

# DELEGATED OFFICER REPORT

**Application Ref:** H/23/95895

**Site Address:** HOUND CORNER FRUIT FARM, HAMBLE LANE, NETLEY ABBEY, SOUTHAMPTON, SO31 5FT

**Case Officer:** Rachael Morris

**Description:** Proposed new entrance to site (revision to application H/18/84676)

| Particular Site Constraints?                                                                                                          | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
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| <ul style="list-style-type: none"> <li>• Countryside</li> <li>• Settlement Gap</li> <li>• SGN Gas Pipeline Medium Pressure</li> </ul> |                                         |                             |

| Planning History?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
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| <ul style="list-style-type: none"> <li>• Z/28438/001/00 - Outline: Erection of Agricultural Worker's Dwelling – Refuse – Mar 1986</li> <li>• Z/28438/005/00 - Erection of Agricultural Workers Dwelling and Garage – Permit – Dec 1989</li> <li>• Z/28438/008/00 - Outline Application for Erection of Approx 20 Short Stay Log Cabins, Park Management Dwelling, And Formation of Natural Fruit Park with Proposed New Accesses from Hamble Lane and Satchell Lane – Refuse – Oct 2003</li> <li>• F/04/50192 - Change of Use from Agricultural Building to Office Use (B1) – Refuse – Apr 2004</li> <li>• F/04/50915 - Construction of new vehicular access following closure of existing access – Refuse – Jun 2004</li> <li>• F/05/55588 - Construction of day nursery with new vehicular access &amp; ancillary bin &amp; bike stores – Refuse – Jan 2006</li> <li>• U/10/67039 - Certificate of lawfulness for occupation of existing dwelling not in accordance with agricultural occupancy condition 4 of planning permission 28438/5 – Certificate issued – Dec 2010</li> <li>• F/12/70824 - Two storey front &amp; first floor rear extension and single storey link to outbuilding (amended description) – Permit – Jul 2012</li> <li>• F/14/74216 - Two storey front &amp; first floor rear extension, formation of balconies at 1st and 2nd floor and formation of dormer window on rear elevation (amended description) – Permit – May 2014</li> <li>• P/14/74524 - Prior Notification for proposed change of use of agricultural building to dwellinghouse (use class C3) &amp; associated operational development – Refuse – Aug 2014</li> <li>• F/14/74915 - Retrospective: Erection of detached 4 bay garage and boiler room, with 4 no. dormer windows – Permit – Oct 2014</li> <li>• H/18/84676 - Creation of new entrance to site – Refuse – Mar 2019</li> <li>• H/19/86891 - Retention of out building and pellet fired boiler – Permit – Jan 2020</li> </ul> |                                         |                             |

| Publicity:          | Letters <input checked="" type="checkbox"/>                                                                                                                                                                                                                                                                                                 | Site Notice <input type="checkbox"/> | Newspaper <input type="checkbox"/> |
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| Representations:    | None                                                                                                                                                                                                                                                                                                                                        |                                      |                                    |
| Parish Council:     | No Comment                                                                                                                                                                                                                                                                                                                                  |                                      |                                    |
| Hampshire Highways: | No objection to the proposals from a highway perspective. The proposed access location is an improvement on the existing access, being a further distance from the Hamble Lane / Hound Road roundabout, and in terms of geometries, is acceptable with an adequately sized width and achievable visibility splays that accord to standards. |                                      |                                    |

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|               | <p>Onwards, whilst an access gate is proposed, it is noted that this is the required minimum of 6.0m from the back edge of the adjacent pedestrian/cycleway and as such is also acceptable.</p> <p>It should however be noted by the applicant that subsequent to any permission that may be forthcoming from EBC as Local Planning Authority, a subsequent permission will be required from HCC as Local Highway Authority to actually undertake the drop kerb vehicle crossover works. Details of this proposal can be found via the following web address - <a href="https://www.hants.gov.uk/transport/parking/droppedkerbs">https://www.hants.gov.uk/transport/parking/droppedkerbs</a></p>                                                                                                                                                                                                                                                                                                                                                                                                                    |
| Tree Officer: | <p>As part of the previous application (H18/84676), we raised no arboricultural objection to neither the hedge row removal nor the possible removal of an individual ash tree (subject to replacement planting). It now appears, as stated in the transport assessment, that visibility splays can be achieved using the wide pavement and, therefore, the ash tree does not need removing.</p> <p>Therefore, we raise no arboricultural objection to the proposal.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| Ecology:      | <p>The proposed new access removes c.5m of hedgerow which looks to be hawthorn or similar. No ecology information or detailed landscaping has been submitted so I am unable to tell what the proposed new planting will be comprised of.</p> <p>The hedge is located along a busy and lit road adjacent to a pavement and therefore the ecological function is likely to be significantly reduced. Removal of this section of hedgerow in this location if supplemented with the proposed new planting is unlikely to significantly impact upon ecology. It is possible that it could still be used by breeding birds which will need consideration during works. In summary, the proposal are unlikely to significantly impact ecology and are therefore not contrary to Local Plan Policy DM11 (Nature Conservation). On this basis I raise no objection to this application but recommend that any vegetation removal is carried out between September and February (inclusive) to avoid breeding birds and the new planting should be comprised entirely of native species such as hawthorn and blackthorn.</p> |
| SGN:          | <p>Medium pressure mains are in the road. There should be no mechanical excavations taking place above or within 0.5m of a low/medium pressure system or above or within 3m of an intermediate pressure system. You should, where required, confirm the position using hand dug trial holes.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| SSEN:         | <p>Cables are in the road. Hand dig trial holes over the indicated route of the cable, excavate alongside.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |

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| <b>Site Visit:</b>  | <b>Yes</b> <input checked="" type="checkbox"/> | <b>No</b> <input type="checkbox"/> |
| Details: 08/09/2023 |                                                |                                    |

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| <b>Policy:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <p><b>National Planning Policy Framework</b><br/> <b>Planning Practice Guidance</b></p> <p><b>Development Plan:</b><br/> The <u>Eastleigh Borough Local Plan 2016-2036</u> The most relevant policies are Strategic policies S1, S2, S5 and S6; and Development Management policies DM1, DM11, DM14 and DM26.</p> <p><b>Supplementary Planning Documents:</b><br/> Quality Places; Residential Parking Standards; Character Area Appraisals.</p> |

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| <b>Assessment:</b> |
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The development is considered acceptable and complies with policies DM1, DM11, DM14 and DM26 from the 2016-2036 local plan, in that:

#### Principle

- Policy S5 states planning permission will be granted for new development in the countryside provided it is related to residential extensions and replacement buildings (policy DM26).
- Policy S6 states development within a Settlement Gap as set out in the policies map will be permitted provided that it would not undermine the physical extent and/or visual separation of settlements; and it would not have an urbanising effect detrimental to the character of the countryside; or the separate identity of the adjoining settlements.
- Policy DM26 states the extension of a permanent dwelling in the countryside will be permitted subject to the general development criteria and transport policies of the Local Plan and provided the extension of the dwelling will not be disproportionate in size to the existing dwelling, neighbouring properties or in relation to its plot, or involve any extension to its curtilage.
- In principle, the proposed access and entrance gate will not create an extension to the curtilage or create a dwelling disproportionate in size to itself or neighbouring properties.

#### Design and layout

- The design of the entrance gates is suited to the host dwelling in terms of its form, scale and appearance.
- The development would not be an overdevelopment of the site, would retain sufficient amenity space and meet parking standards.
- The design and layout respect the character and appearance of the locality.
- The proposed gates are set back off the highway by 6m which provides space for a vehicle to exit the highway and wait for gates to open safely, not obstructing the flow of traffic.
- The gate has elements of transparency in the design which allows for views through to the site. In addition, the gate has been reduced in size to approx. 1.5m from an originally submitted height of 1.8m, which was also originally proposed as an opaque design.
- Although the loss of part of the hedgerow is not an ideal situation, the ecologist has stated this is unlikely to be high quality habitat. In addition, this is to be replaced by new 1.5m high landscaping, with its maintenance to be conditioned for at least 5 years.
- The access gates would be to an existing dwelling and overall is a minor development. As such this would not physically or visually erode the settlement gap, nor would it create an extension to the existing curtilage of the dwelling. It is considered that the development would accord with policies DM26, S5 and S6.

#### Residential amenity

- The development accords with guidance set out in the 'Quality Places' SPD in that there will be no unacceptable impact on the amenity of the neighbouring properties in terms of loss of privacy, light or outlook.

#### Highways

- The previous scheme was refused on the basis of impact to the countryside and local gap but did receive a no objection from Hampshire Highways.
- This scheme continues to receive a no objection from Hampshire Highways and offer an improvement to the existing access.

#### Other material considerations

- There will be no adverse impact upon trees or other natural features worthy of retention.
- There are no likely significant impacts on the SPA.
- The proposed access location is an improvement on the existing access with an adequately sized width and achievable visibility splays that accord to standards.

#### 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.

#### 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** ☐

Comments ...