

DELEGATED OFFICER REPORT

Application Ref: F/24/96845

Site Address: Land located on Allington Lane, West End, Southampton

Case Officer: David Huckfield

Description: Change of use of land from agricultural to equestrian use and construction of stables with associated access track and turning area and widening of existing access from Allington Lane.

Relevant Site Constraints	Yes ☒	No ☐
• Within Designated Countryside • Adjacent to Copse by Oaklands House SINC (1A/1Cii)		

Relevant Planning History?	Yes ☐	No ☒
N/A		

Publicity:	Letters ☒	Site Notice ☒	Newspaper ☒
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No representations were received in relation to the application.

Consultation Responses (Summarised)

West End Parish Council	No objection
EBC Ecologist	I have reviewed the Preliminary Ecological Appraisal Report by Ecosupport (July 2024). Two ponds were identified within 500 m of the site, one within the adjacent woodland and one across Allington Lane. A Habitat Suitability Index was not done on the closest pond. The report states that <i>the majority of the site lacks structural diversity and is not considered optimal for terrestrial GCN however the boundaries do hold potentially suitable habitat if present.</i> The proposal includes retention of the site boundaries, so I agree that it is not likely for GCN to be using the rest of the field. The site boundaries were also considered to provide habitat opportunities for bats, reptiles, badgers, hedgehogs and nesting birds. I agree that in this case a 15 m buffer to the woodland edge is sufficient to protect the SINC woodland. It must be a securely fenced buffer which is not accessible to horses or any livestock but is permeable to small mammals such as badgers and hedgehogs. It cannot be assumed that all applications have similar starting points or impacts, so the use of H/23/96274 as an example of a 15m buffer is not applicable in this case. The PEA recommends no new lighting on site, but if any lighting is required it must comply with the recommendations in section 6.3.1 of the report. The precautionary working methods outlined in sections 6.4 and 6.5 must be implemented. The habitat reduction strategy described in section 6.5.2 must be implemented during the active reptile period. Please add the following advisory to the decision notice: <i>In the unlikely event of any great crested newts being found during works, all works must immediately stop and Natural England must be contacted.</i>

	A biodiversity enhancement and management plan (BEMP) or a landscape enhancement and management plan (LEMP) can be provided before determination or can be conditioned to include the locations of all recommended enhancements (bat boxes, bird boxes, hibernacula, and planting specifications). The location and type of fencing to protect the 15m woodland buffer must also be shown on this plan.
Tree Officer	We raise no arboricultural objection to the proposal. The significant trees to the north of the site are suitable distance from both the access point and proposed stables.
HCC Highways	In regard to application F/24/96845, having reviewed the information contained within the application pack, there would be no objection to the proposals from a highway perspective, subject to the conditions outlined below being applied. Access into the site is proposed to be via the existing gated vehicle access from Allington Lane, however it is proposed to improve this by hard surfacing and widening the access, and also set the gates back into site an adequate distance to enable a car and trailer to wait off of the highway whilst the gates are opened. This is acceptable, as the proposals are a betterment of the existing vehicle access, and due to the proposed on site use - breeding of Hackney Horses - it is not anticipated that trip rates to the site will increase significantly. It should however be noted by the applicants, that subsequent to any planning permission that may be issued by EBC as Local Planning Authority, a secondary S184 licence will be required from HCC as Local Highway Authority to formalise, hard surface and widen the vehicle access. Details of this process can be found on the HCC website. It would also be requested that conditions are applied in respect of the access construction provision, parking and turning provision, and to require that any gates are set back a minimum of 10m from the edge of the carriageway of the adjoining highway. It is also requested that a condition be imposed to restrict the use of the site to the commercial breeding of Hackney Horses, in order to prevent commercial stable and livery use for the general public which would likely increase trip rates and require additional vehicle parking to be provided on site.
HCC Flood and Water Management	The site is over a hectare in size, however the proposed impermeable area is relatively small. There is sufficient space for a drainage system, and an acceptable discharge location. The hardstanding area is proposed to be permeable, however it is not clear how permeable compacted scalpings will be. The stable block is proposed to drain via water butts to some kind of attenuation storage, however there are no firm details or layout showing how this would be constructed. A discharge to the watercourse is proposed at a restricted rate. The information provided is suitable for proving the drainage concept, but only because there is a surplus of available space at this site. Further detail should be provided through conditions, and consideration should be given to formally draining the hardstanding area and increasing the attenuation storage required accordingly.

	1. No development shall begin until a detailed surface water drainage scheme for the site has been submitted and approved in writing by the Local Planning Authority. The submitted details should include: a. Detailed drainage plans to include type, layout and dimensions of drainage features including references to link to the drainage calculations. b. Detailed drainage calculations to demonstrate existing runoff rates are not exceeded and there is sufficient attenuation for storm events up to and including 1:100 + climate change. c. Confirmation that sufficient water quality measures have been included to satisfy the methodology in the Ciria SuDS Manual C753. d. Exceedance plans demonstrating the flow paths and areas of ponding in the event of blockages or storms exceeding design criteria. 2. Details for the long term maintenance arrangements for the surface water drainage system shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of any of the dwellings. The submitted details shall include; a. Maintenance schedules for each drainage feature type and ownership b. Details of protection measures Please note that any works affecting an ordinary watercourse require prior consent from the LLFA under section 23 of the Land Drainage Act 1991 in addition to any planning permission. Further information, including details on how to obtain pre-application advice, is available from the LLFA website: https://www.hants.gov.uk/landplanningandenvironment/environment/flooding/changewatercourse
British Horse Society	No comments received
Planning Policy	No comments received

Policy:

Legislative Background:

Section 38(6) of the Planning and Compulsory Purchase Act 2004, requires that planning applications are determined in accordance with the Development Plan unless material considerations indicate otherwise.

The Development Plan:

The Development Plan comprises of the Policies of the adopted Eastleigh Borough Local Plan 2016-2036 with the following policies being of relevance to the application: S1 (Delivering Sustainable Development), S5 (Development within the countryside), DM1 (General criteria for new development), DM11 (Nature conservation), DM13 (General development criteria – transport), DM14 (Parking).

National Planning Policy and Guidance:

The latest iteration of the National Planning Policy Framework (the NPPF or Framework) was published in December 2023 and, as set out within paragraph 224, the policies contained within it are material considerations which should be taken into account in dealing with applications from the day of its publication. The Planning Practice Guidance provides additional guidance in support of the policies within the Framework and is also a material consideration in the determination of the application.

Site Visit	Yes ☒	No ☐
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A site visit was undertaken by the Case Officer to assess the proposals in context.

Assessment:

The application is considered to be in accordance with the relevant national and local planning policies for the following reasons:

- The principle of the development is considered to be acceptable. The site falls within an area designated as countryside within the Council's adopted Local Plan where Policy S5 seeks to prevent inappropriate development in order to maintain the rural character of the countryside and limit urbanisation, whilst facilitating and controlling development for which a countryside location is genuinely and justifiably required. In this case, it is considered that the grazing, keeping and breeding of horses is a use which is, in principle, acceptable within the countryside, with any planning approval being subject to the particular proposal put forward being deemed to be appropriate in respect of its other planning related impacts.
- The proposals are to enable the applicant to breed Hackney horses which the supporting information provided with the application sets out are classified as critical by the Rare Breeds Survival Trust (the RBST), with their watch list identifying them as a priority breed of most concern which are both rare and have increased inbreeding. The proposals would thereby assist in contributing to the safeguarding of this species which would represent an environmental benefit of the development.

In terms of the physical works that are associated with the change of use, these incorporate the widening of the existing point of access from Allington Lane, along with the provision of an access track with turning area, and a stable block building which would have 4 stables and be of principally timber construction, with a brick plinth and a low-pitched roof. These elements are considered to be proportionate in extent and scale for their intended purpose, with the stable building being of an appropriate form and appearance for its countryside setting. It is not considered therefore that the development would have an unduly urbanising impact on the site or its surroundings, and the proposals would respect the character of the countryside.

- In terms of the ecological impacts of the development, the eastern part of the site directly borders the Copse by Oaklands House SINC which is designated for Ancient semi-natural woodlands (1A) and wet woodlands (1Cii). Policy DM11 of the Local Plan requires that buffers free from development are provided to designated sites to avoid/mitigate impacts, including recreational impact and impacts on hedge habitats. The Preliminary Ecological Appraisal (PEA) that has been submitted in support of the application recommends that a 15m buffer be provided to the woodland edge and that this would be sufficient to protect the SINC.

The Council's Ecologist is satisfied that this is appropriate in this particular instance and in the context of the nature of the development that is proposed. This is subject to the buffer being securely fenced to prevent access into it by horses whilst at the same time providing for sufficient permeability to allow smaller mammals to move through it. The details of this, along with the other matters referenced by the Council's Ecologist in relation to external lighting, precautionary working measures, the habitat working strategy prescribed within the PEA, and to require the submission of a biodiversity enhancement and management plan (BEMP) for approval by the LPA, can all be covered by condition. The BEMP will include the details of the location and maintenance of the enhancement measures recommended within the submitted PEA to ensure the delivery of a net gain for

biodiversity in line with the requirements of Policy DM11 of the Local Plan.

- There are no highway related concerns associated with the proposals and no objection has been raised by Hampshire County Council in this regard subject to the imposition of a range of conditions. The alterations to the access into the site are considered to be acceptable and, with the restriction on the use of the land to that which is proposed, the number of vehicular trips associated with the development would not be considered to have a significant material impact on the function of the highway network.

Sufficient space is available on site for the level of parking and type of vehicles that would be anticipated for the nature and intensity of use proposed, with an adequate turning area to also be provided to allow vehicles to access and egress the site in a forward gear. The conditions recommended by the highway authority concerning the access construction, parking and turning provision, as well as the requisite set-back for gates from the highway edge, will be imposed accordingly.

- With regards to the drainage provisions for the development, the application is supported by a Flood Risk Assessment (FRA) and Drainage Strategy. The Strategy sets out that the vast majority of the site will remain as grass paddocks, with the 400sqm of hardstanding that is to be laid comprising of permeable unbound granular material to allow run off water to drain into the underlying soil. The stable roof is proposed to be drained to shallow attenuation storage with a discharge ultimately into an adjacent ditch at a rate of 2 litres per second. The FRA concludes that the surface water strategy betters the existing run-off regime and that there will therefore be no adverse impact on flooding or flow rates outside the site.

Hampshire County Council as the Lead Local Flood Authority have been consulted on the application proposals. Having reviewed the submitted FRA and Drainage Strategy, they have advised that there is sufficient space for a drainage system and an acceptable discharge location, with the information provided being suitable for proving a drainage concept. Further details have, however, been identified as being required in respect of the surface water drainage scheme and the subsequent maintenance arrangements for it. The LLFA are, however, satisfied that these details can be secured by suitable conditions, and these will be imposed accordingly as recommended within their formal consultation response.

- Finally, as a result of the nature of the development and its siting relative to the nearest residential properties, it is not considered that the proposals would unduly impact upon the amenity of their occupiers.

Equalities Act:

Section 149 of the Equalities Act 2021 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.

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. 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.

Recommendation:

PERMIT ☒

REFUSE ☐