.

SPA Mitigations

The Council, as the responsible body for Habitats Regulations Assessment (HRA), must ensure as part of a planning application that a development will not have an adverse

impact upon any European protected sites, and specifically in this case, the European protected Solent Complex (SPA, SAC and Ramsar sites), River Itchen (SAC) and New Forest National Park (SPA, SAC and Ramsar sites). It is recognised that the addition of residential development would have an adverse impact upon the surrounding designated European protected sites. In this instance, given that the proposal was unacceptable in other regards no Appropriate Assessment has been undertaken, however an assessment of the impact has been completed below.

The Solent & Southampton Water Special Protection Area is an internationally designated conservation site and is protected for its overwintering birds. It is recognised that new house building (within a 5.6km buffer of the designated area) is placing increased pressure on these overwintering birds from more people visiting the coastline. It is noted that the application site does fall within 5.6km. Further, residential development generates additional nitrogen output into the Solent. Lastly, a more recent impact identified by Natural England is the impact additional housing has upon the New Forest (especially within a 13.8km radius). The application site also falls within this radius. However, in this instance, the proposal would result in the replacement of an existing mobile home which facilitates a residential use therefore the proposed impact would be assessed against the existing impact, and therefore the proposals are not considered to have a worse impact than the existing, and ultimately would be acceptable in this specific regard.

Other Matters

It is noted within Southampton City Council's response they appear to be agreeable to the principle of development, however they do have concerns with the application as submitted. It was noted that they would require resolutions with regard to contaminated land and archaeology as well as additional/ improved landscaping.

Conclusion

The benefits of the proposed development predominantly relate to the personal circumstances of the applicant including his health status and accessibility needs are noted and form a material planning consideration. Another potential benefit could be securing a comprehensive landscaping scheme to resolve the previous landscape deficiencies and enhancements to the overall context of the site.

However, screening/ planting should not be used to hide unacceptable development. As set out above, significant harm would arise as a result of the proposals, specifically with regard to the design and impact upon the countryside setting and settlement gap. The proposals would represent a departure from Policies S5, S6 and DM26, whereby Policy DM26 explicitly states *that permission will not be given for the replacement of mobile homes with permanent dwellings*.

Based upon the above assessment it is considered that the personal benefits arising from the proposed development do not outweigh the policy and visual deficiencies demonstrated above.

Equalities Act:

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

The heritage of the applicant is noted. This has been assessed accordingly in line with the Equalities Act. As noted within the report, the LPA accept that the proposals can meet the criteria of Policy DM31.

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.

Climate Change:

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.

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 Local 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.

The NPPF aims for the need for housing to be met, and policy S2 of the Local Plan sets a target for 14,580 dwellings to be provided by 2036. The NPPF and Policies, S1, DM2, and DM3 of the Local Plan and energy and water elements of the adopted Environmentally Sustainable Development SPD require development to be sustainable in terms of resource use, climate change and energy use. When considering the impact of climate change, the proposed development is expected to be resilient to the potential effects of climate change and is expected to limit impacts on climate emissions as a result of the development or its use.

Conclusion:

Reasons for Refusal:

- 1) The proposed erection of a dwelling in lieu of mobile home, by reason of its nature, degree of permanency, siting, appearance and excessive dimensions, would result in a visually intrusive addition and would have an unacceptable urbanising impact which would be detrimentally harmful to the intrinsic character and landscape of the countryside and settlement gap, thus the proposals would be contrary to Policies S5, S6, DM1 and DM26 of the Eastleigh Borough Local Plan (2016-2036), and the provisions of the NPPF (2023).

Recommendation:

PERMIT ☐

REFUSE ☒