

DELEGATED OFFICER REPORT

Application Ref: F/24/97352

Site Address: Land adjacent to Croft Farm, Winchester Road, Botley, SO32 2BX

Case Officer: Rachael Morris

Description: Erection of detached bungalow with associated parking, access and landscaping

Particular Site Constraints?	Yes ☒	No ☐
• Countryside		

Planning History?	Yes ☒	No ☐
• Z/28480/004/00 - Renovate existing farm building for use as office – Refuse – Mar 1988 • Z/34623/000/00 - Outline: construction of two dwellings – Refuse Outline – Jul 1997 • O/15/76894 - Outline application for replacement of agricultural buildings with 2no. live/work units (B1/C3 uses). Matters for consideration: access, layout & scale – Refuse outline – Sept 2015 • PN/18/84177 - Prior Notification of change of use from agricultural building to a dwellinghouse (Class C3) with associated external alterations – Prior approval granted – Dec 2018 • F/19/86814 - Erection of detached bungalow – Dismissed – Dec 2020 • F/21/90176 - Erection of detached bungalow – Permit – Nov 2021 • X/22/92989 - Variation of condition 1 (approved drawings) of planning permission F/21/90176 for erection of detached bungalow – Permit – Oct 2022		

Publicity:	Letters ☒	Site Notice ☒	Newspaper ☐
Representations:	None		
Parish Council:	No comments or objections		
Ecology:	This site is in a green impact risk zone for great crested newts. There are records of great crested newts, common toads, bats, badgers and nesting swifts in the area. Vegetation which could be used by nesting birds, reptiles, badgers, and hedgehogs would be impacted by the proposal. I have reviewed the PEA report by Arbtech (September 2022). There are some discrepancies in the report. It is 22 months old and now out of date. A precautionary working method for reptiles, badgers, and hedgehogs was recommended. A low impact lighting strategy was recommended both during construction and for the completed development. In section 1.1 the report states it was based on survey work done in October 2021, but in section 2.2 it states the survey was undertaken in August 2022. Great crested newts have been scoped out in this report, but I think there was insufficient effort in the desk study to support this. A drainage ditch to the southeast of the site shown in Table 3, which was listed as standing water. A habitat suitability index for great crested newts is required for this feature and for any ponds within 600m and their possible presence must be reconsidered. In Table 4 the report states that aerial imagery showed no ponds within 500 m of the site however our eGIS map shows at least 4 ponds near this site. One is 360 m to the west near Bubb Lane, one is approximately 379 m to the northeast along Snakemoor Lane at Oaktree Lodge, another pond is 400 m to the northeast, and a 4th pond is 640 m to the northeast at the corner of Snakemoor Lane and		

	Stapleford Lane. Additional ponds are shown to the south on the Magic OS colour map. In the desk study only the MAGIC database was used, and the nearest record of great crested newts was reported to be 1960 m northwest of the site. The local records centre records were not obtained. Our HBIC database contains a record of great crested newts at the pond 360 m to the west near Bubb Lane. An updated ecology report is required, with an update walkover survey and full consideration for the possible presence of great crested newts. Surface water drainage information is also required to be shown on the site plan. As required in the previous applications: Any closed board fencing must have 13 x 13 cm gaps in the baseboards to allow free passage of small mammals such as hedgehogs. In the unlikely event of any bats being found during demolition or construction, all work must stop immediately, and Natural England must be informed. In the unlikely event that a reptile is found on site, all work in that immediate area must stop and advice must be sought from a suitably qualified ecologist. The site area is 0.2 ha so this application does qualify for the self-build exemption for providing 10% biodiversity net gain but some biodiversity enhancements are still required in accord with Local Plan policy DM 11 and NPPF paragraph 180. A bat brick and a swift brick or bird nest box may be appropriate for this building.
Tree Officer:	The supplied arboricultural information doesn't really help, as it was written for the other dwelling under F/21/90176 and X/22/92989. The most critical part of this proposal will be the crossing of the verge and initial driveway. This formed part of the previous applications, but there is still an element of new driveway under this application, which will be close to significant trees. Therefore, similar arboricultural information will have to be submitted as for the previous applications on the other dwelling. Ultimately, however, the position of the proposed dwelling should not be impactful if consideration is given to the trees through appropriate arboricultural information. Therefore, we raise no arboricultural objection, subject to a condition.
Hampshire Highways:	No objection. Access is via a vehicle crossover as shown on Drawing PL02, and is sufficient in width (4.8 metres) to allow for simultaneous two-way vehicle movement which is welcomed given there would be two properties accessing the site from Winchester Road (F/21/90176 plus this application). It should however be noted that whilst the plan states 'Existing Access' and 'Existing Driveway', works are still required to formally surface and construct both to a suitable standard. In terms of trip generation, it would be envisaged that the development would not be significantly different to the historical agricultural vehicle use that was served from the site and as such again this is acceptable. On site, whilst not being put forward for adoption, the layout is generally acceptable with a layout that enables on site turning for forward gear access and egress, as well as adequate space for parking. It would however be requested that a refuse bin collection point was added to the site plan splayed provided. Should the Case Officer be minded to approve the application, conditions should be applied.

Natural England:	No comment
------------------	------------

Site Visit:	Yes ☒	No ☐
Details: Up-to-date Google Streetview is available, and a site visit was undertaken for the previous scheme on site in Jul 2021 which is suitable to assess this scheme.		

Policy: National Planning Policy Framework Planning Practice Guidance Development Plan: The <u>Eastleigh Borough Local Plan 2016-2036</u> The most relevant policies are Strategic policies S1 and S5; and Development Management policies DM1, DM2, DM11, DM13, DM14, DM29 and DM30. Supplementary Planning Documents: Quality Places; Residential Parking Standards; Character Area Appraisals.

Assessment: The development has been considered against policies S1, S5, DM1, DM2, DM11, DM13, DM14, DM29 and DM30 from the 2016-2036 local plan, in that: <u>Site and surroundings</u> • The site is situated between Horton Heath and Boorley Green. Development along this stretch of road is sporadic, typical of the countryside location. • The road has a verdant nature, with tree-lined and dense vegetation to the road verges. • The site has an approval for a detached bungalow within the blue line, as submitted on the location plan. This was approved through a variation (X/22/92989) to an approval under the prior notification process due to the presence of an existing agricultural building which was a material consideration and as such is an exception to the rule in regard to countryside policy. <u>Policy</u> • Development is expected to meet the policies within the local plan, most notably policy DM1 which sets out the general criteria for new development. However, as the site lies within the countryside, strategic policy S5 is also important. • Strategic policy S5 states that planning permission will only be granted for new development in the countryside provided it is related to residential extensions and replacement buildings (policy DM26), limited residential conversions (policy DM19). In permitting new development in the countryside the Borough Council will seek to: avoid adverse impacts on the rural, woodland, riparian or coastal character, the intrinsic character of the landscape including the avoidance of adverse landscape impacts on areas adjoining national parks and their settings, the significance of heritage assets and on the biodiversity of the area. • In principle, additional dwellings are not supported within the countryside, and it does not meet the criteria above to result in acceptable development. <u>Design and impact on countryside</u> • This application proposes a bungalow which presents as the same design as the extant dwelling permission (X/22/92989). The proposed bungalow would be a similar size to an existing agricultural barn on site, due to be replaced with the approved dwelling and appears as a modest traditional dwelling. Therefore, is acceptable in terms of design alone.

- Nonetheless, although a modest proposal, the dwelling would be contrary to policy within the development plan, which does not allow additional dwellings within the countryside. As such, the proposed dwelling would have an urbanising impact and represent an undesirable intrusion into an area of countryside for which there is no material considerations or overriding planning justification to allow the proposal.

Residential amenity

- 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.
- To ensure adequate internal living standards are met the Local Planning Authority assess the measurements of space against the 'Nationally Described Space Standards' (NDSS). Policy DM30 of the Local Plan requires that all new dwellings meet the NDSS as a minimum.
- The application proposes a single-storey 3no. bedroom dwelling (double-beds). Therefore, the NDSS requirement for 6-people is 95 sqm. From the plans internal floor space measuring approx. 125 sqm. In addition, the double bedrooms meet the required 11.5sqm.
- Policy DM29, which states, development should meet higher national access standards as set out in Part M of the building regulations for new build residential development, specifically part M4(2) would apply to new dwellings. In the event this application was to receive support, this would have been conditioned and it was noted in the floor layout plan that the dwelling would meet the required standards.
- In addition, and as set out within the Council's Quality Places Supplementary Planning Document (SPD), the garden size for new residential development must be at least 60% of the floor space of the host dwellinghouse. From the submitted plans, when assessing the available space around the dwelling which is to all be fenced, the proposed outdoor private amenity space is over 60%; therefore, is sufficient and accords with council guidance.

Neighbouring amenity

- The plot is set within relative isolation and as such the closest neighbouring dwelling would be the one approved most recently under X/22/92989. However, this would not be to a detrimental degree due to appropriate side spacing between properties of approx. 17m.
- In terms of residential amenity, the proposed development is not considered to adversely harm existing or future residents through adverse overlooking, loss of sunlight/daylight or loss of outlook and is therefore in accordance with policy DM1 and the Council's Quality Places SPD.

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.
- Due to the nature of the proposals, a HRA was undertaken and submitted to Natural England for their review in mid-June 2024, but no response had been received at point of the issue of this decision.
- In terms of water quality, Natural England have advised that new housing development should achieve nutrient neutrality in order to mitigate the impacts of additional nitrogen arising from the sewage generated by the future residents. This wastewater then feeds into the Solent Complex via Wastewater Treatment Works,

which discharges into the river network and so causes eutrophication affecting the features for which it is designated. The Council has adopted its own strategy for achieving nutrient neutrality whereby it identifies areas of agricultural land and remove these from a nitrate intensive use, thus reducing the nitrogen input into the protected sites, with the level of reduction then being used as a means of offsetting the impacts of development proposals within the Borough. This ensures no overall net increase in nitrates within the Solent and thereby allow a development to achieve nutrient neutrality. In order to do this, the Council calculates the level of nitrate mitigation this land provides (measured in kg) and makes 'nitrate credits' available to developers to buy, with funding being secured during the planning application.

- Furthermore, Natural England has also raised concern with regard to additional residential development within 13.8km radius of the New Forest within 5.6km of the Solent SPAs. This is considered to have an adverse impact upon the New Forest by way of additional trips resulting in further recreational disturbance. There is a monetary mitigation of £2,220 per residential unit to offset the impact upon the New Forest National Park and £875 towards the Solent Recreation Mitigation Strategy.
- Necessary mitigation for nitrates and recreational disturbance towards the Solent & New Forest would have been requested in the event that this proposal was recommended for permission. However, due to its absence, it forms an additional reason for refusal.

Other material considerations

- The council's ecologist requested further information including an updated ecology report is required, with an update walkover survey and full consideration for the possible presence of great crested newts. In the event that the scheme were to reach a permit decision, then this information would have been required. Moreover, there would be a requirement to prove a biodiversity net gain, as set out in policy DM11.
- In addition, if the proposal would have been recommended for approval, then an updated site plan showing the location of a refuse bin collection point, in line with the comments from Hampshire Highways.

Climate Change:

- In July 2019, the Council declared a Climate Change and Environmental Emergency. In doing so it agreed, among other things, to: (a) put in place measures to ensure the Council's own operations and functions achieve carbon neutrality by 2025; (b) work with partners to aim for all projects and services delivered in the Borough to achieve carbon neutrality by 2030; (c) ensure that the Council's procurement policy recognises carbon neutrality as one of its primary considerations; and (d) recognise the urgency of action to mitigate and adapt to climate change in every decision taken by the Council. This is underpinned by the Climate and Environment Emergency Strategy 2020–2030 and the supporting Climate and Environmental Emergency Action Plan – Update June 2020.
- The declaration of the Climate Change and Environmental Emergency demonstrates a strong commitment from the Council to achieve net zero. The NPPF, development plan and adopted local plan policy do not set this as a specific target, but it is a material consideration to be considered alongside all other material considerations. In any case addressing climate change is a core part of the NPPF and local plan policy. The need to support the economy is part of the Strategic Environmental Assessment for the adopted local plan, as is an assessment of climate impacts.
- The NPPF aims for the need for housing to be met, and policy S2 of the Local Plan sets a target for 14,580 dwellings to be provided by 2036. The NPPF, Policies S1, DM2 and DM3 of the Local Plan and energy and water elements of the adopted Environmentally Sustainable Development SPD require development to be sustainable in terms of resource use, climate change and energy use. When

considering the impact of climate change, the proposed development is expected to be resilient to the potential effects of climate change and is expected to reduce/limit impacts on climate emissions as a result of the development or its use.

Equalities Implications:

- Section 149 of the Equalities Act 2010 created the public sector equality duty. Section 149 states:
- - A public authority must, in the exercise of its functions, have due regard to the need to:
 - a. eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
 - b. advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - c. foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- When making policy decisions, the Council must take account of the equality duty and in particular any potential impact on protected groups. It is considered that this application does not raise any equality implications

Conclusion:

Recommendation:

PERMIT ☐

REFUSE ☒

- The proposed dwelling would be unsuitably located resulting in an urbanising and undesirable intrusion into the countryside. As such the proposal is contrary to policies S5 of the Eastleigh Borough Local Plan [2016-2036].
- The application fails to provide the required mitigation to offset the impacts of the development upon the European protected Solent Complex (SPA, SAC and Ramsar sites) and New Forest National Park (SPA, SAC and Ramsar sites) from additional recreational pressure by the population increase resulting from the development. The proposal is therefore contrary to the requirements of Policy DM11 of the Eastleigh Borough Local Plan [2016-2036], the provisions of the NPPF [2023] and the Conservation of Habitats and Species Regulations 2017.
- Insufficient information has been provided to demonstrate the development will not cause adverse harm to the biodiversity interests of the site and species, including great crested newts, common toads, bats, badgers and nesting swifts which are protected by virtue of the Wildlife and Countryside Act (1981) (as amended) and the Conservation of Habitats and Species Regulations (2017) (as amended). The proposals are therefore contrary to Policy DM11 of the Eastleigh Borough Local Plan [2016-2036].
- Insufficient information has been provided to demonstrate a biodiversity net gain and as such is contrary to Policy DM11 of the Eastleigh Borough Local Plan [2016-2036].