

DELEGATED OFFICER REPORT

Application Ref: H/24/97283

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

Case Officer: Rachael Morris

Description: Proposed new entrance to site (amendment to approved application H/23/95895)

Particular Site Constraints?	Yes ☒	No ☐
• Countryside • Settlement Gap • SGN Gas Pipeline Medium Pressure		

Planning History?	Yes ☒	No ☐
• Z/28438/001/00 - Outline: Erection of Agricultural Worker's Dwelling – Refuse – Mar 1986 • Z/28438/005/00 - Erection of Agricultural Workers Dwelling and Garage – Permit – Dec 1989 • 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 • F/04/50192 - Change of Use from Agricultural Building to Office Use (B1) – Refuse – Apr 2004 • F/04/50915 - Construction of new vehicular access following closure of existing access – Refuse – Jun 2004 • F/05/55588 - Construction of day nursery with new vehicular access & ancillary bin & bike stores – Refuse – Jan 2006 • 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 • F/12/70824 - Two storey front & first floor rear extension and single storey link to outbuilding (amended description) – Permit – Jul 2012 • F/14/74216 - Two storey front & 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 • P/14/74524 - Prior Notification for proposed change of use of agricultural building to dwellinghouse (use class C3) & associated operational development – Refuse – Aug 2014 • F/14/74915 - Retrospective: Erection of detached 4 bay garage and boiler room, with 4 no. dormer windows – Permit – Oct 2014 • H/18/84676 - Creation of new entrance to site – Refuse – Mar 2019 • H/19/86891 - Retention of out building and pellet fired boiler – Permit – Jan 2020 • H/23/95895 - Proposed new entrance to site (revision to application H/18/84676) – Permit – Nov 2023		

Publicity:	Letters ☒	Site Notice ☐	Newspaper ☐
Representations:	None		
Parish Council:	No Comment		
Tree Officer:	We raise no arboricultural objection to the proposal.		
Ecology:	Landscaping information for the proposed new hedge planting is required. The new planting should be comprised entirely of native species such as hawthorn and blackthorn. After it is established, to maintain a continuous supply of flowers, fruits and seeds for wildlife the hedge should be pruned on a 3-year rotation, with only a third of		

	the hedge pruned each year or pruning front, back and top separately in successive years. To protect nesting birds any vegetation removal can only be carried out between September and February (inclusive). If this is not possible then the existing hedgerow must be checked for nesting birds by a suitably qualified ecologist. If any active nests are found, all work must stop, and a 5 m buffer be put into place to protect the nest from disturbance until after the chicks have fledged and left the nest.
Hampshire Highways:	No objection to the proposals, subject to a condition being applied. The proposed access is of an acceptable design, with all works and wall works being contained within site and off of the adjacent highway land. It should however be noted that concrete edging or similar which cross the highway verge leading to the adjacent foot/cycleway should be flush to the surface and not raised at all, in order to remove the risk of pedestrian trips. Wall end brick pillars are set at 1.0m which is acceptable, adequate visibility splays are provided, and the proposed gate is set back by 6.0m from the back edge of foot/cycleway to ensure that this is not blocked by any cars waiting for the gates to open. Finally, applicants should be made aware that subject to any planning permission that may be forthcoming from EBC as Local Planning Authority, a secondary permission will be required from HCC as Local Highway Authority to actually undertake the drop kerb works. This will also need to incorporate the slight relocation of the street light column that currently sits within the access splay. Details of this process can be found via the following web address - https://www.hants.gov.uk/transport/parking/droppedkerbs

Site Visit:	Yes ☒	No ☐
Details: 08/09/2023		

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, S5 and S6; and Development Management policies DM1, DM11, DM14 and DM26. Supplementary Planning Documents: Quality Places; Residential Parking Standards; Character Area Appraisals.

Assessment:
The development has been considered against policies S5, S6, DM1, DM11, DM14 and DM26 from the 2016-2036 local plan, in that: <u>Principle</u> • The application is set within the countryside where the principle of development is not accepted unless otherwise supported by policy in the local plan or there are other material considerations. • Strategic policy S5 states planning permission will be granted for new development in the countryside provided it is related to: the provision of employment through agricultural development, the extension and replacement of existing employment uses and the re-use of existing buildings; residential extensions and replacement buildings, limited residential conversions, rural workers' dwellings and

accommodation for Gypsies, Travellers and Travelling Showpeople; community, tourist, or visitor uses through the re-use of buildings including facilities for the interpretation of heritage assets; outdoor recreation and open space; allotments and community farms; cemeteries; and essential public utilities.

- The application is also set within the settlement gap where development must not undermine the separation of settlements.
- Strategic 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.

Design, layout and impact on the countryside & settlement gap

- The proposed brick walls with piers and solid timber gate would be to the detriment of the character of the area. Entrances to properties are not common along this stretch of road but those that are present are often characterised by vegetation and open driveways.
- The proposed development represents a stark elevation to Hamble Lane which is a key road through to Hamble. The boundary treatments impede views through the site creating a barrier through this stretch of the rural street scene. The proposal's placement is in a location that was once occupied by a large area of dense vegetation which offered a softer and more appropriate edge to the highway in this rural location.
- The previously approved entrance (H/23/95895) was more suited to the countryside location due to the design of the field gate offering views through and the retention/enhancement of hedgerows to act as the boundary treatment. Moreover, the previously approved gate measured 1.5m tall where this proposed gate measures 1.9m which is an unacceptable increase, creating an imposing structure.
- Given the visual harm caused by the development it is considered to have a harmful impact on the rural setting and does not accord with policy S5.
- The proposed gate and brick walls/piers would not undermine the separation of settlements but would create a physical addition which would have an urbanising effect detrimental to the character of the countryside. Therefore, it is also considered this does not accord with policy S6.

Other material considerations

- 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.
- This scheme continues to receive a no objection from Hampshire Highways and offers an improvement in highway safety terms, to the existing access of the site.
- If a permission had been recommended, then information on landscape maintenance would have been requested in line with the council's Ecologist comments.
- There will be no adverse impact upon trees worthy of retention.
- There are no likely significant impacts on the SPA.

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 ☒

- The proposed entrance walls and gate, due to the height and solid nature of construction, would create an undesirable urbanising impact on the character of the countryside and settlement gap. As such the proposal is contrary to policies DM1, S5 and S6 from the Eastleigh Borough Local Plan (2016-2036).