

BIFOHH, Bishopstoke Fair Oak and Horton Heath Local Area Committee  
Wednesday 17 July 2024

Applicant: Eastleigh Borough Council  
Application Number: F/23/95844  
Case Officer: Dawn Errington

Received Date: 11/08/2023  
Recommendation: Support the recommendation to the Joint Area Committee to GRANT PLANNING PERMISSION subject to the obligation and conditions:  
Site Address: LAND AT STOKE PARK FARM, BISHOPSTOKE, EASTLEIGH, SO50 6DW

**OBLIGATION**

To make a payment towards the maintenance of footpaths within Stoke Park Woods (under the provisions of S106 of the Town and Country Planning Act 1990)

**CONDITIONS AND REASONS:**

1. The development hereby permitted shall be implemented in accordance with the following plans numbered: Location Plan – 23036-CO-LP-0-03-REV-4; Site Boundary – 23036-CO-LP-0-02-REV-7; Site Plan – 23036-CO-LP-1-01-REV-9 ; Site Plan (North) – 23036-CO-LP-1-02-REV-9 ; Site Plan (South) – 23036-CO-LP-1-03-REV-9 ; Site Plan (West) – 23036-CO-LP-1-04-REV-9.

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

2. 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.

3. Prior to the operational commencement of works full details of:
  - a) signage (including that for Sewall Drive and the car park)
  - b) bins
  - c) seating
  - d) public art
  - e) fencing and gates
  - f) cycle parking
  - g) footpath construction
  - h) lighting
  - i) car park layout (including 4 disabled spaces)

shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and these provisions retained for the lifetime of the development unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure a high-quality design in accordance with Policy DM1 of the Eastleigh Borough Local Plan (2016-2036).

4. The proposed SANG visitor parking east of Sewall Drive as shown on drawing Site Plan – 23036-CO-LP-1-01-REV-9 as “Existing Car Park” and no other SANG visitor parking shall be provided for the lifetime of the development. This car parking provision shall be available for SANG use between the hours of 0730 and 2000 on any day. Reason: To ensure appropriate visitor parking provision in accordance with Policy DM1 of the Eastleigh Borough Local Plan (2016-2036).
5. The SANG site (including the car park) shall be managed throughout the lifetime of its use in accordance with a SANG Management Plan which shall be submitted to and approved in writing by the Local Planning Authority prior to the use commencing. This shall include the provisions of the Transport Assessment B06275-CLK-XX-XX-RP-TA-002 – 24 April 2024, Landscape and Ecological Management Plan September 2023 and Heritage Assessment – AN0723\_1 – April 2024. Reason: To protect amenity, archaeology and biodiversity in accordance with Policies DM1 and DM11 of the Eastleigh Borough Local Plan (2016-2036).
6. No development shall commence at the site until a fully detailed scheme of landscaping proposals including a specification, ground preparation details, a timetable for the implementation of all landscaping works (included graded buffer zones for woodland and watercourses) and a programme for its management and maintenance have been submitted to and approved in writing by the Local Planning Authority. The scheme shall accord with the submitted Landscape and Ecological Management Plan, September 2023 and the timetable shall include advance planting and phased planting as part of the scheme to be agreed. Reason: In the interests of the visual amenity of the locality and to safeguard the amenities of neighbouring residents.
7. The landscaping scheme approved under condition 6 shall be implemented in accordance with the approved details within the first available planting season following implementation of the development and completed in accordance with the approved timetable. All hard and soft landscape works shall be carried out in accordance with the approved details and to a standard in accordance with the relevant recommendations of British Standard 8545:2014. Any trees or plants that, within a period of ten years after planting, are removed, die or become seriously damaged or defective, shall be replaced with others of species, size and number as originally approved, by the end of the first available planting season thereafter. Reason: In the interests of the biodiversity and visual amenity of the locality and to safeguard the amenities of neighbouring residents having regard to policies DM1 and DM11 of the Eastleigh Borough Local Plan (2022).
8. Prior to the commencement of operational use of the development, a Landscape Ecological Management and Monitoring Plan (LEMMP) for habitat mitigation/enhancements and landscaping shall be submitted and approved in writing by the Local Planning Authority. The submitted

LEMMP shall include detail in accordance with the Landscape Ecological Impact Ecological Impact Assessment Report and Appendices (ref BR0813/EclA/B, March 2024), and the Landscape and Ecology Management Plan (EBLA, September 2023) and ensure the approved Biodiversity Net Gain on site is provided and maintained. The development shall thereafter be carried out in accordance with the approved details. Reason: To ensure biodiversity enhancement and suitable management on site. In the interests of the visual amenity of the locality and biodiversity on site in accordance with Policies DM1 and DM11 of the Eastleigh Borough Local Plan.

9. Site clearance and construction works that could result in harm or disturbance to species listed on Schedule 2 of the Conservation of Habitats and Species Regulations, 2017 (as amended) or their breeding sites or resting places, shall not in any circumstances commence unless the local planning authority has been provided with either: i. a licence issued by [the relevant licensing body] pursuant to Regulation 55 of The Conservation of Habitats and Species Regulations 2017 authorising the specified activity/development to go ahead; ii. written confirmation from Natural England or accredited ecologist that the operation does not require such a licence. iii. The works must be undertaken strictly in accordance with the methods, conditions and limitations of the licence granted. Reason: to protect biodiversity and comply with Policy DM11 of the Eastleigh Borough Local Plan.
10. No vegetation clearance shall occur on site during the bird nesting season [between 1st March & 31st August] unless supervised by an appropriately qualified ecologist. Reason: To prevent harm to breeding birds.
11. No development shall begin until details of any surface water drainage for the site have been submitted and approved in writing by the Local Planning Authority. The approved works shall be fully implemented in accordance with the agreed details and timetable. Reason: To ensure suitable drainage on site in accordance with Policy DM6 of the Eastleigh Borough Local Plan.
12. The development shall accord with the arboricultural report reference 15845\_R01a\_JP. Reason: To retain and protect the existing trees which form an important part of the amenity of the locality in accordance with Policy DM1 of the Eastleigh Borough Local Plan (2016-2036).
13. The development hereby approved shall accord in full to the submitted Stoke Park Farm SANG Construction Environmental Management Plan Strategy July 2024 (unless otherwise agreed in writing by the Local Planning Authority). Reason: To limit the impact the development has on the amenity of the locality and the surrounding environment
14. No vehicles, machinery, equipment, materials, waste or anything else associated with the works hereby proposed shall be parked, stored or

positioned on or near to Public Rights of Way so as to cause an obstruction, hinderance or hazard to the public, who retain the right to use the PROW at all times. Reason: To protect the public right of way and its users.

15. No construction vehicle movements to/from the site shall take place during the construction period except between the hours of 0800 to 1800 Mondays to Fridays and 0900 to 1300 on Saturdays and not at all on Sundays or Public or Bank Holidays.

Reason: To protect the amenities of the occupiers of nearby dwellings in accordance with Policy DM1 of the Eastleigh Borough Local Plan.

16. A contaminated land watching brief shall be followed at all times during construction works and confirmation of this shall be submitted to the Local Planning Authority (LPA) prior to completion. In the event that previously unidentified contamination is found during the watching brief it must be immediately reported to the Local Planning Authority. Work shall then cease until an investigation and risk assessment, and where required a remediation scheme, has been submitted to and approved in writing by the LPA. Where a remediation scheme is required by the LPA, the development shall not be brought into use until a verification report for the remediation work has been submitted to and approved in writing by the LPA. All works shall be undertaken by a competent person in accordance with best practice as outlined in BS10175:2011+A2:2017 and LCRM.

Reason: To minimize the risk from land contamination in accordance with Policy DM9 of the Eastleigh Borough Local Plan.

17. Details of any soils to be imported to site (if any) to make up topsoil or subsoil shall be submitted to and approved in writing by the Local Planning Authority. Reason: To prevent pollution in accordance with Policy DM9 of the Eastleigh Borough Local Plan.

**Notes to Applicant:**

- a) This planning permission does not convey the right to implement the development without other required permissions or access rights.
- b) In accordance with paragraph 38 of the National Planning Policy Framework (December 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.

**Report:**

This application has been referred to Committee because Eastleigh Borough Council is the applicant. The application is to be determined by the Joint Area Committee because the proposals are to provide mitigation for development beyond the local committee area. In accordance with the Council's process, Bishopstoke, Fair Oak and Horton Heath Local Area

Committee will consider the application and provide a recommendation to the Joint Area Committee.

### **Site Details and surroundings**

1. The site is part of the former Stoke Park Farm, located approximately 1 mile north-east of central Bishopstoke, and now includes the cemetery extension car park off Sewall Drive and the gravel bridleway which links the car park to the main site. The proposed SANG field was formerly used for cattle grazing supporting dairy operations at the farm and remains as Grade 4 agricultural grassland. Farming use ceased in November 2021.
2. The field is approximately 21 hectares, gently undulating but in an elevated position with land falling to the northern, western and southern boundaries. It is screened by Stoke Park Woods to the west and south and by Upper Barn Copse from longer views to the east. Beyond the western woodland there are residential properties in Sewall Drive and surrounding roads.
3. Stoke Park Woods and Upper Barn Copse are Sites of Importance for Nature Conservation (SINC) which both also contain designated ancient woodland.
4. The River Itchen is within 1km in the river valley to the north, separated by fields and a road from the site. The River Itchen is designated Special Area of Conservation (SAC) and a Site of Special Scientific Interest (SSSI).
5. The application field is served via an existing former farm access track which is also designated as a public bridleway (Bridleway 724). The route also serves Hampshire Carp Hatcheries (a fish farm) as well as the wider Stoke Park Farm complex which includes a collection of buildings situated to the north-east of the site. To the west, Sewall Drive then passes through and serves a relatively recent housing development, along with Bishopstoke Cemetery, Stoke Park Farm Cottages, and an allotment site, and the cemetery extension car park before connecting onto Stoke Common Road. Within Stoke Park Farm the bridleway then runs south adjacent to the SANG site and east towards Crowd Hill. There is a public footpath (Footpath 730) within Stoke Park Woods to the immediate south of the site. Sewall Drive is a private, unadopted road, maintained by a management company on behalf of the owners, Bellway Homes.
6. Stoke Park Farm is owned by Eastleigh Borough Council who wish to develop opportunities to improve health and well-being within the community; restore, protect and enhance the natural environment (which may include SANG and nature reserve use); enrich, upskill and

educate visitors and operate at a level that is commercially viable. The cemetery extension car park is currently owned by the housing developers, Bellway Homes, and is due to be transferred to the Council.

### **Description of Application**

7. Planning permission is sought for the change of use of former agricultural land to recreational use in the form of Suitable Alternative Natural Greenspace (SANG). SANG is designed to encourage alternative use to that for other sensitive and protected areas, in this case the New Forest. The proposals include associated access, use of an existing car park, paths, landscaping, infrastructure and other works; and for the use of the existing cemetery extension car park as car parking for the SANG.
8. The application was amended in April/May resulting in changes to the proposed access and car parking arrangements, removing public vehicular access along Sewall Drive and new car park within the main site and instead proposing use of the existing cemetery extension car park and bridleway path linking the car park to the former farm.
9. Previously, a designated on-site car park containing 20 spaces had been proposed to be constructed in close proximity to the entrance to the SANG. Access to this car park would have necessitated users of the facility driving through the residential development along Sewall Drive, as well as along a public bridleway (Footpath 724) to reach the site. It was evident, however, from some of the representations received to the application that there were concerns from local residents and some consultees about the potential effects of this access route in a number of respects. In order to seek to address these concerns, therefore, the Applicant has explored alternative parking arrangements and, as shown within the updated information provided, revised provision is now put forward with the existing cemetery extension car park, which lies further to the west along Sewall Drive, being proposed to be used. This car park lies only a short drive along this road when accessing the site from Stoke Common Road and, as set out in the section on 'highway matters' below, incorporates ample parking provision (26 spaces) to serve the anticipated level of usage of the SANG, with suitable direct connecting pedestrian routes from the car park available. As a result of the changes, the red line for the application has been revised to now include the cemetery extension car park and the access drive to it, as well as to omit the areas along Sewall Drive which had been identified for the provision of widening works and passing places. As this route is no longer proposed to be used to access the car parking for the SANG, these works are no longer required. In addition to the above, the site layout for the SANG has also been subject to minor updates to take account of the changes to the car parking proposals and feedback provided by consultees

10. The proposals are being brought forward to provide an alternative destination for informal recreation as part of the Council's wider mitigation scheme for offsetting the impacts of new residential development within the Borough on the internationally protected New Forest SPA (Special Protection Area), SAC (Special Area of Conservation) and Ramsar sites. In particular, the most significant recreational impact on the New Forest from visitors has been highlighted by Natural England as that being from dogs disturbing nesting birds, and therefore alternative destinations and routes suitable for dog-walking are necessary to divert trips away from this protected area.
11. The SANG has been designed having regard to Natural England's Site Quality Checklist for SANGs (2021) and also seeks to enhance biodiversity at the site in line with national and local policy requirements. A detailed site plan has been prepared for the scheme which includes a series of paths which incorporate a main circular walking route of 2.43km in length, complementary features including signage to assist with wayfinding around the site, seating and picnic areas at key locations, along with litter and dog waste bins at each main entrance point to the SANG and at the car park. Pedestrian paths and gates onto the existing public right of ways in the south-east and south-west corners are now included.
12. Pedestrian/cycle access and vehicular access for staff would be available from Sewall Drive via an existing track/bridleway along the site's northern perimeter. A heavy duty vehicular barrier would be installed to prevent public vehicular access. A designated car park for the SANG is now proposed by use of the existing and underused cemetery extension car park off Sewall Drive, near to Stoke Common Road and the existing bridleway linking the car park to the SANG itself. The previously proposed car park at Stoke Park Farm itself and associated access track upgrades have now been removed from the application.
13. The SANG proposed to be open to the public between the hours of 0730 and 2000 during Spring and Summer months and 0730 to 1700 during Autumn and Winter.
14. Drainage would be largely unaltered and use ditches and sustainable drainage methods to direct water at greenfield run off rates to the adjacent existing ditch along Sewall Drive.
15. An amended detailed landscaping scheme is proposed which includes species rich grassland planting, additional sections of hedgerow, as well as supplementary tree and hedge planting along with a centralised picnic space at the pathway junction in the southern section of the site which would include public art and seating. A range of ecological enhancements are also proposed including log piles, hibernaculum, bird and bat boxes, and 'flashes' which are shallow depressions which both

hold standing water during wet periods as well as supporting a range of bird and invertebrate species once established through the development of damp grassland.

16. The site is managed by the Council and would be subject to a combined Landscape and Ecological Monitoring and Management Plan and SANG Management Plan to ensure the long term management of the site. This would cover a range of management and monitoring provisions for existing and proposed landscape features, areas of woodland, the proposed sustainable drainage features along with the existing watercourse and pond, as well as specific habitat features.

17. The application is accompanied by the following reports and technical assessments which can be viewed by this link [F/23/95844](#):

- Arboricultural Impact Assessment (Including Tree Survey Schedule and Tree Protection Plan) by Tyler Grange (Updated April 2024, 15845\_R01B\_JP)
- Application Form and Completed Certificate B
- Biodiversity Metric 4.0 Calculation Tool – Stoke Park Farm SANG Eastleigh 3 updated April 2024
- BNG UK Habitat Classification (Pre-Development) by Burton Reid Associates (updated February 2024, BR0813/EclA/A Rev B)
- BNG Post Development Habitat Plan by Burton Reid Associates (July 2023, BR0813/EclA/A Rev A)
- Construction Environmental Management Plan (CEMP) Strategy (July 2024), StokeparkfarmCEMP/BJM04082023)
- Design and Access Statement by Eamonn Byrne Landscape Architects Ltd (23036-Design & Access Statement Revision 2) and Addendum May 2024
- Desk Study Report by GESL (30/06/2023, GE21681/DSR/JUN23)
- Ecological Impact Assessment by Burton Reid Associates (August 2023, BR0813/EclA/A)
- Flood Risk Assessment (Including Drainage Strategy) by Clarkebond (updated April 2024, B06275-CLK-XX-XX-RP-FH-1001 P5)
- Great Crested Newt (GCN) eDNA Water Sample Results by SureScreen Scientifics (12/06/2023, E17820)
- Ground Investigation Report by GESL (24/07/2023, GE21681/GIR/JUL23)
- Heritage Assessment by Cotswold Archaeology (updated April 2024, AN0723\_1)
- Information to Inform a Habitats Regulations Assessment by Burton Reid Associates
- Landscape and Environment Management Plan (LEMP) Rev 1
- Technical Note (Car Park External Works and Earthworks) by Clarkebond (14/07/2023, B06275-TN01) - withdrawn
- Transport Assessment by Clarkebond (updated April 2024, B06275-CLK-XX-XXRP-TA-002 Issue P2)

18. Accompanying the above supporting documents are a set of drawings that detail the development proposals and which are submitted for approval as part of this application (access improvement car park works plans have been withdrawn):

- Location Plan (23036-CO-LP-0-03-REV-3)
- Site Boundary (23036-CO-LP-1-02-REV-7)
- Site Plan (23036-CO-LP-1-01-REV-9)
- Site Plan (North) (23036-CO-LP-1-02-REV-9)
- Site Plan (West) (23036-CO-LP-1-04-REV 9)
- Site Plan (South) (23036-CO-LP-1-03-REV-9)
- Topographical and Utility Survey (EBC-STKPKFRM-1505/23 – Sheets 1-26)
- Tree Constraints Plan (15845\_P01) Phase 1 Desk Study

#### **19. Relevant Planning History**

- Z/31315/002 Prior notification of intention to extend agricultural building Raise No Objection to (28/02/1996)
- Z/31315/003 Notification of intention to construct slurry store Planning Application Not Required (16/04/1996)
- Z/31315/004 Erection of agricultural barn Permit (21/07/1997)
- P/05/53267 Prior approval for the construction of an agricultural storage building Prior Approval Not Required (08/03/2005)
- LDC/21/90775 Lawful development application for existing use and occupation for vehicle repair, breaking, workshop, restoration and paint spraying and stone masonry for at least the last 10 years Certificate Issued (03/11/2021)

#### **Representations Received**

20. 116 nearby properties were included in neighbour notification, in addition to site and press notices for the original and amended submission.

21. As first submitted 30 representations received (28 neighbours). The relevant representations included comments regarding:

- the design, use and condition of Sewall Drive as a vehicular access as this is not adopted and not appropriate for a higher level of public use, causing amenity (noise/headlight) and safety issues for quiet community
- the extent of previous traffic use stated is queried as is not representative of actual daily use, Revised Transport Assessment is still inaccurate
- As a private road, residents should have financial assistance with the cost of its repair and upkeep due to the increased use proposed, or it should be adopted.

- Suggest restricted use of car park proposed for disabled parking and alternative use of cemetery car park with controls to prevent anti-social behaviour.
- Would need to control and prevent visitor parking in private roads
- Use of bridleway as vehicular access dangerous and possibly illegal
- Should have better public transport access
- Additional landscaping is unnecessary,
- Potential change from greenfield to brownfield land in future.
- Inadequate provision for replacement/new hedges and habitat
- Secures future use of the land and general concept of SANG supported.
- Would need dog-management measures to protect wildlife and car park management.
- Risk that Council will not maintain the land

1 comment received on amended plans concerning future non-SANG use of land.

#### **Consultation Responses** (summarised)

- **Bishopstoke Parish Council** – objected in respect of original plans to use of local roads and cemetery car parks for parking (dangerous to cross road and difficulties for local residents); increase in traffic and associated highway danger is Sewall Drive estate, Stoke Common Road and Edward Avenue; Sewall Drive maintenance cost liability for residents unless road is adopted; legality of use of bridleway as access and conflict of use with horse riders, cyclists and walkers; potential anti-social behaviour; damage to or destruction of existing hedgerows and wildlife habitats; query red line and use of land outside of SANG area. Informal comments on amended plans relating to potential refusal of permission, increased use of car park and footpaths, cost of extra bins.
- **EBC Ecology** - No objection. Current grassland has relatively low biodiversity and there is opportunity for enhancement with this application, including improved site management. River Itchen SAC and SSSI within 2km of site and linked hydrologically. Ancient woodland/semi-natural woodland in Stoke Parks Woods and Stoke Park Wood, Judges Gully Copse and Poplar Plantation (Stoke Park Wood) SINC adjacent and are not negatively impacted. Increasing the diversity of habitats likely to improve foraging opportunities for birds, badgers and bats. No direct impacts on badger setts likely. Precautionary approach for dormouse recommended and proposed mitigation measures supported. Significant, measurable biodiversity net gain deliverable for habitat and hedgerows which should be subject to LEMP condition. Drainage strategy supported, which would prevent pollutants entering watercourses/River Itchen.

Satisfied that proposed SANG will not impact on any designated site or protected species.

- **EBC Planning Policy** – fully support scheme which is supported by EBLP Policies S5, S9 and DM33 and is part of the Council's wider mitigation scheme for offsetting the impacts of new residential development within the Borough on the internationally protected New Forest SPA, SAC and Ramsar sites.
- **EBC Pollution team** – no objection subject to conditions for final ground investigation report/unexpected contamination; imported soil approval; CEMP for noise/vibration, dust and mud.
- **EBC Tree Officer** – no objection subject to tree protection condition. Opportunity could be taken to plant larger new trees.
- **EBC Landscape and Design** – no objection subject to amendments (received) to path design, increased tree planting, drainage considerations and minor update to LEMP
- **EBC Sustainable Transport** – suggest height barriers for car park, provide cycle parking provisions, restrictions to prevent parking in undesirable locations, ensure paths are suitable for cyclists (recommended width 3.0m), improve connecting routes including access via SW corner into Stoke Park Wood, footpath 730 could be upgraded to bridleway, restricted byway or cycle track.
- **EBC Public Arts Officer** – no objection - there is opportunity to deliver priority public art in this first phase as identified by the BIFOH LAC in the Public Art Vision for Bishopstoke, Fair Oak and Horton Heath.
- **National Grid** – no apparatus affected
- **HCC Waste and Minerals** – no comments.
- **Lead Local Flood Authority (HCC)** – no objection subject to final drainage details condition
- **HCC Countryside Services** – Objection to shared use of bridleway 724 and vehicular access in relation to conflict of users from significant increase in traffic and increased hazard and inconvenience for bridleway user, contrary to Para 100 of NPPF. Unclear regarding extent of private right of access and ability to extend these to the public. Highway authority approval is needed for any change to PROW surface, junctions. Confirmation of drainage ditch responsibility advised. Clarify whether new gate in SW corner to footpath 730 is in application site. Revisions suggested, including option of upgrading footpath 730 to bridleway which would require Forestry England agreement.

- **Hampshire Highways** – objection. Rights to access over Bridleway 724 not clear and proposals should not be permitted without these. Passing places proposed not adequate with potential damage to metalled track and verges and should include pedestrian step in points. EBC function to assess parking but highlight risk of parking overspill onto private roads if parking not adequate. Car park design is acceptable.
- **County Archaeologist** – site lies within area of some archaeological potential including evidence of a Bronze Age burial mound, although their significance is not high enough to present an absolute constraint on development with the works presenting low risk of impact. SANG's integrated management plan/LEMP should include a heritage management plan that details the future treatment of the known heritage assets and provisions for mitigation in the event impact of the features is unavoidable.
- **Environment Agency** – no comments
- **Eastleigh Ramblers** – the cemetery car park will be required for cemetery use and use for SANG may defeat the objectives of this provision and the car parking may not be sufficient (suggest at least 60 spaces may be needed). Alternative car park off Bishopstoke Road suggested near existing public footpaths.
- **Natural England** – No concerns with regard to potential impacts on the River Itchen SAC. Suggest planting/screening improvements to SANG design to ensure overall length of 2.43km safeguarded and to improve habitat diversity. Connectivity improvements to Stoke Park Wood SINC and ancient woodland recommended with a graded/scrubby wooded buffer along the ancient woodland boundary. Will need management in accordance with SANG guidelines. Site could be used as Biodiversity Net Gain habitat bank as well as proving for its own BNG. Natural England do not support the Council's Interim New Forest Mitigation Strategy as it currently stands. No amendments to Habitats Regulations Appropriate Assessment sought.
- **British Horse Society** - It is expected that any bridleway affected by the development be restored if damaged.
- **Southampton Airport** – does not conflict with safeguarding criteria, no objection.
- **Forestry Commission** – provided advice on need to protect ancient woodlands, ancient trees, veteran trees and existing trees and support Biodiversity Net Gain. Would like wider buffers and further tree planting.

- **Forestry England** – require provision for management/maintenance of paths within Stoke Park Woods between SANG field and cemetery car park which may be used as an alternative route.
- **Hampshire Gardens Trust** - no comments
- **National Grid/UK Power networks** – no comments
- **Stoke Common Residents Association** – no comments
- **Fair Oak and Horton Heath Parish Council** – support subject to alternative car park arrangements and legal access being confirmed. Would have preferred wider consultation and discussion on SANG proposals.
- **Hampshire and Isle of Wight Wildlife Trust** – support SANG as part of Local Nature Recovery Strategy. Wish to ensure Biodiversity Net Gain also delivered across whole site which includes areas not disturbed by people and dogs. Central pond may not be connected to other habitats and of limited wildlife value.

### **Policy Context and Designations Applicable to Site**

- Outside Built-up Area Boundary / within the countryside
- Adjacent to a Site of Importance for Nature Conservation (SINC) (Stoke Park Woods)
- Public Rights of Way

### **Development Plan**

#### **Eastleigh Borough Local Plan 2016-2036 (adopted April 2022)**

22. The Eastleigh Borough Local Plan 2016-2036 (EBLP) has full weight.  
The most relevant policies are

Strategic policies:

- S1 (Sustainable Development);
- S5 (New development in the countryside);
- S9 (Green infrastructure)
- S11 (Transport Infrastructure)
- S12 (Strategic footpath, cycleway and bridleways)

Development Management policies:

- DM1 (General Development Criteria);
- DM3 (Adaption to Climate Change);
- DM5 (Managing Flood Risk);
- DM6 (Sustainable Surface Water Management and Watercourse Management);
- DM8 (Pollution)

- DM11 (Nature Conservation);
- DM12 (Heritage Assets);
- DM13 (General development criteria – transport)
- DM14 (Car Parking);
- DM34 (New and enhanced recreation and open space facilities).

## **Hampshire Minerals and Waste Plan** (adopted October 2013)

Policy 15 – Safeguarding of Mineral Resources.

## **Supplementary Planning Documents**

- Quality Places (November 2011);
- Trees and Development (April 2022);
- Biodiversity (December 2009);

## **Other documents**

- Natural England Guidelines for creation of Suitable Alternative Greenspace (SANG), 2021. Include checklist of criteria for assessment of SANG.

## **National Planning Policy Framework**

23. 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. Agent of Change principles protect existing businesses.

24. 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.

## **National Planning Practice Guidance**

25. 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.

## **Assessment of Proposal: Development Plan and / or Legislative Background**

26. 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. The Development Plan comprises the policies within the Council's adopted Eastleigh Borough Local Plan 2016-2036 and the Hampshire Minerals and Waste Plan 2013. The NPPF and the Planning Practice Guidance constitute material considerations of significant weight.
27. The application has been screened under the Town and Country Planning (EIA) Regulations 2017 (as amended) and is not considered to constitute EIA development for which Environmental Impact Assessment with an Environmental Statement is required.

## **Principle of Development**

28. Strategic Policy S5 allows certain development in the countryside which maintains its rural character, limits urbanisation and avoids the permanent loss of high grade agricultural land, whilst Policy DM34, New and enhanced recreation and open space facilities, states: "The provision, extension or enhancement of public and private recreation and open space facilities or uses including those identified in policy DM32 above will be permitted provided that:
- a. they accord with the general development criteria and the biodiversity, and heritage policies of this Local Plan;
  - b. in the countryside: i. new buildings will be limited to those ancillary to and essential for the use of the land for outdoor sport and recreation; and ii. development should not involve structures, flooding or activities that cause urbanisation or detract from rural character;
  - c. they contribute to the management of, and where possible enhance the countryside and urban open spaces and;
  - d. they are readily accessible to those they are intended to serve by means of transport other than the private car and accord with the transport and parking policies of this Local Plan."
29. Furthermore, the NPPF, in paragraphs 93 and 98, positively supports high quality open space and recreational facilities, recognising their importance for health and wellbeing.
30. Hampshire Minerals and Waste Policy 15 seeks the prevention of development which would exclude future extraction. There would be no loss of high grade agricultural land or sterilisation of minerals and thus the open, recreational use of the land as proposed is in line with Development Plan policy and acceptable in principle.

31. The development must also be acceptable in detail to constitute sustainable development, including details relating to ecology, drainage, transport/access, rights of way, landscape and trees.

## **Assessment of details**

### **Layout, Design and Landscape Impact**

32. The supporting Design and Access Statement includes an assessment of landscape context and impact in addition to incorporating the Site Quality Checklist criteria provided by Natural England in designing new SANG. These criteria set a minimum walking route of 2.3-2.5km, and 2.43km of new informal gravel pathway taking a circular route is proposed with options for shorter waymarked walks too. Paths converge on a natural elevated focal point which would provide opportunity for seating, an information board, public art and a picnic area but the rural feel to the site would be retained.
33. As part of the amendments to the development scheme, the Site Layout Plan has been revised (with the primary change being the omission of the on-site car park in the north-western corner of the SANG with, as noted above, alternative provision now proposed in the existing cemetery extension car park further along Sewall Drive. This provision is to meet Natural England criteria for SANG car parking of at least 20 spaces for visitors, including 4 disabled spaces. The previously proposed car parking area will now remain as grassland which will be supplemented by additional tree planting.
34. Whilst the landscape and visual effects of the development as originally submitted were considered to be minor in scale, the removal of the proposed car park and other directly associated works (for example, the drainage pond, fencing around the car park, gates and earthworks etc.) will further minimise the impacts of the development in these respects and serve to enhance the character and seminatural feel of the SANG, particularly as viewed from the public bridleway (Footpath 724) which runs parallel with its northern boundary. As well as the changes to the car park, a woodland buffer has been added along the western and southern boundaries of the site in response to the comments of Natural England and the Forestry Commission, providing resilience for the adjacent ancient woodland and protecting the woodland edge from impacts such as trampling/soil compaction and eutrophication from dog waste.
35. In addition, and to further enhance connectivity, a footpath link has been added in the south-eastern corner of the site to the existing public bridleway (Footpath 729) which runs parallel to the boundary of the SANG. The archaeological features within the site have also been identified on the Site Layout Plan for context and in response to the comments of the Council's Landscape Officer.
36. The pathways are considered to provide an appropriate variety of legible walking options around the SANG, with these having been

sensitively designed to respond to the natural contours of the land and enhance the visitor experience, with the latter being supplemented by map boards, waymarking features, benches and picnic areas, as well as a range of planting. Of note is that the planting proposals and associated landscaping comprise the first phase of the SANG development, with the intention being that this would be further enhanced and supplemented as part of future phases.

37. Whilst some new fencing is necessary, lighting is not, and the visual changes to the site are minimal in the context of its size and sensitive views. In particular, there is no likely visual impact in relation to the South Downs National Park, which lies within 5km of the site. Nor are public views from the bridleway within the site and public footpath adjoining adversely affected.
38. The SANG scheme would provide an area of high-quality open space which conserves the open character of the site whilst enhancing its landscape diversity and establishing the semi-natural feel which is advocated within Natural England's published guidance. The application therefore complies with the requirements of Policies S5, DM1, DM8, DM14 and DM34 of the Local Plan, as well as the provisions of parts 11 and 12 of the NPPF

#### **Highways, Traffic and Parking impacts**

39. The routes of the existing bridleways and public footpaths within and adjoining the site are not altered and now no access improvement works are necessary as visitor vehicular use of the track and Sewall Drive has been removed from the scheme.
40. The application is supported by an amended Transport Assessment (TA) which updates parking and access provisions and the trip generation and resulting net impacts on the highway network associated with the development, informed by a 7-day Automatic Traffic Count (ATC) to provide an accurate appraisal of existing movements that occur along the initial section of Sewall Drive between its junction with Stoke Common Road and the access to the car park. This data shows 49 two-way vehicle movements currently occurring in the AM peak period and 58 in the PM peak period, with speed data indicating that vehicles travel below the permitted speed of 20mph along this part of the road. The predicted level of movements associated with the SANG, which are based on a robust sample size taken from the TRICS database for equivalent uses, show a minor increase in two-way movements during the aforementioned peak periods (8 during the AM period and 13 during the PM peak). This increase equates to 1 additional movement approximately every 7-and-a-half minutes and every 4-and-a-half minutes respectively. The additional traffic arising from the SANG would therefore not be significant and would result in no more than a minor impact on highway operation and capacity.

41. The parking accumulation analysis set out within the TA demonstrates the forecast demand for car parking based on the predicted trip generation for the SANG. It then factors in the current level of usage of the car park based on a survey undertaken during a Friday and Saturday period between 0700 and 2000 (the proposed opening hours of the SANG) to show the anticipated cumulative parking demand. This shows that even at peak times of usage during the day, there would remain between 30 and 40% capacity within the 26-space car park. There would therefore be sufficient space available for existing and anticipated proposed users, with additional spare capacity to cater for any fluctuations in demand. The number of spaces available would also exceed the requirements set out within Natural England's guidance on the creation of SANGs for a facility of the size proposed. Conditions are, however, necessary for gates and signage to prevent use of Sewall Drive by visitors seeking alternative parking. Parking on midweek days when there are burials (approximately 30 per year) would also need to be managed via Bishopstoke Parish Council.
42. The development would have safe and convenient access to the highway, meets local and national highway standards, and would not cause or increase danger to road users or pedestrians, or impact on the safe operation of the highway network. The application therefore complies with Policies DM13 and DM14 of the Local Plan and the provisions of Section 9 of the NPPF.

#### **Rights of Way and the footpath network**

43. Whilst the cemetery extension car park is acknowledged to be further away from the SANG than that which had previously been proposed, there are existing and convenient pedestrian connecting routes available which provide suitable access between the two. These notably include Bridleway 724 (parallel to Sewall Drive), as well as the existing network of paths through the adjacent Stoke Park Woods. Pedestrian entrance points would be provided into the SANG from both in order to allow direct access for users. Use of the route to the SANG through Stoke Park Woods may lead to an increase in recreational movements through this area of woodland and, as a result, mitigation measures that may be necessitated would need to be secured through a S106 Agreement prior to the grant of permission, with these covering any initial facilitating works required (for example, upgrades to footpaths etc.) and ongoing management provisions to maintain access.
44. The proposed internal paths within the SANG would not be formally dedicated as part of the Public Right of Way network and would be maintained by the Council as part of the overall management of the site. Connections are however proposed onto and from the right of way network, which includes links at the south-eastern and south-western corners of the site onto footpaths 729 and 730.
45. Sustainable transport options for walking and cycling to the SANG are good, with existing public rights of way running adjacent and

through the site. Public transport options are not directly available, but the Bluestar 2's service (which runs every 15-20 mins) is within walking distance. It should be borne in mind that the main purpose of this SANG is to direct trips away from the New Forest for recreational use primarily by dogs and their owners, and public transport is not often a feasible option for these types of trips.

46. Concerns raised by HCC Countryside in respect of the original proposals in relation to conflicts between vehicular traffic and users of the rights of way have been addressed through the amended plans.
47. The scheme is compliant with Policies S9, DM13 and DM14 of the Local Plan and the provisions of Section 9 and paragraph 100 of the NPPF.

### **Amenity**

48. The scheme intends to improve the amenity of residents through the provision of a new public recreational space. Balanced against this is the potential for anti-social car parking by visitors in Sewall Drive unless this is pro-actively controlled by conditions, which are recommended for gates, signage and hours of use, and subject to these the development can be compliant with Policies DM1 and DM8 and Paragraph 185 of the NPPF.

### **Flood Risk and Drainage**

49. The submitted Flood Risk Assessment confirms the elevated site is at low risk of flooding, nor is adjoining land at risk of flooding because of the development. However, to ensure that run-off remains at greenfield rates and is not polluted, a drainage strategy is needed which includes a Sustainable Urban Drainage Scheme (SuDS) including stages of natural filtration. The Flood Risk Assessment has been assessed by the Lead Local Flood Authority (HCC), who are satisfied that there is no risk of flooding from the development. Similarly, Natural England and the Council's ecologist have assessed the drainage and are content that, subject to conditions, there would be no risk of pollution running off-site towards the River Itchen. As such, the proposals accord with Policies DM5 and DM6 of the Local Plan and Section 14 of the NPPF.

### **Ecology**

50. Enhanced ecological provision is part of the SANG scheme and wider plans for the Stoke Park Farm site, as detailed in the supporting Ecological Impact Assessment and Landscape and Ecological Management Plan. The existing grassland is in generally poor ecological condition and is suboptimal as a habitat for reptiles and ground-nesting birds. Badgers and potentially hedgehog are however present. Opportunities are taken for enhancements through Biodiversity Net Gain (BNG) works including new hedgerows, landscaping and other ecological enhancements and negative impacts from inappropriate lighting, fencing and drainage are

avoided. The ecological enhancements include log piles, hibernaculum, bird and bat boxes, and damp grassland 'flashes'. BNG is thus provided, as required within Policy DM11 and although the 10% Environment Act requirement is not legally necessary due to the date of submission, the removal of the car park from the main SANG site has enabled a net gain of 58.11% in habitat units and 105.3% in hedgerow units. A long-term Landscape and Environment Monitoring and Management Plan (LEMMP) is required by condition to ensure delivery of the enhancements.

51. The site falls within the Impact Risk Zone for the River Itchen SSSI and Special Area of Conservation (SAC) and an Appropriate Assessment under the Conservation of Habitats and Species Regulations 2017 must be undertaken by the Council, as competent authority. The Appropriate Assessment (AA) undertaken specifically assessed the likely impacts on drainage, particularly any change in sediment run-off. Given the minimal works proposed, it concluded that with mitigation the development is not likely to have a significant effect on the designated site (either alone or in combination with other plans or projects). Natural England were consulted on the AA and have not sought amendments.
52. As stated in policy DM11, development will not be permitted if it is likely (either individually or in combination with other developments) to have a direct or indirect adverse effect on priority habitats, protected or priority species, or on the local ecological network unless it can be demonstrated that: there are no alternative solutions; the adverse effects are unavoidable; measures are taken to mitigate or, as a last resort, compensate for the adverse effects; there is an overall biodiversity net gain; and if there are any residual adverse effects, the benefits of the development clearly outweigh the adverse effects on priority habitats, priority and protected species, and the local ecological network. These requirements are met.
53. Subject to conditions requiring sustainable drainage as required by Policy DM6, the LEMMP, site management and a Construction Environmental Management Plan (CEMP) the development will be compliant with Policy DM11 and Section 15 of the NPPF.

### **Trees**

54. Trees, hedges and woodland are features of the site and the surrounding locality, with this notably including a single tree belt running from the northern boundary centrally into the site, as well as Stoke Park Wood which borders the western and southern boundaries of the proposed SANG and which is designated partly as Ancient Replanted Woodland and Ancient Semi-Natural Woodland. There are also trees and hedging present along the access route to the site.

55. There would be no tree removal required, with a short section of hedgerow (approximately 8m) only being proposed to be removed to facilitate a footpath link to Sewall Drive from the SANG, along with minor pruning works to allow for a provision of a link from the south-western corner of the SANG to the existing walking routes within the adjacent woodland. This woodland is otherwise protected by appropriate landscape buffers. The Tree Protection Plan also provides measures to protect trees during the development works, and new planting in the form of woodland and parkland trees, as well as native hedgerows, will provide an increase in canopy cover on the site and new arboricultural features.
56. Compliance with Policy DM1 in respect of trees and also the Trees and Development SPD can therefore be achieved.

### **Archaeology and Heritage**

57. There is some evidence of archaeological remains within the site, including the possible presence of a Bronze Age round barrow in the north-eastern part. Aerial photographs also indicate that Iron Age/Roman remains may potentially be present. The proposed use is not, however, intrusive and the County Archaeologist has recommended that the SANG's integrated management plan/LEMP includes a heritage management plan which details the future treatment of the known heritage assets and provisions for mitigation.
58. There are no Listed Buildings or Conservation Areas which have any visual or historic landscape connection with the site and thus, subject to archaeological conditions, the proposals are considered to comply with policies S8 and DM12 of the Local Plan and Section 16 of the NPPF.

### **Contamination**

59. No soil-based contamination has been found on the site and therefore there is no risk to public health or ecology in this respect and the scheme complies with Policy DM8 of the Local Plan.

### **Sustainability Measures and Climate Change:**

60. 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.

61. 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.
62. The proposed scheme will encourage shorter journeys than those to the New Forest and would provide for enhanced biodiversity. Therefore, this scheme accords with broad climate change objectives and Local Plan Policy DM3.

### **Equalities Implications:**

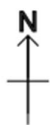
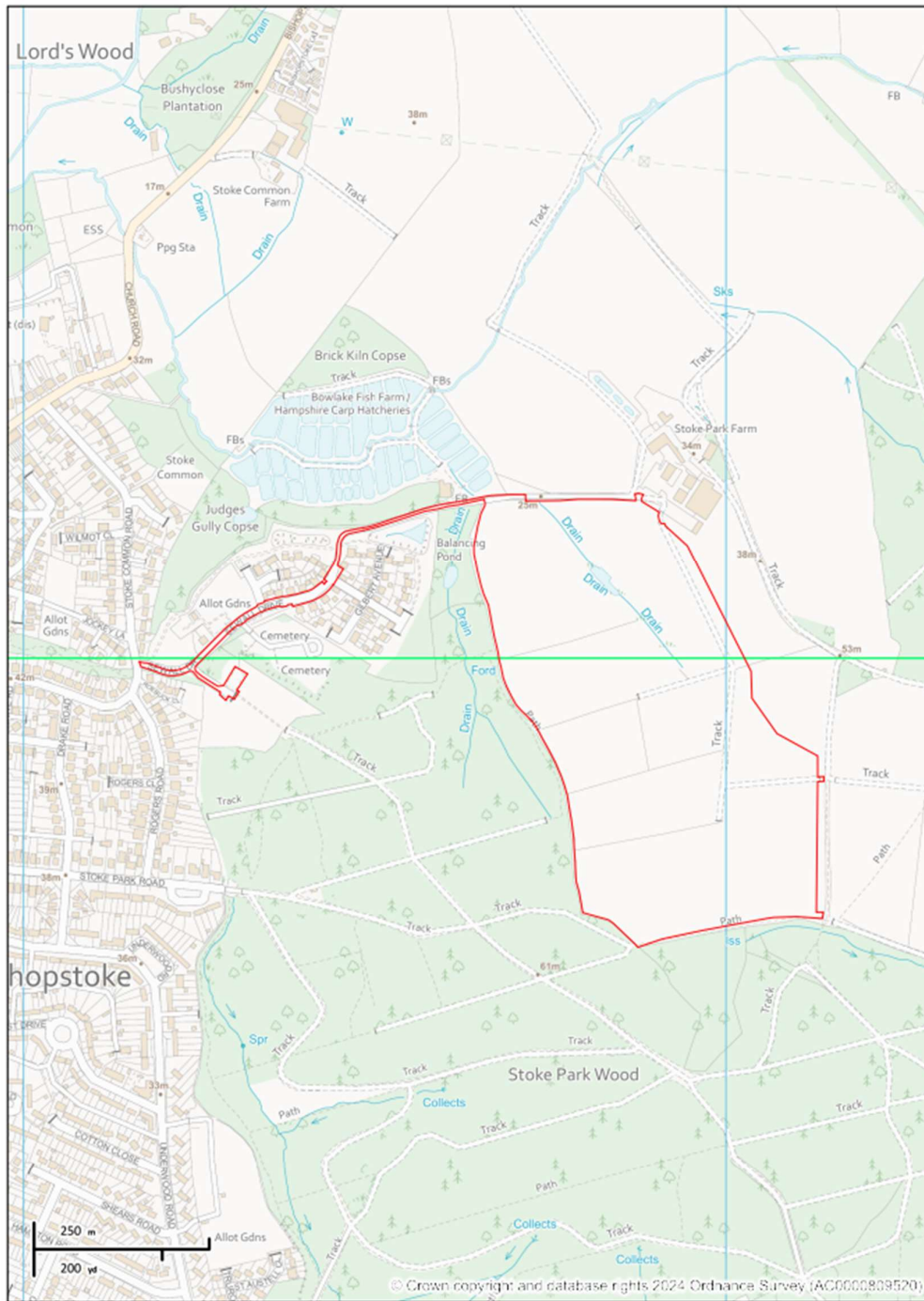
63. Section 149 of the Equalities Act 2010 created the public sector equality duty. Section 149 states:
- A public authority must, in the exercise of its functions, have due regard to the need to:
- a. eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or 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.
64. 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 and is designed to be inclusive, including the provision for disabled parking.

### **Conclusion**

65. The scheme is supported in principle by Policies S5 and DM34 and also in detail by other Local Plan policies and would provide a significant new outdoor recreational area for the public, a significant contribution towards the offsetting of recreational impacts on the New Forest SPA, SAC and Ramsar sites as part of the Council's wider mitigation strategy for this, and would provide for enhanced biodiversity with associated sustainability and climate change benefits. NPPF guidance and Natural England criteria for SANG are also met.

66. It is recommended that the Committee support the application and the recommendation to the Joint Area Committee that it be granted permission, subject to conditions and the planning obligation.

F/23/95844



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Date: 14/05/2024

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